

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES  
APPROPRIATIONS BILL, 2021

JULY 16, 2020.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 7667]

The Committee on Appropriations submits the following report in  
explanation of the accompanying bill making appropriations for  
Commerce, Justice, Science, and Related Agencies for the fiscal  
year ending September 30, 2021, and for other purposes.

INDEX TO BILL AND REPORT

	<i>Page number</i>	
	<i>Bill</i>	<i>Report</i>
Title I—Department of Commerce .....	2	12
Title II—Department of Justice .....	24	54
Title III—Science .....	84	115
Office of Science and Technology Policy .....	84	115
National Space Council .....	85	116
National Aeronautics and Space Administration .....	85	116
National Science Foundation .....	95	130
Title IV—Related Agencies .....	99	138
Commission on Civil Rights .....	99	138
Equal Employment Opportunity Commission .....	100	138
International Trade Commission .....	101	139
Legal Services Corporation .....	101	139
Marine Mammal Commission .....	103	140
Office of the United States Trade Representative .....	103	140
State Justice Institute .....	104	141
Title V—General Provisions .....	105	141
House of Representatives Reporting Requirements .....	.....	145
Minority Views .....	.....	198

## HIGHLIGHTS OF THE BILL

The Commerce, Justice, Science, and Related Agencies Subcommittee has jurisdiction over a diverse group of agencies responsible for promoting economic development; researching climate change and mitigating its impacts; protecting civil rights; promoting criminal justice reform; combating violent crime, financial fraud, terrorism, espionage, and drug trafficking; addressing gun violence; ensuring access to justice; enforcing trade laws; conducting periodic censuses; forecasting the weather; managing fisheries; exploring space; and advancing science. The activities of these agencies impact every American and are integral to the operations of our government.

The bill provides a total of \$71,472,700,000 in discretionary budget authority for fiscal year 2021. Within the level of funds provided, the bill prioritizes funding to help reform law enforcement practices across the country and to ensure the civil rights of all Americans. The bill also prioritizes numerous public investments important for job creation, infrastructure improvements, American competitiveness, public safety, climate research and other scientific research, and improving the accuracy of weather forecasting. In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Public Law 116–136) included funding to prevent, prepare for, and respond to coronavirus, including \$1,886,000,000 for the Department of Commerce; \$1,007,000,000 for the Department of Justice; \$60,000,000 for the National Aeronautics and Space Administration; \$76,000,000 for the National Science Foundation; and \$50,000,000 for the Legal Services Corporation.

*Policing Reform and Racial Justice.*—The Committee takes very seriously its solemn obligation to help improve the state of policing and ensure racial justice in the United States. The appalling mistreatment of African Americans and other minorities at the hands of police officers in communities throughout the country is a long-standing epidemic that demands immediate reforms throughout the Nation, including decisive and meaningful action from this Committee. To that end, the Committee has included a number of responsible investments and reforms. The Committee’s recommendation includes the following:

- Provides \$165,998,000 for the Civil Rights Division of the Department of Justice, an increase of \$17,759,000 above fiscal year 2020. Within this amount, an increase of not less than \$10,000,000 is provided for investigations and enforcement related to the patterns and practices of police departments, including compliance with consent decrees. In addition, increases of \$10,000,000 within the appropriation for United States Attorneys and \$5,000,000 within the Federal Bureau of Investigation (FBI) are provided for this same purpose.
- Prohibits funds from being used to implement the Attorney General Memorandum dated November 7, 2018, entitled “Principles and Procedures for Civil Consent Decrees and Settlement Agreements with State and Local Governmental Entities”. This memorandum puts significant limits on the ability of the Federal Government to help reform policing practices in local communities.

- Directs the Attorney General to take the lead in developing and implementing strong and uniform accreditation standards for Federal, State, and local law enforcement, based on an analysis of existing accreditation standards and methodology development by law enforcement accreditation organizations nationwide, as well as the May 2015 recommendations of the President's Task Force on 21st Century Policing.

- Prohibits Justice Department funds from being made available for any law enforcement agency of any State or unit of local government unless the Attorney General has certified that such agency has begun or completed the process of obtaining accreditation from a certified law enforcement accreditation organization.

- Directs the Attorney General to establish a program to improve training for all Federal, State, and local law enforcement officers, including the development of standards that can be applied in hiring and performance assessments, specifically aimed at racial profiling, implicit bias, and procedural justice, as well as the use of force and the duty for officers to intervene when witnessing the use of excessive force against civilians. The recommendation further directs the Attorney General to establish standards for such training to be adopted nationwide.

- Establishes and provides \$5,000,000 for a National Task Force on Law Enforcement Oversight. This Task Force is designed to coordinate the detection and referral of complaints regarding incidents of alleged law enforcement misconduct nationwide, in consultation with professional law enforcement associations, labor organizations, and community-based organizations.

- Provides \$500,000 for the development and implementation of a National Police Misconduct Registry, designed to serve as a central repository of data with respect to all Federal, State, and local law enforcement officers, to be compiled and maintained by the Department of Justice. This would provide a publicly available resource to help ensure accountability and transparency and help restore trust in the credibility of the Nation's law enforcement agencies and improve relationships between them and the communities they serve.

- Prohibits any State or unit of local government from receiving any Byrne JAG program funds or COPS program funds, unless the United States Attorney General certifies that the jurisdiction satisfies all of the following requirements:

1. Maintains adequate policies and procedures designed to eliminate racial profiling in law enforcement, and has eliminated any existing practices that permit or encourage racial profiling in law enforcement;

2. Requires each law enforcement officer in the State or unit of local government to complete training programs on racial profiling, implicit bias, de-escalation, use of force and a duty to intervene in cases where another law enforcement officer is using excessive force against a civilian, and procedural justice;

3. Has in effect a law that prohibits law enforcement officers from using a chokehold or carotid hold, consistent with the requirements as described in section 363 of H.R. 7120, The

George Floyd Justice in Policing Act, as passed by the House of Representatives on June 25, 2020;

4. Has in effect a law that prohibits law enforcement officers from using less lethal force, consistent with the requirements as described in section 364 of H.R. 7120;

5. Has in effect a law that prohibits law enforcement officers from using deadly force, consistent with the requirements as described in section 364 of H.R. 7120;

6. Has in effect a law that prohibits the issuance of a “no-knock warrant” in a drug case, consistent with the requirements as described in section 362 of H.R. 7120;

7. Has provided the United States Attorney General a law enforcement practice report that includes information on the race, ethnicity, age, and gender of the officers and employees of the law enforcement agency and of members of the public involved in:

- (a) traffic violation stops;
- (b) pedestrian stops;
- (c) frisk and body searches; and
- (d) instances where officers or employees of the law enforcement agency used deadly force, including detailed information on such instances.

8. Has not entered into or renewed any contractual arrangement, including a collective bargaining agreement with a labor organization, that:

- (a) would prevent the Attorney General from seeking or enforcing equitable or declaratory relief against a law enforcement agency engaging in a pattern or practice of unconstitutional misconduct, or
- (b) conflicts with any terms or conditions contained in a consent decree.
- Prohibits any State or unit of local government from receiving any Byrne JAG program funds or COPS program funds, unless the United States Attorney General certifies that the jurisdiction (including all members of multi-jurisdictional or regional consortia applying for COPS funds) has in effect a law that makes it a criminal offense for any person acting under color of law to engage in a sexual act with an individual, including an individual who is under arrest, in detention, or otherwise in the actual custody of any law enforcement officer.
- Requires ten percent of each applicant’s Byrne JAG formula funds to be spent to develop and implement best practice devices and systems to eliminate racial profiling, including training to prevent racial profiling and to encourage more respectful interaction with the public, the acquisition and use of technology to facilitate the accurate collection and analysis of data, the development and acquisition of feedback systems and technologies that identify officers or units of officers engaged in, or at risk of engaging in, racial profiling or other misconduct, and the establishment and maintenance of an administrative complaint procedure or independent auditor program.
- Requires five percent of each applicant’s Byrne JAG formula funds to be spent to assist law enforcement agencies of the applicant, including campus public safety departments,

gain or maintain accreditation from certified law enforcement accreditation organizations.

- Requires five percent of each applicant's Byrne JAG formula funds to be used to study and implement effective management, training, recruiting, hiring, and oversight standards and programs to promote effective community and problem solving strategies for law enforcement agencies.

- Requires five percent of each applicant's Byrne JAG formula funds to be used to purchase or lease body-worn cameras for use by State, local, and tribal law enforcement officers; for expenses related to the implementation of a body-worn camera program in order to deter excessive force, improve accountability and transparency of use of force by law enforcement officers, and improve evidence collection; or to implement policies or procedures to be consistent with requirements as described in section 382 of H.R. 7120, as passed by the House of Representatives on June 25, 2020. The recommendation additionally includes \$27,500,000 for the competitive matching grant program for purchases of body-worn cameras for State, local and Tribal law enforcement.

- Provides \$50,000,000 for grants to train State and local law enforcement officers on racial profiling, implicit bias, de-escalation, use of force and a duty to intervene when witnessing other officers using excessive force, and procedural justice.

- Provides \$100,000,000 for grants to assist states in conducting pattern and practice investigations of law enforcement.

- Provides \$7,200,000 for grants to support State and local law enforcement in complying with reform efforts as a result of litigation including, but not limited to, consent decrees, out of court agreements, memoranda of understanding, findings, technical assistance, and recommendation letters from reform authorities.

- Provides \$250,000,000 for grants to states and tribes to assist in implementing statutes providing for independent investigation of law enforcement officers.

- Provides \$25,000,000 for grants to community-based organizations to study and implement: (1) effective management, training, recruiting, hiring, and oversight standards and programs to promote effective community and problem solving strategies for law enforcement agencies; or (2) effective strategies and solutions to public safety, including strategies that do not rely on Federal or local law enforcement agency responses. The studies shall address standards relating to administrative due process, residency requirements, compensation and benefits, use of force, racial profiling, early warning systems, juvenile justice, school safety, civilian review boards or analogous procedures, or research into the effectiveness of existing programs, projects, or other activities designed to address misconduct by law enforcement officers.

- Provides \$25,000,000 for pilot programs and the implementation of effective standards and programs in the areas of training, hiring and recruitment, and oversight that are designed to improve management and address misconduct by law enforcement officers. In addition, not less than \$4,000,000 is separately provided within the COPS account to develop best

practices for, and to create, civilian review boards, consistent with the requirements as described in section 104(b) of H.R. 7120 as passed by the House of Representatives on June 25, 2020.

- Provides \$15,000,000 for technical assistance grants to tribes and small law enforcement agencies (employing 100 or fewer officers) to help them comply with the requirements of H.R. 7120, as passed by the House of Representatives on June 25, 2020, related to reporting data on the use of force by law enforcement officers.

- Provides \$5,000,000 for grants within the Byrne JAG program for the development of best practices for, and the creation of, local task forces on public safety innovation.

- Provides \$5,000,000 for up to five technical assistance grants for data collection on the hit rates for stops and searches by law enforcement agencies, and provides \$500,000 for analysis and evaluation of this data.

- Provides \$20,300,000 for the Community Relations Service, an increase of \$4,300,000 above fiscal year 2020, including \$3,300,000 for additional conflict resolution efforts as authorized in section 116(2) of H.R. 7120 as passed by the House of Representatives on June 25, 2020.

- Provides \$12,000,000 for the U.S. Commission on Civil Rights, an increase of \$1,935,000 above fiscal year 2020, including additional funding in support of the Commission's efforts to further research and advise on the topic of policing reform.

- Provides \$6,000,000 for domestic radicalization research and directs the National Institute of Justice (NIJ) to prioritize funding toward research efforts that explore the radicalization of Americans to white nationalist extremism and identify and advance evidence-based strategies for effective intervention and prevention.

- Directs the FBI to report on the number of incidents in fiscal years 2016 through 2020 that required surveillance, investigation, and prosecution of white supremacist activity or racially motivated violent extremism associated with white supremacist ideology.

- Directs NIJ to conduct a study to identify evidence-based procedures, practices, trainings, and policies that both reduce the use of excessive force by law enforcement as well as support the effective use of de-escalation training to resolve confrontations peacefully.

- Directs NIJ to conduct a nationwide study of the prevalence and effect of any law, rule, or procedure that allows a law enforcement officer to delay the response to questions posed by a local internal affairs officer, or review board on the investigative integrity and prosecution of law enforcement misconduct, including pre-interview warnings and termination policies, consistent with requirements as described in section 115 of H.R. 7120 as passed by the House of Representatives on June 25, 2020.

In addition, the recommendation includes the following further measures aimed at ensuring racial justice:

- Provides \$8,000,000 for grants authorized under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (Public Law 111–84) to help states, localities, and tribal law enforcement agencies to conduct educational outreach and training on hate crimes, and to investigate and prosecute hate crimes.
- Provides \$13,500,000, as authorized, in support 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 Criminal Section of the Civil Rights Division, the Civil Rights Unit of the FBI, the Community Relations Service, State and local law enforcement officials, and other eligible entities.
- Provides \$408,700,000 for the Equal Employment Opportunity Commission, an increase of \$19,200,000 above fiscal year 2020.
- Provides \$52,000,000 for the Minority Business Development Agency, an increase of \$10,000,000 above fiscal year 2020, to help create jobs and expand business growth opportunities among minority-owned U.S. companies.

*Infrastructure and Economic Growth.*—This bill invests in our nation’s infrastructure improvement needs by providing \$356,000,000 for the Economic Development Administration (EDA), an increase of \$23,000,000 above fiscal year 2020, including increases for EDA’s Public Works program, Regional Innovation Strategies program, and other EDA programs. These funds will support the Nation’s economic recovery and provide the foundation for future growth in jobs and our standard of living.

The bill also helps expand economic growth in other ways. The recommendation includes \$153,000,000 for the Manufacturing Extension Partnership program, an increase of \$7,000,000 above fiscal year 2020. This program helps small- and medium-sized U.S. manufacturers create jobs and expand business growth opportunities. A robust funding increase is provided for the International Trade Administration, to create jobs by expanding U.S. exports and fighting the unfair trade practices of other countries. Furthermore, the full budget request of \$3,695,295,000 is provided for the U.S. Patent and Trademark Office (PTO), to enable PTO to promote innovation in the United States by protecting our nation’s intellectual property rights both at home and abroad.

The bill also ensures responsible investments in the future of our Nation’s economy and workforce by providing increases for science, technology, engineering, and mathematics (STEM) engagement at the National Aeronautics and Space Administration (NASA) and the National Science Foundation (NSF), as well as an increase for EDA’s STEM Apprenticeship Pilot Program to create and expand STEM apprenticeships and other workforce training models. Within the National Institute of Standards and Technology, strong funding increases are provided for research efforts related to key future technologies, including quantum information science and artificial intelligence.

All of these investments in our economy are especially important now, as the Nation continues to deal with the very real economic consequences associated with the coronavirus pandemic.

*Census Bureau.*—The bill provides the full budget request for Periodic Censuses and Programs, to enable the Census Bureau to effectively finish its work on the constitutionally-required decennial census.

*Efforts Addressing Climate Change.*—The bill provides strong and responsible funding increases for critical efforts to better understand, and prepare for, the Earth's changing climate. Notable funding increases are provided for NASA Earth Science activities as well as for climate research activities of the National Oceanic and Atmospheric Administration (NOAA). Both areas have been repeatedly targeted by the Administration for large funding cuts and eliminations. This bill once again rejects those proposals. The recommendation also increases funding for NOAA's National Coastal Resiliency Fund. This competitive grant program funds natural infrastructure solutions to help protect coastal areas threatened by rising sea level and other impacts of climate change. Furthermore, the recommendation includes funding increases both for NOAA's Coastal Zone Management grant program, and to enhance the National Weather Service's ability to accurately forecast extreme weather events.

*Fighting the Opioid Epidemic.*—The bill provides substantial resources to address the opioid epidemic. To assist State and local governments, the bill provides strong funding increases for grants authorized by the Comprehensive Addiction and Recovery Act. For Federal law enforcement, the bill maintains funding to support Federal law enforcement's ability to investigate and prosecute traffickers in opioids and other dangerous drugs.

*Justice Grants.*—The bill provides other responsible increases for Department of Justice grant assistance. For programs funded under the Violence Against Women Act, the bill provides \$525,000,000, an increase of \$22,500,000 above fiscal year 2020. For school safety, the bill provides \$140,000,000, an increase of \$15,000,000, to fund the STOP School Violence Act of 2018. In addition, the bill increases funding for other activities that will address school violence, such as youth mentoring grants and grants for juvenile justice and delinquency prevention.

*Preventing Gun Violence.*—The bill also takes important steps towards addressing gun violence in this country. The bill maintains current funding for the FBI's National Instant Criminal Background Check System (NICS) and provides a strong funding increase for grants to help States improve their submissions into the NICS system. The bill also increases funding for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) by \$150,000,000 above fiscal year 2020 to hire additional investigative personnel and expand oversight of Federal Firearms Licensees.

*Legal Services Corporation.*—The recommendation makes a strong commitment to ensuring access to justice for all Americans by providing \$465,000,000 for the Legal Services Corporation, an increase of \$25,000,000 above fiscal year 2020.

*First Step Act and Second Chance Act.*—The recommendation includes not less than \$165,000,000, an increase of \$90,000,000 above fiscal year 2020, for programs authorized under the First Step Act



of 2018, to expand and develop opportunities for incarcerated individuals to participate in evidence-based, recidivism-reducing programming and productive activities. The recommendation also includes \$100,000,000 for Second Chance Act grants, an increase of \$10,000,000 above fiscal year 2020.

*National Aeronautics and Space Administration (NASA).*—For NASA, the bill includes \$22,629,000,000, equal to fiscal year 2020, including strong funding levels for NASA’s science, human space exploration, space technology, aeronautics research, and STEM Engagement programs, many of which have been repeatedly targeted for reduction or even elimination in the Administration’s budget requests.

*Other Science Investments.*—The recommendation makes other strong investments in science as well, providing \$8,548,343,000 for the National Science Foundation, an increase of \$270,013,000 above fiscal year 2020, and \$789,000,000 for scientific and technical research and services of the National Institute of Standards and Technology, an increase of \$35,000,000 above fiscal year 2020.

#### OVERSIGHT AND BUDGET REVIEW

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

- Provides strong funding increases for the agency inspectors general funded in this bill.
- Caps total life-cycle costs for programs that have a record of poor performance.
- Prohibits funding for the National Technical Information Service to charge customers for a copy of a document generated by the Legislative Branch unless the customer is informed how to receive an electronic copy free online.
- Prohibits the Executive Office for Immigration Review from using case completion quotas in immigration judge performance evaluations.
- Maintains limitations on the Department of Justice’s use of non-appropriated funds, including the Working Capital Fund and the Assets Forfeiture Fund.
- Requires quarterly reporting of unobligated balances.
- Requires agencies procuring sensitive information technology systems to conduct supply chain risk assessments.
- Requires contractors and grantees receiving more than \$5,000,000 to certify that they are not delinquent on their Federal taxes.
- Prohibits funds from being used to purchase first class and premium airline travel.
- Limits the number of agency staff who can attend overseas conferences.
- Requires agencies to track undisbursed grant balances.
- Requires agencies to submit spending plans for the Committee’s review.
- Requires agencies to notify the Committee of project cost overruns and mitigation plans.
- Requires agency computer networks to block pornography.

*Paper Reduction Efforts.*—The Committee urges the Departments of Commerce and Justice, the National Science Foundation, and

NASA to work with the Office of Management and Budget to reduce printing and reproduction costs and directs each agency to report to the Committee within 60 days of the enactment of this Act on the steps it has taken to achieve this goal. The report should specifically identify how much funding each agency expects to save by implementing these measures.

*Performance Measures.*—The Committee directs all agencies funded by this Act to comply with title 31 of the United States Code, including the development of their organizational priority goals and outcomes such as performance outcome measures, output measures, efficiency measures, and customer service measures. The Committee directs all agencies funded by this Act to report on their implementation plans for these measures within 60 days of the enactment of this Act, and looks forward to receiving the reports on this subject as directed in House Report 116–101.

*Customer Service.*—The Committee continues to support efforts to improve customer service in accordance with Executive Order 13571—Streamlining Service Delivery and Improving Customer Service. The Committee directs all agencies funded by this Act to develop standards to improve customer service and incorporate the standards into the performance plans required under 31 U.S.C. 1115. The Committee directs all agencies funded by this Act to report on their implementation plans regarding this subject no later than 60 days after enactment of this Act, and looks forward to receiving the reports on this subject as directed in House Report 116–101.

*Federal Advertising.*—The Committee understands that, as the largest advertiser in the United States, the Federal Government should work to ensure fair access to its advertising contracts for small disadvantaged businesses and businesses owned by minorities and women. The Committee directs each department and agency funded by this Act to include the following information in its fiscal year 2022 budget justification: Expenditures for fiscal year 2020 and expected expenditures for fiscal years 2021 and 2022, respectively, for (1) all contracts for advertising services; and (2) contracts for the advertising services of: (a) socially and economically disadvantaged small business concerns (as defined in section 8(a)(4) of the Small Business Act (15 U.S.C. 637(a)(4))); and (b) women- and minority-owned businesses.

*Services for Persons with Limited English Proficiency.*—The Committee notes the importance of ensuring access to Federal services and programs for all persons with limited English proficiency. Therefore, the Committee directs agencies and programs funded in this Act to comply fully with the requirements of Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” and on an ongoing basis, review and improve their efforts to provide meaningful access to the programs, services, and information they provide.

#### REPROGRAMMING PROCEDURES

Section 505 of the bill contains language concerning the reprogramming of funds between programs, projects, and activities. The Committee reminds the departments and agencies funded in this bill that the reprogramming process is based on comity between the Congress and the Executive Branch. This process is in-

tended to provide departments and agencies enough flexibility to meet changing circumstances and emergent requirements not known at the time of congressional review of the budget while preserving congressional priorities and intent. In the absence of comity and respect for the prerogatives of the Appropriations Committees and the Congress in general, the Committee may opt to include specific program limitations and details in legislation and remove language providing the flexibility to reallocate funds. Under these circumstances, programs, projects, and activities become absolutes and the Executive Branch shall lose the ability to propose changes in the use of appropriated funds except through legislative action.

Each department and agency funded in this Act shall follow the directions set forth in this bill and the accompanying report and shall not reallocate resources or reorganize activities except as provided herein. Reprogramming procedures shall apply to funds provided in this Act, unobligated balances from previous appropriations Acts that are available for obligation or expenditure in fiscal year 2021, and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2021. As specified in section 505, the Committee expects that the Appropriations Subcommittees on Commerce, Justice, Science, and Related Agencies of the House and Senate will be notified by letter a minimum of 15 days prior to any reprogramming of funds that—

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;
- (4) relocates an office or employees;
- (5) reorganizes or renames offices, programs, or activities;
- (6) contracts out or privatizes any functions or activities presently performed by Federal employees;
- (7) augments existing programs, projects, or activities more than \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project, or activity, or numbers of personnel by 10 percent; or
- (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects, or activities as approved by Congress.

The Committee recognizes that the coronavirus pandemic may lead to unanticipated yet unavoidable agency costs that could require budgetary transfers and reprogrammings. However, the Committee expects to be promptly notified in advance of all such actions.

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

#### RELATIONSHIP WITH BUDGET AND COMPTROLLER OFFICES

Through the years the Appropriations Committee has channeled most of its inquiries and requests for information and assistance through the budget offices or comptroller organizations of the various departments, agencies, and commissions. Such relationships

are necessary to accomplish the work of the Committee. While the Committee reserves the right to call upon all organizations in the departments, agencies and commissions for information and assistance, the primary contact between the Committee and these entities must be through the budget offices and comptroller organizations, or through a legislative affairs unit designated by the Committee to work on appropriations and budget matters.

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

## TITLE I

### DEPARTMENT OF COMMERCE

#### INTERNATIONAL TRADE ADMINISTRATION

##### OPERATIONS AND ADMINISTRATION

The Committee recommends \$542,428,000 in total resources for the programs of the International Trade Administration (ITA), which is \$21,178,000 above fiscal year 2020 and \$57,021,000 above the request. This amount is offset by \$11,000,000 in estimated fee collections, resulting in a direct appropriation of \$531,428,000. The recommendation fully supports the staffing requirements to help ITA provide critical expertise in both trade promotion and facilitation as well as enforcement. The Committee directs ITA to continue to provide quarterly updates as described in the Explanatory Statement accompanying Public Law 116–93.

*Industry and Analysis.*—The recommendation continues support for the Survey of International Air Travelers (SIAT) at no less than the fiscal year 2020 level and encourages ITA to include an assessment of the impacts of the coronavirus on the travel and tourism industries in future SIAT surveys. Further, the Committee directs ITA to provide a report to the Committee no later than 60 days after enactment of this Act outlining next steps the Federal government can take to assist industry as efforts to recover from this crisis are underway. Additionally, the report should include policy recommendations or legislative proposals that may be considered.

*Enforcement and Compliance.*—The recommendation fully funds Enforcement and Compliance at the requested level. The Committee commends ITA for its expansion of the existing Steel Import Monitoring and Analysis system to include aluminum. The new Aluminum Import Monitoring and Analysis (AIMA) system provides the public statistical data on aluminum imports entering the United States and provides as an early warning system to the public regarding aluminum imports from throughout the world. The recommendation supports the \$800,000 requested to support the AIMA system and will help enhance data analytics and research into aluminum global trade trends.

In fiscal year 2002, ITA had 168 analysts spread among nine different Anti-Dumping and Countervailing Duty (AD/CVD) enforcement offices and initiated 60 new AD/CVD investigations. However, last year ITA initiated a similar number of investigations and

issued a historically high number of AD/CVD orders with roughly 20 percent fewer staff spread among eight enforcement offices. ITA is directed to prioritize Anti-Dumping and Countervailing Duty (AD/CVD) operations and the new Anti-Circumvention and Evasion Unit by directing necessary resources to promptly respond to any increase in AD/CVD cases by taking steps to fill vacancies. The Committee also encourages ITA to continue to self-initiate AD/CVD proceedings, particularly with regard to unfair trade practices that result in economic harm to small businesses and producers, especially those with regional and seasonal impacts, and include updates on these efforts in ITA's quarterly updates to the Committee.

*Global Markets.*—The recommendation provides \$348,000,000 for Global Markets, \$67,681,000 above the request. The Committee directs ITA to ensure that all U.S. Export Assistance Centers have onsite, full-time permanent staff members and further directs ITA to include in its quarterly updates a progress report on these efforts, by location. The Committee further directs ITA to provide a supplement report, due no later than 180 days after enactment of this Act, providing a staffing plan for any Export Assistance Center that did not have a full-time permanent staff person in fiscal year 2020. This report shall include a breakdown of all related costs to maintain these locations and a timeframe for staffing these locations, with projected out-year costs.

*Efforts in the Territories.*—The Committee is concerned by the relatively low levels of exports by small businesses, foreign direct investment from firms other than foreign subsidiaries of U.S. companies, and tourism as percentage of GDP in the territorial possessions of the United States. Multiple territories, but in particular Puerto Rico, have suffered from significant natural disasters and economic stagnation over the past several years, and the Committee believes ITA should play a more active role in helping to address these issues, as recommended in the 2016 Bipartisan Congressional Task Force on Economic Growth in Puerto Rico report to the House and Senate. Therefore, the Committee directs ITA to take all reasonable steps to educate stakeholders in Puerto Rico and other territorial possessions of the United States, including by holding educational and/or technical assistance events, and to provide direct technical assistance to territorial governments if requested. ITA shall report back to the Committee not later than 60 days after the enactment of this Act on its plans in this area.

#### BUREAU OF INDUSTRY AND SECURITY OPERATIONS AND ADMINISTRATION

The Committee recommends \$137,664,000 for the Bureau of Industry and Security (BIS), as requested, and \$10,012,000 above fiscal year 2020. The recommendation does not support the transfer of the Regulatory Policy Division to the Office of the Under Secretary.

The Committee has heard concerns about how exclusions under section 232 of the Trade Expansion Act of 1962 have been implemented and awaits the report directed in House Report 116–101. Further, the Committee directs the Department to continue its quarterly reporting on the Section 232 exclusion process as de-

scribed in the Explanatory Statement accompanying Public Law 116–6.

*Tariff Exclusions for Aluminum Products.*—The Committee recognizes the importance of the U.S. aluminum industry to our nation’s safety, security, and prosperity. However, the Committee is concerned by industry reports suggesting that the Department has granted tariff exclusions for volumes of aluminum products that in some cases have exceeded historical import volumes and U.S. market demand. The Committee encourages the Commerce Department to improve its efforts to ensure that exclusion volumes are not unnecessarily disproportionate to historic import volumes and continue its efforts to leverage and advance domestic aluminum production through robust collaboration, research, and initiatives.

*3D-printed Firearms and Firearm Parts.*—The Committee is aware that on March 9, 2020, a number of items on Categories I, II, and III of the International Traffic in Arms Regulations (ITAR) U.S. Munitions List (USML) were transferred to the Commerce Control List (CCL). The Committee notes that the exports of technology or software that can be used to manufacture 3D-printed firearms and firearm parts have not transferred while the matter is under pending litigation. Further, the Committee is aware that notifications to Congress that were once in place for items previously on the USML are no longer in effect as the Commerce Department does not currently have to notify Congress of firearms sales in excess of \$1,000,000 as the State Department was required to do. The Committee urges the Department of Commerce to continue these notifications to Congress to ensure congressional oversight.

#### ECONOMIC DEVELOPMENT ADMINISTRATION

The Committee rejects the proposal to terminate the Economic Development Administration (EDA) and instead recommends \$356,000,000 for the programs and administrative expenses of the EDA. In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Public Law 116–136) included \$1,500,000,000 for the EDA to prevent, prepare for, and respond to coronavirus, including to economic injury, domestically or internationally.

*Allocation of CARES Act Funds.*—The Committee strongly disagrees with EDA’s geographic distribution of the \$1,500,000,000 provided in the CARES Act (Public Law 116–136), which directed EDA “to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for necessary expenses for responding to economic injury as a result of coronavirus.” The Committee understands that in determining the geographic allocations, EDA did not consider any data that would indicate the relative levels of economic injury by region, despite the availability of leading economic indicators such as payroll records and unemployment claims. While the Committee appreciates the difficulty of assessing the economic injury of the ongoing economic calamity, that difficulty did not absolve EDA of their legal requirement to do so.

Not later than 30 days after the enactment of this Act, EDA shall provide a report to the Committee that includes: (1) the methodology used in determining the geographic allocations of CARES Act funds, including the weighting of each variable in the allocation formula; (2) estimates of the relative economic injury incurred by

each region due to the coronavirus, one using the most recent economic data, and another using data which was available as of April 10, 2020; and (3) an analysis of the discrepancy between the funding made available to each region and the relative economic injury. Further, details regarding the geographic allocations of funds as detailed in (1) above shall be provided in all future spend plans submitted to the Committee for all EDA funds.

#### ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The Committee provides \$314,000,000 for the Economic Development Assistance Programs account for grants to economically distressed areas. The Committee notes with deep concern the increasing levels of inequality in the Nation which has been magnified by the COVID-19 pandemic. The Committee expects EDA will play a critical role in ensuring that no communities are left behind in the economic recovery that is to come and is committed to supporting EDA in this endeavor.

Funds are to be distributed as follows; any deviation of funds shall be subject to the procedures set forth in section 505 of this Act:

Public Works .....	\$122,000,000
Partnership Planning .....	33,000,000
Technical Assistance .....	9,500,000
Research and Evaluation .....	1,500,000
Trade Adjustment Assistance .....	13,500,000
Economic Adjustment Assistance .....	40,000,000
Assistance to Coal Communities .....	37,000,000
Regional Innovation Program .....	35,000,000
Assistance to Nuclear Closure Communities .....	18,000,000
STEM Apprenticeship Pilot Program .....	4,500,000
Total .....	314,000,000

*Assistance to Coal Communities.*—The Committee continues to support Assistance to Coal Communities, which builds on the Committee's prior efforts to assist communities throughout the country that are suffering significant coal mining job losses. The recommendation includes \$37,000,000 for Assistance to Coal Communities, which represents an increase of \$7,000,000 from the amount provided in fiscal year 2020. The Committee appreciates that EDA has engaged and is collaborating with local leaders and stakeholders, along with other Federal agencies, to develop comprehensive strategies to promote economic growth in coal mining communities. The Committee expects this effort to continue. The Committee directs EDA to continue assisting communities that have yet to develop an economic development strategy to begin the planning process, and to continue to assist communities with such strategies to implement them, including by funding authorized economic development projects. EDA shall also continue reporting to the Committee on its efforts to assist coal communities, and the report shall include a detailed description regarding how EDA and other Federal agencies have assisted coal mining communities to date and how the Federal government plans to assist them in the future.

*National Advisory Council on Innovation and Entrepreneurship.*—The Committee notes with concern the lapse of the activities of the National Advisory Council on Innovation and Entrepreneurship. EDA is directed to reconstitute this body within 180 days of

the enactment of this Act to inform its work in strengthening the American economy.

*Public Works.*—The Committee provides \$122,000,000 for Public Works and encourages EDA to prioritize projects that are resilient to the changing climate as well as those that incorporate green infrastructure solutions.

*Regional Innovation Program.*—The Committee encourages EDA to support the development of regional innovation clusters that focus on advanced wood products, which are a growing source of jobs in rural America and contribute to rural economic development. An initiative that successfully increased demand for wood products would also address several key land management priorities, including reducing forest treatment costs and wildfire risks. The Committee urges EDA to invest in university based, high tech business incubators to diversify distressed manufacturing and legacy urban and rural communities by encouraging entrepreneurship and promoting technology commercialization through business startups. Furthermore, this activity should support private-public partnerships for economic growth and job creation in areas of high unemployment.

*Nuclear Power Plant Closures.*—The Committee notes that closures of nuclear power plants throughout the United States have had a significant impact on the economic foundations of surrounding communities through sudden job losses and a dramatic reduction to the local tax base. Additional plant closures are expected throughout the country in the coming years. The Committee appreciates the work EDA has undertaken to assist such communities in prior years and provides \$18,000,000 for competitive economic adjustment assistance to expand these efforts, which shall include, but not be limited to, public works investments and economic diversification initiatives in communities impacted by recent or scheduled nuclear power plant closures. The Committee directs the Department to report to the Committee no later than 90 days after enactment of this Act on the status of these efforts.

*STEM Apprenticeship Pilot Program.*—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, nontraditional higher education, such as apprenticeships, will be instrumental in meeting the urgent demand for a STEM-literate workforce. Therefore, the Committee provides \$4,500,000 to continue the STEM Apprenticeship Pilot Program, established in fiscal year 2020, to provide grants 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).

*Persistent Poverty.*—The Committee is concerned that pockets of high poverty in urban areas are often overlooked by the Federal Government because, in the aggregate, their need is often masked by their affluent neighbors. In light of the impacts of COVID-19, the need in these areas is greater than ever. Therefore, when scoring competitive grant applications, EDA is directed to add additional priority, where practicable, to applications from grantees



who can demonstrate that the individuals who will benefit from such grants reside in high-poverty areas or persistent-poverty counties, as defined in fiscal year 2020. In addition, EDA shall provide guidance to such prospective grantees, especially prior to their application submissions, including to help determine whether they qualify for additional priority. The Department is directed to report to the Committee, not later than 90 days after the date of enactment of this Act, on EDA's efforts aimed at high-poverty areas and persistent poverty counties, including efforts to prioritize assistance to such areas.

*Economic Assistance for Communities.*—Economic and community development funding provided by other agencies can have even more impact if they are utilized in conjunction with other Federal funding sources, such as EDA. The Committee therefore encourages EDA to treat as acceptable funds any funding provided by other Federal programs which are explicitly authorized to be used for any required non-Federal share of the cost of a project so that funding from both agencies may be used if necessary and to the extent permitted by law.

#### SALARIES AND EXPENSES

The recommendation includes \$42,000,000 for EDA salaries and expenses.

#### MINORITY BUSINESS DEVELOPMENT AGENCY

##### MINORITY BUSINESS DEVELOPMENT

The recommendation includes \$52,000,000 for the Minority Business Development Agency (MBDA), an increase of \$10,000,000 over fiscal year 2020. In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Public Law 116–136) included \$10,000,000 for the minority business centers of the MBDA to provide technical assistance to small business concerns. MBDA is the only Federal agency dedicated to promoting the growth of minority-owned firms and assists small, medium, and large minority enterprises to expand business opportunities and create jobs. MBDA is directed to allocate no less than \$36,000,000 of its total appropriation toward cooperative agreements, external awards, and grants, including not less than \$22,000,000 to continue MBDA's Business Center program and Specialty Project Center program.

*Native American Business Development.*—The Committee provides not less than \$3,000,000 for MBDA to award grants to tribes and American Indian, Alaska Native, and Native Hawaiian populations to address barriers to economic development. MBDA shall continue full implementation of Public Laws 106–447 and 106–464 and to fulfill the mission of the Office of Native American Business Development.

*HBCU/HSI Entrepreneurship Pilot.*—The Committee recognizes that while growth rates in entrepreneurship for many groups is increasing, compared to rates of participation in the labor market, there are systemic challenges for numerous minority groups. The Committee encourages MBDA to establish a pilot project to support entrepreneurship for undergraduate students at Historically Black Colleges and Universities (HBCUs) and Hispanic Serving Institutions (HSIs), which shall support the development of curricula,

pilot courses, seminars, and development of replicable products and tools. Program elements should align with the Inclusive Innovation Initiative and national efforts related to economic development generally. The Department is encouraged to include recommendations in its next year budget submission on efforts to support the demonstration for a three-year period.

*White House Initiative on Asian Americans and Pacific Islanders.*—The Committee notes with concern the Administration’s decision to shift the White House Initiative on Asian Americans and Pacific Islanders (WHIAAPI) from the Department of Education to MBDA despite the lack of Congressional notification. This obfuscation was compounded by the omission of any discussion of the subsequent proposed elimination of WHIAAPI in the fiscal year 2021 Department of Commerce budget proposal. The Committee rejects this elimination and instead provides no less than the amount provided in fiscal year 2020. The Department shall, within 30 days of the enactment of this Act, provide the Committee with a report on the decision to move WHIAAPI to MBDA, which shall include an explanation of the change in its goals and scope that make MBDA a more appropriate fit. The Department is further directed to include the Initiative as part of its budget proposal submission for fiscal year 2022, with details regarding its scope of work, metrics and deliverables, and financial requirements.

## ECONOMIC AND STATISTICAL ANALYSIS

### SALARIES AND EXPENSES

The Committee recommends the requested amount of \$111,855,000 for the Economics and Statistics Administration, \$3,865,000 above fiscal year 2020. The Committee looks forward to receiving the report on the long-term funding strategy for the Federal Data Service as directed in House Report 116–101.

Within the amounts provided, \$1,500,000 is for the Outdoor Recreation Satellite Account (ORSA). The Committee directs the Bureau of Economic Analysis (BEA) in consultation with the Department of Labor to conduct a workforce needs study building upon the information provided by ORSA. The study should focus on identifying current and projected workforce demographics, geographic distribution of jobs, compensation trends, unfilled job types and quantities, and recommended training needs by sub-sector. BEA is encouraged to coordinate with the agencies of the Federal Recreation Council, outdoor recreation industry, nongovernmental organizations, and institutions of higher education to recommend strategies to both research and develop national-level training standards and solutions to support this fast-changing and growing industry, and assess ways further investment in this area could help with rural and suburban economic development.

### BUREAU OF THE CENSUS

The Committee recommends a total of \$1,681,112,000 for the Bureau of the Census, which is \$9,135,000 above the request. The amount reflects the eventual ramp down of the 2020 Decennial Census operations, which has experienced unprecedented delays due to the novel coronavirus pandemic and will continue portions of its operations into the first quarter of fiscal year 2021.

*Puerto Rico and U.S. territories.*—The Committee looks forward to receiving the report required in the Explanatory Statement accompanying the fiscal year 2020 Consolidated Appropriations Act, which will outline the process for including Puerto Rico in the total resident and total population totals of the United States. The Committee expects the Census Bureau to outline any further steps necessary to implement this plan, including any necessary legislative changes.

*Lesbian, Gay, Bisexual, and Transgender Population Data Collection.*—The Committee looks forward to the feasibility study for expanding data collection of the lesbian, gay, bisexual, and transgender (LGBT) population in its future Federal population surveys as directed in House Report 116–101. The Committee believes data on the LGBT population will be useful to policymakers and researchers alike. Additionally, the Committee has heard concerns about the lack of reliable data on gender non-binary population and directs the Census Bureau to undertake a feasibility study for expanding data collection to this population in its future Federal population surveys. A report on the results of this study shall be delivered to the Committee no later than 180 days after enactment of this Act.

*Language Assistance.*—The Committee recognizes the expansion of language support for the 2020 Decennial Census through the 2020 Census Language Services Operation to reach 98 percent of limited-English speaking households and the Census Bureau’s efforts currently underway to translate American Community Survey (ACS) into other non-English languages such as Korean, Spanish, Arabic, Chinese, French, Portuguese, Polish, Russian, Haitian-Creole, and Vietnamese. However, the Committee remains concerned about the lack of data on small population groups and the availability of language assistance for respondents to other surveys and encourages the Census Bureau to continue assessing ways to increase language assistance on its surveys to those who speak Asian languages, Pacific Islander languages, American Indian and Alaska Native languages, African languages and Spanish. Further, the Committee directs the Census Bureau to provide updates on a semi-annual basis on language assistance programs for the American Community Survey (ACS), including information on how it is reaching and assisting respondents who speak the aforementioned languages.

