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2d Session }

SENATE

{ REPORT  
115-275

DEPARTMENTS OF COMMERCE AND JUSTICE, SCIENCE,  
AND RELATED AGENCIES APPROPRIATIONS BILL, 2019

\_\_\_\_\_  
JUNE 14, 2018.—Ordered to be printed  
\_\_\_\_\_

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

**REPORT**

[To accompany S. 3072]

The Committee on Appropriations reports the bill (S. 3072) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes, reports favorably thereon and recommends that the bill do pass.

*Total obligational authority, fiscal year 2019*

|  |                  |
|--|------------------|
| Total of bill as reported to the Senate <sup>1</sup> ..... | \$71,696,406,000 |
| Amount of 2018 appropriations .....                        | 71,457,936,000   |
| Amount of 2019 budget estimate .....                       | 66,084,754,000   |
| Bill as recommended to Senate compared to—                 |                  |
| 2018 appropriations .....                                  | + 238,470,000    |
| 2019 budget estimate .....                                 | + 5,611,652,000  |

<sup>1</sup>This level does not include -\$8,382,000,000 in adjustments that the Congressional Budget Office scores to the bill. With these adjustments, the bill is consistent with the subcommittee's discretionary allocation of \$62,995,000,000.

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#### PURPOSE OF THE BILL

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

#### SUMMARY OF THE BILL

The total amount of discretionary budget authority recommended by the Committee for fiscal year 2019 is \$62,995,000,000, which is \$3,395,000,000 above the fiscal year 2018 enacted level. The Committee's recommendation is consistent with the allocation for the Commerce, Justice, Science, and Related Agencies appropriations bill, and adheres to the congressional budget agreement and provisions.

While the discretionary budget authority in this bill has increased from the fiscal year 2018 enacted level, the Committee proposes to keep many of the programs and activities relatively flat while making strategic funding increases and decreases mainly due to necessary preparations to conduct the Constitutionally mandated Decennial Census and lower receipts to the Crime Victims Fund [CVF]. Together, these two programmatic differences account for \$2,978,388,000 of the increased budget authority in this year's bill.

In preparation for the 2020 Census, the Committee proposes a \$1,007,388,000 increase above the fiscal year 2018 enacted level for the Census Bureau, which is equal to the 2019 budget request. The Decennial Census is entering a critical development phase and is currently executing an End-to-End test. The data from the Census delivers important information to help facilitate the distribution of billions of dollars in Federal funding for grants supporting States, counties, and municipalities; determines the population for congressional apportionment; and provides valuable data for continued economic growth.

Additionally, the Committee provides \$4,436,000,000 to victims and for victim services through the CVF, which is equal to the fiscal year 2018 enacted amount and is above the 3-year average of deposits, a metric for CVF spending called for by the Senate Budget Committee. This spending level requires \$1,971,000,000 in additional budget authority in the bill due to lower receipts coming into the fund during fiscal year 2018.

Nonetheless, the Committee has strived to achieve a careful balance between the competing priorities of law enforcement, national security, economic development, scientific research, and space exploration, while having limited resources.

The Department of Commerce is charged with addressing and executing several critical functions for our nation, which include: operating weather satellites and forecasting severe storms; enforcing trade laws to ensure American businesses can compete on a level playing field; completing a timely and accurate Constitutionally required Decennial Census; working with distressed communities to spur economic development; and properly managing our Nation's fisheries.

While the bill adopts some of the cost saving measures in the 2019 budget request, the Committee does not support other proposed cuts to core programs, such as reductions to advanced weather forecasting operations and research and STEM education programs. The administration also proposes to eliminate important external competitive grant programs that partner with States and local communities across the Nation, which use matching funds to maximize any Federal investment. In contrast, the bill retains many of these grant programs which allow States and communities to steer financial priorities through a bottom-up approach instead of Federal agencies driving local decisions from afar. Additionally, the Committee proposes to decrease the National Oceanic and Atmospheric Administration's Procurement, Acquisition and Construction [PAC] resources in fiscal year 2019 by \$484,205,000, which reflects the anticipated reduced financial need for flagship weather satellite programs as they are launched and enter the operational phase.

The changing landscape of criminal activity at home and abroad tests the Department of Justice's ability to deal with and adapt to emerging threats. The Committee believes that our Federal law enforcement agencies must work collaboratively—particularly in tough budget environments—to focus and streamline limited resources in a manner that safeguards taxpayer dollars while preserving public safety. The Committee provides an approximate 2 percent increase for most Federal law enforcement components and the United States Attorneys, while maintaining strong funding for State and local justice grants.

For the science agencies, the Committee sought to build upon the advances and calculated gains made in the Consolidated Appropriations Act, 2018 (Public Law 115–141). Rather than curtail ongoing missions and research, and, for NASA, delay future exploration for years to come, the Committee attempted to leverage strategic increases as well as reductions so that NASA and NSF are able to achieve balanced and cost-effective operations. These efforts not only lead to scientific breakthroughs and technological advances, but continue to inspire and harness the excitement of our future science and business leaders.

#### FIGHTING WASTE, FRAUD, AND ABUSE

The departments, agencies, boards, and commissions funded in this bill can and should continue to reduce operating expenses by placing greater scrutiny on overhead costs. Savings can and should

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

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

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

Second, the bill requires the Inspectors General of the Departments of Commerce and Justice, NASA, NSF, and the Legal Services Corporation to conduct reviews of grant and contract funds to ensure funds are being spent appropriately. For projects with persistent accountability issues, such as the Decennial Census and weather satellites, special funding is provided for additional Inspector General scrutiny.

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

The Committee also supports long-standing provisions that were once solely included in this bill but have since become government-wide provisions. These include: requiring each department, agency, board, and commission funded in this act to report spending on large conferences to the Inspectors General for audit; requiring all departments and agencies funded in this act to provide full access to documents and data for their respective Inspectors General to conduct investigations and audits; and prohibiting funds from being used for contracts, memoranda of understanding, cooperative agreements, grants, or loan activities if the proposed recipient has unpaid Federal tax liabilities or was convicted of a felony criminal violation.

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

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

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

*Federal Vehicle Fleet Management.*—The General Services Administration [GSA] issues guidance on Federal fleet management, but the Federal vehicle fleet is decentralized, with each agency maintaining flexibility to manage vehicle utilization as appropriate. In order to provide better transparency and accountability of funding for Federal vehicles, the Committee directs agencies funded in this bill to conduct an annual review of fleet utilization during the third quarter of each fiscal year and provide their corresponding Offices of Inspectors General [OIGs] with supporting documentation on the method used for determining optimal fleet inventories and justification for any deviation from GSA's Federal Property Management Regulations. OIGs shall be responsible for conducting annual audits of fleet management practices and make the subsequent results for non-law enforcement sensitive agencies publicly available.

*Reducing Duplication and Improving Efficiencies.*—The Committee directs each agency funded in this bill to report to the Committee, within 1 year of enactment of this act, on all efforts made to address the duplication of Federal programs identified by annual GAO reports along with identifying substantive challenges and legal barriers to implementing GAO's recommendations, along with suggested legislative recommendations that could help the agency to further reduce duplication.

#### REPROGRAMMINGS, REORGANIZATIONS, AND RELOCATIONS

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

The Committee expects each department and agency to closely follow the reprogramming procedures listed in section 505. These procedures apply to funds provided under this act, provided under previous appropriations acts that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury available to the agencies funded by this act. Section 505 requires that the Committee on Appropriations be notified by letter, at least 15 days prior to reprogramming of funds, whether

permanent or temporary, in excess of \$500,000 or 10 percent, whichever is less, between programs, projects, or activities. Section 505 of this act is also applicable in cases where funding for an activity is reduced by 10 percent. In addition, the Committee is to be notified of reprogramming actions which are less than these amounts if such actions would have the effect of: committing the agency to significant funding requirements in future years; increasing funds or personnel by any means for any program, project, or activity for which funds have been previously denied or restricted by Congress; creating new programs, offices, agencies, or commissions or substantially augmenting existing programs, offices, agencies, or commissions; relocating offices or employees; or reorganizing offices, programs, or activities.

The Committee also expects that any items that are subject to interpretation will be reported. The Committee expects that each department and agency funded in the bill will follow these notification policies precisely and will not reallocate resources or reorganize activities prior to submitting the required notifications to the Committee. Reprogramming or transfer requests shall be submitted only in the case of an unforeseen emergency or situation that could not have been anticipated when formulating the budget request for the current fiscal year.

#### CONGRESSIONAL BUDGET JUSTIFICATIONS

The Committee directs that all departments and agencies funded within this bill shall submit all of their fiscal year 2020 budget justifications concurrently with the official submission of the administration's budget to Congress. Further, all departments and agencies with classified programs funded within this act are directed to submit their classified budget justification documents to the Committee, through appropriate means, at the same time the unclassified budget justifications are transmitted.

These justifications shall include a sufficient level of detailed data, exhibits, and explanatory statements to support the appropriations requests, including tables that outline each agency's programs, projects, and activities for fiscal years 2019 and 2020. For example, when requesting an enhancement of resources, the justification should detail the existing program and what the new resources would buy. The Committee directs the chief financial officer of each department or agency funded in this act's jurisdiction to ensure that adequate justification is given to each increase, decrease, and staffing and function change proposed in the fiscal year 2020 budget, particularly within the departmental operations and management accounts.

The Committee expects that the fiscal year 2020 submissions will include sufficient detail to justify all programs, projects, and activities contained in each department, agency, or commission budget request. Budget justifications are prepared not for the use of the agencies but are the primary tool of the Committee to evaluate the resource requirements and proposals requested by the administration.

#### REPORTING REQUIREMENTS

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

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

#### REDUCTIONS-IN-FORCE

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

#### APPROPRIATIONS LIAISONS

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



TITLE I

DEPARTMENT OF COMMERCE

The Committee recommends a total of \$11,571,798,000 for DOC. The recommendation is \$434,560,000 above the fiscal year 2018 enacted level and \$1,774,921,000 above the budget request.

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

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$495,000,000 |
| Budget estimate, 2019 .....    | 451,147,000   |
| Committee recommendation ..... | 499,000,000   |

The Committee's recommendation provides \$499,000,000 for the International Trade Administration [ITA]. The recommendation is \$4,000,000 above the fiscal year 2018 enacted level and \$47,853,000 above the budget request. The discretionary appropriation is offset by \$11,000,000 in fee collections.

*Offsetting Fee Collections.*—ITA shall continue to identify and include an accurate assessment of expected fee collections and corresponding expenditures in its fiscal year 2019 spending plan and in its fiscal year 2020 budget request.

*Trade Enforcement.*—The Committee provides \$4,000,000 above the fiscal year 2018 enacted level for the Office of Enforcement and Compliance. ITA should make enforcement of antidumping and countervailing duties [AD/CVD] a priority, including thoroughly investigating dumping and subsidies causing injury to domestic businesses and expeditiously reducing trade remedy case backlogs.

Additionally, the Committee is supportive of the Administration's request to self-initiate AD/CVD cases, as is authorized under current law. The process of preparing and filing a petition is time-consuming and expensive and, frequently, industry has already suffered injury in order to meet the statutory standard for initiating an AD/CVD investigation. ITA is encouraged to use funding under

Enforcement and Compliance to provide direct assistance to industries in support of self-initiated cases and other AD/CVD enforcement.

*Trade Fraud and Evasion.*—The Committee encourages ITA to coordinate with appropriate agencies, such as Customs and Border Protection, Immigration and Customs Enforcement, the International Trade Commission, and the Departments of Justice and State, in order to report to the Committee on legislative remedies that may be needed to support U.S. Government-wide efforts to combat trade fraud and evasion.

Additionally, the Committee notes that funding formerly requested for the Interagency Trade Enforcement Center has been moved from ITA to the Office of the United States Trade Representative for the Interagency Center on Trade Implementation, Monitoring, and Enforcement, following passage of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125). As such, no funds are provided for these activities in ITA, but ITA shall continue to collaborate with all other Federal trade agencies to ensure U.S. trade laws and agreements are enforced fairly.

*U.S. and Foreign Commercial Service.*—The U.S. and Foreign Commercial Service [US&FCS] provides significant value to U.S. businesses looking to expand overseas export opportunities. The Committee rejects the proposed cuts to the US&FCS and directs ITA to fund US&FCS, and its core mission of export promotion, at the highest possible level in fiscal year 2019, and at no less than the amount provided in fiscal year 2018. At this funding level, the Committee does not anticipate the closure of any foreign or domestic offices. No offices shall be closed in fiscal year 2019 unless the Committee approves a reprogramming request to close such office or offices. Additionally, the Committee will not approve requests to close any domestic offices, called U.S. Export Assistance Centers, if such Center is the only one located in a given State.

Furthermore, the Committee directs ITA to submit, not more than 60 days after enactment of this act, a report detailing any instances of US&FCS staff diverted from working on trade promotion in the last year to other priorities, including trade enforcement and implementation of tariffs. Additionally, ITA is directed to submit, in its fiscal year 2019 spending plan and 2020 budget request, a breakdown of Global Markets funding for the US&FCS and for other activities.

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

*Capture and Trade Enforcement.*—The Committee has long supported and valued the importance of trade enforcement for ensuring American businesses and products can enter the global marketplace on a level playing field. The objectivity of trade officials at ITA is essential for the success of our trade enforcement laws. The Committee is aware that the nature of trade enforcement activities involves the risk of “capture,” which is the process in which regulating officials begin to identify with regulated parties. Capture is

often unintentional and develops over long periods of time, but can significantly influence regulators’ decisionmaking. To better ensure the objectivity of enforcement decisions against foreign entities, including decisions not to enforce trade laws, the Committee requested a report in Public Law 115–141 reviewing the policies and procedures the agency has in place to prevent capture of its Enforcement and Compliance employees. The Committee looks forward to receiving the report.

*Survey of International Air Travelers [SIAT].*—The Committee does not adopt the administration’s proposal to seek alternative funding sources for SIAT and directs ITA to continue funding SIAT out of its base budget. Within funds provided, ITA is encouraged to increase the sample size for SIAT.

*General Data Protection Regulation.*—The Committee urges ITA to continue its efforts to educate small businesses about the European Union’s General Data Protection Regulation [GDPR]. The Committee is concerned that small businesses may be unaware of their compliance obligations as a result of GDPR and could be vulnerable to fines and significant financial risk. The Committee encourages ITA to work with Federal, State, and local partners to raise awareness about GDPR obligations on American small businesses.

*U.S. Trade Imbalance.*—The Committee notes that the current U.S. trade imbalance is one important factor in helping guide our Nation’s trade policies. However, the imbalance alone does not provide the full economic picture or strategic goals related to U.S. trade. Therefore, the Committee urges the administration to take into account all economic impacts, including potential negative effects of tariffs on imported goods, as the U.S. engages in trade negotiations and discussions.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$113,500,000 |
| Budget estimate, 2019 .....    | 120,647,000   |
| Committee recommendation ..... | 121,600,000   |

The Committee’s recommendation provides \$121,600,000 for the Bureau of Industry and Security [BIS]. The recommendation is \$8,100,000 above the fiscal year 2018 enacted level and \$953,000 above the budget request.

BIS is the principal agency involved in the development, implementation, and enforcement of export controls for commercial technologies and for many military technologies as a result of the President’s export control reform initiative. The Export Enforcement Division detects, prevents, investigates, and assists in the sanctioning of illegal exports of such items.

*Export Control Regulatory Compliance Assistance.*—The Committee directs BIS to continue its exporter outreach program to educate companies of all sizes on their obligations related to export controls. In this effort, BIS should continue targeting small- and medium-sized businesses and working with State and local trade and export associations, in addition to working with national industry groups, to ensure that small- and medium-sized businesses

have clear, easy-to-understand information about complying with export control regulations.

ECONOMIC DEVELOPMENT ADMINISTRATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$301,500,000 |
| Budget estimate, 2019 .....    | 14,937,000    |
| Committee recommendation ..... | 305,500,000   |

The Committee’s recommendation provides \$305,500,000 for the Economic Development Administration [EDA]. The recommendation is \$4,000,000 above the fiscal year 2018 enacted level and \$290,563,000 above the budget request.

EDA provides grants to local governments and nonprofit agencies for public works, planning, and other projects designed to facilitate economic development. The Committee directs EDA to coordinate with regional development organizations to support projects that will address some of the pressing issues that challenge rural economic development, including the opioid epidemic and inequities in broadband access. Funding amounts for the two appropriations accounts under this heading are displayed below.

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$262,500,000 |
| Budget estimate, 2019 .....    |               |
| Committee recommendation ..... | 266,500,000   |

The Committee’s recommendation provides \$266,500,000 for Economic Development Assistance Programs. The recommendation is \$4,000,000 above the fiscal year 2018 enacted level and \$266,500,000 above the budget request. EDA is directed to focus on its core programs and mission to aid the most distressed communities across the country. The Committee expects EDA to use all available carryover and prior year recoveries to the maximum extent possible. EDA shall consider geographic equity in making all award decisions and shall ensure that rural projects are adequately represented among those selected for funding. Of the amounts provided, funds are to be distributed as follows, and any deviation of funds shall be subject to the procedures set forth in section 505 of this act:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

[In thousands of dollars]

|   | Committee recommendation |
|---|--------------------------|
| Public Works .....                          | 117,500                  |
| Economic Adjustment Assistance .....        | 37,000                   |
| Trade Adjustment Assistance for Firms ..... | 13,000                   |
| Regional Innovation Program .....           | 25,000                   |
| Partnership Planning .....                  | 33,000                   |
| Technical Assistance .....                  | 9,500                    |
| Research and Evaluation .....               | 1,500                    |
| Assistance to Coal Communities .....        | 30,000                   |
| <b>Total .....</b>                          | <b>266,500</b>           |

*Broadband Projects.*—EDA funding provided under Public Works, Economic Adjustment Assistance, and other programs may

be used to support broadband infrastructure projects. High-speed broadband is critical to help communities attract new industries and strengthen and grow local economies. EDA is encouraged to prioritize unserved areas. EDA shall continue to submit annual updates to the Committee describing the number and value of broadband projects supported as required by the Explanatory Statement accompanying Public Law 115–141.

*Outdoor Recreation Projects.*—The Committee notes that projects supporting outdoor recreation as a catalyst for economic development may be eligible for EDA funding. EDA is encouraged to consider such projects when consistent with a region’s Comprehensive Economic Development Strategy.

*Economic Adjustment Assistance [EAA].*—EAA is EDA’s most flexible economic development program, which provides access to appropriate funding for everything from disaster recovery to business accelerators and incubators. Within funding for EAA, the Committee provides no less than the fiscal year 2018 enacted level to support EDA’s collaborations with the Delta Regional Authority and the Appalachian Regional Commission to assist distressed communities. In addition, the Committee provides \$3,000,000 for the Northern Border Regional Commission to assist the recovery of forest-based economies within the territory.

*Regional Innovation Program [RIP].*—The Committee provides \$25,000,000 to EDA for grants under RIP as authorized under the Revitalize American Manufacturing and Innovation Act of 2014 (Public Law 113–235). RIP awards competitive grants to regional entities in support of innovation and entrepreneurship. EDA shall continue to ensure that RIP awards go to multiple grantees in multiple and diverse geographic areas, including an increased focus on organizations and States that have not previously received funding from the program. Furthermore, within funds provided for RIP, EDA shall award not less than 40 percent of grants to support rural communities.

*University-based Business Incubators.*—Within funding provided under RIP, the Committee directs EDA to invest in university-based, high-tech business incubators to encourage entrepreneurship and promote technology commercialization through business startups. Funding awards should include support for incubator projects where Federal labs and universities are collaborating to stimulate commercialization of research. Furthermore, this activity should support private-public partnerships for economic growth and job creation in areas of high unemployment.

*New Forest Products.*—The Committee notes that many forest-based economies have experienced disruption and decline in recent years. EDA is encouraged to work with communities and regions that have been adversely impacted by rapid changes in the timber marketplace and to support projects that help these communities develop related industries, including commercialization of new forest products using low-grade wood. This work may include the coordination of economic development efforts across multiple States or Economic Development Districts. Additionally, the Committee reiterates that communities facing job losses are eligible for all EDA programs.

*Nuclear Plant Closures.*—As part of the Explanatory Statement accompanying Public Law 115–141, the Committee directed EDA to report on its work to help identify and develop best practices to assist communities affected by loss of tax revenue and job loss due to nuclear power plant closures in recognition of the reality that communities that have a nuclear power plant that will undergo decommissioning, is currently undergoing decommissioning, or has completed decommissioning have become de facto high-level radioactive waste storage sites. The Committee further directs the Secretary of Commerce, in coordination with the Secretary of Energy, to build on EDA’s efforts by working across the executive branch and report to the Committee, not later than 90 days after the date of enactment of this act, on existing resources and funding opportunities for which affected communities may be eligible. The report shall also include what opportunities exist for these affected communities to consider alternative uses for these sites upon completion of the decommissioning process and what Federal programs may assist in these efforts.

*STEM Apprenticeships.*—The Committee notes that over the past decade, the growth in jobs requiring sophisticated science, technology, engineering, and math [STEM] skills was three times faster than growth in non-STEM jobs. Yet, U.S. employers have struggled to fill jobs in these fields. Because more than 50 percent of jobs that require STEM skills do not require a bachelor’s degree, non-traditional higher education, such as apprenticeships, will be instrumental in meeting the urgent demand for a STEM-literate workforce. The Committee encourages EDA to provide grants to communities to create and expand STEM apprenticeship and other workforce training models, as directed in section 312 of the American Innovation and Competitiveness Act, Public Law 114–329. The Committee also directs EDA to provide an assessment, within 180 days of enactment of the act, of how STEM apprenticeship grants would complement EDA’s investment priorities and grant programs, as well as how they would serve EDA’s mission of facilitating regional economic development.

*Investing in Manufacturing Communities Partnership Program [IMCP].*—The Committee notes that no funding has been requested and no funding is provided for the IMCP for fiscal year 2019.

SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$39,000,000 |
| Budget estimate, 2019 .....    | 14,937,000   |
| Committee recommendation ..... | 39,000,000   |

The Committee’s recommendation provides \$39,000,000 for salaries and expenses. The recommendation is the same as the fiscal year 2018 enacted level and \$24,063,000 above the budget request.

The Committee is concerned by the number of vacancies at EDA, particularly in its six regional offices. The Department is reminded that budget requests to Congress do not supersede current appropriations, and the Committee directs EDA to expedite its efforts to fill all outstanding vacancies regardless of any current or future budget requests.

## MINORITY BUSINESS DEVELOPMENT AGENCY

## MINORITY BUSINESS DEVELOPMENT

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$39,000,000 |
| Budget estimate, 2019 .....    | 10,000,000   |
| Committee recommendation ..... | 39,000,000   |

The Committee's recommendation provides \$39,000,000 for the Minority Business Development Agency [MBDA]. The recommendation is equal to the fiscal year 2018 enacted level and is \$29,000,000 above the budget request. MBDA is the only Federal agency dedicated to promoting the growth of minority-owned firms and assists small, medium, and large minority business enterprises to increase revenues and create jobs. The Committee directs that not less than 50 percent of funds provided to MBDA shall be awarded through competitive agreements, external awards, and grants.

*Annual Report.*—The Committee recognizes the disparities in access to capital for minority-owned firms and businesses, including lower loan amounts, loan denials, and liquidated constraints. MBDA is encouraged to submit an annual report to Congress on the state of minority-owned businesses, which may include policy recommendations to ensure fair access to credit between minority-owned businesses and non-minority-owned businesses.

*Indian Tribes.*—Within funds provided, MBDA is encouraged to address barriers to economic development for tribes and American Indian, Alaska Native, and Native Hawaiian populations, including full implementation of Public Laws 106–447 and 106–464.

## ECONOMIC AND STATISTICAL ANALYSIS

## SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$99,000,000 |
| Budget estimate, 2019 .....    | 100,987,000  |
| Committee recommendation ..... | 102,000,000  |

The Committee's recommendation provides \$102,000,000 for Economic and Statistical Analysis [ESA]. The recommendation is \$3,000,000 above the fiscal year 2018 enacted level and \$1,013,000 above the budget request. ESA conducts research to provide a better understanding of the U.S. economy, which helps Government make more informed policy decisions.

*Outdoor Recreation Satellite Account.*—The Committee recognizes the national economic importance of the outdoor recreation industry. The Outdoor Recreation Jobs and Economic Impact Act of 2016 (Public Law 114–249) requires the Department to lead, in consultation with the Departments of Agriculture and the Interior and other Federal agencies, an assessment and analysis of the outdoor recreation economy of the United States and the effects attributable to it on the overall economy. The Committee appreciates the Department's initial analysis of outdoor recreation to the U.S. economy and provides \$1,500,000 to continue this work in fiscal year 2019. The Committee further expects the Department to continue working with the outdoor recreation industry, nongovernmental organizations, and other interested stakeholders to refine the national-level statistics and to develop new regional statistics.

## BUREAU OF THE CENSUS

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$2,814,000,000 |
| Budget estimate, 2019 .....    | 3,800,513,000   |
| Committee recommendation ..... | 3,821,388,000   |

The Committee's recommendation provides \$3,821,388,000 for the Census Bureau. The recommendation is \$1,007,388,000 above the fiscal year 2018 enacted level and \$20,875,000 above the budget request.

## CURRENT SURVEYS AND PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$270,000,000 |
| Budget estimate, 2019 .....    | 249,125,000   |
| Committee recommendation ..... | 270,000,000   |

The Committee's recommendation provides \$270,000,000 for current surveys and programs. The recommendation is equal to the fiscal year 2018 enacted level and \$20,875,000 above the budget request. This account provides for the salaries and expenses associated with the statistical programs of the Bureau of the Census, including measurement of the Nation's economy and the demographic characteristics of the population.

## PERIODIC CENSUSES AND PROGRAMS

## (INCLUDING TRANSFER OF FUNDS)

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$2,544,000,000 |
| Budget estimate, 2019 .....    | 3,551,388,000   |
| Committee recommendation ..... | 3,551,388,000   |

The Committee's recommendation provides \$3,551,388,000 for periodic censuses and programs. The recommendation is \$1,007,388,000 above the fiscal year 2018 enacted level and equal to the budget request.

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

*2020 Decennial Census.*—The Committee provides the full amount requested for the 2020 Decennial Census for fiscal year 2019. The Census Bureau is directed to prioritize spending for activities that have the greatest potential to reduce cost and risk for the 2020 Decennial Census. Controlling costs for the 2020 Decennial Census remains a top oversight concern for the Committee, and the ongoing 2018 End-to-End test will be a significant indicator of whether the processes, systems, and methods will be ready to conduct an accurate census. The Committee expects the Department, the Bureau, and the Inspector General to keep the Committee regularly apprised of the ongoing efforts to prepare for the 2020 Decennial Census beyond the regular quarterly status reports. The Committee notes that GAO added the 2020 Decennial Census to its high-risk report, and that the Bureau should diligently work on addressing the risks that have been identified.

*Oversight of Periodic Census Programs.*—The Committee's recommendation provides \$3,556,000 for the OIG to continue oversight and audits of periodic censuses and to provide the Bureau and Con-



gress with independent recommendations for improving operations, which will be useful for oversight of the 2020 Decennial Census. The Committee directs the Bureau to follow the OIG's recommendations.

*Quarterly Status Reports.*—The Census Bureau is directed to continue its quarterly status reports to the Committee as it prepares for the 2020 Decennial Census. As the 2020 Decennial Census approaches, the Bureau is reminded that these quarterly reports must be scheduled on a timely basis to keep the Committee informed of the progress in executing the Bureau's plans, to identify ongoing and emerging risks, and to provide early warnings when goals and cost schedules are not being achieved.

*Undercounting.*—The Committee directs the Census Bureau to ensure that the current proposed decennial questionnaire and the impact of new enumeration methods do not negatively affect demographic groups identified in its 2010 Census Coverage Measurement Survey as undercounted and directs the Bureau to provide a report within 60 days of enactment of this act providing the measures that are being taken to ensure potential undercounts of these groups are appropriately mitigated.

*Internet Self-Response.*—The Committee urges the Census Bureau to conduct outreach to public libraries and other community technology centers to ensure that they are fully informed about the Internet self-response option for the 2020 Decennial Census and equipped to support residents in census participation. The Bureau should work with libraries, in coordination with the Institute of Museum and Library Services, as part of the overall strategy to maximize survey response.

*Partnership and Communications Activities.*—The Committee is concerned about the proposed levels for partnership staff and communications efforts for the 2020 Decennial Census. Sufficient partnership and communication activities are essential to build trust in the Census Bureau and to increase response rates. Investing in partnership and communication activities can reduce the overall cost of conducting the 2020 Decennial Census. By helping increase self-response rates, there is a reduced need for additional non-response follow-up. Additionally, the Committee understands that the 2020 Decennial Census plan includes only about half the number of local field offices and Regional Census Centers compared to the 2010 Decennial Census. Therefore, the Committee expects the Bureau to provide a plan that increases the number of partnership staff, communication efforts, and field operations; an assessment of increasing external partnerships; and the associated costs, within 45 days of enactment. The plan should include an assessment of doubling the number of partnership staff and increasing the number of area census offices to 300. The Bureau is further encouraged to consider working with local service organizations as part of the overall strategy to maximize survey response, especially for homeless and displaced populations in rural areas.

*American Community Survey [ACS].*—The Committee supports the ACS and directs the Bureau to continue using the ACS as a testbed for innovative survey and data processing techniques that can be used across the Bureau. The Committee notes that ACS is often the primary or only source of data available to State, local,

and Federal agencies that need adequate information on a wide range of topics. The data provided is especially important to small towns and rural areas across the country, and the Bureau should ensure that rural areas are covered with the same accuracy as urban areas to the maximum extent practicable. The Committee further expects the Bureau to continue providing updates to the Committee on efforts to evaluate and, where possible, to reduce the number of questions included in the ACS, and the steps being taken to ensure that the ACS is conducted as efficiently and unobtrusively as possible.

NATIONAL TELECOMMUNICATIONS AND INFORMATION  
ADMINISTRATION

SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$39,500,000 |
| Budget estimate, 2019 .....    | 33,646,000   |
| Committee recommendation ..... | 39,500,000   |

The Committee’s recommendation provides \$39,500,000 for National Telecommunications and Information Administration [NTIA] salaries and expenses. The recommendation is the same as the fiscal year 2018 enacted level and \$5,854,000 above the budget request.

The Committee retains language from previous years allowing the Secretary of Commerce to collect reimbursements from other Federal agencies for a portion of the cost resulting from the coordination of spectrum management, analysis, and operations. NTIA shall submit a report to the Committee no later than June 1, 2019, detailing the collection of reimbursements from other agencies.

*Next Generation Broadband in Rural Areas.*—The Committee recognizes that access to broadband in all communities across the Nation is essential for improving economic growth, education and job creation, civic engagement, public safety and health, global competitiveness, and a better quality of life. The Committee remains concerned that advanced broadband technologies have not been sufficiently deployed in rural areas of the Nation and encourages NTIA to coordinate with other relevant Federal agencies to identify and pursue policies that enable effective and efficient broadband deployment nationwide while advancing next-generation technologies, such as 5G networks.

*National Broadband Map Augmentation.*—The Committee provides up to \$7,500,000 to continue work modernizing the national broadband availability map in coordination with the Federal Communications Commission [FCC] and looks forward to an update on NTIA’s efforts so far. The Committee directs NTIA to engage actively with rural and tribal communities to further enhance the accuracy of the national broadband availability map. Additionally, NTIA should include in its fiscal year 2020 budget request an update on rural- and tribal-related broadband availability and access trends, challenges, and Federal actions to achieve equitable access to broadband services by currently underserved communities throughout the Nation. Furthermore, the Committee encourages NTIA, in coordination with the FCC, to develop and promulgate a

standardized process for collecting data from State and local partners.

*Broadband Programs.*—The Committee is encouraged by NTIA’s recent efforts to develop frameworks, like the Broadband Community Assessment Tool [BCAT], to help communities assess their own broadband needs, and where appropriate, to forge public-private partnerships. The Committee encourages NTIA to continue development of the BCAT and other community-focused utilities.

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

*Spectrum Management for Science.*—Preserving access to key portions of radio spectrum important for radio astronomy observations and other scientific uses is essential for scientific discovery. The Committee encourages NTIA, in coordination with the FCC and other appropriate stakeholders, to continue ensuring spectrum access for radio astronomy as commercial use of radio spectrum increases. The Committee requests a report from NTIA within 180 days after enactment of this act on the coordination efforts underway.

*Internet Corporation for Assigned Names and Numbers [ICANN].*—The Committee directs NTIA to remain a strong advocate for American companies, consumers, and government interests through its participation within the Governmental Advisory Committee and other mechanisms within ICANN. The Committee directs NTIA to ensure that the principles of accountability, transparency, security, and stability of the Internet are protected for consumers, businesses, and Government users. NTIA shall report semiannually to the Committee on adopted ICANN policies, including whether or not NTIA supported any changes, and to report on any changes that affect the .gov, .mil, .edu, and .us domains.

*FirstNet.*—The Committee is supportive of FirstNet continuing a funding agreement with the Department’s Inspector General for the purposes of oversight and accountability of FirstNet through the end of fiscal year 2019.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING, AND CONSTRUCTION

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

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$3,500,000,000 |
| Budget estimate, 2019 .....    | 3,370,000,000   |
| Committee recommendation ..... | 3,370,000,000   |

The Committee’s recommendation provides \$3,370,000,000 for the United States Patent and Trademark Office [USPTO], which is \$130,000,000 below the fiscal year 2018 enacted level and equal to the budget request, to be derived from offsetting fee collections. Since fiscal year 2005, the Committee has refused to divert patent fees to other purposes.

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

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

*Transfer to Office of Inspector General [OIG].*—The Committee provides \$1,000,000 for OIG to continue oversight and audits of USPTO operations and budget transparency, and USPTO is directed to work with the Department to implement all OIG recommendations.

*Reprogramming and Spend Plan.*—USPTO shall follow the reprogramming procedures outlined in section 505 of this act before using excess fee collections to forward fund expenses beyond fiscal year 2019.

*Intellectual Property [IP] Attachés.*—The Committee is concerned that USPTO’s IP attachés may not have adequate access to their foreign government counterparts and are not consistently involved in Embassy or consulate conversations regarding intellectual property matters. The Secretary is directed to work with USPTO, the US&FCS, and the Department of State to ensure that the attachés are appropriately utilized, including in discussions and negotiations at the Counselor rank and above.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$1,198,500,000 |
| Budget estimate, 2019 .....    | 629,072,000     |
| Committee recommendation ..... | 1,037,500,000   |

The Committee’s recommendation provides \$1,037,500,000 for the National Institute of Standards and Technology [NIST]. The recommendation is \$161,000,000 below the fiscal year 2018 enacted level and \$408,428,000 above the budget request. Up to \$9,000,000 may be transferred from the Scientific and Technical Research and Services account to the Working Capital Fund.

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

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(INCLUDING TRANSFER OF FUNDS)

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$724,500,000 |
| Budget estimate, 2019 .....    | 573,429,000   |
| Committee recommendation ..... | 724,500,000   |

The Committee's recommendation provides \$724,500,000 for NIST Scientific and Technical Research and Services [STRS]. The recommendation is equal to the fiscal year 2018 enacted level and \$151,071,000 above the budget request. The Committee directs NIST to provide a detailed spending plan for NIST's highest priority laboratory programs describing resources used for each program, project, or activity.

*Cybersecurity.*—The Committee is aware of the Nation's growing need for a trained cybersecurity workforce and directs that no less than the fiscal year 2018 level is provided for cybersecurity research, outreach, industry partnerships, and other activities at NIST, including the National Cybersecurity Center of Excellence. Within the funds provided, the Committee encourages NIST to fund additional university system-led State and regional alliances and partnerships to focus on meeting the demand for a trained cybersecurity workforce, with a priority being placed on areas with a high concentration of Department of Defense, automotive, and health care related industries.

*Development of Cybersecure Medical Technology.*—The Committee directs NIST to partner and work directly with academic institutions focused on computer security and privacy, with expertise in research to develop secure medical technologies, including secure medical devices, secure and privacy preserving medical software systems, and in training future scientists and practitioners in state-of-the-art techniques for supporting secure medical technologies. The focus of this partnership shall include exploring and testing how to develop new E-Health and connected medical devices with cybersecurity in mind, how to protect patient information in accordance with the Health Insurance Portability and Accountability Act (Public Law 104–191) requirements, and how to guarantee that critical network communication support patient needs.

*Industrial Internet of Things [IIoT].*—The Committee provides no less than \$2,000,000 for the continued development of an IIoT cybersecurity research initiative and to partner, as appropriate, with academic entities and industry to improve the sustainable security of IIoT devices in industrial settings, including new designs, protocols, algorithms, system architectures, identity and lifecycle strategies, and system hardware features, as well as proposed security standards. This proposed research will account for human, technical, and economic dimensions. These advanced strategies should couple computer science and engineering, psychology, economics, cryptography, and network research to deliver significant mitigations and options for industrial adoption, as well as guidance to consumers and industry on how to manage and utilize these devices consistent with best security practices.

*Quantum Science and Engineering.*—The Committee provides up to \$5,000,000 for the establishment of a consortium between NIST and public and private sector entities for the purpose of advancing the fields of quantum science and engineering.

*Forensic Sciences.*—The Committee provides no less than the fiscal year 2018 amount for forensic science research. Additionally, the Committee provides \$3,000,000 to support the Organization of

Scientific Area Committees and \$1,000,000 to support technical merit evaluations previously funded by transfer from DOJ.

*Disaster Resilient Buildings.*—The Committee continues to recognize the importance of industry and municipal standards to better mitigate the impact of natural disasters and extreme weather events. Additionally, the Committee supports NIST's increased focus on multi-hazard, pre-impact risk mitigation and post-impact disaster studies. NIST is encouraged to collaborate with the National Science Foundation's Natural Hazards Engineering Research Infrastructure Experimental Facilities. The Committee directs NIST to provide no less than the fiscal year 2018 amount for competitive external awards. NIST shall be responsive to all grant applicants, including acknowledging receipt of applications, providing feedback to any unsuccessful applicants who request further information, and giving adequate notice of the timeline for announcing awards.

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

*Metals-Based Additive Manufacturing.*—The Committee provides no less than the fiscal year 2018 enacted amount for competitive external grants for academic institutions to support research, development, and workforce training to overcome barriers to high-volume additive manufacturing of metals. While the Committee is aware of recent breakthroughs in metals-based additive manufacturing, major technical barriers still exist to dramatically improving build rates that would enable commercial markets to benefit from high-volume, metals-based additive manufacturing.

*Plastics and Polymeric Materials.*—The Committee recognizes the significant contributions that plastics have made to virtually all sectors of the economy, including in healthcare, infrastructure, food, and cosmetics, among many others. However, plastics take significant time to degrade in the environment due to their durability. The Committee believes advancements in creating products from recycled plastics could provide a more sustainable option for their use. Many hurdles remain in manufacturing products from recycled plastics with the same strength, color, odor, and malleability of new plastic products. Therefore, the Committee provides no less than the fiscal year 2018 enacted amount for competitive external grants for academic institutions to investigate plastic and polymeric materials, as well as novel methods to characterize both

known and newly developed materials. Such investigations should address ways to increase the strength of recycled plastics and better understand mechanical properties including tensile stress, compressive stress, thermal properties, and nanostructure of polymeric materials that could serve as industry standards for recycled plastic products.

*Composites.*—The Committee recognizes that composites have wide-ranging proven characteristics that include lightweight, high-strength, corrosion resistance, life cycle cost benefits, and long-term durability that translate to increased factors of safety for infrastructure engineering designs. The Committee urges NIST to work with relevant Federal agencies to coordinate existing standards and test methods for the use of composites and other innovative materials in infrastructure.

*Pyrrhotite in Concrete Aggregate.*—NIST shall consider establishing standards for acceptable levels of pyrrhotite in concrete aggregate, and shall continue providing technical assistance to those interested in pyrrhotite detection, prevention, and mitigation tools.

*Regenerative Medicine Standards.*—The Committee is pleased that NIST, the Food and Drug Administration, and the Standards Coordinating Body continue to work to implement the regenerative medicine standards provisions enacted under the 21st Century Cures Act (Public Law 114–255). Currently, work is underway to develop processes and criteria for identifying, prioritizing, and assessing the quality, safety, feasibility, and cost-benefit of such standards. This work will create a foundation that allows industry, regulatory authorities, and other stakeholders to reduce barriers to regenerative medicine research and product development and accelerate the market readiness of these life-changing medical treatments.

*Graphene Research and Commercialization.*—The Committee recognizes the emergence of graphene as an innovative material with significant commercial and national security potential. The Committee also recognizes that other countries are ahead of the United States in patenting and commercializing applications with this material. The Committee encourages NIST to continue to fund and pursue graphene research activities and designate industry and academic institutions with expertise, existing capabilities, and infrastructure related to the commercial application of graphene. NIST shall also provide the Committee with updates on the recompetition of NIST Centers of Excellence, including an examination of designating an additional Advanced Materials Center dedicated to graphene.

*Urban Dome Program.*—The Committee notes the value of NIST's Urban Dome program and the importance of accurate measurement science for environmental monitoring and human health. More than half the world's population is living in urban areas, and this concentration is expected to intensify over the coming decades. The Committee provides no less than the fiscal year 2018 amount for the Office of Special Programs to maintain and consider expanding the number of urban dome locations in fiscal year 2019.

*Baldrige Performance Excellence.*—The Committee provides \$2,200,000 for costs associated with NIST's current level of personnel support and expertise that contribute to the Baldrige pro-

gram. The Committee continues to direct the Secretary to work with the Baldrige program’s private sector foundation to conduct a fundraising campaign to support the program as authorized in section 3(f) of Public Law 100–107, to ensure that the foundation has stable funding for the continuation of this program in the future. Additionally, the Committee commends the Baldrige program’s efforts to improve the adoption of the NIST Cybersecurity Framework and encourages the program to build more partnerships and self-assessment tools to help organizations with their cybersecurity risk management. Further, the Committee encourages Baldrige to focus on and develop metrics and standards to assist rural healthcare providers by leveraging industry best practices.

#### INDUSTRIAL TECHNOLOGY SERVICES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$155,000,000 |
| Budget estimate, 2019 .....    | 15,094,000    |
| Committee recommendation ..... | 155,000,000   |

The Committee provides \$155,000,000 for Industrial Technology Services. The recommendation is equal to the fiscal year 2018 enacted level and \$139,906,000 above the budget request. Supporting the Nation’s manufacturers, especially small businesses, is critical to keeping America innovative in a global marketplace.

*Hollings Manufacturing Extension Partnership Program [MEP].*—The Committee rejects the proposed elimination of MEP and instead provides \$140,000,000 for the program. The Committee supports MEP’s focus on strengthening the existing network of MEP centers and providing additional support to centers based on the documented performance of the center’s activities and the manufacturing capacity of the area served by the center.

*Manufacturing USA.*—The Committee provides \$15,000,000 for NIST’s activities in the National Network for Manufacturing Innovation [NNMI] (also known as “Manufacturing USA”), to include no more than \$5,000,000 for coordination activities, of which up to \$1,000,000 may be used to support the Food and Drug Administration’s participation in biomanufacturing innovation institutes. The Manufacturing USA program promotes American competitiveness by fostering the development of new manufacturing techniques and fields, accelerating commercialization, and providing technical assistance to U.S. companies. Within funding provided, NIST shall strive to minimize administrative costs in order to provide more direct support for research and development.