*Cybersecurity Threats.*—The Committee remains concerned that as the Census Bureau looks to modernize data collection methods, the Census Bureau could potentially be exploited by nefarious actors who seek to undermine the integrity of census data, which is vital to democratic institutions, and gain access to sensitive information otherwise protected by law. These threats include both hacking into the Census Bureau IT infrastructure and efforts to use supercomputing to unmask the privacy of census respondents. The Committee directs the Census Bureau to prioritize cyber protections and high standards of data differential privacy, while also maintaining the accuracy of the data, and expects the Census Bureau to update the Committee regularly on these efforts.

## CURRENT SURVEYS AND PROGRAMS

The Committee recommends \$288,403,000 for Current Surveys and Programs, which is \$14,403,000 above fiscal year 2020 and \$9,135,000 above the request.

The recommendation restores funding to continue the level of effort for the Survey of Income and Program Participation (SIPP) at the fiscal year 2018 level to ensure statistically reliable estimates, and fully supports the Census Bureau's efforts to evaluate and improve the supplemental poverty measure.

## PERIODIC CENSUSES AND PROGRAMS

## (INCLUDING TRANSFER OF FUNDS)

The Committee recommends the requested level of \$1,392,709,000 for Periodic Censuses and Programs. The recommendation provides for a transfer of \$3,556,000 to the Department of Commerce Office of Inspector General (OIG) for oversight and auditing of the Census Bureau.

*2020 Decennial Census.*—Given the unprecedented delays to the 2020 Decennial Census due to the coronavirus, the Census Bureau required the majority of its approximately \$2,000,000,000 in carry-over funds to support the delay in field operations in fiscal year 2020, and therefore the recommendation does not include the Administration's proposal to transfer \$208,000,000 in 2020 Decennial funds to the Census Bureau Working Capital Fund to support fiscal year 2021 requirements, including the reconfiguration of existing facilities to accommodate the relocation of 1,800 Bureau of Labor Statistics (BLS) personnel. The Census Bureau, in coordination with the General Services Administration, BLS and OMB, is directed to brief the Committee on the status of this relocation effort including timeline and costs borne by all agencies no later than 15 days after enactment of this Act. While the Committee understands reconfiguration to the existing facilities and IT infrastructure will be required to accommodate the additional employees, the Committee directs the Census Bureau to find innovative ways to ensure current occupants are not negatively impacted by this move and encourages the Census Bureau to solicit occupant feedback and consider enhancing telework or alternative work schedules.

*2030 Decennial Census.*—As the 2020 Decennial Census concludes, preparations for the 2030 Decennial Census operation are beginning. The Committee recognizes the unprecedented delays to the 2020 Decennial Census due to the coronavirus were outside of the Census Bureau's control, but the Committee also understands the importance of examining lessons learned as a vital part of program management and directs the Census Bureau to conduct such reviews and inform the Committee on its findings. Additionally, as the Census Bureau examines the questions that will be considered for the 2030 Decennial Census, the Committee directs the Census Bureau to conduct a feasibility study on including a race category for individuals who identify as Middle East or North African, also known as MENA, which was not ultimately included in the 2020 Decennial Census questionnaire. The Committee also expects that questions on sexual orientation and gender identity will also be examined for possible inclusion in the 2030 Decennial Census questionnaire.

NATIONAL TELECOMMUNICATIONS AND INFORMATION  
ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends \$45,500,000 for the National Telecommunications and Information Administration (NTIA), which is \$5,059,000 above fiscal year 2020. The recommendation is distributed as shown in the table below:

Domestic and International Policy .....	\$9,224,000
Spectrum Management .....	9,752,000
Advanced Communications Research .....	10,000,000
Broadband Programs .....	16,216,000
Public Safety Communications .....	308,000
Total .....	45,500,000

The recommendation adopts the Administration’s proposal to establish a new program activity, “Public Safety Communications”, intended to ensure those who serve in our State and local public safety sectors are provided with the tools and expertise needed to remain on pace with advances in technology through the NTIA’s Next Generation 911 (NG911) program. The Committee provides no less than \$2,024,000 for the overdue modernization of the most critical components of NTIA’s spectrum management system. The recommendation also includes no less than \$1,285,000 above the fiscal year 2020 level for Advanced Communications Research to upgrade equipment and hire additional staff to support NTIA’s work on 5G telecommunications systems.

*Telecommunications Role in Hate Crimes.*—The Committee looks forward to receiving the report regarding the role of telecommunications in hate crimes as directed in House Report 116–101. The Committee reiterates its concern about this issue and reminds NTIA to include the myriad new forms of telecommunications in its analysis. NTIA shall provide a briefing to the Committee on its progress within 90 days of the enactment of this Act.

*Rural Broadband Coordination.*—The Committee continues prior year direction to NTIA to coordinate with the Rural Utilities Service, the Federal Communications Commission, and other related Federal agencies to coordinate with one another, as well as the rural communications industry, to identify and pursue ways to continue sustainable broadband deployment and adoption, and to ensure that policies tied to one Federal program do not undermine the objectives and functionality of another. Further, the Committee continues to encourage NTIA to place equal priority on the deployment of the Nationwide Public Safety Broadband Network (NPSBN) in rural communities as it does in urban areas.

*Spectrum Management for Science.*—The Committee recognizes that ensuring access to key portions of spectrum for radio astronomy observations, environmental observations, and other scientific purposes is essential for scientific discovery. The Committee encourages NTIA, in coordination with FCC and other appropriate stakeholders, to preserve spectrum access for scientific purposes as commercial use of radio spectrum increases. The Committee looks forward to the report highlighting NTIA’s ongoing efforts on this front.

*Policy and Technical Training.*—The Committee encourages NTIA to work with the FCC and the Department of State to pro-

vide support for activities provided under section 7 of Public Law 98–549. As part of these activities, NTIA may provide assistance and guidance in policy and technical training to impart best practices to information technology professionals from developing countries.

*National 5G Strategy.*—The Committee supports the development of secure 5G networks that are developed using technology and equipment that is verified to be secure from foreign surveillance or influence. The Committee believes it is in the best interest of the national and economic security of the United States to implement a strong national 5G strategy as outlined in Public Law 116–129.

#### UNITED STATES PATENT AND TRADEMARK OFFICE

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFERS OF FUNDS)

The Committee recommends \$3,695,295,000 for the United States Patent and Trademark Office (PTO), the full amount of fiscal year 2021 fee collections estimated by the Congressional Budget Office. PTO shall continue to provide monthly reports to the Committee on PTO’s actual and projected fee collections, application volumes, performance, and staffing.

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

#### NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The Committee recommends \$1,044,000,000 for National Institutes of Standards and Technology (NIST). In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Public Law 116–136) included \$66,000,000 for NIST to prevent, prepare for, and respond to coronavirus, including \$6,000,000 to support continuity of operations and measurement science to support viral testing and biomanufacturing; \$50,000,000 for Hollings Manufacturing Extension Partnership to assist manufacturers; and \$10,000,000 for the National Network for Manufacturing Innovation (also known as “Manufacturing USA”) to support development and manufacturing of medical countermeasures and biomedical equipment and supplies.

#### SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$789,000,000 for NIST’s Scientific and Technical Research and Services (STRS) programs, which is \$35,000,000 above fiscal year 2020 and \$136,973,000 above the request. The recommendation rejects the proposed reductions to Advanced Manufacturing and Material Measurements; Fundamental Measurement, Quantum Science, and Measurement Dissemination; Advanced Communications, Networks, and Scientific Data Systems; Health and Biological Systems Measurements; Physical In-

frastructure and Resilience; NIST User Facilities; Office of Special Programs; Standards Coordination Office; and the NIST Center of Excellence Program and instead provides no less than the fiscal year 2020 level for these programs.

*Quantum Information Science.*—The Committee provides no less than \$8,000,000 above the fiscal year 2020 level for Quantum Information Science, as authorized in the National Quantum Initiative Act to support and expand basic and applied quantum information science and technology research and development (R&D) of measurement science and standards. Further, the Committee encourages NIST to expand its collaboration with other entities, including industry, universities, and Federal laboratories, to help advance the field of quantum information science and engineering.

*Artificial Intelligence.*—The recommendation includes no less than \$10,000,000 above the fiscal year 2020 level to continue NIST's research efforts related to Artificial Intelligence (AI), which has the potential to produce transformative technologies and scientific breakthroughs that will improve Americans' lives.

*Framework for Managing AI Risks.*—The Committee recognizes the economic, national security, and societal impacts of artificial intelligence (AI) and the importance of maintaining U.S. leadership in AI development and implementation. The Committee believes that coordination is needed between the Federal government and stakeholder organizations to ensure that AI initiatives support reliable, robust, and trustworthy systems. Within the increase provided for AI, the Committee directs NIST to establish a multi-stakeholder process to identify the necessary steps needed to develop a framework for managing risks related to the reliability, robustness, and trustworthiness of AI systems. Within 180 days of enactment of this Act, NIST shall establish the process by which it will engage with stakeholders, and identify the timeline needed to develop the framework. NIST shall provide the Committee with biannual updates on the progress of these efforts until the framework is finalized and publicly available.

*Data Characterization Standards in AI.*—The recommendation encourages NIST to create a plan for interagency engagement with the private sector for the development of standards for data characterization for AI—which, for example, can ensure proper sample data attribution to help when querying different features to build auto detection models—as part of the work to support reliable, robust, and trustworthy systems that use AI technologies.

*U.S. Leadership in AI.*—The Committee commends NIST for the completion of the plan, “U.S. Leadership in AI,” and encourages NIST to implement its recommendations, as appropriate. Further, the Committee directs NIST, on behalf of the Department, and in consultation with the Office of Personnel Management, the Interagency Committee on Standards Policy, other interagency groups, and Federal agencies, as NIST considers appropriate, to develop a clear career development and promotion path that recognizes and encourages participation in and expertise in AI standards development within the Federal workforce. NIST is also directed, in coordination with appropriate Federal agencies, to understand AI standards strategies and initiatives of standards organizations, foreign governments and entities, to the extent practicable. No less than 180 days after the enactment of this Act, the Department shall

submit a report to the Committee on the steps it has taken to implement the recommendations of the U.S. Leadership in AI plan.

*Greenhouse Gas Program and Urban Dome Initiative.*—The Committee recognizes the significant value in NIST's Greenhouse Gas Program and Urban Dome initiative that seeks to leverage existing high-spatial density regional monitoring networks and external R&D partnerships. These cost-effective capabilities substantially expand and broaden NIST laboratory capabilities for investigating and developing measurement tools that support independent means for determining the accuracy of emissions inventory data at urban and regional scales. The Committee has included no less than \$500,000 above the fiscal year 2020 level of funding for the Greenhouse Gas Program and Urban Dome Initiative to continue and expand sensor network deployments.

*Cybersecurity and Privacy.*—The proliferation of data generation, storage, and usage associated with the digital economy is making it increasingly important to protect that data with effective cryptography and privacy standards. The Committee is concerned that individual, corporate, and public-sector data privacy is continuously at risk from attacks by individual actors, criminal organization, and nation-states. The Committee urges NIST to address the rapidly emerging threats in this field by furthering the development of new and needed cryptographic standards and technologies.

*National Initiative for Cybersecurity Education.*—The Committee notes with concern the shortage of cybersecurity professionals across the government and private sector, from entry level applicants to experienced professionals. The Committee therefore supports the National Initiative for Cybersecurity Education (NICE) and directs NIST to provide resources commensurate with the prior fiscal year for this effort.

*Measurement Science Research for Advanced Manufacturing.*—The Committee recognizes the critical importance of NIST's measurement science research to promote U.S. innovation and industrial competitiveness, specifically for advanced manufacturing methods and systems that help the Nation's manufacturers to invent, innovate, and create. The Committee directs the Institute to prioritize new STRS funds to achieve fundamental scientific understanding of manufacturing processes and equipment and to enable new smart manufacturing systems capabilities for high-priority metals-based additive manufacturing, manufacturing robotics, and cybersecurity for industrial control systems. The Committee acknowledges that collaborations with the private and public sectors, academic organizations, and standards development bodies will help to advance and disseminate measurement science research and support to U.S. manufacturers. The Committee provides up to \$5,000,000 for competitive external grants for academic institutions to support research, development, and workforce training to overcome barriers to high-volume additive manufacturing of metals.

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

*Calibration Laboratory for Oceanographic Sensors.*—The Committee recognizes a critical need for capacity in calibration of ocean sensors that is inhibiting maximum use of ocean sensing tech-



nologies. The Committee encourages NIST to support these technologies.

*Pyrrhotite in Concrete Aggregate.*—The Committee continues to be concerned that concrete foundations can crack and cause serious structural damage to the buildings they support. To address this threat, the recommendation provides no less than \$2,000,000 to partner with academic institutions to study and develop a reliable and cost-effective standard for testing for the presence of excessive pyrrhotite in concrete used in residential, commercial, and municipal structures and a standard for the amount of pyrrhotite that requires mitigation efforts. These research and standards-setting efforts are needed due to the ongoing uncertainty regarding what level of pyrrhotite can cause concrete foundations to become structurally unsound, and what if anything can be done to slow, delay, or stop such damage.

*Forward Looking Building Standards.*—The Committee is concerned about how climate change will impact the built environment, and that standards previously set with an assumption of a stable climate system will expose many Federal and non-Federal investments to significant, but avoidable, risk. Therefore, the Committee directs NIST, in collaboration with other appropriate Federal agencies and interested non-Federal parties, to identify a consistent and authoritative set of climate information that emphasizes forward-looking climate data and projections that should be utilized in the standard-setting process. This effort shall serve to aid both Federal and non-Federal bodies to develop standards, building codes, and voluntary standards that take into account increasingly extreme weather events and other climate change challenges.

*Regenerative Medicine Standards.*—The Committee commends NIST, the Food and Drug Administration, and the Standards Coordinating Body for continued 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. The Committee provides \$5,000,000 for NIST to improve measurement assurance and standards coordination for regenerative therapies, including: establishing a regenerative medicine assay validation and innovation core to provide laboratory support for evaluation of standardized assays, and conducting inter-laboratory studies to improve measurement assurance and develop appropriate reference materials.

*Forensic Sciences.*—The Committee provides \$22,500,000 for forensic science research, \$3,700,000 above the fiscal year 2020 level. Within these funds, the Committee provides no less than \$3,150,000 to support the Organization of 22 Scientific Area Committees, and no less than \$1,200,000 to support technical merit evaluations previously funded by transfer from the Department of Justice.

*5G Telecommunications.*—The Committee notes the importance of the development of 5G telecommunications technologies as a matter of job creation, economic development, and national security, and supports the goal to ensure American leadership in this field. In support of these efforts, the recommendation includes

\$1,400,000 above the fiscal year 2020 level. Further, the Committee recognizes the importance of efficient spectrum allocation and use in the development of new broadband intensive technologies such as 5G networks. The Committee urges the National Institute of Standards and Technology in consultation with National Telecommunications and Information Administration to prioritize research and development funding to increase spectrum efficiency to ensure effective and speedy national rollout of 5G U.S. telecommunication networks.

*Direct Air Capture and Carbon Dioxide Removal.*—The Committee includes \$3,500,000 for direct air capture and carbon dioxide removal research, specifically to increase work on developing standard reference materials and test procedures for direct air capture as well as to increase support for carbonate materials development, testing, and certification for construction markets.

*Disaster Resilience Research Grants.*—The Committee rejects the proposed elimination of Disaster Resilience Research Grants and instead provides no less than the fiscal year 2020 level.

*Malcolm Baldrige Performance Excellence Program.*—The Committee recognizes the value of the Baldrige Program and the impact that it has on the performance of organizations that adopt its best practices. Therefore, the Committee provides \$2,500,000, an increase of \$300,000 above fiscal year 2020, for the Malcolm Baldrige Performance Excellence Program to expand its e-learning capability.

*Cybersecurity Conformity Assessment Programs.*—The Committee instructs NIST, in collaboration with other relevant organizations, to report to the Committee no later than 270 days after the enactment of this Act on challenges and approaches to establishing and managing voluntary cybersecurity conformity assessment programs for information and communication technologies including federal cloud technologies.

#### INDUSTRIAL TECHNOLOGY SERVICES

The Committee recommends \$170,000,000 for Industrial Technology Services, which is \$8,000,000 above fiscal year 2020 and \$144,748,000 above the request. The Committee rejects the Administration's proposed elimination of the Manufacturing Extension Partnership (MEP) program and instead provides \$153,000,000 for MEP, \$7,000,000 above the fiscal year 2020 level. The increase from the prior year shall be distributed equitably among the 51 MEP Centers based on the respective number of regional partners. The recommendation also includes \$17,000,000 for the National Network for Manufacturing Innovation, also known as "Manufacturing USA."

*Cybersecurity Training.*—Within the increase to MEP, the Committee directs NIST to maintain the core services of the MEP and encourages NIST to utilize existing expertise within its Information Technology Laboratory to increase cybersecurity technical training to small manufacturers to strengthen their cybersecurity capabilities given the troubling threats from state and non-state actors and other emerging threats.

## CONSTRUCTION OF RESEARCH FACILITIES

The Committee recommends \$85,000,000 for NIST construction. NIST shall continue to provide updates on the projects funded within this account, to include milestones and total amount of funding necessary for completion.

*Safety, Capacity, Maintenance, and Major Repairs (SCMMR).*—Within the amount provided for Construction of Research Facilities, the agreement includes no less than \$75,000,000 for NIST to address its most pressing SCMMR projects.

## NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The Committee recommends a total of \$5,454,068,000 in discretionary funds for the National Oceanic and Atmospheric Administration (NOAA), which is \$101,890,000 above fiscal year 2020 and \$827,661,000 above the President's request. In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Public Law 116–136) included \$20,000,000 for NOAA to prevent, prepare for, and respond to coronavirus as well as \$300,000,000 for Assistance to Fishery Participants to offset economic injury precipitated by the coronavirus.

The Committee's program and project recommendations for NOAA are included in the consolidated funding tables below and in narrative direction throughout this report. The Committee reminds NOAA that any deviations from the amounts included in the table below are subject to section 505 requirements of this Act. When executing its budget for fiscal year 2021, NOAA shall incorporate the funding levels established in both the table and the narrative direction. NOAA is reminded that comity has existed between the Congress and the Executive Branch with respect to abiding by language included in this report and in the accompanying bill. The Committee expects NOAA to respect this long-standing practice.

*Tribal Allocation of CARES Act Funds.*—The Committee is aware of concerns raised by Native American tribes regarding the lack of formal government-to-government consultation and the methodology used by NOAA to allocate funds provided in Sec. 12005 of the CARES Act (Public Law 116–136) which relied on annual revenues by sector rather than recorded losses to determine proportional allocations. The Committee reminds NOAA of its responsibility to uphold Federal treaty and trust obligations during all engagements with tribal interests, regardless of any exigent circumstances.

*Sexual Assault and Sexual Harassment.*—The Committee remains highly concerned by the threat of sexual assault and sexual harassment faced by individuals in the workplace, especially those in nontraditional work settings such as NOAA research vessels or private fishing vessels. The Committee appreciates the initial steps NOAA has taken in addressing these threats. To further this work, the Committee provides no less than \$1,700,000 above the fiscal year 2020 level and directs NOAA to prioritize and expedite the hiring of staff to reduce these risks and to provide assistance and counseling to victims.

*Extramural research.*—The Committee continues to support NOAA's ongoing collaboration with academia and the private sector

through cooperative institutes and competitive research. These relationships build broad community engagement, leverage external funding for mission-oriented research, strengthen the science within NOAA, and advance scientific knowledge.

*Shellfish genetics.*—The recommendation includes up to \$10,000,000 to improve shellfish survival and growth rates and to classify and preserve the natural genetic variation of shellfish. NOAA is encouraged to support regional partnerships to classify and preserve natural genetic variation in shellfish. Further, the Committee encourages NOAA to examine the feasibility of tracking its efforts at the species level.

*Mississippi River Restoration and Resiliency Strategy.*—The Committee recognizes that the Mississippi River basin from Minnesota to Louisiana is a vital American waterway. Therefore, the Committee urges NOAA to participate and coordinate as an essential Federal stakeholder with the Environmental Protection Agency on developing a Mississippi River restoration and resiliency strategy focused on improving water quality, restoring habitat and natural systems, improving navigation, eliminating aquatic invasive species, and building local resilience to natural disasters.

#### OPERATIONS, RESEARCH, AND FACILITIES

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total program level of \$4,142,330,000 under Operations, Research, and Facilities (ORF) for the coastal, fisheries, marine, weather, satellite, and other programs of NOAA. This total funding consists of \$3,871,659,000 in direct appropriations, a transfer of \$253,171,000 from balances in the “Promote and Develop Fishery Products and Research Pertaining to American Fisheries” account and \$17,500,000 derived from recoveries of prior year obligations. The direct appropriation of \$3,871,659,000 is \$107,720,000 above fiscal year 2020 and \$706,535,000 above the President’s request.

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

*National Ocean Service.*—The recommendation provides \$625,406,000 for National Ocean Service (NOS) Operations, Research, and Facilities, an increase of \$26,450,000 above the fiscal year 2020 level and \$244,370,000 above the President’s request. Given the increasingly troubled state of the oceans, the Committee finds the request to reduce NOS funding by 36 percent as compared to fiscal year 2020 to be dramatically inappropriate. The Committee instead invests in programs within NOS that aim to enhance the resiliency of coastal assets and to understand and mitigate the changing ecological threats to our oceans and the Great Lakes to meet the increased need.

#### NATIONAL OCEAN SERVICE OPERATIONS, RESEARCH, AND FACILITIES (In thousands of dollars)

Program	Amount
Navigation, Observations and Positioning:	
Navigation, Observations and Positioning .....	\$160,456
Hydrographic Survey Priorities/Contracts .....	32,000

NATIONAL OCEAN SERVICE—Continued  
OPERATIONS, RESEARCH, AND FACILITIES  
(In thousands of dollars)

Program	Amount
Integrated Ocean Observing System Regional Observations .....	40,500
Navigation, Observations and Positioning .....	232,956
Coastal Science and Assessment:	
Coastal Science, Assessment, Response and Restoration .....	88,500
Competitive External Research .....	22,000
Coastal Science and Assessment .....	110,500
Ocean and Coastal Management Services:	
Coastal Zone Management and Services .....	47,700
Coastal Management Grants .....	78,000
National Coastal Resilience Fund (Title IX) .....	36,000
Coral Reef Program .....	34,000
National Estuarine Research Reserve System .....	28,250
Sanctuaries and Marine Protected Areas .....	58,000
Ocean and Coastal Management and Services .....	281,950
Total, National Ocean Service, Operations, Research, and Facilities .....	\$625,406

*Navigation, Observations, and Positioning.*—The Committee provides \$160,456,000 for Navigation, Observations, and Positioning, \$1,000,000 above the level provided in fiscal year 2020. The recommendation rejects the proposed elimination of the competitive Regional Geospatial Modeling Grants program and the Joint Ocean and Coastal Mapping Centers. The Committee additionally continues funding for the Physical Oceanographic Real-Time System (PORTS), at no less than the fiscal year 2020 level.

*Hydrographic Survey Priorities/Contracts.*—The Committee rejects the proposed reduction to Hydrographic Survey Priorities/Contracts and directs NOAA to maintain its prior year level of effort.

*Integrated Ocean Observing System.*—The recommendation includes \$40,500,000 for Integrated Ocean Observing System (IOOS) Regional Observations and rejects the elimination of IOOS grants. The Committee supports IOOS's efforts to expand its use of underwater gliders and encourages NOAA to fill critical gaps in the current surface mapping system and to ensure streamlined access to data for weather forecasting, detection of ecological phenomena, and safe maritime operations.

The Committee provides \$2,000,000, from within the funds allocated for IOOS, to continue and expand the pilot program launched in fiscal year 2020 for IOOS to enhance the nation's capacity for monitoring and detection of Harmful Algal Blooms (HABs) by leveraging the expertise of the IOOS regional associations—including through expanding the deployment of in-situ observing assets—in order to improve HABs warning and forecast accuracy. IOOS is directed to coordinate with the National Centers for Coastal Ocean Science on the implementation of these funds.

*Coastal Science, Assessment, Response, and Restoration.*—The Committee provides \$88,500,000 for Coastal Science Assessment, Response, and Restoration, and rejects the proposed reductions to Response and Restoration activities. The recommendation includes

no less than \$9,000,000 for the Marine Debris program to address the pervasive problem of marine pollution in coastal waters around the country. The Committee encourages NOS to coordinate with States, territories, and local communities on efforts to remove debris from the marine environment and the Great Lakes, with a goal of developing a cost-effective programmatic solution to land-generated marine debris.

Further, the Committee rejects the proposed elimination of the National Centers for Coastal Ocean Science (NCCOS). The Committee instead provides NCCOS no less than \$2,000,000 above the fiscal year 2020 level to expand the regular monitoring of coastal and nearshore areas to increase understanding of the movement and severity of natural phenomena such as HABs and hypoxia—especially where insufficient data is currently available to provide high resolution and high frequency ecological forecasts. As part of this work, the Committee encourages NOAA to expand partnerships with academic institutions, the private sector, State governments, and other Federal agencies. The Committee also encourages NOAA to work with stakeholders to improve the transition of observational data to operational use in order to advance public education, understanding, and preparedness for HAB and hypoxia events. For all HABs-related work, NOAA shall coordinate with the Interagency Working Group of the Harmful Algal Bloom and Hypoxia Research and Control Act.

*Sea Level Rise.*—The Committee is concerned by the increasing threat posed to coastal communities and assets of the Nation by sea level rise and the resultant increase in coastal flood risk. The recommendation includes no less than an increase of \$600,000 above fiscal year 2020, within Coastal Science, Assessment, Response, Restoration, to initiate and accelerate efforts to create a National Coastal Data Information System which includes (1) combining existing observations, modeling, predictions, products and services into an integrated framework for producing and maintaining authoritative and timely data, maps and information services which quantify and communicate coastal flood risk to the US States and territories; (2) developing and strengthening partnerships with organizations that represent end users within coastal communities, including other Federal agencies, to better assess information gaps and needs; and (3) producing new information products and services, targeted to end-user needs, that allow coastal communities across the U.S. to plan for coastal flood risk today, next year, and for decades to come. NOAA shall, not less than 180 days after the enactment of this Act, provide the Committee with a holistic analysis of the need to expand observations, modeling, predictions, products and services to (1) improve the understanding of changing coastal flood risk, including impacts of sea level rise, (2) maintain and update this information on a regular cadence and (3) track and report how observed rates of sea level rise compare to the sea level rise predictions published within the National Climate Assessments.

*Harmful Algal Blooms.*—The Committee remains highly concerned about the increasing prevalence of harmful algal blooms (HABs) in every U.S. State and territory and the corresponding impacts on human health, drinking water, fisheries, and the broader economy. The Committee therefore directs NMFS to continue its

research into HABs at the fiscal year 2020 enacted level. Further, the Committee provides \$22,000,000 for Competitive Research, including not less than \$14,000,000 for HABs research. This research should prioritize further development of methods of prevention, mitigation, and control to reduce the frequency, severity, and impacts of HAB events in freshwater and saltwater systems and provide special attention to research in areas most economically and environmentally impacted by HABs. The Committee encourages NOAA to work to ensure that new technology and mitigation efforts have minimal environmental impacts.

NOAA shall also explore research into the impacts on HAB timing, duration, and toxicity of nutrient pollution such as nitrogen and phosphorus as they enter coastal areas from tributaries that could lead to more accurate forecasts to the benefit of recreational and commercial fishing, recreation, and coastal drinking water plants. NOAA shall provide a report to the Committee within 180 days of the enactment of this Act that assesses its existing deployed capabilities and prior scope of work regarding the monitoring and management of nutrient runoff and its associated effect on HABs, including a delineation of how modeling is aided by data from other Federal partners. In addition, the report shall identify how NOAA is coordinating with other agencies that are part of the Harmful Algal Bloom and Hypoxia Research and Control Act Task Force in monitoring and mitigating the HAB crisis in various water systems.

*Seafloor Mapping.*—The Committee encourages NOS to perform high-priority, cooperative habitat mapping in currently unmapped and disaster-prone areas, with priority given to areas where oil exploration is under consideration to better understand long-term implications.

*Blue Carbon.*—The Committee notes the importance of the coastal zone as a potential carbon sink and the increased public interest in blue carbon. NOAA shall expand their efforts to understand the relative emissions and absorption of carbon pollution associated with various human activities in the coastal zone so as to inform future planning decisions regarding their carbon impacts.

*Coastal Zone Management.*—The Committee provides \$47,700,000 for Coastal Zone Management and Services. The recommendation rejects the reduction to Integrated Water Prediction, and instead provides no less than the fiscal year 2020 level. Within these funds, the recommendation also includes \$2,000,000 for Regional Ocean Data Portals.

*Ocean Economy of the Territories.*—The Committee supports NOAA's efforts to calculate and characterize the U.S. ocean and Great Lakes economy. However, the Committee is concerned that these estimates do not capture the ocean economies of the five U.S. territories. The Committee therefore provides an additional \$700,000 within Coastal Zone Management and Services and directs NOAA to take all reasonable steps to expand the scope of the Economics: National Ocean Watch (ENOW) dataset so that it includes the island territories, and to submit a report detailing these efforts within 180 days of the enactment of this Act.

*Coastal Zone Management Grants and the National Coastal Resilience Fund.*—The Committee does not approve the Administration's proposed elimination of the Coastal Zone Management (CZM)

Grants and the National Coastal Resilience Fund (NCRF), which are critical programs for preparing coastal areas for measurably rising sea levels. The recommendation instead includes \$78,000,000 for CZM Grants and \$36,000,000 for the NCRF, including for project planning and design, including watershed scale planning and technical assistance to identify where and what specific coastal resilience projects will provide the greatest benefit in preparation for expected climate impacts, such as sea level rise.

*Coral Reefs.*—The Committee is greatly concerned by the deterioration of the Nation's coral reefs, which are suffering from record levels of bleaching and disease. The recommendation therefore includes \$34,000,000, which is \$7,893,000 above the President's request for the Coral Reef Program. The Committee also rejects the proposed reduction for Innovative Coral Reef Restoration Initiatives.

Within the increase provided for the Coral Reef Program, NOAA shall prioritize active restoration of bank barrier coral reef ecosystems in U.S. waters. NOAA is directed to expand its collaborative work with external academic partners that conduct scientific research for the conservation of corals and coral reef ecosystems, including those that are experiencing an increasing prevalence of disease outbreaks. Examples of this work include identifying the pathogens causing the disease, conducting appropriate disease interventions and remediations, researching resilient coral species and disease-resistant genetic strains of corals, and supporting restoration of appropriate and diverse coral species. The Committee recognizes that science sponsored through such collaboration is imperative for management of these coral reefs for ecosystem resilience and for the effective implementation of the National Coral Reef Action Strategy, especially with regard to the identification of local action strategies for addressing key threats in each of the jurisdictions that have coral reefs within its boundaries.

NOAA shall provide to the Committee, no later than 180 days after the enactment of this Act, a report on the latest scientific tools and technologies available to conserve coral germplasm and genetic material of coral reef species. The report shall address the feasibility of a national strategy of establishing physical biorepositories that can preserve genetic material for coral reef propagation and restoration practices.

*National Estuarine Research Reserve System (NERRS).*—The Committee rejects the proposed elimination of the National Estuarine Research Reserve System and instead provides \$28,250,000 for this important partnership between NOAA and the coastal States and territories that protects and studies estuarine systems.

*Sanctuaries and Marine Protected Areas.*—The Committee provides \$58,000,000 for Sanctuaries and Marine Protected Areas, which is \$3,078,000 above the President's request. The Committee urges the Office of National Marine Sanctuaries to initiate the multi-year marine sanctuary designation process for marine sites currently under inventory and ensure all stakeholders and the public are fully engaged in developing the parameters of a future designation. Within 180 days of enactment of this Act, the Committee directs NOAA to submit a report on the steps taken to initiate the multi-year marine sanctuary designation process for successfully



nominated marine sites currently in inventory, and the estimated timeline for the designation process.

*Marine National Monuments.*—Within funding provided for National Marine Sanctuaries, up to \$1,200,000 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. The Committee further directs NOAA to submit a report to the Committee no later than 180 days after the enactment of this Act on the research that is ongoing, has been completed, and is planned for Marine National Monuments administered by NMFS. NOAA shall engage with relevant science community stakeholders including, but not limited to, governmental, academic and non-governmental organization scientists, to determine the gaps in the research of these Monuments and make recommendations for research priorities, to be included in such report.

*Derelict Fishing Gear.*—The Committee recognizes that derelict fishing gear (DFG) harms marine life through ghost fishing and poses a significant threat, especially to protected and native species. NOAA is therefore encouraged to study the impacts of DFG on marine life and natural habitats in the waters of the United States, including those surrounding U.S. territories, especially Marine National Monuments and the National Estuarine Research Reserves.

*National Marine Fisheries Service.*—The Committee recommends \$967,586,000 for National Marine Fisheries Service (NMFS) Operations, Research, and Facilities, which is \$125,911,000 above the President's request. NMFS shall continue to provide quarterly updates to the Committee consistent with direction in fiscal year 2020.

#### NATIONAL MARINE FISHERIES SERVICE

##### OPERATIONS, RESEARCH, AND FACILITIES

(In thousands of dollars)

Program	Amount
Protected Resources Science and Management:	
Marine Mammals, Sea Turtles and Other Species .....	\$127,905
Species Recovery Grants .....	7,000
Atlantic Salmon .....	6,500
Pacific Salmon .....	67,250
Protected Resources Science and Management .....	208,655
Fisheries Science and Management:	
Fisheries and Ecosystem Science Programs and Services .....	150,018
Fisheries Data Collections, Surveys and Assessments .....	173,709
Observers and Training .....	50,000
Fisheries Management Programs and Services .....	124,500
Aquaculture .....	15,250
Salmon Management Activities .....	59,643
Regional Councils and Fisheries Commissions .....	46,446
Interjurisdictional Fisheries Grants .....	3,365
Fisheries Science and Management .....	622,931
Enforcement .....	77,000
Habitat Conservation and Restoration .....	59,000

NATIONAL MARINE FISHERIES SERVICE—Continued  
OPERATIONS, RESEARCH, AND FACILITIES  
(In thousands of dollars)

Program	Amount
Total, National Marine Fisheries Service, Operations, Research, and Facilities .....	\$967,586

*Climate-Ready Fisheries.*—The Committee directs the Government Accountability Office (GAO) to issue a report to Congress not later than one year after the enactment of this Act examining efforts by NMFS, the Regional Fishery Management Councils (RFMC), and the Atlantic States Marine Fisheries Commission (ASMFC) to prepare and adapt Federal or jointly-managed fisheries to the impacts of climate change. The report shall examine whether these entities have taken steps to prepare and respond to the impacts of climate change and if any guidance issued to the RFMCs by NMFS on climate impacts has been utilized by fishery managers. The report shall also make recommendations for addressing (1) the most significant funding shortfalls; (2) the most important social, ecological, and other knowledge gaps preventing action; (3) how these entities can better prepare associated fishing industries and dependent communities for the impacts of climate change; and (4) how to enhance the capacity of NMFS to monitor and incorporate climate-related changes to fishery management.

*Consistent Application of Regulations.*—The Committee looks forward to receiving the report requested in fiscal year 2020 regarding the consistent application of regulations across NMFS regions and directs NMFS to expedite the report's completion.

*Marine Mammals, Sea Turtles, and Other Species.*—The recommendation includes \$127,000,000 for Marine Mammals, Sea Turtles, and Other Species. Within this amount, the Committee provides no less than the fiscal year 2020 level for Endangered Species Act and Marine Mammal Protection Act Permitting Capacity and no less than \$4,000,000 for the John H. Prescott Marine Mammal Rescue Assistance grant program.

*Sea Turtles.*—The Committee provides no less than the fiscal year 2020 amount for NMFS to continue scientifically advisable operations of, and full funding for, ongoing work on endangered and threatened sea turtle conservation, including captive sea turtle rearing and Turtle Excluder Device research and certification to reduce sea turtle bycatch. NOAA committed to Congress that it would continue its sea turtle stranding and rehabilitation programs until it found suitable non-governmental partners to take over this program in full. Therefore, NMFS is directed to maintain adequate capacity of the sea turtle stranding and rehabilitation program until it can assure Congress that those critical activities have been fully transferred to partner organizations.

*Southern Resident Killer Whales.*—The Committee provides not less than the fiscal year 2020 amount for the Southern Resident Killer Whales program for research and monitoring to improve the recovery of the species.

*Foreign Fisheries.*—The Committee provides \$1,000,000 to NMFS to ensure sufficient implementation of the Fish and Fish Product Import Provisions Section 101(a)(2) of the Marine Mammal Protection Act. NMFS shall use these funds to analyze the data provided

by nations and to provide technical assistance to nations to comply with these provisions. NMFS shall prioritize the use of any funds for technical assistance to those fisheries interacting with endangered species. NMFS may use contractors to ensure that deadlines are met, but shall prioritize hiring staff with the increased funds for this initiative.

*North Atlantic Right Whale.*—The Committee remains concerned that North Atlantic right whale populations continue to be critically low. Therefore, the Committee rejects the President's proposal to reduce funds and instead provides not less than \$2,000,000 above the amount provided in fiscal year 2020 for research and monitoring of North Atlantic right whales. These additional funds shall be dedicated to (1) increasing aerial surveys and fixed and mobile acoustic monitoring to improve understanding of the species' full range and the timing of migration within that range; (2) augmenting data collection regarding relevant fishing effort, distribution, and gear use; and (3) expanding the pilot to develop, refine, and field test innovative fishing gear technologies designed to reduce North Atlantic right whale entanglements in partnership with relevant stakeholders. Further, the Committee encourages NOAA to develop a habitat suitability index and long-term tagging methods. The recommendation also includes \$300,000 from the amount provided for Fisheries Data Collections, Surveys, and Assessments to continue to support a continuous plankton recorder survey consistent with direction provided in fiscal year 2020.

*Species Recovery Grants.*—The Committee rejects the proposed reduction for Species Recovery Grants and recommends \$1,010,000 above the President's request.

*Hatchery and Genetic Management Plans.*—The Committee provides \$67,250,000 for Pacific Salmon, \$3,014,000 above the requested level, and rejects the reduction to Hatchery and Genetic Management Plans (HGMPs). Instead, the recommendation provides no less than \$5,000,000 within Pacific Salmon to implement NMFS' comprehensive plan to address the backlog of HGMPs as specified in House Report 116–101. NMFS shall provide the Committee with an update, not later than 90 days after the enactment of this Act, on progress in reducing the backlog.

*Fisheries and Ecosystem Science Programs and Services.*—The Committee provides \$150,018,000 for Fisheries and Ecosystem Science Programs and Services and rejects the proposed elimination of Antarctic Research, Fisheries Science Activities, and Northeast Groundfish Research and provides funding at no less than the fiscal year 2020 level for each of these programs.

*Fisheries Data Collections, Surveys, and Assessments.*—The Committee provides \$173,709,000 for Fisheries Data Collections, Surveys, and Assessments, \$9,657,000 above the request. Within these funds, no less than \$24,000,000 is provided for Fisheries Information Networks, the State-Federal cooperative programs that coordinate data collection, data management, and informational management essential for accurate monitoring of commercial and recreational fishing impacts. The recommendation does not adopt the proposed reduction for Cooperative Research and continues funding for this activity at no less than the fiscal year 2020 level. The Committee encourages NMFS to support collaborative programs focused on improving recreational fishery data collection. The recommenda-

tion also directs NMFS to deliver technical support, as needed, to the Gulf States to prioritize and ensure successful implementation of each State plan.

*South Atlantic Reef Fish.*—NMFS is encouraged to leverage efficiencies learned through the Gulf of Mexico red snapper process to better the science and management of the South Atlantic red snapper and other reef fish. NMFS shall consider employing the independent and alternative stock assessment strategies used in the Gulf of Mexico to supplement NMFS assessments of reef fish in the South Atlantic. The Committee provides up to \$1,800,000 for these activities and encourages NMFS to incorporate this data into the agency's own stock assessments as expeditiously as possible.

*Fisheries Management Programs and Services.*—The Committee rejects the harmful proposals to reduce base funds to the Fisheries Management Programs and Services, the Seafood Import Monitoring Program, and provides no less than the fiscal year 2020 level for these activities. The recommendation does not adopt the proposed reduction to Electronic Monitoring and Reporting and instead provides no less than the fiscal year 2020 level for these efforts to continue nationwide. The Committee reminds NOAA that catch share programs reduce harmful competition between fishing vessels, thereby helping to reduce occupational hazards, avoid market gluts, maximize profits, and reduce ecological damage. The Committee therefore rejects the proposed reduction of funding and provides no less than the fiscal year 2020 level for the National Catch Share Program.

Additionally, within the funds provided for Fisheries Science and Management, NOAA shall develop a priority list of other species that should be considered for inclusion in the Seafood Import Monitoring Program in order to: (1) reduce human trafficking in the international seafood supply chain, (2) reduce economic harm to the American fishing industry, (3) preserve stocks of at-risk species around the world, and (4) protect American consumers from seafood fraud. NOAA shall provide this list to the Committee within 180 days of enactment of this Act.

To strengthen implementation of the Seafood Import Monitoring Program, the Committee directs NMFS to increase coordination with the Commercial Targeting and Analysis Center (CTAC) in the Department of Homeland Security to develop additional analytical tools to help identify imports that are of high risk of illegal fishing and seafood fraud to inform targeted inspections and enforcement.

*Video Review of Electronic Monitoring Data.*—Within funding provided for Fisheries Management Programs and Services, the Committee provides no less than \$400,000 for the video review of the West Coast Groundfish electronic monitoring data and \$400,000 for the video review of the Gulf of Alaska partial coverage electronic monitoring data.

*Pacific Bluefin Tuna.*—The Committee continues to be concerned with the depleted status of Pacific bluefin tuna and therefore urges NMFS to support the Management Strategy Evaluations (MSE) for Pacific bluefin tuna and other priority highly migratory species. Further, the Committee encourages NMFS to ensure a strong U.S. negotiating position on Pacific bluefin tuna recovery by providing additional resources to support engagement of the Pacific Fishery

Management Council and U.S. stakeholders to ensure continued progress on the international recovery plan.

*Oyster Restoration and Research.*—The Committee encourages NOAA to competitively select external partners to research alternative substrates for oyster restoration. NOAA shall consider survivability as part of the oyster restoration program in the Chesapeake Bay. Within Habitat Conservation and Restoration, the Committee encourages NOAA to support oyster restoration in the Chesapeake Bay.

*Salmon Management Activities.*—The Committee recommends \$1,600,000 above the fiscal year 2020 amount provided for Salmon Management Activities. The Committee rejects the proposed reductions to these activities and instead includes no less than \$36,100,000 for Pacific Salmon Treaty activities and \$23,000,000 for Mitchell Act Hatcheries that shall be executed consistent with prior year direction. NMFS shall continue to brief the Committee biannually on the implementation of the new obligations of the 2018 recertification of the Pacific Salmon Treaty as directed in fiscal year 2020.

*Regional Councils and Fisheries Commissions.*—The recommendation accepts the proposed technical transfers into Regional Councils and Fisheries Commissions, but rejects the proposed reduction in funding for this program. Further, within the funds provided for Regional Councils and Fisheries Commissions, \$250,000 is included to implement the Pacific Fishery Management Council's Fishery Ecosystem Plan (FEP) Climate and Communities Initiative and to update the FEP to support climate-ready fisheries and ecosystem-based fisheries management.

*Interjurisdictional Fisheries Grants.*—The recommendation rejects the proposed elimination of Interjurisdictional Fisheries Grants and instead provides \$3,365,000.

*Enforcement.*—The Committee provides \$77,000,000 for Enforcement, which is \$21,070,000 above the request. The Committee again rejects the proposed elimination of the Cooperative Enforcement Program that includes the execution of Joint Enforcement Agreements as well as the proposal to reduce enforcement capacity, and instead provides no less than the fiscal year 2020 level for these activities.

*Illegal Unregulated and Unreported (IUU) Fishing.*—IUU fishing is a threat to the health of the oceans, undermines honest businesses and fishers who play by the rules, and enables human trafficking, forced labor, and other criminal activity. Within the increase to Enforcement, the Committee directs NMFS to allocate a full-time employee, or its equivalent, to staff the Interagency Working Group on IUU Fishing, which was established in the FY 2020 National Defense Authorization Act (Public Law 116–92). Dedicated staffing shall ensure that the Interagency Working Group can fulfill the requirements in the Maritime SAFE Act, including the preparation of a strategic plan by December 2021. The Committee directs NOAA to provide a report to the Committee detailing costs and progress on improvements to IUU enforcement and seafood traceability since 2018 within 180 days of the enactment of this Act.

*Habitat Conservation and Restoration.*—The Committee provides \$59,000,000 for Habitat Conservation and Restoration, which is

\$19,952,000 above the request. Further, the recommendation rejects the reductions to Sustainable Habitat Management and Fisheries Habitat Grants and provides no less than the fiscal year 2020 level for each program. The Committee appreciates the progress made in reducing the backlog of essential fish habitat consultations and encourages NMFS to continue to prioritize this effort. The Committee also directs the Office of Habitat Conservation to continue to collaborate with NOS' Coral Reef Conservation program to restore coral barrier reef ecosystems.

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

*Horseshoe Crabs.*—Adequate data is required to ensure States and interstate managers can effectively manage the Horseshoe Crab population, which is important to the biomedical and commercial fishing industries, as well as to the ecology of the Mid-Atlantic region. The Committee directs NMFS to continue the Horseshoe Crab survey to generate the data necessary to ensure that the Horseshoe Crab stock remains on a sustainable path.

*Adapting Fisheries Management to a Changing Climate.*—The Committee notes that preparation efforts offer the potential to yield greater stability in Federal fishery management as the oceans change as a result of climate change, with benefits to fish stocks, fishermen, and fishing communities. Within the funds provided for Regional Councils and Fisheries Commissions, NOAA is encouraged to support climate-ready fishery management efforts underway by the Councils, including initiatives to conduct scenario planning and other preparation or adaptation efforts.

*Bycatch Reduction and Incidental Take Permits.*—The Committee is concerned by changing ocean conditions that are disrupting ecosystem stability, leading to increased conflicts between commercial shellfish fisheries and protected species. To resolve this conflict, the Committee encourages NMFS to ensure that it dedicates adequate resources (1) to expeditiously evaluate any application that it receives for an incidental take permit for shellfish fisheries, (2) to support the NOAA Bycatch Reduction Engineering Program for research and development of gear innovations to prevent entanglements while allowing for continued fishing in these fisheries, and (3) to continue robust participation in collaborative efforts to reduce fishing gear conflicts.

*Oceanic and Atmospheric Research.*—The Committee recommends \$584,426,000 for Oceanic and Atmospheric Research (OAR) Operations, Research, and Facilities, which represents an increase of \$36,042,000 over fiscal year 2020 and is \$257,681,000 above the request.

OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH  
OPERATIONS, RESEARCH, AND FACILITIES  
(In thousands of dollars)

Program	Amount
Climate Research:	
Laboratories and Cooperative Institutes .....	\$78,000
Regional Climate Data and Information .....	43,000
Climate Competitive Research .....	69,000

OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH—Continued  
OPERATIONS, RESEARCH, AND FACILITIES  
(In thousands of dollars)

Program	Amount
Climate Research .....	190,000
Weather and Air Chemistry Research:	
Laboratories and Cooperative Institutes .....	89,000
U.S. Weather Research Program .....	28,750
Tornado Severe Storm Research/Phased Array Radar .....	14,134
Joint Technology Transfer Initiative .....	14,000
Weather and Air Chemistry Research .....	145,884
Ocean, Coastal, and Great Lakes Research:	
Laboratories and Cooperative Institutes .....	37,000
National Sea Grant College Program .....	71,000
Marine Aquaculture Program .....	13,000
Ocean Exploration and Research .....	42,742
Integrated Ocean Acidification .....	16,000
Sustained Ocean Observations and Monitoring .....	46,000
National Oceanographic Partnership Program .....	5,000
Ocean, Coastal, and Great Lakes Research .....	230,742
High Performance Computing Initiatives .....	17,800
Total, Office of Oceanic and Atmospheric Research, Operations, Research, and Facilities .....	\$584,426

*Forward-looking Climate Data.*—The National Oceanic and Atmospheric Administration (NOAA) plays a vital role in providing accurate climate data and projections to other Federal agencies. Therefore, the Committee directs NOAA to identify and support the utilization by the National Institute of Standards and Technology (NIST) of an authoritative set of climate information that emphasizes forward-looking climate data and projections to be utilized by NIST in their standard-setting process. This effort shall serve to aid both Federal and non-Federal bodies to develop standards, building codes, and voluntary standards that take into account increasingly extreme weather events and other climate change challenges.

*Climate Research.*—The Committee provides \$190,000,000 for Climate Research and rejects the reductions to Climate Laboratories and Cooperative Institutes and the termination of climate research at the Atlantic Oceanographic and Meteorological Laboratory and directs NOAA to continue this work at no less than the level of funding provided in fiscal year in 2020. The recommendation further rejects the proposal to eliminate funding for the National Climate Assessment (NCA) and instead provides no less than the fiscal year 2020 level to continue this work. The Committee emphasizes that the NCA is congressionally-mandated and shall not be impeded.

*Coastal Inundation Forecasting and Resilience.*—Within funds provided for Climate Laboratories and Cooperative Institutes, the Committee directs OAR, in collaboration with NOS and other partners in the U.S. Global Change Research Program as appropriate, to develop and initiate a research agenda to improve understanding of inundation risks to coastal areas as a result of the climate crisis and to meet the information needs of decision makers as they con-

sider how to appropriately adapt and increase resilience to such impacts. OAR shall provide to the Committee, within 180 days of the enactment of this Act, a report outlining a 5-year plan for such efforts and the associated funding requirements.

*Atmospheric Baseline Observatories.*—The Committee supports the work of the Global Monitoring Laboratory and its Atmospheric Baseline Observatories, which have provided measurements of the level of carbon dioxide in the atmosphere for over 60 years that are the basis of the world-renowned Keeling Curve and whose data is used by more than 500 external partners and stakeholders. The Committee provides no less than \$1,250,000, within Climate Laboratories and Cooperative Institutes, to modernize these observatories' aging infrastructure to ensure measurement integrity and safety of the observatory facilities.

*Earth's Radiation Budget.*—The Committee provides no less than \$9,000,000 for modeling, assessments, observations, and monitoring of stratospheric conditions and the Earth's radiation budget, including the impact of the introduction of material into the stratosphere from changes in natural systems, increased air and space traffic, proposals to inject material to affect climate, and the assessment of solar climate interventions. Within these funds, the recommendation further directs OAR to improve the understanding of the impact of atmospheric aerosols on radiative forcing, as well as on the formation of clouds, precipitation, and extreme weather.

*Arctic Research.*—The Committee rejects the proposed elimination of Arctic Research and provides no less than the fiscal year 2020 level in both Regional Climate Data and Information and Climate Laboratories and Cooperative Institutes for this work.

*Regional Integrated Sciences and Assessments Program.*—The Committee rejects the termination of the Regional Integrated Sciences and Assessments Program and instead provides the program an increase of \$3,000,000, as compared to the fiscal year 2020 level, within Regional Climate Data and Information. The Committee directs NOAA to expand the geographic coverage of the program with a long-term goal of providing comprehensive decision-support services and tools to local and regional decision makers in all States and territories.

*Climate Competitive Research.*—The Committee rejects the elimination of Climate Competitive Research as well as any transfers or eliminations of activities, funds, or staff from this budget line proposed in the President's request. Instead, the recommendation includes \$69,000,000 for this critical research, which is \$6,000,000 above fiscal year 2020.

*Weather and Air Chemistry Research.*—The Committee provides \$145,884,000 for Weather and Air Chemistry Research, which is \$12,250,000 above fiscal year 2020. The recommendation rejects the proposals to close the Air Resources Lab and to decrease funding for Weather and Air Chemistry Research Laboratories and Cooperative Institutes, and instead provides no less than the fiscal year 2020 level for each of these activities. The recommendation also includes \$10,000,000 for Vortex-Southeast.

*Earth Prediction Innovation Center.*—The Committee provides \$28,750,000 for the U.S. Weather Research Program (USWRP), thereby rejecting the proposal to reduce base funding. The committee commends NOAA for efforts made to advance weather fore-



casting through the Earth Prediction Innovation Center (EPIC) program and provides \$3,500,000 above fiscal year 2020 for this program. The Committee further directs the agency to continue efforts to advance and accelerate forecasting improvements that are accessible to the public and community-based. The committee directs NOAA to include workforce, organizational, and culture change components as part of the EPIC scope and to include the adoption of more modern software engineering practices and the application of new practices in research and operations processes that infuse innovation.

*Tornado Warning Improvement and Extension Program.*—The Committee provides \$3,200,000 to create the Tornado Warning Improvement and Extension Program as authorized in the Weather Research and Forecasting Innovation Act of 2017 (Public Law 115–25).

*Sensor Fusion for Snow Water Resource Management.*—The Committee supports NOAA’s activities to improve snow water resource monitoring to improve operational forecasts at NOAA’s National Water Center (NWC). The Committee encourages NOAA to pursue research activities to demonstrate and integrate into the NWC’s National Water Model accurately calibrated and validated snow water equivalent estimates at high resolution through extensive airborne and field experiments throughout the western United States.

*Severe Weather Extramural Testbeds.*—The Committee continues to support efforts at NOAA to leverage the capabilities of extramural partners as they continue to implement the Weather Research and Forecasting Innovation Act. Within the funding for Tornado Severe Storm Research/Phased Array Radar, the Committee encourages NOAA to establish a severe weather extramural testbed to focus on severe weather and to improve weather modeling and prediction, including improved convection models and use of new techniques for data assimilation and ensemble prediction. Such efforts are an important step in helping improve the path from research to operations for the NWS.

*Next Generation Phased Array Weather Radars.*—The Committee affirms NOAA’s investment in the development of advanced radar systems and technology to satisfy its weather and related requirements. Within the amount provided for Tornado Severe Storm Research/Phased Array Radar above the request, NOAA shall expand the Agency’s work on digital phased array radar systems with the goal of evolving into broader advanced radar research and applications in collaboration with current university cooperative institute partners with expertise in this area. This refined investment should also work in parallel to provide complementary but not redundant research and development to meet National Weather Service requirements and to reduce long-term operations and maintenance costs of the future national radar network.

*Ocean, Coastal, and Great Lakes Research Laboratories and Cooperative Institutes.*—The Committee provides \$37,000,000 for Ocean, Coastal, and Great Lakes Research Laboratories and Cooperative Institutes. The Committee does not approve the proposed termination of the Genomics program and instead directs NOAA to expand this work within the increased available base funds, including work on HABs with regard to real-time forecasting of HABs

and their toxicity, and testing of remote observing systems and environmental sample processors. Further, the Committee expects NOAA to fully fund these cooperative institutes at appropriate levels in future years, including well-established institutes focused on watershed impacts on marine and Great Lakes ecosystems, remote sensing, and long-term monitoring of the impacts of environmental hazards on marine and Great Lakes ecosystem health.

*National Sea Grant College Program.*—The Committee once again rejects the President’s proposal to eliminate the National Sea Grant College Program. Instead, the Committee provides \$71,000,000, including an increase of \$4,000,000 as compared to the fiscal year 2020 level for the base program that funds universities in coastal States around the country.

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

*Marine Aquaculture Program.*—The Committee recognizes the importance of NOAA’s Marine Aquaculture research and development activities that help coastal communities maintain a safe and sustainable local seafood supply through research and technology transfer to support and expand America’s aquaculture industry. As such, the Committee provides \$13,000,000 for Marine Aquaculture.

*Ocean Exploration and Research.*—The Committee rejects the requested decrease in funding for Ocean Exploration and Research and instead provides \$42,742,000 and encourages NOAA to map and characterize the Nation’s Exclusive Economic Zone and Extended Continental Shelf.

*Integrated Ocean Acidification.*—The Committee is increasingly concerned about the impacts of ocean acidification on coastal communities and industries and therefore rejects the proposed reduction to the Integrated Ocean Acidification program. The recommendation instead includes \$16,000,000 for this important work. Within the increase, NOAA shall, in partnership with academia and the private sector, prioritize efforts at understanding, monitoring, and mitigating coastal ocean acidification, especially where it impacts fisheries and aquaculture.

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

*Sustained Ocean Observations and Monitoring.*—The recommendation does not adopt the requested reduction in funds for Sustained Ocean Observations and Monitoring and instead provides \$46,000,000. Within the increase, NOAA shall expand coverage of biogeochemical and Deep Argo floats to improve ecological and sub-seasonal-to-seasonal weather forecasting as well as to provide observational data on the health and state of the ocean, particularly in the deep sea, the tropics, and the Arctic.

*Cloud Computing for Research.*—The Committee rejects the proposed reduction to Research and Development Cloud Computing Services and instead provides no less than \$6,000,000 for cloud computing for research consistent with prior year direction. The Committee further looks forward to receiving the report requested in fiscal year 2020 regarding high performance and cloud computing.

*National Weather Service.*—The Committee recommends \$1,112,073,000 for National Weather Service (NWS) Operations, Research, and Facilities, which is \$46,372,000 above the President’s Budget request. The Committee reaffirms its commitment to the weather enterprise and the necessity of maintaining the mission of protecting life and property within the Federal Government. While the Committee does not oppose the continued growth of the private weather industry, the increasing frequency and intensity of natural disasters epitomize the need for the public provision of this critical information.

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

Program	Amount
Observations .....	\$241,000
Central Processing .....	102,538
Analyze, Forecast, and Support .....	538,000
Dissemination .....	79,112
Science and Technology Integration .....	151,423
Total, National Weather Service, Operations, Research, and Facilities .....	1,112,073

*NWS Staffing.*—The Committee remains concerned about continuing reports of staffing and management challenges within NWS. NOAA and the Department of Commerce are directed to ensure that NWS fulfills its critical mission to protect the lives and property of our Nation’s citizens, including by filling all vacancies as expeditiously as possible. In its fiscal year 2021 spend plan, NWS shall follow direction as provided in fiscal year 2020. The Committee further directs NWS to continue the quarterly briefings to the Committee first required in fiscal year 2018, and NWS shall also include information about weather forecast accuracy and efforts to improve such accuracy. Further, future NWS spend plans provided to the Committee shall include a detailed comparison, in tables and narrative descriptions, showing the prior fiscal year’s spend plan, compared with that year’s actual expenditures, with justifications for all deviations.

*Observations.*—The recommendation provides \$241,000,000 for observation activities, including not less than \$1,000,000 for Data Sharing for Integrated Global Observing System and Global Basic Observing Network. The recommendation does not adopt the proposed reductions to Marine Observations, Upper Air Observations, the Ship Observation Data Buy, NEXRAD Radome and Tower Maintenance Services, or the Weather and Ocean Platform Buoys and provides not less than the fiscal year 2020 level for each of these activities. The Committee reaffirms its support for the tsunami detection mission and provides not less than the fiscal year

2020 enacted level for the Tropical Atmosphere Ocean (TAO) Platform observations.

*National Mesonet Program.*—The recommendation includes not less than \$22,500,000 for the National Mesonet Program, \$2,300,000 above the fiscal year 2020 level, to enable the program to increase the number of observations, include new types of data, and introduce innovative capabilities to address capacity and coverage gaps.

*Central Processing.*—The recommendation includes \$102,538,000 for Central Processing while rejecting the proposed reduction to the Advanced Hydrologic Prediction Services System and the proposal to terminate 84 Information Technology Officers who are critical to the delivery of timely and actionable forecasts. No less than the fiscal year 2020 level is provided to continue these activities.

*Analyze, Forecast, and Support.*—The recommendation includes \$538,000,000 for Analyze, Forecast, and Support activities, but does not adopt the proposed NWS workforce savings that would only serve to exacerbate the staffing problems noted above. The Committee further rejects the proposed consolidation of the functions of the Climate Prediction Center and the Weather Prediction Center at the National Centers for Environmental Prediction, as well as the termination of Aviation Science Research to Operations, and provides no less than the fiscal year 2020 amount for each of these activities.

*Tsunami Warning Program.*—The Committee rejects the proposed reduction to the Tsunami Warning Program and instead provides no less than the fiscal year 2020 level for this critical program.

*Weather decadal.*—The recommendation includes no less than \$1,500,000 from within Analyze, Forecast, and Support to commission the National Academies of Sciences, Engineering and Medicine to undertake the inaugural decadal survey of the U.S. weather enterprise, to be completed not later than one year after the enactment of this Act, that shall: (1) ensure the participation of all relevant Federal agencies; (2) provide policymakers with the relevant information to prioritize investments in weather forecasting, modeling, data assimilation, and supercomputing over the next ten years; (3) assess the current US weather enterprise and how it has performed over the previous five years, including implementation of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501–8549); and (4) evaluate future potential Federal investments in science, satellites, radars, and other observation technologies, to include surface and boundary layer observations, so that all domestic users of weather information can receive data in the most efficient and effective manner possible.

*Dissemination.*—The Committee provides \$79,112,000 for Dissemination Operations, Research, and Facilities, and rejects the proposal to reduce funding for NOAA Weather Radio.

*Science and Technology Integration.*—The recommendation includes \$151,423,000 for Science and Technology Integration but approves neither the termination of COASTAL Act or Aviation Science Research to Operations, nor the reduction to Numerical Weather Prediction Modeling. No less than the fiscal year 2020 level is provided for each of these activities.

*National Water Center (NWC).*—The Committee does not adopt the termination of funding for Hydrology and Water Resources within Science and Technology Integration. Instead, the recommendation includes no less than the fiscal year 2020 level to continue 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.

*Improving River and Flood Forecasts.*—The Committee was troubled by the widespread flooding throughout the Nation in calendar year 2019. Future effective mitigation of this costly and dangerous hazard requires improved monitoring and forecasting of hydrologic conditions, including stream and river flow. Recognizing this need, the Committee encourages NOAA, in collaboration with the United States Geological Survey, to work with the extramural research community to update and improve upon its existing flooding models and forecasts, to utilize new technologies for enhanced data collection, and to enhance flood data services for local government officials, communities, producers, and other stakeholders who depend on accurate flooding forecasts. NOAA should consider how this priority can be addressed by future partnerships with academic and State centers, particularly in those States impacted by the 2019 Missouri River and North Central Flooding.

*Storm Surge Modeling Technology.*—The Committee encourages NOAA to continue to pursue collaborations that will improve upon NOAA’s current Sea, Lake, and Overland Surge from Hurricanes model; and encourages NOAA to consider integrating improved technologies into standard modeling operations for storm surge, inland flooding, and the combination of both.

*National Environmental Satellite, Data and Information Service.*—The Committee recommends \$285,606,000 for National Environmental Satellite, Data and Information Service (NESDIS) Operations, Research, and Facilities.

#### NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

OPERATIONS, RESEARCH, AND FACILITIES  
(in thousands of dollars)

Program	Amount
Environmental Satellite Observing Systems:	
Office of Satellite and Product Operations .....	\$189,099
Product Development, Readiness, and Application .....	28,907
Commercial Remote Sensing Regulatory Affairs .....	1,800
Office of Space Commerce .....	1,800
Group on Earth Observations .....	500
Environmental Satellite Observing Systems .....	222,106
National Centers for Environmental Information .....	63,500
Total, National Environmental Satellite, Data and Information Service, Operations, Research, and Facilities	\$285,606

*Product Development, Readiness, and Application.*—The recommendation does not accept the proposal regarding Data Products Developed and provides no less than the fiscal year 2020 level for this work.

*Office of Space Commerce.*—The Committee does not accept the proposal to transfer the functions of the Office of Space Commerce

and Commercial Remote Sensing Regulatory Affairs out of NOAA NESDIS. The Committee looks forward to the delivery of the study on this topic by the National Academy of Public Administration.

*National Centers for Environmental Information.*—The Committee does not adopt the proposals to reduce National Centers for Environmental Information (NCEI) grants or to terminate Regional Climate Services. The Committee recommends \$63,500,000 for NCEI, which includes no less than \$5,500,000 for Coastal Data Development, \$2,400,000 for Regional Climate Services, and \$4,600,000 for Regional Climate Centers. NESDIS shall further prioritize filling the vacant Regional Climate Services Director positions.

*Mission Support.*—The recommendation includes \$311,454,000 for Mission Support Operations, Research, and Facilities.

MISSION SUPPORT  
OPERATIONS, RESEARCH, AND FACILITIES  
(In thousands of dollars)

Program	Amount
Mission Support:	
Executive Leadership .....	\$28,024
Mission Services and Management .....	161,163
IT Security .....	15,378
Payment to DOC Working Capital Fund .....	66,389
Mission Support Services .....	270,954
Office of Education:	
B–WET Regional Programs .....	8,000
José E. Serrano Educational Partnership Program with Minority Serving Institutions .....	20,000
NOAA Education Program Base .....	5,500
Office of Education .....	33,500
Facilities Maintenance .....	7,000
Total, Mission Support, Operations, Research, and Facilities .....	\$311,454

*Office of Education.*—The Committee rejects all of the proposed cuts to the Office of Education and believes the enactment of these proposals would do great harm to the future of oceanic and atmospheric sciences. The Committee recognizes that the changing climate and increasing degradation of our environment will necessitate greater future investments in these scientific fields and their corresponding workforces. Consequently, the recommendation includes \$33,500,000 for NOAA's Office of Education, an increase of \$3,300,000 above the fiscal year 2020 level, which includes continued support for Environmental Literacy Grants and for improving geographic literacy. Of this amount, \$20,000,000 is provided for the José E. Serrano Educational Partnership Program with Minority Serving Institutions and \$8,000,000 is provided to continue the Bay-Watershed Education and Training (B–WET) regional programs.

*Facilities Maintenance.*—The Committee accepts the consolidation of Facilities Maintenance into one budget line under Mission Support, including the proposed transfer of funds for this purpose from NMFS.

*Office of Marine and Aviation Operations (OMAO).*—The recommendation includes \$255,779,000 for the Office of Marine and Aviation Operations, Operations, Research, and Facilities. The Committee appreciates the clear and concise regular briefings provided by OMAO’s leadership and encourages them to continue with the same frequency and detail as in fiscal year 2020.

OFFICE OF MARINE AND AVIATION OPERATIONS  
OPERATIONS, RESEARCH, AND FACILITIES  
(In thousands of dollars)

Program	Amount
Office of Marine and Aviation Operations:	
Marine Operations and Maintenance .....	\$174,000
Aviation Operations and Aircraft Services .....	29,466
Unmanned Systems Operations .....	10,665
NOAA Corps .....	41,648
Total, Office of Marine and Aviation Operations, Operations, Research, and Facilities .....	\$255,779

*Marine and Aviation Operations.*—The Committee notes the importance of NOAA’s vessels’ Days At Sea (DAS) and aircraft flight hours in fulfilling NOAA’s mission requirements, and therefore rejects the proposals to reduce DAS and Aircraft Operations. Instead, the Committee directs OMAO to maximize DAS and flight hours, to the extent practicable, while executing the comprehensive vessel and aircraft maintenance program recently developed by OMAO.

*Monitoring of Atmospheric Rivers.*—Improving understanding of atmospheric rivers is critical to preparing for concentrated rain storms and flooding along the U.S. West Coast. Therefore, the Committee rejects the proposal to eliminate these flights and instead provides no less than \$2,000,000, including up to \$1,500,000 from unexpended funds in fiscal year 2020, for use of airborne assets to conduct increased winter storm observations to better observe and predict these extreme weather events.

*Unmanned Systems Operations.*—The Committee provides \$10,665,000 for Unmanned Systems Operations (UxS) and directs OMAO to continue to prioritize operationalizing unmanned technologies. OMAO shall also partner with OAR to develop new technologies and applications of unmanned systems to cost effectively meet NOAA’s missions.

Further, the Committee directs NOAA, in partnership with the UxS Executive Oversight Board, as well as in consultation with the leadership of each of the NOAA line offices, to develop a 5-year strategic plan for expanding the use of unmanned systems, including from third party vendors, as appropriate, to meet NOAA’s broad suite of missions. The plan shall detail how the use of these platforms will supplement the in-situ data collection capabilities and change the demands on NOAA’s ships and aircraft, both in terms of deploying unmanned assets as well as the potential for reduced demand on those assets as unmanned systems multiply the capacity for environmental observations. This plan shall take into consideration the rapidly advancing technology of these platforms as well as the sensors that can be placed upon them and allow the flexibility to adopt technologies as they become available. NOAA shall deliver this plan to the Committee no later than 12 months after the enactment of this Act.

PROCUREMENT, ACQUISITION AND CONSTRUCTION  
(INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total program level of \$1,537,360,000 for Procurement, Acquisition, and Construction (PAC), of which \$1,524,360,000 is appropriated from the general fund and \$13,000,000 is derived from recoveries of prior year obligations.

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

PROCUREMENT, ACQUISITION AND CONSTRUCTION  
(In thousands of dollars)

Program	Amount
National Ocean Service:	
National Estuarine Research Reserve Construction .....	\$2,000
Marine Sanctuaries Construction .....	4,000
Total, NOS—PAC .....	6,000
Office of Oceanic and Atmospheric Research:	
Research Supercomputing/CCRI .....	42,000
National Weather Service:	
Observations .....	15,745
Central Processing .....	66,761
Dissemination .....	9,934
Total, NWS—PAC .....	92,440
National Environmental Satellite, Data and Information Service:	
GOES R .....	334,500
Space Weather Follow-on .....	108,115
Polar Weather Satellites .....	657,835
CDARS .....	14,400
COSMIC 2/GNSS RO .....	5,892
Geostationary Earth Orbit (GEO) .....	10,000
Systems/Services Architecture and Engineering (SAE) .....	37,000
Satellite Ground Services (SGS) .....	39,287
Projects, Planning, and Analysis .....	15,941
Satellite CDA Facility .....	2,450
Total, NESDIS—PAC .....	1,224,118
Mission Support:	
NOAA Construction .....	50,000
Office of Marine and Aviation Operations:	
Fleet Capital Improvements and Technology Infusion .....	27,500
Vessel Recapitalization .....	92,000
Unmanned Systems Acquisitions .....	2,000
Total, OMAO—PAC .....	121,500
Total, Procurement, Acquisition and Construction .....	\$1,537,360

*Research Supercomputing.*—The Committee recognizes the importance of supercomputing capacity to further research efforts regarding weather and climate modeling and therefore recommends \$42,000,000 for OAR Research Supercomputing, which is \$16,000,000 above the request.

*Integrated Water Prediction.*—The Committee provides \$66,761,000 for Central Processing under National Weather Service PAC, which includes not less than the fiscal year 2020 level for In-



tegrated Water Prediction High Performance Computing as well as Research and Development High Performance Computing.

*Quarterly Satellite Reports.*—The Committee directs the Department of Commerce to continue to provide oversight of NOAA's satellite programs as directed in fiscal year 2020. NOAA shall also continue to provide quarterly briefings to the Committee on all NOAA satellite programs not later than 30 days after the end of each quarter. These briefings shall include the status of obligations for each program, including spacecraft, launch vehicle, sensor, integration, and ground components, and proposed changes to the fly-out charts. NOAA shall also include in these briefings updates on all of its operational satellite systems.

*Commercial Data.*—The Committee provides \$2,678,000 above the fiscal year 2020 level for purchase and piloting of commercial weather data.

*NOAA Construction.*—The Committee notes the poor condition of NOAA's aging physical research infrastructure, including a number of highly utilized NOAA Fisheries regional facilities that perform critical, world class research and surveys in support of the agency's multiple missions. The Committee is particularly concerned that several key NOAA Fisheries regional labs across the country will soon be unable to perform basic functions, even with major reconstruction, given the significant age of infrastructure, state of disrepair, and changing physical environment in which they are located. The Committee therefore urges NOAA Fisheries to accelerate existing regional facility modernization planning and analysis efforts. Such efforts shall prioritize the benefits of colocation with existing Federal academic, university, and nonprofit partners, including cooperative institutes, as appropriate, as a means of leveraging existing relationships and research efforts in an effort to maintain, if not elevate, the facilities capabilities and enhance scientific excellence.

*Vessel Recapitalization.*—Following the unexpected decommissioning of the Research Vessel *Hi'ialakai*, the Committee expects NOAA to place a higher priority on full, proper, and timely maintenance of all ships and vessels. The Committee therefore notes with disdain the omission of a request for funding of the midlife maintenance of NOAA's global class vessel despite the direction provided in fiscal year 2020. Funding for such maintenance is included in this recommendation. The Committee directs NOAA, in all future budget submissions to Congress, to detail all operational and maintenance requirements in addition to capital requirements of vessels and aircraft to maintain the optimal operational tempo necessary to meet NOAA's missions. The Committee reaffirms its support for NOAA's Fleet Recapitalization Plan by, as in prior fiscal years, providing the requested amount for Vessel Recapitalization. The Committee expects that NOAA will ensure that these new vessels facilitate the reduction of gaps in mission coverage as current ships fall into disrepair or are decommissioned. During the recapitalization process, NOAA is encouraged to evaluate its fleet plan regularly and consider cost-effective alternatives such as vessel leasing or chartering for meeting NOAA's mission requirements.

## PACIFIC COASTAL SALMON RECOVERY

The Committee rejects the proposed termination of Pacific Coastal Salmon Recovery and recommends \$65,000,000 for this program.

## FISHERMEN'S CONTINGENCY FUND

The Committee recommends \$349,000 for the Fishermen's Contingency Fund, which is the same as fiscal year 2020. This Fund is available to compensate U.S. commercial fishermen for damage or loss caused by obstructions related to oil and gas exploration, and is derived from fees collected by the Secretary of the Interior.

## FISHERY DISASTER ASSISTANCE

The Committee accepts the proposal for Fishery Disaster Assistance. The Committee recognizes the distress caused by fishery disasters and understands that poor communication and funding disbursement delays only exacerbate an already difficult problem. NOAA is urged to consider policy changes to improve and expedite the review and obligation process, and to provide Congress with budgetary and legislative proposals as needed.

## FISHERIES FINANCE PROGRAM ACCOUNT

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

## DEPARTMENTAL MANAGEMENT

The Committee recommends \$129,723,000 for Departmental Management (DM), \$14,723,000 above fiscal year 2020 and \$41,092,000 below the request. This amount includes funding for DM Salaries and Expenses, the Renovation and Modernization of the Herbert C. Hoover Building, the Department of Commerce Nonrecurring Expenses Fund, and the Office of Inspector General.

*Modernizing economic statistics in Puerto Rico.*—In October 2019, the Bureau of Economic Analysis (BEA) released prototype statistics for consumer spending, business investment, and net exports of goods for Puerto Rico for 2012–2017. This information is an important step towards producing gross domestic product (GDP) statistics for Puerto Rico and in line with recommendations from the 2016 Bipartisan Congressional Task Force on Economic Growth in Puerto Rico report to the House and Senate. The Committee understands that BEA will release these estimates by the end of 2020. The Committee directs the Department to continue its efforts to help the government of Puerto Rico to modernize its economic statistics programs and looks forward to receiving the report outlining its efforts to produce quarterly economic surveys for the territories and personal income statistics as directed in House Report 116–101.

*Interstate Commerce.*—The Committee remains concerned about the Electronic Export Information (EEI) requirements located in 15 CFR Part 30, which mandate reporting for certain goods between the States and Puerto Rico and the U.S. Virgin Islands, and understands that the Commerce Department, in coordination with the Government of Puerto Rico, will stand up a working group to ex-

plore alternative options, and that the Census Bureau will be issuing a Federal Register Notice soliciting stakeholder insights. The Committee believes that the EEI imposes undue costs and burdens on companies seeking to do business in Puerto Rico, and serves as a disincentive to investment. The Committee reminds the Department that the 2016 Bipartisan Congressional Task Force on Economic Growth in Puerto Rico recommended the Department conduct a thorough evaluation of its regulations requiring EEI filings and assess alternative data sets, including Puerto Rico's SURI system (Sistema Unificado de Rentas Internas) that could be used without modification. The Committee directs the Department, within 90 days of enactment of this Act, to submit a report to the Committee with an analysis of alternative methods of developing GDP data for Puerto Rico without using EEI information, and to provide a plan to phase out the use of EEI data, including a timeline for implementation of these changes.

*Human Rights Violations.*—The Committee is concerned with violence and threats shown towards human rights activists around the world, and notes some of this has occurred in nations with which the United States has trade agreements with enforceable protections. The Committee encourages the Department to more actively engage with trade partner nations to end these human rights violations and report to the Committee no later than 90 days after enactment of this Act on enforcement actions it has taken to promote compliance with labor and environmental obligations.

*Regional Biosecurity Plan.*—The Department shall continue to submit a report alongside its annual budget justifications describing the activities of the Department during the prior fiscal year to implement the *Regional Biosecurity Plan for Micronesia and Hawaii*—a strategic plan developed jointly by the Department and other Federal and non-Federal entities to prevent and control the introduction of invasive species in the U.S. Pacific region. The report shall include an update of the Departmental activities accomplished in implementation of the plan and next steps and planned activities for further execution of the plan, including estimates of funding that will be obligated towards the implementation and future year requirements.

*Climate Change Impacts on Recreational Boating Economy.*—The Committee directs the Department of Commerce, in coordination with the Federal Recreation Council, to carry out an assessment of the effects of climate change on the recreational boating economy and produce recommendations to address identified vulnerabilities no later than 180 days after enactment of this Act. The Department shall also submit this report to GAO for review. GAO shall review the assessment and provide a preliminary briefing to the Committees on its review within 120 days of receipt.

*AI Talent.*—The Committee believes the Department should develop a clear career development and promotion path that encourages participation and expertise in AI standards and standards development, and directs the Department to report to the Committee on these efforts no later than 180 days after enactment of this Act.

*Remanufactured Products.*—The Committee directs the Department to study strategies to strengthen regional and local remanufacturing markets. The study should consider remanufacturing challenges, such as processes of disassembling, cleaning, and re-

pairing components, and how to use these components with new materials to create quality remanufactured products. The Department shall provide the results of this study, including recommendations on such strategies, to the Committee no less than 180 days after the enactment of this Act.

*Foundation for Evidence-Based Policymaking Act Implementation.*—No later than 90 days after the enactment of this Act, the Secretary shall report to the Committee on the implementation of the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115–435) and progress being made by the Department in this area.

*Uranium Imports.*—At the end of 2020, statutory limitations on Russian uranium imports will expire. The Committee believes the U.S. should decrease its reliance on uranium imports from Russia and that Russia should not be allowed to increase its dominance in the U.S. market. The Committee urges the Department to ensure that any new agreement with Russia significantly reduces the influx of Russian material, includes strong protections for the domestic uranium industry, and closes loopholes to prevent any circumvention of import limits. The Committee further believes that failure to extend the Russian Suspension Agreement (RSA) or the legislative backstop for the RSA would result in unchecked price-insensitive Russian imports of uranium that far exceed the RSA's existing quota.

*Sustainable Food Packaging.*—The Committee recognizes that pervasive use of plastics in food packaging has a damaging impact on human health, the environment, and wildlife. The Committee encourages the Department to support innovations in the manufacturing and adoption of ecologically sustainable food packaging materials.

#### SALARIES AND EXPENSES

The Committee recommends \$73,080,000 for DM Salaries and Expenses, \$12,080,000 above fiscal year 2020 and \$23,054,000 below the request. The recommendation assumes the proposed transfer of \$9,278,000 which reflects positions previously and improperly funded out of both Working Capital Fund and Advances and Reimbursements, such as a White House Liaison, the Secretary's Executive Protection Unit, and the Office of Public Affairs to name a few. While the Committee appreciates the Department's efforts to reassess these requirements and supports the transfer to ensure these positions are funded out of Salaries and Expenses, the Committee remains concerned about how the Department executes its Working Capital Fund and charges bureaus for activities that are not standard shared services, but rather general headquarters functions.

The Committee remains concerned that information on travel for personnel in Executive Direction was not submitted in the fiscal year 2021 budget request nor was it included in fiscal year 2020 spend plans as directed in the Explanatory Statement accompanying the fiscal year 2020 Appropriations Act. The Committee directs that the Department clearly display, in the monthly report on travel to China, the travel costs of personnel from Executive Direction and further directs that the Department provide the Committee, on a monthly basis, information on all travel outside of the

National Capital Region for all Department personnel including the total amount expended per bureau and the source of appropriation supporting the costs of the travel. Each agency has its own travel budget for domestic and international travel and should use those funds accordingly.

#### RENOVATION AND MODERNIZATION

The Committee recommends \$1,123,000 for the salaries and expenses needed to continue the operation of the renovation project of the Herbert C. Hoover Building.

#### NONRECURRING EXPENSES FUND

The Committee recommends \$20,000,000 for the Nonrecurring Expenses Fund that was established in the fiscal year 2020 Consolidated Appropriations Act and supports the Department's efforts to modernize its financial system through the Business Application Solutions. The Committee understands that the Department is evaluating how it can standardize appropriations and periods of availability (POAs) across the Department for more consistent planning, programming, budgeting, and execution. The Committee looks forward to receiving the Department's analysis as directed in House Report 116–101.

#### OFFICE OF INSPECTOR GENERAL

The Committee recommends \$37,520,000 for the Office of Inspector General (OIG), which includes the requested transfers for oversight activities. The Committee expects the OIG to continue its oversight work on cybersecurity, satellite procurements, telework, patent quality, and the 2020 Decennial Census.

#### GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

##### (INCLUDING TRANSFER OF FUNDS)

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

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

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

Section 103 provides the authority to transfer funds between Department of Commerce appropriations accounts and require 15 days advance notification to the Committees on Appropriations for certain actions.

Section 104 extends congressional notification requirements for NOAA satellite programs.

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

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

Section 107 provides the NOAA Administrator with the authority to avail NOAA of needed resources, with the consent of those sup-

plying the resources, to carry out responsibilities of any statute administered by NOAA.

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

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

Section 110 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

#### GENERAL ADMINISTRATION

##### SALARIES AND EXPENSES

The Committee recommends \$120,041,000 for Department of Justice, General Administration, Salaries and Expenses, which is \$5,301,000 above fiscal year 2020 and \$1,728,000 below the request. The recommendation includes a new \$5,000,000 initiative for a National Task Force on Law Enforcement Oversight. The Committee has provided separate funding recommendations by decision unit as follows:

Department Leadership .....	13,500,000
Intergovernmental Relations/External Affairs .....	11,000,000
Executive Support/Professional Responsibility .....	16,000,000
Justice Management Division .....	74,041,000
National Task Force on Law Enforcement Oversight .....	5,000,000
National Police Misconduct Registry .....	500,000
Total, Salaries and Expenses .....	120,041,000

*Cold Case Investigations.*—The bill includes not less than \$13,500,000, the same as the fiscal year 2020 enacted level, for the Criminal Section of the Civil Rights Division, the Civil Rights Unit of the Federal Bureau of Investigation, the Community Relations Service, and in grant assistance, as authorized by 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. The Department of Justice (DOJ) shall include, as part of the annual spending plan required under section 507 of this Act, details on actual and projected spending, by agency and appropriation, to carry out the Emmett Till Act. 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. In addition, the Attorney General is directed to make full use of his authority to support and carry out the objectives of Public Law 115–426, the Civil Rights Cold Case Records Collection Act of 2018.

*National Task Force on Law Enforcement Oversight.*—The bill includes \$5,000,000 to support the efforts of the National Task Force on Law Enforcement Oversight pursuant to Section 220 of this Act.

The Task Force shall support the Attorney General and coordinate the detection and referral of complaints regarding incidents of alleged law enforcement misconduct nationwide, in consultation with professional law enforcement associations, labor organizations, and community-based organizations.