#### CONSTRUCTION OF RESEARCH FACILITIES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$319,000,000 |
| Budget estimate, 2019 .....    | 40,549,000    |
| Committee recommendation ..... | 158,000,000   |

The Committee provides \$158,000,000 for construction of research facilities. The recommendation is \$161,000,000 below the fiscal year 2018 enacted level and \$117,451,000 above the budget request. The funding provided includes no less than \$58,000,000 for the continued renovation of NIST Building 1 laboratory.

*NIST Campus Master Plans.*—The Committee commends NIST for having developed and finalized master plans for the Gaithersburg and Boulder Campuses. The master plans provide NIST with



a framework for the future physical development of its two campuses and a vision for that development over the next 20 years. The plans focus on existing and future laboratory buildings in addition to other support facilities, while at the same time taking into consideration the needs for roads, parking, security, storm water management, and site utilities infrastructure. The Committee is supportive of meeting NIST's physical infrastructure needs and directs it to develop an implementation plan for each of its master plans. The implementation plan shall be submitted with the fiscal year 2020 budget submission and shall include timing and phasing of projects along with current and projected budget estimates for each of the projects identified.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

##### (INCLUDING TRANSFER OF FUNDS)

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$5,909,364,000 |
| Budget estimate, 2019 .....    | 4,553,108,000   |
| Committee recommendation ..... | 5,482,954,000   |

The Committee's recommendation provides \$5,482,954,000 for the National Oceanic and Atmospheric Administration [NOAA]. The recommendation is \$426,410,000 below the fiscal year 2018 enacted level and \$929,846,000 above the budget request. The Committee commends the Department for its work to bring down the costs associated with NOAA's Procurement, Acquisition and Construction [PAC] accounts. The decrease in PAC resources in fiscal year 2019 reflects, as expected, the reduced financial need of NOAA's flagship weather satellite programs as the satellites launch and enter into the operational phase. Furthermore, several significant, one-time procurements including aircraft were fully funded in fiscal year 2018. While overall funding for NOAA is below the fiscal year 2018 level, the reduction in PAC resource needs alleviates the strain on other operations and research areas critical to NOAA's core mission. This allowed for an increase above the fiscal year 2018 enacted level in NOAA's Operations, Research, and Facilities accounts.

#### OPERATIONS, RESEARCH, AND FACILITIES

##### (INCLUDING TRANSFER OF FUNDS)

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$3,536,331,000 |
| Budget estimate, 2019 .....    | 2,937,753,000   |
| Committee recommendation ..... | 3,599,126,000   |

The Committee's recommendation provides \$3,599,126,000 for NOAA's operations, research, and facilities. The recommendation is \$62,795,000 above the fiscal year 2018 enacted level and \$661,373,000 above the budget request.

#### NOAA NATIONAL OCEAN SERVICE

The Committee's recommendation provides \$583,900,000 for the National Ocean Service [NOS]. NOS programs provide scientific, technical, and management expertise to promote safe navigation; assess the health of coastal and marine resources; respond to nat-

ural and human-induced threats; and preserve coastal and ocean environments.

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

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

|   | Committee<br>recommendation |
|---|-----------------------------|
| Navigation, Observations and Positioning:                     |                             |
| Navigation, Observations and Positioning .....                | 155,300                     |
| Hydrographic Survey Priorities/Contracts .....                | 32,000                      |
| Integrated Ocean Observing System—Regional Observations ..... | 37,000                      |
| Total, Navigation, Observations and Positioning .....         | 224,300                     |
| Coastal Science and Assessment:                               |                             |
| Coastal Science, Assessment, Response and Restoration .....   | 77,500                      |
| Competitive External Research .....                           | 18,000                      |
| Total, Coastal Science and Assessment .....                   | 95,500                      |
| Ocean and Coastal Management and Services:                    |                             |
| Coastal Zone Management and Services .....                    | 43,500                      |
| Coastal Management Grants .....                               | 110,000                     |
| Coral Reef Program .....                                      | 28,600                      |
| National Estuarine Research Reserve System .....              | 27,500                      |
| National Marine Sanctuaries .....                             | 54,500                      |
| Total, Ocean and Coastal Management and Services .....        | 264,100                     |
| GRAND TOTAL NOS .....   | 583,900                     |

*Navigation, Observations and Positioning.*—The Committee strongly supports activities under Navigation, Observations and Positioning, including the full operational funding for NOAA's Navigation Response Teams.

*Hydrographic Surveys and Contracts.*—The Committee continues to be concerned with NOAA's slow progress in reducing the backlog of hydrographic survey work for navigationally significant U.S. waters. Within the amount provided for Hydrographic Survey Priorities/Contracts, NOAA is directed to accelerate the acquisition of survey data and the preparation of navigation charts needed to minimize the risks associated with increased maritime traffic. In addition, not more than 5 percent of funds available for the Hydrographic Survey Priorities/Contracts program may be used for internal Hydrographic Survey Priorities/Contracts program management costs.

*Hydrographic Charting in the Arctic.*—Despite the massive backlog for charting of navigationally significant areas nationally, and in the Arctic specifically, NOAA's fiscal year 2019 budget request continues to propose underfunding the acquisition of data from contract surveys. Hydrographic survey work in the Arctic, in particular, is subject to a shorter operational season than other U.S. coastal regions. The Committee believes Arctic surveys could be completed more efficiently through increased and accelerated contracting. Therefore, NOAA is directed to award contracts for hydrographic surveys in the Arctic as early in the calendar year as pos-

sible to maximize the operational season, utilizing effective and efficient contract services. Within the amount provided for Hydrographic Survey Priorities/Contracts, NOAA is directed to accelerate the acquisition of survey data through the use of contractors necessary to minimize the risks associated with increased maritime traffic. In addition, NOAA is directed to utilize all contractors that are available, qualified, and experienced in the Arctic for U.S. Arctic hydrographic surveys.

*Gulf of Mexico Coast Survey.*—The Committee encourages NOS to engage in high-priority cooperative habitat mapping in the Gulf of Mexico, particularly in areas currently unmapped but prone to disaster. In doing so, NOS may prioritize areas where understanding the long-term implications of new energy exploration would be critical.

*Geospatial Modeling Grants.*—The Committee provides \$8,000,000 within Navigation, Observations and Positioning for the competitive Geospatial Modeling Grants program for which all funding shall be distributed externally.

*Hydrographic Research and Technology Development.*—The Committee supports the intended use of funds requested for Hydrographic Research and Technology Development. In addition, the Committee provides \$2,000,000 above the request for NOAA to designate and continue supporting joint ocean and coastal mapping centers in other areas of the country to be co-located with an institution of higher education as authorized by the Omnibus Public Land Management Act of 2009 (Public Law 111–11). The Committee emphasizes that additional funding is provided for the designation of other joint ocean and coastal mapping centers and therefore shall not decrease funding levels for any existing centers.

*Integrated Ocean Observing System [IOOS].*—The Committee directs NOAA and the IOOS regions to work with Federal agencies collecting regional observations to better integrate and disseminate information with the goal of reducing duplicative efforts and to provide users with streamlined access to observational information. In addition, within funding provided above the request for IOOS, NOS shall work to complete and operate the National High Frequency Radar System, and is encouraged to utilize autonomous underwater gliders in support of the observing system’s mission.

*Coastal Science, Assessment, Response and Restoration.*—Within the funds provided for Coastal Science, Assessment, Response and Restoration, \$2,372,000 shall be for operations and staffing of the Gulf of Mexico Disaster Response Center [DRC]. The DRC shall continue to serve as the Gulf Coast hub for NOAA’s emergency preparedness, response, and recovery operations. Furthermore, the Committee provides up to an additional \$500,000 to expand regional emergency preparedness training and to develop and disseminate best practices for using data from past environmental disasters to better prepare for, respond to, and assess the environmental impacts of future events.

*Marine Debris.*—The Committee provides an increase of \$1,000,000 above the fiscal year 2018 enacted level for NOAA’s Marine Debris Program. The Committee strongly supports ongoing efforts to address marine debris around the country including projects in rural and remote communities that lack infrastructure

to address the problem, as well as projects in urban communities that include removal of abandoned vessels and pilings that harm the ecosystem and hinder recreational fishing. Furthermore, the Committee directs NOS to coordinate with northern Gulf of Mexico State and local communities and officials, and with State, territorial, and local communities and officials in communities significantly impacted by hurricanes in 2017, to assist in waterway clean-up efforts to remove marine debris and trash from the aquatic environment. These activities should help lead to the development of cost-effective programmatic solutions to address land-generated marine debris.

*National Centers for Coastal Ocean Science [NCCOS].*—The Committee strongly supports the contribution NCCOS makes to NOAA and other Federal partners, and provides \$1,000,000 above the fiscal year 2018 enacted amount for NCCOS. Furthermore, the Committee is aware of the ground-breaking research in the area of emerging marine toxins and harmful algal blooms taking place within NCCOS labs. Because of the significant implications for the nation in protecting both human health and national security, the Committee directs NOAA to continue supporting these efforts through the collective expertise of Federal, State, and academic partners.

*Harmful Algal Blooms [HABs].*—The Committee recognizes the need to support local efforts to address HABs. Within funding for Coastal Science and Assessment, the Committee provides up to \$5,000,000 to accelerate deployment of effective methods of intervention and mitigation to reduce the frequency, severity, and impact of harmful algal bloom events in freshwater systems. Additionally, the Committee encourages NOS to expand its collaboration with States to monitor, predict, track, and respond to HABs in the marine environment. Within funding provided, up to \$1,000,000 may be used to expand existing support for States to assess domoic acid levels of HAB species in the marine environment.

*HABs Regional Watershed Integrated Assessments and Action Strategies.*—The Committee recognizes the importance of the Great Lakes Integrated Assessment and Action Strategy to harmful algal bloom prevention, control, and mitigation efforts in the Great Lakes region, and encourages the Federal Inter-agency Task Force on Harmful Algal Blooms and Hypoxia, established under section 4001 of title 33, and the Interagency Working Group tasked with implementing the Harmful Algal Bloom and Hypoxia Research and Control Act to identify and prioritize additional watersheds that would benefit from the development of regionally-specific Integrated Assessments and Action Plans, including those regions that have been impacted by freshwater and saltwater harmful algal blooms.

*Integrated Water Prediction.*—Within funding provided for Coastal Zone Management and Services, the Committee provides no less than the fiscal year 2018 level for NOS to continue supporting the development and operation of the Integrated Water Prediction program with NOAA's National Weather Service.

*Coastal Zone Management Grants.*—The Committee provides \$80,000,000 for Coastal Zone Management Grants for coastal

States to carry out activities related to their respective coastal zone management plans.

*Title IX Fund.*—The Committee provides \$30,000,000 for Title IX Fund grants as authorized under section 906(c) of Title IX of Public Law 114–113. NOAA shall administer this program in accordance with 16 U.S.C. 750(b) and 3701, for collaborative partnerships that incorporate non-Federal matching funds with a priority on supporting authorized activities not otherwise funded within this act, and direct costs shall not exceed 5 percent. NOAA shall retain oversight and accounting of this funding. In selecting the areas of focus for the Title IX Fund, NOAA and the National Fish and Wildlife Foundation should consider proposals that enhance ocean and coastal management; bolster coastal infrastructure and resilience; support regional collaborative efforts and partnerships; advance the collection, synthesis, and public sharing of ocean data; and help coastal communities adapt to changing ocean conditions.

*Coral Reef Program.*—The Committee recognizes the unique ecological and economic value of coral reefs, including the benefit of buffering coastal communities from hazards such as coastal storms and hurricanes. Furthermore, urgent efforts are needed to reverse the decline of coral populations in the United States. Therefore, the Committee provides up to \$5,000,000 for NOS to work with academic institutions and non-governmental research organizations to establish innovative restoration projects to restore degraded coral reefs. This may include implementing landscape-scale coral reef restoration initiatives to outplant lab-grown or aquaculture-raised coral fragments representing diverse assemblages of native coral species, as well as the necessary research and development for these efforts. Restoration projects should utilize genetic strains that demonstrate enhanced resiliency to increased water temperatures, decreased pH, and coral disease, and include designs for multiyear monitoring to assess survival and ecosystem health.

The Committee is aware of proposals to protect investments in coral reef management using alternative risk management, including parametric insurance. NOS is encouraged to assess whether it has any role to play in such proposals and report its findings to the Committee.

*Temperate and Cold-Water Corals.*—The Committee urges NOAA's coral reef program to support research of all coral species, including temperate and cold-water corals.

*Marine National Monuments.*—Within funding provided for National Marine Sanctuaries, up to \$1,000,000 may be used for competitive research and management grants for existing marine national monuments administered by NOS, provided such grants are subject to a 100 percent non-Federal match.

*National Estuarine Research Reserve System.*—The Committee provides \$27,500,000 for the National Estuarine Research Reserve System [NERRS], which is \$27,500,000 above the President's request and \$2,500,000 above the fiscal year 2018 enacted level. NERRS sites provide mixed-use areas that are protected for long-term research, monitoring, education, and coastal stewardship. The program is a positive example of State and Federal partnership. Within funding provided for NERRS, up to \$2,000,000 may be used to implement a Graduate Research Fellowship program with na-

tional workforce benefits. The program shall not be subject to any matching requirement, shall be administered by the Office for Coastal Management, and named in memory of Margaret A. Davidson.

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

#### NOAA NATIONAL MARINE FISHERIES SERVICE

The Committee's recommendation provides \$924,889,000 for the National Marine Fisheries Service [NMFS]. NMFS programs provide for the management and conservation of the Nation's living marine resources and their environment, including fish stocks, marine mammals, and endangered species.

Committee recommendations are displayed in the following table:

#### NATIONAL MARINE FISHERIES SERVICE OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

|   | Committee recommendation |
|---|--------------------------|
| Protected Resources Science and Management:                 |                          |
| Marine Mammals, Sea Turtles, and Other Species .....        | 125,719                  |
| Species Recovery Grants .....                               | 8,000                    |
| Atlantic Salmon .....                                       | 6,500                    |
| Pacific Salmon .....  | 63,000                   |
| Total, Protected Resources Science and Management .....     | 203,219                  |
| Fisheries Science and Management:                           |                          |
| Fisheries and Ecosystem Science Programs and Services ..... | 148,427                  |
| Fisheries Data Collections, Surveys and Assessments .....   | 170,909                  |
| Observers and Training .....                                | 53,955                   |
| Fisheries Management Programs and Services .....            | 121,116                  |
| Aquaculture .....   | 15,000                   |
| Salmon Management Activities .....                          | 37,543                   |
| Regional Councils and Fisheries Commissions .....           | 40,175                   |
| Interjurisdictional Fisheries Grants .....                  | 3,365                    |
| Total, Fisheries Science and Management .....               | 590,490                  |
| Enforcement .....   | 69,796                   |
| Habitat Conservation and Restoration .....                  | 61,384                   |
| GRAND TOTAL NMFS .....                                      | 924,889                  |

*NMFS Project Consultations.*—The Committee provides an increase of \$10,000,000 above the fiscal year 2018 enacted amount for NMFS to address the backlog of consultation requests under the Endangered Species Act. NMFS backlog of consultation requests, particularly those from the U.S. Army Corps of Engineers, has caused significant permitting delays for local communities seeking to implement various projects across the country. The Committee directs NMFS to work with the Corps of Engineers and other Federal agencies to improve coordination and efficiency of consultations within the permitting process.

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

*North Atlantic Right Whale.*—The Committee is concerned that North Atlantic right whale populations remain critically low. In 2017, there were 17 North Atlantic right whale deaths attributed to ship strikes and fishing gear. An additional right whale death has been documented in 2018, and no right whale calves have been seen on their traditional calving grounds. Therefore, the Committee provides an additional \$1,000,000 within Marine Mammals, Sea Turtles, and Other Species to increase research and monitoring of North Atlantic right whales to better understand how the species interacts with fisheries and shipping traffic and is adapting to changing ocean conditions and shifting feeding grounds.

*Hawaiian Monk Seals and Sea Turtles.*—Within funding for Marine Mammals, Sea Turtles, and Other Species, the Committee provides NOAA no less than the fiscal year 2018 amount for Hawaiian Monk Seals and Hawaiian Sea Turtles.

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

*Species Recovery Grants.*—The Committee provides an increase of \$1,000,000 over the fiscal year 2018 enacted amount for Species Recovery Grants, and directs NMFS to utilize both the Endangered Species Act Recovery Plan and the Marine Mammal Protection Act Take Reduction Plan priorities when evaluating marine mammal projects.

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

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

*Promote and Develop Fisheries Products and Research Funding Transfer.*—The bill maintains the provision restricting the use of the Promote and Develop Fisheries Products and Research funds transferred from the Department of Agriculture to NOAA in a way that better meets the intended purpose of the transfer mandated

by the Saltonstall-Kennedy Act. None of the funds may be used for internal NOAA or DOC management, but rather, funds may only be used for activities that directly benefit U.S. fisheries and fishery communities. Specifically, these funds may only be used for: cooperative research; annual stock assessments; efforts to improve data collection, including catch monitoring and reporting for commercial, charter, and recreational fisheries; interjurisdictional fisheries grants; and Fisheries Information Networks.

As part of the fiscal year 2019 spending plan, NOAA shall include a clear accounting of how the Promote and Develop transfer funds will be allocated based on the funding criteria described in this bill.

*Saltonstall-Kennedy [S-K] Grant Program.*—The Committee rejects the Administration’s proposal to eliminate the S–K grant program and further directs that not less than 15 percent of the total amount of the transferred funds shall be provided for the competitive S–K grant program. The Committee also directs NOAA to obligate no less than 80 percent of the S–K grant program funds externally through a competitive grant process. NOAA shall consult with a diverse group of industry participants representing the entirety of the supply chain, from all regions of the country, to identify funding priorities. Prior to obligating these funds, NOAA shall provide the Committee with a detailed spending plan describing which fisheries activities will be funded in each of the regions and how the plan incorporates regional priorities. The Committee further encourages NOAA to prioritize marketing and development of the seafood industry, as was the original intent of the S–K grant program.

*NMFS Staffing.*—The Committee acknowledges that NMFS regional staff are most effective in meeting their mission when staff are located in the communities they serve. To the greatest extent practicable, the Committee directs NMFS to consider stationing regional staff within the regions they serve. Further, NMFS is directed to submit a report to the Committee, within 90 days of enactment of this act, describing the benefits and impacts of transitioning up to 90 percent of its regional staff to the regions that they serve. Additionally, the Committee encourages NMFS to station Regional Science Directors within the regions they serve.

*Aleutian Island Pollock.*—The Committee appreciates NMFS’s timely response and report to Congress on Aleutian Island pollock. In accordance with the agency’s own recommendation from that report, NMFS is directed to, in coordination with Adak, the Aleut Corporation, and the North Pacific Fishery Management Council, issue an Exempted Fishing Permit [EFP] for a pollock test fishery, and depending on the results of that EFP, consider additional regulatory changes to the management of Aleutian Islands pollock.

*Gulf Reef Fish.*—The Committee recognizes that accurate estimates of reef fish, such as red snapper, gray triggerfish, greater amberjack, and gag grouper, in the Gulf of Mexico require additional resources for research and assessment. Within funding under Fisheries Science Base Activities, the Committee provides up to \$5,000,000 for NMFS to partner with academic research institutions that are uniquely positioned to better understand the population dynamics of these important species.



*Exempted Fishing Permits for Red Snapper Fishing.*—The Committee commends each Gulf State for developing a strong proposal for reef fish management to improve recreational fishing access. Within the amount provided for Fisheries Data Collections, Surveys and Assessments, the Committee provides \$5,000,000 for NMFS to deliver technical support as needed to the Gulf States to ensure successful implementation of each state plan.

In addition, the Committee continues to direct NMFS to incorporate agency-independent and alternative approaches to stock assessments into the agency's own stock assessments used for the management of reef fish in the Gulf of Mexico. Furthermore, all stock assessments used by NMFS for Gulf reef fish should include fishery data collected on artificial reefs, offshore oil platforms, and other offshore fixed energy infrastructure.

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

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

*South Atlantic Reef Fish.*—NMFS shall consider employing the independent and alternative stock assessment strategies directed by the Committee for the Gulf of Mexico to NMFS assessments of reef fish in the South Atlantic. The Committee provides up to \$1,500,000 for these activities and notes deficiencies that have plagued reef fish management in the Gulf of Mexico also affect NMFS management of reef fish in the South Atlantic.

*Fishing Gear Selectivity Study.*—Within funding provided for Fisheries Data Collections, Surveys and Assessments, NOAA shall consider conducting a multiyear, agency-independent study to evaluate the selectivity and potential bias of different gears used to assess reef fish populations in the South Atlantic region, which should build on recent work being conducted by State agencies on red snapper. Specifically, the study should address whether the use of certain gear by the South Atlantic Marine Resources Monitoring, Assessment, and Prediction Survey, such as Chevron traps, fail to adequately sample across age classes of reef fish, including red snapper, due to the different behaviors and habits exhibited by larger and smaller fish within the same or similar species. NOAA is further encouraged to initiate a multiyear, agency-independent study using multiple hooked-gears to sample South Atlantic red snapper for age composition, sexual maturity, and egg production.

*Highly Migratory Species.*—Within funding provided for Fisheries Ecosystem Science, Programs, and Services, the Committee provides up to \$2,000,000 for cooperative, competitive extramural research on highly migratory fish species in the Gulf of Mexico and the Atlantic. This should include examining the impact of offshore

oil platforms on the biology of highly migratory species, such as yellow fin tuna. The Committee recognizes that highly migratory species, and the coastal communities that rely on the health of these stocks, could greatly benefit from improved, science-based management and conservation.

*Lobster Fishing Gear.*—The Committee is supportive of ongoing research to develop alternative lobster fishing gear such as ropeless traps and reduced breaking-strength rope. The Committee encourages further collaboration between the fishing industry, academic institutions, and nongovernmental organizations in the development of such gear and in field trials and preliminary implementation.

*Report on U.S. Shark Fisheries.*—According to the NMFS Status of Stocks 4th Quarter 2017 Update, there are 64 stocks of sharks that are actively caught or caught as bycatch in U.S. waters, including prohibited species. Of those 64 species, 40 have “unknown” overfished and overfishing status, 12 are not overfished and not experiencing overfishing, 4 are overfished and experiencing overfishing, and 8 have mixed status information. The Committee directs NMFS to issue a report on the status of U.S. shark fisheries within 90 days of enactment of this act. The report should include the dates of the three most recent assessments of each shark stock in the U.S., when the next assessments are scheduled, and annual statistics for commercial landings and bycatch of each species for the previous 5 years.

*Fisheries Information Networks.*—Within funding provided for Fisheries Data Collections, Surveys, and Assessments, \$23,000,000 is provided for Fisheries Information Networks.

*Northwest Fisheries Ecosystem Monitoring System.*—The Committee recognizes the importance of long-term data series monitoring ocean conditions and ecological indicators. This information is important in management decisions for salmon and other marine species, and to enable advance forecasting capabilities for early detection of ocean conditions known to produce harmful toxins that affect regional fisheries closures. Within funds for Fisheries Data Collections, Surveys and Assessments, the Committee encourages the Northwest Fisheries Science Center to continue to invest in long-term data monitoring of ocean conditions of the Northern California Current.

*Marine Recreational Information Program [MRIP].*—The Committee provides up to \$3,000,000 within Fisheries Data Collection, Surveys and Assessments, subject to a 50-percent non-Federal matching requirement, to implement the recommendations of the National Academy of Sciences [NAS] made in the 2017 report entitled “Review of the Marine Recreational Information Program.” This funding should focus on assisting States to establish more reliable fishery data collection tools such as smartphone applications or text messaging supplements so that MRIP may leverage better in-season management of reef fish. NMFS is also encouraged to enter into an additional agreement with NAS to prepare a supplementary report and set of recommendations to resolve challenges related to in-season management of annual catch limits.

*Northeast Groundfish Research.*—The Committee is concerned about the decline of the Northeast Multispecies Fishery and the

health of fishing stocks in the Gulf of Maine. Within funding provided for Fisheries Ecosystem Science Programs and Services, the Committee provides \$2,000,000 for groundfish research, with a focus on the effects of changing climatic conditions and warming waters on the fishery, including stock health and natural mortality. NOAA is further encouraged to prioritize research regarding relative gear efficiency and stock boundaries. This funding is intended to support research conducted by the Northeast Fisheries Science Center, research conducted separately by, or in collaboration with, outside partners such as higher education institutions or State agencies, and research conducted in cooperation with the fishing industry.

*Cooperative Research.*—Depleted fish stocks result in significant economic losses to our Nation. At a time when fishing opportunities are constrained by uncertainty in stock assessments and increased access to healthy stocks depends on better data, the Committee believes that maintenance of ongoing monitoring programs, surveys, and improved research is critical. The Committee encourages NMFS to continue to prioritize long-time series surveys that are conducted cooperatively with industry and States. NMFS is additionally encouraged to prioritize studies using video systems deployed in commercial trawl nets for surveys conducted cooperatively with States, industry, and nonprofit institutions that can be validated and incorporated into survey data. NMFS is also encouraged to focus on improved understanding of natural mortality and relative gear efficiency to ensure accurate measures of catchability. Furthermore, the Committee encourages the Northeast Fisheries Science Center to consider prioritizing cooperative research efforts for species that are experiencing shifts in range and population density due to warming waters and other global environmental changes.

The Northeast Fisheries Science Center is directed to work collaboratively with the fishing industry to update and publish the Northeast Cooperative Research Strategic Plan, including: the identification of science priorities; a process for greater involvement of fishermen in data collection; and better communication of how the results of cooperative fisheries research are used.

*Baseline Data for Gulf of Mexico.*—The Committee directs NOAA to continue supporting baseline research for fisheries health in the Gulf of Mexico, including studies of pelagic species. NOAA is encouraged to increase and continue collaborations in the Gulf to establish an integrated and comprehensive ecosystem-level fisheries monitoring enterprise and sentinel species program.

*Electronic Monitoring and Reporting.*—Within Fisheries Ecosystem Science Programs and Services, the Committee provides no less than the fiscal year 2018 amount for Electronic Monitoring and Electronic Reporting [EM/ER] to support the development, testing, and installation of EM/ER technologies across the country. The Committee recognizes that advancements in EM/ER have the potential to cut costs and improve data collection for most U.S. fisheries. NMFS is directed to prioritize EM/ER implementation in fiscal year 2019, and expedite to the fullest extent practicable the transition to full EM/ER. Within the funds provided for these activities, not less than \$3,500,000 shall be available, in accordance

with 16 U.S.C. 3701, for collaborative partnerships that include non-Federal matching funds to implement cost-shared EM/ER programs that support fisheries conservation and management. During the development and implementation of electronic reporting and monitoring programs, NOAA shall consult directly with industry and work through the Fishery Management Councils (established under sections 1851 and 1852 of title 16) to develop appropriate cost-sharing arrangements that are commensurate with the ex-vessel value of the fishery.

Furthermore, NMFS shall continue to work in fiscal year 2019 with the charter for-hire recreational fishery fleet in the Gulf of Mexico; the Northeast multispecies groundfish fishery fleet, including small vessels within that fleet; and any regional fishery fleet interested in implementing EM/ER technologies to better track information that is currently collected through the use of human observers.

*Electronic Monitoring Data Storage.*—Within 60 days of enactment of this act, the Committee directs NMFS to provide a report to the Committee detailing how NMFS intends to store data collected from Electronic Monitoring [EM]. Because the Committee believes storing EM data for periods longer than 18 months would be unnecessary and not cost efficient, the report should include any reasoning that may be contrary to the Committee’s position.

*Northeast Multispecies Fishery.*—The Committee recognizes that the New England groundfish fisheries management programs continue to present substantial financial challenges to the participants as well as to the economic sustainability of those fisheries and fishing communities. NOAA is directed to fully fund the At-Sea Monitoring costs in the New England groundfish fishery, including sea and shore side infrastructure costs. The Committee provides \$10,300,000 within Observers and Training for this purpose. NOAA is directed to submit a plan to the Committee not less than 180 days after enactment of this act that will establish fully operational electronic monitoring and reporting procedures for the Northeast Multispecies Fishery not later than September 30, 2021. The plan should include NOAA’s proposal to cover vessel equipment and installation costs, with daily, half-day, or quarter-day operational costs to be borne by the fishing vessels. The Committee notes that while participation in EM/ER observer coverage will remain voluntary after the September 30, 2021, deadline, vessels not participating in EM/ER coverage will also be required to cover their daily, half-day, or quarter-day observer costs after that date.

*Illegal, Unreported, and Unregulated [IUU] Fishing.*—Under Fisheries Management Programs and Services, the Committee provides no less than the fiscal year 2018 amount to combat IUU fishing. An additional \$1,400,000 is provided for the implementation of the program established under Section 539 of the Commerce, Justice, Science, and Related Agencies Act, 2018 (Public Law 115–141). NOAA is directed to continue strengthening its efforts to detect and deter illegally harvested and improperly documented seafood, including working with other U.S., international, and foreign agencies to ensure fair competition for our country’s domestic fishermen and safety for American consumers.

The Committee encourages NOAA to work with U.S. Customs and Border Protection to improve and expand efforts to identify high-risk shipments and collect critical import data in order to increase enforcement of import restrictions on IUU seafood products and expand investigations of foreign IUU hotspots.

Additionally, the Committee supports NOAA's Office of Law Enforcement and its efforts to combat IUU fishing. NOAA is directed to consider how innovative remote sensing technology could help fulfill its mission, including satellite imaging and traceability, and shall consider developing a comprehensive IUU enforcement strategy in consultation with the U.S. Coast Guard. NOAA may also confer with the Federal Law Enforcement Training Center [FLETC] and may contract with FLETC to assess and provide technical assistance to improve NOAA's current law enforcement strategy.

*Bycatch Reduction.*—The development and implementation of practical bycatch solutions is a priority for U.S. and international fisheries management and protected species conservation. The Committee supports the requested amount for reducing bycatch, of which NMFS is directed to make no less than the fiscal year 2018 amount available for competitive grants to non-Federal researchers working with U.S. fishermen on the development of improved fishing practices and innovative gear technologies.

*Pacific Coast Groundfish Fishery.*—The Committee recognizes the ongoing impacts on the Pacific coast groundfish fishery trawl industry resulting from NMFS's delay in promulgating regulations to collect loan payments for the 2003 fishing vessel and permit buyback program. This delay caused an additional \$4,000,000 in interest to accrue, resulting in an estimated \$10,000,000 of additional loan payments for the Pacific coast groundfish fishery trawl industry. The Committee notes the implementation of the Revitalizing the Economy of Fisheries in the Pacific Act of 2014, section 3095 of Public Law 113–291, which is intended to provide relief related to this legacy issue.

*Regional Aquaculture Coordinators.*—The Committee directs NMFS to designate a Regional Aquaculture Coordinator [RAC] for each of the six National Marine Fisheries Regions, to be located at each respective regional office. The goal of each RAC should be to liaise with aquaculture stakeholders and industry as well as relevant Federal, State, local, and tribal government entities; assist with Federal grants management and training programs; and foster science collaborations among stakeholders, academics, and governments within their designated fisheries region.

*Regional Pilots in Sustainable Aquaculture.*—The NMFS Aquaculture Office is directed to continue regional pilot programs for partnerships between the seafood industry and community partners that can develop, validate, and deploy economically and environmentally sustainable aquatic farming techniques and regional business practices to grow domestic seafood production. To maximize the impact of these pilot grants, NMFS is encouraged to give priority consideration to promising but less commercially developed technologies, such as those targeting shellfish, seaweed, and other relative newcomers to the domestic aquaculture industry. The Committee provides \$2,500,000 in the NMFS Aquaculture budget

for this purpose. This funding is in addition to the laboratory funding for NOAA's fisheries science centers engaged in aquaculture research, which shall be funded at no less than the fiscal year 2018 enacted level.

*Aquaculture Activities at Fisheries Science Centers.*—The Committee remains concerned about the staffing levels at NMFS fisheries science centers. NOAA is encouraged to grow staffing levels and improve resources and facilities at the Northeast and Northwest Fisheries Science Centers to return staffing levels to those in fiscal year 2010.

*Oyster Aquaculture, Research, and Restoration.*—Within the increased funding level provided for NMFS Aquaculture, the Committee provides no less than \$5,000,000 to support ongoing research in off-bottom oyster production in coastal areas, particularly those new to this method of production, including the Gulf of Mexico, and encourages NMFS to dedicate resources for further research in oyster genetics, disease, and economic modeling. NMFS is also encouraged to support regional partnerships to classify and preserve natural genetic variation in oysters.

In addition, the Committee recognizes that the shellfish farming industry is composed of thousands of small farmers who are unable to fund critical research in the fields of shellfish disease, food safety, warming waters, and ocean acidification. To improve coordination and consistency, the Committee directs NMFS Aquaculture to engage and partner with industry, academic institutions, and States to conduct collaborative research to address the challenges facing this growing industry. Further, NMFS Aquaculture is encouraged to coordinate with the Department of Agriculture's Agricultural Research Service [ARS] to leverage and supplement existing ARS shellfish research partnerships.

*Salmon Management Activities.*—Within the amount provided for Salmon Management activities, the Committee recommends \$16,000,000, an increase of \$2,000,000 above fiscal year 2018, to enable States and tribal communities to implement necessary Pacific Salmon Treaty agreements. The Committee fully supports all other aspects of the budget request for Salmon Management activities that are essential to meeting these treaty obligations. The Committee also provides no less than the fiscal year 2018 amount for the operation and maintenance of Mitchell Act hatcheries.

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

*Fishery Councils and Commissions.*—The Committee provides \$40,175,000 to support the Regional Fishery Management Councils, Interstate Marine Fisheries Commissions, and International Fisheries Commissions, which represents a 12 percent increase over fiscal year 2018. NMFS shall apply this percentage increase equally across Councils & Commissions.

Furthermore, the Committee recognizes the important role that regional management plays in sustaining a balanced ecosystem and healthy fish populations and the advantage that aggregate data can provide in understanding emerging trends across our Nation's fisheries. The Committee directs the Regional Councils and Fisheries Commissions to prioritize research and monitoring of high priority species in the face of changing environmental conditions.

*Offshore Wind.*—The Committee supports the responsible development of renewable energy projects off the Atlantic Coast and the existing offshore wind permitting process, which includes assessing impacts on fisheries and marine mammals. The Committee also acknowledges the importance of consultation with the fishing industry in the siting of wind energy areas to ensure sustained access to important fishing grounds that support the economic growth of coastal communities. Therefore, the Committee encourages NOAA, in consultation with the Bureau of Ocean Energy Management within the Department of the Interior, the regional fishery management councils, and the Atlantic States Marine Fisheries Commission, to improve engagement with the fishing industry.

*Cooperative Agreements with States.*—The Committee rejects the administration's proposal to eliminate funding for cooperative enforcement agreements with States, including execution of Joint Enforcement Agreements. Instead, no less than the fiscal year 2018 amount is provided for these activities that are critical for proper surveillance and enforcement of our nation's fisheries laws. Additionally, the Committee directs NMFS Office of Law Enforcement to use a stable funding model and ensure that Federal enforcement requirements are better aligned with the priorities of State and territorial enforcement partners.

*Northeast Lobster Enforcement.*—The Committee encourages continued collaboration between States, NOAA, and the U.S. Coast Guard to improve Federal capacity for offshore lobster enforcement in the Northeast. Offshore enforcement of fixed-gear fisheries, such as lobster, is critical to ensure fishing gear is compliant and minimizes negative impacts on whale health. The Committee directs NOAA to report to the Committee within 180 days on its progress on this issue and any further steps needed to ensure adequate enforcement of offshore lobster fishing.

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

*Seafood Reporting.*—The United States leads the world in responsibly managed fisheries and aquaculture, and the Committee supports NOAA's activities to inform consumers about our Nation's sustainable fisheries through the agency's FishWatch program. However, the Committee is concerned that the exclusive use or recognition of third-party certifications for seafood sustainability by the Department could have unintended consequences for various

domestic fisheries. The Committee acknowledges that some U.S. fisheries voluntarily utilize third-party seafood sustainability certification schemes, but believes it is not the Department’s role to adopt such certification schemes when doing so could result in the Department arbitrarily influencing the U.S. domestic seafood market. The Committee believes support for third-party certifications is best presented in non-governmental forums. Therefore, the Committee directs the Department not to adopt, use, or promote any third-party certification scheme for seafood sustainability but to instead continue providing consumers with independent and accountable information generated from within the Department.

*Economic Impact of Turtle Excluder Devices [TEDs].*—In fiscal year 2018, the Committee directed NMFS to provide a report regarding any potential rule to require all skimmer trawls, pusher-head trawls, and wing nets rigged for fishing to use TEDs in their nets. The report directed NMFS to provide specific steps it would consider to eliminate the negative economic impact of any such rule. The Committee directs NMFS to deliver the report as soon as possible for the Committee to review and further consider this important issue.

*Habitat Conservation and Restoration.*—The Committee provides \$61,384,000 for Habitat Conservation and Restoration activities. Up to \$8,000,000 may be used to address the Essential Fish Habitat consultation backlog. Within the amount provided, NOAA is encouraged to include funding for the multi-year Habitat Blueprint Focus Area partnership agreements developed under the Habitat Blueprint initiative. The Committee encourages NOAA to include a broader ecosystem-based management philosophy; expand criteria to include recreational species, managed commercial species, and forage species; and prioritize proposals that engage local communities. NOAA should continue to emphasize the value of partnerships when evaluating grant applications.

NOAA OCEANIC AND ATMOSPHERIC RESEARCH

The Committee’s recommendation provides \$508,256,000 for Oceanic and Atmospheric Research [OAR]. OAR programs provide environmental research and technology needed to improve NOAA weather forecasts, climate predictions, and marine services. To accomplish these goals, OAR supports a network of scientists in its Federal research laboratories, universities, and joint institutes and partnership programs.

Committee recommendations are displayed in the following table:

OCEANIC AND ATMOSPHERIC RESEARCH OPERATIONS, RESEARCH AND FACILITIES

[In thousands of dollars]

|   | Committee recommendation |
|---|--------------------------|
| Climate Research:                             |                          |
| Laboratories and Cooperative Institutes ..... | 61,000                   |
| Regional Climate Data and Information .....   | 39,000                   |
| Climate Competitive Research .....            | 60,000                   |
| Total, Climate Research .....                 | 160,000                  |



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

|   | Committee<br>recommendation |
|---|-----------------------------|
| Weather and Air Chemistry Research Programs:            |                             |
| Laboratories and Cooperative Institutes .....           | 75,000                      |
| U.S. Weather Research Program .....                     | 18,000                      |
| Tornado Severe Storm Research/Phased Array Radar .....  | 12,622                      |
| Joint Technology Transfer Initiative .....              | 10,000                      |
| Total, Weather and Air Chemistry Research .....         | 115,622                     |
| Ocean, Coastal and Great Lakes Research:                |                             |
| Laboratories and Cooperative Institutes .....           | 40,000                      |
| National Sea Grant College Program .....                | 71,000                      |
| Marine Aquaculture Research .....                       | 12,000                      |
| Sustained Ocean Observations and Monitoring .....       | 43,500                      |
| Integrated Ocean Acidification .....                    | 11,000                      |
| Ocean Exploration .....                                 | 35,000                      |
| National Oceanographic Partnership Program [NOPP] ..... | 8,000                       |
| Total, Ocean, Coastal and Great Lakes Research .....    | 220,500                     |
| High Performance Computing Initiatives .....            | 12,134                      |
| GRAND TOTAL OAR .....                                   | 508,256                     |

*Laboratories and Cooperative Institutes.*—The Committee provides \$4,000,000 above the fiscal year 2018 enacted level for Ocean, Coastal and Great Lakes Research Laboratories and Cooperative Institutes and expects the administration to fully fund Cooperative Institutes at appropriate levels in future years, including those currently supporting NOAA’s coastal resilience mission.

Additionally, not less than 90 days after enactment of this act, NOAA is directed to update its “Prospectus for Cooperative Institutes in the 21st Century” plan to include the procedures under which a university or other academic institution can apply for Cooperative Institute status. The Committee continues to strongly support well established institutes, including those focused on watershed effects on marine ecosystems, remote sensing, and long-term monitoring of oil spill impacts on marine ecosystem health.

*Climate Research.*—The Committee rejects OAR’s request to eliminate Climate Competitive Research and Arctic Research. Instead the Committee provides \$2,000,000 above the fiscal year 2018 enacted amount, including for the support and expansion of the National Integrated Drought Information System and the Regional Drought Early Warning Information System.

*Arctic Research.*—The Committee provides no less than \$6,000,000 for arctic research funded under OAR’s Climate Laboratories and Cooperative Institutes and Regional Climate Data and Information.

*Weather & Air Chemistry Laboratories and Cooperative Institutes.*—The Committee rejects OAR’s proposed elimination of the Air Resources Laboratory [ARL], as well as OAR’s proposed closing of the Unmanned Aircraft Systems [UAS] Program Office. The Committee provides no less than the fiscal year 2018 enacted amount for ARL and the UAS Program Office.

*Unmanned Aircraft Systems.*—The Committee encourages NOAA to collaborate with NASA and other agencies to develop and deploy UAS capabilities for environmental sensing applications. These UAS assets should be deployed to benefit existing data collection and modeling needs and goals, including for weather prediction, earth system monitoring, and environmental and climate research.

*Multi-Function Phased Array Radar [MPAR] Program.*—The Committee recognizes the importance of the MPAR program in the development and implementation of the next generation weather and aircraft radar surveillance network. The Committee directs NOAA to maintain its leadership in the MPAR research and development effort as the program transitions to the Spectrum Efficient National Surveillance Radar [SENSR] program, and encourages continued work on a Memorandum of Understanding among NOAA, the Federal Aviation Administration, the Department of Defense, and the Department of Homeland Security that delineates each agency's or Department's needs regarding the function and timeline of a joint multi-use and multi-function radar system.

*Vortex-Southeast [Vortex-SE].*—The Southeastern United States commonly experiences devastating tornadoes under variables and conditions that differ considerably from the Midwest, where tornado research has historically been focused. Within funds provided for Weather and Air Chemistry Research Programs, no less than \$5,000,000 is provided for OAR to continue collaborating with the National Science Foundation's Vortex-SE initiative to better understand how environmental factors that are characteristic of the Southeastern United States affect the formation, intensity, and storm path of tornadoes for this region.

*Remote Sensing for Snowpack and Soil Moisture.*—The Committee strongly supports NOAA's continued development of the National Water Model to improve operational forecasts at NOAA's National Water Center. Within funding provided for OAR's U.S. Weather Research Program, up to \$2,000,000 is for research activities to improve fine and large-scale measurements of snow depth and soil moisture data that can be used to expand and improve the National Water Model and contribute directly to the mission of NOAA's National Water Center.

*Hydrologic Modeling Grants.*—The Committee recognizes the success of the National Water Model in advancing flood forecasting and predicting other water related hazards. Within funding for the U.S. Weather Research Program, OAR shall make grants available for the development of high resolution hydrologic modeling systems to address issues related to floods, drought, water quality, and ecosystem health. Research should include addressing water-related issues in the Southeastern United States, including those relating to agriculture.

*Airborne Phased Array Radar [APAR].*—Within funding for NOAA's U.S. Weather Research Program, no less than \$4,000,000 is provided to research and develop aircraft-based hazardous weather observing systems, such as APAR. NOAA shall coordinate these research and development activities with the National Science Foundation.