*National Police Misconduct Registry.*—The Committee strongly supports establishment of a National Police Misconduct Registry, containing data with respect to all Federal, State and local law enforcement officers, to be compiled and maintained by the Department of Justice. This would provide a publicly available resource to help ensure accountability and transparency, and help restore trust in the credibility of the Nation's law enforcement agencies and improve relationships between them and the communities they serve. To that end, the Committee has included \$500,000 to support development and implementation of such a registry, as specified in Title II of H.R. 7120, the George Floyd Justice in Policing Act, as passed by the House of Representatives on June 25, 2020.

*Accreditation of law enforcement agencies.*—The Committee strongly supports development and implementation of strong, uniform accreditation standards for Federal, State, and local law enforcement agencies to ensure community accountability and a focus on policing with a guardian mentality, as set forth in H.R. 7120 as passed by the House of Representatives on June 25, 2020. The Committee therefore directs the Attorney General to take the lead in such an effort, and recommend such standards, in consultation with law enforcement accreditation organizations, based on an analysis of existing accreditation standards and methodology development by law enforcement accreditation organizations nationwide, including national, State, regional, and tribal accreditation organizations, as well as the May 2015 recommendations of the President's Task Force on 21st Century Policing.

*Use of force.*—The Committee is concerned about the lack of reliable statistics on how often law enforcement uses deadly force, as underscored in the 2018 report by the U.S. Commission on Civil Rights entitled *Police Use of Force: An Examination of Modern Policing Practices*. That report recommended that “Congress should condition cities’ receipt of federal law enforcement funds on the cities’ collection and reporting to DOJ of data regarding police use of force practices, in a format that is aggregable and comparable nationally, which DOJ can then report to the American public. Congress should require DOJ to create and maintain a public, national database of police use of force incidents and appropriate funds sufficient to support the creation and maintenance of the database.”

The Committee agrees with these recommendations and notes that Congress is currently considering affirmative direction, such as the language of Section 364 of H.R. 7120, as passed by the House of Representatives on June 25, 2020, that would define and sanction specific types of force. The Committee therefore directs the Attorney General to develop plans to require each State, city, county, and tribal government agency receiving DOJ law enforcement funding to provide annual data to the Department on its use of force incidents. The Committee also directs the Attorney General to develop plans to require all Federal law enforcement agencies to provide annual information on its use of force incidents. Such data

should include: the date, time, and location of each instance in which deadly force was used; identifying characteristics of the victim and officer involved, including the race, gender, ethnicity, and approximate age of the victim; any existence of mental illness or disability of the victim; the nature of the deadly force used, including whether it involved a firearm; and a description of any non-lethal efforts that were taken before deadly force was used.

The Committee understands that the National Use of Force Data Collection (NUOFDC) database effort, begun in 2015 and implemented nationally on January 1, 2019, reflects participation from State and local agencies, and that when NUOFDC participation reaches 60 percent such data may be published. The Committee also understands that the NUOFDC database does not currently include data on religion of persons involved, documentation of deadly force guidelines in effect, or explanations or reasons for use of force. The Committee directs the Department to develop a plan to collect such data and brief the Committee not later than 90 days after the enactment of this Act on steps to implement such a plan, to include any additional funding required. In addition, while Congress is currently considering changes in this area, including in section 219 of this Act, the Committee understands that Use-of-Force data and UCR submissions to the FBI are currently voluntary. Thus, the aforesaid briefing should also address what steps, to include additional legal authority, financial incentives, and implementation actions, may be required to further increase such submissions of information, including by making such information a condition for eligibility to receive DOJ assistance or share in DOJ-administered Federal law enforcement funds, while maintaining law enforcement cooperation between DOJ and its partners. Such briefing should also address the process and associated administrative requirements to audit and review use of force data from Federal, State and local law enforcement agencies, consistent with the approach set forth in sections 225 and 226 of H.R. 7120 as passed by the House of Representatives on June 25, 2020, including the use of such audits to assess compliance with reporting requirements if such requirements were to be established in law or regulation.

*Death in Custody Reporting Act.*—The Committee is deeply concerned by the Department’s failure to implement the Death in Custody Reporting Act of 2013, Public Law 113–242. As our nation faces another crisis caused by the shocking deaths of individuals of color at the hands of local law enforcement, the Committee believes that the requirements of that law are essential to enable Congress and the American public to understand the scope of the problem and to facilitate reforms. The Committee directs the Department, not later than 90 days after enactment of this Act, to provide the Committee with the report required in Section 2(f) of Public Law 113–242. The Committee also directs the Department to comply with recommendations in the Department of Justice’s Inspector General’s December 2018 report entitled, “Review of the Department of Justice’s Implementation of the Death in Custody Reporting Act of 2013,” and to notify the Committee not later than 90 days after enactment of this Act regarding all Federal agencies with law enforcement authority who are non-compliant with the requirements of Public Law 113–242.



*Federal police cameras and accountability.*—The Committee strongly supports the adoption of rigorous and consistent standards for the use of body-worn, vehicle borne, and other video and camera technology used to record Federal police interaction with civilians while engaged in law enforcement activity. To ensure such technology is used effectively and facilitates safety for both the public and the law enforcement officers, as well as to support transparency and accountability, the Committee strongly urges the Attorney General to adopt the requirements set forth H.R. 7120, the George Floyd Justice in Policing Act, Title III, Subtitle C, Part I, the Federal Police Camera and Accountability Act, as passed by the House of Representatives on June 25, 2020.

*Funding crime victim services.*—The Committee notes that DOJ may use discretionary funding from the Crime Victims Fund, under 34 U.S.C. 20103, to fund the salaries of personnel who provide services to victims of crime. The Committee encourages DOJ to offer such support, especially to under-resourced communities, for the salaries of first responders and others who provide support to victims of Federal crimes, and also to support such efforts by seeking to increase deposits into the Crime Victims Fund from criminal settlements such as those arising from violations of the Natural Gas Pipeline Safety Act, and to include detail on such deposits in fiscal year 2020 and estimates for fiscal year 2021 in the annual expenditure plan.

*Training.*—The Committee supports vigorous action to improve training for all Federal, State and local law enforcement officers, to cover racial profiling, implicit bias, de-escalation, and procedural justice; the use of force and the duty for officers to intervene when witnessing the use of excessive force against civilians; and establish standards for such training to be adopted nationwide. The Committee therefore directs the Attorney General to work with the Secretary of Homeland Security to establish such a program, including mandatory training for all Federal law enforcement officers, and development of standards that can be applied in hiring and performance assessments. The standards should also be designed to serve as a standard for State and local governments to meet in order to be eligible for Federal grant funding, including for Byrne Justice Assistance Grants and Community Oriented Policing Services (COPS) grants. The Committee directs the Attorney General to undertake this effort based on requirements set forth in H.R. 7120 as passed by the House of Representatives on June 25, 2020.

*Sanctuary policy.*—It has come to the attention of the Committee that DOJ may be rejecting or negatively scoring applications for Federal funding from counties, local governments, and municipalities who seek Federal funding, based solely on refusal by applicants to cooperate with officials from U.S. Immigration and Customs Enforcement in the arrest and detention of undocumented immigrants. The Committee directs the Department to review each application and apply appropriate scoring in accordance with the guidelines set forth in the laws passed by the U.S. Congress, including the clarifying language included in this and previous Appropriations Acts.

*Denaturalization.*—On February 26, 2020, the Attorney General announced plans to establish a new Denaturalization section with-

in the DOJ Civil Division, but did not notify the Committee in advance of this decision. The Committee understands that DOJ believes that such reorganization did not meet budgetary, relocation or personnel criteria set forth in appropriations legislation that would require such notification be made. Nonetheless, the Committee believes it does not serve the public interest for DOJ to undertake such a substantive, as well as symbolic, change without such notification. To better understand the nature and scope of the Department's denaturalization effort, the Committee directs the Attorney General to submit a report within 90 days of enactment of this Act on the details of this reorganization, including the rationale for establishment of a new section; historical denaturalization caseload statistics, including for fiscal years 2016 through 2020; the grounds on which denaturalization cases are brought; and the funding and staffing of denaturalization activity by the Civil Division for fiscal years 2016 through 2020.

*DNA Sample Collections from immigration detainees.*—The Committee is concerned about the potential adverse impact of the final rule issued by DOJ on March 6, 2020, entitled, DNA Sample Collection from Immigration Detainees (Docket Number OAG 164; AG Order No. 4646 2020) and directs the Attorney General to provide the following information to the Committee not later than 90 days after enactment of this Act: the fiscal and administrative costs of expanding DNA collection requirements to the Department of Homeland Security (DHS); the FBI's role in the collection, use, and retention of DNA samples and profiles on the basis of this policy, and the estimated impact of this policy on the backlog in FBI DNA sample testing; information regarding the storage and security of DNA kits received from DHS; any DOJ policies and protocols governing how DNA profiles are used and shared; and whether familial searches are permitted by any Federal agency or any State entity with access to the profiles.

*NICS denial notification.*—The Committee continues its direction, as specified in House Report 116–101 and required by the fiscal year 2020 Appropriations Act, for the Attorney General to notify State and local authorities when the National Instant Criminal Background Check System (NICS) detects when prohibited individuals fail a background check in an attempt to make an illegal firearm purchase. The Committee also directs the Department, as part of the annual NICS Section Operations Report, to include in the NICS Operations Report data on the number of notifications provided to State and local law enforcement agencies for each prohibited category; and to publish monthly data on denials and notifications by State and prohibition type on the DOJ website.

In addition, the Committee directs the Department to provide data on NICS checks for firearms sales that have taken longer than three business days to complete, for the period beginning March 2019 and broken down by month thereafter through December 31, 2020. The Department shall provide a report to the Committee, within 180 days of enactment of this Act, that shall include data, broken down by month, on the number of NICS checks during this period that took longer than three business days, the number of those checks that were resolved, the number of those checks that were purged, the number of denied checks that resulted in firearm

retrieval actions being referred to ATF, and the number of successful retrieval actions taken by ATF.

*Domestic Terrorism task force.*—The Committee recommends that the Attorney General establish an interagency task force, led by the DOJ Counsel for Domestic Terrorism, and include representation from the Civil Rights Division, the FBI, Department of Homeland Security (DHS), the National Counterterrorism Center, CIA's Counterterrorism Center, and Fusion Center experts to consider and develop recommendations to improve the capacity of the Federal Government to counter domestic extremism. The task force should be required to produce a summary report on changes in the frequency and motivations for domestic extremism in the last ten years; current trends; an examination of Federal government approaches to such extremism; and to recommend how to improve Federal response to the problem.

*Federal law enforcement resources in the U.S. Caribbean.*—The Committee remains concerned about the pervasively high homicide rates in Puerto Rico and the U.S. Virgin Islands, and that such crime is directly linked to narcotics trafficking in the Caribbean. The Committee directs the Attorney General to prioritize Federal law enforcement personnel and resources to address such public safety threats. The Committee further directs the Attorney General to examine the feasibility of including sites in Puerto Rico and the U.S. Virgin Islands under Department-wide initiatives to reduce violent crime, such as the National Public Safety Partnership, and to report to the Committee on the Department's findings not later than 90 days after enactment of this Act.

*Office of Legal Counsel (OLC) opinions.*—To serve the public interest, and in keeping with transparency and the precedent of public reporting of judicial decisions, the Committee asks the Attorney General to direct OLC to publish on a publicly accessible website all legal opinions and related materials, except in those instances where the Attorney General determines that release would cause a specific identifiable harm to the national defense or foreign policy interests; information contained in the opinion relates to the appointment of a specific individual not confirmed to Federal office; or information contained in the opinion is specifically exempted from disclosure by statute (other than sections 552 and 552b of title 5, United States Code). For final OLC opinions for which the text is withheld in full or in substantial part, the Attorney General should provide Congress a written explanation detailing why the text was withheld.

In addition, the Attorney General should also direct OLC to publish on a publicly accessible website a complete index of all final OLC opinions in both human-readable and machine-readable formats, arranged chronologically, within 90 days of the enactment of this Act, which shall be updated immediately every time an OLC opinion or a revision to an opinion becomes final. The index shall include, for each opinion: the full name of the opinion; the date it was finalized or revised; each author's name; each recipient's name; a unique identifier assigned to each final or revised opinion; and whether an opinion has been withdrawn.

*Americans with Disabilities Act (ADA).*—The Committee recognizes that a lack of uniform website accessibility standards, as required by the Americans with Disabilities Act (ADA), can cause

confusion and disadvantage small businesses that provide essential services for our communities. The Committee expects DOJ in fiscal year 2021 to clarify such standards pursuant to the ADA.

*Reentry.*—The Committee recognizes that ex-offenders face challenges reentering society, and notes that in the past DOJ has pledged to publish information on ways to connect them with legal services to address reentry obstacles such as fines and criminal records expungement. The Committee directs DOJ to expeditiously submit the report required by the fiscal year 2020 Appropriations Act examining how the Smart on Crime and other similar programs could be expanded to assist non-violent ex-offenders with record expungement.

*SUPPORT Act.*—The Committee recognizes the need to combat abusive practices in the addiction treatment and recovery industries, specifically the payment of kickbacks for referrals to recovery homes, clinical treatment facilities, and laboratories. DOJ shall make every effort to fully enforce Section 8122 of the SUPPORT for Patients and Communities Act, including the investigation of potential violations.

*IPR Enforcement.*—The Committee expects DOJ to continue to make IPR enforcement an investigative and prosecutorial priority. The Committee directs the FBI to submit as soon as possible the report required pursuant to the fiscal year 2020 Appropriations Act on the activities of its dedicated agents investigating IPR cases, particularly with regard to creative content theft and copyright enforcement actions.

*Real estate wire or business email compromise (BEC) fraud.*—The Committee remains concerned with the growing incidence of so-called real estate wire fraud or business e-mail compromise (BEC) fraud in real estate transactions. A July 2018 FBI public service announcement said such crime targets businesses and individuals attempting wire transfer payments, resulting in over \$12,500,000,000 in losses between 2013 and 2018, with the scam being reported nationwide and in 150 countries. The FBI recently warned of BEC scams related to the COVID-19 pandemic. The Committee directs DOJ to submit expeditiously the report required by the fiscal year 2020 Appropriations Act on BEC/wire fraud; detail any joint activities with other Federal agencies; and make recommendations for new legislative authority or resources to help these efforts.

*Working capital fund and non-appropriated fund budget requests and spending plans.*—The Committee directs DOJ to continue to include detailed breakouts of non-appropriated funding sources with their budget submissions and expenditure plans, as directed in the fiscal year 2020 Appropriations Act, and to continue quarterly reports on the collections, balances, and obligations of such funds.

*Federal obscenity prosecution.*—The Committee supports the work of DOJ in investigating and prosecuting major producers and distributors of hardcore adult pornography that meets the Supreme Court test for obscenity. Such enforcement is necessary to protect the welfare of families and children as traffickers in illegal adult obscenity seek to extend their influence through advances in technology. The Committee directs DOJ to increase its efforts in enforcing federal obscenity laws.

*Human trafficking.*—The destructive, expanding toll of human trafficking is international in scale but also affects every part of the United States, both rural and urban. Modern communication and transportation channels enable traffickers to operate everywhere, threatening our homes and communities. The Committee has included more funding for services for victims, in grant funding assistance to State, local and tribal governments, and sustains funding for DOJ agencies to continue to investigate and prosecute human traffickers and eradicate trafficking organizations.

*Evidence-based policymaking.*—The Committee encourages the Attorney General to develop guidance to ensure that all relevant participants and grantees are involved in the Department-wide process of prioritizing evidence needs, including participating in DOJ-led evaluations, and ensure that evidence of effectiveness is a requirement for all competitive and non-competitive grant awards. The Committee directs the Attorney General to include a report on DOJ implementation of Public Law 115–435 at the Department of Justice with the submission of the fiscal year 2022 budget request.

*Prison Rape Elimination Act (PREA) facility audits.*—PREA facility audits are key to helping agencies move their sexual abuse prevention and response policies from written documents to everyday practices. Congress recently made changes to the audit process to ensure greater oversight of the audit process and improved audits. The Committee supports DOJ providing the necessary resources to carry out this work.

*9/11 Medal of Valor Act implementation.*—The Committee is concerned by the delay in implementation of the 9/11 Medal of Valor Act that was signed into law in 2017, and directs DOJ to report to the Committee not later than 90 days after enactment of this Act on steps being taken to ensure those who merit such recognition are rightfully honored.

*E-Commerce.*—On January 31, 2020, the President issued an Executive Order “Ensuring Safe & Lawful E-Commerce for U.S. Consumers, Businesses, Government Supply Chains, and Intellectual Property Rights”. The order directed the Attorney General, within 60 days, to assign appropriate resources to ensure that Federal prosecutors accord a high priority to prosecuting offenses related to import violations, including increasing the number of DOJ officials who will enforce criminal or civil laws, as appropriate, related to the importation of merchandise. The Committee directs the Attorney General to report to the Committee, not later than 90 days after enactment of this Act, on the implementation of this directive, to include the number of additional DOJ officials assigned to such enforcement efforts.

*RAPID DNA.*—The Committee understands that under certain conditions, Rapid DNA technology can help law enforcement agencies quickly compare DNA samples against profiles in the Combined DNA Index System (CODIS) and determine possible connections between a suspect and known criminal activity or facilitate exoneration of innocent suspects. The Committee encourages DOJ to consider supporting broad deployment of Rapid DNA technology that meets FBI quality assurance standards to help local, State, and Federal law enforcement agencies meet their mission requirements, improve the efficacy and efficiency of investigations, and protect and bring justice to the innocent.

*Counter-Unmanned Aircraft Systems (C-UAS).*—The Committee recommends that DOJ continue to research, test and evaluate, as appropriate, the use of C-UAS in support of the United States Marshals Service, the Bureau of Prisons, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Federal Bureau of Investigation to prevent drug and weapons trafficking. The Committee supports coordination and collaboration between the Department and the Federal Aviation Administration with respect to testing and evaluation of such technology, in accordance with subsection (a) of 49 U.S.C. 44810.

*Cybersecurity threat information sharing.*—The Committee supports sharing by DOJ of cybersecurity threat warnings and intelligence with private companies who may benefit from actionable information to deter, prevent, or mitigate threats. The Committee asks DOJ to provide a briefing on this topic not later than 90 days after enactment of this Act.

*Chinese-government affiliated companies.*—The Committee is concerned with companies operating within the United States that are known to have substantial ties to the Chinese government, including full or partial ownership by the Chinese government, and that are required by Chinese law to assist in espionage activities, including collection of personally identifiable information of American citizens. Such companies may pose cybersecurity risks, such as vulnerabilities in their equipment, and some are the subject of ongoing Congressional and Executive Branch investigations involving their business practices. The Committee directs DOJ to enforce applicable laws and prevent the operation of known foreign entities who participate in the theft of American intellectual property, the harvesting of personal identifiable information on behalf of a foreign government, and the unlawful surveillance of American citizens by adversarial state-owned enterprises.

#### JUSTICE INFORMATION SHARING TECHNOLOGY

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$33,875,000 for Justice Information Sharing Technology (JIST), which is equal to the fiscal year 2020 enacted level and \$189,000 below the request. In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Public Law 116–136) included \$2,000,000 to meet COVID–19 requirements. The Department should use recovered balances from prior year obligations or its discretionary transfer authority to meet any other needs for information technology transformation and cybersecurity, subject to the reprogramming procedures included in this Act.

#### EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$734,000,000 for the Executive Office for Immigration Review (EOIR), of which \$4,000,000 is from immigration examination fees. The recommendation is \$61,034,000 above fiscal year 2020 and \$148,872,000 below the request.

The recommendation includes \$2,000,000 for EOIR's portion of the development of the Unified Immigration Portal with the De-

partment of Homeland Security (DHS) as well as increased funding for EOIR's Information Technology (IT) modernization efforts, as requested. The recommendation also supports a level of funding that will allow for the continued hiring of immigration judges and teams. While the Committee recognizes EOIR has not requested any additional increase from its authorized position level from fiscal year 2020, EOIR is currently well below this level and the Committee is concerned that proposed funding increases are for positions who will not be on board in fiscal year 2021.

*Legal Orientation Program (LOP).*—For the LOP and related activities the recommendation includes \$25,000,000, of which \$4,000,000 is for the Immigration Court Helpdesk (ICH) program. The LOP improves the efficiency of court proceedings, reduces court costs, and helps ensure fairness and due process. The Committee directs the Department to continue LOP without interruption, including all component parts, including the Legal Orientation Program for Custodians of Unaccompanied Children (LOPC) and the ICH. The Committee directs the Department to brief the Committee no later than 15 days after enactment of this Act on how EOIR is effectively implementing these programs, including the execution of funds and any changes to the management of the program. The recommended funding will allow for the expansion of LOP and ICH to provide services to additional individuals in immigration court proceedings. The Committee supports access to LOP and ICHs and looks forward to receiving EOIR's evaluation of expanding this program to all detention facilities and immigration courts, as directed in House Report 116–101. The Committee is deeply concerned that EOIR plans to use fiscal year 2020 funds for the procurement of a web-based application that is still under development, but did not actively discuss these changes with the Committee. While the Committee understands the coronavirus pandemic has impacted court operations and novel approaches may be necessary for continuity, it appears a portion of these specific funds may not be fully executed in fiscal year 2020 in support of the program to pursue a new operating procedure without additional details on how this will impact the LOP program in future years. The Committee is concerned that plans for a web-based application will not adhere to congressional intent to expand this program to new locations and individuals. The Committee reminds EOIR that funding for this program, in its ongoing, in-person format, is mandated by law, and any diversion of these funds from their intended purpose must be formally communicated and convincingly justified to the Committee, consistent with section 505 of this Act.

*LOP Pilot.*—The Committee further directs EOIR, in coordination with U.S. Customs and Border Protection (CBP), to pilot the expansion of LOP to at least one CBP processing facility with an added focus on expanding this program to family units. The Committee further directs EOIR, in coordination with DHS, to assess the feasibility of expanding this pilot program nationally, and to report findings to the Committee no later than 180 days after the conclusion of the pilot.

*Board of Immigration Appeals (BIA) Pro Bono Project.*—The Committee recognizes the critical work of the BIA Pro Bono Project in facilitating pro bono legal representation for indigent, vulnerable respondents whose cases are before the Board. The Committee

urges the continuation of participation of pro bono firms and non-government organizations (NGOs) in the BIA Pro Bono Project to directly facilitate case screening and legal representation. EOIR shall report annually to the Committee on the number of cases referred to NGOs and pro bono legal representatives, the number of EOIR Form E-26 appeals filed against *pro se* respondents and filed by *pro se* respondents and make the information publicly available.

*Immigration case quotas.*—The Committee remains concerned with the performance review standards that went into effect October 1, 2018, which require immigration judges to complete a quota of 700 case completions per year to receive a satisfactory review. Although the Committee appreciates efforts to reduce the current backlog, tying an immigration judge's performance to case completion threatens due process and affects judicial independence. Section 217 of the bill prohibits EOIR's use of case completion quotas for immigration judge performance reviews.

*Judicial Independence and Case Management.*—All courts require judges to utilize case management tools in order to ensure efficient use of the court's time and resources. The Committee is concerned by recent Attorney General decisions that curtail the ability of immigration judges to utilize critical docket management tools, such as continuances and terminations, that enable efficient management of the court's dockets. The Committee supports the utilization of such tools to the fullest extent practicable and reaffirms its support for the authority of immigration judges to exercise independent judgment and discretion in their case decisions. Further, the Committee supports full and fair hearings for all who come before the courts but remains concerned about decisions that ultimately keep asylum seekers, including those seeking relief from domestic violence, in detention for longer periods of time.

*Video teleconferencing.*—The Committee is frustrated by EOIR's response to information requested in the Explanatory Statement accompanying the fiscal year 2020 Consolidated Appropriations Act regarding the publication of its policies for determining the use and dissemination of video teleconferencing (VTC) for individual merits hearings and tent court facilities. EOIR cites multiple policies on its website, but ultimately no central guidance on VTC appears to exist, outside of an interim policy document from 2004. The growth and dependence on VTC has developed since that time and it is concerning that EOIR does not have consistent rules governing the use of video teleconferencing, nor does it appear to have standards to ensure that the procedural and substantive due process of respondents in immigration court are protected. The Committee directs EOIR, within 90 days of enactment of this Act, to develop clear and consistent rules on the use of VTC hearings, including when the use of video teleconferencing is appropriate, and to develop rules for utilizing VTC hearings for particularly vulnerable groups such as unaccompanied minors, individuals with medical or mental health problems, and those subject to the Migrant Protection Protocols (MPP) program. The Committee also directs EOIR to provide these newly developed policies to the Committee, and to make these policies publicly available.

*Rocket Dockets.*—The Committee is troubled by recent reports of changes in EOIR practices that expedite case processing and place unaccompanied children in so called "rocket dockets" commencing



their cases through VTC within days of their arrival in the United States. This practice is a shift from former precedent, and it lacks recognition that cases involving unaccompanied children are different than for detained adults. Immigration court proceedings must be tailored to the circumstances of individual cases in order to preserve due process and fundamental fairness, in particular for minors. The Committee is equally troubled by reports that EOIR intends to expand this expedited case processing for cases involving unaccompanied children, with little knowledge about how this process impacts children, their opportunity to find counsel, or the challenges with communicating with children of varying ages.

EOIR is directed to report to the Committee no later than 30 days after enactment of this Act on the number of cases involving unaccompanied children that had a Master Calendar hearing scheduled within 30 days of their Notice to Appear (NTA), the location of these cases, including whether VTC was utilized for the hearing, whether the child had counsel, and the outcome of the proceedings. Further, the Committee notes that EOIR has not communicated with the Committee on this change in practice and is concerned that EOIR is piloting and expanding a new program that has not been explicitly authorized by Congress.

*Tent Court Proceedings.*—The Committee is concerned that the creation of new immigration hearing facilities, often referred to as “tent courts”, along the border, where judges appear via video teleconferencing (VTC). The Committee is concerned that these new facilities threaten the public nature of immigration court proceedings. The Committee directs EOIR to provide a report within 60 days of the enactment of this Act that provides details on EOIR’s involvement in the creation and operation of such immigration hearing facilities, as well as information detailing how EOIR schedules judges for hearings and a list of judges hearing cases in these facilities. EOIR shall also post to its website information on attorney access at those facilities, as well as policies regarding public and media access.

*Migrant Protection Protocol (MPP) Statistics Publication.*—Within 60 days of enactment of this Act, and quarterly thereafter, EOIR is directed to publish on its public website: (1) the number of MPP Notices to Appear (NTA) received and completed, (2) the number of continuances or adjournments in non-MPP cases due to an immigration judge being reassigned to hear MPP cases, (3) the number of MPP hearings that occurred via VTC, and (4) the number of immigration judges assigned to hear MPP cases. EOIR is also directed to publish the number of MPP hearings delayed as a result of the coronavirus pandemic, as well as the average length of delay. EOIR is further directed to publish all workload-related data currently included on its Workload and Adjudication Statistics website page in separate MPP and non-MPP formats.

EOIR is also directed to develop a plan to begin tracking the appearance rate of individuals placed into removal proceedings, broken out into MPP and non-MPP cases, calculated by determining the percent of individuals who have attended all scheduled hearings in any given quarter, regardless of whether the hearing resulted in a completion. The Committee directs EOIR to report on its plans no later than 180 days after enactment of this Act.

*Interpreters.*—The recommendation includes the requested funding increase for interpretation services. While the Committee recognizes that increasing numbers of respondents in immigration courts require the use of interpretation and the ballooning costs associated with these interpretation services, the Committee directs EOIR to pursue cost efficient measures to ensure appropriate language access for all respondents, including indigenous language speakers, and further directs EOIR to submit a report to the Committee, no later than 90 days after enactment of this Act, outlining steps taken to reduce costs. The Committee eagerly awaits EOIR's quarterly reports highlighting any continuances or adjournments for reasons related to interpretation as well as EOIR's joint report with DHS on shared interpretation resources as directed in House Report 116–101.

*Legal Representation.*—The Committee is concerned with the low rate of representation in immigration court, and the recommendation provides \$15,000,000 in State and Local Law Enforcement Assistance for competitive grants to qualified non-profit organizations for a pilot program to increase representation.

*Immigration judges.*—The Committee directs EOIR to continue to hire the most qualified immigration judges and BIA members from a diverse pool of candidates to ensure the adjudication process is impartial and consistent with due process. The Committee is disturbed by recent reports of politicized hiring processes for immigration judges. The Committee directs EOIR to continue to submit monthly reports on performance and immigration judge hiring as directed in the fiscal year 2020 Explanatory Statement and is directed to include additional information on the status of hiring other positions that make up the immigration judge teams such as attorneys and paralegals. Finally, the Committee is concerned about a recent Department of Justice petition sent to the Federal Labor Relations Authority requesting the decertification of the National Association of Immigration Judges. The Committee recognizes the importance of our nation's immigration judges and their ability to unionize.

*Immigration Efficiency.*—EOIR is encouraged to collaborate with the Department of Homeland Security (DHS) to explore efficiencies with regard to the co-location of DHS and DOJ components with immigration related responsibilities, including immigration courts, DHS asylum officers, medical care practitioners, and both CBP and Immigration and Customs Enforcement (ICE) immigration officers.

*Alternatives to Detention (ATD) Program.*—The Committee is concerned that many individuals enrolled in ICE's ATD program will be terminated from the program before their cases are fully resolved. Getting timely resolution of these cases is complicated by the historic volume of pending cases on EOIR's non-detained docket schedule. The Committee recognizes the ATD program is managed by ICE, and that EOIR currently lacks information about who is enrolled. However, the Committee also recognizes that the longer an individual remains on ATD while their case is pending before EOIR, the more expensive the ATD program is per enrollee, and the less effective the ATD program is. Prioritizing ATD enrollees' cases as if they were on the detained docket could potentially increase the effectiveness of the program, lower the cost per enrollee, and support more individuals in the program overall. The Com-

mittee directs EOIR, in coordination with ICE, to develop an analysis of alternatives to improve the timeliness of resolving cases before EOIR for individuals in the ATD program, and further to consider as one such alternative the classification of ATD enrollees as part of the detained docket for purposes of case prioritization. EOIR is directed to brief the Committee on their findings not later than 180 days after the date of enactment of this Act.

*Court Operations during COVID-19.*—The Committee understands that the novel coronavirus pandemic has forced the majority of Federal Government agencies to alter their normal operating procedures, and changes to court operations is no exception. However, the Committee is frustrated that EOIR relied largely on Twitter to communicate its operational status. Many that were traveling, especially from Mexico, to appear at immigration court hearings, did not receive the updated information that the courts were closed. Even prior to the pandemic, the Committee was troubled by reports concerning the timeliness and receipt of hearing notices, as some were undeliverable as addressed and thus returned to immigration courts, and attempts to change addresses with the immigration court were often unsuccessful due to current backlogs. As of March 31, 2020, *in absentia* removal orders were already on the precipice of reaching the total number for all of fiscal year 2019. The Committee is concerned that the pandemic has exacerbated an already confusing process, resulting in an exponential increase in the number of removal orders for respondents who simply did not have the information to appear in court. Therefore, the Committee directs EOIR to submit a report to the Committee, within 90 days of enactment of this Act, that details the specific steps EOIR has taken since March 2020 to accommodate respondents who have missed court appearances due to COVID-19, and steps EOIR has taken to ensure respondents have a centralized mechanism to electronically file an EOIR Form-33 in order to change their address remotely with EOIR, in addition to the current use of paper filings.

#### OFFICE OF INSPECTOR GENERAL

The Committee recommends \$113,985,000 for the Office of Inspector General (OIG), \$8,985,000 above the fiscal year 2020 enacted level and \$6,774,000 above the request. The Committee includes funding requested for critical information technology upgrades, and sustains funding provided in fiscal year 2020 for data analytics, cyber investigations, and increased workload, and to maintain the OIG workforce. The Committee recommendation does not reflect an unspecified “administrative reduction” in the President’s request, and DOJ should eschew such budget gimmicks in its future requests.

#### UNITED STATES PAROLE COMMISSION

##### SALARIES AND EXPENSES

The Committee recommends \$13,539,000 for the United States Parole Commission.

## LEGAL ACTIVITIES

## SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

## (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$969,211,000 for General Legal Activities. Within the total provided, the Committee includes \$5,000,000 for the Criminal Section of the Civil Rights Division (CRT) to implement the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act. The recommendation also includes an increase of not less than \$10,000,000 within the Civil Rights Division for additional expenses relating to the enforcement of section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601), criminal enforcement under sections 241 and 242 of title 18, United States Code, and administrative enforcement by the Department, including compliance with consent decrees or judgments entered into under such section 210401.

The Committee recommendation funds current services costs for all divisions, including CRM, but does not reflect unspecified “other adjustments” proposed in the budget for that division. The Committee directs the Department to eschew such budget gimmicks in its future requests. Within funding provided, the Committee encourages the Department to enhance its efforts in elder justice, countering online sexual exploitation of children, international legal cooperation in investigations and prosecution, and combating human trafficking.

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

Office Solicitor General .....	\$13,474,000
Tax Division .....	\$111,002,000
Criminal Division .....	\$198,744,000
Civil Division .....	\$316,938,000
Environment and Natural Resources Division .....	\$113,458,000
Office of Legal Counsel .....	\$9,195,000
Civil Rights Division .....	\$165,998,000
INTERPOL .....	\$35,592,000
Office of Pardon Attorney .....	\$4,810,000
Total, General Legal Activities .....	\$969,211,000

*Mutual Legal Assistance Treaty (MLAT).*—The Committee supports DOJ’s continued MLAT reform efforts to reduce the substantial backlog in meeting requests for mutual legal assistance from both foreign and domestic partners, and the dramatic growth in MLAT requests overall. As part of this effort, the Committee expects DOJ to prioritize and expedite requests from international partners. The Department shall report to the Committee within 90 days of enactment of this Act on progress in reducing the backlog.

*Voting Rights Act Section 203 Language Assistance.*—The Committee recognizes that the CRT Voting Section has investigated and come to agreements with a number of counties to bring them into compliance with Section 203 of the Voting Rights Act (VRA). The Committee reiterates the importance of such enforcement on behalf of the covered language minorities, and again directs DOJ to include in its next budget request an update of previous reports made to the Committee on such compliance for fiscal years 2019 and 2020. The recommendation also repeats direction that DOJ

publish annually on its website information about Section 203 suits, including at a minimum the number that are opened, ongoing, or resolved. If available, such reporting should also include: a breakdown, by suit, of the language(s) involved; the reason suits/cases are closed (e.g., not enough evidence of non-compliance available, no evidence of non-compliance, Memoranda of Agreement); the average number of Section 203 investigations per attorney; and the average length of time per such investigation. If such data is restricted from publication as a matter of policy, the Committee directs that it be submitted as a separate, classified report to the Committee.

*Civil Rights Division (CRT).*—The Committee is disappointed at the failure of the Department to follow congressional direction included in House Report 116–101 with regard to the components of the Civil Rights Division (CRT). The information requested is neither privileged nor does it raise security concerns; it is statistical and retrospective information; does not expose details about active investigations; and is required to assist Congress in its oversight of the Department. Within 90 days of enactment of this Act, and quarterly thereafter, the Committee directs the Department to submit a report detailing, by CRT section: the number of suits filed in federal court by each section of the Civil Rights Division, and the number of cases that reached a final disposition (settlement, consent decree, or judgment). Within each area, numbers should be broken down to include the animating statute and type of case the Division brought (for instance, if the case was brought under the Civil Rights Act, then the information should detail what type of claim and what Title the claim was brought under). The Department should detail the number of cases appealed, and the type of case and claim involved. Lastly, the report should include the number of current staff (and the specific number of attorneys) assigned to each Section of the Civil Rights Division for each time period. If the Department deems any of the information should not be made public, it should identify that to the Committee and provide under separate cover.

The Committee also notes that because the CRT budget justification did not reflect the distribution of caseload between CRT subdivisions, it is difficult to determine how full-time equivalent resources align with demand on those resources. The Committee expects DOJ to include clearer metrics and caseload statistics for CRT anti-discrimination missions, such as (but not limited to) Fair Housing and Voting Rights Enforcement, in its fiscal year 2022 request.

*Fair housing enforcement.*—The Committee remains deeply concerned about the adequacy of DOJ enforcement of racial discrimination provisions of the Fair Housing Act of 1968 (FHA), and directs the Department to submit expeditiously the report required under Public Law 116–93 on FHA racial discrimination cases brought during fiscal years 2015 through 2020.

*Consent decrees.*—The Committee reminds the Department that it has yet to receive the report specified in House Report 116–101, as required pursuant to Public Law 116–93, on the Department's efforts to enforce vigorously all consent decrees negotiated under any civil rights statute. The Committee expects the Department to submit this report expeditiously, to include decrees issued under

the pattern or practice investigations provisions under the Omnibus Crime Control and Safe Streets Act of 1968 and the Violent Crime Control and Law Enforcement Act of 1994. The Committee has included an additional \$10,000,000 for the Civil Rights Division to support these efforts, as prescribed in the George Floyd Justice in Policing Act, H.R. 7120, as passed by the House of Representatives on June 25, 2020.

*Impact of Shelby County v. Holder.*—The Committee continues to be concerned that as a consequence of the Supreme Court’s decision in *Shelby County v. Holder*, CRT has had to undertake resource-intensive litigation to meet its responsibility under the Voting Rights Act to ensure equal access to elections regardless of race, ethnicity, and linguistic ability. The Committee directs DOJ to submit expeditiously the report required under Public Law 116–93 describing how the *Shelby County* decision has affected the resources available to the CRT Voting Section to enforce Federal voting laws, including its ability to monitor and ensure the fair administration of the 2020 Presidential election, and recognizing that the report may not include details on internal deliberative or decision processes.

*Human trafficking.*—The Committee urges DOJ to make it a priority for the CRT Human Trafficking Prosecution Unit and DOJ’s Anti-Trafficking Coordination Teams to investigate and prosecute human traffickers. The Committee directs DOJ to work with victim service providers and non-governmental organizations assisting trafficking victims in the United States.

*Global Magnitsky Human Rights Accountability Act.*—The Committee encourages the Department to enhance efforts of the Criminal and Civil Divisions to assemble and vet the large number of case files of individuals and entities subject to sanctions under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 2656 note).

*Animal fighting.*—Animal fighting is a crime that causes undue suffering to animals, and is often connected with violent crime and drug trafficking, but the Committee is concerned about the adequacy of enforcement of the animal fighting statutes (7 U.S.C. §2156 and 18 U.S.C. §49) and other laws related to animal welfare crime. DOJ shall make it a priority to investigate and prosecute violations of animal welfare laws and is strongly encouraged to create a dedicated section within the Environment and Natural Resources Division to enforce such laws.

#### VACCINE INJURY COMPENSATION TRUST FUND

The recommendation includes \$19,000,000, as requested, as a reimbursement from the Vaccine Injury Compensation Trust Fund for the costs of litigating cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660).

#### SALARIES AND EXPENSES, ANTITRUST DIVISION

The Committee recommends \$180,274,000 for salaries and expenses of the Antitrust Division (ATR), \$13,519,000 above fiscal year 2020 and \$8,250,000 below the request. The recommended funding level is offset by \$150,000,000 in estimated fee collections for a net direct appropriation of \$30,274,000.

*High-speed internet access.*—Because access to high-speed internet service is essential for rural and urban areas to participate fully in the digital economy, ATR shall investigate monopolistic practices among cable companies and internet service providers, especially where such practices may involve making residential build-out obligations a condition of a corporate merger; and include the impact of such practices on (1) service availability; (2) service quality, including speeds; and (3) service price. ATR shall take action necessary to further the promotion of free and fair competition in this marketplace in all communities, including rural areas.

#### SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The Committee recommends \$2,347,177,000 for the Executive Office for United States Attorneys and the 94 United States Attorneys' offices, which is \$92,636,000 above fiscal year 2020 and \$31,241,000 below the request. The Committee has provided separate funding recommendations by decision unit as follows: \$1,760,478,000 for criminal litigation; \$559,094,000 for civil litigation; and \$27,605,000 for legal education. This fully funds requested increases to sustain operations at the fiscal year 2020 level. Within funding provided, the U.S. Attorneys are expected to maintain efforts to investigate and prosecute crimes related to elder justice, human trafficking, opioid trafficking, transnational crime, and targeted violence. The recommendation also includes an increase of \$10,000,000 for additional expenses relating to the enforcement of section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601), criminal enforcement under sections 241 and 242 of title 18, United States Code, and administrative enforcement by the Department, including compliance with consent decrees or judgments entered into under such section 210401.

*Immigration enforcement data.*—The Committee directs DOJ to continue to submit quarterly reports, by U.S. Attorney district, on defendants who are charged with violations of 8 U.S.C. 1325 and 8 U.S.C. 1326 (improper entry or illegal reentry). In addition, the Committee recommends that Federal prosecutors and public defenders document those cases in which a defendant states that they are migrating to rejoin children residing in the United States, and that DOJ aggregate such data and publish it monthly.

*Credible Fear.*—The April 11, 2017 Attorney General memorandum to Federal prosecutors entitled “Renewed Commitment to Criminal Immigration Enforcement” directed every District to designate a “Border Security Coordinator”. The Committee directs the Department to report to the Committee, not later than 90 days after enactment of this Act, and quarterly thereafter, on the implementation of that memorandum. In particular, the report should identify, for each District, the designated Border Security Coordinator, and the number of Federal criminal prosecutions made pursuant to the memorandum. The data should indicate whether defendants expressed a fear of return to his or her country of origin.

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

## UNITED STATES TRUSTEE SYSTEM FUND

The Committee recommends \$232,361,000 for the United States Trustee Program, which is \$5,132,000 above the fiscal year 2020 appropriation and \$2,103,000 below the request.

*Compliance with bonus restrictions.*—The Committee believes policymakers would benefit from more precise information on the incidence and magnitude of bonuses paid by companies in chapter 11 bankruptcy. The Committee therefore directs the Government Accountability Office (GAO) to study this topic and submit a report not later than October 1, 2021. The report should identify selected debtor companies under Chapter 11 Bankruptcy proceedings during fiscal year 2020 that requested or were granted permission to pay bonuses to insiders or employees during such bankruptcy case. For each such company, the report shall include what the company paid or is seeking to pay for such bonuses, and, where available, the number of employees and insiders who received or will receive such bonuses (excluding sales commissions). The report shall also include an analysis of bankruptcy statutes that allow bonuses in bankruptcy and potential policy solutions to prevent such bonuses. For purposes of this report, the term “bonus” means: a transfer to, or obligation incurred for the benefit of, an individual employed by the debtor or insider of the debtor as compensation for services in an amount that (A) is in addition to the existing wages, salary, or base compensation of an insider of the debtor or individual employed by the debtor; (B) can be construed as a form of retention, incentive, or reward related to the services provided to the debtor by the insider or the individual employed by the debtor, and (C) excludes sales commissions. In addition, for the purposes of this report, the term “insider” refers to the definition set forth in 11 U.S.C. § 101(31). The United States Trustee shall use all available legal authority to obtain and share relevant information with the GAO to prepare this report.

## SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The Committee recommends \$2,366,000 for the Foreign Claims Settlement Commission, which is equal to the request.

## FEES AND EXPENSES OF WITNESSES

The Committee recommends \$270,000,000, which is the same amount as fiscal year 2020, for fees and expenses of witnesses who appear on behalf of the Government in cases in which the United States is a party. This appropriation is considered mandatory for scorekeeping purposes.

## SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

## (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$20,300,000 for the Community Relations Service (CRS), and rejects the proposal to abolish and reassign its mission and responsibilities to the Civil Rights Division. The recommendation includes not less than \$1,500,000, as authorized, to implement Public Law 114–325, the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act. The recommendation also includes \$3,300,000 for additional conflict resolution efforts, as au-



thorized in section 116(2) of H.R. 7120, the George Floyd Justice in Policing Act, as passed by the House of Representatives on June 25, 2020.

CRS has a unique role to play in the Justice Department. While not a law enforcement agency, CRS operates in all U.S. States and territories to advance justice and reconciliation by working with all parties, including State and local government units, private and public organizations, civil rights groups, and community leaders, to uncover the underlying interests of all involved in conflicts. It facilitates the development of mutual understanding in communities challenged by tension and conflict and helps them develop local capacity and tools to defuse tension and prevent hate crimes from re-occurring.

#### ASSETS FORFEITURE FUND

The Committee recommends \$20,514,000 for expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code. This amount is the same as the fiscal year 2020 amount and the budget request.

Section 528 of this Act requires the Department to submit a spending plan for fiscal year 2021. The Committee directs the Department to include in this plan proposed spending from the Fund, to include estimates of: Fund balances; equitable sharing payments; Joint Law Enforcement Operations obligations; and obligations by component.

#### UNITED STATES MARSHALS SERVICE

##### SALARIES AND EXPENSES

The Committee recommends \$1,484,184,000 for the salaries and expenses of the United States Marshals Service (USMS), which is \$54,184,000 above fiscal year 2020 and \$128,889,000 below the request. The recommendation sustains current services for activities and initiatives funded in fiscal year 2020. Within funding provided, the Committee expects USMS to sustain efforts in fugitive apprehension, judicial protection, fugitive task forces, extradition support, countering violent crime, and continued enforcement of laws relating to international travel of sex offenders, including through the Angel Watch Center.

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

Judicial and Courthouse Security .....	\$501,325,000
Fugitive Apprehension .....	\$586,563,000
Prisoner Security and Transportation .....	\$264,200,000
Protection of Witnesses .....	\$64,062,000
Tactical Operations .....	\$68,034,000
Total, Salaries and Expenses .....	\$1,484,184,000

##### CONSTRUCTION

The Committee recommends \$15,000,000, which is the same amount as fiscal year 2020 and the request, for construction and related expenses in space controlled, occupied, or used by USMS for prisoner holding and related support. The Committee expects USMS to apply this funding to its top priority projects.

## FEDERAL PRISONER DETENTION

The Committee recommends \$1,867,461,000 for Federal Prisoner Detention, which is the same as the fiscal year 2020 appropriation and \$179,148,000 below the request.

## NATIONAL SECURITY DIVISION

## SALARIES AND EXPENSES

## (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$114,387,000 for the National Security Division (NSD), which is \$4,837,000 above fiscal year 2020 and \$2,614,000 below the request. This amount will sustain NSD operations at no less than the fiscal year 2020 level to address its national security and counterterrorism workload, including its responsibilities under the Foreign Intelligence Surveillance Act and the Foreign Agents Registration Act (FARA). Within funding provided, the Committee encourages NSD to enhance its efforts in foreign investment review, counterintelligence and export control, and victim support, as well as intelligence collection, oversight, insider threat prevention, and activities to counter and prevent domestic terrorism.

*Counsel for Domestic Terrorism.*—The growing threat of domestic terrorism, particularly homegrown violent and racist extremism, justifies a commensurate response by the Department. The Committee encourages DOJ to consider elevating the position of Counsel for Domestic Terrorism to the rank of Deputy Assistant Attorney General, with sufficient staff and resources to meet rising investigative and prosecution workload.

## INTERAGENCY LAW ENFORCEMENT

## INTERAGENCY CRIME AND DRUG ENFORCEMENT

The Committee recommends \$565,000,000 for Interagency Crime and Drug Enforcement, which is \$14,542,000 above fiscal year 2020 and \$20,145,000 below the request. Funds included under this heading will support interagency Organized Crime Drug Enforcement Task Forces (OCDETF), which target high-level drug trafficking organizations through coordinated, multi-jurisdictional investigations. This funding level will sustain operations at no less than the fiscal year 2020 level.

*Decision unit subtotals.*—The recommendation includes \$388,470,000 for investigations and \$176,530,000 for prosecutions. The Committee expects OCDETF to continue to enhance its investigative, intelligence, and prosecutorial efforts through OCDETF-led activities, including the OCDETF Fusion Center, OCDETF Collocated Strike Forces and the International Organized Crime Intelligence and Operations Center, and direct collaboration with State and local law enforcement, United States Attorneys' offices and the Criminal Division. The Committee expects OCDETF to focus additional resources on targeting opioid trafficking organizations.

*Full-Time Equivalents (FTE).*—The Committee directs the Department to submit an updated report on historical investigative and prosecutorial FTE levels for OCDETF concurrent with its fiscal

year 2022 budget request as specified in the fiscal year 2020 Appropriations Act.

*Northern triangle transnational criminal organizations (TCOs).*—The Committee is concerned by reports of TCO targeting of legitimate businesses along drug trafficking routes across the Northern Triangle countries, particularly in Guatemala. Destabilizing legitimate businesses increases dependence on TCOs for security and financial support, and reduces the economic opportunity and safety that deter migration. The Committee encourages OCDETF, in coordination with DEA and other Federal and international partners, to address this troubling pattern of activity, and to brief Congress regarding those efforts within 90 days of enactment of this Act.

## FEDERAL BUREAU OF INVESTIGATION

### SALARIES AND EXPENSES

The Committee recommends \$9,703,348,000 for the salaries and expenses of the Federal Bureau of Investigation (FBI), which is \$235,446,000 above fiscal year 2020 and \$45,481,000 below the request. The recommendation includes funding to sustain all programs carried out in fiscal year 2020, to include efforts to boost the capacity and speed of the National Instant Criminal Background Check System (NICS), and continues \$5,000,000 in funding as authorized to implement the Emmett Till Civil Rights Act. It also includes an increase of \$5,000,000 for the Corruption/Civil Rights Section for additional expenses relating to the enforcement of section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601), criminal enforcement under sections 241 and 242 of title 18, United States Code, and administrative enforcement by the Department, including compliance with consent decrees or judgments entered into under such section 210401. The recommendation does not reflect an unspecified reduction of \$148,053,000 in “other adjustments”, and the Committee directs the Department to eschew such budget gimmicks in its future requests. Within funding provided, the Committee encourages the FBI to enhance its efforts to combat foreign threats, maintain operations of the National Threat Operations Center, and development of counter-unmanned aerial systems (C UAS). The Committee also urges the FBI to sustain its cyber effort; its efforts to combat crime and corruption, including human trafficking; and national security responsibilities such as the Terrorist Screening Center. The Committee also encourages the FBI to sustain its efforts to investigate fraud, white-collar, and hate crimes, and build on its successes in human trafficking investigations. In a post-COVID–19 environment, it is essential that the FBI allocate its resources, agents and staff based on the unique threats and workload of each field office to meet the highest FBI priorities.

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

Intelligence .....	\$1,824,480,000
Counterintelligence and National Security .....	\$3,927,183,000
Criminal Enterprise and Federal Crimes .....	\$3,365,594,000
Criminal Justice Services .....	\$586,091,000
Total, Salaries and Expenses .....	\$9,703,348,000

*Hate Crimes Statistics Act (HCSA).*—The Committee continues to urge State, local, and tribal law enforcement agencies to include the cost of participation in the FBI’s HCSA program for the purposes of calculating extraordinary expenses associated with the investigation and prosecution of hate crimes under Public Law 111–84, section 4704(b)(3).

*Racial extremist recruitment.*—The Committee is aware that a recent *Military Times* poll shows that more than one in three U.S. members reported witnessing examples of white nationalism among their fellow troops, a significant increase over the 2019 poll. The Committee reminds the FBI of its direction in House Report 116–101, as required pursuant to Public Law 116–63, to update its 2008 report, “White Supremacist Recruitment of Military Personnel since 9/11” and directs that this be completed not later than June 1, 2021.

*Domestic White Supremacist Terrorist Activity.*—The Committee is aware that most FBI domestic-terrorism investigations in the past year were linked to white supremacy. The Committee supports FBI’s recent elevation of racially-motivated violent extremism to a national threat priority. However, the Committee is concerned that recent reorganization and classification actions may have reduced the quality of data on such attacks, such as their frequency and scale, with the result being less useful data on which to base Committee resource decisions. The Committee directs the FBI to report, not later than 180 days after enactment of this Act, on the number of incidents in fiscal years 2016 through 2020 that required surveillance, investigation, and prosecution of white supremacist activity or racially motivated violent extremism associated with white supremacist ideology, and include, if available, incidents in which the FBI deferred to State or local authorities.

*Universal Crime Report.*—The Committee expects the FBI to submit as soon as possible the report directed in the fiscal year 2020 Appropriations Act on the feasibility of collecting non-fatal firearms-related incidents as part of the Universal Crime Report (UCR), with an estimate of resources needed to accomplish this goal.

*Integrated medical support for tactical operations.*—The Committee continues to support the FBI’s use of external partnerships in the Operational Medicine Program to support medical contingency planning and improve the delivery of medical care for high-risk law enforcement missions, and recommends continued work and investment to achieve full engagement with proven medical partners.

*Gun violence data sharing.*—The Committee expects DOJ to submit expeditiously the cross-agency report on gun violence data as required by the fiscal year 2020 Appropriations Act.

*Cyber stalking.*—The Committee is deeply disappointed that DOJ and the FBI have not yet submitted the report on their actions to address cyber-stalking and threat crimes as required by the fiscal year 2018 Appropriations Act, and directs DOJ to submit this report without delay.

*Elder fraud.*—The Committee is concerned about the sharp rise in fraud perpetrated against senior citizens who are wrongly brought under guardianship or have their assets mismanaged or stolen. The Committee is aware that the FBI participates in the

Elder Fraud Initiative and Transnational Elder Fraud Strike Force, along with DOJ components and other agency partners, and urges increased energy be put into these efforts, including enforcement of the Elder Abuse Prevention and Prosecution Act of 2017 (EAPPA), to provide detailed reporting on its progress in reducing such fraud as part of the annual report to Congress pursuant to EAPPA, and to develop and implement a guardianship fraud hotline, to include requesting necessary funding and staffing for such efforts in its fiscal year 2022 budget request.

*Data on crime in the U.S. territories.*—The Committee has serious concerns about the limited and inconsistent availability of data regarding crime in the U.S. territories. The Committee notes that while the FBI's annual Crime in the United States report includes statistics from the several States, the District of Columbia, and Puerto Rico, it lacks data from American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands. The Committee understands that such information, which is provided on a voluntary basis, has not been consistently submitted or updated so that its information can be reflected in all UCR data collection products, including charts, maps, and other publications in the interactive Crime Data Explorer tool, or in the FBI's Preliminary Semiannual Uniform Crime Report. As the Summary Reporting System (SRS) will transition to the National Incident-Based Reporting System (NIBRS) by January, 2021, the Committee urges the FBI to continue to work with law enforcement agencies in the five U.S. territories to provide training, technical assistance, and NIBRS subject matter expertise to ensure it can collect and publish crime statistics from these jurisdictions, and directs the FBI to report to the Committee not later than 180 days after the date of enactment on the progress in achieving this goal.

*Internet investigations.*—The FBI and its partners investigate massive Internet-based child exploitation and human trafficking forums, which requires robust information sharing and technical tools to acquire evidence from the Darknet and other forums for prosecution. The Committee directs FBI to consider novel partnership and contracting strategies, along with its 21st Century training and technology initiatives, to acquire, develop, and implement advanced technical solutions to more rapidly exploit digital evidence and intelligence related to investigations targeting human trafficking and child exploitation efforts, both domestic and international.

*IED Program.*—The Committee encourages the FBI to consider developing a Research and Prototyping for IED Defeat training program for State and local law enforcement, based on its own efforts to establish defeat technologies, develop diagnostics, conduct fundamental science research and engineering, address remote capabilities and emerging threats, and develop render safe procedures. The Committee also encourages the FBI's Critical Incident Response Group to explore incorporating such a curriculum into its render safe training at the Hazardous Devices School, enabling standardized and consistent training to the entire civilian, domestic bomb squad community.

*Gunshot detection.*—The Committee notes the need for accurate, timely and dependable technology to record actual shots fired in an incident, to communicate that information to police dispatchers,

and to initiate body camera recording in such incidents. The Committee requests that the FBI evaluate such technology and report to the Committee, not later than 180 days after enactment of this Act, with an assessment of its potential value for Federal, State and local law enforcement, including any possible FBI role in sharing or supporting such technology, policy considerations, and recommendations for potential deployment.

*Unmanned aerial systems (UAS) threat.*—The Committee is concerned about the public safety threat posed by unauthorized drone operations, whether errant or malicious, and the corresponding need for UAS detection and mitigation solutions. The Committee encourages the FBI to consider procurement approaches that will facilitate rapid fielding of proven, cost-effective counter-UAS technologies, and to continue to update the Committee on its implementation of counter-UAS measures.

*Human trafficking investigations.*—The FBI is expected to sustain its investigations of human trafficking; its related intelligence collection, analysis, and information sharing; and work with human trafficking victims.

*Skilled workforce recruitment.*—Nearly every major FBI investigation has a foreign language component, and it has a continuing requirement for qualified linguists, and foreign language and culture training. The Committee encourages the FBI and other components to prioritize the hiring of a workforce with the critical language skills and scientific and technical expertise to succeed in counterterrorism, cyber defense, counterintelligence, and criminal investigative missions against terrorists and foreign actors.

*White supremacist infiltration in law enforcement.*—The Committee has read excerpts of the 2006 assessment entitled, “White Supremacist Infiltration of Law Enforcement”, and directs the FBI to provide an update to the Committee on its assessment of white supremacist infiltration in law enforcement, including actions that DOJ and the FBI have taken to address concerns regarding white supremacist presence in law enforcement since the 2006 assessment.

#### CONSTRUCTION

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

The recommendation does not include a requested rescission of construction funding balances that were previously appropriated for headquarters consolidation and construction. The Committee remains greatly concerned about the risks and continuing costs associated with operating in the current, unsatisfactory headquarters. The Department is urged to answer longstanding concerns that have been raised by the Committee, and to submit a formal prospectus to be reviewed and approved by the appropriate committees of Congress.

## DRUG ENFORCEMENT ADMINISTRATION

## SALARIES AND EXPENSES

The Committee recommends total budget authority of \$2,791,869,000 for Drug Enforcement Administration (DEA) salaries and expenses, of which \$460,499,000 is derived from fees deposited in the Diversion Control Fund, and \$2,331,370,000 is provided by direct appropriation. The recommended appropriation is \$62,670,000 above fiscal year 2020 and \$67,435,000 below the request.

The funding sustains activities at the fiscal year 2020 level. Within funding provided, the Committee encourages DEA to sustain its lawful access program efforts, combat transnational criminal organizations, and sustain its cyber/digital evidence activities. The Committee has provided separate funding recommendations by decision unit for salaries and expenses as follows:

International Enforcement .....	\$464,363,000
Domestic Enforcement .....	1,853,247,000
State and Local Assistance .....	13,760,000
Total, Salaries and Expenses .....	2,331,370,000

*Diversion control.*—The recommendation includes \$460,499,000 for the regulatory and enforcement activities of DEA's Diversion Control Program. The Diversion Control Program is funded by fee collections.

*Methamphetamine and fentanyl cleanup.*—The funding recommendation includes \$10,000,000 to assist State, local, and tribal law enforcement agencies in efforts to remove and dispose of hazardous materials at methamphetamine and fentanyl labs and processing operations, to include training, technical assistance, purchase of equipment and a container program.

*Telemedicine.*—The Committee continues to place a priority on reducing the crisis of prescription drug abuse and recognizes that some controlled substances, such as those employed in medication-assisted treatment, can be a critical part of treatment and should be available as clinically appropriate. The Committee requests that DEA complete its statutory requirement, pursuant to Section 3232 of Public Law 115–271, to promulgate regulations clarifying the limited circumstances in which Special Registration for Telemedicine may occur under the Ryan Haight Act.

*Controlled substances ordering system (CSOS).*—The Committee is aware of DEA efforts to replace the outdated electronic transmission of controlled substance orders through what is known as the Controlled Substances Ordering System (CSOS). The Committee is aware that with the number of transactions between pharmacies and distributors exceeding 800,000 per year, the design, architecture, integration, and implementation of a state-of-the-art system will be necessary and encourages DEA to use funding from the Diversion Control Fund for this purpose.

*Drug Disposal and Takeback Programs.*—The Committee continues to encourage DEA to consider in-home drug deactivation and disposal solutions that meet the agency's regulatory definition of non-retrievable, and evaluate their effectiveness, particularly in areas with high rates of opioid misuse or abuse, rural areas, areas

with high populations of individuals with limited mobility, and areas that lack permanent disposal sites.

*Destruction of unwanted controlled substances.*—The Committee continues to encourage DEA to meet with commercial hazardous waste management industry members to discuss non-incineration disposal methods that meet DEA’s non-retrievable standard, as well as safety measures for the transport of controlled substances for disposal, including secure tamper-proof evidence packages or security tape sealed drums.

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

##### SALARIES AND EXPENSES

The Committee recommends \$1,550,000,000 for the salaries and expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), which is \$150,000,000 above fiscal year 2020 and \$87,574,000 below the request. Bill language is included to prohibit the transfer of ATF’s current enforcement authorities, and within the funds provided, the recommendation supports no less than the fiscal year 2020 level of effort towards tobacco-related enforcement.

The recommendation fully funds the requested investments toward reducing violent crime and promoting public safety. These enhancements will allow for increased hiring to add personnel to ATF’s nationwide investigative capacity and the Crime Gun Intelligence Centers, expand its National Integrated Ballistic Information Network (NIBIN) National Correlation and Training Center capabilities, and support additional Industry Operations Investigators to improve ATF’s oversight of Federal Firearms Licensees. Further, the recommendation includes \$53,322,000 in critical operations support requirements which have not been properly met due to the increased cost of training and equipping ATF’s workforce. This investment will allow ATF to ensure the hiring and retention of its workforce. Since fiscal year 2001, the cost of hiring, training, and equipping a special agent has nearly doubled. The Committee expects ATF to be transparent about such increases in training and equipping the workforce in future congressional budget justification materials so the Committee is fully aware of the impact on annualized costs.

*National Integrated Ballistic Information Network (NIBIN).*—The Committee is encouraged by the promise of improved crime gun intelligence and information sharing, and expects funding provided in this bill will aid in interdicting crime guns and preventing gun trafficking through the NIBIN. The Committee continues to support efforts to expand the use of NIBIN and to ensure all law enforcement agencies have access to NIBIN’s correlation services and appreciates the investments being made by state and local partners to collect and share ballistics evidence across geographically separated law enforcement jurisdictions, and encourages ATF to continue to build on these investments. The Committee supports efforts to include both cartridge casings and bullets in the NIBIN program and encourages the Department to promote NIBIN as a critical forensic science tool and to identify opportunities to build partnerships with criminal justice training programs. Finally, the Committee encourages ATF to continue establishing a NIBIN pres-



ence on the Southwest border and looks forward to receiving the update on its efforts as described in House Report 115–704.

*Illegal firearms.*—The Committee is aware that firearms enter the illegal market through a limited number of channels, such as straw purchasers, corrupt firearms licensees, unlicensed sellers, and firearms theft. Law enforcement needs transparent data about these channels in order to develop the most effective enforcement strategies to reduce firearms trafficking. The last time ATF provided a report describing the channels of firearms trafficking was in the year 2000. Since that time, the National Tracing Center has collected over five million traces of crime guns. Despite explicit authorization to release “statistical aggregate data regarding firearms traffickers and trafficking channels, or firearms misuse, felons, and trafficking investigations,” since 2008 ATF has only released statistical aggregate data regarding the geographical location where crime guns were first sold at retail. Within one year of the date of enactment of this Act, ATF is directed to release a new report providing updated statistical aggregate data regarding trafficking channels and trafficking investigations within the confines of existing law.

*Training and research.*—The Committee supports the work of the National Center for Explosives Training and Research regarding both investigating criminal acts related to explosives, bombings, and explosives threats, and training involving State and local levels of government, and military units.

*Firearms tracing.*—The Committee is concerned about the high number of incorrect submissions by law enforcement agencies to ATF for firearms tracing. The Committee urges ATF to increase trace submission training for law enforcement agencies to include online training.

*Ghost guns.*—The Committee is concerned about the emergence of ghost guns—firearms made from parts without serial numbers or background checks—as a weapon of choice for violent criminals or those who would normally be prohibited from purchasing a firearm. The Committee believes the building blocks for these ghost guns should be regulated under Federal law and urges ATF to amend the definition of firearm frame or receiver as described under 27 C.F.R. § 478.11 to ensure existing and future designs are appropriately regulated. The Committee further directs ATF to provide all available data on the rate that Federal authorities encounter ghost guns, and recommendations on how to improve data collection.

*EForms Filing System.*—In order to further the goals of shortening processing times, reducing submission errors, and increasing efficiency, the Committee directs ATF to report on the feasibility and appropriateness of allowing third-party processors to effectively interact with ATF’s eForms electronic filing system. Such report shall include an analysis of the feasibility of establishing methods by which: (1) third-party processors may access the system’s application programming interface (API); (2) both transferors and transferees can certify forms through the provided interface; and (3) forms submitted through the interface are treated as equal to, and processed in sequence with and in comparable time to, forms not submitted through the interface. The Committee encour-

ages ATF to engage with stakeholders in the course of examining the feasibility of establishing such system modifications.

#### CONSTRUCTION

The Committee recommends \$5,000,000, for the requirements and design of a new, consolidated laboratory facility. The Committee recognizes that the current lease at the Walnut Creek laboratory will expire at the end of fiscal year 2023 as opposed to October 31, 2021 as originally stated in the supporting narrative to ATF's congressional budget justification.

#### FEDERAL PRISON SYSTEM

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$7,770,000,000 for salaries and expenses of the Bureau of Prisons (BOP), which is \$300,000,000 above fiscal year 2020 and \$158,874,000 above the request. The Committee recommendation includes funding of not less than \$165,000,000 to sustain implementation of Public Law 115–391, the First Step Act of 2018 (FSA), to continue to expand and develop opportunities for incarcerated individuals to participate in evidence-based, recidivism-reducing programming and productive activities. The recommendation sustains all BOP operations at no less than fiscal year 2020 levels to enable BOP to make progress in hiring and training personnel, improve staffing to inmate ratios, and reduce overcrowding. It does not reflect the \$388,772,000 in unspecified “administrative savings” reduction proposed in the budget, and the Committee directs DOJ to eschew such budget gimmicks in its future requests.

The recommendation includes not less than \$60,400,000 requested for medically assisted treatment (MAT) and reentry programs to support FSA efforts; not less than \$10,000,000 for inspections related to improvement of aging electrical and utility systems and not less than \$14,600,000 for FSA-related residential reentry center (RRC) capacity. It also includes not less than \$26,000,000 as requested for cellphone detection technology, unmanned air system (UAS) threat countermeasures, and essential information technology modernization.

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

Inmate Care and Programs .....	\$2,972,226,000
Institution Security and Administration .....	3,527,435,000
Management and Administration .....	292,708,000
Contract Confinement .....	977,631,000
Total, Salaries and Expenses .....	7,770,000,000

*Augmentation or Reassignment.*—Overcrowding remains a serious threat to Correctional Officer safety, particularly at medium- and high-security facilities. To meet staffing needs, BOP routinely relies on the practice of augmentation or reassignment, whereby a non-custody correctional employee is assigned custody responsibilities. The Committee directs BOP to continue to hire more full-time Correctional Officers until such augmentation or reassignment is

no longer needed, and to improve staffing beyond mission-critical levels in custody and all other departments.

*Inmate-to-officer ratios.*—The Committee directs BOP to continue to submit quarterly reports on the inmate-to-correctional officer ratio at each facility, using the OPM definition of a corrections officer, broken out by security level and shift, including confirmation that at least two correctional officers are on duty for each shift at BOP facilities that house high security inmates, as specified in the fiscal year 2020 Appropriations Act. In addition, BOP is directed to develop and submit to the Committee a report, not later than 180 days after enactment of this Act, that (1) includes a cost estimate and strategic plan for implementing this standard for United States Penitentiaries, Administrative and Federal Detention Centers, and Witness Security Program (WITSEC) units that house high security inmates, but do not have a second officer on all three shifts as part of their mission critical roster; (2) reflects the cost to add officers, rather than simply reassign them; and (3) identifies all Housing Units that currently house high security inmates within the general population. This report shall be broken down by institution, State, and region.

*Pay disparities.*—The Committee recognizes BOP needs to keep its skilled employees but is aware of the financial cost associated with hiring, training, and retaining them. Therefore, the Committee directs DOJ to study the pay disparities between BOP employees and their counterparts in other agencies and report its findings to the Committee, not later than 90 days after enactment of this Act, including recommendations on how to retain employees.

*Direct hire authority.*—The Committee is aware that BOP has requested the Office of Personnel and Management (OPM) to delegate direct hire authority to BOP facilities. To ensure the safety of staff and inmates, the Committee encourages BOP to continue to work with OPM to provide direct hire authority for BOP facilities in which ten percent or more of the total available positions are vacant, prioritizing facilities with the largest number of vacancies.

*Communicable Diseases and Prisons.*—The Committee recognizes the incarcerated population faces significantly higher risks of acquiring a communicable disease, as demonstrated during the current COVID 19 pandemic. BOP policy requires that Federally managed and contract prison protocols include an assessment of inmate immunizations and the provision of basic medical care, including hepatitis B and C testing and treatment, as well as preventive health services such as immunizations. However, the DOJ Office of Inspector General (OIG) reported in 2016 that some BOP facilities, in particular contract prisons, were not complying with this policy. The Committee understands that the pandemic has imposed unforeseen burdens in administering inmate immunizations and wants to better understand how BOP is dealing with such challenges. The Committee directs the Department to report not later than 270 days after enactment of the Act on the progress, across both Federal and contract prisons, of efforts to achieve compliance with the protocols since the 2016 OIG report. The report should identify gaps in services and barriers to provision of immunization services; identify potential collaborations with health organizations to address identified disparities; and recommend ways to close them. Further, the Director of BOP is urged to develop guidelines

that include a comprehensive testing protocol, and precautionary measures with respect to sanitation and hygiene, including frequent cleaning and ready availability of soap and tissues.

*Medical service.*—The Committee is aware of concerns about uneven levels of medical service provided in its system, particularly for inmates who may have language disadvantages or be temporarily in BOP custody and thus have limited ability to convey concerns about such service. BOP is directed to submit a report to the Committee not later than June 1, 2021, on medical services provided in fiscal year 2020, by facility, that includes the following information: (1) the ratio of medical providers (doctors, nurses, and paramedics) to inmates; (2) qualifications of such medical providers; (3) the process by which inmates may file complaints, and the number and type of complaints filed; and (4) actions taken by BOP in response to complaints.

*Animal-assisted Therapy Classes for Incarcerated Women.*—The Committee is concerned that with 70 percent of incarcerated women in the United States responsible for a minor child, disruption to the mother-child bond when mothers are incarcerated places both populations at high risk for mental health problems and intergenerational incarceration. The Committee is also concerned that incarcerated women traditionally and persistently lack access to rehabilitation and reintegration support. However, the Committee is encouraged by the success of innovative parenting programs that incorporate animal-assisted therapy to help incarcerated mothers process trauma-based feelings, reduce anxiety, depression, and stress, while increasing parenting knowledge, and provide a supportive environment for their children during reunification efforts in a custodial setting. The Committee encourages DOJ to support animal-assisted therapy parenting programs, as part of existing BOP parenting classes.

*Mental wellness.*—The Committee recognizes the importance of mental health and wellness for correctional officers and directs BOP to report to the Committee, not later than 90 days after enactment of this Act, on its efforts to provide mental health services for staff currently and in the future.

*Medically Assisted Treatment.*—The Committee encourages the Bureau of Prisons to make abstinence-based relapse prevention treatment options available to inmates with a history of opioid dependence.

*Religious freedom in prisons.*—The Committee is aware the mission of the Religious Services Branch of BOP is to ensure the Constitutional religious rights of incarcerated individuals, but is concerned accommodation of the religious needs of such individuals, particularly in State, county, and local facilities, is inconsistent and insufficient. The Committee directs DOJ to publicize best practices on accommodating religious needs, including but not limited to prayer services, devotional items, and religious holiday observance and dietary restrictions; ensure BOP employees are trained on them, and review no fewer than 25 BOP facilities every three years on their compliance with the guidelines; and encourage States, counties, and localities to adopt such standards.

*Recidivism reduction.*—The Committee encourages DOJ to explore programs that reduce offender recidivism and end repeated cycles of violence and abuse by teaching skills for reducing stress,

processing past trauma, and providing practical knowledge of how to cope with negative emotions. The Committee further encourages DOJ to explore rehabilitation methods such as mindfulness and meditation which encourage incarcerated individuals to live to one's highest potential and contribute to society.

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

*Contraband interdiction.*—The Committee urges BOP to explore ways to reduce the amount of contraband that enters its facilities without restricting inmate rights to receive postal mail or interfere with delivery of verifiable legal mail, to include pilot projects to enable facilities to receive pre-screened postal mail and packages, such as via secure offsite facilities, to eliminate contraband risk while ensuring continuing, prompt delivery of communications with loved ones and legal counsel. Such solutions should optimize security while minimizing any additional cost or infrastructure for mail processing.

*Contraband cellphones.*—The Committee remains concerned about the rising use of contraband cellular phones and devices in facilities administered by BOP or under contract with them. Such devices facilitate criminal activity and threaten the safety of correctional officers and staff, other inmates, and the public, to include being used by inmates to carry out financial scams and sextortion of innocent citizens. It is essential that incarcerated individuals are denied access to the networks and spectrum that enable such illicit activity. The recommendation includes funding requested to interdict illicit cell phone use and directs BOP to act on the recommendations of its fiscal year 2016 report to Congress, to include, as appropriate, managed access or other technology, to thwart illegal inmate telecommunications while not interfering with legitimate spectrum use.

*Land Mobile Radio.*—The Committee considers Land Mobile Radio (LMR) communications and video security equipment used by BOP to be critical to officer and inmate safety and security at BOP facilities. In an environment where other alternative forms of communication and security measures cannot be employed, LMR and video security continue to be the only safe and secure methods for BOP facilities and personnel. The Committee is concerned that the age of 74 of the 100 LMR systems and more than 19,000 portable and mobile radios currently in use is causing them to become increasingly unreliable and difficult to maintain due to limited parts availability and serviceability. Therefore, the Committee urges BOP, within funding provided, to invest in necessary radio and video security upgrades. The Committee also urges BOP to build into its future year budget requests funding to refresh LMR radios and video security systems in facilities where aging communications infrastructure and equipment pose a threat to officer safety.

*Facility lockdowns report.*—The Committee is concerned with reports that during the March 2020 lockdown at the Metropolitan Correctional Center (MCC) in New York, NY, detainees experi-

enced interrupted access to counsel and their families during a prolonged safety lockdown. The Committee directs DOJ to conduct a study, and report its findings not later than September 30, 2021, on protocols followed by facilities operated by BOP and those housing BOP detainees in private contracted facilities, including those on a contractual agreement basis with other Federal agencies. The report should identify what conditions would warrant a lockdown longer than 72 hours; whether lockdowns lasting longer than 72 hours would constitute a violation of the Federal right, as defined in section 3626, under Subchapter C of chapter 229 of Part II of title 18, United States Code; and specify any conditions or factors, in combination with such lockdown, that may violate such Federal right.

In addition, the report shall include: (1) the number of facilities that experienced a facility lockdown longer than 72 hours in fiscal year 2021, and for each lockdown instance, provide a detailed explanation, including documented justifications for the lockdown, accommodations provided to meet inmate medical, dietary and hygiene needs and any arrangements to facilitate access to legal counsel; (2) BOP protocols used to resolve such lockdowns, with timeline targets (e.g., 72 hours), and descriptions of any circumstances when BOP staff determined such protocols could not be followed; and (3) a review of BOP contingency plans to ensure detainee access to counsel or family in lockdowns that exceed 72 hours, including data on the number of facilities and detainees, in fiscal year 2021, whose access was restricted in such circumstances, and identifying best practices to ensure that timely communication can be maintained.

*Employee firearms.*—The Lieutenant Osvaldo Albarati Correctional Officer Self-Protection Act of 2018 (Section 202 of the First Step Act (Public Law 115 391)) requires that each Federal penal or correctional institution provide a secure storage area located outside of the secure perimeter of the institution for employees to store firearms or allow employees to store firearms in a vehicle lockbox. The Committee recognizes the importance of this provision in ensuring BOP employee safety, and directs the BOP Director to provide the storage facilities required under the Act not later than the end of fiscal year 2021; to submit to the Committee an implementation plan for this by no later than 90 days after enactment of this Act; and to provide quarterly progress reports until completion.

*Home Confinement.*—The Committee recognizes the constraints BOP is under when operating prison facilities during the pandemic. The Committee acknowledges the parameters for home confinement have been outlined by the First Step Act, the CARES Act, and by memos issued by the Attorney General. The Committee is concerned about the total low percentage of inmates released, particularly at facilities with high numbers of positive cases. Therefore, the Committee urges BOP to brief the Committee within 30 days of the date of enactment of this Act on the status of efforts to increase home confinement as a response during the pandemic.

#### BUILDINGS AND FACILITIES

The Committee recommends \$110,000,000 for the construction, acquisition, modernization, maintenance, and repair of prison and

detention facilities housing Federal inmates. This amount is \$198,000,000 below fiscal year 2020, and \$10,547,000 above the request.

*Modernization and repair.*—The Committee expects the Bureau to apply the funding to reduce its longstanding maintenance and repair (M&R) backlog, and directs BOP to prioritize its funding for repairs that address life and safety issues, and facilities assessed as having deficiencies of a geological and seismic nature. BOP shall continue to provide monthly status of construction reports and notify the Committee of any changes reflected in those reports. The Committee directs BOP to develop a schedule and timeline for repairs of facilities with geological and seismic deficiencies, and include updates in the monthly M&R reports.

*Detention facility infrastructure.*—The Committee reminds the Department that it expects to receive the report on detention facility infrastructure not later than October 1, 2020, as required by the fiscal year 2020 Appropriations Act. It is expected that the report will reflect lessons learned from managing the BOP mission during the COVID-19 pandemic, and in making its facilities safer for both inmates and BOP personnel.

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

The Committee recommends a limitation on administrative expenses of \$2,700,000 for Federal Prison Industries, Incorporated, which is the same as fiscal year 2020.

#### STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

Within the overall amounts provided for grant programs of the Department of Justice, the Committee recommends \$343,000,000 for Community Oriented Policing Services, equal to fiscal year 2020, and \$525,000,000 for Byrne Justice Assistance Grants, \$22,210,000 below fiscal year 2020. The Committee notes that funds for these programs are subject to new conditions contained in sections 219, 221, and 222 of this Act.

The Committee has included a significant funding increase for overall Department of Justice grants, with a particular aim toward ensuring strong increases for programs authorized by H.R. 7210, the George Floyd Justice in Policing Act, as passed by the House of Representatives on June 25, 2020.

*State and Local Law Enforcement Training Grants.*—The Committee is concerned regarding the apparent distance between state and local law enforcement agencies and the communities in which they serve and protect. Too often a show of strength supersedes service and a projection of power precludes protection. The goal of law enforcement is to ensure that life, liberty, and the pursuit of happiness is available to everyone in the United States without fear of being targeted or mistreated. While the Committee applauds agencies that have succeeded in implementing effective policing strategies and developing healthy and trusting relationships within communities, those agencies that have not must improve their policing practices immediately. To that end, the recommendation provides \$50,000,000 within the Byrne Memorial Justice Assistance Grants Program for training for State and local law en-

forcement officers on racial profiling, implicit bias, de-escalation, use of force, the duty to intervene when witnessing other officers using excessive force, and procedural justice. The Committee urges the Department to place the highest priority on applications from grantees who can demonstrate quantitative results from evidence-based training programs that will address these areas of concern. The Committee further notes that many immigrant communities have particular challenges in ensuring effective community policing, including language barriers, recruitment issues, and trust issues involving views of immigration enforcement. Therefore, the Committee urges the Department to ensure that grants funded under this program also help address the unique challenges of policing in immigrant communities.

*Police Training and Accreditation.*—The Committee directs the Department to assist small jurisdictions and small law enforcement agencies as they work through the application process related to grants for police training and police accreditation.

*Community-based Organization Grants.*—The Committee provides \$25,000,000 for grants to community-based organizations, as authorized by subsections (b) and (c) of section 114 of H.R. 7120 as passed by the House of Representatives on June 25, 2020, to study and implement: (1) effective management, training, recruiting, hiring, and oversight standards and programs to promote effective community and problem solving strategies for law enforcement agencies; or (2) effective strategies and solutions to public safety, including strategies that do not rely on Federal and local law enforcement agency responses. The studies shall address standards relating to administrative due process, residency requirements, compensation and benefits, use of force, racial profiling, early warning systems, juvenile justice, school safety, civilian review boards or analogous procedures, or research into the effectiveness of existing programs, projects, or other activities designed to address misconduct by law enforcement officers.

*Police Accountability and Community Engagement.*—The Committee urges the Department to make funds available to help non-profit organizations, institutions of higher education, community groups, youth groups, and faith-based organizations facilitate organized dialogues that bring together community members and law enforcement officers so that they may collaborate to develop shared goals that will enhance the collective safety of the community. The dialogues should include diverse groups of community members, local elected officials, law enforcement leaders and officers, business leaders, and community members, including youth groups, to assess the state of police-community relations in states and local communities. The Department is further urged to partner with these organizations to develop strategies that will result in concrete action items that will improve the relationships between the police and the communities and further the goal of enhancing collective safety. Within 180 days of enactment of this Act, the Department shall submit a progress report to the Committee on the results of the dialogues as well as on any law enforcement practices that have changed as a result of the dialogues.

*Law Enforcement Management.*—The Committee provides \$25,000,000 to develop pilot programs and implement effective standards and programs in the areas of training, hiring and re-



cruitment, and oversight that are designed to improve management and address misconduct by law enforcement officers. The pilot program shall be consistent with the requirements as described in section 114(d) of H.R. 7120 as passed by the House of Representatives on June 25, 2020, including: (1) training on law enforcement policies, practices, and procedures addressing training and instruction to comply with cited accreditation standards; (2) policies, procedures, and practices for recruitment, hiring, retention, and promotion of diverse law enforcement officers; (3) oversight/complaint procedures, including the establishment of civilian review boards or analogous procedures; (4) juvenile justice and school safety, including standards relating to interaction and communication with juveniles, physical contact, use of lethal and nonlethal force, notification of a parent or guardian, interviews and questioning, custodial interrogation, audio and video recording, conditions of custody, alternatives to arrest, referral to child protection agencies, and removal from school grounds or campus; and (5) victim services, including psychological counseling, for individuals and communities impacted by law enforcement misconduct.

*Stops and Searches Data Collection.*—The Committee provides \$5,000,000 for up to five competitive demonstration grants to State and local law enforcement agencies to develop and implement data collection programs on hit rates for stops and searches by law enforcement officers, consistent with subsections (a) and (b) of section 333 of H.R. 7120 as passed by the House of Representatives on June 25, 2020. An additional \$500,000 is provided to the Bureau of Justice Statistics to collect and analyze the data submitted to the Department under this program by State and local law enforcement agencies.

*STOP School Violence Act.*—The recommendation provides \$140,000,000 for the STOP School Violence Act grant program. Within this amount, \$87,000,000 is provided to the Bureau of Justice Assistance (BJA) for evidence-based school safety programs outlined in the Act and \$53,000,000 is provided to the Community Oriented Policing Service (COPS) program. The Committee directs the offices to work with other federal agencies to notify states, localities, tribes, and school districts of funding availability upon release, increase training and technical assistance for school district applicants, and provide microgrants for school districts, including rural, tribal, and low-resourced schools.