*Infrasonic Weather Monitoring Research.*—Within funding provided for the U.S. Weather Research Program, the Committee pro-

vides up to \$1,000,000 to support external research opportunities with academic institutions in infrasonic monitoring methods of violent weather. The Committee believes that advanced infrasound signal processing methodologies and studies, deployed through a network of infrasound arrays to detect tornadoes and hurricanes, have the potential to improve forecast accuracy.

*National Sea Grant College Program.*—The Committee again flatly rejects the administration’s proposed elimination of NOAA’s Sea Grant program. Instead, the Committee provides an increase of \$6,000,000 above the fiscal year 2018 enacted amount for the Sea Grant program and its research, education, extension, and outreach activities, which are critical for coastal communities and benefit the entire Nation. This level of funding supports the key focus areas in the program’s strategic plan: sustainable fisheries and aquaculture, resilient communities and economies, healthy coastal ecosystems, environmental literacy, and workforce development. In addition, the Committee directs NOAA to continue funding all Sea Grant STEM education and fellowship programs. Further, NOAA is directed to continue its partnership with academic programs that provide legal expertise related to Sea Grant’s mission and also encourages the Sea Grant program to prioritize providing training, education, outreach, and technical assistance for young fishermen.

Additionally, the Committee understands that the Sea Grant program provides no less than \$1,000,000 in annual base funding, or \$4,000,000 over the course of the 4-year grant cycle, to each Sea Grant program with Institutional or College Program status. NOAA is directed to continue this funding model for Sea Grant programs receiving Institutional or College Program status in fiscal year 2019.

*Sea Grant Fellowship Program.*—NOAA’s Sea Grant program is reminded that the Committee’s broad support is due to the program’s historically objective standards, State-driven goals, and non-partisan priorities. Within NOAA’s Sea Grant program, the National Sea Grant Fellowship program serves as a valuable pipeline for our Nation’s future ocean science and policy experts. The Fellowship program should remain objective and apolitical, and should increase its efforts to recruit qualified, non-partisan candidates who are committed to working on oceans and coastal issues for any Member of Congress, regardless of political affiliation.

*Fisheries-Related Research.*—The Committee remains concerned about the negative impacts of the short recreational fishing season for red snapper in the Gulf of Mexico. While the relief provided by the administration for the 2018 fishing season is welcomed, the Committee notes it is only a short-term solution with the potential to further restrict fishing access in the future. Additional data sources and assessment approaches are needed and should be pursued by entities other than NOAA’s regulating line office, NMFS. Therefore, the Committee continues to provide up to the fiscal year 2018 enacted level within Sea Grant to research and develop alternative approaches to data collection and analyses.

*American Lobster Research.*—Within increased funding for the Sea Grant program, the Committee provides \$2,000,000 for partnerships between State agencies, academia, and industry to address American lobster research priorities in the Gulf of Maine,

Georges Bank, and southern New England. Research should focus on stock resilience in the face of environmental changes, including life history parameters, distribution and abundance, and species interactions, with the purpose of informing future management actions.

*Aquaculture Research.*—The Committee provides \$12,000,000 for marine aquaculture research. NOAA is directed to support marine aquaculture research and development in partnership with universities. Similar research efforts have led to beneficial outcomes such as the development and commercialization of new technologies to meet the domestic demand for seafood, including finfish, shrimp, and oysters. As the administration strives to reduce our Nation's significant trade deficit in aquaculture-raised seafood, NOAA shall report to the Committee within 90 days of enactment of this act on the important contributions Aquaculture Research grants have made to domestic seafood production.

*Ocean Exploration.*—The Committee directs NOAA to use a portion of the funding provided for Ocean Exploration to make competitive external awards to academic institutions that have partnered with OAR's Ocean Exploration program in the past. This includes those institutions with ocean-going assets, such as Autonomous Underwater Vehicles [AUV], to support new exploration missions, expeditions, and deep-sea research in the Gulf of Mexico.

NOAA is also encouraged to work with the Department of Defense and other relevant agencies to continue fundamental ocean exploration in which open source data are collected for the oceanographic community and private industries in real-time through telepresence technology. Furthermore, the Committee encourages NOAA to leverage partnerships with universities to increase capacity for deepwater AUVs as a means to sustain utility of AUV assets. The Committee also encourages NOAA to work with the Department of Defense, especially the Naval Meteorology and Oceanography Command and the Naval Undersea Warfare Center, to leverage assets and facilities to support deepwater AUV program development.

*National Oceanographic Partnership Program.*—The Committee provides \$8,000,000 to advance ocean science research through the National Oceanographic Partnership Program [NOPP] (10 U.S.C. 7901–7903), provided that none of the funding provided may be used to support more than 50 percent of any particular project cost. Of the funding provided for NOPP, up to \$3,000,000 may be used to continue projects supported by fiscal year 2018 funds under the Ocean Joint Technology Transfer Initiative [O-JTTI], and such funds provided in fiscal year 2019 may be used to support up to 100 percent of these project costs.

#### NOAA NATIONAL WEATHER SERVICE

The Committee's recommendation provides \$1,019,219,000 for the National Weather Service [NWS]. NWS programs provide timely and accurate meteorologic, hydrologic, and oceanographic warnings and forecasts to ensure the safety of the population, mitigate property losses, and improve the economic productivity of the Nation. NWS is also responsible for issuing operational climate fore-

casts for the United States. The Committee has made saving lives and livelihoods through accurate weather forecasting a priority.

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

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

|  | Committee recommendation |
|--|--------------------------|
| Observations .....                       | 224,363                  |
| Central Processing .....                 | 97,890                   |
| Analyze, Forecast, and Support .....     | 503,938                  |
| Dissemination .....                      | 50,028                   |
| Science and Technology Integration ..... | 143,000                  |
| <b>GRAND TOTAL NWS .....</b>             | <b>1,019,219</b>         |

*Information Technology Officers [ITOs].*—The Committee does not approve the NWS proposal to consolidate ITOs in fiscal year 2019. NWS was invited to submit a proposal for a single pilot Regional Enterprise Application Development and Integration [READI] team comprised of volunteer ITOs. However, the Committee has not yet received such a proposal. Should NWS decide to submit a proposal for a single pilot READI team project, its subsequent successes and challenges will assist the Committee in evaluating the larger consolidation proposal if resubmitted in future fiscal years.

*NWS Staffing.*—The Committee is very concerned with the continued number of NWS employee vacancies. Given the importance of the NWS mission to protect the lives and property of our Nation’s citizens, extended vacancies are unacceptable—particularly when the Committee has provided more than adequate resources and direction to fill vacancies expeditiously for the past several fiscal years. Because NWS has failed to respond satisfactorily to the Committee’s concerns regarding these vacancies, NOAA is directed to present a separate accounting of all NWS filled and open positions, including the length of time the positions have been unfilled, in its fiscal year 2019 spend plan. The spend plan shall also include the specific funding proposed for all NWS employees and associated expenses that are separate from other program costs.

The Committee also recognizes that some vacant NWS positions may be redundant and invites the Department to submit a justification for eliminating redundant unfunded vacancies in its fiscal year 2020 budget request, to include a full list of positions proposed for elimination, including reasoning for each elimination. Until such time as a plan to eliminate those vacancies is approved, NWS is directed to continue efforts to fill all vacancies as expeditiously as possible. Furthermore, the Committee adopts direction provided in the Explanatory Statement accompanying Public Law 115–141 regarding quarterly briefings on NWS staffing.

*Report on NWS Staffing in Alaska.*—The Committee remains concerned about potential NWS staffing reductions in Alaska. As a part of the Explanatory Statement accompanying Public Law 115–141, the Committee directed the NWS to provide a report about how the NWS plans to maintain or improve forecasting and com-

munication around the State, especially in the most remote areas. The Committee looks forward to receiving and reviewing this report, and reminds NWS that any staffing changes must comply with the reprogramming procedures set forth in section 505 of this act.

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

*National Centers for Environmental Prediction [NCEP].*—The Committee does not adopt the NWS proposal to consolidate centers under NCEP in fiscal year 2019.

*Facilities Maintenance.*—Within funding for Analyze, Forecast and Support, the Committee provides \$8,000,000 for the NWS’s highest priority facilities repair and deferred maintenance requirements at Weather Forecast Offices [WFOs].

*Advanced Hydrologic Prediction Services Expansion [AHPS].*—The Committee rejects NWS’s proposal to slow the expansion of AHPS, which will enable greater information on the magnitude and likelihood of floods and droughts across certain areas of the nation. No less than the fiscal year 2018 amount is provided for AHPS activities.

*National Data Buoy Center [NDBC].*—The Committee provides sufficient funding to maintain, at a minimum, NDBC operations at 80 percent data availability. The Committee directs NOAA to provide adequate funding to support maintenance and service of the Tropical Atmosphere/Ocean Array [TAO] and Deep Ocean Assessment and Reporting of Tsunamis [DART] array across the equatorial Pacific. The Committee further directs NOAA to include a schedule to restore existing data buoy operability and its strategy to minimize outages in the future as part of the agency’s spending plan.

*Tsunami Warning Program.*—The Committee rejects NWS’s proposed cut to the Tsunami Warning Program. Funding is provided at no less than the fiscal year 2018 amounts, including for the National Tsunami Hazard Mitigation program grants, to ensure that high-quality tsunami watches, warnings, and advisories are issued to safeguard lives and property.

*Advanced Weather Interactive Processing System [AWIPS].*—Within increased funding for Central Processing, the Committee provides NWS's full request for AWIPS Cyclical Refreshment.

*Integrated Water Prediction [IWP] and the National Water Model.*—The Committee does not approve the requested decrease to the IWP program, which is funded across multiple NWS budget lines. Instead, the Committee provides no less than the fiscal year 2018 amount for IWP. Similarly, the Committee rejects slowing the development of the National Water Model and provides no less than the fiscal year 2018 level for its continued and expedited development.

*National Water Center.*—The Committee provides no less than the fiscal year 2018 enacted level for operations and staffing of the National Water Center [NWC] to develop and operate IWP. NWS shall leverage this funding with resources provided to NOS for IWP and resources provided to OAR for remote sensing of snowpack and soil moisture measurements.

The Committee is pleased with research-to-operations efforts at the NWC between NWS and the University Corporation for Atmospheric Research. This relationship highlights how separate entities and agencies can work together to transfer research into operational solutions that benefit the Nation. The NWC serves as the first ever clearinghouse for research and operational forecasting of all water-related issues facing our Nation, including: severe floods, storm surge, droughts, and water quality, among others. Given the importance of NWC to better protect lives and property of our Nation's citizens, NOAA is directed to expedite staffing and operations at NWC to achieve full operating capability as soon as possible. Furthermore, to improve the effectiveness and efficiency of the NWS Office of Water Prediction, and to foster development of the NWC as a center of excellence for water resources prediction and related decision support services, funding is provided within Analyze, Forecast, and Support to increase staffing levels at the NWC Water Prediction Operations Division above the planned fiscal year 2018 staffing levels. The NWS is directed to post and fill future vacancies within the Office of Water Prediction expeditiously, and NWS is encouraged to consolidate personnel, as deemed necessary to create staffing efficiencies, to the NWC. The Committee directs NOAA to provide a report no less than 45 days after enactment of this act with an updated staffing plan that includes an update on commitments from partner agencies and a timeline for achieving baseline operating capability in the first quarter of fiscal year 2019.

*Hydrology and Water Resource Programs.*—The Committee provides no less than \$6,000,000 for NWS, in coordination with existing academic research consortiums, such as the University Corporation for Atmospheric Research, to collaborate with external academic partners to improve fine and large-scale measurements of snow depth and soil moisture data that can be used to expand and improve the National Water Model and contribute directly to the mission of NOAA's National Water Center.

*Consumer Option for an Alternative System To Allocate Losses [COASTAL] Act Implementation.*—Within funding provided for Science and Technology Integration, the Committee provides not less than \$5,000,000 for the continued development and implemen-

tation of the COASTAL Act, which was included in the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141). The Committee supports NOAA’s work to assist homeowners impacted by destructive winds and storm surges associated with hurricanes and super-storms. The Committee directs NOAA to continue to leverage existing Federal assets, expertise, and partnerships in carrying out COASTAL Act activities. Furthermore, NOAA is directed to provide the Committee with updates every 6 months on progress made and challenges related to implementation, as well as any proposed solutions.

*Storm Surge Modeling Technology.*—The Committee recognizes the need to deploy more precise, accurate, and real-time modeling technology that is tailored to specific regions. These activities would improve and complement NOAA’s Sea, Lake, and Overland Surge from Hurricanes [SLOSH] model. The Committee directs NOAA to expand existing collaborations with research universities that will produce better predictive capabilities than NOAA’s current SLOSH model provides. The Committee directs NOAA, in collaboration with academic research institutions and other Federal agencies, to integrate improved technologies into standard modeling operations for storm surge and inland flooding.

*Inland Flooding.*—The Committee is aware that flood evacuations are typically planned for storm surge flooding and not the subsequent inland flooding that occurs with major weather events. The Committee encourages NWS, in coordination with State and Federal partners, to advance its inland flooding model based on the assessment of flood potential using sensor and elevation data to determine areas of impact, as well as safe evacuation paths and shelter locations. NWS and its partners should focus on obtaining information that can be applied to a model for inland evacuation planning, and be used by communities interested in a tested inland flood evacuation network plan. The model should eventually be integrated with the National Water Model to provide comprehensive, real-time evacuation information.

*Science and Technology Integration.*—The Committee provides no less than the fiscal year 2018 level for Mid-Range Weather Outlooks, including seasonal to subseasonal forecasting, and Investments in Numerical Weather Prediction Modeling, which provides critical support to the Hurricane Forecast Improvement Project, among other important forecasting activities. Furthermore, the Committee urges NOAA to expedite the project plan described by the Hurricane Forecast Improvement Act (Public Law 115–25). The Committee encourages NWS to reduce errors in tracking and intensity forecasts of hurricanes by identifying technology and methods available to significantly improve hurricane forecasting.

*NWS Radar and Satellite Spectrum Studies.*—As NOAA continues its study to evaluate sharing the 1675–1680 MHz GOES band, the Committee directs the agency to consult with private industry about the potential application of spectrum sharing technology for shared commercial use. Furthermore, NOAA is encouraged to study opportunities for early entry and flexible access to the 1300–1350 MHz spectrum band through use of private sector spectrum sharing technologies that protect Federal incumbents while making spectrum available for commercial use. The Com-



mittee believes such a study may provide additional options for the Spectrum Efficient National Surveillance Radar [SENSR] program to both enable commercial use of the 1300–1350 MHz spectrum band and reduce technology risk in the multistakeholder SENSR program.

NOAA NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

The Committee’s recommendation provides \$242,666,000 for National Environmental Satellite, Data and Information Service [NESDIS] operations. NESDIS programs operate environmental polar-orbiting and geostationary satellites and collect and archive global environmental data and information for distribution to users in commerce, industry, agriculture, science, and engineering, the general public, and Federal, State, and local agencies.

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

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

|   | Committee recommendation |
|---|--------------------------|
| Environmental Satellite Observing Systems:              |                          |
| Office of Satellite and Product Operations .....        | 146,924                  |
| Product Development, Readiness & Application .....      | 31,000                   |
| Commercial Remote Sensing Licensing & Enforcement ..... | 1,800                    |
| Office of Space Commerce .....                          | 1,800                    |
| Group on Earth Observations [GEO] .....                 | 500                      |
| Total, Environmental Satellite Observing Systems .....  | 182,024                  |
| National Centers for Environmental Information .....    | 60,642                   |
| GRAND TOTAL NESDIS .....                                | 242,666                  |

*National Centers for Environmental Information [NCEI].*—The Committee recommends \$60,642,000 for NCEI, which consolidated several programs previously funded separately. While the Committee supports the current budget structure for NESDIS, it is essential to ensure that key programs continue to receive adequate funding. Specifically, the Committee provides not less than the fiscal year 2018 enacted levels of \$6,000,000 for Regional Climate Services, \$3,650,000 for Regional Climate Centers, and \$5,500,000 for Coastal Data Development. NOAA shall consider the Coastal Data Development program as the central repository to manage data collections and information services of the various Gulf of Mexico Restoration activities funded in response to the 2010 Deep-water Horizon oil spill for scientific stewardship. Furthermore, within NCEI, the Committee encourages NOAA to fully support critical international partnerships, including the Global Climate Observing System.

*Big Earth Data Initiative.*—The Committee rejects the proposed elimination of the Big Earth Data Initiative and provides no less than the fiscal year 2018 amount for the program.

## NOAA MISSION SUPPORT

The Committee's recommendation provides \$269,256,000 for NOAA's mission support activities. These programs provide for overall NOAA management, including staffing of the Under Secretary's office and services to NOAA field offices. These programs also support NOAA's Education Office consistent with the recommendations of the Joint Ocean Commission. The facilities sub-activity provides for repair and maintenance to existing facilities, planning and design, and environmental compliance.

Committee recommendations are displayed in the following table:

## MISSION SUPPORT OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

|   | Committee recommendation |
|---|--------------------------|
| Corporate Services:                       |                          |
| Executive Leadership .....                | 27,957                   |
| Mission Services and Management .....     | 148,000                  |
| IT Security .....                         | 10,050                   |
| Payment to DOC Working Capital Fund ..... | 55,249                   |
| Total, Corporate Services .....           | 241,256                  |
| NOAA Education Program .....              | 28,000                   |
| GRAND TOTAL, MISSION SUPPORT .....        | 269,256                  |

*Corporate Services.*—Within funding provided for Corporate Services, NOAA is directed to focus on improving workforce management, particularly expediting the hiring process to fill extended vacancies with highly qualified candidates across the agency's line offices. NOAA shall also focus on improving its management of acquisition and grant services.

*Facilities.*—The Committee provides no less than the fiscal year 2018 enacted amount for NOAA Facilities.

*Education.*—The Committee rejects the proposal to eliminate NOAA's Office of Education. Within the funds provided for NOAA's Education Program, \$5,000,000 is for competitive educational grants, which includes continued support for Environmental Literacy Grants and for improving geographic literacy; \$15,500,000 is for the Educational Partnership Program with minority-serving institutions; and \$7,500,000 is for Bay-Watershed Education and Training regional programs. NOAA is encouraged to engage students in live, interactive programming using telepresence technology.

*Education Partnership Program.*—The Committee encourages NOAA to consider the creation of a Cooperative Science Center at a Hispanic Serving Institution to help educate and train the fastest growing segment of the U.S. population, and one that is underrepresented in NOAA's scientific workforce.

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

NOAA OFFICE OF MARINE AND AVIATION OPERATIONS

The Committee’s recommendation provides \$226,420,000 for NOAA’s marine and aviation operations. The Office of Marine and Aviation Operations provides aircraft and marine data acquisition, repair, and maintenance of the existing fleet; planning of future modernization; and technical and management support for NOAA-wide activities through the NOAA Commissioned Officer Corps.

OFFICE OF MARINE AND AVIATION OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

|   | Committee recommendation |
|---|--------------------------|
| Marine Operations and Maintenance ..... | 190,670                  |
| Aviation Operations .....               | 35,750                   |
| GRAND TOTAL, OMAO .....                 | 226,420                  |

*Capital Assets.*—Any decisions related to laying up any vessels, grounding any aircraft, or decommissioning any capital asset are subject to the standard reprogramming procedures set forth in section 505 of this act. Any changes from the spending plan shall also be subject to section 505 of this act. NOAA shall continue to provide the Committee with a monthly operational status of the fleet and aircraft.

*Aviation Operations.*—The Committee provides the full amount requested for NOAA’s Aircraft Operations Center [AOC]. The Committee maintains its direction for NOAA to provide a comprehensive plan to find a permanent, cost-effective home in the Gulf Coast region, potentially co-located with a Federal partner that can meet NOAA’s operational needs.

*Unmanned Surface Vehicles [USVs].*—The Committee is concerned about NOAA’s ability to meet the demand for at-sea research days with its current combination of an aging fleet and charter vessels, as well as responding to emerging mission requirements. The Committee recognizes that USVs are not a replacement for crewed research ships, but are a synergistic complement to crewed ships’ capabilities. Within funding for Marine Operations and Maintenance, the Committee provides up to \$3,000,000 for the competitive acquisition of USVs data as a cost-effective augmentation for relevant research missions and fisheries data collection.

*Atmospheric Rivers.*—As part of the Explanatory Statement accompanying Public Law 115–141, the Committee requested a report about the feasibility and potential benefit of using airborne assets to conduct storm monitoring of the U.S. West Coast, with a particular interest in atmospheric rivers. The Committee looks forward to the submission of the report. Furthermore, within Aviation Operations, up to \$1,000,000 may be used for additional monitoring of atmospheric rivers.

*Unmanned Aircraft Systems.*—The Committee urges NOAA to expand its data collection for hurricane forecasting to include all levels of the atmosphere below 60,000 feet above sea level and notes the potential of UAS platforms to accomplish this expanded mission while reducing costs and likely promoting more reliable hurricane forecast models. The Committee encourages NOAA to

improve collaboration with other science agencies of the Federal government to share and expand limited UAS availability, including working with NASA to utilize UAS platforms to supplement data collection from manned hurricane hunter missions.

*Dropsondes.*—The Committee recognizes the importance of dropsondes as a critical tool for atmospheric data collection, including for hurricane forecast modeling. The Committee directs NOAA to provide, within 90 days of enactment of this act, a comprehensive accounting of its dropsonde use for data collection, including acquisition costs, for fiscal year 2018. Furthermore, the Committee encourages NOAA to outline specific dropsonde acquisition costs as part of its fiscal year 2020 budget request.

NOAA PROCUREMENT, ACQUISITION, AND CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$2,290,684,000 |
| Budget estimate, 2019 .....    | 1,623,006,000   |
| Committee recommendation ..... | 1,806,479,000   |

The Committee's recommendation provides \$1,806,479,000 for NOAA's procurement, acquisition, and construction. The recommendation is \$484,205,000 below the fiscal year 2018 enacted level and \$183,473,000 above the budget request.

Committee recommendations are displayed in the following table:

PROCUREMENT, ACQUISITION AND CONSTRUCTION

[In thousands of dollars]

|  | Committee recommendation |
|--|--------------------------|
| National Ocean Service:  |                          |
| National Estuarine Research Reserve Construction .....           | 1,900                    |
| Marine Sanctuaries Construction/Acquisition .....                | 2,000                    |
| Total National Ocean Service—PAC .....                           | 3,900                    |
| Ocean and Atmospheric Research:                                  |                          |
| Research Super Computing .....                                   | 41,000                   |
| National Weather Service:  |                          |
| Observations .....   | 21,129                   |
| Central Processing .....   | 66,761                   |
| Dissemination .....  | 34,619                   |
| WFO Construction .....   | 19,650                   |
| Total, National Weather Service—PAC .....                        | 142,159                  |
| National Environmental Satellite, Data and Information Services: |                          |
| Geostationary Systems [GOES-R] .....                             | 408,380                  |
| Polar Weather Satellites .....                                   | 927,991                  |
| Cooperative Data and Rescue Services [CDARS] .....               | 37,900                   |
| Space Weather Follow-on .....                                    | 12,000                   |
| COSMIC-2 .....   | 5,892                    |
| Satellite Ground Services .....                                  | 58,000                   |
| System Architecture and Advanced Planning .....                  | 4,929                    |
| Projects, Planning, and Analysis .....                           | 40,000                   |
| Satellite CDA Facility .....                                     | 2,450                    |
| Commercial Weather Data Pilot .....                              | 3,000                    |
| Total, NESDIS—PAC .....  | 1,500,542                |

## PROCUREMENT, ACQUISITION AND CONSTRUCTION—Continued

[In thousands of dollars]

|  | Committee recommendation |
|--|--------------------------|
| Mission Support:                                 |                          |
| NOAA Construction .....                          | 31,000                   |
| Total, Mission Support—PAC .....                 | 31,000                   |
| Office of Marine and Aviation Operations:        |                          |
| Fleet Capital Improvements & Tech Infusion ..... | 25,878                   |
| New Vessel Construction .....                    | 75,000                   |
| Total, OMAO—PAC .....                            | 100,878                  |
| Unobligated balances from prior years .....      | – 13,000                 |
| GRAND TOTAL, PAC .....                           | 1,806,479                |

*National Estuarine Research Reserve [NERR] Construction.*—The Committee provides no less than the fiscal year 2018 enacted amount for NERR Construction to support the expansion of the NERR system. Furthermore, the Committee remains concerned about the increased costs and lack of transparency associated with certain third-party green building rating systems. The use of certain green building standards can arbitrarily discriminate against domestic building materials such as wood that could be locally sourced, thereby increasing costs to taxpayers without significant benefits in energy and water savings. The Committee again directs NOAA to use funding provided for NERR Construction subject only to green building rating systems or standards that are voluntary consensus standards; have achieved American National Standard Institute [ANSI] Designation; or were developed by an ANSI Audited Designator, and take into consideration the environmental and economic benefits of building materials through lifecycle analysis. Not later than 90 days after enactment of this act, NOAA shall notify the Committee of any new, existing, or planned construction projects at NERRS sites that receive accreditation for energy savings from a third-party green building rating system.

*High Performance Computing.*—The Committee recognizes NOAA's high performance computing needs and its current limitations on providing high fidelity results in near real-time. Within funding provided for OAR Research Supercomputing, \$15,000,000 shall be used to continue to develop a dedicated high performance computing facility in collaboration with partners that have existing high performance computing expertise and scientific synergies. OAR is encouraged to find a funding balance in HPC resources with the partnerships that are currently in existence, with an emphasis on finding synergies with existing NOAA infrastructure.

*National Weather Service.*—The Committee provides requested amount for National Weather Service Observations to continue the Next Generation Weather Radar Service Life Extension Program as planned, but no less than fiscal year 2018 enacted amount for the Automated Surface Observing System.

*NWS Construction and Major Repair.*—The Committee provides \$11,000,000 above the fiscal year 2018 enacted amount for Facili-

ties Construction and Major Repair for NWS to address its most pressing major construction needs among the Weather Forecasting Offices.

*Integrated Water Prediction.*—The Committee provides no less than the fiscal year 2018 enacted level for Central Processing under NWS PAC, which includes not less than \$4,500,000 to procure operational high performance computing resources to enable modeling improvements associated with the IWP initiative.

*Polar Weather Satellites.*—The Committee provides \$927,991,000 for Polar Weather Satellites, which is \$50,000,000 above the request. While the Committee approves combining the Joint Polar Satellite System [JPSS] and Polar Weather Follow-on [PFO] program offices, section 104 of the act maintains language capping the life cycle cost of JPSS to \$11,322,125,000 and adds language capping the life cycle cost of PFO at \$7,573,000,000.

*Space Weather Follow-on.*—The Committee provides \$12,000,000 for NOAA's space weather sentinel activity. Funding above the request shall be used for NOAA to pursue launch options for a compact coronagraph. The Committee notes the necessity of having the Federal Government develop and implement a coherent space weather architecture that addresses scientific, national security and meteorologically operational requirements using a constellation of lower cost satellites, akin to a NASA Explorer Class framework, and expects to receive a plan before the end of fiscal year 2018. While NASA's heliophysics program generally addresses the scientific needs and priorities for this domain, it has also been utilized for operational requirements, despite the fact that these satellites are generally not designed for that purpose and are capable of providing forecast warning times of just minutes to a few days. Hence, the Nation must design a space weather program that addresses current needs, particularly given the vulnerability of our communications and electrical infrastructure to severe space weather events and the devastating effects those events would have on the economy.

*Metop-C.*—The Committee provides \$40,000,000 for Projects, Planning, and Analysis to support pre-launch testing and Ground Support Equipment of U.S. instruments on Metop-C, which is scheduled for launch in October 2019. These instruments will provide complementary data to the JPSS morning orbit in polar satellite data and are critical for maintaining Numerical Weather Prediction model accuracy for 3–7 day forecasts.

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

*Radio Occultation Data.*—The Committee is concerned about NOAA's continued access to high quality radio occultation [RO] data for operational forecasts, and continued research to improve modeling capacity. Under Public Law 115–25, NOAA was directed to conduct a commercial pilot project to acquire RO data, and to proceed with the COSMIC program of record. While the Committee is optimistic about the role for commercial RO data, continued operational data is critical for weather forecasting. With NOAA's cancellation of COSMIC 2B and the original COSMIC program

nearing the end of its life, the Committee directs NOAA to develop and submit a plan within 180 days of passage to manage the risk of an RO data gap and preserve the quality of NOAA forecasts. The plan should include a report on the implementation of the RO provisions of Public Law 115–25.

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

*Facilities Maintenance.*—The Committee provides \$10,000,000 for NOAA’s highest priority facilities repair and deferred maintenance requirements. NOAA has significant facilities repair and deferred maintenance liabilities and the Committee’s is concerned by reports, including the Department’s OIG Report, “NOAA: Repair Needs Data Not Accurate, and Real Property Utilization Not Monitored Adequately,” (OIG–17–032–A), that indicate NOAA is not appropriately managing its real property maintenance needs. Thirty days prior to obligating any of these additional facilities repair and deferred maintenance funds, NOAA shall submit a report providing the following information: (1) a NOAA-wide prioritized list of its deferred facilities maintenance needs, including an explanation of how such list was developed; (2) an estimate of the total amount and composition of deferred facilities maintenance, including an explanation of how such estimate was developed; (3) how NOAA maintains information on, and manages, its deferred maintenance needs and activities; and (4) an update on addressing the recommendations of OIG–17–032–A.

*NOAA Marine Operation Facilities.*—The Committee has provided funding for the past several fiscal years under Mission Support PAC for preparatory work for new berths and shore facilities at Newport, Rhode Island. The facility will permanently accommodate the NOAA Ship *Henry B. Bigelow* and other vessels in the future. As part of the Explanatory Statement accompanying Public Law 115–141, the Committee requested a plan outlining the cost, size, scope, and timeline for constructing and outfitting this facility, which is co-located on U.S. Navy property. There is increasing urgency to act since NOAA could lose access to some of its existing Atlantic facilities as soon as 2021. The Committee is awaiting this plan, which was due 60 days after enactment of Public Law 115–141, and withholds 25 percent of funds provided for Executive Leadership within the Mission Support line office until NOAA submits it to the Committee.

*Mission Support, Facilities Initiative.*—Within the funding provided under Mission Support PAC for NOAA Construction, \$20,500,000 is to complete the second phase of repairs and construction at NOAA’s Mukilteo Research Station.

*Vessel Deferred Maintenance and Technology Infusion.*—Within the funding provided above the request for Fleet Capital Improve-

ments and Technology Infusion, \$3,000,000 shall be for deferred maintenance and \$10,000,000 shall be for technology infusion.

*NOAA Fleet Recapitalization.*—In November 2016, the Committee approved NOAA’s updated Fleet Recapitalization Plan, which established a foundation for new vessel construction over the next 10 years. The Committee is pleased that NOAA’s fiscal year 2019 budget request includes \$75,000,000 for new vessel construction, which follows the Committee’s direction and tempo for revitalizing the agency’s aging fleet. The Committee commends NOAA’s plan to leverage work done by the U.S. Navy to reduce design risk, ship acquisition cost, and vessel delivery time. The Committee further urges NOAA to continue efforts to find additional ship acquisition efficiencies.

*Buy American Provisions.*—In recognition of the economic and national security importance of the domestic shipbuilding industrial base, the Department of Commerce, NASA, and NSF are reminded of the Buy American provisions contained in law that apply to the Department of Defense, particularly 10 U.S.C. 2534(a)(3) and (4) regarding air circuit breakers, welded shipboard anchor, mooring chain with a diameter of 4 inches or less, and, to the extent they are unique to marine applications, gyrocompasses, electronic navigation chart systems, steering controls, pumps, propulsion and machinery control systems, totally enclosed lifeboats; certain powered and non-powered valves; and certain machine tools for metal-working machinery. In awarding any new contracts related to the acquisition, construction, or conversion of a marine vessel, the Department of Commerce, NASA, and NSF are urged to make every effort to acquire, consistent with schedule and cost competition requirements, only U.S. manufactured components, consistent with 10 U.S.C. 2534 and for auxiliary equipment (including pumps) for shipboard services; propulsion equipment (including engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes.

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

PACIFIC COASTAL SALMON RECOVERY FUND

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$65,000,000 |
| Budget estimate, 2019 .....    |              |
| Committee recommendation ..... | 70,000,000   |

The Committee’s recommendation provides \$70,000,000 for the Pacific Coastal Salmon Recovery Fund [PCSRF]. The recommendation is \$5,000,000 above the fiscal year 2018 enacted level and \$70,000,000 above the budget estimate. Funds are for conservation and restoration of Pacific salmon populations. State and local recipients of this funding will provide matching contributions of at least 33 percent of Federal funds. In addition, funds will be available to tribes without a matching requirement.

Further, within the funds provided for the Pacific Coastal Salmon Recovery Fund, no eligible coastal State shall receive less than \$5,000,000. Additionally, the Committee directs NOAA to provide a report within 90 days of enactment that details the current competitive evaluation process for PCSRF funding and how PCSRF



benefits both the Endangered Species Act listed Pacific salmon populations and declining stocks which have not yet warranted protection under the Endangered Species Act. Further, NOAA is directed to report on how its current priorities meet the intent of the PCSRF to support the recovery and protection of all declining salmon stocks.

#### FISHERMEN'S CONTINGENCY FUND

|                                |           |
|--------------------------------|-----------|
| Appropriations, 2018 .....     | \$349,000 |
| Budget estimate, 2019 .....    | 349,000   |
| Committee recommendation ..... | 349,000   |

The Committee's recommendation provides \$349,000 for the Fishermen's Contingency Fund. The recommendation is equal to the fiscal year 2018 enacted level and equal to the President's request.

#### FISHERY DISASTER ASSISTANCE

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$20,000,000 |
| Budget estimate, 2019 .....    |              |
| Committee recommendation ..... | 15,000,000   |

The Committee's recommendation provides \$15,000,000 for Fishery Disaster Assistance to address fisheries disasters declared by the Secretary of Commerce. The recommendation is \$5,000,000 below the fiscal year 2018 enacted level and \$15,000,000 above the budget request.

#### FISHERIES FINANCE PROGRAM ACCOUNT

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | -\$3,000,000 |
| Budget estimate, 2019 .....    | -8,000,000   |
| Committee recommendation ..... | -8,000,000   |

The Committee recommends that direct loans administered through this account for individual fishing quotas may not exceed \$24,000,000. Traditional direct loans may not exceed \$100,000,000, which is the same as the fiscal year 2018 enacted level and budget request. The Committee encourages NOAA to facilitate new vessel construction, vessel replacement, and upgrades within the Fisheries Finance Program to the greatest extent practicable.

#### OTHER

##### DEPARTMENTAL MANAGEMENT

##### SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$63,000,000 |
| Budget estimate, 2019 .....    | 58,994,000   |
| Committee recommendation ..... | 63,000,000   |

The Committee's recommendation provides \$63,000,000 for Departmental Management Salaries and Expenses. The recommendation is equal to the fiscal year 2018 enacted level and \$4,006,000 above the budget request.

Within Departmental Management, the Salaries and Expenses account provides funding for the Secretary, Deputy Secretary, and support staff. Responsibilities involve policy development and im-

plementation affecting U.S. and international activities, as well as establishing internal goals for operations of the Department.

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

*Working Capital Funds.*—For each of the three working capital funds within DOC, the following are to be provided to the Committee and the Office of Inspector General by November 30 of each fiscal year: (1) A comparison of the final budget or spending plan at the project or activity level to the actual year-end data as of September 30 of the prior fiscal year, including detailed narratives for variances greater than 5 percent at the project or activity; (2) the initial budget or spending plan by project or activity for the current fiscal year; and (3) a detailed schedule of fiscal year-end unobligated and carryover balances by source funding category and by expiring budget fiscal year, to include: direct authority, Federal and intragovernmental reimbursable authority by trading partner, non-Federal reimbursable authority, amounts held for future asset replacement, and other categories.

*Concrete Masonry Products.*—The Committee recognizes that concrete block is a durable product used in the construction of public infrastructure, commercial facilities, and homes. The Committee recognizes the need for legislation to enable concrete masonry manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion of markets for concrete masonry products and that would give the Department legal authority for the program's operation and to maintain oversight.

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

*DATA Act.*—As part of an OIG report (OIG-18-005), independent accountants analyzed the Department's second quarter fiscal year 2017 submission of financial and award data in accordance with the Digital Accountability and Transparency Act of 2014 (Public Law 113-101). OIG-18-005 found "material and pervasive errors" in the Department's submission, leading the independent accountants to conclude that the audited submission was not presented in accordance with the Department of Treasury's guidance for compliance under Public Law 113-101. The Committee directs the Department to continue to take action to address the deficiencies highlighted in OIG-18-005.

*Improved International Travel Data.*—The Committee notes that initial data reported by the Department indicated there was a decrease in international visitors to the United States in 2016 and 2017. The Department has now suspended reporting on new international arrival information due to anomalies found in this data. As a result, the Committee believes more thorough, accurate and

timely data is needed to effectively understand and address the potential decline in international visitors to the United States, or a potential decline in our market share of international travel. The Committee directs the Department, in coordination with the Departments of State and Homeland Security, as appropriate, to provide: (1) a report on the cause of the anomalies in the international arrivals data and a timeline and course of action for correcting the information; (2) monthly international arrival data for each month within 60 days of the end of each month; (3) average wait times for visitor visa processing, by country, each month within 60 days of the end of each month; (4) refusal rates for visitor visa applications, by country, each month within 60 days of the end of each month. Monthly data should be provided to the Committee for the last 3 years and provided monthly from enactment of this act.

*Enterprise Services.*—The Committee supports the Department's overall goal to transition the bureaus to a shared services model to standardize and streamline transactional tasks in order to reduce costs and strengthen core mission focus. However, the Committee acknowledges that the shared services model may not make sense for all services and every bureau, as was discussed during the Department's 2019 budget request hearing. The Committee directs the Department to report within 90 days of enactment of the act on how it intends to move forward with this effort, including which portions, if any, of the shared services model USPTO will participate in and how that will impact the implementation of the shared services model.

*Cybersecurity.*—The Department of Commerce has a well-known and critical cybersecurity mission, not the least of which is the role that NIST plays in providing guidance and assistance to commercial and government stakeholders throughout the world. NIST provides the underlying guidance for the Federal Information Security Management Act requirements, which provide the baseline for cybersecurity risk management against which all Federal agencies are measured. However, the Committee is concerned that the Department as a whole is lagging behind other Federal agencies with respect to cybersecurity. In particular, the Committee is concerned about the pace of implementation by the Department of the Continuous Diagnostics and Mitigation [CDM] program requirements. The Committee directs the Department, within 60 days of enactment of this act, to provide a briefing on the Department's plan for achieving all of the major milestones for Phases 1 through 3 of CDM.

*Space Commerce.*—The Committee is aware of the instruction for the Department contained in Space Policy Directive 2 [SPD-2] and looks forward to considering a legislative proposal to implement SPD-2 when it is officially transmitted to the Congress. The Committee encourages the Department to work with other Federal agencies to ensure current activities affected by directives in SPD-2 are continued until any proposed legislative action has been signed into law. Activities funded by the Department in fiscal year 2018 that are addressed in SPD-2 have been funded in the same account as funding was provided in fiscal year 2018.

*Unobligated Balances.*—The Committee remains concerned about the amount of unobligated funding within DOC. As directed in sec-

tion 507 of this act, the Department is directed to continue reporting all unobligated balances to the Committee on a quarterly basis.

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

RENOVATION AND MODERNIZATION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$45,130,000 |
| Budget estimate, 2019 .....    | 2,796,000    |
| Committee recommendation ..... | 38,612,000   |

The Committee recommendation provides \$38,612,000, which is \$6,518,000 below the fiscal year 2018 enacted level and \$35,816,000 above the budget request, for continuing renovation activities at the Herbert C. Hoover Building, which is the full amount the Department requires to complete through the sixth phase of the ongoing renovation.

OFFICE OF INSPECTOR GENERAL

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$32,744,000 |
| Budget estimate, 2019 .....    | 32,030,000   |
| Committee recommendation ..... | 32,744,000   |

The Committee’s recommendation provides \$32,744,000 for the OIG. The recommendation is equal to the fiscal year 2018 enacted level and \$714,000 above the budget request.

In addition to funds provided under this heading, the Committee has recommended transfers to the OIG: \$1,000,000 from the U.S. Patent and Trademark Office; \$1,302,000 from the National Oceanic and Atmospheric Administration; and \$3,556,000 from the Census Bureau for oversight and audits of those activities. The Committee directs the OIG to continue strict oversight activities for satellite procurements, cybersecurity, and the decennial census.

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

encounters problems with accessing any necessary information or data from the Department, the OIG is directed to notify the Committee immediately.

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

#### GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

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

Section 103 provides the authority to transfer funds between Department accounts. The provision makes transfers subject to the Committee's standard reprogramming procedures and requires notification to the Committee prior to capital asset disposal.

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

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

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

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

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

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

Prior to exercising waiver authority under section 109 of this act, the Secretary shall promulgate regulations specifying criteria under which waiver authority may be used, including the types of contracts eligible for consideration, surety alternatives, and acceptable risk profiles in order to protect the taxpayer and ensure that

NOAA maximizes cost-savings. The Department is directed to notify the Committee not less than 15 days prior to any waiver issued under this section. In addition, the Department shall, not later than 120 days after the date of enactment of this act, prepare a report including the actual costs of repairing, rehabilitating, and replacing vessels in fiscal years 2014, 2015, 2016, 2018, 2019, and annually thereafter, including an indication of those vessels for which NOAA waived the Miller Act.

Section 110 allows NOAA to be reimbursed by Federal and non-Federal entities for performing certain activities.

The Committee remains concerned that agreements for offsetting collections provided for under this section could result in a conflict of interest, or the appearance of a conflict of interest, for the Department. The Department is directed to exercise caution and consider any unintended consequences that could result from such agreements, including, but not limited to, augmentation of appropriations, initiation of new programs not authorized by this act or any other act of Congress, and liabilities extending beyond the period of any such agreement. The Department shall provide to the Committee monthly updates on all offsetting fee collections, including each entity participating in the agreement, as well as the terms of and specific activities funded by the agreement. Additionally, estimates of anticipated fee collections shall be included in the Department's annual spend plans. To further ensure the Committee maintains sufficient oversight for activities carried out under this section, language is included specifying that any offsetting collection would require the consent of each party subject to the agreement and all offsetting collections shall be subject to procedures set forth by section 505 of this act.

Section 111 provides authority for the programs of the Bureau of Economic Analysis and the Bureau of the Census to enter into cooperative agreements in order to assist in improving statistical methodology and research.

## TITLE II

### DEPARTMENT OF JUSTICE

The Committee recommends a total of \$30,698,837,000 for the DOJ. The recommendation is \$402,573,000 above the fiscal year 2018 funding level and \$1,864,093,000 above the budget request. The Committee's recommendation emphasizes key priorities regarding funding for the Department's critical ongoing missions and activities to protect the safety, security, and rights of our citizens.

*Fighting the Heroin and Opioid Epidemic.*—The Committee continues its commitment to helping States and local communities in the fight against heroin and the illegal use of opioids through comprehensive programs covering law enforcement, prevention, and treatment. A total of \$482,500,000 in DOJ grant funding is provided to help our State and local partners tackle this epidemic, an increase of \$36,000,000 above the fiscal year 2018 level, including increased funding for programs covered under the Comprehensive Addiction and Recovery Act and Community Oriented Policing Services [COPS] Anti-Heroin Task Forces. The Drug Enforcement Administration [DEA] is funded at \$2,654,836,000, an increase of \$44,936,000, which will allow for the continuation of heroin enforcement teams as well as other interdiction and intervention efforts, including expansion of DEA's 360 Strategy.

*Combating the Continued Methamphetamine Crisis.*—The Committee notes that in addition to the heroin and opioid epidemic, many communities and families continue to suffer from a long-standing methamphetamine crisis. In many States, particularly in rural areas, meth-related deaths vastly outnumber those from heroin. The Committee recognizes the strain methamphetamine places on families, communities, rural health providers, and law enforcement agencies, including the disproportionate burden to American Indian tribes. The Committee continues its commitment to fight methamphetamine trafficking and use by providing \$8,000,000 for competitive grants under the COPS Anti-Methamphetamine Task Forces program as well as \$10,000,000 provided to DEA to help State and local law enforcement for meth lab cleanup and container programs. The Committee also notes that of the funding provided in COPS for tribal resources can be used for anti-methamphetamine efforts.

*Trafficking in Persons.*—The Department shall dedicate no less than the fiscal year 2018 levels for the Human Trafficking Prosecution Unit [HPTU], the Federal Bureau of Investigation [FBI], and the U.S. Attorneys' Offices [USAO] to investigate and prosecute crimes of human trafficking. For fiscal year 2019, the Committee looks forward to reviewing, on an annual basis, the HTPU report on human trafficking victims as well as the FBI report on Innocence Lost Operations, as directed by Senate Report 115–139 and

codified in Public Law 115–141. The Committee also expects the designation of a lead agent in each FBI field office as a point of contact for slavery and human trafficking investigations, a point of contact in each USAO who shall serve as the coordinator for all activities within that office concerning human trafficking and forced labor matters, and an update regarding improved processes that enable survivors with T-visas to obtain an expedited letter of support from the Department when their criminal case is closed, as required by Senate Report 115–139 and codified in Public Law 115–141.

The Committee reminds the Department of the request to establish and provide an interim report on the progress of a multi-disciplinary task force addressing human trafficking to harvest fish in international waters, as well as the final report due by March 23, 2019, as directed by Senate Report 115–139 and codified in Public Law 115–141.

*Child Sexual Exploitation and Sharing Economy.*—Not later than 1 year after the date of enactment of this act, the Attorney General shall submit to the Committees on Appropriations and the Judiciary a report detailing the impact of short-term rentals and the sharing economy upon human trafficking and child sexual exploitation. The report shall identify additional challenges that the sharing economy poses in identifying and prosecuting perpetrators of human trafficking and child sexual exploitation. The report shall also include recommendations to minimize the negative impacts of the sharing economy with regard to human trafficking and child sexual exploitation.

*Domestic Trafficking Victims Fund Special Assessments.*—Section 101 of The Justice for Victims of Trafficking Act of 2015 (Public Law 114–22) mandated the collection of a \$5,000 special assessment from persons convicted of certain Federal offenses related to human trafficking and sexual exploitation. Funds from this special assessment are to be deposited into the Domestic Trafficking Victims Fund operated by the Department of Justice. The Committee encourages the Attorney General to use funds under this Act to ensure that Assistant United States Attorneys are specifically trained on the mandatory nature and enforcement of this special assessment, including the imposition of liens under 18 U.S.C. 3613, to provide additional funding, resources, and services for the victims of human trafficking and law enforcement officials involved in the elimination of this crime.

*Intellectual Property Rights [IPR] Enforcement.*—The Committee expects the Department to continue to make IPR enforcement an investigative and prosecutorial priority. Sophisticated, often transnational, criminal enterprises engage in a range of illegal activity, including identity theft, connected to the theft of copyrighted content. Given the strong links to other illegal activity, the Department’s IP-dedicated personnel should investigate U.S.-based sites and applications that are engaged in such criminal activity. The FBI shall submit a report to the Committee, not later than 90 days after enactment of this act, detailing the activities of its dedicated agents investigating IPR cases, particularly in the area of creative content theft.



The Committee reminds USAO to remain focused on IPR crimes. Based on a new wave of digital copyright piracy involving devices and software that connect televisions directly to copyright-theft sites, the Committee directs the USAOs to place an emphasis on the investigation and prosecution of criminal enterprises distributing such illicit copyright-theft devices.

*Cybersecurity.*—The Department has several offices with cybersecurity responsibilities, including those within the FBI, the National Security Division, the Criminal Division, and USAO. At a minimum, the Committee directs the Department to maintain its cybersecurity posture at no less than the fiscal year 2018 level to defend and respond to current and emerging attacks that threaten its own infrastructure and activities.

*Strengthening Police-Community Relations.*—The Committee continues to recognize and support the important need for lasting collaborative relationships between local police and the public and provides \$123,000,000 for State and Local Law Enforcement Assistance and Community Oriented Policing Services [COPS] Office grant programs related to police community relations. Strong partnerships between the police and the communities they protect reduce crime, ensure that citizens' civil rights are protected, and improve officer safety.

The Committee supports the FBI's June 10, 2016, guidance affirming the Criminal Justice Information Services [CJIS] Advisory Policy Board recommendation that all law enforcement agencies be National Incident-Based Reporting System [NIBRS] compliant by January 1, 2021. The FBI's NIBRS captures detailed crime incident data, beyond what the Uniform Crime Reporting System currently tracks, such as arrests and officer-involved shootings, is not only critical in aiding State and local law enforcement agencies as they work to keep our communities safe, but also increases transparency and accountability of law enforcement to the public. To assist in this effort, the Committee again funds the National Crime Statistics Exchange [NCS-X] at \$5,000,000 to help additional law enforcement agencies make the transition into NIBRS and allow the Bureau of Justice Statistics to produce nationally representative estimates of crimes known to the police that can be disaggregated by victim-offender characteristics, the circumstances of the crime, victim-offender relationship, and other important elements of criminal events.

*Addressing Violent Crime.*—The Committee supports the Department's ongoing commitment to address violent crime around the country and encourages the Department to continue to devote key law enforcement resources, including Bureau of Alcohol, Tobacco, Firearms and Explosives [ATF], FBI, DEA, and U.S. Marshals Service personnel, to high crime areas, both urban and rural, experiencing ongoing episodes of violent crime.

*Fix NICS.*—The Fix NICS Act of 2017, enacted as title VI of division S of Public Law 115-141, requires DOJ to develop Federal agency and State implementation plans for the upload of relevant records to National Instant Criminal Background Check System [NICS]. The Committee directs DOJ to use all funds and resources necessary to complete such implementation plans by the deadline required under the act, not later than March 23, 2019, and directs

the Attorney General to make all implementation plan compliance determinations required under the act no later than September 30, 2019. The Attorney General shall use all necessary resources available under this act to comply with the requirements of Section 103(g) of the Brady Handgun Violence Prevention Act.

*Emmett Till Unsolved Civil Rights Crimes Act.*—The Committee fully supports the goals of the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016 (Public Law 114–325) to investigate and prosecute previously unresolved civil rights era “cold case” murders suspected of having been racially motivated, through a partnership among the Civil Rights Division [CRT], the FBI, the Community Relations Service [CRS], State and local law enforcement officials, and other eligible entities. To continue supporting Emmett Till activities, the Committee urges the Department to use such sums as may be necessary from within the base budget for the CRT’s Cold Case Initiative; for the FBI to pursue Emmett Till Act cold cases; and for CRS to partner with law enforcement agencies and communities to help resolve conflicts resulting from the investigation of unsolved civil rights era cases. Additionally, the Committee directs the National Institute of Justice, the Bureau of Justice Assistance, and the Office for Victims of Crime to continue providing grants for cold case DNA investigations to aid State and local law enforcement agencies in their investigation and prosecution of unsolved civil rights cold cases.

*Working Capital Fund [WCF].*—The Committee expects the Department to execute funding to the fullest extent possible without any carryover balances. The Committee directs DOJ to continue to use the WCF only as a repository for reimbursable funds from components and to obligate and execute that funding expeditiously. The DOJ shall provide a report to the Committee within 45 days of enactment of this act regarding balances in the WCF including carryover funds, the intended uses of those funds, and a spending plan. The spending plan shall include: the amount each component contributes to the WCF; a detailed accounting of collections into the WCF from appropriations, reimbursable funds, and alternative sources of funding, including the Three Percent Fund; a list of settlements and collections from the Three Percent Fund in excess of \$3,000,000, and a categorical accounting of obligations out of the WCF including a breakdown of services provided from the Department to each component. The Department is further directed to provide quarterly updates on the WCF to the Committee.

*DOJ Three Percent Fund [Fund] Transparency.*—Section 11013 of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 116 Stat. 1823; 28 U.S.C. 527 note) permits the Department to credit 3 percent to the Working Capital Fund of all amounts collected pursuant to the Department’s civil debt collection litigation activities. Such collections are deposited into the Fund, and they are intended to be accounted for separately and are not to be commingled with other amounts in the WCF. Pursuant to statute, the Three Percent Fund is to be used: first, for paying the costs of processing and tracking civil and criminal debt-collection litigation, and, thereafter, for financial systems and for debt-collection-related personnel, administrative, and litigation expenses.

The Committee is concerned that the Fund is now supporting initiatives and personnel well beyond its primary purposes: financial systems and debt collection management. In fact, the Committee is aware that in 2016 the Fund was supporting nearly 600 full-time equivalents, only 42 of which were for the Fund's intended purpose. While the statute allows the Fund to support administrative and litigation expenses, the Committee is concerned that the lack of transparency associated with the Fund suggests that the Department may be funding certain programs and initiatives specifically rejected in annual funding measures.

To improve transparency and accountability, the Committee directs the Department to submit a report to the Committees on Appropriations of the House and Senate, within 90 days of enactment of this act, providing a detailed accounting of Three Percent Fund collections and expenditures over the previous five fiscal years. The report should account for each collection and the 3 percent credit thereof, and should further account for the allocation, obligation, and full-time equivalents for each Fund-supported program or initiative within each DOJ component. The Department is further directed to report, within 30 days of the end of each quarter of the fiscal year thereafter, the collections, credits, and allocations occurring in that quarter.

*Madoff Victim Fund [MVF].*—The Committee understands that the Special Master appointed by the Department has begun distributing funds from the \$4,000,000,000 MVF to victims of the Madoff criminal fraud case. As the Special Master makes further distributions to existing and new claimants, the Committee remains concerned about the lack of transparency regarding the methodology for allowing and disallowing claims, the means to prevent duplication of payments to claimants who have already recovered funds from other sources, and the final thresholds of recovery that the Department and the Special Master believe they can achieve for compensated victims from the MVF.

Therefore, the Committee directs the Special Master to report within 30 days after enactment with information on the formulas and/or criteria used to determine payment amounts, classifications of payments, current and ongoing efforts to protect against duplicative or excessive payments throughout the process, and expected timelines associated with future payments. This report shall include an explanation describing the working relationship between the Special Master and the Bankruptcy Trustee, and if there is not currently a working relationship, a detailed plan for how the Special Master plans to coordinate future efforts to the maximum extent practicable, given the significantly higher level of distribution to the bankruptcy claimants.

*Cell-Site Simulator [CSS] Technology.*—Funds provided in this act shall be used only to deploy or facilitate the use of CSS technology for criminal investigations if such use complies fully with DOJ's guidance issued on September 3, 2015. The Department shall ensure that this guidance is followed strictly by Federal, State, and local entities that receive funding under this act, to include compliance with requirements of the Fourth Amendment and the Pen Register Act. As directed in the guidance, CSS technology must be configured only as pen registers and may not be used to

collect content of any communication or subscriber account information. In addition, the departmental guidance requires comprehensive and consistent training on the appropriate use of CSS technology; adopting rigorous practices for handling and retaining data acquired through the use of this technology; and scrupulously auditing the use of such technology. The Committee awaits the Department’s report, as specifically outlined in Senate Report 115–139 and codified in Public Law 115–141, on DOJ’s use of CSS technology and its compliance with the guidance.

*Financial Fraud.*—The Committee directs the Attorney General to continue to prioritize resources at the Department of Justice to ensure that reports of financial fraud including scams against senior citizens are thoroughly investigated, with the goal of bringing the perpetrators of these crimes to justice.

*Sexual Assault Survivors’ Rights Implementation.*—The Survivors’ Bill of Rights Act of 2016 (Public Law 114–236) directed the Department, in conjunction with the Department of Health and Human Services, to establish a joint working group to develop, coordinate, and disseminate best practices regarding the care and treatment of sexual assault survivors and the preservation of forensic evidence. The Committee looks forward to the report requested in Senate Report 115–139 and codified in Public Law 115–141 as well as the timely completion of the working group’s report to Congress containing its findings and recommended actions.

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

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$114,000,000 |
| Budget estimate, 2019 .....    | 114,207,000   |
| Committee recommendation ..... | 114,000,000   |

The Committee’s recommendation provides \$114,000,000 for General Administration salaries and expenses. The recommendation is equal to the fiscal year 2018 enacted level and \$207,000 below the budget request.

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

*Wildlife Trafficking.*—The Committee continues to note the dramatic and disconcerting increase of criminal activity involving wildlife that includes the illegal trade in rhinoceros horns and elephant ivory, poaching of wild animals for their parts, illegal capture and transport of endangered animals, and illegally harvested timber, as well as money laundering that comes with these products’ sale on

the black market. There are indisputable linkages between these activities and the financing of armed insurgencies and transnational organized crime that threaten the stability and development of African countries and pose a serious threat to U.S. security interests.

The Committee awaits the report as specifically outlined in Senate Report 115–139 and codified in Public Law 115–141, and directs the Attorney General to continue to submit an annual report on the specific steps the Department is taking to further address wildlife trafficking and the illegal natural resources trade.

*Timely Responses to Committee Inquiries.*—While the Committee primarily communicates with the Department through JMD, it reserves the right to call upon any individual or organization within its jurisdiction for requests for information. The Committee again reminds DOJ that it has both budgetary and oversight capabilities, and requests for additional information from the Chairmen, Vice Chairmen, or Ranking Members or their staffs to OAG, ODAG, and OLA should be treated as a priority for the Department and responded to both courteously and expeditiously.

*Special Counsel.*—The Committee directs the leadership of the Department to adhere faithfully to all of its established processes and regulations regarding the operations of any Special Counsel.

*Public Charge Reporting.*—The Committee directs the Department to publicly report on the status of implementing the April 11, 2017, memorandum to Federal prosecutors from the Attorney General, including each USAO District’s designated Border Security Coordinator, and the number of Federal criminal prosecutions in the previous and current fiscal year for charges under 8 U.S.C. § 1324, 1325, and 1326, disaggregated by charge, District, and month. The Department shall continue to publish such disaggregated data, on an annual basis.

*Commission on Native Children.*—The Committee supports the need to address issues affecting Native children and recognizes the important work of the Commission on Native Children. The Committee directs DOJ to continue to support the Commission as specified in the Alyce Spotted Bear and Walter Soboleff Commission on Native Children’s Act (Public Law 114–244).

JUSTICE INFORMATION SHARING TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$35,000,000 |
| Budget estimate, 2019 .....    | 31,713,000   |
| Committee recommendation ..... | 35,000,000   |

The Committee’s recommendation provides \$35,000,000 for Justice Information Sharing Technology [JIST]. The recommendation is equal to the fiscal year 2018 enacted level and \$3,287,000 above the budget request.

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

(INCLUDING TRANSFER OF FUNDS)

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$504,500,000 |
| Budget estimate, 2019 .....    | 563,407,000   |
| Committee recommendation ..... | 563,407,000   |

The Committee's recommendation provides \$563,407,000 for the Executive Office for Immigration Review, of which \$4,000,000 is a transfer from the U.S. Citizenship and Immigration Services [USCIS] Immigration Examiners Fee Account. The recommendation is \$58,907,000 above the fiscal year 2018 enacted level and equal to the budget request.

This account funds the Executive Office for Immigration Review [EOIR], including the Board of Immigration Appeals [BIA], immigration judges, and administrative law judges who decide through administrative hearings whether to admit or exclude aliens seeking to enter the country, and whether to deport or adjust the status of aliens whose status has been challenged.

*EOIR Backlog of Cases and Immigration Judge Hiring.*—The Committee is concerned that EOIR's immigration court caseload continues to escalate, adding to the growing backlog of cases, which totaled 692,298 at the end of March 2018. While the Committee recommendation includes funding for 75 additional immigration judges [IJ], adding to the 200 IJs provided by the Committee in fiscal years 2015–2018, as well as funding for technology and space, the Committee is concerned that providing more IJs alone is not enough to solve the backlog problem. The Committee believes that consistent policies regarding docket management and case adjudication will allow IJs to reduce the impending backlog.

As directed in Senate Report 115–139 and codified in Public Law 115–141, EOIR shall continue to submit monthly performance and operating reports detailing the backlog of cases and the hiring of new IJ teams. The Committee is pleased to learn the hiring process has become more efficient and encourages the Department to continue filling vacant IJ positions with highly qualified individuals from a diverse pool of candidates, including those with non-governmental, private bar experience, to conduct fair, impartial hearings consistent with due process.

As part of the monthly reporting requirement, EOIR is directed to report on any IJs sent on a temporary basis to any court outside of their current location including the number of days designated for the temporary assignment, the location of the temporary assignment and the IJs home location.

*EOIR Technology Improvements.*—The Committee supports EOIR's efforts to update its technology systems, including a new case management system. The Committee expects EOIR to expedite efforts to implement this system so that temporary IJs can better maintain their home court caseloads while on assignment. Finally, the Committee directs EOIR to develop a strategy for uploading existing case files into this new case management system so that the current cases benefit from the technological efficiencies provided, enabling further reductions in the Immigration Court backlog. EOIR is directed to report to the Committee no later than 30 days after enactment regarding its strategy for including current cases in its case management system, and shall update the Committee quarterly thereafter on technological efficiencies and improvements to the backlog.

*Legal Orientation Program [LOP].*—The Committee's recommendation maintains the fiscal year 2018 level of no less than \$10,400,000 for services provided by LOP. This includes funding for

both the Immigration Help Desk and LOP for Custodians [LOPC], including efforts, pursuant to the Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457), for custodians of unaccompanied, undocumented children to address the custodian’s responsibility for the child’s appearance at all immigration proceedings, and to protect the child from mistreatment, exploitation, and trafficking. The Committee directs the Department to continue LOP without interruption, including during any review of the program. The Committee also directs the Department to utilize all appropriated funds solely for legitimate program purposes.

The Committee supports LOP, which was created in 2003 and currently informs more than 50,000 detained non-citizens per year about their legal rights and responsibilities in immigration court. The Committee emphasizes that LOP benefits taxpayers by increasing the efficiency of immigration proceedings and reducing costs related to immigration detention. According to a 2012 Department of Justice report to this Committee, LOP services resulted in net savings to the Government of more than \$17,800,000.

Recognizing that LOP currently serves detained individuals in a limited number of States, the Committee directs that attention be paid to geographic equity as LOP expands the reach of its services to additional detention centers. The Committee notes the particular need for legal services at more remote immigration detention sites that are far from legal service providers in urban centers.

OFFICE OF INSPECTOR GENERAL

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$97,250,000 |
| Budget estimate, 2019 .....    | 95,866,000   |
| Committee recommendation ..... | 99,195,000   |

The Committee’s recommendation provides \$99,195,000 for the OIG. The recommendation is \$1,945,000 above the fiscal year 2018 enacted level and \$3,329,000 above the budget request.

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

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

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$13,308,000 |
| Budget estimate, 2019 .....    | 12,672,000   |
| Committee recommendation ..... | 13,308,000   |

The Committee's recommendation provides \$13,308,000 for the United States Parole Commission. The recommendation is equal to the fiscal year 2018 enacted level and \$636,000 above the budget request.

## LEGAL ACTIVITIES

### SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$897,500,000 |
| Budget estimate, 2019 .....    | 891,836,000   |
| Committee recommendation ..... | 910,500,000   |

The Committee's recommendation provides \$910,500,000 for General Legal Activities salaries and expenses. The recommendation is \$13,000,000 above the fiscal year 2018 enacted level and \$18,664,000 above the budget request.

This amount funds the establishment of litigation policy, conduct of litigation, and various other legal responsibilities through the Office of the Solicitor General, the Tax Division, the Criminal Division [CRM], the Civil Division, the Environmental and Natural Resources Division, the Civil Rights Division [CRT], the Office of Legal Counsel, and INTERPOL Washington.

*INTERPOL Washington.*—From within the funds provided for General Legal Activities, the Committee directs the Department to provide no less than the fiscal year 2018 level for INTERPOL Washington. The Committee has provided no-year authority in the amount of \$685,000 to ensure sufficient resources are available for INTERPOL Washington's dues payments and help the Department better manage fluctuations in currency exchange rates. INTERPOL Washington's command center [IOCC] operates 24 hours a day, 7 days a week, 365 days a year, responding to requests for international criminal investigative and humanitarian assistance from more than 18,000 U.S. law enforcement agencies and their counterparts in 189 other INTERPOL-member countries. INTERPOL Washington's responsibility to respond to increasing foreign and domestic requests places additional operational demands on the resources of this organization.

*Mutual Legal Assistance Treaty Reform.*—Mutual Legal Assistance Treaty [MLAT] requests are the formal mechanism in which countries request assistance in obtaining evidence located in a foreign country for criminal investigations and proceedings located in another country. The Committee supports the Department's full request of \$32,300,000 for Criminal Division [CRM] to provide sustainability to the MLAT reform process and support the Office of International Affairs [OIA] and has increased funding in this account for this purpose. This funding is critical to avoid further backlogs in the critical support provided by OIA to protect the United States and support U.S. Attorneys' Offices, as well as our State and local law enforcement partners.

*Civil Rights.*—The Committee provides no less than the fiscal year 2018 enacted level to continue its efforts to enforce civil rights laws; expand its capacity to prosecute and provide litigation support for human trafficking, hate crimes, and unsolved civil rights era crimes; carry out its responsibilities associated with the civil rights of institutionalized persons and the access rights of the dis-



abled; investigate and prosecute police misconduct; and enhance the enforcement of fair housing and fair lending laws.

*Civil Rights Violations in State and Local Prisons and Jails.*—The Committee continues to be concerned by reports of civil rights violations in State and local prisons and jails, and directs the CRT to increase efforts to investigate and address violations of the Civil Rights of Institutionalized Persons Act in State and local prisons and jails. The Committee directs the CRT to use such sums as necessary from amounts appropriated in fiscal year 2019 to address such issues in State and local prisons and jails.

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

*Enforcement of Federal Hate Crime Laws.*—The Committee is concerned by reports of increased incidents of bias-motivated crimes and directs the Civil Rights Division to aggressively prosecute hate crimes and work with the FBI, U.S. Attorneys, and the Community Relations Service to improve hate crime reporting and prevent hate crimes from taking place in the first instance.

*Protecting the Rights of Servicemembers and Veterans.*—The Committee recognizes the importance of ensuring that servicemembers and veterans have access to essential legal resources to educate themselves and their families on their rights and enable them to defend themselves during times of need. The Committee supports funding this program at no less than the fiscal year 2018 level to continue to enforce existing law, such as the Uniformed Services Employment and Reemployment Rights Act (Public Law 103–353), and to provide outreach and training efforts on behalf of servicemembers, veterans, and their families.

*International Training.*—The Committee remains concerned about the budget and staffing challenges faced by the Office of Overseas Prosecutorial Development, Assistance and Training [OPDAT] and International Criminal Investigative Training Assistance Program [ICITAP] programs under the current funding structure provided via the Department of State. While the Committee encourages the Departments of Justice and State to maintain open communications regarding programmatic and resource needs to truly execute their missions, OPDAT and ICITAP should ideally receive a transfer of funds from State within 90 days of enactment of this act. Should an immediate source of funding be needed ahead of a completed transfer of funds, the Committee recommends that the Department of Justice notify the Committee immediately.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$10,000,000 |
| Budget estimate, 2019 .....    | 9,340,000    |
| Committee recommendation ..... | 10,000,000   |

The Committee's recommendation provides a reimbursement of \$10,000,000 for legal costs. The recommendation is equal to the fiscal year 2018 enacted level and \$660,000 above the budget request.

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

SALARIES AND EXPENSES, ANTITRUST DIVISION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$164,977,000 |
| Budget estimate, 2019 .....    | 164,663,000   |
| Committee recommendation ..... | 164,977,000   |

The Committee's recommendation provides \$164,977,000 for the Antitrust Division. The recommendation is equal to the fiscal year 2018 enacted level and \$314,000 above the budget request. This appropriation is offset by \$136,000,000 in pre-merger filing fee collections, resulting in a direct appropriation of \$28,977,000.

UNITED STATES ATTORNEYS

SALARIES AND EXPENSES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$2,136,750,000 |
| Budget estimate, 2019 .....    | 2,105,182,000   |
| Committee recommendation ..... | 2,179,485,000   |

The Committee's recommendation provides \$2,179,485,000 for the Executive Office for United States Attorneys [EOUSA] and the 94 USAOs. The recommendation is \$42,735,000 above the fiscal year 2018 enacted level and \$74,303,000 above the budget request.

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

*Adam Walsh Act Implementation.*—The Committee expects the EOUSA to continue to focus on investigations and prosecutions related to the sexual exploitation of children, as authorized by the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248), and as part of Project Safe Childhood. The recommendation fully funds the budget request of \$48,341,000 for this purpose in fiscal year 2019.

*Combating Financial and Mortgage Fraud.*—The Committee directs the EOUSA to prioritize resources and provide no less than the fiscal year 2018 level to conduct criminal investigations and prosecutions of mortgage and financial fraud, including financial fraud against seniors; predatory lending; and market manipulation matters to ensure that reports of financial fraud are thoroughly addressed and the perpetrators of these crimes are brought to justice.

*Civil Rights Prosecutions.*—The Committee's recommendation provides no less than the fiscal year 2018 level for continued civil rights enforcement that will advance both criminal and civil litigation, including the prosecution of sex and labor trafficking.

*Cybercrime.*—As national and international cyber threats become increasingly sophisticated, our Federal prosecutors must become better versed in digital forensic evidence. The Committee's recommendation fully funds the budget request of \$60,459,000 for cybercrime activities. The USAO will be able to increase the num-

ber of investigations and prosecutions of cyber attacks and cyber intrusions, and provide the high-caliber level of training on cybercrime and digital evidence needed for Assistant U.S. Attorneys to be able to analyze and present digital evidence across all types of criminal cases.

The Committee does not support proposed funding cuts for Intellectual Property and Child Pornography activities, and instead directs USAO to provide no less than the fiscal year 2018 funding level for prosecution of these cyber-related crimes.

#### UNITED STATES TRUSTEE SYSTEM FUND

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$225,908,000 |
| Budget estimate, 2019 .....    | 223,221,000   |
| Committee recommendation ..... | 225,908,000   |

The Committee's recommendation provides \$225,908,000 for the United States Trustee System Fund. The recommendation is equal to the fiscal year 2018 enacted level and \$2,687,000 above the budget request. The appropriation is offset by \$360,000,000 in fee collections.

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

#### SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

|                                |             |
|--------------------------------|-------------|
| Appropriations, 2018 .....     | \$2,409,000 |
| Budget estimate, 2019 .....    | 2,409,000   |
| Committee recommendation ..... | 2,409,000   |

The Committee's recommendation provides \$2,409,000 for the Foreign Claims Settlement Commission. The recommendation is equal to the fiscal year 2018 enacted level and equal to the budget request.

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

#### FEES AND EXPENSES OF WITNESSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$270,000,000 |
| Budget estimate, 2019 .....    | 270,000,000   |
| Committee recommendation ..... | 270,000,000   |

The Committee's recommendation provides \$270,000,000 for fees and expenses of witnesses. The recommendation is equal to the fiscal year 2018 enacted level and equal to the budget request.

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

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

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE  
(INCLUDING TRANSFER OF FUNDS)

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$15,500,000 |
| Budget estimate, 2019 .....    | 15,500,000   |
| Committee recommendation ..... | 15,500,000   |

The Committee's recommendation provides \$15,500,000 for the CRS. The recommendation is equal to the fiscal year 2018 enacted level and \$15,500,000 above the budget request.

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

*Hate Crimes Prevention.*—Within funds provided, the Committee provides no less than the fiscal year 2018 level to handle the workload and responsibilities stemming from passage of the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act [HCPA] (Public Law 111–84). The HCPA expanded the CRS's mandate, requiring that it help communities prevent and respond to violent hate crimes committed on the basis of gender, gender identity, sexual orientation, religion, and disability, in addition to race, color, and national origin. This funding will maximize the CRS crisis response nationwide and enable CRS to fulfill both its original mandate and expanded mandate under the HCPA.

ASSETS FORFEITURE FUND

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$20,514,000 |
| Budget estimate, 2019 .....    | 20,514,000   |
| Committee recommendation ..... | 20,514,000   |

The Committee's recommendation provides \$20,514,000 for the Assets Forfeiture Fund [AFF]. The recommendation is equal to the fiscal year 2018 enacted level and equal to the budget request.

UNITED STATES MARSHALS SERVICE

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$2,900,892,000 |
| Budget estimate, 2019 .....    | 2,821,342,000   |
| Committee recommendation ..... | 2,948,409,000   |

The Committee's recommendation provides a total of \$2,948,409,000 for the United States Marshals Service [USMS]. The recommendation is \$47,517,000 above the fiscal year 2018 enacted level and is \$127,067,000 above the budget request.

SALARIES AND EXPENSES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$1,311,492,000 |
| Budget estimate, 2019 .....    | 1,270,371,000   |
| Committee recommendation ..... | 1,377,409,000   |

The Committee's recommendation provides \$1,377,409,000 for USMS salaries and expenses. The recommendation is \$65,917,000

above the fiscal year 2018 enacted level and \$107,038,000 above the budget request. The core missions of USMS include the apprehension of fugitives; protection of the Federal judiciary and witnesses; execution of warrants and court orders; and the custody and transportation of unsentenced prisoners.

In addition to receiving direct appropriations, the Committee is aware that USMS also receives funding from the Department's Assets Forfeiture Fund [AFF] to augment salaries and expenses that are intended to directly administer AFF-related activities like the management and sale of forfeited assets. The Committee directs the Department to continue to provide quarterly reports on the USMS's use of AFF funding, as directed in Senate Report 115-139 and codified in Public Law 115-141.

*Investigative Operations.*—The Committee directs USMS to provide no less than the fiscal year 2018 levels to maintain its missions regarding gang enforcement, International Megan's Law, and sex offender apprehension. Per Senate Report 115-139 and codified in Public Law 115-141, the Committee expects USMS to continue the process to establish an additional Regional Fugitive Task Force [RFTF], with a report to be submitted within 90 days of enactment of this act on the status of the new RFTF including, staffing, operational space and agreements, equipment, and expected future resource needs.

*International Operations.*—The Committee reminds USMS to submit the report requested in Senate Report 115-139 and codified in Public Law 115-141 on its extradition program, detailing its international operations workload. The report should include the number of extraditions and deportations, district cooperation, and extradition requests made by foreign counterparts in a timely manner. Given that transnational criminal organizations and fugitives know no geographical bounds, the Committee expresses support for increased USMS capabilities in Mexico and an increased presence in South America.

#### CONSTRUCTION

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$53,400,000 |
| Budget estimate, 2019 .....    | 14,971,000   |
| Committee recommendation ..... | 35,000,000   |

The Committee's recommendation provides \$35,000,000 for construction in space controlled, occupied, or utilized by the USMS in Federal courthouses and buildings, including but not limited to the creation, renovation, and expansion of prisoner movement areas, elevators, and other law enforcement and court security support space. The recommendation is \$18,400,000 below the fiscal year 2018 enacted level and \$20,029,000 above the budget request.

#### FEDERAL PRISONER DETENTION

##### (INCLUDING TRANSFER OF FUNDS)

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$1,536,000,000 |
| Budget estimate, 2019 .....    | 1,536,000,000   |
| Committee recommendation ..... | 1,536,000,000   |

The Committee's recommendation provides \$1,536,000,000 for Federal Prisoner Detention [FPD]. The recommendation is equal to the fiscal year 2018 enacted level and equal to the budget request.

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

NATIONAL SECURITY DIVISION  
SALARIES AND EXPENSES  
(INCLUDING TRANSFER OF FUNDS)

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$101,031,000 |
| Budget estimate, 2019 .....    | 101,369,000   |
| Committee recommendation ..... | 101,369,000   |

The Committee's recommendation provides \$101,369,000 for the National Security Division [NSD]. The recommendation is \$338,000 above the fiscal year 2018 enacted level and equal to the budget request.

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

*Foreign Agents Registration Act [FARA].*—The Committee recognizes the importance of the National Security Division's [NSD] enforcement of FARA, Public Law 75–583; in order to increase transparency and accountability across the Federal Government by ensuring that persons acting on behalf of a foreign government disclose that relationship. The Committee continues to support the Office of Inspector General's recommendations to improve NSD's ability to administer and enforce FARA. The Committee directs that the Department continue to provide adequate funding of NSD's FARA activities.

INTERAGENCY LAW ENFORCEMENT  
INTERAGENCY CRIME AND DRUG ENFORCEMENT

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$542,850,000 |
| Budget estimate, 2019 .....    | 521,563,000   |
| Committee recommendation ..... | 521,563,000   |

The Committee's recommendation provides \$521,563,000 for Interagency Crime and Drug Enforcement. The recommendation is \$21,287,000 below the fiscal year 2018 enacted level and equal to the budget request.

The Interagency Crime and Drug Enforcement account funds the Organized Crime and Drug Enforcement Task Forces [OCDETF]. The mission of the OCDETF is to ensure a coordinated, multi-agen-

cy, intelligence-based, and prosecutor-led approach to identifying, disrupting, and dismantling those drug trafficking and money laundering organizations primarily responsible for the Nation's illicit drug supply and drug-related violence.

*International Drug Enforcement.*—OCDETF is urged to continue to coordinate with the DEA and other Federal and international law enforcement partners to play a role in the interception and disruption of foreign drug shipments, as directed by Senate Report 115–139 and codified in Public Law 115–141.

## FEDERAL BUREAU OF INVESTIGATION

### SALARIES AND EXPENSES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$9,030,202,000 |
| Budget estimate, 2019 .....    | 8,872,080,000   |
| Committee recommendation ..... | 9,030,202,000   |

The Committee's recommendation provides \$9,030,202,000 for the FBI salaries and expenses. The recommendation is equal to the fiscal year 2018 enacted level and \$158,122,000 above the budget request.

*Criminal Justice Information Services [CJIS].*—The Committee recommends the full funding request for CJIS, including fee collections. The recommendation provides up to \$121,000,000 for the FBI to continue improvements to the National Instant Criminal Background Check System [NICS] to increase the capacity and efficiency of the existing NICS system to perform background checks on prospective firearms buyers. The Committee's recommendation does not support the full request to rescind funds from the CJIS fee collections and instead directs the FBI to invest an appropriate amount of the fee collections into making necessary upgrades to CJIS's systems.

*Cybersecurity.*—The FBI remains the only agency with the statutory authority, expertise, and ability to combine counterterrorism, counterintelligence, and criminal investigatory resources to neutralize, mitigate, and disrupt illegal domestic computer-supported operations. The Committee supports the requested adjustments-to-base and programmatic increases for cybersecurity activities throughout the FBI.

*Terrorist Explosive Device Analytical Center [TEDAC].*—The Committee's recommendation provides no less than the fiscal year 2018 level for full operational funding to TEDAC and the additional operational support associated with the TEDAC campus in fiscal year 2019, which will continue to strengthen the role of TEDAC as the U.S. Government's strategic-level improvised explosive device exploitation center and provide the resources necessary to fully staff the facility.

*Hazardous Devices School [HDS] and International Advanced Canine Technology Center.*—The Committee recognizes HDS's status as both the sole certification authority of civilian State, local, and Federal bomb technicians and the sole accrediting authority of civilian State, local, and Federal bomb squads intending to utilize any manner of render safe or device defeat within the United States and its territories. The Committee supports the FBI Weapons of Mass Destruction Directorate's efforts at no less than the fis-

cal year 2018 level, to more efficiently and effectively disseminate critical threat information to the explosives detection canine community and, in conjunction with government and academic partners to support this national security program.

*Enhancements at TEDAC and HDS.*—The Committee supports the recent enhancements at TEDAC and HDS, including additional advanced render safe techniques courses for public safety bomb technicians. The Committee encourages the FBI's further research and testing of the functions and effects of explosive devices in order to better exploit design weaknesses and enhance its training courses, which in turn allows HDS to provide the required standardized and consistent training to the entire civilian, domestic bomb squad community. Within the funds provided for FBI, up to \$2,500,000 may be made available for the FBI's Research Development Testing and Evaluation [RDTE] Program to rapidly develop tools and techniques to defeat IED threats to the United States, including advanced counter explosive device research focusing on hypervelocity impact and hypervelocity flight dynamics. Using IED information collected from the intelligence community and TEDAC, the RDTE program anticipates advances in IED technology, researches suitable solutions and develops technologies and procedures for incorporation into render safe training at HDS.

*Human Rights Violations.*—The Committee directs the FBI to continue its efforts to investigate and support the DOJ's criminal prosecution of serious human rights crimes committed by foreign nationals, including genocide, torture, use or recruitment of child soldiers, and war crimes. The Committee's recommendation continues funding this effort at the fiscal year 2018 enacted level.

*Innocent Images National Initiative.*—The Committee's recommendation supports the fiscal year 2019 request of \$91,640,000 for the Innocent Images National Initiative, allowing the FBI to target and investigate sexual predators on the Internet. The Committee is concerned that the proposed reductions to the base program are insufficient to cover the current Innocent Images caseload that combat child sexual exploitation and child victimization.

*Law Enforcement Medical Demonstration.*—The Committee supports the Bureau's actions to formalize external partnerships in the Operational Medicine Program in order to support medical contingency planning and improve the delivery of medical care for high-risk law enforcement missions. The Committee looks forward to reviewing the Bureau's report, as directed in Senate Report 115-139 and codified in Public Law 115-141 regarding these partnerships.

*National Bioforensic Analysis Center.*—The Committee recognizes the need to maintain operations at the National Bioforensic Analysis Center [NBFAC] and supports the work performed at the NBFAC in furtherance of the FBI's mission. The Committee understands NBFAC currently operates under a contract executed by the Department of Homeland Security [DHS], and that the FBI intends to enter into a cost-sharing agreement or memorandum of understanding/agreement with DHS, so that the Bureau may continue ongoing operations at this facility.

The Committee supports the bioforensic analysis and investigations performed at NBFAC, and looks forward to learning more about the proposed cost sharing agreement between the Bureau



and DHS. The Committee supports \$20,800,000 for the FBI's role at the NBFAC and directs the FBI to report, not later than 30 days after the enactment of this act, with alternative financial plans regarding the maintenance and or ownership of the facility.

*Counter-Unmanned Aircraft Systems [UAS].*—The Committee supports efforts to expand the Bureau's counter-UAS program capabilities including increased partnerships with State and local law enforcement.

*FBI Police.*—A 2014 study conducted by the FBI's Inspection Division revealed that the primary obstacle faced by FBI Police management was the low retention rate of FBI police officers, Federal law enforcement officers tasked with protecting FBI facilities, properties, personnel, visitors, and operations, due to lower pay and fewer benefits compared to other members in the National Capital Region like the U.S. Capitol Police and CIA Police. This has a subsequent negative effect on morale and as a result of lower pay and benefits.

Under 28 U.S.C. 540C, the Director of the FBI, subject to the supervision of the Attorney General, may establish a permanent police force, to be known as the FBI police. The FBI police shall perform such duties as the Director may prescribe in connection with the protection of persons and property within FBI buildings and grounds.

The Committee encourages the Director of the FBI to make the rates of basic pay, salary schedule, pay provisions, and benefits for members of the FBI police equivalent to the rates of basic pay, salary schedule, pay provisions, and benefits applicable to other Federal police divisions. Within 180 days of enactment, the FBI shall report to the Committee on the retention rate and pay of the FBI police compared to other Federal law enforcement with similar missions. The Committee urges the FBI to coordinate, as appropriate, with the U.S. Office of Personnel Management [OPM] and any other relevant agency as it implements these activities.

#### CONSTRUCTION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$370,000,000 |
| Budget estimate, 2019 .....    | 51,895,000    |
| Committee recommendation ..... | 385,000,000   |

The Committee's recommendation provides \$385,000,000 for FBI construction. The recommendation is \$15,000,000 above the fiscal year 2018 enacted level and \$333,105,000 above the budget request.

*FBI Headquarters.*—Due to concerns about the FBI Headquarters Revised Nationally-Focused Consolidation Plan which was submitted to Congress by the General Services Administration [GSA] on February 12, 2018, the Consolidated Appropriations Act, 2018 (Public Law 115–141) included no funding for this project. No funds were requested for the project for fiscal year 2019, and no funds are provided in this bill.

The Committee continues to be reluctant to appropriate any additional funds for this project due to the unanswered questions regarding the new plan, including the revision of longstanding mission and security requirements. The Committee encourages the FBI to work with GSA to submit a prospectus for a new, fully-con-

solidated headquarters building, including at one of the three previously vetted sites that complies with prior Congressional directives and actions and meets Interagency Security Committee [ISC] Level V security standards.

*21st Century Facilities.*—The Committee continues to support the FBI's long-term vision for co-locating complimentary mission operations while balancing the eventual transition into a new headquarters building with changing footprints at Quantico, Clarksburg, Huntsville, and Pocatello facilities. The delay in the new FBI headquarters project only exacerbates the need to secure viable space for supporting a variety of missions, workforce, and land requirements. The Committee recommendation provides funding at no less than the fiscal year 2018 enacted level to further support the FBI's 21st Century Facility plans and encourages the FBI to transition from interim facilities to full operating capabilities, including plans for technological requirements. As part of this 21st Century Planning, the FBI should continue to research the feasibility of using public-private partnership opportunities, provided that the annual lease and operating costs are reasonable and the facilities can be securely constructed and maintained at a level that meets the FBI's requirements.

#### DRUG ENFORCEMENT ADMINISTRATION

##### SALARIES AND EXPENSES

|                                |                            |
|--------------------------------|----------------------------|
| Appropriations, 2018 .....     | \$2,609,900,000            |
| Budget estimate, 2019 .....    | <sup>1</sup> 2,862,162,000 |
| Committee recommendation ..... | 2,654,836,000              |

<sup>1</sup>The budget request includes \$254,000,000 for the consolidation of the High Intensity Drug Trafficking Area [HIDTA] from the Office of National Drug Control Policy to the DEA. The Committee recommendation does not include this transfer.

The Committee's recommendation provides total resources of \$2,654,836,000 for the DEA, of which \$420,703,000 is derived from the DEA's Diversion Control Fee Account [DCFA]. The recommendation is \$44,936,000 above the fiscal year 2018 enacted level and \$207,326,000 below the budget request. When compared to the budget request for DEA operations only, the recommendation is \$46,674,000 higher. Within the funds provided, \$10,000,000 is for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs, and to initiate container programs.

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

*Medical Registration Coordination.*—The Committee requested a plan from the Department regarding over-prescribing of opioids by medical practitioners as part of Senate Report 114–239 and codified in Public Law 115–31. This plan is well overdue, and the Committee requests its immediate submission.