Through the STOP School Violence Act program, school districts should use funds for security hardening measures; evidence-based school threat assessments and trainings for school personnel and students to identify threats of school violence; locks, lighting, ballistic glass and other deterrent measures; safety and security of school premises by utilizing design elements and principles; and technology for expedited notification of local law enforcement during an emergency and other measures determined to provide significant improvement in physical security of schools.

The Committee recognizes the vital role of school design in the development and achievement of evidence-based strategies and programs related to school facility safety and security. Through the STOP School Violence Act grant program, school districts should consider using funds to compose school building design plans that strengthen the safety and security of school premises and uphold

the aesthetics of the school premises as a learning and teaching environment. The Committee clarifies that architecture and design services related to safe school design are allowable uses of STOP School Violence Act grant funding.

*Office for Victims of Crime (OVC).*—The Crime Victims Fund is not financed by taxpayer dollars but by fines and penalties paid by criminals. By statute, the Fund is dedicated solely to supporting victim services. The Committee recognizes the importance of these grants and the essential life-saving services provided to victims within State, local and tribal jurisdictions including domestic violence shelters, rape crisis centers, and child abuse treatment programs. The Committee encourages the Department to continue to fund these programs. The Committee directs OVC to provide an updated report to the Committee, not later than 90 days after the enactment of this Act, on the actions it is taking to ensure Crime Victims Fund resources are reaching communities most affected by violence.

The Committee notes that funding from the Crime Victims Fund, under 34 U.S.C. 20103, may be used by the Department to fund the salaries of personnel who provide services to victims of crime, to the extent that such personnel provide such services. The Committee encourages the Department to offer such support.

*National Hotlines.*—The Committee directs OJP to prioritize funding to support the operation of national crisis support hotlines that provide direct services to victims of crime including, but not limited to, victims of domestic violence, sexual violence, and identity theft. This funding is intended to support growth of existing services and should not be contingent on the creation of new technologies.

*Child Sexual Abuse.*—The Committee recognizes that child sexual abuse was already rampant before the COVID-19 pandemic; since the onset of the public health emergency, however, the risk of abuse in the home and online is increasing significantly. Therefore, the Committee supports a comprehensive approach to addressing child sexual abuse that combines victim-centered trauma-informed intervention care for children and child sexual abuse prevention education programs that provide tools for children, families and communities to combat and prevent child sexual abuse, with research into the prevalence and impact of child sex abuse, including its impact in communities of color. The Committee also encourages the Department to prioritize child-focused grant programs that serve children and youth who have experienced complex trauma from child sexual abuse.

*Violence Intervention Programs.*—Within funds provided, the Committee encourages the Department to support the establishment of innovative demonstration grants to hospitals to address the cyclical nature of violence in the community, consistent with the Office's Vision 21 transformation of victim's services.

*Opioids.*—The Committee directs the Department, unless otherwise specified, to dedicate no less than the fiscal year 2020 levels of opioid-related funding for opioid activities in non-Opioid Initiative programs.

*Persistent Poverty.*—The Committee is concerned about access to DOJ grant funding in high-poverty areas and persistent-poverty counties. For purposes of this Act, the term "high-poverty area"

means any census tract with a poverty rate of at least 20 percent as measured by the 2014–2018 5-year data series available from the American Community Survey of the Census Bureau and the term “persistent-poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates. When scoring competitive grant applications, the Department is directed to add additional priority, where practicable, to applications from grantees who can demonstrate that the individuals who will benefit from such grants reside in high-poverty areas or persistent-poverty counties. In addition, the Department shall provide guidance to such prospective grantees, especially prior to their application submissions, including to help determine whether they qualify for additional priority.

In addition, the Committee directs the Department to submit a report to the Committee on the percentage of funds allocated by each program in fiscal years 2018, 2019, and 2020 and estimates for fiscal year 2021 to serve populations living in persistent poverty counties and high-poverty areas. The Department is directed to report this information to the Committee within 90 days of such data being available. The Committee looks forward to the briefing directed in House Report 116–101 and further directs the Department to provide a briefing to the Committee not later than 180 days after enactment of this Act on how the Department is carrying out this directive.

#### OFFICE ON VIOLENCE AGAINST WOMEN

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

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$525,000,000 for the Office on Violence Against Women (OVW), which is \$22,500,000 above fiscal year 2020. Funds are to be distributed as follows:

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

(In thousands of dollars)

Program	Amount
STOP Grants .....	\$223,000
Transitional Housing Assistance .....	39,000
Research and Evaluation on Violence Against Women .....	3,500
Consolidated Youth-Oriented Program .....	12,000
Grants to Encourage Arrest Policies .....	53,000
Homicide Reduction Initiative .....	(4,000)
Sexual Assault Victims Services .....	42,500
Rural Domestic Violence and Child Abuse Enforcement .....	45,000
Violence on College Campuses .....	21,000
Civil Legal Assistance .....	47,500
Elder Abuse Grant Program .....	6,000
Family Civil Justice .....	17,500
Education and Training for Disabled Female Victims .....	6,000
National Resource 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 .....	4,300

## VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS—Continued

(In thousands of dollars)

Program	Amount
Rape Survivor Child Custody Act .....	2,200
Total, Violence Against Women Prevention and Prosecution Programs .....	\$525,000

*Human trafficking.*—The Committee encourages OVW to ensure that the Transitional Housing Program can assist victims of human trafficking, and the Committee urges DOJ to take these victims into consideration when distributing OVW funds.

*Rural victims.*—The Committee is concerned about the rise in the number of sexual assaults in rural communities. Victims of sexual assault living in rural communities are often reluctant to report to law enforcement for fear of being exposed. The Committee encourages the OVW to implement projects that reduce barriers to the reporting of crime in rural areas, colonias, and persistent poverty counties and report to the Committee not later than 90 days after enactment of this Act. Such report shall include a description of the progress made since delivery of the report on the same topic as required in House Report 116–101.

*Grant administration.*—The Committee supports OVW plans to streamline grant administration, management, and oversight functions by converting manual processes and related forms to a web-based, online workflow process.

*Community-Based Organizations.*—The Committee is concerned about the complex, multi-layered challenges and obstacles that victims face when attempting to access services. The Committee directs OVW to prioritize applications from grantees who are community-based organizations providing culturally specific services. The Committee further directs the Department to submit a report to the Committee on the number of community-based organizations allocated funds in fiscal years 2018, 2019, and 2020 and estimates for fiscal year 2021. The Department shall report this information to the Committee within 90 days after enactment of this Act.

## OFFICE OF JUSTICE PROGRAMS

## RESEARCH, EVALUATION AND STATISTICS

The Committee recommends \$88,500,000 for Research, Evaluation and Statistics, which is \$9,500,000 above fiscal year 2020 and \$2,000,000 above the request. Funds are distributed as follows:

## RESEARCH, EVALUATION AND STATISTICS

(In thousands of dollars)

Program	Amount
Bureau of Justice Statistics .....	\$45,000
National Institute of Justice .....	43,500
Domestic Radicalization Research .....	(6,000)
Research of School Safety .....	(1,500)
National Study of Law Enforcement Responses to Sex Trafficking of Minors .....	(1,500)
Nation Center on Forensics .....	(3,000)
Total, Research, Evaluation and Statistics .....	\$88,500

*Study of Best Practices in De-Escalation and Excessive Force.*—The Committee directs the National Institute of Justice to conduct a study to identify evidence-based procedures, practices, trainings, and policies that reduce the use of excessive force by law enforcement as well as support the effective use of de-escalation training to resolve confrontations peacefully. The Committee directs the Department to submit the findings of its report to Congress and to the public within 180 days of enactment of this Act.

*Law Enforcement Study Addressing Delayed Responses to Questions.*—As part of the Committee's concerns about the accountability of law enforcement, the Committee directs the National Institute of Justice (NIJ) to conduct a nationwide study of the prevalence and effect of any law, rule, or procedure that allows a law enforcement officer to delay the response to questions posed by a local internal affairs officer, or review board on the investigative integrity and prosecution of law enforcement misconduct, including pre-interview warnings and termination policies, consistent with requirements as described in section 115 of H.R. 7120 as passed by the House of Representatives on June 25, 2020. Not later than 180 days after the date of the enactment of this Act, the Department shall: (1) submit to the Committee a report containing the results of the initial analysis conducted under subsection (a)(2) of such section 115; (2) make the report submitted under subparagraph (A) available to the public; and (3) identify the jurisdictions for which the study described in subsection (a)(1) of such section 115 is to be conducted. In addition, not later than 2 years after the date of the enactment of this Act, the Department shall submit to the Committee a report containing the results of the data collected under this section and publish the report in the Federal Register.

*Evaluation of Data on Stops and Searches.*—Within the funds provided in this account, \$500,000 is included for analysis and evaluation of the data collected under the program, funded in this bill under Byrne JAG, for competitive demonstration grants to State and local law enforcement agencies to develop and implement data collection programs on hit rates for stops and searches by law enforcement officers, consistent with section 333 of H.R. 7120 as passed by the House of Representatives on June 25, 2020.

*Community Policing Practices, and Accountability Measures Between Agencies.*—The Committee recognizes the importance of accountability measures in building and maintaining relationships between law enforcement and the communities they serve. The Committee directs the Department to study and report on the differences in use-of-force, distribution of consent decrees, community policing practices, and accountability measures between agencies that have appointed heads and agencies that have elected heads.

*Reducing Racial and Ethnic Disparities in the Criminal Justice System.*—Within the funding provided for Research, Evaluation and Statistics, \$1,000,000 is for DOJ to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to provide an evidence-based, nonpartisan analysis of existing evidence to determine how observed racial and ethnic inequalities in the justice system might be reduced through public policy. The study should be informed by an understanding of the patterns, interrelationships among, causes and consequences of the race and ethnic distribution of crime and justice, and perceptions of criminal

justice in the United States. The study should identify which policies or approaches for reducing racial differences in crime and justice have suggestive evidence of effectiveness or appear promising but require further study, as well as which areas of research and policy should scholars and practitioners explore to broaden the nation's options to address racial and ethnic inequalities in the justice system.

*Pretrial detention.*—The Committee directs the Bureau of Justice Statistics (BJS) to collect information analyzing the population of individuals detained pretrial in local jails, State and Federal facilities, and private facilities under contract to Federal, State, and local authorities and report back to the Committee annually with the first report due not later than 180 days after the date of enactment of this Act. The report should include the number of individuals detained pretrial; the median duration of the pretrial detention period; the number of individuals detained pretrial who were offered financial release or not offered financial release; and the number of individuals who were offered financial release but remained detained because they could not pay the amount required. All data should be disaggregated by demographic and the level of the offense charged.

*Misdemeanors.*—The Committee is concerned with the lack of reliable data from States and local jurisdictions on the processing of misdemeanor arrests. As the largest aspect of our criminal system, it is vitally important to ensure justice is being administered in a fair and equitable manner. In recognition of limited resources, the Committee therefore urges the BJS to collect demographic data from a select number of large metropolitan jurisdictions that includes information on the race, ethnicity, and gender, as well as key socioeconomic factors, of each misdemeanor defendant, the type of offense charged, and the sentence imposed. The Committee also urges the Bureau to report to the Committee on the progress of these efforts, not later than 180 days after enactment of this Act.

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

*BJS Data.*—The Committee recognizes the importance of the timely release of data on crime, criminal offenders, victims of crime, and the operation of justice systems at all levels of government. These data are critical for policymakers and researchers to understand in combating crime and advancing equality in the justice system. The Committee directs the Bureau of Justice Statistics to release data in a timely manner and in accordance with its publication calendar. The Committee also directs that BJS communicate any changes in the timing of data releases as soon as possible to users of its data. The Committee further directs that BJS report to the Committee, not later than 60 days of the date of enactment of this Act, on its recent record of data releases and reasons for any delays.

*Incarcerated AAPI Data.*—The Committee is concerned that the Bureau of Justice Statistics data collection and reporting does not sufficiently reflect the incarcerated Asian American and Pacific Islander (AAPI) population. AAPIs are officially categorized as “others” in the Bureau’s publicly available reports. The Committee directs BJS to update its categories of race and ethnicity for data collection and recommends the use of OMB Standards for Collecting and Presenting Federal Data on Race and Ethnicity.

*Prison Suicide Incidence Report.*—Not later than 180 days after the enactment of this Act, and annually thereafter, the Department shall submit to the Committee a report detailing a comprehensive statistical review and analysis of the incidence of prison suicide. The statistical review and analysis should include, but not be limited to, the identification of the common characteristics of victims of prison suicide and prisons and prison systems with a high incidence of prison suicide. BJS is also directed to include recommendations for possible mitigation report strategies and changes to federal laws and regulations shall also be included.

*Maternal Health of Incarcerated Women.*—The Bureau of Justice Statistics shall include in the National Prisoner Statistics Program and Annual Survey of Jails statistics relating to the health needs of incarcerated pregnant women in the criminal justice system, including, but not limited to, the number of pregnant women in custody, outcomes of pregnancies, the provision of pregnancy care and services, health status of pregnant women, and racial and ethnic disparities in maternal health, at the Federal, State, tribal, and local levels. The Committee directs BJS to provide a publicly-accessible report, not later than 180 days after enactment of this Act, which summarizes this data.

*White Supremacist Domestic Radicalization Research.*—The Committee acknowledges the growing recognition that white nationalists spent decades building online communities with people and groups overseas to develop sophisticated operations and receive material support from their foreign allies. In addition, these groups are infiltrating local and state law enforcement agencies, including seeking to recruit members from within them, and pose a deep and continuing threat to our country’s national security by disrupting ongoing investigations of white extremist organizations and routinely harassing Black, Latino, and other minority communities. To respond to this elevated threat, the Committee provides an increase of \$1,000,000 over Fiscal Year 2020 funding for Domestic Radicalization Research and directs NIJ to prioritize this increase toward research efforts that explore the radicalization of Americans to white nationalist extremism and identify and advance evidence-based strategies for effective intervention and prevention.

The Department is encouraged to use funds for academic institutions to conduct radicalization research to enable community-based partnerships to evaluate the impact of existing countering violent extremism (CVE) programs and to conduct more research on: (1) the risk factors associated with violent extremism, and (2) assessing the effectiveness of counter-narratives.

*National Center on Forensics.*—The Committee supports the National Center on Forensics, through which NIJ partners with a State department of forensic science, an accredited university, and a State district attorneys association for the purpose of providing

opportunities for medical students to train as deputy medical examiners/coroners in underserved rural areas; provides forensic science and legal training to district attorneys, judges, and law enforcement; and benefits current and future practitioners in the field.

*Cybercrime.*—The Committee remains concerned about the lack of information on crimes committed against individuals and facilitated by the interstate telecommunications system and notes that the fiscal year 2019 Appropriations Act required NIJ to issue a report analyzing these crimes. The Committee is looking forward to reviewing the report, directed in House Report 116–101, to ensure the Committee has the information necessary to assess and deal with these crimes.

*Marijuana-Impaired Drivers.*—With the proliferation of state laws legalizing recreational and medical marijuana, the incidence rate of impaired driving has spiked. The Committee encourages the Department to assist states in identifying detection technologies that show promise in identifying drivers impaired by marijuana.

*Opioid research.*—The Committee recognizes that in-depth examination of fatal opioid overdoses, including fatalities following prior non-fatal overdoses, and trends in the evolution, trafficking, and use of illegally manufactured opioid analogues, in combination with existing illegal drugs, can yield valuable information for law enforcement, hospitals, treatment providers, and prosecutors as they identify effective policy, interventions, and prevention strategies. The Committee urges NIJ to support regional efforts to undertake such comprehensive opioid fatality research.

#### STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$2,402,000,000 for State and Local Law Enforcement Assistance programs, which is \$510,200,000 above fiscal year 2020 and \$890,800,000 above the request. Funds are distributed as follows:

#### STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(In thousands of dollars)

Program	Amount
Byrne Memorial Justice Assistance Grants .....	\$525,000
Officer Robert Wilson III VALOR Initiative .....	(12,500)
Smart Policing .....	(7,500)
Smart Prosecution .....	(8,500)
NamUS .....	(2,400)
Training Program to improve Responses to People with Mental Illness .....	(3,000)
John R. Justice Grant Program .....	(3,000)
Prison Rape Prevention and Prosecution .....	(15,500)
Kevin and Avonte's Law .....	(3,000)
Regional Law Enforcement Technology Initiative .....	(3,000)
Project Safe Neighborhoods .....	(20,000)
Drug Field Testing and Training Initiative .....	(2,000)
Capital Litigation Improvement and Wrongful Conviction Review .....	(6,500)
Managed Access Systems .....	(3,000)
Collaborative Mental Health and Anti-Recidivism Initiative .....	(1,500)
Juvenile Indigent Defense .....	(3,000)
Community Based Violence Prevention .....	(9,000)
National Center for Restorative Justice .....	(3,500)
Family Friendly Visitation Spaces in Correctional Facilities .....	(2,000)



## STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE—Continued

(In thousands of dollars)

Program	Amount
Public Safety Innovation Grants .....	(5,000)
Law Enforcement Training .....	(50,000)
Grants to Improve Reporting on Use of Force .....	(15,000)
Hit Rates Data Collection Demonstration Grants .....	(5,000)
Police Reform in Jurisdictions Responding to Litigation .....	(7,200)
State Criminal Alien Assistance Program .....	251,500
Victims of Trafficking Grants .....	95,000
Economic, High-tech, White Collar and Cybercrime Prevention .....	14,500
Intellectual Property Enforcement Program .....	(2,500)
Digital Investigation Education Program .....	(2,000)
Adam Walsh Act Implementation .....	20,500
Patrick Leahy Bulletproof Vests Partnerships .....	29,000
Transfer to NIST/OLES .....	(1,500)
National Sex Offender Public Website .....	1,000
National Instant Criminal Background Check Systems (NICS) Initiative .....	88,000
NICS Acts Record Improvement Program .....	(25,000)
Paul Coverdell Forensic Science .....	30,500
DNA Initiative .....	142,000
Debbie Smith DNA Backlog Grants .....	(108,000)
State and Local Forensic .....	(19,000)
Activities:	
Kirk Bloodsworth Post-Conviction DNA Testing Grants .....	(9,000)
Sexual Assault Forensic Exam Program Grants .....	(6,000)
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog .....	49,000
CASA—Special Advocates .....	12,500
Indian Tribal Assistance .....	39,500
Second Chance Act/Reoffender Reentry .....	100,000
Smart Probation .....	(6,000)
Children of Incarcerated Parents Demo Grants .....	(5,000)
Pay for Success .....	(7,500)
Pay for Success (Permanent Supportive Housing Model) .....	(5,000)
Project HOPE Opportunity Probation with Enforcement .....	(4,500)
Community Trust Initiative .....	77,500
Body Worn Camera Partnership Program .....	(27,500)
Justice Reinvestment Initiative .....	(30,000)
Byrne Criminal Justice Innovation Program .....	(20,000)
Opioid Initiative .....	412,000
Drug Courts .....	(85,000)
Mentally Ill Offender Act .....	(43,000)
Residential Substance Abuse Treatment .....	(35,000)
Veterans Treatment Courts .....	(30,000)
Prescription Drug Monitoring .....	(31,000)
Comprehensive Opioid, Stimulant, and Substance Abuse Program .....	(188,000)
Keep Young Athletes Safe Act of 2018 .....	2,500
STOP School Violence Act .....	87,000
Immigration Representation Pilot .....	15,000
Hate Crimes Prevention Act Grants .....	8,000
Emmett Till Grants .....	2,000
Pattern and Practice Investigations .....	100,000
Independent Investigation of Law Enforcement .....	250,000
Community-Based Improvement of Law Enforcement .....	25,000
Pilot Programs to Improve Management and Address Police Misconduct .....	25,000
Total, State and Local Law Enforcement Assistance .....	\$2,402,000

*Byrne Memorial Justice Assistance Grant (Byrne JAG) program.*—The recommendation includes \$525,000,000 for the Byrne JAG program Funding under this formula program is authorized for law enforcement programs including those that promote data interoperability between disparate law enforcement entities; prosecution and court programs; prevention and education programs; corrections programs; drug treatment and enforcement programs;

planning, evaluation, and technology improvement programs; and crime victim and witness programs, other than compensation. Within the amount provided, \$12,500,000 is for the Officer Robert Wilson III Preventing Violence Against Law Enforcement and Ensuring Officer Resilience and Survivability (VALOR) Initiative; \$7,500,000 is for Smart Policing; \$8,500,000 is for Smart Prosecution; \$3,000,000 is for juvenile indigent defense; \$2,400,000 is for the National Missing and Unidentified Persons System (NamUS); \$3,000,000 is for law enforcement training related to mental illness; \$3,000,000 is for the John R. Justice program; \$20,000,000 is for Project Safe Neighborhoods; \$6,500,000 is for capital litigation and wrongful conviction review; \$15,500,000 is for prison rape prevention and prosecution; \$3,000,000 is for managed access systems; \$1,500,000 is for a collaborative mental health and anti-recidivism initiative; \$3,000,000 is for Kevin and Avonte's Law; \$3,000,000 is for a regional law enforcement technology initiative; \$2,000,000 is for a drug field testing and training initiative; \$9,000,000 is for community-based violence prevention; \$3,500,000 is for the National Center for Restorative Justice; \$2,000,000 is for family friendly visitation spaces in correctional facilities; \$50,000,000 is for police training addressing use of force, de-escalation, racial profiling, implicit bias, procedural justice, and duty to intervene; \$5,000,000 is for Public Safety Innovation Grants; \$15,000,000 is for technical assistance grants to law enforcement agencies, consistent with the requirements as described in section 224 of H.R. 7120 as passed by the House of Representatives on June 25, 2020; \$5,000,000 is for competitive grants or contracts to law enforcement agencies, consistent with the requirements as described in subsections (a) and (b) of section 333 of H.R. 7120 as passed by the House of Representatives on June 25, 2020; and \$7,200,000 is for grants to support State and local law enforcement agencies in complying with law enforcement reform efforts as a result of litigation.

*Uses of Byrne JAG.*—The committee understands that Byrne JAG funding is a major resource to state and local jurisdictions. Use of this funding is broad and flexible to address community needs and fill gaps within state and local criminal justice systems such as strategic planning, research, testing, training, equipment, technical assistance, prevention programs, innovation programs and community partnerships. The Committee is aware that Communities across our nation have called for reforms in state and local law enforcement agencies. To support these much-needed reform efforts, the Committee directs the Department to work with small jurisdictions that employ less than 100 officers as they apply for training and accreditation grants. In addition, the Committee expects the Department to prioritize Byrne JAG formula grants for applicants requesting law enforcement training focused on addressing use of force, racial profiling, implicit bias, procedural justice, and duty to intervene as detailed above, accreditation of law enforcement agencies, development of uniform standards, community-based efforts that can help develop innovative law enforcement and non-law enforcement strategies, and crisis intervention teams. The Committee supports the use of Byrne JAG funding for grantees seeking to provide immersive, reality-based training programs that utilize role-playing and live-action scenarios for law enforcement officers.

The Committee urges the Department to work with community-based organizations to identify and develop opportunities to train law enforcement officers with respect to encounters with individuals suffering from impaired mental health, homelessness, and addiction; to identify areas where social workers may be able to support law enforcement agencies; and to provide guidance regarding the development and implementation of co-responder programs, which involve social workers or other mental health professionals working alongside law enforcement officers so that they arrive and address situations together.

*Public Safety Innovation Grants.*—The Committee provides \$5,000,000 within the Byrne JAG program for the development of best practices for, and the creation of, local task forces on public safety innovation. Such task forces shall be administrative entities, created from partnerships between community-based organizations and other local stakeholders, to explore and develop innovative law enforcement and non-law enforcement strategies to enhance just and equitable public safety, repair breaches of trust between law enforcement agencies and the communities they pledge to serve, and enhance accountability of law enforcement officers.

*Consent Decrees and Other Litigation Related to Police Practices.*—The Committee is aware of the Department of Justice's Civil Rights Division's investigations into law enforcement agencies and the resulting 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 implemented. As tensions between certain communities and police departments have grown in recent years, the Committee seeks to ensure that consent decrees and other litigation-related efforts aimed at improving policing can be implemented successfully and as such, the Committee strongly encourages the Department of Justice to prioritize awards to such localities. These reform efforts have become increasingly common, and many experts say they are one of the best chances police departments have for taking on the daunting task of reform to address police misconduct and improve relations with a distrustful community. In order to ensure that all reforms can be implemented, cities need funding to support the kinds of training required and to buy needed equipment. The Committee recommends \$7,200,000 for the establishment of a new grant program to provide funding to police departments for police training, equipment, and other necessities to help comply with law enforcement reform efforts as a result of litigation, including consent decrees, out-of-court settlements, memoranda of understanding, findings, technical assistance, and recommendation letters provided by reform authorities. Funding would cover the resource gap needed to fully implement such reform efforts and enable local governments to share the cost of implementing the decree with the Federal Government.

The Committee encourages the Byrne JAG program to provide additional resources to those communities that are taking part in programs that seek to lower homicide rates through data and performance measurement analysis. The Committee advises that some Byrne JAG funds be directed to provide newer, more efficient forensics testing tools for rural jurisdictions. The Committee requests additional consideration be given to applicants who seek to

hire service-connected disabled veterans. The Committee encourages the Department to support the use of these grant funds for the purchase of fentanyl detection equipment.

The Committee is concerned about the growing epidemic of prescription drug and heroin abuse and its impact on law enforcement, and notes that funds within this account may be used for the implementation of medication-assisted treatment to help maintain abstinence from all opioids and heroin.

Byrne Justice Assistance Grants have an important role to play in preventing gun violence. The Committee encourages the use of Byrne JAG program funding for evidence-based violence prevention and intervention programs, including, but not limited to, intervention focused deterrence, street outreach, hospital-based violence intervention programs, and community inclusive violence problem analyses. The Committee believes these types of programs will help ensure efficient and effective spending of Federal, state, and local dollars.

The Committee encourages the use of Byrne JAG program funding to provide additional resources to those states that are implementing criminal record clearing processes, including sealing and expungement. These initiatives are intended to help address collateral consequences of a criminal record, such as barriers to both employment and housing. The Committee notes that successful reentry for individuals with a criminal history is predicated on the ability to participate in society, such as maintaining employment and securing quality housing.

The Committee supports the use of grant funding for the acquisition of operational management software to track mission critical assets. Tracking and managing resources—including radio communications equipment, mobile technology, and protective equipment—enables and improves local law enforcement preparedness and operational planning. The Committee notes that Byrne JAG funds may be used for these purposes and encourages the Department to award funds for these purposes. The Committee is aware of existing community partnerships with local law enforcement to link video monitoring technology to reduce emergency response time and increase collaboration between community partners and law enforcement. The Committee notes that Byrne JAG funds may be used for these purposes and encourages the Department to award funds for these purposes. The Committee is aware of the value to law enforcement of gunfire detection and location technology and recommends Byrne JAG funds be awarded for this purpose.

*Visitation of Incarcerated Parents.*—The Committee recognizes that preserving positive family connections can yield positive societal benefits in the form of reduced recidivism, less intergenerational criminal justice system involvement, and promotion of healthy child development. The Committee recognizes that the environment of prisons can be intimidating and detrimental to child development. Therefore, the Committee provides \$2,000,000 within Byrne JAG for the Department to provide grants to States and localities for construction, renovation, or upgrades of child-friendly family visitation spaces in correctional facilities. Any construction or buildout space should take into consideration the best interests of child visitors. The Department should consult with the Bureau

of Prisons to ensure the facilities meet the criteria for best practices.

*Sentencing Alternatives Programs for Parents.*—The Committee recognizes that incarcerating parents creates poor outcomes for children, wherein the lack of parental support and supervision have proven to result in increased crime and harm to communities, particularly in the communities of color most affected by mass incarceration. Therefore, the Committee urges OJP to promote opportunities to support and strengthen parenting sentencing alternative programs.

*Byrne Justice Assistance Grant Funding for Police Patrols of At-Risk Non-Profits.*—The Committee directs the department to prioritize grants for state and local law enforcement requesting to increase patrols and deployments that bolster the security of at-risk nonprofit organizations including synagogues, churches, mosques, and other places of worship.

*High Risk Vehicle Events.*—The Committee notes that Byrne JAG funding can be used for pursuit technology and training to reduce deaths and injuries during high-risk vehicle events. The Committee encourages the BJS to develop a data collection process to accurately capture the number of deaths and injuries from police pursuit and high-risk vehicle events.

*STOP School Violence Act.*—The recommendation provides \$140,000,000 for the STOP School Violence Act grant program. Within this amount, \$87,000,000 is provided to the Bureau of Justice Assistance (BJA) for evidence-based school safety programs outlined in the Act and \$53,000,000 is provided to the Community Oriented Policing Service (COPS) program.

*Hate Crime Grants.*—The Committee is concerned by the rise in hate crimes across the country, particularly the rise in crimes targeting the Latino and LGBTQ communities, the persistence and prominence of anti-Black attacks, and anti-Semitic attacks. The Committee also understands that individuals or communities may be targeted based on race, religion, sexual orientation, gender identity, disability, or gender, according to the Federal Bureau of Investigation's Uniform Crime Reporting Program. The enactment of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (Public Law 111–84) provided the Federal Government with more tools and data to help states address and combat these bias-motivated attacks. The recommendation provides no less than \$8,000,000 for grant opportunities authorized in section 4704 of Public Law 111–84 to help states, localities, and tribal law enforcement agencies to conduct educational outreach and training on hate crimes and to investigate and prosecute hate crimes.

*Emmett Till unsolved civil rights grants.*—The recommendation includes \$2,000,000 in grants to state and local law enforcement agencies for the expenses associated with the investigation and prosecution of criminal offenses involving civil rights, as authorized by the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016 (Public Law 114–325).

*Immigration Representation Pilot.*—The recommendation includes \$15,000,000 for the OJP to establish a competitive grant pilot program for legal representation of immigrants who seek asylum and other forms of legal protection in the United States after entering at the southwest border. The Committee recognizes the

compelling need to ensure due process for the growing number of immigrants who seek asylum and who must navigate a complex legal system for processing of asylum claims. Legal representation, which many asylum seekers do not currently have, will ensure that the system works more efficiently, cases are processed more quickly, and the legitimacy of asylum claims are correctly determined. Grants, including subgrants, shall be made to nonprofit organizations that are qualified legal services providers. The Committee expects that the pilot program will support direct representation, including pro bono representation where possible, of immigrants currently detained by ICE at one or two small or medium-sized detention facilities, immigrants released into the local communities around those facilities, and immigrants released from those facilities to one or two high-release cities. Grant awards should take into consideration continuity of representation to help ensure individuals are represented until their cases are complete. Within 90 days of enactment of this Act, the OJP shall submit a report to the Committee on the implementation of this program.

*Officer Robert Wilson III Preventing Violence Against Law Enforcement and Ensuring Officer Resilience and Survivability Program (VALOR).*—Within the amount provided for the Byrne JAG program, \$12,500,000 is set aside for VALOR, of which no less than the fiscal year 2020 enacted level shall be obligated for active shooter training. The Committee recognizes that the VALOR initiative addresses increased violence directed at our law enforcement officers and prepares officers to anticipate and survive violent encounters.

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

*Internet Safety Grants.*—The Committee is concerned that existing Federal laws to prevent the Internet-enabled exploitation of children have not been adequately enforced, leading to increased harm to minors from obscenity, child pornography, predation, sex trafficking, and cyberbullying. The Committee encourages the Department to award grants under the Economic, High-tech, White Collar and Cybercrime Prevention grant program for internet safety programs to educate adults and parents about the dangers children face on the internet.

*Restricting Online Obscenity.*—The Committee is concerned that the expansion of unrestricted Wi-Fi in Government, Educational, and Commercial facilities is creating unsafe public environments due to the freely available access to online obscenity. The Committee encourages the Department to award Economic, High-tech,

White Collar and Cybercrime Prevention grants for programs that encourage greater corporate, government, and institutional responsibility for safer, more secure public Wi-Fi networks using readily available technology solutions to filter illegal child abuse images and obscene content.

*Opioid abuse.*—The recommendation includes \$412,000,000 for programs to reduce opioid abuse, as authorized by the Comprehensive Addiction and Recovery Act of 2016 (CARA; Public Law 114–198). Within this amount is \$85,000,000 for drug courts; \$43,000,000 for the Mentally Ill Offender Act; \$35,000,000 for Residential Substance Abuse Treatment (RSAT), \$30,000,000 is for veterans treatment courts; \$31,000,000 for prescription drug monitoring; \$188,000,000 for the Comprehensive Opioid Abuse Program (COAP); and no less than amounts provided in fiscal year 2020 for additional replication sites employing the Law Enforcement Assisted Diversion (LEAD) model, with applicants demonstrating a plan for sustainability of LEAD-model diversion programs, prioritizing sites with geographic barriers.

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

The Committee encourages OJP to develop and apply metrics that incentivize stronger linkages between the responsible agencies, including but not limited to law enforcement, prosecutors, community-based treatment centers, hospitals, medical examiners, and public health departments. The Committee also encourages OJP to prioritize comprehensive, real-time, regional information collection, analysis, and dissemination.

The Committee supports the use of COAP funding to provide law enforcement with overdose reversal drugs, such as naloxone.

The Committee believes it is essential to any comprehensive opioid prevention strategy to include a vigorous program designed to strengthen the ability of States and tribes to develop identifiable and accessible take-back programs for unused controlled substances found in the home and used by hospitals and long-term care facilities.

The Committee encourages the Department to administer drug court grants with maximum flexibility in order to best accommodate the needs and available resources of eligible jurisdictions, including rural jurisdictions.

The Committee is aware that there can be a correlation between those suffering from mental health disturbances and repeat criminal offenders. Therefore, the Committee recommends that funds allocated to the Mentally Ill Offender Act should prioritize the operational expenses for centers that aid those with severe mental health needs who are at risk of recidivism. These mental health centers can provide, but are not limited to, the following services: crisis care, residential treatment, outpatient mental health and primary care services, and community re-entry supports. The Committee recommends that funding levels for grants be commensurate with demonstrated community needs.

The Committee is concerned by the high rates of re-incarceration among individuals with serious mental illness due to the inadequate management of their illness and encourages the Department to include long-acting injectable anti-psychotic medications as an allowable expense to improve treatment adherence and reduce risk for relapse and re-incarceration.

*Strategic Mobile and Response Teams (SMART).*—The Committee encourages DOJ to investigate the opportunity to conduct pilot programs to implement SMART at the Southwest Border. Border SMART Pilot programs should combine the use of officers and technology, including ground sensors and drones. The pilot programs should have inter-agency partnership and multi-layered security efforts, including marine, air, and terrestrial components, with the goal of increasing border security while reducing cost. The Committee reiterates its interest in receiving the briefing as directed in House Report 115–704, and the fiscal year 2020 Explanatory Statement, not later than 60 days after enactment of this Act.

*Sexual assault kit backlog grants.*—The recommendation includes \$49,000,000 for grants to address the sexual assault kit (SAK) backlog. The Committee understands that efforts to test the backlog of sexual assault kits in numerous jurisdictions have led to the identification of thousands of perpetrators and new and significant insights on the behavior of serial predators that will be useful in future investigation and prevention activities. The Committee believes it is extremely important that the Department maximize the results of investments in sexual assault kit testing through continued research to identify best practices for state, local, and tribal jurisdictions in handling the myriad issues that arise from perpetrator identification—such as victim notification, investigation, prosecution, documentation, forensic advancements, inter-jurisdiction sharing, and tracking. The Committee further believes it is critically important to fund efforts to support cross-jurisdiction and cross-site data sharing to identify and pursue repeat offenders operating in multiple jurisdictions. Finally, the Committee believes that further work to validate the extensive cost savings that result from the prevention of future offenses as a result of SAK testing is needed. The Committee directs the Department to support efforts that advance these objectives.

*Sex Offender Tracking.*—The Committee understands that sex offender management assistance grants can be used to purchase sex offender tracking software, provided that the purchase directly contributes to a jurisdiction's overall Sex Offender Registration and Notification Act (SORNA) implementation strategy or plan. The Committee encourages the Department to raise awareness of this eligible use and award up to \$5,000,000 of the amounts made available for Adam Walsh Act Implementation for grants for this purpose.

*DNA Initiative.*—The Committee continues its strong support for DNA backlog and crime lab improvements by recommending \$142,000,000 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, \$108,000,000 is for Debbie Smith DNA Backlog Reduction grants, \$9,000,000 is for Kirk Bloodsworth Post-Conviction DNA Testing



grants, and \$6,000,000 is for Sexual Assault Forensic Exam Program grants. The Committee expects that 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 the Department's 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.

*Rapid DNA Initiative.*—The Committee recognizes the growing importance of Rapid DNA technology in federal, state, local and tribal law enforcement operations. The Committee supports broad deployment of Rapid DNA technology that meets FBI quality assurance standards to help local, state and federal law enforcement agencies meet their mission requirements, improve the efficacy and efficiency of investigations, and protect and bring justice to the innocent. The Committee acknowledges that deployment of Rapid DNA has been shown to be a critical law enforcement tool for combatting human trafficking, suppressing gang activity, supporting drug interdiction and counter-drug activities, and disrupting transnational criminal organization activities. It has also helped improve disaster response and victim identification. The Committee has repeatedly expressed concern with the nationwide backlog of sexual assault kits and believes that in some jurisdictions the unfortunate and long-standing backlog of sexual assault kits could be addressed with rapid DNA technology. The Committee further believes that Rapid DNA technology should be deployed early in sexual assault investigations to prevent backlogs from forming in the first place. The Committee therefore directs the Department to ensure that recipients of all existing grant programs that help Federal, state, local and tribal agencies build capacity for DNA analysis, address the sexual assault kit backlog, enhance investigative methods, and adopt innovative criminal justice strategies are made aware that Rapid DNA implementation and sustainment are permissible uses of grant funds. The Committee directs the Department to provide a report to the Committee no later than 60 days after enactment of this Act that describes how Rapid DNA technology is being deployed to prevent violence against women, support illicit opioid interdiction, improve criminal investigations, prevent human trafficking, combat transnational criminal activities, and prevent sexual assault kit backlog creation.

*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. Given the urgent need to identify and remediate wrongful convictions, the Committee directs that at least 50 percent of the appropriated amount 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 postconviction 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 inhouse post-conviction representation programs that show demon-

strable experience and competence in litigating post-conviction claims of innocence. 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.

*Grants to Combat Contraband Cell Phones & Communication Devices.*—The Committee remains concerned about the rising use of contraband cellular phones and devices in State and local correctional facilities. The Committee encourages the awarding of grants, based on the recommendations of the fiscal year 2016 report submitted to Congress, to deploy Managed Access telecommunications technologies to thwart illegal inmate telecommunications covering all commercial networks through managed access while not interfering with the legitimate use of the spectrum. The technology to be deployed must manage prison cell phone use while simultaneously preserving the rights of law-abiding citizens to enjoy the benefits of the public airwaves without interference.

*Second Chance Act/offender reentry programs.*—The recommendation includes \$100,000,000 for Second Chance Act grants, an increase of \$10,000,000 above fiscal year 2020. The Committee is aware that case studies of innovative, evidence-based practices provide strong indication that recidivism patterns can be reversed. The Committee expects that Second Chance Act grants will foster the implementation of strategies that have been proven to reduce recidivism and ensure safe and successful reentry back to their communities of adults released from prisons and jails. The Committee expects DOJ to designate funds for proven, evidenced-based programs that will further the goal of maximizing public safety.

The Committee is aware that university programs are available for inmates to study business and entrepreneurship principles with the goal of providing them with the skills and training necessary to start and operate their own businesses upon release. The Committee encourages DOJ to support, through its Second Chance Act funding, programs that further the goal of reducing recidivism by supplementing state-funded vocational programs in prisons with university-based learning initiatives based on entrepreneurship principles and necessary skills training that can be directed into successful post-incarceration enterprises.

The Committee encourages the Department of Justice (DOJ) to explore programs that reduce offender recidivism and end repeated cycles of violence and abuse by teaching skills for reducing stress, processing past trauma, and providing practical knowledge of how to cope with negative emotions. The Committee further encourages the DOJ to explore rehabilitation methods such as mindfulness and meditation which encourage incarcerated individuals to live to one's highest potential and contribute to society.

*Human Trafficking Court Report.*—The Committee applauds the successes of drug courts and veteran treatment courts and how they take a holistic approach to treat and hold individuals accountable for their actions. The Committee urges the Department of Justice to evaluate a similar model for victims of human trafficking, especially for women and minors involved in prosecution. The Committee directs the Department to submit a report to the Committee, no later than 180 days after enactment of this Act, out-

lining the possibility of creating a human trafficking court in the model of drug and veterans treatment courts.

*Prison Rape Prevention and Prosecution.*—Facility audits are a key component in helping agencies move their sexual abuse prevention and response policies from written documents to everyday practices. Congress recently made changes to the audit process to ensure greater oversight of the audit process and improved audits. The Committee supports the Department providing the necessary resources to carry out this work.

*Veterans Treatment Courts.*—The Committee directs the Department to conduct a national outcome study on veterans treatment courts in order to continue advancing evidence-based practices at the Bureau of Justice Assistance.

*Human Trafficking Court Report.*—The Committee applauds the successes of drug courts and veterans treatment courts and how they take a holistic approach to treat and hold individuals accountable for their actions. The Committee urges the Department of Justice to evaluate a similar model for victims of human trafficking, especially for women and minors involved in prosecution. The Committee directs the Department to report to the Committee, not later than 180 days after enactment of this Act, outlining the possibility of creating a human trafficking court in the model of drug and veterans courts.

*Rural law enforcement.*—The Committee is concerned that many rural law enforcement agencies are understaffed and underfunded, and often have no access to local or regional mental health and drug treatment services. In addition, recruiting and retention of qualified officers is difficult, and access to training is often out of reach because small departments do not have the funds to travel or to replace officers in their schedule to accommodate leave for training. While some rural agencies participate in multi-jurisdictional task forces, conducting proactive investigations in small communities is difficult. Therefore, the Committee encourages the Department to develop programs aimed specifically at providing the funding, resources, training, and support that rural law enforcement agencies need to address the consequences of drug abuse, drug-related crime and mental health crises in their communities.

*Smart Prosecution.*—The Committee notes that throughout much of the United States, local prosecutors' offices carry attorney caseloads well above recommended levels, lack critical support staff, and rely on outdated information technology to manage their caseloads. The Committee is concerned these conditions can negatively impacts victims, criminal defendants, and public safety. The Committee recommendation includes no less than \$2,000,000 from amounts provided for a competitive program dedicated to State and local prosecutor office modernization and caseload reduction.

*Community trust initiative.*—The recommendation includes \$77,500,000 for a program to improve police-community relations. Included in this initiative is \$20,000,000 for the Byrne Criminal Justice Innovation Program, \$30,000,000 for justice reinvestment, and \$27,500,000 for a body-worn camera partnership initiative.

*Justice Reinvestment Initiative.*—As the Committee believes that improving police-community relations will require more than just equipment procurement, the recommendation provides \$30,000,000 for the Justice Reinvestment Initiative, which provides assistance

to jurisdictions to implement data-driven strategies to improve public safety by reducing corrections spending and reinvesting those savings in efforts to decrease crime and strengthen neighborhoods. The Committee notes concerns regarding trial delays and bail conditions for incarcerated youth. Of the funds for Justice Reinvestment, \$8,000,000 is for innovative efforts among States and localities to reduce trial delays, ensure speedy bond consideration, guarantee that a juvenile's ability to pay is considered in setting any bond amount, provide mental health services for youth who are incarcerated, and reduce the use of solitary confinement on youth.

The Committee believes that comprehensive, career-long, sequential 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 directs 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 on-line learning system and pilot projects, that could be matched with funding from Byrne JAG or other programs.

#### JUVENILE JUSTICE PROGRAMS

The Committee recommends \$337,000,000 for Juvenile Justice programs, which is \$17,000,000 above fiscal year 2020 and \$109,500,000 above the request. Funds are distributed as follows:

#### JUVENILE JUSTICE PROGRAMS

(In thousands of dollars)

Program	Amount
Part B—State Formula Grants .....	\$65,000
Emergency Planning—Juvenile Detention Facilities .....	(500)
Youth Mentoring Grants .....	100,000
Title V—Delinquency Prevention Incentive Grants .....	44,000
Prevention of Trafficking of Girls .....	(3,000)
Tribal Youth .....	(5,000)
Children of Incarcerated Parents Web Portal .....	(500)
Girls in the Justice System .....	(2,000)
Opioid Affected Youth Initiative .....	(10,000)
Children Exposed to Violence .....	(8,000)
Victims of Child Abuse Programs .....	28,500
Missing and Exploited Children Programs .....	94,500
Training for Judicial Personnel .....	5,000
<b>Total, Juvenile Justice .....</b>	<b>337,000</b>

*Youth mentoring grants.*—The recommendation includes \$100,000,000 for youth mentoring grants, which is \$3,000,000 above fiscal year 2020 and \$57,000,000 above the request.

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

The Committee directs that OJP provide at least \$20,000,000 for mentoring programs that assist at-risk juveniles and their families who have been impacted by the opioid crisis and drug addiction.

*Preventing trafficking of girls.*—The recommendation includes \$3,000,000 for grants for nonprofits and other nongovernmental entities that have undergone rigorous evaluation and have a successful track record of administering research-based prevention and early intervention programs for girls who are vulnerable to trafficking and are most likely to end up in the juvenile justice system. Funds shall be used to scale up and replicate these programs. This expansion will bolster 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 our society. The Committee encourages the Office for Victims of Crime and the Office of Juvenile Justice and Delinquency Prevention to examine ways to assist nonprofits and other nongovernmental entities with a proven track record of administering successful prevention and early intervention programs for girls vulnerable to trafficking. The Committee expects these funds to go toward early intervention programs, separate and distinct from law enforcement efforts.

*Missing and exploited children programs.*—The recommendation includes \$94,500,000 for missing and exploited children programs, which is \$7,000,000 above fiscal year 2020 and \$9,500,000 above the request.

The Committee expects the Department to allocate \$40,000,000 for task force grants, training and technical assistance, research and statistics, and administrative costs for the Internet Crimes Against Children (ICAC) program. The Department is directed to include in its ICAC Task Force grant solicitation a prioritization of proactive investigations of suspects possessing, distributing, or producing violent and sadistic child sexual abuse imagery. The Committee also encourages the Department to encourage ICAC grantees to dedicate increased efforts to proactive investigations, which have demonstrated potential to rescue children.

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

The Committee recognizes the diverse and unique challenges identified in the report to Congress directed by the Ashlynnne Mike AMBER Alert in Indian Country Act (Public Law 115 166) for the integration of State AMBER Alert communications plans and tribal systems. Within the funds provided, the Committee recommends no less than \$4,400,000 for the operation and activities of the existing AMBER Alert program. Of the funds provided for AMBER Alert activities, \$1,000,000 shall be directed to addressing State/tribal integration consistent with (1) the findings of the both the report directed in Public Law 115–166 and (2) a long-term budget and plan by the Department for implementation across all states with affected tribal communities. The Committee directs the Department to submit to the Committee a long-term budget and plan for implementation across all States with affected tribal communities, not later than 90 days after enactment of this Act.

*PROTECT Our Children Act.*—The Department is directed to comply with the PROTECT Our Children Act (Public Law 110–401) and submit to the Committee a National Strategy for Child Exploitation Prevention and Interdiction as well as designate a Senior Executive Service (SES) level official at the Department of Justice to be responsible for coordinating the development of this National Strategy.

*Four Core Requirements of Juvenile Justice and Delinquency Prevention.*—The Juvenile Justice and Delinquency Prevention Act (JJDP) is based on the consensus that youth involved with the juvenile and criminal courts should be guarded by federal standards for care and custody, while also upholding the interests of community safety and the prevention of victimization. The Act authorizes an annual formula grant allocation to those states that provide an acceptable plan to comply with four core requirements. The four requirements provide that: (1) States must keep status offenders out of secure detention or correctional facilities; (2) States cannot detain or confine juveniles in facilities in which they would have sight or sound contact with adult inmates; (3) Juveniles cannot be detained or confined in any jail or lockup for adults; and (4) States must show that they are working to address racial and ethnic disparities that exist in their juvenile justice systems. The Committee directs the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to report to Congress on the technical assistance provided to states with respect to meeting the four requirements through evidence-based programs.

*Bullying.*—The Committee encourages the Department to provide funding within existing programs for evidence-based approaches to preventing bullying in schools, communities, and in cyberspace.

*School discipline.*—The Committee encourages the Department to explore implementing programs that are focused on disadvantaged students of color in elementary and secondary school that include a curriculum that prevents unnecessary trauma and harm, and counterproductive in-school arrests and expulsion, while incorporating positive alternatives to suspension, and promoting educational development and attainment. The Committee looks forward to the report directed in House Report 116–101, detailing how the Department could partner with relevant stakeholders to implement such a program.

*Arts-based programs.*—The Committee strongly supports a comprehensive and innovative approach to programs that work to improve the lives of the youth in our communities. The Office of Juvenile Justice and Delinquency Prevention is encouraged to review opportunities to include and evaluate arts-based programming and art-therapies within existing activities and grants.

#### PUBLIC SAFETY OFFICER BENEFITS

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total of \$143,800,000 for the Public Safety Officer Benefits program, which is \$2,000,000 above fiscal year 2020 and the same as the request. Within the funds provided, \$119,000,000 is for death benefits for survivors, an amount estimated by the Congressional Budget Office that is considered mandatory for scorekeeping purposes. Also within the total,

\$24,800,000 is recommended for disability benefits for public safety officers who are permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty, and for education benefits for the spouses and children of officers who are killed in the line of duty or who are permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty.

## COMMUNITY ORIENTED POLICING SERVICES

### COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$343,000,000 for Community Oriented Policing Services (COPS) Programs, which is equal to fiscal year 2020 and \$343,000,000 above the request. Funds are distributed as follows:

#### COMMUNITY ORIENTED POLICING SERVICES

(In thousands of dollars)

Program	Amount
COPS Hiring Grants .....	\$231,000
Improving Tribal Law Enforcement Resources .....	(27,000)
Community Policing Development/ Training and Technical Assistance .....	(6,500)
Regional Information Sharing Activities .....	(40,000)
Tribal Access Program .....	(3,000)
Civilian Review Boards .....	(4,000)
Law Enforcement Mental Health and Wellness Act .....	(5,000)
Police Act .....	11,000
Anti-Methamphetamine Task Forces .....	13,000
Anti-Heroin Task Forces .....	35,000
STOP School Violence Act .....	53,000
Total, Community Oriented Policing Services .....	\$343,000

*Community Oriented Policing Services.*—The Committee urges that COPS grants be awarded based on a comprehensive assessment of the needs of the jurisdiction and that jurisdictions are not disqualified solely based on the size of their law enforcement budget.

*Civilian Review Boards.*—Within the amount provided for COPS, the Committee provides \$4,000,000 for grants for the development of best practices for, and the creation of, civilian review boards to oversee local police departments. Civilian review boards funded under this program should be independent and adequately resourced, have investigatory authority and staff subpoena power, have representative community diversity, have policy making authority, provide advocates for civilian complainants, have mandatory police power to conduct hearings, and conduct statistical studies on prevailing complaint trends.

*Hiring of Residential Law Enforcement Officers.*—The committee urges the Department, as it implements the COPS Hiring program, to support the recruitment, hiring, retainment, development, and training of law enforcement officers who are residents of the communities they serve. Priority for grant awards shall be provided for the hiring of law enforcement officers who are residents of, or are willing to relocate to, communities that: (1) have poor or fragmented relationships between police and residents of the commu-

nity, or where there are high incidents of crime, and (2) are the communities that the law enforcement officers serve, or are close to the jurisdictions they serve. Data shall be collected on the numbers of law enforcement officers who are willing to relocate to the communities where they serve, and whether such law enforcement officer relocations have impacted crime in such communities. Within 180 days of enactment of this Act, the Department shall develop and publicly report strategies and timelines to recruit, hire, promote, retain, develop, and train a diverse and inclusive law enforcement workforce, consistent with merit system principles and applicable law.

*STOP School Violence Act school hardening.*—The recommendation includes \$53,000,000, which is an increase of \$3,000,000 above the fiscal year 2020 level for evidence-based school hardening measures including metal detectors, locks, lighting, ballistic glass, and other deterrent measures in coordination with law enforcement, as well as training for local law enforcement officers to prevent student violence, technology for expedited notification of local law enforcement during an emergency, and other measures determined to provide significant improvement in physical security of schools.

*School resource officers (SROs).*—The Committee supports initiatives through the COPS Hiring Program to assist State and local governments to recruit and train additional SROs to build working relationships with schools as a means to provide a safer and calmer learning environment.

The Committee acknowledges that school SROs are intended to serve in roles ranging from counselors, to tutors and mentors, in order to create opportunities for students to interact with law enforcement in a positive way. The Committee looks forward to receiving the report directed in House Report 116–101 which directs the Department of Justice to examine the current role of SROs on campuses and provide recommendations on how SROs can better serve the needs of the students. Furthermore, the Committee is concerned about also protecting the civil liberties of students in school. Accordingly, the Committee requests that the Department conduct an assessment for fiscal year 2021 to determine what if any effort grantees make to ensure students are aware of their civil rights.

SROs across the country engage with students on a daily basis and provide a wide range of important services to our nation's youth, including identifying depression and suicidal behavior among school children. SROs are in a unique position to identify and assist children at-risk of depression and suicide. The Committee supports awarding SRO grants to communities that are dealing with high levels of youth suicide, especially in smaller towns with limited resources.

*Regional Information Sharing Activities.*—Regional information sharing activities play a key role in assisting our local, State and Federal law enforcement agencies fight crime and terrorism. Over the last decade, regional information sharing has yielded \$23,000,000,000 in narcotics, property, and case seizures. This recommendation provides \$40,000,000 for grants to State and local law enforcement for these activities.



*Rural law enforcement staffing.*—The Committee recognizes certain State and local law enforcement agencies in rural and low-populated counties are critically underfunded and understaffed. Some distressed regions have as few as two law enforcement officers on payroll to patrol its jurisdictions at a given time. These instances of chronic law enforcement understaffing pose a significant threat to communities. The Committee encourages the Department to fund grants for critically understaffed law enforcement agencies.

*Law enforcement training.*—The Committee recognizes the importance and success of the COPS Hiring program. Recent incidents of law enforcement killing unarmed civilians have highlighted the importance and need for strong, collaborative relationships between local police and the communities they serve. The Committee supports diversity hiring in local law enforcement to ensure that law enforcement reflects the communities they serve or are residents of the communities they serve. The Committee encourages the Department to provide the highest priority to COPS program applicants and law enforcement agencies that require their employees to complete evidence-based cultural sensitivity trainings, including training on ethnic and racial bias, racial profiling, gender bias, sexual orientation and gender identity bias, cultural diversity, use of force, procedural justice, and law enforcement interaction with people with disabilities, the mentally ill, and English Language Learners.

*Active shooter response.*—The recommendation includes \$11,000,000 for the POLICE Act of 2016 (Public Law 114–199). The Committee notes the importance of training partnerships that offer nationwide, dynamic force-on-force scenario-based training. The Committee understands the training has been adopted by numerous States and agencies as their standard active shooter training and that the FBI has adopted this program as its national training standard for active shooter response. In addition, the Committee encourages the Department to ensure that such grants authorized under the POLICE Act may be made available for primary schools, secondary schools, and college campuses, and that such training is an integrated training with campus police officers and local law enforcement. The Department shall report to the Committee, within 180 days of enactment, on the number of schools that have received active shooter training and the number of schools' campus police officer units that have received active shooter training in connection with this program over the last three fiscal years.

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

#### GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

##### (INCLUDING TRANSFER OF FUNDS)

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

Section 201 prohibits the use of funds to pay for an abortion, except in the case of rape, incest, or to preserve the life of the mother.

Section 202 prohibits the use of funds to require any person to perform or facilitate the performance of an abortion.

Section 203 establishes the obligation of the Director of the Bureau of Prisons to provide escort services to an inmate receiving an abortion outside of a Federal facility, except where this obligation conflicts with the preceding section.

Section 204 prohibits the use of certain funds for transporting prisoners classified as maximum or high security, other than to a facility certified by the Bureau of Prisons as appropriately secure.

Section 205 prohibits the use of funds for the purchase or rental by Federal prisons of audiovisual equipment, services and materials used primarily for recreational purposes, except for those items and services needed for inmate training, religious, or educational purposes.

Section 206 requires review by the Deputy Attorney General and the Department Investment Review Board prior to the obligation or expenditure of funds for major information technology projects.

Section 207 requires the Department to follow reprogramming procedures for any deviation from the program amounts specified in this title or the accompanying report, or the reuse of deobligated funds provided in previous years.

Section 208 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, Inc.

Section 209 prohibits U.S. Attorneys from holding additional responsibilities that exempt U.S. Attorneys from statutory residency requirements.

Section 210 permits up to 2 percent of grant and reimbursement program funds made available to the Office of Justice Programs to be used for training and technical assistance, and up to 2 percent of grant funds made available to that office to be used for criminal justice research, evaluation and statistics by the National Institute of Justice and the Bureau of Justice Statistics.

Section 211 provides cost-share waivers for certain DOJ grant programs.

Section 212 waives the requirement that the Attorney General reserve certain funds from amounts provided for offender incarceration.

Section 213 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 214 places limitations on the obligation of funds from certain Department of Justice accounts and funding sources.

Section 215 permits DOJ to participate in Performance Partnership Pilot collaboration programs.

Section 216 increases the threshold for balances in the United States Trustee System Fund.

Section 217 prohibits EOIR's use of case completion quotas in immigration judge performance evaluations.

Section 218 amends Public Law 101-246 to provide for danger pay for United States Marshals Service for certain deployments outside the United States.

Section 219 prohibits the awarding of funds under the Byrne JAG or COPS programs unless the United States Attorney General certifies that the recipient State or unit of local government satisfies several conditions.

Section 220 establishes a National Task Force on Law Enforcement Oversight.

Section 221 prohibits Department of Justice funding from being made available to any law enforcement agency of any State, unit of local government, or Federally recognized Tribal government unless the Attorney General has certified that such agency has begun or completed the process of receiving accreditation from a law enforcement accreditation organization approved by the Attorney General.

Section 222 prohibits the awarding of funds under the Byrne JAG or COPS programs unless the United States Attorney General certifies that the recipient State or unit of local government has in effect a law prohibiting sexual activity while acting under color of law.

### TITLE III

### SCIENCE

#### OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The Committee recommends \$5,544,000 for the Office of Science and Technology Policy (OSTP), which is equal to the fiscal year 2020 appropriation.

*Extreme weather.*—The Committee looks forward to receiving the report directed in House Report 116–101 that directs OSTP to create and convene a Congressionally-mandated Interagency Council on Extreme Weather Resilience, Preparedness, and Risk Identification and Management (“Interagency Council”). The Committee further directs OSTP, in coordination with the Interagency Council, to develop a plan, on an agency-by-agency basis, for government-wide implementation of resilience, preparedness, and risk management priorities. This plan was directed to be produced no later than 180 days after the enactment of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020 (Public Law 116–93). To date, the Committee has not received this plan, nor the intermediate report that was directed within 90 days.

*Federally Funded Scientific Research.*—The Committee recognizes the considerable progress made by OSTP in bringing to completion the department and agency public access plans called for by the OSTP Memorandum “Increasing Access to the Results of Federally Funded Scientific Research,” issued February 22, 2013. The Committee understands that 22 departments and agencies with annual expenditures on research and development of \$100,000,000 or more now have completed their public access plans for increasing access to peer-reviewed scholarly publications and digital data resulting from Federally funded research. The Committee encourages OSTP to continue its efforts to coordinate the implementation of public access policies across Federal departments and agencies and to identify additional opportunities to enhance access to the results of Federally funded research. The Committee received OSTP’s quarterly progress reports regarding department and agency public

access planning efforts, the most recent report being issued on January 9, 2017. Further, OSTP shall report to the Committee on an annual basis on the progress of departments and agencies in implementing their public access plans, including relevant measures of progress, and regarding additional steps being taken to improve access to the results of Federally funded research. In addition, at least 90 days prior to making any changes to the Federal Government's public access policies as outlined in the 2013 OSTP memorandum on "Increasing Access to the Results of Federally Funded Scientific Research," the Committee directs OSTP to submit to the Committee a report on the costs and budgetary impact of such changes. The report shall include a complete analysis of any newly-created costs, including any potential new costs for grant recipients.

#### NATIONAL SPACE COUNCIL

The Committee recommends \$1,965,000 for the National Space Council, which is equal to the fiscal year 2020 appropriation and the same as the request.

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The Committee recommends \$22,629,000,000 for the National Aeronautics and Space Administration (NASA), which is equal to the fiscal year 2020 appropriation and \$2,616,985,000 below the request.

NASA's fiscal year 2021 request, much like the 2020 amended budget request, reflected the Administration's ominous shift away from legacy programs and programs with clear environmental and educational benefits. The Administration's shift in priorities is most evident in its budget request of nearly \$3,400,000,000 (nearly \$2,800,000,000 above the fiscal year 2020 level) for the Human Landing System and Advanced Cislunar and Surface Capabilities initiatives. These programs are being rushed to meet a politically motivated timeline to again place humans on the Moon's lunar surface in a little over four years. In order to fund this massive expansion, the Administration chose to either reduce or eliminate many critical legacy programs, including Earth science programs that help monitor the environment, measure global climate change, and track rising sea levels. These programs include: The Plankton, Aerosol, Cloud, ocean Ecosystem (PACE) Earth-observing satellite; the Climate Absolute Radiance and Refractivity Observatory (CLARREO) sensor on the International Space Station, designed to lay the foundation for future long-term observations of Earth's climate; and NASA's Carbon Monitoring System that achieves levels of precision and accuracy to monitor, report, and verify the levels of carbon stocks and fluxes in Earth's atmosphere. Additional programs that were proposed for elimination in the Administration's budget request are: The Wide Field Infrared Survey Telescope (WFIRST), now named the Nancy Grace Roman Space Telescope, a NASA observatory designed to work in conjunction with the James Webb Space Telescope, with a view 100 times greater than that of the Hubble Space Telescope; and the entire Science, Technology, Engineering, and Mathematics (STEM) Engagement account. The Committee rejects these proposals and has included

nearly \$1,500,000,000 above the request to support these critical programs, including additional funding for competitive research grants within Earth Science and a \$6,000,000 increase over the fiscal year 2020 appropriation for the STEM Engagement account.

The Committee's program and project recommendations for NASA are included in the consolidated funding table below and in narrative direction throughout this report. The Committee reminds NASA that any deviations from the amounts included in the table below are subject to section 505 requirements of this Act. When executing its budget for fiscal year 2021, NASA shall incorporate the funding levels established in both the table and the narrative direction. NASA is reminded that comity has existed between the Congress and the Executive Branch with respect to abiding by language included in this report and in the accompanying bill. The Committee expects NASA to respect this long-standing practice.

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

(In thousands of dollars)

Program	Amount
Science:	
Earth Science .....	\$2,021,800
Planetary Science .....	2,713,400
Astrophysics .....	1,306,200
James Webb Space Telescope .....	423,000
Heliophysics .....	633,100
Total, Science .....	7,097,500
Aeronautics .....	819,000
Space Technology .....	1,100,000
Exploration:	
Orion Multi-purpose Crew Vehicle .....	1,400,500
Space Launch System (SLS) Vehicle Deployment .....	2,600,000
Exploration Ground Systems .....	459,700
Exploration Research and Development .....	1,557,400
Total, Exploration .....	6,017,600
Space Operations .....	4,052,200
Science, Technology, Engineering, and Mathematics (STEM) .....	126,000
Safety, Security and Mission Services .....	2,953,400
Construction and Environmental Compliance and Restoration .....	419,100
Office of Inspector General .....	44,200
Total, NASA .....	\$22,629,000

#### SCIENCE

The Committee provides \$7,097,500,000 for Science, which is \$41,400,000 below the fiscal year 2020 appropriation and \$791,000,000 above the request.

*Earth Science.*—The recommendation includes \$2,021,800,000 for Earth Science programs. Despite the overwhelming benefits to the

economy, coastal regions, and to humankind generally, the Administration once again proposed for elimination virtually all major missions that incorporate selected ocean color and atmospheric aerosol measurement capabilities needed to ensure continuity and additional capability in the measurement record, and that demonstrate measurement technologies for a larger future mission to improve detection of climate trends. These missions, aimed at understanding the Earth system and its response to natural and human-induced forces and changes, will help determine how to predict future changes and mitigate or adapt to them. The President's fiscal year 2021 budget request, like the Administration's requests of prior years, chooses to eliminate missions totaling nearly \$180,000,000 that address human-induced forces regarding climate change. The Committee rejects the Administration's proposal, has included adequate funding to continue such programs, and expects NASA to comply with Committee direction.

*Earth Science Research and Analysis and Carbon Monitoring.*—The Committee recommends no less than \$346,400,000 for Earth Science Research, which is \$36,500,000 greater than the requested level. Within this amount, \$10,000,000 is directed for the Carbon Monitoring System, which was eliminated in the Administration's fiscal year 2021 budget request.

*Plankton, Aerosol, Cloud, ocean Ecosystem (PACE).*—The Committee provides \$145,100,000, which is \$14,100,000 greater than the fiscal year 2020 appropriation and \$145,100,000 greater than the Administration's request, which would have eliminated the Plankton, Aerosol, Cloud, ocean Ecosystem (PACE) mission. The Committee does not concur with the Administration's proposal to terminate this mission, which it also proposed terminating in the fiscal year 2020 request, and instead the Committee maintains funding at this level due to this mission's unique scientific value, including for aiding critical parts of the U.S. coastal economy like commercial fishing. The data to be generated by PACE builds upon a multi-decade effort by NASA and other Federal agencies to generate information from space that helps, for example, to characterize and assess the health of the fisheries environment and to more accurately assess the status of fish stocks, as well as to help identify the extent and duration of harmful algal blooms. Such unique observational information cannot be replicated elsewhere, and industry itself does not have the financial means to acquire wide scale data such as that generated by PACE and its precursor missions. Therefore, the Committee sees any effort to terminate this mission as shortsighted and based upon incomplete analysis of the benefits of PACE's data to U.S. coastal economies, the provision of which is an inherently governmental responsibility. In providing this appropriation, the Committee directs NASA to provide a report, concurrent with the fiscal year 2021 operating plan, on NASA's efforts to maintain a 2022 launch date for this mission and directs NASA to include adequate funding for PACE in the fiscal year 2022 budget request.

*Climate Absolute Radiance and Refractivity Observatory Pathfinder (CLARREO) Pathfinder.*—The Committee provides \$24,500,000 for this mission, \$1,500,000 less than the fiscal year 2020 appropriation and \$24,500,000 greater than the Administration's request, which would have eliminated the mission. The Com-

mittee does not concur with the Administration's proposal to terminate the mission in its fiscal year 2021 budget request, just as it did in the fiscal year 2020 request, because the CLARREO Pathfinder mission demonstrates measurement technologies required for a future mission recommended in the 2007 Earth science decadal survey focused on improving detection of climate trends. Therefore, the Committee additionally directs NASA to include adequate funding for CLARREO in the fiscal year 2022 budget request.

*In situ Ocean Data.*—In support of the need to understand Earth's systems through calibrated and validated global satellite observations, the Committee encourages NASA to continue collaborating with other Federal science agencies and to evaluate, expand, and formalize the use of in situ ocean data from Unmanned Surface Vehicles, including from commercial sources, as appropriate, to better inform the Agency's weather prediction capabilities. Further, within 90 days of enactment of this Act, NASA shall report to the Committee on the use of unmanned surface vehicles.

*Earth System Science Pathfinder Venture Class and GeoCARB Missions.*—Within the amounts provided for Earth Science, the Committee recommends up to \$376,600,000 for NASA's Earth System Science Pathfinder missions. Within this amount, funding is included for Venture Class and Geostationary Carbon Cycle Observatory (GeoCARB) missions. NASA's Venture Class Missions provide frequent flight opportunities for high-quality, low-cost Earth science investigations that can be developed and flown in five years or less. NASA selects the investigations through open competitions to ensure broad community involvement and encourage innovative approaches. Successful investigations enhance our capability to understand the current state of the Earth system and enable continual improvement in the prediction of future changes. The GeoCARB mission is due to launch in Summer 2022 and will demonstrate the feasibility of using a commercial communications satellite to host a scientific instrument which will measure vegetation off-gassing and help detect fugitive methane emissions, while also serving as a cost-saving model for future Earth Science research needs.

*University Small Satellite Missions.*—The Committee supports NASA's collaborative efforts with U.S. colleges and universities to conduct research through small spacecraft missions, including CubeSat and SmallSat missions. The Committee believes these competitively selected projects led by principal investigators at institutions of higher education help train the next generation of scientists and provide much-needed research. The Committee directs NASA to provide not less than \$30,000,000 for these missions.

*Small Satellite Launch Services.*—To enhance the breadth of research achieved using small satellite platforms and bolster NASA's overall scientific objectives, the Committee directs NASA to work with commercial industry to examine ways for small satellite missions to procure launch services that are more tailored to their mission dependent orbits, locations, and schedules, while minimizing launch costs. NASA shall report on such findings within 180 days of enactment of this Act.

*Planetary Science Research and Analysis—Technosignature Research.*—The Committee understands that NASA's Research Op-

portunities in Space and Earth Science Exoplanets Research Program (XRP) element, jointly managed by four Science Divisions (Earth Science, Planetary Science, Astrophysics, and Heliophysics), allows technosignature proposals, including observational, theoretical, and archival proposals focused upon the detection of technosignatures. Such proposals are within scope of the XRP, except for archival proposals that exploit data within a NASA public domain archive. The Committee encourages NASA to continue this research.

*Lunar Discovery and Exploration.*—The Committee provides \$410,000,000 for the Lunar Discovery and Exploration program, including \$22,000,000 for the Lunar Reconnaissance Orbiter and \$70,000,000 for the new Lunar Future initiative to address the strategic knowledge gaps important for human exploration of the Moon.

*Commercial Lunar Payload Services (CLPS).*—The Committee provides \$212,500,000 for Commercial Lunar Payload Services (CLPS), which is \$132,500,000 greater than the fiscal year 2020 appropriation. The Committee strongly encourages NASA to provide funding under this program for lunar landers and rovers majority-designed, developed, and built in the United States, and, in addition, to the extent practicable, designed, developed, or built by one or more U.S. small businesses.

*Planetary Defense.*—Within Planetary Science, Planetary Defense programs, the Committee provides \$150,000,000, equal to the requested level, to fund NASA's Planetary Defense program, and within this amount, recommends not less than \$66,400,000 for the Double Asteroid Redirection Test (DART) mission.

NASA shall continue to support a network of search and characterization observatories and the data processing and analysis required to understand the near-Earth population of small bodies. NASA shall continue instrument formulation for a potential space-based infrared capability, the NEO Surveillance Mission, that would support NEO survey objectives as identified in the 2019 National Academies study and the goal of finding at least 90 percent of the 140 meter and larger near-Earth asteroids.

*Ground-based Observatories.*—The Committee provides continued sustained funding for existing ground-based observatories, including the Arecibo Observatory. Accordingly, NASA shall maintain no less than the required full funding levels for its use of the National Science Foundation's ground-based telescopes to fulfill its planetary protection mission.

*New Frontiers missions.*—The Committee provides \$179,000,000 for New Frontiers missions. The New Frontiers program explores our solar system with medium-class spacecraft missions. Within the New Frontiers program, possible mission destinations and the science goals for each competitive opportunity are limited to specific science targets announced for the competition aligned with the scientific goals and priorities as described in the Planetary Science Decadal Survey.

*Mars Exploration Program.*—The Committee provides \$570,000,000, which is equal to the fiscal year 2020 appropriation and \$41,500,000 greater than the requested level, for the Mars Exploration Program to ensure ongoing operations of Mars mission architecture ahead of the anticipated landing of the Mars 2020 mis-



sion as well as further development of a Mars Sample Return mission to be launched in 2026. Within funds provided, \$250,000,000 is included for Mars Sample Return. Given that sample return was the highest priority of the previous planetary science decadal survey, NASA shall provide the Committee with a year-by-year future funding profile for a planned focused Mars sample return mission to be ready for a 2026 launch. In addition, the Committee endorses the mid-term decadal survey recommendation for NASA to develop a comprehensive Mars program architecture, strategic plan, and management structure that maximizes synergy among existing and future domestic and international missions and science optimization at the architectural level.

*Mars 2020.*—The Committee provides the requested level for Mars 2020. NASA is directed to ensure timely operations of Mars mission architecture ahead of the anticipated landing of the Mars 2020 mission as well as further development of a Mars Sample Return mission to be launched in 2026.

*Mars Odyssey 2001.*—Within the funds available, up to \$11,000,000 is to continue ongoing operations of the Mars Odyssey 2001 mission. Mars Odyssey was launched in 2001 and is in its eighth extended mission phase. Mars Odyssey has served as a significant relay asset for communications with NASA Mars surface explorers over the past two decades.

*Commercial Deep Space Communications Relay.*—NASA is directed to study the feasibility of establishing a commercial deep space communications relay program to help ensure sustained operations in deep space. Within 180 days of enactment of this Act, the Committee directs NASA to submit a report outlining the findings of such a feasibility study.

*Jupiter Europa Missions.*—The Committee provides \$403,500,000, which is \$189,100,000 less than fiscal year 2020 appropriation and equal to the requested level, for the Europa Clipper Mission. The Clipper mission will explore Europa, the smallest of the four Galilean moons orbiting Jupiter, and investigate its habitability. The Committee understands that in order to stay on schedule, the mission desires to select a launch vehicle in 2020, and NASA is evaluating options to expedite time to orbit. The Committee believes that the Clipper mission should use a vehicle to support a launch to reduce overall mission costs and complexity and expedite science results in concert with the decadal survey. Since fiscal year 2016, funding for the Europa program has been conditioned on the use of an SLS rocket as the launch vehicle. This is because, among other advantages when compared to alternative expendable launch vehicles, an SLS will require less costly radiation mitigation measures, extend the life of the Clipper, reduce risk via a larger payload capacity, and return valuable data to scientists faster due to the greatly reduced travel time. Yet, the Committee still has not received a suitable explanation from NASA regarding whether there will be sufficient SLS launch vehicles to support this mission and human space exploration missions. The Committee strongly encourages NASA to proceed with plans to use the SLS and intends to investigate whether an SLS will be available for the mission.

The Committee directs that at any time following the enactment of this Act, that if NASA determines that it must initiate plans to

procure any launch vehicle other than an SLS for a Europa mission, an immediate report shall be provided to the Committee outlining the justification for such decision.

*Jupiter Europa Lander.*—The Committee provides no additional funding for the Jupiter Europa Lander. Development of an Ocean World Technology mission is a priority and the Committee encourages research and development to continue. The Committee understands that funding previously provided is sufficient to continue research and development through fiscal year 2021. However, the Committee directs NASA to include adequate funding in fiscal year 2022 for continued research and development in anticipation of the next planetary science decadal survey.

*Icy Satellites Surface Technology.*—The Committee provides no less than \$35,000,000 for Icy Satellites Surface Technology to meet the science goals for the Jupiter Europa mission as recommended in previous Planetary Science Decadal surveys and to enable a lander and Ocean Worlds Technology mission by the next decade, based on input from the next Planetary Science Decadal survey. Investments in landing, mobility, sampling, communications, autonomous operations, and power technology for low-temperature environments should be prioritized.

*Earth Science Decadal.*—The Committee supports the 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 select future missions that address high-priority target observables in the designated and explorer categories. Within the funds provided, up to \$75,000,000 is for NASA to begin development, planning, and technology for up to two designated observable missions to meet the application goals as recommended in the previous Earth Science Decadal survey.

*Stratospheric Observatory for Infrared Astronomy (SOFIA).*—Within Astrophysics, the Committee provides \$85,200,000, which is \$73,200,000 greater than the requested level, for the Stratospheric Observatory for Infrared Astronomy (SOFIA) ongoing scientific mission, for which the Administration had proposed minimal funding aimed at phasing out the program. Working collectively with other space telescopes, including Hubble and Spitzer, these observatories create a comprehensive web of information and data that spans both the electromagnetic spectrum and time itself.

*Earth's Radiation Budget.*—The Committee supports research into the Earth's radiation budget and encourages NASA to collaborate with NOAA to establish a baseline of understanding of the chemistry of the stratosphere through monitoring and observations.

*Nancy Grace Roman Space Telescope (formerly named the Wide Field Infrared Survey Telescope (WFIRST)).*—The Committee provides \$505,200,000, which is \$505,200,000 greater than the Administration's requested level, which would have eliminated the Roman Telescope. This mission was included as the highest priority in the 2010 Astrophysics Decadal Survey. Within this total, the recommended amount shall include continued development of the coronagraph as a technology demonstration mission. The Roman Telescope continuation is essential to unravel the secrets of dark energy and dark matter, search for and image exoplanets, and explore many topics in infrared astrophysics.

*James Webb Space Telescope (JWST).*—The Committee provides \$423,000,000, which is equal to the Administration's requested level. Additionally, as noted in section 534 of this Act, in determining the formulation and development costs under Section 536 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020 (Public Law 116–93), such costs shall not be considered to include any costs directly related to preventing, preparing for, and responding to the impacts of a global pandemic health crisis.

*Life and Physical Sciences.*—The Committee encourages NASA to conduct studies that evaluate the effects of zero gravity and deep space radiation on development through non-human mammalian embryologic experiments using the International Space Station and for NASA to bolster its Development Biology program.

#### AERONAUTICS

The Committee provides \$819,000,000 for Aeronautics, which is \$35,100,000 greater than the fiscal year 2020 appropriation and equal to the requested level.

*Hypersonics Technology Project.*—Within amounts provided, not less than \$60,000,000 is for NASA's ongoing Hypersonics Technology Project. Hypersonic flight involves speeds of Mach 5 and above and holds the potential for new military and civilian capabilities. Traditionally, NASA has pioneered advances in the flight regime and works closely with the Department of Defense (DoD) to mature necessary capabilities, while focusing on the fundamental research that will lead to new, long-term capabilities to lay the foundation for potential future civil and commercial use. Program managers should continue to coordinate closely with partners in the DoD to enable NASA to leverage investments in ground and flight activities and to develop and validate advanced physics-based computational models as building blocks toward a long-term vision for high-speed hypersonic air transport. The Committee strongly encourages NASA to continue to explore additional opportunities to increase hypersonics research by supplementing planned activities with public-private partnerships with the goal of developing advanced hypersonic capabilities and integrated systems through cost-sharing agreements with commercial partners, while sustaining hypersonic competency for national needs and simultaneously advancing fundamental hypersonic research.

*Subsonic Aircraft Technologies.*—To support a new generation of ultra-efficient, sustainable transonic transport aircraft, the Committee provides funding within Aeronautics, as requested, for subsonic advanced technology development and testing, as well as funding for research, development and demonstration of high-rate production composite materials.

The Committee remains supportive of X-Plane demonstrators currently in production and believes increased investments in innovative aircraft structures and advanced flight demonstrators will enable this new generation of aircraft.

*Aerosciences Evaluation and Test Capabilities.*—The committee fully funds the Aerosciences Evaluation and Test Capabilities wind tunnel management program at the requested level.

*Advanced Carbon/Carbon Material Characterization.*—The Committee recognizes that significant testing is required to mature ad-

vanced materials for future applications. Due to extreme temperatures, hypersonic glide vehicles require specialized three-dimensional woven carbon/carbon composite material. The Committee encourages NASA to collaborate with industry and academia to develop and test the next generation of lower cost advanced materials for hypersonic applications by combining the expertise of legacy three-dimensional carbon/carbon suppliers with advances in automation and material technologies developed for commercial aerospace.

*Electric Air Flight.*—The Committee encourages strengthening collaborations between NASA, the Department of Energy, and national laboratories to overcome energy storage challenges for mobility such as electric air flight. The Committee is encouraged by NASA's efforts within its Electrified Powertrain Flight Demonstration project, which focuses on flight demonstrations that advance the state-of-the-art in megawatt-class more-electric aircraft to enable enduring leadership of the U.S. aviation industry for the benefit of the country and the U.S. flying public. In fiscal year 2021, NASA plans to conduct testing of a flight-weight, flight-like electric inverter at megawatt-class power level under simulated altitude conditions of 30,000 feet.

*Priority Technology Investments.*—The Committee encourages NASA to accelerate research and development for next generation commercial engine technologies for Electrified Aircraft Propulsion, Small Core Gas Turbine, Transonic Truss-Braced Wing, and High-Rate Composite given these four key technology programs form the foundation of the 2030 Next Generation Propulsion system, which will offer both fuel consumption and carbon emission savings for Single Aisle aircraft.

#### SPACE TECHNOLOGY

The Committee recommends \$1,100,000,000 for Space Technology, which is equal to the fiscal year 2020 appropriation and \$478,300,000 below the requested level.

*Space Technology Mission Directorate.*—The Committee reaffirms its support for the independence of the Space Technology Mission Directorate and recognizes that its current status enables it to support the development of a wide array of various technologies. This diverse portfolio contains technology development activities that have broad applications beyond human exploration and that help to meet the agency's science objectives, establish new commercial and academic partnerships, and stimulate the growth of the nation's technology sector. This approach also ensures that NASA technologists and their external partners maintain the ability to address long-term strategic goals rather than only focusing on short-term, mission-specific objectives. In addition, the Directorate's direct engagement with the academic community is supporting the development of the next generation of space technologists. The Committee directs NASA to preserve the Directorate's focus across NASA and in support of each of the mission directorates.

*Regional economic development.*—The Committee provides \$8,000,000, which is equal to the fiscal year 2020 appropriation and \$8,000,000 above the Administration's requested level, which would have eliminated the program. NASA's regional economic de-

velopment program focuses on partnerships with State and regional economic development organizations as they expand space-related commercial opportunities designed to address NASA mission needs. Within 120 days of the enactment of this Act, NASA shall provide a report to the Committee that details the metrics for this program's success, economic development benefits realized from prior year funding, and anticipated economic development benefits resulting from fiscal year 2021 funding.

*Technology Demonstration Mission—Satellite Servicing/Restore-L.*—The Committee provides \$227,000,000, which is \$47,000,000 greater than the fiscal year 2020 appropriation and \$93,500,000 greater than the requested level, for the Restore-L program to conduct an orbital refueling mission in 2022. These funds shall be used exclusively for activities related to and associated with the Restore-L spacecraft and any demonstrations that it will conduct or support. The Committee recognizes and encourages the development of satellite servicing to benefit not only NASA, but the Department of Defense, the Intelligence Community, and the private sector. Moreover, the Committee directs NASA to encourage other government entities to take full advantage of Restore-L's capabilities.

*Solar Electric Propulsion.*—The Committee provides \$60,000,000, which is \$1,600,000 greater than the fiscal year 2020 appropriation and \$11,300,000 greater than the requested level, for solar electric propulsion activities. According to NASA, high-powered solar electric propulsion can efficiently propel more ambitious robotic science and human exploration missions beyond the Earth and into deep space. Furthermore, solar electric propulsion will enable more efficient orbit transfer of spacecraft and accommodate the increasing power demands for government and commercial satellites.