*Drug Diversion at Veterans Health Administration Facilities.*—The Committee remains alarmed by the rates of prescription drug opioid abuse and related overdoses among veterans, as well as allegations of diversion of prescription opioids from Veterans Health Administration [VHA] facilities into the illicit drug market. According to a February 2018 Government Accountability Office report, the oversight of controlled substances within VHA remains a significant problem. That VHA facilities continue to be a source for the illicit distribution and use of opioids is extremely concerning, and the Committee directs the DEA to ensure that investigations of drug diversion in VHA facilities remain a priority. As stated in Senate Reports 114–66, 114–239, and 115–131, the Committee continues to expect the DEA to take steps to ensure that sufficient resources are allocated for investigations of drug diversion at VHA facilities.

*Permanent Drug Take Back Collection Sites.*—The Committee applauds the option for consumers and long-term care facilities to dispose of unneeded medicines by transferring them, including prescription opioids, to DEA-registered collectors, which safely and securely collect and dispose of pharmaceuticals containing controlled substances. Authorized permanent collection sites may be located in retail pharmacies, hospital or clinic pharmacies, and law enforcement facilities. Some authorized collection sites may also offer mail-back programs or collection receptacles, sometimes called “drop-boxes,” to assist consumers in safely disposing unused medicines. The Committee directs DEA to continue this program and expand locations where possible.

*Discussions with Reverse Distributors.*—The Committee encourages DEA to meet with commercial hazardous waste management industry members, many who are reverse distributors for the receipt and destruction of unwanted controlled substances. Such meetings should include discussions that establish a formal process for evaluating alternative methods of disposal, other than incineration, as a means of meeting DEA’s “Non Retrievable” standard. Such methods may include dissolving controlled substances in solvents and acids. Further, the Committee encourages DEA to develop a process for permitting alternative safety measures for the transportation of controlled substances for disposal, including secure tamper-proof evidence packages or security tape sealed drums, to ensure compliance with both the Resource Conservation and Recovery Act (Public Law 94–580) and the Secure and Responsible Drug Disposal Act (Public Law 111–273).

#### BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

##### SALARIES AND EXPENSES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$1,293,776,000 |
| Budget estimate, 2019 .....    | 1,316,678,000   |
| Committee recommendation ..... | 1,316,678,000   |

The Committee’s recommendation provides \$1,316,678,000 for ATF. The recommendation is \$22,902,000 above the fiscal year 2018 enacted level and equal to the budget request. ATF has diverse law enforcement responsibilities, and the funding increase is

provided to allow ATF to carry out these duties and to fill existing positions that are currently vacant.

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

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

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

*National Center for Explosives Training and Research [NCETR].*—Since fiscal year 2013, ATF has had the use of NCETR at its disposal as a critical facility and Federal asset with unique capabilities. However, the Committee has remained concerned that NCETR has been understaffed and underutilized. Therefore, in an effort to capitalize on the Federal investments that currently exist at NCETR, such as the lab and test range, the Committee directs the Department to partner with Federal, State, and local law enforcement entities, as well as the U.S. military where appropriate, to conduct research in the field of explosives and precursor chemicals.

## FEDERAL PRISON SYSTEM

### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$7,114,000,000 |
| Budget estimate, 2019 .....    | 7,042,328,000   |
| Committee recommendation ..... | 7,256,280,000   |

The Committee’s recommendation provides \$7,256,280,000 for Bureau of Prisons [BOP] salaries and expenses. The recommendation is \$142,280,000 above the fiscal year 2018 enacted level and \$213,952,000 above the budget request. The Committee supports

the Department's request to increase funding for BOP's cybersecurity, including improving network defenses and mitigating insider threats.

*BOP Staffing and Hiring.*—The Committee remains concerned that the Department has maintained a hiring freeze for BOP when it has since lifted the hiring moratorium for other DOJ law enforcement agencies. The inmate to correctional officer ratio continues to remain at 8.3 to 1, a level that the Committee considers unsafe and believes BOP should immediately correct. The Committee directs DOJ to revisit hiring policies to ensure BOP is able to appropriately staff its 122 Federal facilities across the United States, particularly the hiring of correctional officers at medium- and high-security facilities. Finally, the Committee is concerned about the extensive number of eliminated positions proposed by BOP as part of its budget request. The Committee rejects further position eliminations.

*Hiring and Staffing Reports.*—The Committee directs BOP to submit quarterly hiring and staffing reports, including corrections officer-to-inmate ratios from Pay Period 26–2016 to the present for the OPM position classification standard Correctional Officer Series GS–0007, broken out by region, institution, security level, and shift (morning watch, day watch, evening watch) no later than 90 days after enactment. For any institution with a staffing ratio greater than 25:1, or an incident involving deadly force in any such report, BOP shall provide a separate, detailed explanation of the role staffing may or may not have played in the incident along with a corrective plan to ensure it will not happen again.

*Augmentation.*—While BOP reports that there is a higher incidence of serious assaults by inmates on staff at high- and medium-security institutions than at the lower security facilities, to meet staffing needs, BOP routinely uses a process called “augmentation,” whereby a non-custodial employee is assigned custodial responsibilities. The Committee again directs BOP to curtail its overreliance on augmentation, particularly in housing units, a directive issued as part of Senate Report 115–139 and codified in Public Law 115–141. BOP should instead hire additional full-time correctional staff before continuing to augment existing staff. BOP is further directed to submit quarterly reports to the Committee on the use of augmentation broken out by region, institution, and security level each time this practice is employed.

*Alleviating Overcrowding at High-Security Facilities.*—The overcrowding rate at high-security prisons remains high at 26 percent. The Committee supports BOP's efforts to alleviate overcrowding at high-security facilities through the process of activating additional prisons. The Committee expects BOP to adhere to its activation schedule regarding these prison facilities, including the acceptance of high-security inmates at the United States Penitentiary [USP] in Thomson, Illinois, as BOP estimates overcrowding at high-security facilities to be reduced to 19 percent with the full opening of USP Thomson. The Committee continues to direct that this facility be designated as a high-security USP.

The Committee previously directed BOP to ensure at least two correctional officers are on duty for each housing unit for all three shifts at all high-security institutions to include United States

Penitentiaries and Administrative and Federal Detention Centers. BOP is directed to continue to submit quarterly reports to the Committee showing compliance with this directive and provide a cost estimate and strategic plan for implementation for medium-security institutions that currently do not have a second officer for all three shifts.

*Medication-Assisted Treatment [MAT] Expansion.*—The Committee directs that no less than the fiscal year 2018 level be provided for BOP to continue the MAT program for inmates with heroin and opioid addiction. This voluntary pilot program treats approximately 200 inmates in residential reentry centers. BOP is directed to provide a report to the Committee within 90 days of enactment of this act including the number of locations and number of individuals using MAT as well as a strategic plan for deploying the MAT program to all BOP Regions including timelines and locations.

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

*Compassionate Release.*—The Committee notes that BOP expanded the grounds for, and streamlined the process of, considering requests for compassionate release in 2013. The Committee is also aware that the Department of Justice Office of Inspector General [OIG] recommended additional reforms to the compassionate release program in its 2013 review of the program. In 2016, the U.S. Sentencing Commission [USSC] amended the criteria for compassionate release and encouraged BOP to file a motion for those prisoners who meet the criteria as identified by the Commission.

The Committee awaits the information required by Senate Report 115–139 and codified in Public Law 115–141, including an account of: (1) any steps taken by BOP to implement the OIG and USSC's recommendations; (2) for those recommendations not met, BOP's plan for future implementation and/or an explanation as to why these recommendations cannot be implemented; (3) the number of prisoners granted or denied compassionate release during each of the last 5 years; (4) for each of the past 5 years, the number of requests initiated by or on behalf of prisoners, categorized by the criteria relied on as grounds for a reduction in sentence; (5) for each year, the number of requests approved by the Director of the BOP, categorized by the criteria relied on as grounds for a reduction in sentence; (6) for each year, the number of denials by the Director of the BOP, categorized by the criteria relied on as grounds for a reduction in sentence and the reason given for the denial; (7) for each year, the period of time between the date the request was received by the warden and the final decision, categorized by the criteria relied on as grounds for a reduction in sentence; and (8) for each year, the number of prisoners who died while their compassionate release requests were pending and, for

each, the amount of time that elapsed between the date the request was received by the warden.

*Inmate Mental Health Care and Restrictive Housing.*—The Committee was encouraged that the Bureau of Prisons [BOP] agreed to resolve the 15 recommendations made by the Department of Justice Inspector General [DOJ-IG] in July 2017 regarding the need for BOP to improve its screening, treatment, and monitoring of inmates with mental illness housed in Restrictive Housing Units. The Committee encourages BOP to continue to develop evidence-based policies and appropriate facilities that ensure BOP can do its job safely while also providing proper care for those inmates with mental illnesses. As such, the Committee requests a report, within 180 days of enactment of this act, from BOP on the status of resolving each of those 15 DOJ-IG recommendations issued in July 2017.

*Correctional Education Evaluation.*—The Committee recognizes the value of correctional education in reducing recidivism. The Committee is concerned, however, that there is a lack of comprehensive data and analysis on key questions such as the necessary amount of intervention education; how intervention needs vary by educational program; and what models of instruction and curriculum delivery are most effective in correctional environments. Therefore, the Committee encourages the National Corrections Institute's [NCI] efforts to establish public-private partnerships with research and correctional institutions to evaluate completed demonstration projects involving postsecondary education programs in prisons, and looks forward to reviewing NCI's findings on correctional education in a report submitted to the Committee not later than 90 days after the date of enactment.

*Report on Contract Facilities.*—The Committee reminds BOP of the direction provided in Senate Report 115–139 as codified in Public Law 115–141 on submitting a detailed report on the use of contract facilities for fiscal years 2016 and 2017. The Committee looks forward to the timely submission of this report.

*Freedom of Information Act Records.*—The Committee expects BOP to maintain records and respond to records requests, consistent with the requirements of section 5 U.S.C. 552 (commonly referenced as the Freedom of Information Act), for information related to all Federal offenders in the custody of BOP, regardless of whether such offenders are housed in a Federal or non-Federal prison, detention center, correctional institution, privately managed or community-based facility, or local jail. The Committee further notes that BOP should not withhold records from disclosure unless BOP reasonably foresees that disclosure would harm an interest protected by an exemption described in 5 U.S.C. 552b, or as otherwise prohibited by law.

*Residential Reentry Centers.*—The Committee maintains concerns and expectations regarding Residential Reentry Centers [RRCs] as outlined in Senate Report 115–139 and codified in Public Law 115–141, including the direction requiring BOP to alert the Committee before adopting any significant change in policy or practice involving RRCs or other recidivism-reduction measures. The Committee directs BOP not to cancel or modify any existing contracts for RRCs if another BOP-contracted RRC facility does not exist within 100

miles of the existing RRC. In instances where RRC contracts are expiring, the Committee directs BOP to take interim and emergency measures to prevent facility closures and the interruption of services, including by expediting solicitations and re-solicitations for existing services.

*Minimum Security Camps.*—The Committee does not approve of BOP’s proposal to close or move any of the Bureau’s seven stand-alone federal correctional minimum security camps.

BUILDINGS AND FACILITIES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$161,571,000 |
| Budget estimate, 2019 .....    | 99,000,000    |
| Committee recommendation ..... | 274,000,000   |

This act includes \$274,000,000 for the construction, acquisition, modernization, maintenance and repair of prison and detention facilities housing Federal inmates. The recommendation is \$112,429,000 above the enacted level and \$175,000,000 above the budget request. Within this amount not less than \$175,000,000 is for costs related to construction of new facilities currently not fully funded that remain on BOP’s Monthly Construction Status Report. BOP shall proceed with ongoing planned and associated new construction efforts to meet projected capacity requirements, as identified in its monthly status of construction reports to the Committee. BOP is directed to continue to provide such reports on a quarterly basis, along with notifications and explanations of any deviation from construction and activation schedules, and any planned adjustments or corrective actions.

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

FEDERAL PRISON INDUSTRIES, INCORPORATED

(LIMITATION ON ADMINISTRATIVE EXPENSES)

|                                |             |
|--------------------------------|-------------|
| Appropriations, 2018 .....     | \$2,700,000 |
| Budget estimate, 2019 .....    | 2,700,000   |
| Committee recommendation ..... | 2,700,000   |

The Committee’s recommendation provides a limitation on the administrative expenses of \$2,700,000 for the Federal Prison Industries, Inc. The recommendation is equal to the fiscal year 2018 enacted level and equal to the budget request.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

In total, the Committee recommends \$3,001,800,000 for State and local law enforcement and crime prevention grant programs, including: \$2,504,300,000 in discretionary appropriations and in mandatory appropriations, and \$497,500,000 from funds provided under section 510 of this act. The total is \$67,500,000 above the fiscal year 2018 enacted level and \$957,000,000 above the budget estimate.

*Management and Administration Expenses.*—The Department shall, in preparing its fiscal year 2019 spending plan, assess management and administration [M&A] expenses compared to program



funding. The Committee directs the Department to ensure that its assessment methodology is equitable and, for programs funded through the Crime Victims Fund, that the assessment reflects a fair representation of the share of each program devoted to common M&A costs. The Committee also directs grant offices to minimize administrative spending in order to maximize the amount of funding that can be used for grants or training and technical assistance. The Committee reiterates the direction provided in Public Law 113–76 that the Department shall detail, as part of its budget submission for fiscal year 2020 and future years, the actual costs for each grant office with respect to training, technical assistance, research and statistics, and peer review for the prior fiscal year, along with estimates of planned expenditures by each grant office in each of these categories for the current year and the budget year.

*Expanded Purpose Areas for Crime Victim Assistance.*—The Committee reminds Office for Victims of Crime [OVC] of the final rule (81 Fed. Reg. 44515) regarding the expansion of purpose areas that can be used for victim services programs including discretionary grants.

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

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

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

*Tribal Grants and Victim Assistance.*—The Committee provides a total of \$91,000,000 in discretionary grant funding for tribes as follows: \$50,000,000 within OJP for tribal assistance; \$7,000,000 for

a tribal youth program within the Office of Juvenile Justice and Delinquency Prevention; \$27,000,000 for tribal resources and \$3,000,000 for a Tribal Access Program within the COPS Office; and \$4,000,000 for a special domestic violence criminal jurisdiction program within the Office on Violence Against Women.

For tribal assistance grants within OJP, funding is to be used to support efforts to help tribes improve the capacity of their criminal and civil justice systems. OJP is expected to consult closely with tribal stakeholders in determining how tribal assistance funds will be awarded for detention facilities, including outdated detention facilities that are unfit for detention purposes and beyond rehabilitation; courts; alcohol and substance abuse programs; civil and criminal legal assistance; and other priorities. The Committee directs OJP to submit, as part of the Department's spending plan for fiscal year 2019, a plan for the use of these funds that is informed by such consultation.

In addition, the bill includes a 5 percent set-aside for tribes within the Crime Victims Fund. OVC is directed to consult closely with tribal stakeholders to improve services for tribal victims of crime to include expanded purpose areas described in the OVC final rule effective August 8, 2016. OVC shall continue to follow direction provided by the Committee in Senate Report 115–139 and codified in Public Law 115–141 regarding grant application requirements, accountability, and assistance.

*Human Trafficking in Indian Country.*—The Committee encourages the Departments of Justice, Interior, and Health and Human Services to work together to address the need for and impact of Federal grant assistance regarding human trafficking in Indian Country, to ensure that Federal dollars are used effectively and efficiently.

*Post-Conviction Relief for Trafficking Victims.*—The Committee recognizes that serious, sustained efforts and investments in victim-centered programs are necessary to help address the rise in human trafficking and is committed to helping victims seek justice and ensure that offenders are held accountable. The Committee is concerned about reports that trafficking victims are prosecuted, both at the Federal and state levels, for crimes directly related to their trafficking. Criminal convictions often disqualify victims from numerous Federal programs and impede their recovery. The Committee is concerned that removing expungement services from eligible activities for fiscal year 2018 OVC grants contradicts the 2017 Trafficking in Persons Report released by the State Department, which encouraged the expansion of vacatur services.

In light of the 2017 State Department report, the Committee requests a study from the Department on the number of trafficked victims who are convicted of crimes related to their trafficking, the types of crimes, and an analysis on how the Federal government can supplement state vacatur programs. The report shall be submitted to Congress within 30 days of enactment of this bill.

*Submission of Officer Training Information.*—The Committee directs the Department to continue following direction provided in fiscal years 2017 and 2018 regarding the submission of officer training data as part of the Byrne-JAG and COPS hiring grant process.

*STOP School Violence Act.*—The Committee provides a total of \$100,000,000 for the STOP School Violence Act (Division S, Title V of Public Law 115–141) grant program, which is equal to the authorized amount and is \$25,000,000 above the fiscal year 2018 level. Of this amount, \$75,000,000 is provided to the Bureau of Justice Assistance [BJA] for evidence-based school safety programs outlined in the Act and \$25,000,000 is provided to the COPS Office for their respective competitive grant programs as outlined in the act. States, localities, Tribes and corresponding school districts should consider using BJA funds as permitted under the Act for school violence prevention programs to prevent violent acts before a weapon enters a campus, including development and operation of evidence-based school threat assessments and trainings for school personnel and students to identify and report signs of violence against others or self. As designated in the authorization for the COPS portion of this program, funding is allowable for strengthening security measures, such as technology for expedited notification of local law enforcement during an emergency, locks, lighting, and other deterrent measures.

*Consent Decrees and Grant Assistance.*—The Committee is aware that the Department’s Civil Rights Division is currently enforcing 14 consent decrees. The Committee is also aware of the benefits received by the local communities and their citizens after a consent decree has been successfully enforced and the required reforms are implemented. As tensions between certain communities and police departments have grown in recent years, the Committee seeks to ensure that consent decrees continue to be implemented successfully and accordingly, encourages the Department to provide additional training and technical assistance for jurisdictions participating in a consent decree with the Department.

*Financial Exploitation.*—The Committee commends the work of the OVC to address the issue of financial exploitation of older Americans by guardians, conservators, and other fiduciaries. As emphasized in Senate Report 115–139 and codified in Public Law 115–141, the Committee encourages OVC to continue working with stakeholders to minimize loss of the assets of individuals subject to conservatorship and to improve access to the legal system by victims of conservatorship exploitation.

*Issuance of DOJ Grant Solicitations.*—The Committee directs all Department of Justice grant making components to have fiscal year 2019 grant solicitations posted no later than March 31, 2019, to ensure applicants to have a minimum of 60 days to submit an application and to ensure that DOJ has adequate time to consider the funding requests and submissions subject to requirements outlined in section 505 of the bill. Should a new grant program be appropriated or an existing grant program be modified by this act, the Department shall issue solicitations for new programs or re-issue modified grant program solicitations as expeditiously as possible while still meeting the requirements of section 505.

*DOJ Grants, Multi-Year Awards Oversight.*—The Committee encourages DOJ to review its multi-year grant award processes and protocols to ensure grantees have fully complied with the rules of year one funding before year two funding is disbursed in multi-year grant awards.

OFFICE ON VIOLENCE AGAINST WOMEN  
VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION  
PROGRAMS

|                                |                            |
|--------------------------------|----------------------------|
| Appropriations, 2018 .....     | <sup>1</sup> \$492,000,000 |
| Budget estimate, 2019 .....    | <sup>2</sup> 485,500,000   |
| Committee recommendation ..... | <sup>1</sup> 497,500,000   |

<sup>1</sup> Derived by transfer from funding available under section 510 of this act.

<sup>2</sup> Requested to be derived from funding available under section 510 of this act.

The Committee's recommendation provides \$497,500,000 for OVW grants. The recommendation is \$5,500,000 above the fiscal year 2018 enacted level and \$12,000,000 above the budget request. Resources are provided to the OVW to respond to the needs of all victims of domestic violence, sexual assault, dating violence, and stalking, including, but not limited to, Native women, immigrants, LGBT victims, college students, youths, and public housing residents.

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

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

[In thousands of dollars]

| Program   | Committee Recommendation |
|---|--------------------------|
| STOP Grants .....   | 215,000                  |
| Transitional Housing Assistance .....                                   | 36,000                   |
| Research and Evaluation on Violence Against Women .....                 | 3,000                    |
| Consolidated Youth Oriented Program .....                               | 11,000                   |
| Grants to Encourage Arrest Policies .....                               | 53,000                   |
| <i>Homicide Reduction Initiative</i> .....                              | [4,000]                  |
| Sexual Assault Victims Services .....                                   | 37,500                   |
| Rural Domestic Violence and Child Abuse Enforcement .....               | 42,000                   |
| Violence on College Campuses .....                                      | 20,000                   |
| Civil Legal Assistance .....  | 45,000                   |
| Elder Abuse Grant Program .....   | 5,000                    |
| Family Civil Justice .....  | 16,000                   |
| Education and Training for Disabled Female Victims .....                | 6,000                    |
| National Center on Workplace Responses .....                            | 1,000                    |
| Research on Violence Against Indian Women .....                         | 1,000                    |
| Indian Country—Sexual Assault Clearinghouse .....                       | 500                      |
| Tribal Special Domestic Violence Criminal Jurisdiction .....            | 4,000                    |
| Rape Survivor Child Custody Act .....                                   | 1,500                    |
| TOTAL, Violence Against Women Prevention and Prosecution Programs ..... | 497,500                  |

*STOP Grants.*—Within the discretionary budget authority appropriated, \$215,000,000 is for formula grants to the States. This is equal to the budget request and equal to the fiscal year 2018 enacted level. The recommendation supports increasing access to comprehensive legal services for victims, providing short-term housing assistance and support services for domestic violence victims, and education and training to end violence against and abuse of women with disabilities.

*Sexual Assault Services Act [SASA].*—The Committee's recommendation provides \$37,500,000, which is \$2,500,000 above both the budget request and the fiscal year 2018 enacted level, to directly fund the needs of sexual assault victims.

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

*Protecting VAWA.*—The Committee expects the Attorney General to ensure enforcement of Section 5 of the Justice for All Reauthorization Act of 2016 (Public Law 114–324) and to issue guidance making clear that it would be inappropriate to subject OVW funds to such penalties.

OFFICE OF JUSTICE PROGRAMS

The OJP is responsible for providing leadership, coordination, and assistance to its Federal, State, local, and tribal partners to enhance the effectiveness and efficiency of the U.S. justice system in preventing, controlling, and responding to crime. As most of the responsibility for crime control and prevention falls to law enforcement officers in States, cities, and other localities, the Federal Government is effective in these areas only to the extent that it can enter into successful partnerships with these jurisdictions. Therefore, OJP is tasked with administering grants; collecting statistical data and conducting analyses; identifying emerging criminal justice issues; developing and testing promising and innovative approaches to address these issues; evaluating program results; and disseminating these findings and other information to State, local, and tribal governments. The Committee directs OJP to submit an annual report on grant programs that have not received a sufficient number of qualified applicants.

RESEARCH, EVALUATION AND STATISTICS

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$90,000,000 |
| Budget estimate, 2019 .....    | 77,000,000   |
| Committee recommendation ..... | 90,000,000   |

The Committee’s recommendation provides \$90,000,000 for the Research, Evaluation and Statistics account. The recommendation is equal to the fiscal year 2018 enacted level and \$13,000,000 above the budget request.

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

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

RESEARCH, EVALUATION AND STATISTICS

[In thousands of dollars]

| Program                            | Committee Recommendation |
|------------------------------------|--------------------------|
| Bureau of Justice Statistics ..... | 48,000                   |

## RESEARCH, EVALUATION AND STATISTICS—Continued

[In thousands of dollars]

| Program  | Committee Recommendation |
|--|--------------------------|
| <i>NCS-X Implementation Program</i> .....            | [5,000]                  |
| National Institute of Justice .....                  | 42,000                   |
| <i>Domestic Radicalization Research</i> .....        | [4,000]                  |
| <i>Research on School Safety</i> .....               | [1,000]                  |
| <i>Juvenile Online Victimization Survey</i> .....    | [1,000]                  |
| <i>National Center for Restorative Justice</i> ..... | [3,000]                  |
| TOTAL, Research Evaluation and Statistics .....      | 90,000                   |

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

*Bureau of Justice Statistics [BJS].*—The Committee's recommendation provides \$48,000,000 for the BJS. Within the funds provided, \$5,000,000 is provided for the National Crime Statistics Exchange [NCS-X]. NCS-X will improve the collection and reporting into the NIBRS, which provides more detailed criminal data such as officer-related shooting incidents.

*National Institute of Justice [NIJ].*—The Committee's recommendation provides \$42,000,000 for the NIJ, in addition to \$4,000,000 transferred from the OVW for research and evaluation on violence against women and Indian women. Within the funds provided for NIJ, \$4,000,000 is provided for domestic radicalization research. The NIJ's mission is to advance scientific research, development, and evaluation to advance the administration of justice and public safety.

*National Center on Restorative Justice.*—Within the funds available for the NIJ, the Committee provides \$3,000,000 for NIJ to enter into a partnership with an accredited university of higher education and/or law school for the purposes of establishing a National Center on Restorative Justice with the purpose of educating and training the next generation of justice leaders. The Center shall also support research focusing on how best to provide direct services to address social inequities, such as simultaneous access to substance abuse treatment and higher education. The Center shall engage and challenge undergraduate, Master's, and law students, in conjunction with criminal justice professionals, community members, educators, and social service providers, at the State, regional, and national level, aiming to broaden their understanding of justice systems and restorative approaches through a degree program, a summer institute, or short courses, while encouraging access to educational opportunities for incarcerated individuals.

*Impairment Detection Technology.*—The Committee is concerned about the lack of reliable, accurate, and performance-capable devices and technologies that can be used by law enforcement in the field to screen and detect the use of certain drugs, including cannabinoids, opiates, cocaine, methamphetamine, methadone, and fentanyl. The lack of reliable technology for such detection has im-

plications for public safety in terms of ensuring that impaired drivers are not allowed to remain behind the wheel and to ensure the safety of law enforcement coming into contact with dangerous and potent drugs, such as fentanyl. The Committee is aware that NIJ has previously conducted research in this area in coordination with National Highway Traffic Safety Administration, the National Institute of Drug Abuse, the Centers for Disease Control, the Office of National Drug Control Policy, and the National Institute of Standards and Technology, among others. That research, however, has not been updated since 2015, and to date, no such reliable, broad based technology nor device has been identified to aid law enforcement in the field. The Committee directs the NIJ to re-start this initiative, working in coordination with the same Federal partners and any additional partners that may be useful to the effort, to identify and/or develop such devices and technologies. The Committee further directs the NIJ to report back to the Committee not later than 180 days after enactment of this act, and not less than every 6 months thereafter until such time as technologies are identified and deployed to law enforcement in the field.

*National Juvenile Online Victimization Study.*—The National Juvenile Online Victimization Study [N-JOV], designed to help law enforcement combat technology-facilitated child exploitation crimes, has been conducted three times, with the last study [N-JOV3] conducted in 2009. As access to the Internet, social media, and other technology has rapidly advanced in the past decade, the ability to protect children against online predatory behavior has struggled to keep pace.

The Committee provides \$1,000,000 for NIJ to administer a competitive grant to an accredited research university for an N-JOV4 study. This study will allow for the identification of new threats, problems and concerns encountered by law enforcement in the changing technological environment; improved tracking and monitoring of new and abating threats; and a better understanding of which investigative strategies are associated with more favorable outcomes in protecting children from online victimization.

*Researching School Violence.*—The Committee provides \$1,000,000 for NIJ to continue to develop a model and best practices for comprehensive school safety including identifying the root causes of violence in schools using the four prior years of research conducted under the Comprehensive School Safety Initiative, which funded 100 projects in K-12 schools aimed at preventing school violence in fiscal years 2014 through 2017. NIJ shall provide a report to the Committee within one year of enactment of this act on the model and best practices for schools.

The Committee also directs NIJ to establish metrics to determine the effectiveness in deterring school violence through the grants issued by BJA and COPS as part of the STOP School Violence Initiative. NIJ is directed to provide their methodology on these metrics within 30 days of enactment of this act as well as an annual report published on their website of the success of these grants.

*Campus Sexual Assault Prevention Research.*—The Committee directs NIJ to continue Federal research projects at institutions of higher education on campus sexual assault prevention interven-

tions and advance the dissemination of best practices per direction provided in Public Law 115–141.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$1,677,500,000 |
| Budget estimate, 2019 .....    | 1,132,500,000   |
| Committee recommendation ..... | 1,678,500,000   |

The Committee’s recommendation provides \$1,678,500,000 for State and local law enforcement assistance. The recommendation is \$1,000,000 above the fiscal year 2018 enacted level and \$546,000,000 above the budget request.

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

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

[In thousands of dollars]

| Program  | Committee Recommendation |
|--|--------------------------|
| Byrne Memorial Justice Assistance Grants .....   | 445,000                  |
| <i>Officer Robert Wilson III VALOR Initiative</i> .....  | [12,000]                 |
| <i>Smart Policing</i> .....  | [10,000]                 |
| <i>Smart Prosecution</i> .....   | [10,000]                 |
| <i>NamUs</i> .....   | [2,400]                  |
| <i>Academic Based Training Program to improve Police-Based Responses to People with Mental Illness</i> ..... | [2,500]                  |
| <i>John R. Justice Grant Program</i> .....   | [2,000]                  |
| <i>Prison Rape Prevention and Prosecution</i> .....  | [15,500]                 |
| <i>Kevin and Avonte’s Law</i> .....  | [2,000]                  |
| <i>Regional Law Enforcement Technology Initiative</i> .....  | [3,000]                  |
| State Criminal Alien Assistance Program .....  | 100,000                  |
| Victims of Trafficking Grants .....  | 85,000                   |
| Capital Litigation and Wrongful Conviction Review .....  | 5,000                    |
| Economic, High-Tech, White Collar, and Cybercrime Prevention .....   | 15,500                   |
| <i>Intellectual Property Enforcement Program</i> .....   | [2,500]                  |
| <i>Digital Investigation Education Program</i> .....   | [2,000]                  |
| Adam Walsh Act Implementation .....  | 20,000                   |
| Bulletproof Vests Partnerships .....   | 25,000                   |
| <i>Transfer to NIST/OLES</i> .....   | [1,500]                  |
| National Sex Offender Public Website .....   | 1,000                    |
| National Instant Criminal Background Check System (NICS) Initiative .....                                    | 75,000                   |
| <i>NICS Act Record Improvement Program</i> .....   | [25,000]                 |
| Paul Coverdell Forensic Science .....  | 35,000                   |
| DNA Initiative .....   | 132,000                  |
| <i>Debbie Smith DNA Backlog Grants</i> .....   | [121,000]                |
| <i>Kirk Bloodworth Post-Conviction DNA Testing Grants</i> .....  | [7,000]                  |
| <i>Sexual Assault Forensic Exam Program Grants</i> .....   | [4,000]                  |
| Sexual Assault Kit Initiative [SAKI] .....   | 50,000                   |
| CASA-Special Advocates .....   | 12,000                   |
| Tribal Assistance .....  | 50,000                   |
| Second Chance Act/Offender Reentry .....   | 90,000                   |
| <i>Smart Probation</i> .....   | [6,000]                  |
| <i>Children of Incarcerated Parents Demo Grants</i> .....  | [5,000]                  |
| <i>Project HOPE Opportunity Probation with Enforcement</i> .....   | [4,000]                  |
| <i>Pay for Success</i> .....   | [7,500]                  |
| <i>Pay for Success (Permanent Supportive Housing Model)</i> .....  | [5,000]                  |
| Anti-Opioid Initiative .....   | 360,000                  |
| <i>Drug Courts</i> .....   | [80,000]                 |
| <i>Mentally Ill Offender Act</i> .....   | [32,500]                 |
| <i>Residential Substance Abuse Treatment</i> .....   | [35,000]                 |
| <i>Veterans Treatment Courts</i> .....   | [22,500]                 |



## STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE—Continued

[In thousands of dollars]

| Program   | Committee Recommendation |
|---|--------------------------|
| <i>Prescription Drug Monitoring</i> .....                     | [30,000]                 |
| <i>Comprehensive Opioid Abuse Program</i> .....               | [160,000]                |
| Justice Reinvestment Initiative .....                         | 28,000                   |
| Keep Young Athletes Safe Act .....                            | 2,500                    |
| Body Worn Camera Partnership Program .....                    | 22,500                   |
| STOP School Violence Act .....                                | 75,000                   |
| Project Safe Neighborhoods .....                              | 50,000                   |
| <i>Byrne Criminal Justice Innovation Program</i> .....        | [20,000]                 |
| <i>Gang and Youth Violence Education and Prevention</i> ..... | [5,000]                  |
| <i>Community-Based Violence Prevention Initiatives</i> .....  | [8,000]                  |
| TOTAL, State and Local Law Enforcement Assistance .....       | 1,678,500                |

*Edward Byrne Memorial Justice Assistance Grant Program.*—The Committee recommends \$445,000,000 for Byrne-JAG. Funding is not available for luxury items, real estate, or construction projects. The Department should expect State, local, and tribal governments to target funding to programs and activities that conform with evidence-based strategic plans developed through broad stakeholder involvement. The Committee directs the Department to make technical assistance available to State, local, and tribal governments for the development or update of such plans. Funding is authorized for law enforcement programs including those that promote data interoperability between disparate law enforcement entities; prosecution and court programs; prevention and education programs; corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs, other than compensation.

*Smart Prosecution.*—State and local prosecutors are involved in more than 90 percent of all criminal prosecutions in the United States. Unfortunately, throughout much of the country, local prosecutors' offices are struggling to effectively adjust to the growing amount of evidence and the subsequent intricacies of investigation and prosecution of crimes, particularly cyber, organized, and drug crimes, that have come with the digital age. The Committee supports the use of technology, intelligence, and data analytics in innovative ways that enable prosecutors to focus resources on the people and places associated with high concentrations of criminal activity. The Committee directs that OJP dedicate up to \$5,000,000 of the \$10,000,000 provided for Smart Prosecution for competitive grants focused on new solutions to public safety concerns, including the use of technology, intelligence, and data analytics to improve the operations of prosecutors' offices in an effort to more efficiently and effectively aid communities in achieving a reduction in crime.

*Regional Law Enforcement Technology Initiative.*—The Committee recognizes that the ability of local law enforcement to efficiently gather, analyze, and disseminate pertinent information is critical to investigating, reporting, and responding to crimes and suspicious activity in communities. The Committee believes that a technology initiative focused on leveraging local and regional law enforcement partnerships and enabling a secure method for the sharing of sensitive law enforcement information and resources is

vital to the long-term success of our law enforcement personnel and the safety of our citizens. This initiative could be accomplished through various models, including fusion centers, task forces, or centers of excellence.

The Committee believes that among locations in the United States, law enforcement operating in the five States comprising the Gulf Coast is well situated to serve as a testbed for such an initiative and has provided not less than \$3,000,000 for competitive grants to local government entities, including local law enforcement agencies, to develop such an initiative, for the purposes of efficiently supporting and promoting the exchange of information, investigate techniques, and best practices with the ultimate goal of reducing crime and improving officer safety in these communities. The Committee further directs the Department to ensure that the grantee submit a written report on the use of the grant funds, lessons learned, and how such an initiative could be utilized by other law enforcement agencies nationwide.

*VALOR Initiative.*—The Committee’s recommendation provides \$12,000,000 within Byrne-JAG for the Officer Robert Wilson III Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative [VALOR]. The Committee expects Federal law enforcement agencies to continue and expand on efforts to provide local police with information as to whether or not a suspect has a violent history, to the extent that transfer of such information is allowable and available via Federal law enforcement databases, in an effort to prevent officer deaths. The Committee notes that an additional \$10,000,000 is provided under the COPS heading for Protecting Our Lives by Initiating COPS Expansion [POLICE] Act (Public Law 114–199) programs which help to provide active shooter training programs for State and local law enforcement officers.

*Kevin and Avonte’s Law.*—The Committee provides funding of \$2,000,000 for competitive grants awarded to non-profit and State and local entities to prevent wandering and locate missing individuals with forms of dementia, such as Alzheimer’s Disease, or developmental disabilities, such as autism as described in the underlying authorization of division Q of Public Law 115–141.

*Prison Rape Elimination Act [PREA] Audit Quality Initiative.*—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 using the necessary resources to carry out this work.

*Fentanyl Detection.*—The Committee is aware of far too many incidents of first responders experiencing accidental overdoses after coming into contact with fentanyl or fentanyl analogues and understands the role played by fentanyl detection equipment and training on identifying fentanyl, particularly for police officers and other first responders, to keep officers safe by minimizing exposure. As such, the Committee encourages the Department to support the use of grant funds like Byrne-JAG for the purchase of fentanyl detection equipment and training as well as naloxone distribution for law enforcement safety.

*Academic-Based Training Center to improve Police-Based Responses to People with Mental Illness.*—The Committee understands that law enforcement officers are often the first responders to calls regarding individuals with mental illnesses and often encounter mentally ill individuals while completing their routine patrol duties. The Committee recognizes the need for support and training so that law enforcement officers and other first responders are better equipped to handle such encounters and help provide appropriate treatment as well as reduce the number of individuals entering the legal system.

The Committee recommends \$2,500,000 for a grant program implementing academic-based, transdisciplinary crisis intervention training to educate, train, and prepare officers so that they are equipped to appropriately interact with mentally ill individuals in the course of completing their job responsibilities. This training should be developed by an institution of higher education, in conjunction with health care professionals to provide crisis intervention training which shall focus on understanding mental and behavioral health, developing empathy, navigating community resources, de-escalation skills and practical application training for all first responders. The Committee expects this grant program to serve as a pilot program, establishing best practices for law enforcement agencies.

*Gunfire Detection Technology.*—Gunfire detection and location technology has been helpful in assisting law enforcement to rapidly respond to gun crime and analyze physical evidence found at the scene. The Committee encourages the Department to work with State and local governments to assist in the further deployment of such technologies, and to collect and analyze data from such systems in order to better address gun related crimes.

*National Instant Criminal Background Check System [NICS] Initiative Grants.*—The Committee funds the program at \$75,000,000, which is \$14,000,000 above the budget request, to continue to improve the submission of State criminal and mental health records to NICS. This investment will strengthen the national background check system by assisting States in finding ways to make more records available in the NICS system, especially mental health records, thereby addressing gaps in Federal and State records currently available in NICS. Those gaps significantly hinder the ability of NICS to quickly confirm whether a prospective purchaser is prohibited from acquiring a firearm. The Committee expects OJP to track whether grant recipients are submitting data in a timely manner into the NICS system.

*Project Safe Neighborhoods [PSN].*—The Committee's recommendation includes \$50,000,000 for PSN, the full, authorized level for this grant program. As referenced in bill language, the Senate passed amendment to the underlying authorization funded several purpose areas. Therefore, the Committee recommendation includes \$20,000,000 for the Byrne Criminal Justice Innovation Program, \$5,000,000 for the Gang and Youth Violence Education and Prevention Program and \$8,000,000 for Community-Based Violence Prevention Initiatives. The remaining funds shall be distributed per the block grant authorization.

The Committee encourages OJP to use PSN funds to support evidence-based and data-driven focused intervention, deterrence, and prevention initiatives that aim to reduce violence. These initiatives should be trauma-informed, recognizing that people who are at risk of committing violence often themselves have been victims of violent trauma or have witnessed traumatic experiences in the past.

*Grants to Combat Human Trafficking.*—The Committee’s recommendation provides \$85,000,000 for services and task force activities for U.S. citizens, permanent residents, and foreign nationals who are victims of trafficking, as authorized by Public Law 106–386 and amended by Public Law 113–4, of which no less than \$22,000,000 is for the Enhanced Collaborative Model to Combat Human Trafficking Task Force Program. The Committee urges that human trafficking task forces funded under this grant program take affirmative measures to emphasize the investigation and prosecution of persons who patronize or solicit children for sex as a human trafficking demand reduction strategy. OJP shall consult with stakeholder groups in determining the overall allocation of Victims of Trafficking funding and shall provide a plan to the Committee for the use of these funds as part of the Department’s fiscal year 2019 spending plan.

The Committee notes that funding provided in this program may be used for victims of sex and labor trafficking who are minors, as authorized under VAWA 2013. Child trafficking victims require specialized care, and these resources can be used for items like residential care, emergency social services, mental health counseling, and legal services. This funding level also includes \$10,000,000 for the Minor Victims of Trafficking Grant program, of which \$8,000,000 is for victim services grants for sex-trafficked minors, as authorized by Public Law 113–4, with the remaining \$2,000,000 for victim services grants for labor-trafficked minors. The Committee encourages OJP to give an affirmative preference to applicants for grants that treat minors engaged in commercial sex acts as victims of a severe form of trafficking in persons, and discourages the charging of such individuals for prostitution or a sex trafficking offense. The Committee encourages DOJ to work in close coordination with the Department of Health and Human Services to encourage collaboration and reduce duplication of effort.

*Capital Litigation Improvement and Wrongful Conviction Review.*—The Committee recognizes the need for legal representation and investigation services for individuals with post-conviction claims of innocence. The Committee directs that at least 50 percent of the \$5,000,000 appropriated to the Capital Litigation Improvement and Wrongful Conviction Review grant programs shall be used to support Wrongful Conviction Review grantees providing high quality and efficient post-conviction representation for defendants in post-conviction claims of innocence. Wrongful Conviction Review grantees shall be nonprofit organizations, institutions of higher education, and/or state or local public defender offices that have in-house post-conviction representation programs that show demonstrable experience and competence in litigating post-conviction claims of innocence. To avoid any possible conflicts of interest, the Committee directs that the requirement of partnership with a state or local prosecutor’s office and an organization or entity dedi-

cated to ensuring just convictions and/or acquittals be discontinued. Grant funds shall support grantee provision of post-conviction legal representation of innocence claims; case review, evaluation, and management; experts; potentially exonerative forensic testing; and investigation services related to supporting these post-conviction innocence claims.

*Bulletproof Vests.*—Within the \$25,000,000 provided for bulletproof vests, \$1,500,000 is to be transferred directly to the NIST Office of Law Enforcement Standards [OLES] to continue supporting ballistic- and stab-resistant material compliance testing programs. The Committee expects the BJA to continue strengthening internal controls to manage the Bulletproof Vest Partnership program. Improving grantee accountability in the timely use of Federal funds to purchase body armor will help every police officer who needs a vest to get one, thus saving officers' lives.

*Second Chance Act Grants and Drug Treatment.*—The recommendation provides \$90,000,000 for Second Chance Act [SCA] grants. The Committee expects that SCA funding will support grants that foster the implementation of strategies that have been proven to reduce recidivism and ensure safe and successful reentry back to their communities of adults released from prisons and jails. The SCA supports activities such as employment assistance, substance abuse treatment including MAT options, housing, local transportation, mentoring, family programming, and victim support. SCA grants will also support demonstration projects designed to test the impact of new strategies and frameworks.

The Committee continues to support the Office of Management and Budget's scoring mechanism for SCA grant funding as it relates to opioid abuse and the heroin epidemic. In addition, when awarding SCA grants, the Committee directs the OJP to consider the impact of reentry of prisoners on communities in which a disproportionate number of individuals reside upon release from incarceration. The OJP shall assess the reentry burdens borne by local communities and local law enforcement agencies; review the resources available in such communities to support successful reentry and the extent to which those resources are used effectively; and make recommendations to strengthen the resources in such communities which are available to support successful reentry and to lessen the burden placed on such communities by the need to support reentry.

*DNA Backlog and Crime Lab Improvements.*—The Committee is once again extremely disappointed that the Department's budget request slashes funding by \$25,000,000 for critical grant programs to help State and local agencies address their backlogs and test forensic evidence. The Committee continues its strong support for DNA backlog and crime lab improvements by recommending \$132,000,000 to strengthen and improve Federal and State DNA collection and analysis systems that can be used to accelerate the prosecution of the guilty while simultaneously protecting the innocent from wrongful prosecution. Within funds provided, \$121,000,000 is for Debbie Smith DNA Backlog Reduction grants, \$7,000,000 is for Kirk Bloodsworth Post-Conviction DNA Testing grants, and \$4,000,000 is for Sexual Assault Nurse Examiners grants.

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

*Enforcing the Debbie Smith Act.*—The Justice for All Reauthorization Act of 2016 (Public Law 114–324) clarified that not less than 75 percent of amounts made available under this provision shall be provided for grants for activities described under paragraphs (1), (2), and (3) of section (2)(a) of the DNA Analysis and Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)). This 75 percent requirement had previously been codified by Congress and the President as part of the Sexual Assault Forensic Evidence Reporting Act of 2013, which was enacted as Title X of the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4). Though this provision has been codified for more than 4 years, NIJ has failed to recognize it as binding. With the enactment of section 3 of the Justice for All Reauthorization Act of 2016, Congress has made its intent clear. The Committee therefore instructs the Attorney General to ensure that not less than 75 percent of the funds provided under this provision are provided to states and units of local government through grants to address the DNA crime scene evidence backlog.

*Sexual Assault Kit Initiative [SAKI].*—The Committee’s recommendation includes \$50,000,000 to continue a competitive grant program started in fiscal year 2015 as part of the initiative to reduce the backlog of rape kits at law enforcement agencies. The NIJ shall provide competitively awarded grants with a comprehensive community-based approach to addressing the resolution of cases in the backlog. The Committee directs the NIJ to provide a report not later than 90 days after enactment of this act on its progress in developing a strategy and model to serve as best practices for discovering and testing kits, training law enforcement, and supporting victims throughout the process as required by Public Law 113–235.

*Sexual Assault Forensic Evidence Reporting Act [SAFER].*—The SAFER Act was included as title X of the Violence Against Women Act of 2013 (Public Law 113–4) and was reauthorized by the SAFER Act of 2017 (Public Law 115–107). The Act authorized the Attorney General to make grants for the purpose of helping State and local law enforcement agencies conduct audits of the rape kit backlog. In 2016, the Department fully implemented the SAFER Act by providing grants for such a purpose under the Sexual Assault Forensic Evidence-Inventory, Tracking, and Reporting Program. The Committee strongly encourages the continuation of this important program to deliver justice for victims of sexual assault.

*Paul Coverdell Forensic Science.*—The recommendation provides a total of \$35,000,000 of which \$17,000,000 is to specifically target the challenges the opioid epidemic has brought to the forensics community as described in the Explanatory Statement accompanying Public Law 115–141.

*Economic, High-Tech, White Collar, and Cybercrime Prevention.*—The Committee recommends \$15,500,000 to assist State and local law enforcement agencies in the prevention, investigation, and prosecution of economic, high-tech, and Internet crimes. Given the importance of protecting our Nation's new technologies, ideas, and products, the Committee includes the request of \$2,500,000 for competitive grants that help State and local law enforcement tackle intellectual property [IP] thefts, such as counterfeiting and piracy.

Additionally, the Committee recognizes the need to expand opportunities for computer and digital forensics education at both the undergraduate and graduate levels in order to prepare for these challenges. To meet this need, \$2,000,000 shall be dedicated for a separate competitive grant program to expand a partnership with an institution for higher learning for the purposes of furthering educational opportunities for students training in computer forensics and digital investigation.

*Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking [SMART Office].*—The Committee supports the work being done by the SMART Office to provide technical assistance to State, local, and tribal governments on sex offender registration and notification, but understands that current notification and reporting tools and practices may not be reaching all appropriate law enforcement agencies in a timely manner. The Committee directs the Government Office of Accountability to perform a study examining what technological efficiencies are needed within the SMART Office, including whether sex offender notifications are timely and effective. The Committee looks forward to reviewing this report within 90 days of enactment.

*Keeping Young Athletes Safe Act.*—The Committee again provides funding of \$2,500,000 for a competitive grant program to safeguard young athletes against abuse, including emotional, physical, and sexual abuse, in sports. The Committee directs that funding be prioritized for curriculum development and training for abuse prevention education in youth athletic programs and for investigation and resolution of sexual abuse claims. OJP is directed to submit a report no later than 90 days after enactment of this act describing how grant funding was used by the grantees by purpose area for the prior fiscal year, the number of trainings provided, the number of claims investigated, and the number of investigations referred to law enforcement for prosecution.

*Comprehensive Addiction and Recovery Act [CARA] Programs.*—The Committee provides a total of \$360,000,000 for CARA programs, including \$80,000,000 for drug courts; \$22,500,000 for veterans treatment courts; \$35,000,000 for Residential Substance Abuse Treatment including access to MAT options; \$30,000,000 for prescription drug monitoring; \$32,500,000 for the Mentally Ill Offender Act; and \$160,000,000 for the Comprehensive Opioid Abuse Program [COAP].

The Committee directs that funding for COAP programs is focused on prevention and education efforts, effective responses to those affected by substance abuse, and services for treatment and recovery from addiction. The Committee encourages the Department to prioritize grant funding in States with high per capita opioid overdose death rates to ensure that efforts are focused where

they are needed the most. Of the \$160,000,000 for COAP, no less than \$5,000,000 shall be made available for additional replication sites employing the Law Enforcement Assisted Diversion [LEAD] model, with applicants demonstrating a plan for sustainability of LEAD-model diversion programs; no less than \$5,000,000 shall be made available for education and prevention programs to connect law enforcement agencies with K–12 students; and no less than \$10,000,000 shall be made available for embedding social services with law enforcement in order to rapidly respond to opioid overdoses where children are impacted.

The Committee supports specialized residential substance abuse treatment programs for inmates with co-occurring mental health and substance abuse disorders or challenges. Given the strong nexus between substance abuse and mental illness in our prisons and jails, the Committee encourages the Attorney General to ensure that funds provided for residential substance abuse treatment for state prisoners are being used to treat underlying mental health disorders in addition to substance abuse disorders.

The Committee recognizes the importance of drug courts and the vital role that they serve in reducing crime among people with a substance use or mental health disorder. In recent years, drug courts have been on the front lines of the opioid epidemic and have become important resources for law enforcement and other community stakeholders affected by opioid addiction. The Committee supports the ability of drug courts to address offenders with co-occurring substance abuse and mental health problems, and supports court ordered assisted outpatient treatment programs for individuals struggling with mental illness. Within the funding provided for drug courts, the Committee encourages OJP to give attention to States and localities that have the highest concentrations of opioid-related cases, and to prioritize assistance to underserved areas whose criminal defendants currently have relatively little opportunity to access drug courts. The Committee encourages OJP to coordinate, as appropriate, with other Federal agencies like the Department of Health and Human Services, as it implements these activities in order to avoid duplication.

Finally, the Committee recognizes that the 21st Century CURES Act authorized the funding of Forensic Assertive Community Treatment [FACT] Initiatives as part of the adult and juvenile collaboration program grants. The Committee encourages OJP to make funding available for FACT Initiatives within these programs.

JUVENILE JUSTICE PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$282,500,000 |
| Budget estimate, 2019 .....    | 229,500,000   |
| Committee recommendation ..... | 297,000,000   |

The Committee’s recommendation provides \$297,000,000 for juvenile justice programs. The recommendation is \$14,500,000 above the fiscal year 2018 enacted level and \$67,500,000 above the budget request.

The Committee strongly supports a comprehensive approach of substantial funding for a robust portfolio of programs that work to improve the lives of the youth in our communities. Title II State Formula and title V juvenile delinquency prevention grants are the



backbone of programs assisting State and local agencies to prevent juvenile delinquency and ensure that youth who are in contact with the juvenile justice system are treated fairly. Combined with other critical programs like youth mentoring, the Committee believes that a balanced level of programming is the way to best help at-risk and vulnerable youth and their families.

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

JUVENILE JUSTICE PROGRAMS  
[In thousands of dollars]

| Program   | Committee Recommendation |
|---|--------------------------|
| Part B—State Formula Grants .....                             | 66,000                   |
| <i>Emergency Planning-Juvenile Detention Facilities</i> ..... | [500]                    |
| Youth Mentoring Grants .....                                  | 94,000                   |
| Title V—Delinquency Prevention Incentive Grants .....         | 30,500                   |
| <i>Tribal Youth</i> .....                                     | [7,000]                  |
| <i>Children of Incarcerated Parents Web Portal</i> .....      | [500]                    |
| <i>Girls in Justice System</i> .....                          | [2,000]                  |
| <i>Opioid Affected Youth Initiative</i> .....                 | [10,000]                 |
| <i>Children Exposed to Violence</i> .....                     | [11,000]                 |
| Victims of Child Abuse Programs .....                         | 25,000                   |
| Missing & Exploited Children Programs .....                   | 76,000                   |
| Training for Judicial Personnel .....                         | 3,500                    |
| Improving Juvenile Indigent Defense .....                     | 2,000                    |
| TOTAL, Juvenile Justice .....                                 | 297,000                  |

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

*Part B: State Formula Grants.*—The Committee provides \$66,000,000 for grants to implement comprehensive State juvenile justice plans, including community-based prevention and intervention programs and activities for juvenile offenders. This amount is \$6,000,000 above the fiscal year 2018 enacted level and \$8,000,000 above the budget request.

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

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

The Committee urges DOJ to encourage title II grant recipients to coordinate with their State education agencies to support continuity of education opportunities for adjudicated youth and encourages the Department to continue its efforts to institute reforms to ensure States' compliance with the Title II core requirements. The Department shall report to the Committee on these efforts 60 days after enactment.

*Youth Mentoring Grants.*—To support the critical work of national, regional, and local organizations in nurturing and mentoring at-risk children and youth, the Committee recommends \$94,000,000 for competitive, peer-reviewed youth mentoring grants, of which \$14,000,000 is for helping youth impacted by opioids. Within 45 days of enactment of this act, the OJP is directed to provide a report and spend plan to the Committee detailing the criteria and methodology that will be used to award these grants, as well as an explanation of any deviations from the criteria and Committee directions used in fiscal year 2018. The Committee expects that the OJJDP will take all steps necessary to ensure fairness and objectivity in the award of these and future competitive grants.

*Helping Youth Impacted by Opioids.*—The recommendation provides \$25,500,000 in OJJDP grant funding to support States, local communities, and tribal jurisdictions in their efforts to develop and implement effective programs for children, youth, and at-risk juveniles and their families who have been impacted by the opioid crisis and drug addiction. Within this amount, \$10,000,000 is provided to continue the Opioid Affected Youth Initiative within Title V: Delinquency Prevention grants, \$14,000,000 is provided for youth mentoring grants, and the increase of \$1,500,000 for Training for Judicial Personnel shall be dedicated for specialized training for juvenile and family court judges on handling families impacted by opioids including additional pressures on youth in foster care.

*Preventing Trafficking of Girls and Involvement in the Juvenile Justice System.*—Girls in the United States with a history of sexual and physical abuse, school failure, substance dependency, and involvement in the welfare system, and who live in impoverished communities or are homeless, are at an increased risk of becoming victims of domestic human trafficking. The Committee provides \$2,000,000 for the “Girls in the Justice System” grant program, which will enable organizations, including nonprofit entities, with a successful track record of administering prevention and early intervention programs for girls vulnerable to trafficking and who are most likely to end up in the juvenile justice system, at a local or state-level, to replicate these programs at a national level. Funding for this program will further support prevention and early intervention strategies and curricula throughout the country, and place vulnerable girls on a path toward success, stability, and long-term contribution to society.

*Children Exposed to Violence.*—The Committee notes that nearly two-thirds of children in the U.S. have been exposed to violence, which can impact development, health, and educational outcomes, and perpetuate the cycle of violence and substance abuse. The Committee provides \$11,000,000 for grants to help communities reduce crime and violence against children through support to State agencies and law enforcement entities including training and technical assistance to better serve youth exposed to violence.

*Victims of Child Abuse Act.*—The Committee’s recommendation provides \$25,000,000 for the various programs authorized under the Victims of Child Abuse Act (Public Law 101–647) and directs OJJDP to ensure that not less than 90 percent of the grants awarded are for the purposes of developing and maintaining child

advocacy centers [CAC], including training and accreditation. The Committee further directs OJJDP to ensure that these funds are used efficiently in order to ensure the highest percentage possible of Federal funding is used for actual services to victims of child abuse. Within the funds provided, \$5,000,000 shall be for Regional Children's Advocacy Centers [RCACs] Programs. The RCACs were established to provide information, consultation, training, and technical assistance to communities, and to help establish child-focused programs that facilitate and support coordination among agencies responding to child abuse.

The Committee continues to support efforts by CACs to use their unique model and expertise to help military installations address cases of child abuse, and again provides \$1,000,000 from within the funds provided to continue to support a pilot project to identify, develop, and operationalize best practices. As this effort has been funded since fiscal year 2017, the Committee directs OJJDP to report on the status of this pilot including the locations of CACs and military installations working together, the number of children served through these partnerships, and lessons learned from this pilot program.

*Missing and Exploited Children Programs.*—The Committee recommends \$76,000,000 for Missing and Exploited Children Programs and expects the Department to allocate no less than the current funding level for task force grants, training and technical assistance, research and statistics, and administrative costs for the Internet Crimes Against Children [ICAC] program. The Committee directs OJP to provide a spending plan for the use of these funds as part of the Department's spending plan for fiscal year 2019, which shall include only investments in authorized national programs that serve as a resource center and clearinghouse on missing and exploited children.

Within funds provided, the Committee again directs up to \$3,000,000 for a competitive grant program to increase the technological investigative capacity and associated training of law enforcement to support the development, refinement, and advancement of widely used investigative tools, methods, and technologies that address child pornography, exploitation, and sex trafficking as directed in Senate Report 115–139 and codified in Public Law 115–141.

Within the funds provided, the Committee recommends no less than \$2,400,000 for the operation and activities of the existing AMBER Alert program. The Department is further directed to provide assistance to tribes as authorized under the Ashlynnne Mike AMBER Alert in Indian Country Act (Public Law 115–166) allowing the integration of state AMBER Alert communication plans with tribal systems.

*National Endangered Missing Advisory Communications.*—The Committee recognizes that the AMBER Alert system has succeeded beyond all expectations, and is credited with directly aiding the safe recovery of approximately 75 children every year. Because immediate public notification is critical in missing child cases and not all cases meet the specific criteria established under the AMBER Alert system, the Committee encourages the Department to explore the establishment of a national endangered missing advisory com-

munications network that would enable immediate public notification for missing child cases who may be in danger of death or serious bodily injury regardless of evidence of abduction. The Department is requested to report to the Committee within 90 days of enactment of this act the best way to include these nationwide endangered public notifications into existing infrastructure or if a new system is needed, estimated costs for this type of system, and what other Federal, State and local partners are required to successfully operate such a system.

PUBLIC SAFETY OFFICERS BENEFITS  
(INCLUDING TRANSFER OF FUNDS)

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$116,800,000 |
| Budget estimate, 2019 .....    | 120,300,000   |
| Committee recommendation ..... | 128,800,000   |

The Committee’s recommendation provides \$128,800,000 for public safety officers benefits. The recommendation is \$12,000,000 above the fiscal year 2018 enacted level and \$8,500,000 above the budget estimate. This program provides a one-time death benefit payment to eligible survivors of Federal, State, and local public safety officers whose death was the direct and proximate result of a traumatic injury sustained in the line of duty or certain eligible heart attacks or strokes. Within funds provided, \$104,000,000 is for death benefits for survivors, an amount estimated by the Congressional Budget Office and considered mandatory for scorekeeping purposes.

The Committee also recommends \$24,800,000, as requested, for disability benefits for injured officers and education benefits for the families of officers who have been permanently disabled or killed in the line of duty.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$275,500,000 |
| Budget estimate, 2019 .....    | .....         |
| Committee recommendation ..... | 310,000,000   |

The Committee’s recommendation provides \$310,000,000 for community oriented policing services. The recommendation is \$34,500,000 above the fiscal year 2018 enacted level and \$310,000,000 above the budget request.

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

COMMUNITY ORIENTED POLICING SERVICES  
[In thousands of dollars]

| Program   | Committee Recommendation |
|---|--------------------------|
| COPS Hiring Grants .....  | 235,000                  |
| <i>Tribal Resources Grant Program .....</i>                                   | <i>[27,000]</i>          |
| <i>Tribal Access Program .....</i>  | <i>[3,000]</i>           |
| <i>Community Policing Development/Training and Technical Assistance .....</i> | <i>[10,000]</i>          |
| <i>Regional Information Sharing Activities .....</i>                          | <i>[37,000]</i>          |
| <i>Law Enforcement Mental Health and Wellness Act .....</i>                   | <i>[2,000]</i>           |

## COMMUNITY ORIENTED POLICING SERVICES—Continued

[In thousands of dollars]

| Program   | Committee Recommendation |
|---|--------------------------|
| POLICE Act .....                                  | 10,000                   |
| Anti-Methamphetamine Task Forces .....            | 8,000                    |
| Anti-Heroin Task Forces .....                     | 32,000                   |
| STOP School Violence Act .....                    | 25,000                   |
| TOTAL, Community Oriented Policing Services ..... | 310,000                  |

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

*COPS Hiring Program.*—The Committee recommends \$235,000,000 for COPS Hiring grants to help State, local, or tribal law enforcement agencies to create and preserve police officer positions and to increase community policing capacity and crime prevention efforts. Grants will have an award cap of \$125,000 and require grantees to provide a 25 percent local match. The Committee encourages the COPS Office to focus on efforts to train and increase the capacity of law enforcement agencies, executives and managers serving rural communities to enhance the use of community policing practices and innovations in policing to expand the effectiveness of limited resources.

*Regional Information Sharing Activities.*—The Committee recommends \$37,000,000, an increase of \$27,000,000 above the budget request and \$1,000,000 above the fiscal year 2018 enacted level, to support activities that enable the sharing of nationwide criminal intelligence and other resources with State, local, and other law enforcement agencies and organizations. Such activities should address critical and chronic criminal threats, including gangs, terrorism, narcotics, weapons and officer safety or “event deconfliction,” and should reflect regional as well as national threat priorities. In addition, funds shall be available to support local-to-local law enforcement data and information sharing efforts focused on solving routine crimes by sharing law enforcement information not categorized as criminal intelligence. All activities shall be consistent with national information-sharing standards and requirements as determined by the BJA.

*Anti-Methamphetamine Task Forces.*—The Committee’s recommendation provides \$8,000,000 for the COPS Office to make competitive grants to law enforcement agencies in States with high seizures of precursor chemicals, finished methamphetamine, laboratories, and laboratory dump seizures. These funds shall be utilized for investigative purposes to locate or investigate illicit activities such as precursor diversion, laboratories, or methamphetamine traffickers.

*Anti-Heroin Task Forces.*—The Committee reiterates concerns over the dramatic rise of heroin abuse, deaths, and related crime in the United States. The need for additional resources and training to address these challenges is apparent, and the Committee created the anti-heroin program within the COPS Office in fiscal year 2015, continually providing funding in succeeding fiscal years. Despite the plea for additional resources from law enforcement as well as the interest of the Committee, the Department again pro-

poses to eliminate this program as part of the fiscal year 2019 budget request. Instead, the Committee provides \$32,000,000 for the COPS Office to make competitive grants to law enforcement agencies in States with high per capita levels of primary treatment admissions for both heroin and other opioids. These funds shall be utilized for drug enforcement, including investigations and activities related to the distribution of heroin or unlawful diversion and distribution of prescription opioids. Priority shall be given to those drug task forces, managed and operated by the State, serving a majority of counties in the State.

*School Resource Officers.*—The Committee directs that the COPS Office continue to implement requirements and procedures regarding written memorandum of understanding and training requirements, including clear definitions of officers' roles and responsibilities on campus, for any COPS Hiring Grant funds used to hire school-based law enforcement officers.

*Policing Practices and Accountability Initiative.*—The Committee supports the COPS Office's efforts to integrate the Task Force on 21st Century Policing recommendations and urges the Policing Practices and Accountability Initiative to continue its work across Department of Justice programs and agencies to provide support and best practices for law enforcement agencies working to address issues of public trust.

*Leadership Training.*—The Committee believes that comprehensive, career-long leadership education and development for all local law enforcement officers, from newly sworn officers to those with command level experience, remains critical to reduce crime, control emergent situations, decrease liability and risk, and strengthen relationships between law enforcement agencies and the communities they serve. The Committee encourages the Department to develop a multi-year strategy to build local problem-solving capacity with law enforcement via ethical leadership development, which may include an online learning system that could be matched with existing training programs.

#### GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends the following general provisions:

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

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

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

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

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

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

Section 207 restricts Federal prisoner access to certain amenities.

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

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

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

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

Section 212 permits up to 3 percent of grant and reimbursement program funds made available to the Office of Justice Programs to be used for training and technical assistance, and permits up to 2 percent of grant and reimbursement program funds made available to that office to be transferred to the National Institute of Justice or the Bureau of Justice Statistics for criminal justice research and statistics.

Section 213 gives the Attorney General the authority to waive matching requirements for Second Chance Act adult and juvenile reentry demonstration projects; State, tribal and local reentry courts; and drug treatment programs. If a waiver is granted, the Attorney General shall document any factors and material presented by a grantee upon determining that a fiscal hardship exists prior to making an award.

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

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

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

Section 217 permits the Department of Justice to participate in Performance Partnership Pilot collaboration programs.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

|                                |             |
|--------------------------------|-------------|
| Appropriations, 2018 .....     | \$5,544,000 |
| Budget estimate, 2019 .....    | 5,544,000   |
| Committee recommendation ..... | 5,544,000   |

The Committee’s recommendation provides \$5,544,000 for the Office of Science and Technology Policy [OSTP]. The recommendation is the same as both the fiscal year 2018 enacted level and the budget request.

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

*Scientific Review.*—The Committee maintains a firm belief that long-standing investments in basic research have resulted in transformational discoveries and dramatic improvements in the economy, healthcare, infrastructure, communications, national security, and many other sectors. Much of this success can be attributed to the process of peer review for the allocation of research funding and publication, and on community prioritization, such as through decadal surveys, which provide clear priorities for Federal investment and valuable oversight benchmarks. The Committee directs OSTP to ensure Federal science agencies continue to rely on peer review and prioritization efforts from the scientific community.

*Open Access to Federal Research.*—The Committee has received reports by OSTP on the progress of all Federal agencies in developing and implementing policies to increase public access to federally funded scientific research. The Committee is pleased by the progress, but previously instructed OSTP to have all relevant departments’ and agencies’ plans approved by the end of calendar year 2014 with implementation occurring by early calendar year 2018. OSTP is directed to continue providing annual reports to the Committee in order to keep Congress apprised of the remaining



progress needed to make federally funded research accessible to the public as expeditiously as possible.

*Science, Technology, Engineering, and Mathematics Education.*—The Committee continues to support effective mission-oriented science, technology, engineering, and mathematics [STEM] education programs at NASA, NOAA, NSF, and NIST within this bill, and encourages OSTP to work with non-Federal education and outreach communities.

*Emerging Contaminants.*—Emerging contaminants are increasingly being detected at low levels in drinking water systems across the country. Prolonged exposure to unregulated drinking water contaminants may pose human health risks, and the lack of research on potential health effects has hindered Federal and State efforts to develop and strengthen the effectiveness of drinking water advisories or standards for these materials. The OSTP Director shall continue efforts to address critical research gaps related to emerging contaminants.

*Research on the Great Lakes Resources.*—The Committee notes that the Great Lakes resources represent a unique, linked, and economically-critical freshwater ecosystem that faces significant environmental challenges, including invasive species, runoff, and HABs, and believes its long-term health depends on the quality of scientific knowledge and technical and policy solutions gained by research operations. The Committee is concerned that the vessels of the Great Lakes ecosystem Federal research fleet and regional academic institutions' fleets are nearing the end of their useful service lives and inadequate for the demands of their interdisciplinary research mission, resulting in capability gaps and undermining Federal research goals. Accordingly, the Committee directs OSTP, no later than 180 days after enactment of this act, to submit an assessment of Great Lakes resources research operations, to include an evaluation of current large lake fleet capabilities, projected fleet requirements and costs, and the feasibility of Federal agencies, including NOAA and NSF, in partnering with regional institutions and universities that have recognized commitments to fresh water research sciences to procure and operate research vessels on the Great Lakes and within the Great Lakes ecosystem.

#### NATIONAL SPACE COUNCIL

|                                |             |
|--------------------------------|-------------|
| Appropriations, 2018 .....     | \$1,965,000 |
| Budget estimate, 2019 .....    | 1,965,000   |
| Committee recommendation ..... | 1,965,000   |

The Committee provides \$1,965,000 for the National Space Council. The recommendation is the same as both the fiscal year 2018 enacted level and the request.

The National Space Council was established by title V of Public Law 100–685 and after ceasing operation in 1993, was reestablished by Executive Order 13803. The National Space Council provides advice and assistance to the President on national space policy and strategy. The Council reviews United States Government space policy, including long-range goals; develop a strategy for national space activities; and develop recommendations for the President on space policy and space-related issues. The National Space Council's additional roles are to monitor and coordinate implemen-

tation of the Nation’s objectives in space by executive departments and agencies; foster close coordination, cooperation, and technology and information exchange among the civil, national security, and commercial space sectors; and facilitate resolution of differences concerning major space and space-related policy issues.

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

|                                |                  |
|--------------------------------|------------------|
| Appropriations, 2018 .....     | \$20,736,140,000 |
| Budget estimate, 2019 .....    | 19,892,200,000   |
| Committee recommendation ..... | 21,323,400,000   |

The Committee’s recommendation provides \$21,323,400,000 for the National Aeronautics and Space Administration [NASA]. The recommendation is \$587,260,000 above the fiscal year 2018 enacted level and \$1,431,200,000 above the budget request.

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

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

This bill continues investments in human spaceflight that will travel beyond low-Earth orbit with NASA developed crew and launch vehicles; enables the burgeoning domestic launch industry that is bringing cargo, and eventually crew, to the International Space Station; and supports NASA’s science and technology programs. These elements should be viewed as complementary pieces of a balanced whole.

NASA is directed to continue providing the Committee with a quarterly launch schedule, by mission, that describes risks associated with launch delays due to problems with the launch vehicle, impacts of launch delays to other missions in the launch queue, and a budget estimate of the anticipated carrying costs for missed launch windows.

The Committee is counting on NASA to maintain focus on improving oversight and accountability throughout the agency. NASA’s acquisition management continues to be on the GAO “high risk” list. GAO’s most recent assessment of NASA’s large-scale projects found the agency’s cost and schedule performance on major projects has deteriorated since last year. Since May 2017, the average launch delay has increased from 7 to 12 months and development cost growth is at least 18.8 percent, up from 15.6 percent in 2017. NASA is directed to cooperate fully and to provide timely program analysis, evaluation data, and relevant information to the

GAO so that GAO can report to Congress shortly after the annual budget submission of the President and semiannually thereafter on the status of large-scale NASA programs, projects, and activities based on its review of this information.

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

The Committee understands that NASA projects undergo major reviews in addition to regular oversight throughout the year. When one of these reviews results in changing the cost profile of a project in the current or budget request year, the Committee expects to be informed in a timely fashion so that its actions can reflect the most recent NASA analysis and expectation. Keeping the Committee up to date should reduce NASA’s propensity to submit spending plans that disregard Congressional direction.

The Federal funding priorities for NASA set forth in this bill and report should not be interpreted as suggestions from the Committee. Rather they should be interpreted like any other statutory requirement levied upon NASA. The Committee objects to NASA’s efforts in recent fiscal years to redirect funding away from priorities clearly set by the Congress in law. NASA’s continued use of section 505 of this bill in this manner will result in limited funding flexibility in the future.

The Committee does not adopt the proposed reconfiguration of NASA’s account structure. Instead, the Committee has maintained the same account structure as fiscal year 2018 and has chosen to rename the Education account to Science, Technology, Engineering, and Mathematics [STEM] Opportunities.

The Committee is supportive of NASA’s STEM education efforts that provide hands-on learning experiences for middle, high school, and college students, including space launch activities, and therefore rejects the proposed cancellation of education programs. These types of programs allow students to experience the full range of STEM-related skills involved in designing, testing, and launching vehicles and designing payloads to deepen their interest in science and engineering fields.

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

SCIENCE

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$6,221,500,000 |
| Budget estimate, 2019 .....    | 5,895,000,000   |
| Committee recommendation ..... | 6,400,300,000   |

The Committee provides \$6,400,300,000 for Science, which is \$178,800,000 above the fiscal year 2018 enacted level and \$505,300,000 above the budget request. The Science account encompasses: Earth Science, Planetary Science, Astrophysics, the James Webb Space Telescope, Heliophysics, and Education. This funding supports NASA programs that seek to answer fundamental

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

The Committee commends the Science Mission Directorate's [SMD] efforts to respond to data challenges by implementing innovative cloud storage agreements, investing in data and information systems, and developing supercomputing capabilities. By procuring information technology [IT] services through a utility-based model and paying only for services consumed, SMD's cloud computing engagements have delivered rapid and measurable capability gains, along with significant cost savings. The Committee directs NASA to report to the Committees on Appropriations not later than 90 days after the enactment of this act on the status of expanding the adoption of cloud computing within the Mission Directorate, including the use of commercial cloud computing services, use cases where cloud computing has enhanced services, current plans for the expansion of cloud computing, security impacts, any factors delaying or inhibiting the expansion of cloud computing usage, and any cost savings achieved in the previous 3 fiscal years by the utilization of commercial cloud computing services.

## SCIENCE

[In thousands of dollars]

|                                  | Committee recommendation |
|----------------------------------|--------------------------|
| Earth Science .....              | 1,931,000                |
| Planetary Science .....          | 2,201,500                |
| Astrophysics .....               | 1,243,200                |
| James Webb Space Telescope ..... | 304,600                  |
| Heliophysics .....               | 720,000                  |
| Total, Science .....             | 6,400,300                |

*Earth Science.*—Within the amount for Earth Science, the Committee recommendation includes \$162,400,000 for Landsat 9 to maintain a 2020 launch profile; \$161,000,000 for the Plankton, Aerosol, Cloud ocean Ecosystem [PACE] mission to maintain a 2022 launch date; \$18,000,000 for CLARREO Pathfinder to continue progress on a Tier-1 decadal survey recommendation; \$5,100,000 for OCO-3; \$10,000,000 for the Carbon Monitoring System; and \$1,700,000 for NASA instruments on the Deep Space Climate Observatory. Within 30 days of the enactment of this act, NASA shall report on the 5-year budget profile needed for PACE and CLARREO Pathfinder to achieve planned launch dates and continue originally planned operations. The recommendation fully

supports Earth Venture and NASA–ISRO Synthetic Aperture Radar at no less than the request level.

The Committee is also supportive of efforts for the development of aircraft instrumentation and arrays that can conduct remote sensing for scientific and operational research, and directs the agency to continue partnering with non-Federal researchers to test new technologies for analyzing snow, ice and soil moisture.

*Sustainable Land Imaging and Competition.*—In the interest of maximizing capability and cost-effectiveness, the Committee directs NASA to provide a report on the details of acquisition plans for Sustainable Land Imaging [SLI] beyond Landsat-9, that accommodate a full and open competition for the acquisition of instruments for the SLI satellite program, within 120 days after passage of this legislation.

*Earth Science Decadal.*—The Committee supports the release and recommendations of the National Academy of Sciences' Earth Science and Applications from Space Decadal Survey report and directs NASA to implement its findings to the extent practicable. As articulated by the report, NASA should plan to competitively select future missions that address high priority target observables in the designated and explorer categories. The Committee believes an increase in competed, Principal Investigator-led missions will encourage responsible cost and schedule constraints, develop novel remote sensing technologies, and leverage the talents and expertise of scientists at universities and research institutions.

*Unmanned Aerial Vehicles.*—The Committee strongly supports NASA's efforts to develop and refine Unmanned Aerial Vehicle [UAV] platforms and encourages NASA to improve collaboration and cooperation with other science agencies of the Federal Government to share and expand limited UAV availability, including working with NOAA, to allow expanded utilization and supplement data collection in support of hurricane forecast modeling.

*Planetary Science.*—The Committee recommendation includes the request level of \$60,000,000 for Near Earth Object Observations, and \$97,000,000 for Planetary Defense/Double Asteroid Redirection Test [DART]. The Committee acknowledges that NASA will use resources available in fiscal year 2018 to address the Mars 2020 heat shield testing mishap and, therefore, provides the request level for Mars 2020. The Committee reiterates its previous direction that if the Mars helicopter demonstration would delay the overall Mars 2020 mission, it should not be included in the Mars 2020 program. Funding for Mars Exploration includes \$50,000,000 for studies and technology development for a 2026 Mars sample return mission.

The recommendation also includes the request level for New Frontiers, Radioisotope Power Systems, and the Europa Clipper. For Europa Clipper, a portion of the fiscal year 2019 funding may be derived from the project's substantial prior year balances. The recommendation also includes \$218,000,000, as requested, for Lunar Discovery and Exploration, including \$18,000,000 to continue the Lunar Reconnaissance Orbiter. The Lunar Discovery and Exploration program will provide science payloads and instruments for Lunar Lander missions, like those developed in partnership with NASA's Lunar CATALYST program. These small robotic missions, starting in 2020, intend to provide NASA with access to the

lunar surface for the first time in nearly 50 years and allow for affordable commercial procurement of a variety of science and exploration payloads to prepare for future science and crewed Exploration Missions. This program supports a regular cadence of at least one robotic mission to the lunar surface per year using U.S.-built Lunar Landers.

*DART.*—The Committee directs NASA to continue the development of the DART technology demonstration mission, with a target launch not later than June 2021. The Committee understands that ground based telescopes and radars will be used to provide the needed measurements to assess the degree of deflection resulting from the DART impactor and that this telescope support is already baselined in the NASA mission. The Committee directs NASA to develop a plan for funding the Planetary Defense Office for DART and subsequent activities which will support successive space-based survey missions and technology demonstrations that will rapidly advance the Nation's planetary defense capabilities.

*Green Bank Observatory.*—The Committee recognizes the significant investment NSF has made to develop the world-class scientific facility at the Green Bank Telescope Observatory [GBO] and the benefit NASA has gained through its use of the GBO facility. NASA is encouraged to continue its use of GBO to support its Planetary Science Research program, including orbital debris monitoring and other activities, and to coordinate with NSF and other government agencies to develop and support multi-agency management plans for GBO, including research, facilities, and maintenance funding. NASA shall include in its fiscal year 2020 budget request any planned support for the subsequent 5 fiscal years.

*Astrophysics.*—The Committee recommendation includes no less than \$98,300,000 for the Hubble Space Telescope, no less than \$15,000,000 for search for life technology development to leverage and scale technologies developed for the James Webb Space Telescope, and \$352,000,000 for the Wide-Field InfraRed Survey Telescope [WFIRST]. The Committee has again rejected the proposal to cut Hubble operations given costs that the program has absorbed to continue three fellowship programs, address hardware degradation through software changes, and enhance the long-term value of Hubble's data archive.

*WFIRST.*—The Committee rejects the proposal to cancel this mission which was the highest priority of the most recent Astrophysics decadal survey to settle fundamental questions about the nature of dark energy and has provided \$352,000,000 for WFIRST to be developed on a timeline that allows a 2025 launch date. The Committee is concerned about the growing cost of the prime mission and expects NASA to use a firm \$3,200,000,000 mission cost cap in its future planning of the mission. To reduce mission costs and ensure that overlap with the James Webb Space Telescope is maximized, NASA should implement the most efficient development program for the telescope and its instruments.

*Decadal Survey.*—The Committee, NASA, and NSF, among others, rely on decadal surveys to prioritize scientific investments in large, medium, and small projects. The Committee directs NASA to support the National Academies in keeping the next Astrophysics decadal survey on schedule, rather than delaying the survey, as the

astronomy community and other Federal agencies are relying on its results.

*Stratospheric Observatory for Infrared Astronomy [SOFIA].*—NASA regularly reviews its missions, as part of the senior review process, to measure mission performance based on scientific merit, national needs, the technical status of the mission, and budget efficiency to help resources prioritize and ensure they are meeting their science goals. NASA is encouraged to review SOFIA at the appropriate time to determine if this mission should have its prime mission extended.

*SMD Education.*—The Committee provides no less than \$45,000,000 for education. The Committee supports the recommendation that the Astrophysics program administer this SMD-wide education funding. The Committee encourages SMD-funded investigators to be directly involved in outreach and education efforts. NASA should continue to prioritize funding for on-going education efforts linked directly to its science missions.

*James Webb Space Telescope.*—The Committee maintains its strong support for the completion of the James Webb Space Telescope [JWST], and provides \$304,600,000, the same as the budget request. The bill maintains an overall development cost ceiling for JWST at \$8,000,000,000, and the Committee intends to hold NASA and its contractors to that commitment. At this time, NASA has not submitted a request to increase the cap, despite numerous cost and schedule challenges. The Committee is disappointed with the execution and management of this project, especially given the attention paid to it by NASA and contractor leadership. The Committee expects to be briefed expeditiously when the ongoing independent assessment is complete and expects to be kept fully informed on issues relating to program and risk management, achievement of cost and schedule goals, and the program's technical status. The Committee appreciates GAO's continuing work to monitor JWST progress, costs, and schedule.

*Heliophysics.*—The Committee recognizes that a greater understanding of our Sun and the accompanying technologies developed for that purpose will help to mitigate the hazards that solar activity poses to ground- and space-based platforms that strengthen our national security, economic competitiveness, and scientific prowess. The recommendation provides \$720,000,000 for Heliophysics, including \$100,000,000 for Solar Terrestrial Probes, an increase of \$9,000,000 above the request to support continued mission formulation and development of Interstellar Mapping and Acceleration Probe [IMAP], implement accompanying Missions of Opportunity [MOs], and maintain operations for ongoing missions.

*Heliophysics Explorer.*—The Committee is encouraged by NASA's commitment to implement a 2-year cadence of alternating Small Explorer [SMEX] and Mid-sized Explorer [MIDEX] missions, and enable a regular selection of MOs to allow heliophysics researchers to rapidly respond to and participate in missions both inside and outside of NASA. The recommendation provides the request level of \$109,200,000 for Heliophysics Explorers.

*Diversify, Realize, Integrate, Venture, Educate [DRIVE] Initiative.*—The Committee supports implementation of the DRIVE initiative, a top priority of the National Research Council Decadal

Survey, which would increase the competitive Heliophysics research program from 10 percent to 15 percent of the budget request to enable the development of new technologies and establish competitively-awarded Heliophysics Science Centers. The Committee recognizes the increasingly multidisciplinary nature of Heliophysics and seeks to provide researchers with the necessary tools to enable continued scientific progress in this field.

*Space Weather Research.*—In response to the Space Weather Action Plan and the recommendations of the Decadal Survey, the Committee recommendation provides no less than \$15,000,000 for the space weather research program to support innovation in solar observational capabilities and continue development of a space weather research program that advances research-to-operations, operations-to-research, and computational aspects of space weather mitigation. NASA should coordinate with NOAA and the Department of Defense to ensure that NASA is focused on research and technology that enables other agencies to dramatically improve their operational space weather assets and the forecasts they generate using data from those assets, including current and future ground-based telescopes and instruments that are expected to come on line, such as the Daniel K. Inouye Solar Telescope.

AERONAUTICS

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$685,000,000 |
| Budget estimate, 2019 .....    | 633,900,000   |
| Committee recommendation ..... | 725,000,000   |

The Committee provides \$725,000,000 for Aeronautics, which is \$40,000,000 above the fiscal year 2018 enacted level and \$91,100,000 above the budget request. The Aeronautics account funds research in key areas related to the development of advanced aircraft technologies and systems, including those related to aircraft safety, ultra-efficient vehicles and fuel efficiency, hypersonics, and research that supports the Next Generation Air Transportation System in partnership with the Joint Planning and Development Office.

The Committee supports New Aviation Horizons and is encouraged by NASA’s efforts toward developing a Low Boom Flight Demonstrator X-plane, referred to as the Low Boom Flight Demonstrator [LBFD]. Within the funds provided for Aeronautics, appropriate funds are included to enable the next X-plane demonstration planned beyond LBFD.

*Advanced Materials Research.*—The Committee recognizes the continuing role NASA and university research institutions play in developing advanced materials platforms for next-generation air and space vehicles. NASA is encouraged to partner with academic institutions that have strong capabilities in aviation, aerospace structures, and materials testing and evaluation, and provides \$5,000,000 above the request to advance university-led aeronautics materials research.

*Unmanned Traffic Management.*—The Committee commends NASA for leveraging its capabilities in assisting the Nation’s UAS test sites to advance its efforts on the unmanned traffic management [UTM] program. NASA is encouraged to work with Federal agencies, States, counties, cities, and tribal jurisdictions on re-



search toward the development of a future UTM system that will ensure the broadest level of acceptance from local jurisdictions.

The Committee is interested in NASA research and development efforts designed to further new innovations in propulsion, simplified vehicle operations, increased automation, and the integration of these operations into controlled airspace. The Committee believes these technologies can address critical mobility challenges. The Committee expects NASA to work with industry stakeholders and coordinate with the Federal Aviation Administration [FAA] to expedite technology introduction and maximize improvements in safety, affordability, and environmental benefits like noise and emissions reduction. As part of this effort, NASA is encouraged to leverage other directorates’ research efforts, test sites, and industry partnerships where applicable.

*Unmanned Aerial Systems Research.*—NASA conducts research to reduce technical barriers associated with integrating UAS into the National Airspace System [NAS]. This research remains a national priority with the potential to increase public safety and bring economic benefits to a wide range of industries.

*Advanced Composites.*—To address the ongoing need for improved methods, tools, and protocols to reduce the development and certification timeline for composite materials and structures, the Committee funds advanced composites at the fiscal year 2019 request level.

SPACE TECHNOLOGY

|                                |                          |
|--------------------------------|--------------------------|
| Appropriations, 2018 .....     | \$760,000,000            |
| Budget estimate, 2019 .....    | <sup>1</sup> 818,000,000 |
| Committee recommendation ..... | 932,800,000              |

<sup>1</sup> Amount shown reflects the fiscal year 2019 budget request in the fiscal year 2018 account structure.

The Committee provides \$932,800,000 for Space Technology, which is \$172,800,000 above the fiscal year 2018 enacted level and \$114,800,000 above the budget request, as formatted in the fiscal year 2018 account structure. The Space Technology Program funds basic research that can advance multi-purpose technologies to enable new approaches to NASA’s current missions. These technologies can serve all NASA mission directorates and are not solely focused on enabling human spaceflight. Funding for the human research program remains in Exploration Research and Technology and is not transferred to Space Technology, as requested. Space Technology also includes funding for NASA’s Small Business Innovative Research [SBIR] and Small Business Technology Transfer programs.

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

ment Program and encourages NASA to consider expanding the program to all 50 States.

The recommendation includes \$35,000,000 for additive manufacturing, \$20,000,000 for the Flight Opportunities Program, and \$5,000,000 to advance large scale production and use of innovative nanomaterials, including carbon nanotubes.

*Satellite Servicing/RESTORE-L.*—The Committee recommends \$180,000,000 for the Restore-L Project only to conduct and demonstrate the capabilities to refuel satellites in low earth orbit utilizing Landsat-7. The project shall target a launch before Landsat-7's fuel supply runs out in late calendar year 2020. As the program progresses from research to implementation, the Committee encourages NASA to work with private sector and university partners to facilitate commercialization of the technologies developed within the program and directs NASA to submit with its fiscal year 2020 budget request a report on current efforts underway to encourage commercialization of technology within the Restore-L program, with a focus on how intellectual property will be handled.

*Nuclear Propulsion.*—NASA is continuing its work to develop the foundational technologies and advance low-enriched uranium nuclear thermal propulsion systems that can provide significantly faster trip times for crewed missions than non-nuclear options. Not less than \$75,000,000 shall be expended to support the development and demonstration of a nuclear thermal propulsion system. Within 180 days of the enactment of this act, NASA, in conjunction with other relevant Federal departments and agencies shall submit a multi-year plan that enables a demonstration no later than 2024 and describes future missions and propulsion and power systems enabled by this capability.

*Small Satellite Technical Challenges.*—The Committee provides \$2,000,000 above the budget request to further address the technical challenges associated with designing, fabricating, and testing capable small satellites and constellations of satellites.

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

#### EXPLORATION

|                                |                            |
|--------------------------------|----------------------------|
| Appropriations, 2018 .....     | \$4,790,000,000            |
| Budget estimate, 2019 .....    | <sup>1</sup> 4,743,500,000 |
| Committee recommendation ..... | 5,338,700,000              |

<sup>1</sup>Amount shown reflects the fiscal year 2019 budget request in the fiscal year 2018 account structure.

The Committee provides \$5,338,700,000 for Exploration, which is \$548,700,000 above the fiscal year 2018 enacted level and \$595,200,000 above the budget request, as formatted in the fiscal year 2018 account structure. The Exploration account funds the capabilities required to develop, demonstrate, and deploy the transportation, life support, and surface systems that will enable sus-

tained human presence beyond low-Earth orbit and throughout the solar system. The Committee believes the Nation deserves a safe and robust human spaceflight program to explore beyond low-Earth orbit.

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

The Committee provides: \$2,150,000,000 for SLS and concurrent Exploration Upper Stage development; \$1,350,000,000 for Orion; and \$795,000,000 for Exploration Ground Systems, including \$255,000,000 for construction of a second mobile launch platform and associated SLS activities. In addition to this funding, \$25,900,000 is further provided under Construction of Facilities for Exploration-related construction, bringing the total funding for ground systems to \$820,900,000. These funding levels reflect consistent programmatic funding to ensure the earliest possible crewed launch of SLS, as well as prepare for future science and crewed missions. The Committee is disappointed by reports that workmanship and manufacturing challenges could delay the launch of Exploration Mission-1 until calendar year 2020.

It is important to note that the funding levels provided by the Committee support the development of multiple iterations of launch and crew test articles and flight vehicles that are being developed and produced during fiscal year 2019. By providing the funds to complete a second mobile launch platform, NASA will have greater mission flexibility to launch using SLS launch vehicle variants that utilize both the Interim Cryogenic Propulsion Stage and Exploration Upper Stage engines. This flexibility will allow for SLS to have a more regular launch cadence, enable earlier crewed launches for future lunar missions, and provide further opportunities for scientific missions, such as the Europa Clipper.

NASA's human exploration program is made up of three distinct, but equally important pieces: the SLS heavy-lift launch vehicle and its propulsion systems, Orion, and the supporting ground systems that process and enable the launch of these vehicles. If any of these activities are delayed, then the entire exploration enterprise of launching humans beyond low Earth orbit by NASA is also hindered. Therefore, it is important to view these programs as part of a complete system and to budget accordingly so that the Nation can advance its exploration goals.

The Committee is disappointed that NASA has been slow to comply with previous bill language to provide the Committee with an integrated budget for these activities that shows a budget profile to launch Exploration Mission-2 as early as possible. NASA's delayed response to the provision does not reflect positively on the ability for NASA to execute Space Policy Directive 1 [SPD-1] which calls for NASA to lead missions that return humans to the Moon and eventually Mars. Without such a coordinated spending plan, NASA has been hindered with inefficient planning due to unrealistic proposed budgets in previous years and will continue to face challenges into the future without such a plan. NASA is again di-

rected in bill language to provide such a budget and the Committee expects a response that is timely and conforms to the goals laid out in SPD-1.

*Advanced Exploration Systems [AES].*—The Committee provides \$1,043,700,000 for AES. Within these amounts, \$504,200,000 is for development of the Lunar Orbital Platform in support of development of the initial power and propulsion element. The Committee is supportive of the Human Research Program, but does not agree with NASA’s proposed move of this activity and other activities funded in this account in fiscal year 2018 into Space Technology and instead provides funding for this activity within AES.

*Advanced Cislunar and Surface Capabilities [ACSC].*—The Committee provides \$116,500,000 for ACSC. As NASA embarks on a return to the Moon as part of its larger human exploration strategy, the need for the development of a range of lander technologies to support such missions is critical. Small and medium-sized landers will be needed for exploration activities while building up to larger landers and eventually human ascent vehicles. NASA should ensure that its investments in this account and in science are coordinated and that between the two accounts, the agency is pursuing the development of landers of varying sizes and capabilities so as to meet its long-term science and exploration goals. Public-private partnerships [PPPs] with U.S. commercial space companies could help expedite development of lunar landers, including development of hardware, propulsion, communications, and software necessary for lunar landing vehicles, and NASA is encouraged to use firm fixed-price partnerships with PPPs, as appropriate. To ensure that landers in a range of sizes are a part of ACSC, NASA shall allocate \$25,000,000 within its lunar lander demonstration program in fiscal year 2019 to meet the goal of delivering medium to large payloads to the lunar surface by 2023.

#### SPACE OPERATIONS

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$4,751,500,000 |
| Budget estimate, 2019 .....    | 4,624,600,000   |
| Committee recommendation ..... | 4,639,100,000   |

The Committee provides \$4,639,100,000 for Space Operations, which is \$112,400,000 below the fiscal year 2018 enacted level and \$14,500,000 above the budget request. The Space Operations account funds the International Space Station [ISS] and the supporting functions required to conduct operations in space. The ISS is a complex of research laboratories in low-Earth orbit in which American, Russian, and international partner astronauts conduct unique scientific and technological investigations in a microgravity environment.

*Commercial Low-Earth Orbit Development [LEO].*—The Committee supports maintaining the International Space Station [ISS] with direct Federal funding beyond 2025 until a viable alternative exists to achieve NASA’s objectives in LEO. The Committee supports public-private partnerships to advance commercial capabilities in LEO, particularly those involving in-kind contributions by NASA, such as making a docking node on the ISS available for partnership opportunities. The agreement provides \$40,000,000 for

port implementation analysis and power augmentation studies necessary to enable potential future commercial activities at the ISS.

*Space Transportation.*—The Committee provides the requested amounts of \$1,935,600,000 for the delivery of cargo and payments for current and future crew services to the ISS, and up to \$173,100,000 for payment of successfully completed crew development milestones. The Committee is hopeful that crewed demonstration missions will be flown soon, but notes that the GAO has reported in “NASA: Assessments of Major Projects” that the certification of both contractors’ vehicles will likely be delayed until calendar year 2019 or possibly later. The Committee encourages NASA to regain the ability to launch astronauts to ISS from the United States in a safe and timely manner but is concerned that further delays to the crew program will lead to additional unanticipated scheduling challenges and transportation costs. NASA shall inform the Committee of the causes of any delays to demonstration missions, certification dates, and any additional associated costs, including additional payments for alternative transportation services, at the time they are determined by NASA, and not wait to disclose them as part of the regular quarterly reporting requirement.

*ISS Research.*—Increased crew time aboard the ISS presents more research opportunities. The Committee directs NASA to promote new grant opportunities that will support and further biological and physical sciences research within a microgravity environment, including continued study of and quantifying potential exposure to cosmic rays through initiatives such as the Alpha Magnetic Spectrometer. In making grant opportunities available, the Committee urges the Administrator to abide by the priorities established by the National Academies’ decadal survey titled “Recapitulating a Future for Space Exploration: Life and Physical Sciences Research for a New Era.”

*Rocket Propulsion Test Program.*—The Committee recommends the fiscal year 2019 requested amount for the NASA Rocket Propulsion Test program to ensure test infrastructure remains adequate to support the Space Launch System and other propulsion development programs.

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

*Space and Flight Support Launch Services.*—The Committee believes that the small launch vehicle development will lead to a capability that will maximize benefits to the government, the private sector, and universities while promoting increased participation in the small launch market. The recommendation supports funding in Space Technology, Science, and Exploration, estimated at \$30,000,000, that is provided to the Launch Services Program to procure launch vehicles of small payloads to increase opportunities for improved access to suborbital and orbital launch opportunities once the current round is completed. NASA shall also keep the Committee informed of the two upcoming demonstration launches planned for 2018, as well as its future plans to maximize utiliza-

tion of this program that will lower small launch costs and increase access to space.

*Space Network Ground Segment Sustainment [SGSS].*—The Committee understands that the independent review of SGSS is underway and will be complete by the end of July 2018. The recommendation provides \$109,900,000 to complete the initial Operational Readiness Review of SGSS, including installing and testing the software pool on one antenna at the White Sands Complex. If the independent review team recommends SSGS completion through Final Acceptance Review in fiscal year 2021, and this recommendation is accepted, the Committee understands funding beyond fiscal year 2019 will be required.

*21st Century Launch Complex.*—The Committee notes that maintaining multiple launch sites contributes to assured access to the ISS for NASA, researchers, and industry. The recommendation includes \$15,000,000 for NASA-owned launch facilities, of which \$10,000,000 shall be for the Wallops Flight Facility launch complex. Within 45 days of the enactment of this act, NASA shall submit to the Committees on Appropriations a prioritized list of remaining needs for NASA-owned launch facilities necessary for range modernization to meet critical maintenance, capacity, and range safety needs over the next 5 years, along with an indication of whether these projects are planned to be funded under Exploration or Construction of Facilities [CoF]. The Committee notes that significant funding for Kennedy Space Center and Wallops Flight Facility projects have been included in CoF in both the fiscal year 2018 enacted bill and in this act.

SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS  
OPPORTUNITIES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$100,000,000 |
| Budget estimate, 2019 .....    |               |
| Committee recommendation ..... | 110,000,000   |

The Committee does not agree with the proposed cancellation of the activities within Education and has provided funding for the programs formerly within Education under a new Science, Technology, Engineering, and Mathematics [STEM] Opportunities account for the upcoming fiscal year. The Committee provides \$110,000,000 for STEM Opportunities, which is \$10,000,000 above the fiscal year 2018 enacted level and \$110,000,000 above the budget request. As part of this activity, NASA is directed to continue progress toward the Committee and NASA’s shared goal of capping administrative costs at no more than five percent. This account funds STEM education activities to educate and inspire our next generation of explorers and innovators.

The Committee is not averse to considering funding these activities either within the STEM Opportunities directorate or other alternative locations, but believes that they should continue. NASA has an enormous reach in inspiring the future scientists, engineers, and other technical activities that keep the Nation at the forefront of research and exploration and should review its programs to ensure they are appropriately funded.

The Committee directs NASA to use fiscal year 2019 to review the programs within the STEM Opportunities Mission Directorate,

along with its other education-related activities, in order to set NASA's STEM activities on a path forward to take advantage of the positive impact NASA's programs and missions have on the public. NASA shall provide the Committee a report on the results of this comprehensive review, including options for sustained and improved educational impact at all levels across the country, 90 days from enactment of this act.

The funds within STEM Opportunities are provided to ensure continuity in the ongoing programs as NASA evaluates its role in STEM education and development of students in science and engineering fields.

## STEM OPPORTUNITIES

[In thousands of dollars]

|  | Committee recommendation |
|--|--------------------------|
| NASA Space Grant .....   | 44,000                   |
| Established Program to Stimulate Competitive Research [EPSCOR] ..... | 21,000                   |
| Minority University Research and Education Project .....             | 33,000                   |
| STEM Education and Accountability Projects .....                     | 12,000                   |
| <b>TOTAL</b> .....   | <b>110,000</b>           |

*Space Grant.*—The Committee provides \$44,000,000 for Space Grant and directs NASA to support a multi-year extension of the current Space Grant program, and to allocate the entire funding amount for consortia-led institutions in all 52 participating jurisdictions according to the percentage allocation provided to States in the current 5-year grant award.

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

## SAFETY, SECURITY, AND MISSION SERVICES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$2,826,900,000 |
| Budget estimate, 2019 .....    | 2,749,700,000   |
| Committee recommendation ..... | 2,750,000,000   |

The Committee provides \$2,750,000,000 for Safety, Security, and Mission Services, which is \$76,900,000 below the fiscal year 2018 enacted level and \$300,000 above the budget request. The Safety, Security, and Mission Services account funds agency management, including headquarters and each of the nine NASA field centers, as well as the design and execution of non-programmatic Construction of Facilities and Environmental Compliance and Restoration activities.

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

*Virtual Institute for Aerospace Systems Engineering.*—The Committee is concerned with the increases in NASA's mission costs and

schedule as reported by GAO. As missions become more complex and new technologies are proposed for development, NASA programs increasingly need improved estimates of the cost and schedules necessary to mature technologies for use in NASA missions. Reducing development and schedule uncertainty associated with integrating new technologies will benefit NASA as it embarks on ambitious missions across the Science, Aeronautics, and Exploration mission directorates. The Committee encourages NASA to work with government, academic, and industry partners to establish a “virtual institute” focused on advancing systems engineering with the goal of improving mission success and affordability.

*Information Technology.*—The Committee is extremely concerned with reports from the Inspector General [IG] and GAO on the state of NASA’s Information Technology [IT] security. NASA needs to have outward facing systems that provide information and scientific data to users. These systems also must have protections in place for sensitive data and internal operations. NASA requires an appropriate workforce to ensure the agency’s IT systems are secure. Both the IG and GAO highlight deficiencies within the Office of the Chief Information Officer. NASA is directed to provide the Committee with its plans to implement the recent recommendations of the IG and GAO on IT security no later than 30 days after enactment.

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

*Buy American Provisions.*—NASA is reminded of language included in the NOAA section of this report regarding Buy American provisions related to the acquisition, construction, or conversion of a marine vessel or marine vessel components.

#### CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$562,240,000 |
| Budget estimate, 2019 .....    | 388,200,000   |
| Committee recommendation ..... | 388,200,000   |

The Committee provides \$388,200,000 for Construction and Environmental Compliance and Restoration, which is \$174,040,000 below the fiscal year 2018 enacted level and the same as the budget request. The Construction and Environmental Compliance and Restoration account provides for design and execution of programmatic, discrete and minor revitalization, construction of facilities projects, facility demolition projects, and environmental compliance and restoration activities.

*Ensuring Continued Access to Kennedy Space Center [KSC].*—The Committee notes that NASA’s Indian River Bridge provides access from payload processing facilities on the mainland of Florida to the launch complexes at KSC and Cape Canaveral Air Force Station. Cape Canaveral is among the world’s busiest spaceports and hosted two-thirds of all U.S. launches in 2017. Maintenance on the bridge has not been prioritized by NASA, and as early as 2021, the bridge structure may be so degraded that it will be “de-rated” from supporting heavy loads such as trucks transporting space payloads. If this occurs, the impact to national security, civil, and commercial



space operations will be substantial. The Committee directs NASA to ensure continued access to KSC, including consideration of innovative funding solutions involving the State of Florida, the Department of Defense, and NASA. The Committee looks forward to receiving a construction proposal from NASA that may include in-kind contributions, including land transfers.

#### OFFICE OF INSPECTOR GENERAL

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$39,000,000 |
| Budget estimate, 2019 .....    | 39,300,000   |
| Committee recommendation ..... | 39,300,000   |

The Committee's recommendation provides \$39,300,000 for the Office of Inspector General, which is \$300,000 above the fiscal year 2018 enacted level and the same as the budget request. The Office is responsible for promoting efficiency and preventing and detecting crime, fraud, waste, and mismanagement.

#### ADMINISTRATIVE PROVISIONS

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

The Committee also includes bill language regarding transfers of funds between accounts and the NASA spending plan for fiscal year 2019.

#### NATIONAL SCIENCE FOUNDATION

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$7,767,356,000 |
| Budget estimate, 2019 .....    | 7,472,000,000   |
| Committee recommendation ..... | 8,068,667,000   |

The Committee's recommendation provides \$8,068,667,000 for the National Science Foundation [NSF]. The recommendation is \$301,311,000 above the fiscal year 2018 enacted level and \$596,667,000 above the budget request.

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

#### RESEARCH AND RELATED ACTIVITIES

|                                |                 |
|--------------------------------|-----------------|
| Appropriations, 2018 .....     | \$6,334,476,000 |
| Budget estimate, 2019 .....    | 6,150,680,000   |
| Committee recommendation ..... | 6,556,183,000   |

The Committee's recommendation provides \$6,556,183,000. The recommendation is \$221,707,000 above the fiscal year 2018 enacted level and \$405,503,000 above the budget request.

The Research and Related Activities [R&RA] appropriation funds scientific discovery, trains a dynamic workforce, and supports broadly accessible state-of-the-art tools and facilities. Research ac-

tivities contribute to the achievement of these outcomes through expansion of the knowledge base; integration of research and education; stimulation of knowledge transfer between academia and the public and private sectors; and international activities, and bring the perspectives of many scientific disciplines to bear on complex problems important to the Nation. The Foundation's discipline-oriented R&RA account includes: Biological Sciences; Computer and Information Science and Engineering; Engineering; Geosciences; Mathematical and Physical Sciences; Social, Behavioral and Economic Sciences; Office of Cyberinfrastructure; Office of International Science and Engineering; Office of Polar Programs; Integrative Activities; and the U.S. Arctic Research Commission.

The Committee's fiscal year 2019 recommendation supports Federal long-term basic research that has the potential to transform our economy and our way of life in the context of a constrained Federal budget. Private industry, foundations, and non-profits bring additional expertise, resources, and capacity to NSF-funded research. This can further accelerate discovery and translation of research to products and services, and enhances the preparation of the future workforce to benefit society and grow the American economy. The Committee strongly encourages NSF to leverage the Nation's research communities through partnering and collaboration to make available infrastructure, expertise, and financial resources to the U.S. scientific and engineering research and education enterprise.

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

*Astronomy.*—U.S.-based astronomy researchers and facilities funded through NSF continue to make groundbreaking discoveries utilizing world-class scientific research instruments and facilities. NSF funding enables research in the U.S., at facilities across the globe, and at observatories operated by universities, including the National Optical Astronomy Observatories, the National Radio Astronomy Observatories, and the National Solar Observatory. As NSF determines the appropriate levels of support for astronomy research grants by scientists and students engaged in ground-breaking research and investments, the Committee expects NSF to continue its support of world-class scientific research facilities and instrumentation to maximize its investments in research while preliminarily preparing for facility upgrades and activities associated with supporting the next Astrophysics decadal. In addition to this support, partnerships should be explored when feasible to maximize research capabilities at such facilities.

*10 Big Ideas.*—NSF has embarked on a long-term plan to use 10 Big Ideas, along with two convergence accelerators, to guide funding for areas that will drive NSF's long-term research agenda and investments in fundamental research. These ideas are meant to define the focus of cutting-edge research uniquely suited for NSF's

broad portfolio. The Committee is supportive of NSF using its position as the lead Federal agency in supporting basic research in all fundamental science areas and expects that as NSF uses the 10 Big Ideas as a focusing tool, the funding for the fundamental scientific disciplines will be maintained. The Committee has provided significant funding above the amount provided in fiscal year 2018 and also above the amount requested in fiscal year 2019. Therefore, NSF shall maintain its core research at levels not less than those provided in fiscal year 2017. The Committee believes that the additional funds provided for fiscal year 2019 are more than adequate to continue basic research and allow NSF to position the United States to continue as a global science and engineering leader using the 10 Big Ideas framework.

*Windows on the Universe.*—One of NSF's 10 Big Ideas includes pursuing multi-messenger research that utilizes NSF's previous investments in both physics and astronomy to simultaneously study cosmic events in light, particles, and gravitational waves. NSF is encouraged to support both ongoing operations of existing and future NSF funded astronomy and physics facilities within its budget as part of their 10 Big Idea planning.

*Navigating the New Arctic.*—As the Foundation develops the Navigating the New Arctic program, the Committee urges NSF to formulate research programs leveraging expertise from regions accustomed to adapting to changing marine ecosystems. Specifically, NSF should consider the impact of the opening of the two trans-arctic sea routes and the proximity to deep U.S. ports.

*Established Program to Stimulate Competitive Research [EPSCoR].*—The Committee underscores the importance of the EPSCoR program in spurring innovation and strengthening the research capabilities of institutions that are historically underserved by Federal research and development funding. The EPSCoR program is funded at no less than \$176,650,000. NSF shall make every effort to achieve efficiencies to ensure that no more than 5 percent of the amounts provided for the program are used for administration and other overhead costs.

*Study of Temperate Woodland and Alpine Ecosystems and Ecoregions.*—The Committee expects NSF to continue supporting research on unique mountain temperate woodland ecosystems and ecoregions, and to advance research in this area in order to better understand and sustain the health and vitality of mountain ecosystems.

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

*Rules of Life.*—One of the research gaps in biological knowledge is the inability to look at an organism's genetics and environment and predict its observable characteristics. Research in this area will open new doors to answer fundamental questions in life sciences. To that end, the Committee supports NSF's funding for research in plant genomics and directs NSF to continue to advance the ongoing plant genomics research program, further its work in crop-based genomics research, and to maintain a focus on research related to crops of economic importance. These activities directly address the Rules of Life research question that is a focus of NSF.

*USArray Monitor Transfer.*—The Committee encourages NSF to continue its work with the U.S. Geological Survey [USGS] to transfer monitoring stations in seismically active areas with sparse instrumentation to the USGS that NSF had planned to be removed in 2019.

*VORTEX-SE.*—NSF has been working in conjunction with the NOAA to build up to a full research campaign to study the unique characteristics of tornadoes in the southeast. The large VORTEX-SE field campaign is expected to take place in the spring of 2020. The previous field campaigns in 2016 and 2017 have provided important new insights into the observing strategy for the larger VORTEX-SE field campaign and the field data collected as part of these campaigns is currently being assimilated into storm-scale models, which in turn enables improvements in tornado forecast capability. In preparation for the 2020 field campaign, the Committee expects that future budget requests for VORTEX-SE will include adequate budgetary resources for associated research and instrumentation that will maximize the scientific return of the 2020 field campaign. As part of VORTEX-SE, the Committee encourages NSF to look beyond its traditional research disciplines and programs and to utilize the collaborative opportunities of the Prediction of and Resilience against Extreme Events program for co-funding grants that enhance understanding of the fundamental natural processes and hazards of tornadoes in the southeast and to improve models of these seasonal extreme events.

*High-Performance Computing.*—The Committee commends NSF on its continuing commitment to its high-performance computing and data analysis capabilities and urges NSF to make timely and significant investments in high-performance computing. NSF should remain committed to developing and supporting systems that facilitate tremendous leaps in computational simulation including artificial intelligence, storage, quantum computing, and data analyses that enable a broad range of scientific research. Leading edge high-performance computing infrastructure is vital for continued U.S. world leadership and international scientific competitiveness, particularly given computational investments and technical achievements in high-performance computing by other nations, notably China and Japan. The Committee recommends that NSF establish a timely, well-funded budget line in future budget submissions to Congress to support world-class leadership computing for the national open science community.

*Domestic Manufacturing.*—The Committee encourages NSF to continue to support meritorious research on the U.S. steel industry.

*Cybersecurity.*—The Committee's recommendation includes no less than the fiscal year 2018 enacted level for cybersecurity research.

*Innovation Corps.*—The Committee provides no less than the fiscal year 2018 amount for the Innovation Corps [I-Corps] program to build on the successes of its innovative public-private partnership model. Technology transfer is an important contributor to American innovation, and NSF plays a critical role in enabling our Nation's brightest academic minds to bring their ideas and ingenuity to the marketplace. Scientists are trained in discovery but need help turning their research into real-world products and prof-

its. Programs like I-Corps create jobs in our laboratories today and jobs in American industries tomorrow. The Committee encourages NSF to facilitate greater participation in the program from academic institutions in States that have not previously received awards.

*Marine Seismic Research.*—The Committee continues to recognize the importance of ensuring that NSF-funded marine research vessels with unique capabilities remain available to the academic community to support a variety of important undersea research efforts and acknowledges that NSF plans to fund projects on the *R/V Marcus G. Langseth* through 2020. Within 45 days of enactment, NSF shall brief the Committees on future plans for marine seismic research, including maintaining access to world class research tools.

*HBCUs Excellence in Research.*—The Committee supports the Historically Black Colleges and Universities [HBCUs] Excellence in Research program, and the recommendation includes \$15,000,000 for the program. The program is assisting in addressing NSF’s previously troubling track record of only providing substantial research funding to a small number of HBCUs.

#### MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$182,800,000 |
| Budget estimate, 2019 .....    | 94,650,000    |
| Committee recommendation ..... | 249,254,000   |

The Committee’s recommendation provides \$249,254,000 for Major Research Equipment and Facilities Construction [MREFC]. The recommendation is \$66,454,000 above the fiscal year 2018 enacted level and \$154,604,000 above the budget request.

The MREFC appropriation supports the acquisition, procurement, construction, and commissioning of unique national research platforms and facilities as well as major research equipment. Projects supported by this appropriation push the boundaries of technology and offer expanded opportunities for the science and engineering community. Preliminary design and development activities, ongoing operations, and maintenance costs of the facilities are provided through the R&RA appropriation account.

The Committee’s recommendation includes funding at the requested level for the continued construction of the Daniel K. Inouye Solar Telescope and the Large Synoptic Survey Telescope. In addition, the Committee provides the requested \$28,700,000 in order to complete funding for the second Regional Class Research Vessel [RCRV] and \$60,500,000 to begin the funding for the third RCRV. Finally, NSF is directed to fund the construction effort associated with the Antarctic Infrastructure Modernization for Science [AIMS] project through the MREFC account and provides \$95,104,000 with the remainder of the funding for AIMS provided within the Research and Related Activities account.

The Committee encourages GAO to continue its annual review of programs funded within MREFC so that GAO can report to Congress shortly after each annual budget submission of the President and semiannually thereafter on the status of large-scale NSF projects and activities based on its review of this information. The Committee notes that MREFC has a “no cost overrun” policy and

expects GAO’s analysis to address any NSF adjustments to proposed activities and scope.

*Buy American Provisions.*—NSF is reminded of language included in the NOAA section of this report regarding Buy American provisions related to the acquisition, construction, or conversion of a marine vessel or marine vessel components.

EDUCATION AND HUMAN RESOURCES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$902,000,000 |
| Budget estimate, 2019 .....    | 873,370,000   |
| Committee recommendation ..... | 915,000,000   |

The Committee’s recommendation provides \$915,000,000 for this account. The recommendation is \$13,000,000 above the fiscal year 2018 enacted level and \$41,630,000 above the budget request.

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

*Advanced Technological Education.*—The Committee provides \$66,000,000 for Advanced Technological Education.

*Fellowships and Scholarships.*—The Committee does not adopt the proposed funding reductions for the NSF Scholarships in STEM, Robert Noyce Scholarship Program, or the Graduate Research Fellowship and instead provides the fiscal year 2018 funding level for these programs.

*CyberCorps: Scholarships for Service.*—The CyberCorps program has awarded more than 3,000 scholarships to train Federal cybersecurity professionals. Nearly half of the program’s graduates are placed in national security and defense agencies. The Committee provides no less than \$55,000,000 for the CyberCorps: Scholarships for Service program, of which not less than \$7,500,000 should be used to continue work with community colleges that have been designated as a Center of Academic Excellence in Information Assurance 2-Year Education [CAE2Y] by the National Security Agency and the Department of Homeland Security, including through providing scholarships to students at CAE2Ys who will not transfer into a 4-year program, such as career-changers who possess 4-year degrees and veterans of the Armed Forces. Additionally, the Committee urges NSF to collaborate with the National Initiative for Cybersecurity Education at NIST on their efforts to develop cybersecurity skills in the workforce, especially in support of non-traditional or technical degree qualifications.

*Informal Science Education.*—The Committee maintains its strong support for NSF’s informal science education program and provides no less than \$62,500,000 for Advancing Informal STEM Learning and \$51,880,000 for STEM+C Partnerships. The Committee encourages NSF to coordinate and provide necessary support for investments in both in- and out-of-school time STEM education programs across Federal agencies, including support for extracurricular STEM programs. The Education and Human Resources directorate is further encouraged to continue its NSF-wide efforts to support informal STEM education programs, including leveraging the research directorates to support activities that match their respective content areas.

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

*Division on Human Resource Development.*—The Committee recommends \$35,000,000 for the HBCUs Undergraduate Program, \$8,000,000 for the Alliance for Graduate Education and the Professoriate, \$46,000,000 for the Louis Stokes Alliances for Minority Participation, \$15,000,000 for the Tribal Colleges and Universities Program, and \$24,000,000 for Centers for Research Excellence in Science and Technology. In addition, \$30,000,000 is provided for the Hispanic Serving Institutions program to build capacity at institutions of higher education that typically do not receive high levels of NSF funding.

*Bioprocessing.*—The Committee encourages NSF to include training in bioprocessing within appropriate research areas as part of their educational efforts.

*Inclusion Across the Nation of Communities of Learners of Underrepresented Discoverers in Engineering and Science [INCLUDES].*—The Committee supports the Big Idea to broaden participation in science and engineering by developing networks and partnerships that involve organizations and consortia from different sectors committed to the common agenda of STEM inclusion, and the recommendation provides \$20,000,000 for INCLUDES.

*Advancement of Women in Academic Science and Engineering Careers [ADVANCE].*—The Committee is supportive of the ADVANCE program, which funds efforts to address the systemic barriers to women’s STEM careers. To maintain these efforts, the Committee provides \$18,000,000, the same as the fiscal year 2018 funding level.

AGENCY OPERATIONS AND AWARD MANAGEMENT

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$328,510,000 |
| Budget estimate, 2019 .....    | 333,630,000   |
| Committee recommendation ..... | 328,510,000   |

The Committee’s recommendation provides \$328,510,000 for Agency Operations and Award Management. The recommendation

is the same as the fiscal year 2018 enacted level and \$5,120,000 below the budget request.

The appropriation provides salaries and expenses, including: staff salaries, benefits, travel, training, rent, advisory and assistance services, communications and utilities expenses, supplies, equipment, and other operating expenses necessary for management of NSF’s research and education activities.

The Committee continues to believe that NSF should include criteria that evaluate how a proposal will advance our Nation’s national security and economic interests, as well as promote the progress of science and innovation in the United States.

The Committee reiterates its long-standing requirement that NSF submit reprogrammings when initiating new programs or activities of more than \$500,000 or when reorganizing components. The Committee expects to be notified of reprogramming actions which involve less than the above-mentioned amount if such actions would have the effect of changing the agency’s funding requirements in future years, or if programs or projects specifically cited in the Committee’s reports are affected.

OFFICE OF THE NATIONAL SCIENCE BOARD

|                                |             |
|--------------------------------|-------------|
| Appropriations, 2018 .....     | \$4,370,000 |
| Budget estimate, 2019 .....    | 4,320,000   |
| Committee recommendation ..... | 4,370,000   |

The Committee’s recommendation provides \$4,370,000 for the Office of the National Science Board. The recommendation is the same as the fiscal year 2018 enacted level and \$50,000 above the budget request.

The National Science Board is the governing body of NSF and is charged with serving as an independent adviser to the President and Congress on policy matters related to science and engineering research and education.

*Operations and Maintenance Costs.*—The Committee notes the report requested in fiscal year 2018 on whether the issue of increasing operations and maintenance costs for large facilities merits a change in NSF’s funding principles was released on May 24, 2018. The Committee stands ready to consider any formal proposals made by the Board and the Foundation during the fiscal year 2020 budget process.

OFFICE OF INSPECTOR GENERAL

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$15,200,000 |
| Budget estimate, 2019 .....    | 15,350,000   |
| Committee recommendation ..... | 15,350,000   |

The Committee’s recommendation provides \$15,350,000 for the Office of Inspector General [OIG]. The recommendation is \$150,000 above the fiscal year 2018 enacted level and the same as the budget request.

The OIG appropriation provides audit and investigation functions to identify and correct deficiencies that could lead to instances of fraud, waste, or mismanagement.



ADMINISTRATIVE PROVISION

The bill includes one administrative provision to allow limited transfers of funds among accounts.

TITLE IV  
 RELATED AGENCIES  
 COMMISSION ON CIVIL RIGHTS  
 SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 2018 .....     | \$9,700,000 |
| Budget estimate, 2019 .....    | 9,200,000   |
| Committee recommendation ..... | 10,065,000  |

The Committee’s recommendation provides \$10,065,000 for the salaries and expenses of the Commission on Civil Rights, \$365,000 above the fiscal year 2018 enacted level and \$865,000 above the request.

*State Advisory Committees [SAC].*—The SACs represent the eyes and ears of the Commission in their respective States. The Committee is pleased with the Commission’s decision to extend all existing SAC charters from 2 years to 4 years and looks forward to the improvements in work quality that can be attributed to this change. In order to facilitate these improvements, additional funding has been provided to allow each of the SACs to hold at least one face-to-face meeting annually and to enable the Commission to provide the SACs with appropriate support in order accomplish this goal.

*Donations.*—The Commission shall provide to the Committee quarterly updates on all gifts and donations, as well as the terms of and specific activities funded by the gift or donation. Additionally, anticipated funding from gifts or donations shall be included in the Commission’s annual spend plan.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
 SALARIES AND EXPENSES

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$379,500,000 |
| Budget estimate, 2019 .....    | 363,807,000   |
| Committee recommendation ..... | 379,500,000   |

The Committee’s recommendation provides \$379,500,000 for Equal Employment Opportunity Commission [EEOC] salaries and expenses. This recommendation is the same as the fiscal year 2018 enacted level and \$15,693,000 above the request.

The EEOC is the leading Federal agency dedicated to eradicating employment discrimination in both the public and private sectors on the basis of race, color, national origin, sex, religion, pregnancy, age, disability, and family medical history or genetic information. The EEOC serves both U.S. public and private workplaces by helping provide a fair and inclusive workplace, which engenders employee satisfaction and commitment, and enhances employee retention, productivity, and profitability.

*Inventory Backlog Reduction.*—The Committee notes that at the end of fiscal year 2017 the EEOC had a private sector inventory of 61,621 cases and a substantial Federal sector hearing inventory. While this represents a significant decrease in the inventory backlog, it still represents a substantial number of unresolved cases. Using appropriated funds for activities that do not directly resolve this backlog of existing and incoming claims denies cases with complainants the opportunity of a timely resolution. EEOC’s own budget submission states that justice delayed is justice denied. Therefore, the Committee directs the EEOC to prioritize its staffing and resources toward reducing the number of current and outstanding unresolved private sector pending charges and public sector hearings. Further, EEOC is directed to report to the Committee within 30 days of enactment on the number of A, B, and C charges for each of the last 5 fiscal years.

*Public Comment on EEOC Guidance.*—The Committee is concerned that as the EEOC conducts its business in protecting against employment discrimination, its guidance proposals can be adopted without the opportunity of public input prior to implementation and enforcement. Therefore, if requested by at least two Commissioners, the EEOC shall make any new guidance available for public comment in the Federal Register for not less than 30 days prior to taking any potential action on proposed guidance.

*State and Local Enforcement Assistance.*—The Committee recommends up to \$29,500,000 to assist State and local enforcement agencies. This will help ensure that EEOC provides adequate resources to its State partners.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$93,700,000 |
| Budget estimate, 2019 .....    | 87,615,000   |
| Committee recommendation ..... | 95,000,000   |

The Committee’s recommendation provides \$95,000,000. The recommendation is \$1,300,000 above the fiscal year 2018 enacted level and is \$7,385,000 above the budget request.

ITC is an independent, quasi-judicial agency responsible for conducting trade-related investigations and providing Congress and the President with independent technical advice related to U.S. international trade policy. The Committee reminds the administration and the Office of Management and Budget that Congress granted ITC specific bypass authority for submitting its budget estimate to the Legislative Branch, pursuant to section 175 of the Trade Act of 1974. Therefore, all future budget estimates for ITC shall be transmitted to Congress without revision by the President, pursuant to such act.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

|                                |               |
|--------------------------------|---------------|
| Appropriations, 2018 .....     | \$410,000,000 |
| Budget estimate, 2019 .....    | 18,200,000    |
| Committee recommendation ..... | 410,000,000   |

The Committee’s recommendation rejects the proposal to terminate the payment to LSC and provides \$410,000,000 for payment to LSC. The recommendation is the same as the fiscal year 2018 enacted level and \$391,800,000 above the President’s budget request.

The Committee’s recommendation provides \$376,000,000 for basic field programs, to be used for competitively awarded grants and contracts; \$19,400,000 for management and administration; \$4,000,000 for client self-help and information technology; \$5,100,000 for OIG; \$1,000,000 for loan repayment assistance; and \$4,500,000 for LSC’s Pro Bono Innovation Fund.

*Governance and Management.*—LSC must continue to improve its governance and management in order to further restore the transparency of the organization and direct additional funds into legal aid, where resources are desperately needed. The Committee expects the Inspector General of LSC to continue conducting annual audits of LSC grantees to ensure that funds are not being used in contravention of the restrictions by which LSC grantees are required to abide.

*Pro Bono Innovation Fund.*—The Committee’s recommendation provides no less than \$4,500,000 to continue the Pro Bono Innovation Fund. This fund supports innovative projects that promote and enhance pro bono initiatives throughout the Nation, as well as leverages Federal dollars to increase free legal aid for low-income Americans by engaging private attorneys.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

The Committee’s recommendation continues the administrative provisions contained in the fiscal year 1998 appropriations act (Public Law 105–119) regarding operation of this program to provide basic legal services to disadvantaged individuals and the restrictions on the use of LSC funds.

LSC funds cannot be used to engage in litigation and related activities with respect to a variety of matters including: (1) redistricting; (2) class action suits; (3) representation of illegal aliens; (4) political activities; (5) abortion; (6) prisoner litigation; (7) welfare reform; (8) representation of charged drug dealers during eviction proceedings; and (9) solicitation of clients. The exception to the restrictions occurs in a case where there is imminent threat of physical harm to the client or prospective client.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 2018 .....     | \$3,431,000 |
| Budget estimate, 2019 .....    | 2,449,000   |
| Committee recommendation ..... | 4,200,000   |

The Committee rejects the proposed elimination of the Marine Mammal Commission and instead provides \$4,200,000. The recommendation is \$769,000 above the fiscal year 2018 enacted level and \$1,751,000 above the budget request.

The Marine Mammal Commission and its Committee of Scientific Advisors on Marine Mammals provide oversight and recommend actions on domestic and international topics to advance policies and

provisions of the Marine Mammal Protection Act. The Commission provides precise, up-to-date scientific information to Congress on issues related to the safety of marine mammals.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE  
SALARIES AND EXPENSES

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$57,600,000 |
| Budget estimate, 2019 .....    | 63,000,000   |
| Committee recommendation ..... | 57,600,000   |

The Committee’s recommendation provides \$57,600,000 for the Office of the United States Trade Representative [USTR]. The recommendation is equal to the fiscal year 2018 enacted level and \$5,400,000 below the budget request. USTR is responsible for developing and leading international negotiations for the United States on policies regarding international trade, direct investment, and commodities. Its areas of responsibility include all matters relating to the World Trade Organization; trade, commodity, and direct investment matters dealt with by certain international institutions; industrial, agricultural, and services trade policy; and trade-related protection of intellectual property and the environment.

Within funds provided, the Committee continues to support USTR’s accepting full financial responsibilities of the Interagency Center on Trade Implementation, Monitoring, and Enforcement (formerly named the Interagency Trade Enforcement Center) in fiscal year 2019.

*Trade and Agricultural Exports.*—The Committee supports efforts to reduce foreign tariffs and non-tariff trade barriers for U.S. agricultural exports, including the strong enforcement of trade rules and regulations. However, the Committee is concerned trade actions resulting in decreased foreign market access for U.S. agricultural products due to retaliation threaten to harm our Nation’s farmers and ranchers. The Committee urges USTR and Secretary of Commerce to fully evaluate and consider the impact foreign tariffs and other retaliatory actions have on U.S. farmers and ranchers when negotiating with trade partners and in making trade related decisions.

*De Minimis Thresholds.*—The Committee recognizes that the current disparity in *de minimis* thresholds have a disproportionate impact on small businesses, who often take advantage of e-commerce to send low-value shipments to customers in foreign countries. USTR is encouraged to consider these impacts when negotiating with trading partners to address excessively low *de minimis* thresholds.

*Economy Act Transfers.*—USTR is directed to continue isolating Economy Act payments as individual transfers and to submit documentation of and justification for all Economy Act transfers, regardless of amount, to and from other Federal agencies, to the Committees not less than 15 days before such transfers of sums are made.

*Travel.*—USTR is directed to provide monthly travel reports detailing all trips outside of the United States, including the purposes and costs of such trips. Additionally, USTR shall continue to provide the Committee with quarterly reports outlining the status of

ongoing trade negotiations, enforcement activities, and objectives achieved for existing trade agreements.

TRADE ENFORCEMENT TRUST FUND  
(INCLUDING TRANSFER OF FUNDS)

|                                |              |
|--------------------------------|--------------|
| Appropriations, 2018 .....     | \$15,000,000 |
| Budget estimate, 2019 .....    |              |
| Committee recommendation ..... | 15,000,000   |

The Committee’s recommendation provides \$15,000,000 for the Trade Enforcement Trust Fund as authorized under the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125). The recommendation is equal to the fiscal year 2018 enacted level and \$15,000,000 above the budget request.

*Trade Enforcement Trust Fund.*—The Committee supports efforts to enforce U.S. rights under trade agreements and to increase compliance of U.S. trade partners. The Committee requests USTR provide a breakdown of expenses for the Trade Enforcement Trust Fund’s activities such as: the number of positions supported by the funding; a detailed list of the enforcement actions taken by the Trust Fund since 2015, such as the initiation of consultations with trading partners; the filing of World Trade Organization cases; the commencement of dispute settlement proceedings under free trade agreements; and other enforcement actions not listed here but deemed necessary for the Committee’s review.

STATE JUSTICE INSTITUTE  
SALARIES AND EXPENSES

|                                |             |
|--------------------------------|-------------|
| Appropriations, 2018 .....     | \$5,121,000 |
| Budget estimate, 2019 .....    | 6,921,000   |
| Committee recommendation ..... | 6,121,000   |

The Committee’s recommendation provides \$6,121,000 for the State Justice Institute. The recommendation is \$1,000,000 above the fiscal year 2018 enacted level and \$800,000 below the budget request.

The Institute was created in 1984 to further the development and adoption of improved judicial administration in State courts.

*State Courts Response to the Opioid Epidemic and the Impact on Children.*—In addition to base funding, the recommendation includes an additional \$1,000,000 above the fiscal year 2018 level for activities that can improve State court responses to the opioid epidemic, particularly with respect to children and families affected by opioids. Expected activities include implementation of pilot programs that focus on reducing trauma and promoting safe and timely placement of children; partnerships that explore placing children with relatives across State lines; promoting evidence-based prevention and intervention strategies for infants exposed to opioids and other substance abuse; identification of best practices, pilots, and evaluation of early intervention strategies for parents with substance abuse issues at risk of losing their children; education of judges, court staff, foster parents, and others on identification and early intervention strategies in cases that involve young children of parents with opioid use disorder; and partnerships with State

Prescription Drug Monitoring Programs and child welfare agencies to pilot data sharing initiatives to improve services to children and families.

TITLE V  
GENERAL PROVISIONS  
(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends the following general provisions for the departments, agencies and commissions funded in the accompanying act. Similar provisions were included in the fiscal year 2018 act.

Section 501 prohibits the use of appropriations for certain publicity and propaganda purposes.

Section 502 prohibits any appropriations contained in this act from remaining available for obligation beyond the current fiscal year unless expressly provided.

Section 503 limits funds for certain consulting purposes.

Section 504 provides that, should any provision of the act be held to be invalid, the remainder of the act would not be affected.

Section 505 stipulates the policy and procedures by which funding available to the agencies funded under this act may be reprogrammed for other purposes.

Section 506 provides for a penalty for persons found to have falsely mislabeled products.

Section 507 requires agencies to provide quarterly reports to the Appropriations Committees regarding unobligated balances.

Section 508 requires agencies and departments funded in this act to absorb any necessary costs related to downsizing or consolidation within the amounts provided to the agency or department.

Section 509 limits funds for the sale or export of tobacco or tobacco products.

Section 510 stipulates obligation of receipts and the use of certain funds for victim services available under the Crime Victims Fund.

Of the funds set aside for Indian tribes, the Committee expects that the Office for Victims of Crime [OVC] will award such funds to Indian tribes that have not been designated high-risk grantees by the Department of Justice and that comply with grant application requirements. OVC is expected to provide instructional model grant applications and other guidance to aid tribes in preparing grant applications. Grant-receiving tribes will need to certify that grant funds will not be used to supplant funds otherwise available for tribal victim assistance so that OVC can ensure grant accountability and that grants are being used effectively to improve services for tribal victims of crime.

Section 511 prohibits the use of Department of Justice funds for programs that discriminate against, denigrate, or otherwise under-



mine the religious beliefs of students participating in such programs.

Section 512 limits transfers of funds between agencies.

Section 513 requires the Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation to conduct reviews of activities funded in this act and requires certifications regarding conflicts of interest.

Section 514 prohibits funds for certain telecommunications and information technology acquisitions unless the acquiring department or agency has assessed the supply chain risk of the technology, including risks from technology originating in China, Russia, Iran, and North Korea.

Section 515 prohibits the use of funds to support or justify the use of torture.

Section 516 limits funds pertaining to certain activities related to the export of firearms.

Section 517 limits funds that would deny permits to import certain products.

Section 518 prohibits funds for activities that seek to include certain language in new trade agreements.

Section 519 prohibits funds to authorize a national security letter in contravention of the statutes authorizing the FBI to issue national security letters.

Section 520 requires notification to the Committees in the event of cost overruns.

Section 521 authorizes funds appropriated for intelligence activities for the Department of Justice during fiscal year 2019 until the enactment of the Intelligence Authorization Act for Fiscal Year 2019.

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

Section 523 specifies rescissions of prior appropriations.

Section 524 provides for a rescission from defunct NASA accounts.

Section 525 prohibits the use of funds to purchase first class or premium airline travel in contravention of current regulations and improves reporting.

Section 526 prohibits the use of funds to pay for the attendance of more than 50 employees at any single conference outside the United States and limits the cost of any such conference incurred by an agency.

Section 527 prohibits the use of funds in this act for the transfer or release of certain individuals detained at Naval Station, Guantanamo Bay, Cuba, to or within the United States, its territories or possessions.

Section 528 prohibits the use of funds in this act to construct, acquire, or modify any facility in the United States, its territories, or possessions to house certain individuals who, as of June 24, 2009, were located at Naval Station, Guantanamo Bay, Cuba, for the pur-

poses of detention or imprisonment in the custody or control of the Department of Defense.

Section 529 requires agencies funded in this act to report on undisbursed balances.

Section 530 prohibits the use of funds 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 or effectuate the hosting of official Chinese visitors at certain facilities unless the activities are authorized by subsequent legislation or NASA or OSTP have made a certification pursuant to subsections (c) and (d) of this section.

Section 531 prohibits funds made available by this act from being used to deny the importation of certain shotgun models.

Section 532 prohibits the use of funds to establish or maintain a computer network that does not block pornography, except for law enforcement purposes.

Section 533 requires departments and agencies funded in this bill to submit spending plans to the House and Senate Appropriations Committees within 45 days of enactment of this act.

Section 534 prohibits the use of funds to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

Section 535 prohibits funds to pay for award or incentive fees for contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract. The Committee directs any head of any executive branch department, agency, board, commission, or office funded by this act to require that all contracts within their purview that provide award fees to link such fees to successful acquisition outcomes, specifying the terms of cost, schedule, and performance.

Section 536 prohibits the use of funds by the Department of Justice to prevent States from implementing laws related to a certain section of the Agricultural Act of 2014.

Section 537 prohibits the use of funds by the Department of Justice to prevent States from implementing State laws related to medical marijuana.

**COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE  
STANDING RULES OF THE SENATE**

Rule XVI, paragraph 7 requires that every report on a general appropriation bill filed by the Committee must identify items of appropriation not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

The Committee recommends funding for the following programs or activities that currently lack an authorization for fiscal year 2019, either in whole or in part, and therefore fall under this rule:

**APPROPRIATIONS NOT AUTHORIZED BY LAW—FISCAL YEAR 2019**

| Agency/program  | Last year of authorization |
|---|----------------------------|
| Department of Commerce:                                       |                            |
| International Trade Administration:                           |                            |
| Export Promotion .....  | 1996                       |
| Bureau of Industry and Security:                              |                            |
| Export Administration .....                                   | 2001                       |
| Economic Development Administration:                          |                            |
| Salaries and Expenses .....                                   | 2008                       |
| Economic Development Assistance Programs:                     |                            |
| Public Works and Economic Development .....                   | 2008                       |
| Bureau of the Census:   |                            |
| Salaries and Expenses .....                                   | 2015                       |
| National Telecommunications and Information Administration:   |                            |
| Salaries and Expenses .....                                   | 1993                       |
| National Institute of Standards and Technology:               |                            |
| Scientific and Technical Research and Services .....          | 2013                       |
| Industrial Technology Services .....                          | 2013                       |
| Construction of Research Facilities .....                     | 2013                       |
| National Oceanic and Atmospheric Administration:              |                            |
| Operations, Research, and Facilities:                         |                            |
| National Ocean Service:                                       |                            |
| Coral Reef Conservation .....                                 | 2004                       |
| Hydrographic Services .....                                   | 2007                       |
| Coastal Zone Management .....                                 | 1999                       |
| Marine Protection, Research, Preservation & Sanctuaries ..... | 2005                       |
| National Marine Fisheries Service:                            |                            |
| Endangered Species Act Amendment .....                        | 1992                       |
| Marine Mammal Protection .....                                | 1999                       |
| NOAA Marine Fisheries Program .....                           | 2000                       |
| Interjurisdictional Fisheries .....                           | 2012                       |
| Magnuson-Stevens Fishery Conservation and Management .....    | 2013                       |
| Estuary Restoration .....                                     | 2012                       |
| Oceanic and Atmospheric Research:                             |                            |
| National Sea Grant College Program .....                      | 2008                       |
| Procurement, Acquisition and Construction:                    |                            |
| National Ocean Service:                                       |                            |
| Marine Protection, Research, Preservation & Sanctuaries ..... | 2005                       |
| Department of Justice:  |                            |
| General Administration:                                       |                            |
| Salaries and Expenses .....                                   | 2009                       |
| Justice Information Sharing Technology .....                  | 2009                       |

## APPROPRIATIONS NOT AUTHORIZED BY LAW—FISCAL YEAR 2019—Continued

| Agency/program  | Last year of authorization |
|---|----------------------------|
| Administrative Review & Appeals:  |                            |
| Salaries and Expenses .....   | 2009                       |
| Office of Inspector General:  |                            |
| Salaries and Expenses .....   | 2009                       |
| U.S. Parole Commission:   |                            |
| Salaries and Expenses .....   | 2009                       |
| Legal Activities:   |                            |
| General Legal Activities:   |                            |
| Salaries and Expenses .....   | 2009                       |
| Antitrust Division:   |                            |
| Salaries and Expenses .....   | 2009                       |
| U.S. Attorneys:   |                            |
| Salaries and Expenses .....   | 2009                       |
| Foreign Claims Settlement Commission:   |                            |
| Salaries and Expenses .....   | 2009                       |
| Fees and Expenses of Witnesses .....  | 2009                       |
| Community Relations Service:  |                            |
| Salaries and Expenses .....   | 2009                       |
| Assets Forfeiture Fund Current Budget Authority .....                                 | 2009                       |
| U.S. Marshals Service .....   | 2009                       |
| Salaries and Expenses .....   | N/A                        |
| Federal Prison Detention .....  | N/A                        |
| Construction .....  | N/A                        |
| National Security Division:   |                            |
| Salaries and Expenses .....   | N/A                        |
| Interagency Law Enforcement:  |                            |
| Interagency Crime and Drug Enforcement .....  | 2009                       |
| Federal Bureau of Investigation .....   | 2009                       |
| Salaries and Expenses .....   | N/A                        |
| Construction .....  | N/A                        |
| Drug Enforcement Administration:  |                            |
| Salaries and Expenses .....   | 2009                       |
| Bureau of Alcohol, Tobacco, Firearms and Explosives:                                  |                            |
| Salaries and Expenses .....   | 2009                       |
| Federal Prison System .....   | 2009                       |
| Salaries and Expenses .....   | N/A                        |
| Buildings and Facilities .....  | N/A                        |
| Office on Violence Against Women Programs:  |                            |
| National Institute of Justice Research and Evaluation on Violence Against Women ..... | N/A                        |
| Consolidated Youth Oriented Program .....   | N/A                        |
| Homicide Reduction Initiative .....   | N/A                        |
| Research—Violence Against Indian Women .....  | 2015                       |
| Sexual Assault in Indian Country Clearinghouse .....                                  | N/A                        |
| Office of Justice Programs:   |                            |
| Research, Evaluation, and Statistics:   |                            |
| National Institute of Justice .....   | 1995                       |
| Bureau of Justice Statistics .....  | 1995                       |
| State and Local Law Enforcement Assistance:   |                            |
| Byrne Memorial Justice Assistance Grants .....  | 2012                       |
| Body-Worn Camera Partnership .....  | N/A                        |
| VALOR Initiative .....  | N/A                        |
| Smart Policing .....  | N/A                        |
| Smart Prosecution .....   | N/A                        |
| John R. Justice Grant Program .....   | 2014                       |
| Adam Walsh Act .....  | 2009                       |
| State Criminal Alien Assistance Program .....   | 2011                       |
| Residential Substance Abuse Treatment .....   | 2000                       |
| Drug Courts .....   | 2008                       |
| Economic, High Tech, White Collar and Cybercrime Prevention .....                     | N/A                        |
| Second Chance Act/Offender Reentry .....  | 2010                       |
| Smart Probation .....   | N/A                        |
| Children of Incarcerated Parents Demo Grants .....                                    | N/A                        |
| Pay for Success (Discretionary) .....   | N/A                        |

## APPROPRIATIONS NOT AUTHORIZED BY LAW—FISCAL YEAR 2019—Continued

| Agency/program  | Last year of authorization |
|---|----------------------------|
| Pay for Success (Permanent Supportive Housing Model) .....      | N/A                        |
| National Sex Offender Website .....                             | N/A                        |
| Veterans Treatment Courts Program .....                         | N/A                        |
| Rape Kit Backlog .....  | N/A                        |
| Justice Reinvestment Initiative .....                           | N/A                        |
| Project HOPE Opportunity Probation with Enforcement .....       | N/A                        |
| Juvenile Justice Programs:                                      |                            |
| Part B—State Formula .....                                      | 2007                       |
| Emergency Planning in Juvenile Justice Facilities .....         | N/A                        |
| Title V—Local Delinquency Prevention Incentive Grants .....     | 2008                       |
| Gang/Youth Violence Education and Prevention .....              | N/A; 2007                  |
| Missing and Exploited Children Programs .....                   | 2004; 2019                 |
| Competitive Grants for Girls in the Justice System .....        | N/A; 2007                  |
| Children of Incarcerated Parents Web Portal .....               | 2007                       |
| COPS Programs:  |                            |
| COPS Hiring Program .....                                       | 2009                       |
| Regional Information Sharing Activities .....                   | 2003                       |
| Anti-Methamphetamine Task Forces .....                          | N/A                        |
| Anti-Heroin Task Forces .....                                   | N/A                        |
| National Aeronautics and Space Administration:                  |                            |
| Science .....   | 2018                       |
| Aeronautics .....   | 2018                       |
| Exploration .....   | 2018                       |
| Space Operations .....  | 2018                       |
| Education .....   | 2018                       |
| Safety, Security and Mission Services .....                     | 2018                       |
| Construction and Environmental Compliance and Restoration ..... | 2018                       |
| Office of the Inspector General .....                           | 2018                       |
| National Science Foundation .....                               | 2013                       |
| Related Agencies:   |                            |
| U.S. Equal Employment Opportunity Commission:                   |                            |
| Salaries and Expenses .....                                     | 2000                       |
| Commission on Civil Rights:                                     |                            |
| Salaries and Expenses .....                                     | 1995                       |
| International Trade Commission:                                 |                            |
| Salaries and Expenses .....                                     | 2004                       |
| Payment to the Legal Services Corporation:                      |                            |
| Salaries and Expenses .....                                     | 1980                       |
| Marine Mammal Commission:                                       |                            |
| Salaries and Expenses .....                                     | 1999                       |
| Office of the U.S. Trade Representative:                        |                            |
| Salaries and Expenses .....                                     | 2004                       |
| State Justice Institute:  |                            |
| Salaries and Expenses .....                                     | 2008                       |

<sup>1</sup> NOAA authorizations are spread across over 60 separate statutory authorities. In many cases, the authorizations do not match exactly to specific programs.

**COMPLIANCE WITH PARAGRAPH 7(c), RULE XXVI OF THE  
STANDING RULES OF THE SENATE**

Pursuant to paragraph 7(c) of rule XXVI, on June 14, 2018, the Committee ordered favorably reported a bill (S. 3072) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes, provided, that the bill be subject to amendment and that the bill be consistent with its budget allocation, and provided that the Chairman of the Committee or his designee be authorized to offer the substance of the original bill as a Committee amendment in the nature of a substitute to the House

companion measure, by a recorded vote of 30–1, a quorum being present. The vote was as follows:

| Yeas            | Nays         |
|-----------------|--------------|
| Chairman Shelby | Mr. Lankford |
| Mr. McConnell   |              |
| Mr. Alexander   |              |
| Ms. Collins     |              |
| Ms. Murkowski   |              |
| Mr. Graham      |              |
| Mr. Blunt       |              |
| Mr. Moran       |              |
| Mr. Hoeven      |              |
| Mr. Boozman     |              |
| Mrs. Capito     |              |
| Mr. Daines      |              |
| Mr. Kennedy     |              |
| Mr. Rubio       |              |
| Mrs. Hyde-Smith |              |
| Mr. Leahy       |              |
| Mrs. Murray     |              |
| Mrs. Feinstein  |              |
| Mr. Durbin      |              |
| Mr. Reed        |              |
| Mr. Tester      |              |
| Mr. Udall       |              |
| Mrs. Shaheen    |              |
| Mr. Merkley     |              |
| Mr. Coons       |              |
| Mr. Schatz      |              |
| Ms. Baldwin     |              |
| Mr. Murphy      |              |
| Mr. Manchin     |              |
| Mr. Van Hollen  |              |

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE  
STANDING RULES OF THE SENATE

Paragraph 12 of the rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the Committee.”

In compliance with this rule, no changes to existing law are displayed because this bill proposes no changes.

## BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC.  
308(a), PUBLIC LAW 93-344, AS AMENDED

[In millions of dollars]

|  | Budget authority     |                | Outlays              |                     |
|--|----------------------|----------------|----------------------|---------------------|
|  | Committee allocation | Amount in bill | Committee allocation | Amount in bill      |
| Comparison of amounts in the bill with the subcommittee allocation for 2019: Subcommittee on Commerce, Justice, Science, and Related Agencies: |                      |                |                      |                     |
| Mandatory .....  | 319                  | 319            | 332                  | <sup>1</sup> 332    |
| Discretionary .....  | 62,995               | 62,995         | 70,863               | <sup>1</sup> 70,863 |
| Security .....   | 5,400                | 5,400          | NA                   | NA                  |
| Nonsecurity .....  | 57,595               | 57,595         | NA                   | NA                  |
| Projection of outlays associated with the recommendation:  |                      |                |                      |                     |
| 2019 .....   |                      |                |                      | <sup>2</sup> 46,063 |
| 2020 .....   |                      |                |                      | 14,874              |
| 2021 .....   |                      |                |                      | 4,391               |
| 2022 .....   |                      |                |                      | 1,249               |
| 2023 and future years .....  |                      |                |                      | 4,968               |
| Financial assistance to State and local governments for 2019 .....   | NA                   | - 5,204        | NA                   | <sup>2</sup> 180    |

<sup>1</sup> Includes outlays from prior-year budget authority.

<sup>2</sup> Excludes outlays from prior-year budget authority.

NA: Not applicable.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2018 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2019  
(In thousands of dollars)

| Item   | 2018 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|--|--------------------|-----------------|--------------------------|--|-----------------|
|  |                    |                 |                          | 2018 appropriation                                     | Budget estimate |
| <b>TITLE I—DEPARTMENT OF COMMERCE</b>            |                    |                 |                          |  |                 |
| International Trade Administration               |                    |                 |                          |  |                 |
| Operations and administration .....              | 495,000            | 451,147         | 499,000                  | + 4,000  | + 47,853        |
| Offsetting fee collections .....                 | - 13,000           | - 11,000        | - 11,000                 | + 2,000  | .....           |
| Direct appropriation .....                       | 482,000            | 440,147         | 488,000                  | + 6,000  | + 47,853        |
| Bureau of Industry and Security                  |                    |                 |                          |  |                 |
| Operations and administration .....              | 75,500             | 81,647          | 82,600                   | + 7,100  | + 953           |
| Defense function .....                           | 38,000             | 39,000          | 39,000                   | + 1,000  | .....           |
| Total, Bureau of Industry and Security .....     | 113,500            | 120,647         | 121,600                  | + 8,100  | + 953           |
| Economic Development Administration              |                    |                 |                          |  |                 |
| Economic development assistance programs .....   | 262,500            | .....           | 266,500                  | + 4,000  | + 266,500       |
| Salaries and expenses .....                      | 39,000             | 14,937          | 39,000                   | .....  | + 24,063        |
| Total, Economic Development Administration ..... | 301,500            | 14,937          | 305,500                  | + 4,000  | + 290,563       |
| Minority Business Development Agency             |                    |                 |                          |  |                 |
| Minority business development .....              | 39,000             | 10,000          | 39,000                   | .....  | + 29,000        |
| Economic and Statistical Analysis                |                    |                 |                          |  |                 |
| Salaries and expenses .....                      | 99,000             | 100,987         | 102,000                  | + 3,000  | + 1,013         |
| Bureau of the Census                             |                    |                 |                          |  |                 |
| Current surveys and programs .....               | 270,000            | 249,125         | 270,000                  | .....  | + 20,875        |



|  |             |             |             |             |              |
|--|-------------|-------------|-------------|-------------|--------------|
| Periodic censuses and programs (new structure) .....         | 2,544,000   | 3,551,388   | 3,551,388   | + 1,007,388 | .....        |
| Total, Bureau of the Census .....                            | 2,814,000   | 3,800,513   | 3,821,388   | + 1,007,388 | + 20,875     |
| National Telecommunications and Information Administration   |             |             |             |             |              |
| Salaries and expenses .....                                  | 39,500      | 33,646      | 39,500      | .....       | + 5,854      |
| United States Patent and Trademark Office                    |             |             |             |             |              |
| Salaries and expenses, current year fee funding .....        | 3,500,000   | 3,370,000   | 3,370,000   | - 130,000   | .....        |
| Offsetting fee collections .....                             | - 3,500,000 | - 3,370,000 | - 3,370,000 | + 130,000   | .....        |
| Total, United States Patent and Trademark Office .....       | .....       | .....       | .....       | .....       | .....        |
| National Institute of Standards and Technology               |             |             |             |             |              |
| Scientific and technical research and services .....         | 724,500     | 573,429     | 724,500     | .....       | + 151,071    |
| Industrial technology services .....                         | 155,000     | 15,094      | 155,000     | .....       | + 139,906    |
| Manufacturing extension partnerships .....                   | (140,000)   | .....       | (140,000)   | .....       | ( + 140,000) |
| National Network for Manufacturing Innovation .....          | (15,000)    | .....       | (15,000)    | .....       | ( + 15,000)  |
| Construction of research facilities .....                    | 319,000     | 40,549      | 158,000     | - 161,000   | + 117,451    |
| Working Capital Fund (by transfer) .....                     | (9,000)     | (9,000)     | (9,000)     | .....       | .....        |
| Total, National Institute of Standards and Technology .....  | 1,198,500   | 629,072     | 1,037,500   | - 161,000   | + 408,428    |
| National Oceanic and Atmospheric Administration              |             |             |             |             |              |
| Operations, research, and facilities .....                   | 3,536,331   | 2,937,753   | 3,599,126   | + 62,795    | + 661,373    |
| (By transfer) .....  | (144,000)   | (144,000)   | (157,980)   | ( + 13,980) | ( + 13,980)  |
| Subtotal .....   | 3,536,331   | 2,937,753   | 3,599,126   | + 62,795    | + 661,373    |
| Procurement, acquisition and construction .....              | 2,290,684   | 1,623,006   | 1,806,479   | - 484,205   | + 183,473    |
| Pacific coastal salmon recovery .....                        | 65,000      | .....       | 70,000      | + 5,000     | + 70,000     |
| Fishermen's Contingency Fund .....                           | 349         | 349         | 349         | .....       | .....        |
| Fishery Disaster Assistance .....                            | 20,000      | .....       | 15,000      | - 5,000     | + 15,000     |
| Fisheries Finance Program Account .....                      | - 3,000     | - 8,000     | - 8,000     | - 5,000     | .....        |
| Total, National Oceanic and Atmospheric Administration ..... | 5,909,364   | 4,553,108   | 5,482,954   | - 426,410   | + 929,846    |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2018 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2019—Continued  
(In thousands of dollars)

| Item   | 2018 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|--|--------------------|-----------------|--------------------------|--|-----------------|
|  |                    |                 |                          | 2018 appropriation                                     | Budget estimate |
| <b>Departmental Management</b>                           |                    |                 |                          |  |                 |
| Salaries and expenses .....                              | 63,000             | 58,994          | 63,000                   | .....  | +4,006          |
| Renovation and modernization .....                       | 45,130             | 2,796           | 38,612                   | -6,518   | +35,816         |
| Office of Inspector General .....                        | 32,744             | 32,030          | 32,744                   | .....  | +714            |
| Total, Departmental Management .....                     | 140,874            | 93,820          | 134,356                  | -6,518   | +40,536         |
| <hr/>  |                    |                 |                          |  |                 |
| Total, title I, Department of Commerce .....             | 11,137,238         | 9,796,877       | 11,571,798               | +434,560   | +1,774,921      |
| (By transfer) .....                                      | 153,000            | 153,000         | 166,980                  | +13,980  | +13,980         |
| <hr/>  |                    |                 |                          |  |                 |
| <b>TITLE II—DEPARTMENT OF JUSTICE</b>                    |                    |                 |                          |  |                 |
| <b>General Administration</b>                            |                    |                 |                          |  |                 |
| Salaries and expenses .....                              | 114,000            | 114,207         | 114,000                  | .....  | -207            |
| Justice information sharing technology .....             | 35,000             | 31,713          | 35,000                   | .....  | +3,287          |
| Total, General Administration .....                      | 149,000            | 145,920         | 149,000                  | .....  | +3,080          |
| <hr/>  |                    |                 |                          |  |                 |
| Executive Office for Immigration Review .....            | 504,500            | 563,407         | 563,407                  | +58,907  | .....           |
| Transfer from immigration examinations fee account ..... | -4,000             | -4,000          | -4,000                   | .....  | .....           |
| <hr/>  |                    |                 |                          |  |                 |
| Direct appropriation .....                               | 500,500            | 559,407         | 559,407                  | +58,907  | .....           |
| Office of Inspector General .....                        | 97,250             | 95,866          | 99,195                   | +1,945   | +3,329          |
| <hr/>  |                    |                 |                          |  |                 |
| <b>United States Parole Commission</b>                   |                    |                 |                          |  |                 |
| Salaries and expenses .....                              | 13,308             | 12,672          | 13,308                   | .....  | +636            |
| <hr/>  |                    |                 |                          |  |                 |
| <b>Legal Activities</b>                                  |                    |                 |                          |  |                 |
| Salaries and expenses, general legal activities .....    | 897,500            | 891,836         | 910,500                  | +13,000  | +18,664         |

|   |           |           |           |       |           |
|---|-----------|-----------|-----------|-------|-----------|
| Vaccine Injury Compensation Trust Fund .....                      | 10,000    | 9,340     | 10,000    | ..... | + 660     |
| Salaries and expenses, Antitrust Division .....                   | 164,977   | 164,663   | 164,977   | ..... | + 314     |
| Offsetting fee collections—current year .....                     | -126,000  | -136,000  | -136,000  | ..... | -10,000   |
| Direct appropriation .....  | 38,977    | 28,663    | 28,977    | ..... | + 314     |
| Salaries and expenses, United States Attorneys .....              | 2,136,750 | 2,105,182 | 2,179,485 | ..... | + 74,303  |
| United States Trustee System Fund .....                           | 225,908   | 223,221   | 225,908   | ..... | + 2,687   |
| Offsetting fee collections .....                                  | -135,000  | -360,000  | -360,000  | ..... | -225,000  |
| New fees (Sec. 3004, Public Law 115-72) .....                     | -96,000   | .....     | .....     | ..... | + 96,000  |
| Direct appropriation .....  | -5,092    | -136,779  | -134,092  | ..... | + 2,687   |
| Salaries and expenses, Foreign Claims Settlement Commission ..... | 2,409     | 2,409     | 2,409     | ..... | .....     |
| Fees and expenses of witnesses .....                              | 270,000   | 270,000   | 270,000   | ..... | .....     |
| Salaries and expenses, Community Relations Service .....          | 15,500    | .....     | 15,500    | ..... | + 15,500  |
| Assets Forfeiture Fund .....                                      | 20,514    | 20,514    | 20,514    | ..... | .....     |
| Total, Legal Activities .....                                     | 3,386,558 | 3,191,165 | 3,303,293 | ..... | + 112,128 |
| United States Marshals Service                                    |           |           |           |       |           |
| Salaries and expenses .....                                       | 1,311,492 | 1,270,371 | 1,377,409 | ..... | + 65,917  |
| Construction .....  | 53,400    | 14,971    | 35,000    | ..... | -18,400   |
| Federal Prisoner Detention .....                                  | 1,536,000 | 1,536,000 | 1,536,000 | ..... | + 20,029  |
| Total, United States Marshals Service .....                       | 2,900,892 | 2,821,342 | 2,948,409 | ..... | + 47,517  |
| National Security Division  |           |           |           |       |           |
| Salaries and expenses .....                                       | 101,031   | 101,369   | 101,369   | ..... | + 338     |
| Interagency Law Enforcement                                       |           |           |           |       |           |
| Interagency Crime and Drug Enforcement .....                      | 542,850   | 521,563   | 521,563   | ..... | -21,287   |
| Federal Bureau of Investigation                                   |           |           |           |       |           |
| Salaries and expenses .....                                       | 3,663,553 | 3,599,403 | 3,663,553 | ..... | + 64,150  |
| Counterintelligence and national security .....                   | 5,366,649 | 5,272,677 | 5,366,649 | ..... | + 93,972  |
| Subtotal, Salaries and expenses .....                             | 9,030,202 | 8,872,080 | 9,030,202 | ..... | + 158,122 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2018 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2019—Continued

[In thousands of dollars]

| Item   | 2018 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |  |
|--|--------------------|-----------------|--------------------------|--|-----------------|--|
|  |                    |                 |                          | 2018 appropriation                                     | Budget estimate |  |
| Construction .....   | 370,000            | 51,895          | 385,000                  | + 15,000   | + 333,105       |  |
| Total, Federal Bureau of Investigation .....   | 9,400,202          | 8,923,975       | 9,415,202                | + 15,000   | + 491,227       |  |
| Drug Enforcement Administration  |                    |                 |                          |  |                 |  |
| Salaries and expenses .....  | 2,609,900          | 2,608,162       | 2,654,836                | + 44,936   | + 46,674        |  |
| Diversion control fund .....   | — 419,574          | — 420,703       | — 420,703                | — 1,129  | .....           |  |
| Total, Drug Enforcement Administration .....   | 2,190,326          | 2,187,459       | 2,234,133                | + 43,807   | + 46,674        |  |
| High Intensity Drug Trafficking Areas Program  |                    |                 |                          |  |                 |  |
| Bureau of Alcohol, Tobacco, Firearms and Explosives .....                            | .....              | 254,000         | .....                    | .....  | — 254,000       |  |
| Salaries and expenses .....  | 1,293,776          | 1,316,678       | 1,316,678                | + 22,902   | .....           |  |
| Federal Prison System  |                    |                 |                          |  |                 |  |
| Salaries and expenses .....  | 7,114,000          | 7,042,328       | 7,256,280                | + 142,280  | + 213,952       |  |
| Buildings and facilities .....   | 161,571            | 99,000          | 274,000                  | + 112,429  | + 175,000       |  |
| Limitation on administrative expenses, Federal Prison Industries, Incorporated ..... | 2,700              | 2,700           | 2,700                    | .....  | .....           |  |
| Total, Federal Prison System .....   | 7,278,271          | 7,144,028       | 7,532,980                | + 254,709  | + 388,952       |  |
| State and Local Law Enforcement Activities   |                    |                 |                          |  |                 |  |
| Office on Violence Against Women:  | .....              | .....           | .....                    | .....  | .....           |  |
| Prevention and prosecution programs .....  | .....              | .....           | .....                    | .....  | .....           |  |
| (By transfer) .....  | (492,000)          | .....           | (497,500)                | (+ 5,500)  | (+ 497,500)     |  |
| Office of Justice Programs:  | 90,000             | 77,000          | 90,000                   | .....  | + 13,000        |  |
| Research, evaluation and statistics .....  | .....              | .....           | .....                    | .....  | .....           |  |

|   |            |            |            |           |             |
|---|------------|------------|------------|-----------|-------------|
| State and local law enforcement assistance .....                | 1,677,500  | 1,132,500  | 1,678,500  | + 1,000   | + 546,000   |
| Juvenile justice programs .....                                 | 282,500    | 229,500    | 297,000    | + 14,500  | + 67,500    |
| Public safety officer benefits:                                 |            |            |            |           |             |
| Death benefits .....  | 92,000     | 104,000    | 104,000    | + 12,000  | .....       |
| Disability and education benefits .....                         | 24,800     | 16,300     | 24,800     | .....     | + 8,500     |
| Subtotal .....  | 116,800    | 120,300    | 128,800    | + 12,000  | + 8,500     |
| Total, Office of Justice Programs .....                         | 2,166,800  | 1,559,300  | 2,194,300  | + 27,500  | + 635,000   |
| Community Oriented Policing Services:                           |            |            |            |           |             |
| COPS programs .....   | 275,500    | .....      | 310,000    | + 34,500  | + 310,000   |
| Total, State and Local Law Enforcement Activities .....         | 2,442,300  | 1,559,300  | 2,504,300  | + 62,000  | + 945,000   |
| Total, title II, Department of Justice .....                    | 30,296,264 | 28,834,744 | 30,698,837 | + 402,573 | + 1,864,093 |
| TITLE III—SCIENCE   |            |            |            |           |             |
| Office of Science and Technology Policy .....                   | 5,544      | 5,544      | 5,544      | .....     | .....       |
| National Space Council .....                                    | 1,965      | 1,965      | 1,965      | .....     | .....       |
| National Aeronautics and Space Administration                   |            |            |            |           |             |
| Science .....   | 6,221,500  | 5,895,000  | 6,400,300  | + 178,800 | + 505,300   |
| Aeronautics .....   | 685,000    | 633,900    | 725,000    | + 40,000  | + 91,100    |
| Space Technology .....  | 760,000    | .....      | 932,800    | + 172,800 | + 932,800   |
| Exploration Research and Technology .....                       | .....      | 1,002,700  | .....      | .....     | - 1,002,700 |
| Exploration .....   | 4,790,000  | .....      | 5,338,700  | + 548,700 | + 5,338,700 |
| Deep Space Exploration Systems .....                            | .....      | 4,558,800  | .....      | .....     | - 4,558,800 |
| Space Operations .....  | 4,751,500  | .....      | 4,639,100  | - 112,400 | + 4,639,100 |
| LEO and Spaceflight Operations .....                            | .....      | 4,624,600  | .....      | .....     | - 4,624,600 |
| STEM Opportunities formerly Education .....                     | 100,000    | .....      | 110,000    | + 10,000  | + 110,000   |
| Safety, Security and Mission Services .....                     | 2,826,900  | 2,749,700  | 2,750,000  | - 76,900  | + 300       |
| Construction and environmental compliance and restoration ..... | 562,240    | 388,200    | 388,200    | - 174,040 | .....       |
| Office of Inspector General .....                               | 39,000     | 39,300     | 39,300     | + 300     | .....       |
| Total, National Aeronautics and Space Administration .....      | 20,736,140 | 19,892,200 | 21,323,400 | + 587,260 | + 1,431,200 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2018 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2019—Continued

[In thousands of dollars]

| Item   | 2018 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|--|--------------------|-----------------|--------------------------|--|-----------------|
|  |                    |                 |                          | 2018 appropriation                                     | Budget estimate |
| National Science Foundation                                |                    |                 |                          |  |                 |
| Research and related activities .....                      | 6,263,476          | 6,079,680       | 6,485,183                | +221,707   | +405,503        |
| Defense function .....                                     | 71,000             | 71,000          | 71,000                   |  |                 |
| Subtotal .....   | 6,334,476          | 6,150,680       | 6,556,183                | +221,707   | +405,503        |
| Major research equipment and facilities construction ..... | 182,800            | 94,650          | 249,254                  | +66,454  | +154,604        |
| Education and human resources .....                        | 902,000            | 873,370         | 915,000                  | +13,000  | +41,630         |
| Agency operations and award management .....               | 328,510            | 333,630         | 328,510                  |  | -5,120          |
| Office of the National Science Board .....                 | 4,370              | 4,320           | 4,370                    |  | +50             |
| Office of Inspector General .....                          | 15,200             | 15,350          | 15,350                   | +150   |                 |
| Total, National Science Foundation .....                   | 7,767,356          | 7,472,000       | 8,068,667                | +301,311   | +596,667        |
| Total, title III, Science .....                            | 28,511,005         | 27,371,709      | 29,399,576               | +888,571   | +2,027,867      |
| TITLE IV—RELATED AGENCIES                                  |                    |                 |                          |  |                 |
| Commission on Civil Rights                                 |                    |                 |                          |  |                 |
| Salaries and expenses .....                                | 9,700              | 9,200           | 10,065                   | +365   | +865            |
| Equal Employment Opportunity Commission                    |                    |                 |                          |  |                 |
| Salaries and expenses .....                                | 379,500            | 363,807         | 379,500                  |  | +15,693         |
| International Trade Commission                             |                    |                 |                          |  |                 |
| Salaries and expenses .....                                | 93,700             | 87,615          | 95,000                   | +1,300   | +7,385          |
| Legal Services Corporation                                 |                    |                 |                          |  |                 |
| Payment to the Legal Services Corporation .....            | 410,000            | 18,200          | 410,000                  |  | +391,800        |

|  |           |           |           |           |           |
|--|-----------|-----------|-----------|-----------|-----------|
| Marine Mammal Commission .....   | 3,431     | 2,449     | 4,200     | + 769     | + 1,751   |
| Salaries and expenses .....  |           |           |           |           |           |
| Office of the U.S. Trade Representative .....  | 57,600    | 63,000    | 57,600    |           | - 5,400   |
| Salaries and expenses .....  | 15,000    |           | 15,000    |           | + 15,000  |
| Trade Enforcement Trust Fund .....   |           |           |           |           |           |
| State Justice Institute .....  | 5,121     | 6,921     | 6,121     | + 1,000   | - 800     |
| Salaries and expenses .....  |           |           |           |           |           |
| Total, title IV, Related Agencies .....  | 974,052   | 551,192   | 977,486   | + 3,434   | + 426,294 |
| TITLE V—GENERAL PROVISIONS   |           |           |           |           |           |
| DOC National Institute of Standards and Technology, Technology Innovation Program (rescission) .....             |           | - 2,000   |           |           | + 2,000   |
| DOC National Oceanic and Atmospheric Administration, Operations, Research and Facilities (rescission) .....      |           |           |           |           |           |
| DOC National Oceanic and Atmospheric Administration, Procurement Acquisition and Construction (rescission) ..... |           |           |           |           |           |
| Economic Development Assistance Programs (rescission) .....  | - 10,000  |           | - 10,000  |           | - 10,000  |
| Rescission of emergency funding .....  |           | - 40,000  |           |           | + 40,000  |
| DOJ, Working Capital Fund (rescission) .....   | - 154,768 | - 69,768  | - 75,000  | + 79,768  | - 5,232   |
| DOJ, Assets Forfeiture Fund (rescission, temporary) .....  |           |           |           |           |           |
| DOJ, Assets Forfeiture Fund (rescission, permanent) .....  | - 304,000 |           | - 674,000 | - 370,000 | - 674,000 |
| FBI, Salaries and expenses:  |           |           |           |           |           |
| (Fees) nondefense (rescission) .....   | - 51,642  | - 60,044  | - 52,048  | - 406     | + 7,996   |
| (Fees) defense (rescission) .....  | - 75,649  | - 87,956  | - 76,243  | - 594     | + 11,713  |
| Federal Prisoner Detention (rescission) .....  |           | - 71,000  |           |           | + 71,000  |
| DOJ, Federal Prison System, Buildings and Facilities (rescission) .....  |           | - 50,000  |           |           | + 50,000  |
| Violence against women prevention and prosecution programs (rescission) .....                                    | - 15,000  |           | - 10,000  | + 5,000   | - 10,000  |
| Office of Justice programs (rescission) .....  | - 40,000  | - 85,000  | - 40,000  |           | + 45,000  |
| COPS (rescission) .....  | - 10,000  |           | - 10,000  |           | - 10,000  |
| Keeping Young Athletes Safe .....  | 2,500     |           |           | - 2,500   |           |
| NASA closeouts (rescission) .....  |           | - 4,000   | - 4,000   | - 4,000   |           |
| Total, title V, General Provisions .....   | - 658,559 | - 469,768 | - 951,291 | - 292,732 | - 481,523 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2018 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
 FOR FISCAL YEAR 2019—Continued  
 (In thousands of dollars)

| Item  | 2018 appropriation | Budget estimate | Committee recommendation | Senate Committee recommendation compared with (+ or -) |                 |
|---|--------------------|-----------------|--------------------------|--|-----------------|
|   |                    |                 |                          | 2018 appropriation                                     | Budget estimate |
| OTHER APPROPRIATIONS  |                    |                 |                          |  |                 |
| FURTHER ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF ACT, 2018 (P.L. 115-123) |                    |                 |                          |  |                 |
| DEPARTMENT OF COMMERCE  |                    |                 |                          |  |                 |
| Economic Development Administration   |                    |                 |                          |  |                 |
| Economic Development Assistance Programs (emergency) .....                                  | 600,000            | .....           | .....                    | - 600,000  | .....           |
| National Oceanic and Atmospheric Administration   |                    |                 |                          |  |                 |
| Operations, Research, and Facilities (emergency) .....                                      | 120,904            | .....           | .....                    | - 120,904  | .....           |
| Procurement, Acquisition and Construction (emergency) .....                                 | 79,232             | .....           | .....                    | - 79,232   | .....           |
| Fisheries Disaster Assistance (emergency) .....   | 200,000            | .....           | .....                    | - 200,000  | .....           |
| Total, National Oceanic and Atmospheric Administration .....                                | 400,136            | .....           | .....                    | - 400,136  | .....           |
| Total, Department of Commerce .....   | 1,000,136          | .....           | .....                    | - 1,000,136  | .....           |
| DEPARTMENT OF JUSTICE   |                    |                 |                          |  |                 |
| United States Marshals Service  |                    |                 |                          |  |                 |
| Federal Bureau of Investigation   |                    |                 |                          |  |                 |
| Salaries and expenses (emergency) .....   | 2,500              | .....           | .....                    | - 2,500  | .....           |
| Salaries and expenses (emergency) .....   | 8,601              | .....           | .....                    | - 8,601  | .....           |
| Counterintelligence and national security (emergency) .....                                 | 12,599             | .....           | .....                    | - 12,599   | .....           |
| Total, Federal Bureau of Investigation .....  | 21,200             | .....           | .....                    | - 21,200   | .....           |



|   |              |              |              |  |               |               |
|---|--------------|--------------|--------------|--|---------------|---------------|
| Drug Enforcement Administration                                       |              |              |              |  |               |               |
| Salaries and expenses (emergency)                                     | 11,500       |              |              |  | - 11,500      |               |
| Federal Prison System   |              |              |              |  |               |               |
| Salaries and expenses (emergency)                                     | 16,000       |              |              |  | - 16,000      |               |
| Buildings and facilities (emergency)                                  | 34,000       |              |              |  | - 34,000      |               |
| Total, Federal Prison System  | 50,000       |              |              |  | - 50,000      |               |
| Total, Department of Justice  | 85,200       |              |              |  | - 85,200      |               |
| SCIENCE   |              |              |              |  |               |               |
| National Aeronautics and Space Administration                         |              |              |              |  |               |               |
| Construction and Environmental Compliance and Restoration (emergency) | 81,300       |              |              |  | - 81,300      |               |
| National Science Foundation   |              |              |              |  |               |               |
| Research and Related Activities (emergency)                           | 16,300       |              |              |  | - 16,300      |               |
| Total, Science  | 97,600       |              |              |  | - 97,600      |               |
| RELATED AGENCIES  |              |              |              |  |               |               |
| Legal Services Corporation  |              |              |              |  |               |               |
| Payment to the Legal Services Corporation (emergency)                 | 15,000       |              |              |  | - 15,000      |               |
| Total, Other Appropriations   | 1,197,936    |              |              |  | - 1,197,936   |               |
| Grand total   | 71,457,936   | 66,084,754   | 71,696,406   |  | + 238,470     | + 5,611,652   |
| Appropriations  | (70,921,059) | (66,554,522) | (72,647,697) |  | (+ 1,726,638) | (+ 6,093,175) |
| Rescissions   | (- 661,059)  | (- 429,768)  | (- 951,291)  |  | (- 290,232)   | (- 521,523)   |
| Emergency appropriations  | (1,197,936)  |              |              |  | (- 1,197,936) |               |
| Rescissions of emergency funding                                      |              | (- 40,000)   |              |  |               | (+ 40,000)    |
| (By transfer)   | 645,000      | 153,000      | 664,480      |  | + 19,480      | + 511,480     |