*Flight Opportunities Program.*—The Committee provides \$30,000,000, which is \$5,000,000 greater than the fiscal year 2020 appropriation and \$10,000,000 greater than the request for the Flight Opportunities Program, to enable NASA to continue to partner with commercial industry to advance technologies for sub-orbital and orbital launch vehicles for small payloads, with the aim to increase affordability of those technologies and to allow for more frequent access to relevant launch environments, including low-Earth orbit. This funding fills a research gap by offering several minutes of microgravity research at a relatively low price. Of this amount, not less than \$5,000,000 is dedicated for competitively selected opportunities in support of payload development and flight of K-12 and collegiate educational payloads. The Committee encourages NASA to leverage the Flight Opportunities Program for flights of payloads spanning the Agency's mission directorates, including Science, Human Exploration, and STEM Engagement, and for cross-cutting mission objectives, including both science and education.

*Other Technology Demonstration, Archinaut.*—The Committee provides \$20,500,000 for On Orbit Servicing and Manufacturing Demonstration-2. In partnership with commercial industry, NASA develops and demonstrates technologies required to manufacture, assemble, and aggregate large and/or complex systems in space utilizing robotic and additive manufacturing technology.

*Nuclear thermal propulsion technology.*—The Committee provides \$110,000,000, which is equal to the fiscal year 2020 enacted amount, and \$110,000,000 greater than the Administration's requested level, which would have eliminated the program, for continued development and demonstration of a nuclear thermal propulsion system. The Committee looks forward to receiving a plan for the design of a flight demonstration, as directed in the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020 (Public Law 116–93). To date, the Committee has not received this plan that was directed within 180 days of enactment.

#### EXPLORATION

The Committee provides \$6,017,600,000 for Exploration, which is equal to the fiscal year 2020 appropriation and \$2,744,100,000 below the requested level.

*Orion.*—The Committee provides \$1,400,500,000, which is \$6,200,000 less than the fiscal year 2020 appropriation and equal to the requested level for Orion. NASA shall keep the Committee informed of the status of activities related to Orion, the European Service Module, and ongoing activities related to integration of Orion with Space Launch System and associated ground infrastructure.

*Space Launch System (SLS).*—The Committee provides \$2,600,000,000, an increase of \$14,100,000 above fiscal year 2020 and \$342,900,000 above the Administration's request. Within the amount provided, not less than \$400,000,000 is provided for SLS Block 1B Development, \$400,000,000 above the Administration's request. Additionally, the Committee encourages NASA to study the procedures required to designate an integrator for private sector customers who wish to acquire an SLS vehicle. Additionally, the Committee directs NASA to engage an independent reviewer with aerospace production management experience to conduct a review of SLS completion costs and provide such reviewer with direct access to SLS program managers and production and pricing data, to determine how the cost of future flights of the SLS can be reduced. Further, the Committee directs NASA to undertake all work necessary in fiscal year 2021 toward completion of the SLS Block 1B as though the Block 1B were in the critical path for Exploration Mission-3. Additionally, NASA shall make necessary facility modifications to accommodate SLS Block 1B missions.

*Exploration Ground Systems (EGS).*—The Committee provides \$459,700,000, which is \$130,300,000 less than the fiscal year 2020 appropriation and \$75,000,000 greater than the requested level, for Exploration Ground Systems (EGS). Within this amount, the Committee provides \$75,000,000 for the Second Mobile Launcher (ML-2). ML-2 is the ground structure that will be used to assemble, process, and launch the SLS Block 1B rocket and Orion spacecraft from launch complex LC-39B.

*Advanced Cislunar and Surface Capabilities.*—The recommendation includes funding for Advanced Cislunar and Surface Capabilities. As part of the formulation of the fiscal year 2022 budget request, the Committee directs NASA to assess use of current partnerships as well as new public-private partnerships, for services from large lunar cargo delivery systems. As part of this assessment, the Committee directs NASA to evaluate the possibility of

demonstration missions from large lunar cargo delivery systems prior to any operational mission.

*Lunar Lander Development.*—Funding is provided for the lunar lander office to lead the support of NASA’s lunar lander development oversight.

#### SPACE OPERATIONS

The Committee provides \$4,052,200,000 for Space Operations, which is \$88,000,000 below the fiscal year 2020 appropriation and \$135,100,000 below the requested level.

*Commercial Crew and Cargo Program.*—Within the amounts provided for Space Operations, the recommendation includes \$1,778,000,000 for the Commercial Crew and Cargo program. The Committee strongly encourages NASA to invest these funds into a diverse group of cargo suppliers, with varying capabilities, to be able to meet future mission sizes, needs, and goals.

*21st Century Launch Complex Program.*—Within the amounts provided for Space Operations, the recommendation includes up to the fiscal year 2020 levels for the 21st Century Launch Complex Program. The Committee remains concerned with efforts directed toward filling critical maintenance, capacity, and range safety gaps at NASA launch facilities.

*Rocket Propulsion Test program.*—The Committee provides the requested amount for the Rocket Propulsion Test program, which is \$1,100,000 greater than the fiscal year 2020 appropriation.

*In-Space Manufacturing.*—The Committee encourages NASA to continue its efforts to develop partnerships with universities to leverage efforts, complement ongoing work, and fill gaps in the development of manufacturing, recycling systems, and processes designed to operate in the space environment. Specifically, the partnership should have a special focus on in-situ generated materials, recycling, workforce development, and commercialization. As NASA missions accelerate, there will be an increased need to support sustainable missions. More sustainable exploration missions will need to be more flexible by providing in-space and on-surface manufacturing, as well as on-orbit servicing and assembly capabilities. Such capabilities have the potential to produce significant cost savings and reduce mission risks by reducing launch mass and giving in-space options rather than reliance on spares.

*Active Debris Removal.*—To support remediation efforts as well as future commercial ventures in active debris removal (ADR), the Committee urges NASA to develop a comprehensive strategy to transition technology concepts resulting from its investments in Small Business Innovation Research (SBIR), Small Business Technology Transfer (STTR) programs, and Space Technology Research, Development, Demonstration, and Infusion (REDDI) programs to the commercial space industry.

*Center for the Advancement of Science in Space (CASIS).*—The Committee is aware of an independent review commissioned by NASA in August 2019 regarding the Center for the Advancement of Science in Space (CASIS). The report, completed on February 4, 2020 but not released until April 6, 2020, sharply criticized and found serious issues with the management of the International Space Station National Laboratory (ISSNL) by CASIS, the non-profit organization contracted by NASA to manage the ISSNL. The

independent review team found fundamental issues with how the ISSNL was set up, including its inability to do work for NASA. The report stated, “To preclude the ISSNL from conducting work for its sponsor meets neither the spirit nor intent of a National Laboratory.” The panel found that the agreement between NASA and CASIS was poorly structured, lacking flexibility, resulting in unprofessional behavior on the part of NASA and un-businesslike behavior on the part of CASIS. Further, the report found that there was no representation for the user community and that there is little insight into how projects are selected for flight by CASIS. The panel made several recommendations for improving the management of CASIS and the ISS National Lab, many of which NASA accepted and has ensured that it will take steps to implement. The Committee expects NASA to adhere to its commitment to implement the panel recommendations and directs that NASA and CASIS brief the Committee within 90 days of the enactment of this Act regarding its actions.

*Commercial LEO Development.*—The agreement includes \$15,000,000 for Commercial LEO Development. As NASA works to develop a commercial ecosystem in low-Earth orbit, the Committee encourages NASA to continue working with U.S. industry to support supply-side proposals and demand-side proposals, including in-space manufacturing and regenerative medicine flight demonstrations. Not later than 180 days after enactment of this Act, the Administrator shall conduct an assessment of the costs, benefits, and challenges of repurposing launch vehicle upper stages as free-flying platforms for habitation or industrial modules.

*Domestic Launch Services.*—The Committee recognizes that global competition in the space launch market is increasing and the United States remains the only nation with domestic competition. The Committee also recognizes that NASA is dependent on a healthy domestic industrial base and first-rate space transportation infrastructure for United States launch providers and that the U.S. Government has made and continues to make major, strategic investments in the Nation’s space transportation capabilities. Therefore, the Committee underscores the value of using domestic launch providers, U.S.-manufactured launch vehicles, and U.S. launch sites.

#### SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) ENGAGEMENT

The Committee provides \$126,000,000 for Science, Technology, Engineering, and Mathematics (STEM) Engagement, which is \$6,000,000 greater than the fiscal year 2020 appropriation. Once again, the Administration requested no funding for STEM Engagement. The Committee expects NASA to continue implementing the programs that follow and to ensure that overhead costs to support these programs do not exceed five percent. Further, the Committee directs NASA to include an adequate funding level for STEM in the fiscal year 2022 budget request and future requests.

*National Space Grant College and Fellowship Program.*—The recommendation includes \$50,000,000 for the Space Grant program, an increase of \$2,000,000 above fiscal year 2020. Funding shall be allocated to State consortia for competitively awarded grants in support of local, regional, and national STEM needs.



*Established Program to Stimulate Competitive Research (EPSCoR).*—The recommendation includes \$26,000,000 for EPSCoR, an increase of \$2,000,000 above fiscal year 2020.

*Minority University Research and Education Project (MUREP).*—The recommendation includes \$38,000,000 for MUREP, an increase of \$2,000,000 above fiscal year 2020.

*STEM Education and Accountability Projects (SEAP).*—The recommendation includes \$12,000,000 for SEAP.

#### SAFETY, SECURITY AND MISSION SERVICES

The Committee provides \$2,953,400,000 for Safety, Security, and Mission Services, which is \$40,100,000 above the fiscal year 2020 appropriation and \$56,500,000 less than the requested level. In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Public Law 116–136) included \$60,000,000 for NASA to prevent, prepare for, and respond to coronavirus, domestically or internationally.

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

*Mission Support Future Architecture Program (MAP).*—Mission support services are the functions traditionally managed and operated at NASA centers and headquarters. The Committee directs NASA to brief the Committee on the new operating model and NASA's plan for ensuring maximum opportunities for small businesses.

*Science, Space, and Technology Education Trust Fund.*—The Department of Housing and Urban Development-Independent Agencies Appropriations Act of 1989 (Public Law 100–404) established and funded the Science, Space, and Technology Education Trust Fund, with the funds required to be subsequently invested in special issue securities, earning interest from the corpus fund to be credited to the Trust Fund for the purpose of making grants for programs directed at improving science, space, and technology education in the United States. Recipients of these grants are required to provide matching funds from non-Federal sources. The Committee is aware that, due to current interest rates, interest derived from the corpus fund may soon be insufficient to meet the levels of legally required disbursements of funds, as specified in the original Act. Therefore, up to \$1,000,000 is made available from amounts under this heading, and the Committee urges NASA to explore alternative options for addressing this issue, including legislative proposals as appropriate.

#### CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

The Committee provides \$419,100,000 for Construction and Environmental Compliance and Restoration, which is \$45,700,000 above the fiscal year 2020 appropriation and \$120,000,000 below the requested level.

*Construction.*—The recommendation includes \$344,400,000 for Construction of Facilities, minor revitalization, planning and design, and demolition. Included in this amount is no less than \$83,700,000 for two new start facilities requested by NASA, and no less than \$25,000,000 for phase two of an ongoing replacement

project at NASA's primary large-scale aerospace manufacturing facility, as assumed in the budget request.

*Environmental Compliance and Restoration.*—The recommendation includes \$74,700,000, which is \$8,200,000 less than the fiscal year 2020 appropriation and equal to the requested level, for Environmental Compliance and Restoration activities. NASA's Environmental Compliance and Restoration (ECR) program cleans up hazardous materials and waste products released to the surface or groundwater at NASA installations, NASA-owned industrial plants supporting NASA activities, current or former sites where NASA operations have contributed to environmental problems, and other sites where the Agency is legally obligated to address hazardous pollutants. Included in this amount is funding to manage costs while remediating environmental contaminants at the Santa Susana Field Laboratory.

*Santa Susana Field Laboratory.*—The Committee is pleased with the progress of building demolition at the Santa Susana Field Laboratory but remains concerned about soil remediation. The Committee understands that NASA is working with the State of California under the 2007 Consent Order and 2010 Administrative Order on Consent regarding soil and groundwater cleanup at the site and on expediting the State's environmental impact report. The Committee encourages NASA to continue working with the State of California on cleanup of the site.

#### OFFICE OF THE INSPECTOR GENERAL

The Committee recommends \$44,200,000 for the Office of the Inspector General, which is \$2,500,000 above fiscal year 2020 appropriation and equal to the requested level.

#### ADMINISTRATIVE PROVISIONS

##### (INCLUDING TRANSFERS OF FUNDS)

The Committee has included the following administrative provisions for NASA:

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

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

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

The bill includes a provision that limits the availability of funds for certain activities until a plan is submitted.

#### NATIONAL SCIENCE FOUNDATION

The Committee recommends \$8,548,343,000 for the National Science Foundation (NSF). This significant investment, which is \$270,013,000 above fiscal year 2020 and \$806,943,000 above the request, shows the Committee's continued support for science, the academic community, and the next generation of scientists, mathematicians, astronomers, and engineers across the country. The Committee underscores the importance of basic research that both

improves the lives of Americans and expands our understanding of the Earth, the depths of our oceans, our solar system, the universe, and oceans on other planets.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Public Law 116–136) included \$75,000,000 for Research and Related Activities and \$1,000,000 for Agency Operations and Award Management to prevent, prepare for, and respond to coronavirus, domestically or internationally.

The Committee supports infrastructure investments that expand our understanding of the universe and inspire students to pursue careers in the sciences. The Committee recognizes that current and future large scientific facilities represent an enormous investment of Federal resources that must be administered wisely. The Committee supports basic research in 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. Within amounts provided, NSF shall allocate no less than fiscal year 2020 levels to support its existing scientific research, research laboratories, observational networks, and other research infrastructure assets, including the astronomy assets, the current academic research fleet, Federally funded research and development centers, and the national high-performance computing centers, so that they may provide the support needed for cutting edge research.

*Divestment activities.*—The Committee is aware that NSF is working with a variety of academic, private sector, and other government agencies with respect to the future operation of some of its observatories. NSF shall continue to keep the Committee informed regarding the status of these activities. Any proposal by NSF to divest the Foundation of these facilities shall be proposed as part of any future NSF budget request and is subject to NSF administrative provisions included in the accompanying bill.

*Innovation Corps.*—The Committee recognizes the value of translating basic research for public benefit, and the recommendation includes \$40,000,000 for the Innovation Corps program to continue to build on the initial successes of its highly innovative public-private partnership model and recent expansion of the program to additional academic institutions.

*HBCU Student Diversity and Success Research.*—The Committee recognizes the value of understanding how students of diverse racial and ethnic backgrounds may succeed in an academic setting. Of the funds appropriated, NSF is encouraged to support research to identify and understand how HBCUs with diverse academic cultures successfully graduate African American students at a higher rate than other institutions; produce a higher rate of African American STEM students receiving PhDs; and instill in students a greater sense of well-being. Within 180 days of enactment of this Act, NSF shall provide a report to the Committee on how NSF funded research is contributing to the success of HBCUs.

*Foundation for Evidence-Based Policymaking Act Implementation.*—Within 90 days of enactment of this Act, the Committee directs NSF to report on the implementation of the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115 435) and progress being made by NSF in this area.

*Agency-wide Evidence Participation.*—The Committee encourages NSF to develop guidance to ensure that all relevant internal and external stakeholders are involved in Agency-wide processes for prioritizing and conducting evidence generation activities.

#### RESEARCH AND RELATED ACTIVITIES

The Committee recommends \$6,967,123,000 for Research and Related Activities, which is \$229,923,000 above fiscal year 2020 and \$754,103,000 above the request. The Committee believes that strategic investments in the physical sciences are vitally important for the United States to remain the global leader in innovation, productivity, economic growth, and high-paying jobs for the future.

This Committee commends the National Science Foundation for issuing its plan entitled, *Increasing Access to the Results of Research Funded by the National Science Foundation*, on March 18, 2015. The Committee urges the National Science Foundation to continue its efforts of the plan and requires an update on the agency's activities be included in its fiscal year 2022 budget request.

*Artificial intelligence (AI).*—The Committee believes it is important to maintain leadership in artificial intelligence and commends NSF for its significant investments in this area. The Committee recognizes the potential of artificial intelligence to transform the economy, foster economic growth, support national security, and enhance well-being.

To continue the progress in this emerging field, the Committee recommends no less than the fiscal year 2020 levels to support AI-related grants and interdisciplinary research initiatives. The committee encourages NSF to continue its efforts in workforce development for AI and other emerging technologies, with focused outreach to community colleges, Historically Black Colleges and Universities, Hispanic Serving Institutions, and Minority Serving Institutions.

The Committee continues to urge NSF to invest in the ethical and safe development of AI. The Committee acknowledges receiving the NSF Leadership and Investments in Artificial Intelligence Research Report and further encourages NSF to report to the Committee on any cooperative projects on Artificial Intelligence between United States entities and international partners.

*Established Program to Stimulate Competitive Research (EPSCoR).*—The recommendation includes no less than \$205,000,000 for the EPSCoR program to help targeted jurisdictions strengthen STEM capacity and capability to broaden the expertise base, impact jurisdictional economic growth, and develop a skilled workforce capable of generating high-tech jobs in all states of the nation. EPSCoR states have many unmet needs including equipment and computing/networking resources, sufficient numbers of researchers, especially at the graduate and post-doctoral levels, and better integration into regular NSF programs, which co-funding can help overcome.

*Existing astronomy assets.*—The Committee underscores that a critical component of the nation's scientific enterprise is the infrastructure that supports researchers in discovery science, including planetary protection. Investments to advance the frontiers of research and education in science and engineering are critical to the nation's innovation enterprise. U.S.-based astronomy facilities con-

tinue to make groundbreaking discoveries and maintain excellent world-class scientific research. The Committee instructs NSF to sustain support for the programs and scientific facilities funded by the Astronomical Sciences Division at no less than the fiscal year 2020 levels to maintain full scientific and educational operations. The Committee is aware that NSF is working with Federal, academic, and private sector partners to develop plans to share future operations and maintenance costs of NSF astronomical infrastructure. NSF shall keep the Committee informed of these activities. Further, any proposal by NSF to divest the Foundation of these facilities shall be proposed as part of any future NSF budget request and is subject to NSF administrative provisions included in the accompanying bill.

*Quantum initiative.*—The Committee supports NSF's research program in quantum information science and technology in support of the authorized activities included in section 401 and section 402 of the National Quantum Initiative Act (Public Law 115 368). This emerging field of science promises to yield revolutionary new approaches to computing, sensing, and communication. 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. The recommendation provides no less than the fiscal year 2020 level for these activities.

*Historically Black Colleges and Universities Excellence in Research Program.*—The agreement includes \$20,000,000 for the Historically Black Colleges and Universities Excellence in Research Program.

*Arctic Research.*—As NSF continues its Navigating the New Arctic program, the Committee encourages NSF to formulate research programs that also address non-Arctic populations in the continental United States, funding research and training initiatives that focus on global impacts of Arctic change. Specifically, NSF should consider change in the North Atlantic sector of the Arctic and resultant impacts on communities in North America.

*Harmful Algal Blooms (HABs).*—The Committee supports the work of the Oceans and Human Health program to better understand the public health risk of environmental exposures and encourages NSF to continue to support research into the human health impacts of HABs in marine coastal regions, the Great Lakes Basin, and other freshwater systems. HABs jeopardize the integrity of drinking water resources in these regions. The recommendation provides no less than the fiscal year 2020 level for HAB research activities.

*Social, Behavioral, and Economic Sciences (SBE).*—The Committee supports SBE and recognizes the fundamental importance of the research it supports in advancing our understanding of human behavior and its application to a wide range of human systems, including public health, national defense and security, education and learning, and the integration of human and machine. SBE funds

over half of our nation's university-based social and behavioral science research but remains one of the smallest NSF directorates. The Committee believes this research provides an evidence-based understanding of the human condition, resulting in more-informed policymaking and better-informed spending on a full range of national issues. The committee believes SBE-supported research makes the US unique among other nations and recommends no less than the fiscal year 2020 levels for SBE activities.

*Decadal Survey on Astronomy and Astrophysics 2020 (Astro2020).*—NSF funding enables astronomical research in the U.S., at facilities across the globe, and through its flagship observatories at NSF's National Optical-Infrared Astronomy Research Laboratory, the National Radio Astronomy Observatory, the National Astronomy and Ionosphere Center, and the National Solar Observatory. NSF should continue its support for existing astronomical facilities in its budget planning, including through its Windows on the Universe Big Idea. As Congress awaits recommendations from the 2020 Astrophysics and Astronomy Decadal Survey, the Committee also reiterates its support for preliminary investments in emerging priority facilities, such as the next generation Very Large Array and the Extremely Large Telescopes. The Committee is aware that NSF is providing funding in preparation for these future facilities, and the Committee encourages NSF to continue to do so over the coming year.

*Algorithmic bias research.*—The Committee encourages NSF to continue to partner with non-government organizations, academic institutions, and other government agencies including the National Institute of Standards and Technology, to fund research on algorithmic bias in artificial intelligence, machine learning and intelligent systems and its impacts on decisions related to employment, housing, creditworthiness, and many other areas, and to develop methods, tools, and programs for resolving bias within an algorithm. The Committee recognizes that the science sponsored through such collaboration is important for studying the impact that algorithms have on protected classes and for developing an understanding of what kinds of discrimination and bias protected classes face in these particular activities.

The Committee directs NSF to prepare a report on artificial intelligence and bias. This report should include but is not limited to: (1) a description of the current NSF research related to the issue of artificial intelligence and bias; (2) an outline of what research could be done to better understand the issue of artificial intelligence and bias; (3) a description of current NSF initiatives to promote diversity in computer science and machine learning; (4) recommendations for what could be done to further promote diversity in computer science and machine learning; (5) recommendations for how NSF-funded artificial intelligence research can help prevent biased results and (6) any other relevant observations or recommendations within the field of artificial intelligence and bias. Some specific topics could include transparency, explainability, accountability, potential adverse biases and effects, mitigation strategies, validation of fairness, and consideration of inclusivity. This report shall be made publicly available on the NSF website within 270 days after the date of enactment of this Act.

*Solar Astronomy.*—The Committee commends NSF's ongoing efforts to partner with academic institutions and the National Solar Observatory (NSO) to operate the Richard B. Dunn Solar Telescope (DST) that provides opportunities for solar astronomers to continue to use DST and its associated instrumentation, in the continental United States, in addition to the Daniel K. Inouye Solar Telescope. The Committee encourages NSF to continue its partnerships to ensure this valuable resource is available for continued research.

*Facility Operations.*—The Committee is supportive of NSF's role in building and operating groundbreaking research facilities, especially in areas that maintain or enhance U.S. leadership in key disciplines. Furthermore, the need for continued investment in world-class major research facilities is not expected to diminish over the coming decade. The Committee supports NSF's acknowledgement of the findings and recommendations of National Science Board Report 2018–17, including the Facility Operation Transition pilot program. Within 90 days of the enactment of this Act, NSF shall report to the Committee how it is implementing the report findings and how NSF will ensure continued health of existing facilities.

#### MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

The Committee recommends \$243,230,000 for Major Research Equipment and Facilities Construction, which is equal to the fiscal year 2020 level and \$13,480,000 above the request. The recommendation includes \$1,000,000, as requested, for enhanced oversight. NSF shall continue to provide quarterly briefings to the Committee on the activities funded in this account.

*Antarctica Infrastructure Modernization for Science (AIMS).*—The recommendation includes \$97,890,000 for AIMS to replace major facilities at McMurdo Station, Antarctica. The Committee supports the AIMS program and the recommendations for increased efficiencies included in the U.S. Antarctic Program Blue Ribbon Panel report, *More and Better Science in Antarctica through Increased Logistical Effectiveness*.

*High Luminosity-Large Hadron Collider Upgrade (HL-LHC).*—The recommendation includes \$33,000,000 for upgrades to the detectors at the Large Hadron Collider, as requested.

*Vera C. Rubin Observatory.*—The recommendation includes \$40,750,000, equal to the requested level, for the Vera C. Rubin Observatory, which was ranked as the top large ground-based astronomy project by the National Research Council 2010 Decadal Survey. This observatory will produce the deepest, widest-field sky image ever and issue alerts for moving and transient objects within 60 seconds of discovery.

*Mid-scale research infrastructure.*—The recommendation includes \$70,590,000, within the MREFC account, for mid-scale research infrastructure. The Committee commends NSF for its planned investments in mid-scale research infrastructure, including the provision of larger mid-scale instrumentation and the facility operation transition program to better enable support for facilities over their complete lifespan.

The Committee directs NSF to report, within 180 days of the enactment of this Act, on the implementation of the recommendations in the National Science Board 2018 report entitled *Bridging the*

*Gap: Building a Sustained Approach to Mid-scale Research Infrastructure and Cyberinfrastructure at NSF.*

*Infrastructure planning.*—The Committee is concerned about NSF's planning for the construction and development of the next-generation of competitive large-scale facilities to support NSF-funded science disciplines, including ground-based telescopes. Failure to plan for the next generation of facilities handicaps the U.S. science community and risks our nation's global leadership in science. The Committee encourages NSF to develop a comprehensive and prioritized list of large-scale facilities requested by NSF-supported science disciplines.

#### EDUCATION AND HUMAN RESOURCES

The Committee recommends \$970,000,000 for Education and Human Resources, which is \$30,000,000 above fiscal year 2020 and \$39,070,000 above the request.

*Broadening participation programs.*—To broaden the participation of underrepresented populations in STEM education programs and, ultimately, the STEM workforce, the recommendation provides no less than \$51,000,000 for the Louis Stokes Alliance for Minority Participation; no less than \$70,000,000 for the Robert Noyce Teacher Scholarship Program; no less than \$75,000,000 for the Advanced Technological Education Program; and no less than \$18,000,000 for the Tribal Colleges and Universities Program.

*Inclusion across the Nation of Communities of Learners of Underrepresented Discoverers in Engineering and Science (NSF INCLUDES).*—The Committee supports the NSF INCLUDES program, which is a comprehensive national initiative designed to enhance U.S. leadership in science, technology, engineering and mathematics discoveries and innovations focused on NSF's commitment to diversity, inclusion, and broadening participation in these fields. The recommendation includes no less than \$20,000,000 for the NSF INCLUDES program.

*IUSE Program.*—The Committee supports the Improving Undergraduate STEM Education (IUSE) Program and the recommendation provides no less than \$95,000,000 for program activities.

*Hispanic Serving Institutions (HSIs).*—Hispanic Serving Institutions and the HSI grant program play an important role in increasing the recruitment, retention, and graduation rates of Hispanic students pursuing STEM degrees, particularly at institutions of higher education that typically do not receive high levels of NSF funding. The recommendation includes no less than \$48,000,000 for the HSI program.

The Committee is concerned by the severe underrepresentation of Hispanic Ph.D. graduates in the STEM fields and directs NSF to collaborate with stakeholders in preparing a plan that addresses this issue and leads to an increase in the rate of Hispanic Ph.D. graduates in the STEM fields. NSF shall report back to the Committee on the status of this plan not later than 120 days after the enactment of this Act.

*Historically Black Colleges and Universities Undergraduate Program (HBCU-UP).*—The recommendation provides no less than \$38,000,000 for the HBCU-UP. This initiative provides strategic programs and opportunities for Historically Black Colleges and Universities (HBCUs) that stimulate sustainable improvement in



their research and development capacity and competitiveness. The Committee encourages NSF to continue to use research infrastructure improvement grants, co-funding programs, and other innovative mechanisms to boost HBCU participation and capacity throughout NSF research programs.

*Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs).*—The Committee notes that among the minority-serving institutions with whom NSF provides grant opportunities, AANAPISIs are not designated. The Committee urges NSF to increase grant funding opportunities for AANAPISIs, and to reach out to these institutions to raise awareness regarding these grants.

*Computer Science for All (CSforAll).*—CSforAll will help facilitate research into effective approaches to the teaching and learning of computer science across grades Pre-K–12; it is critical to NSF's mission and to ensure America's children are prepared for a 21st century economy. The Committee supports this new program and is encouraged by its promise.

*Early Childhood STEM Education.*—The Committee urges NSF, in awarding grants under its Discovery Research Pre-K–12 program, to consider age distribution in order to more equitably allocate funding for research studies with a focus on early childhood.

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

*CyberCorps.*—The Committee provides no less than \$58,000,000 for CyberCorps: Scholarships for Service program and urges NSF to use the CyberCorps Faculty Fellows pilot program to address the critical shortage of cybersecurity faculty in U.S. institutions of higher education. In addition, the Committee urges NSF to continue work with qualified community colleges including through providing scholarships and apprenticeship opportunities.

#### AGENCY OPERATIONS AND AWARD MANAGEMENT

The Committee recommends \$345,640,000 for Agency Operations and Award Management, which is \$8,740,000 above fiscal year 2020 and the same as the request.

#### OFFICE OF THE NATIONAL SCIENCE BOARD

The Committee recommends \$4,500,000 for the National Science Board, which is the same as fiscal year 2020 and \$290,000 above the request.

#### OFFICE OF INSPECTOR GENERAL

The Committee recommends \$17,850,000 for the Office of Inspector General, which is \$1,350,000 above fiscal year 2020 and the equal to the request.

#### ADMINISTRATIVE PROVISIONS

##### (INCLUDING TRANSFER OF FUNDS)

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

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

#### TITLE IV

#### RELATED AGENCIES

##### COMMISSION ON CIVIL RIGHTS

##### SALARIES AND EXPENSES

The Committee recommends \$12,000,000 for the Commission on Civil Rights, which is \$1,500,000 above fiscal year 2020 and \$1,935,000 above the request.

*Field Hearings.*—The Committee encourages the Commission to conduct field hearings on priority civil rights topics such as policing, fair housing, and the Census.

*Policing Reform.*—The Committee commends the Commission for its report, *Police Use of Force: An Examination of Modern Policing Practices*, and directs the Commission to continue disseminating the findings and recommendations on constitutional policing reform found in that and other related Commission reports. The Committee provides additional funding in support of the Commission's efforts to further research and advise on this topic.

*Donations.*—The Committee includes bill language granting the Commission the authority to accept donations to carry out its mission, similar to authority provided to 45 other Federal agencies. 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.

*Territories.*—Within the amount provided, the Committee directs the Commission to establish Advisory Committees in Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Marianas Islands, as well as to provide for appropriate staffing and related costs. The Committee believes it is important to provide these territories with equal resources to shed light on ongoing civil rights concerns under the American flag.

##### EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

##### SALARIES AND EXPENSES

The Committee recommends \$408,700,000 for the Equal Employment Opportunity Commission (EEOC), which is \$19,200,000 above fiscal year 2020 and \$46,219,000 above the request. The recommended additional funding is provided to increase front-line and investigative staff to reduce wait times for intake appointments, provide live help via the hotlines, modernize information technology, and to collect information required by the revised EEO 1 form.

*Summary of Equal Pay Data and Report.*—Within the amount provided, the EEOC shall analyze summary pay information collected through the revised EEO I form for 2017 and 2018, publish a publicly available report describing the methodology of results of

the analysis, and develop a revised proposal for collecting pay data from employers, including a process and timeline for doing so.

Within 90 days of the enactment of this Act, the EEOC shall submit a report to the House Appropriations Committee setting forth a timeline and process for analyzing the summary pay information collected through the revised EEO I form, and for publishing a publicly available report describing the methodology and the results of the analysis. The Committee encourages the Commission's report to include an analysis of the feasibility of disaggregating pay data by industry, by role or position, and with data disaggregated by race, ethnicity, and gender.

#### INTERNATIONAL TRADE COMMISSION

##### SALARIES AND EXPENSES

The Committee recommends \$105,000,000 for the International Trade Commission (ITC), which is \$5,600,000 above fiscal year 2020 and \$5,400,000 above the request.

The Committee recognizes the Nation's diverse and unique geographic regions allow for year-round availability of a variety of agricultural produce important to U.S. consumers. However, the Committee is concerned that some regions that specialize in seasonal produce that may only be grown during certain months of the year are also vulnerable to competition and unfair trade practices from foreign markets. Therefore, the Committee directs the ITC to study the effects of seasonal produce dumping, how it impacts different geographic regions throughout the year, and existing challenges to addressing these issues.

#### LEGAL SERVICES CORPORATION

##### PAYMENT TO THE LEGAL SERVICES CORPORATION

The Committee recommends \$465,000,000 for the Legal Services Corporation (LSC), which is \$25,000,000 above fiscal year 2020 and \$446,800,000 above the request.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Public Law 116–136) included \$50,000,000 for payment to the Legal Services Corporation to prevent, prepare for, and respond to coronavirus, domestically or internationally.

LSC is a nonprofit corporation established to promote equal access to justice and to provide grants for high-quality civil legal assistance to low-income persons. LSC grants help the most vulnerable people, including thousands of low-income individuals, veterans, children, families and seniors with civil legal assistance with matters addressing family law, including domestic violence, child support, and custody, as well as with housing matters, including evictions and foreclosures. The recommended funding level includes \$423,400,000 for basic field grants, an increase of \$20,700,000 above fiscal year 2020. The increased funding will enable LSC's grantees to expand their outreach and assist more low-income Americans. With State, local, pro bono, and private sources underfunded, LSC is critical to closing the access-to-justice gap.

*Evictions.*—The Committee continues to be concerned with the high rate of evictions in certain States and territories and the limited available legal aid. LSC should continue its plan to conduct

and publish an analysis regarding areas within States and territories with high rates of unmet legal needs involving evictions and with consideration of variations in local laws. LSC should use data regarding eviction rates, availability of legal aid or other free legal advocates, and differences among laws and procedures affecting evictions in different areas. In addition, LSC is urged to explore opportunities to increase access to eviction-related legal aid in such States and territories, including through LSC's Pro Bono Innovation Fund.

#### ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

The bill continues certain restrictions on the uses of LSC funding.

#### MARINE MAMMAL COMMISSION

##### SALARIES AND EXPENSES

The Committee was disappointed by the proposal to close the Marine Mammal Commission and rejects that proposal. Instead the recommendation includes \$3,769,000 for the critical ongoing work of the commission to protect these important species.

#### OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

The Committee recommends \$70,000,000 for the Office of the U.S. Trade Representative (USTR), which is \$1,000,000 above fiscal year 2020 and \$3,000,000 below the request. In addition, Title IX of the United States-Mexico-Canada Implementation (USMCA) Act (Public Law 116–113) included \$90,000,000 in supplemental appropriations for obligation until fiscal year 2023. The Committee reminds USTR of the quarterly expenditure report directed in House Report 116–101. The Committee directs the continuation of this report for fiscal year 2021 and expects the inclusion of all funds provided to USTR, including supplemental appropriations. Further, the report should include information on staffing and hires that are supporting the implementation of the USMCA. The report is due no later than 30 days after the end of each quarter in the fiscal year.

*Bilateral Trade Agreements.*—As the USTR continues multiple and simultaneous bilateral trade agreement discussions on behalf of the United States with various countries, including China and India, the Committee encourages USTR to continue to prioritize key U.S. export markets to ensure U.S. exporters are treated fairly, and where applicable, USTR is encouraged to prioritize resources to monitor compliance with trade obligations and enforce terms of such agreements. The Committee supports USTR's work to provide equitable market access for United States exports, including American-produced boric acid and American-grown almonds, pistachios, and walnuts, in India, and fresh citrus and other specialty crops, in China, and urges USTR to continue to prioritize fair treatment for American companies and enforcement of all of our trading partners' obligations.

*Section 505 Notifications.*—The Committee was disappointed to learn that USTR announced the creation of a new Office of American Competitiveness and Enterprise and began advertising for

new positions for this office both internally and externally without notifying the Committee. The Committee reminds USTR that the creation of a new office within its organization requires notification to the Committees on Appropriations in accordance with section 505 of this Act and prior Appropriations Acts.

#### SALARIES AND EXPENSES

The Committee recommends \$55,000,000 for the salaries and expenses of USTR, which is \$1,000,000 above fiscal year 2020 and \$5,000,000 below the request.

#### TRADE ENFORCEMENT TRUST FUND

##### (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$15,000,000, which is to be derived from the Trade Enforcement Trust Fund, for trade enforcement activities authorized by the Trade Facilitation and Trade Enforcement Act of 2015 (“TFTEA”).

The recommendation is \$2,000,000 above the request and equal to the amount for fiscal year 2020.

#### STATE JUSTICE INSTITUTE

#### SALARIES AND EXPENSES

The Committee recommends \$7,700,000 for the State Justice Institute, which is \$1,145,000 above fiscal year 2020.

The additional funding is provided to enhance the Institute’s efforts to help State courts address the opioid epidemic. The Committee expects the Institute to make addressing the opioid epidemic a priority.

### TITLE V

#### GENERAL PROVISIONS

##### (INCLUDING RESCISSIONS)

##### (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

Section 510 limits the obligation of receipts deposited into the Crime Victims Fund to \$2,650,000,000 during fiscal year 2021. The language also provides for a tribal set-aside.

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

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

Section 513 requires the Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Serv-

ices Corporation to conduct reviews of activities funded in this Act and requires certifications regarding conflicts of interest.

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

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

Section 516 prohibits the use of funds made available in this Act to include certain language in trade agreements.

Section 517 prohibits the use of funds made available in this Act to authorize or issue a national security letter (NSL) in contravention of certain laws authorizing the FBI to issue NSLs.

Section 518 requires congressional notification regarding any project within the Departments of Commerce or Justice, the National Science Foundation or the National Aeronautics and Space Administration totaling more than \$75,000,000 that has cost increases of 10 percent or more.

Section 519 deems funds for intelligence or intelligence related activities as authorized by Congress during fiscal year 2021 until the enactment of the Intelligence Authorization Act for fiscal year 2021.

Section 520 prohibits contracts or grant awards in excess of \$5,000,000 unless the prospective contractor or grantee certifies that the organization has filed all Federal tax returns, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has no unpaid Federal tax assessment.

#### (RESCISSIONS)

Section 521 provides for rescissions of unobligated balances from the Departments of Commerce and Justice.

Section 522 prohibits the use of funds made available in this Act for the purchase of first class or premium air travel in contravention of certain Federal regulations.

Section 523 prohibits the use of funds made available in this Act to pay for the attendance of more than 50 department or agency employees, who are stationed in the United States, at any single conference outside the United States, except for certain law enforcement and scientific conferences.

Section 524 requires tracking and reporting of undisbursed balances in expired grant accounts.

Section 525 requires funds, to the extent practicable, to be used to purchase light bulbs that are “Energy Star” qualified or have the “Federal Energy Management Program” designation.

Section 526 prohibits the use of funds made available in this Act by the National Aeronautics and Space Administration (NASA), the Office of Science and Technology Policy (OSTP) or the National Space Council (NSC) to engage in bilateral activities with China or a Chinese-owned company unless the activities are authorized by subsequent legislation or NASA, OSTP or NSC after consultation with the Federal Bureau of Investigation have made a certification pursuant to subsections (c) and (d) of this section.

Section 527 prohibits the use of funds made available in this Act to establish or maintain a computer network that does not block pornography, except for law enforcement or victim assistance purposes.

Section 528 requires each department and agency funded in the bill to submit spending plans.

Section 529 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.

Section 530 prohibits funds from being used by the Department of Justice or Drug Enforcement Administration in contravention of section 7606 of Agricultural Act of 2014.

Section 531 prohibits the Department of Justice from preventing certain States and territories from implementing State or territory laws regarding the use of medical marijuana.

Section 532 requires a quarterly report from the Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation on official travel to China.

Section 533 requires not less than 10 percent of the funds provided for certain programs be provided to persistent poverty counties or any territory or possession of the United States.

Section 534 clarifies that the formulation and development cost of the James Webb Space Telescope, as specified in division B of Public Law 116–93, shall not include any costs directly related to preventing, preparing for, and responding to the impacts of a global pandemic health crisis.

Section 535 prohibits funds for the Census Bureau to use information or records through data sharing agreements in contravention of existing law, including sections 9 and 214 of title 13, United States Code.

Section 536 prohibits funds to move a Bureau of Alcohol, Tobacco, Firearms, and Explosives facility.

Section 537 prohibits funds for the Census Bureau to compile or produce certain data products or tabulations under certain circumstances.

Section 538 prohibits funds from being used to implement the Attorney General Memorandum dated November 7, 2018, entitled “Principles and Procedures for Civil Consent Decrees and Settlement Agreements with State and Local Governmental Entities”.

Section 539 prohibits funds from being used to carry out or support any law enforcement action taken to support or control a crowd or public demonstration, unless the law enforcement officer wears clearly visible identification of the law enforcement agency



that vests such individual with authority to carry out or support such action.

Section 540 prohibits funding for salaries and expenses of more than five political and Presidential appointees in the Bureau of the Census.

Section 541 prohibits funding to enable the United States Attorney General to travel more than 50 miles from the Robert F. Kennedy Department of Justice Building in the District of Columbia.

Section 542 amends section 510 of division B of Public Law 116-93.

#### HOUSE OF REPRESENTATIVES REPORTING REQUIREMENTS

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

#### **FULL COMMITTEE VOTES**

**FULL COMMITTEE VOTES**

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

**Roll Call 1**

Date: July 14, 2020

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY2021

Motion by: Mr. Cole

Description of Motion: Exempts federally recognized Indian Tribes from the requirements of section 219 of the Bill.

Results: Defeated 22 yeas to 30 nays

*Members Voting Yea*

Mr. Aderholt  
Mr. Amodei  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Ms. Herrera Beutler  
Mr. Hurd  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mr. Rogers  
Mr. Rutherford  
Mr. Simpson  
Mr. Stewart  
Mr. Womack

*Members Voting Nay*

Mr. Aguilar  
Mr. Bishop  
Mrs. Bustos  
Mr. Cartwright  
Mr. Case  
Ms. Clark  
Mr. Crist  
Mr. Cuellar  
Ms. DeLauro  
Ms. Frankel  
Ms. Kaptur  
Mr. Kilmer  
Mrs. Kirkpatrick  
Mrs. Lawrence  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppersberger  
Mr. Ryan  
Mr. Serrano  
Mrs. Torres  
Mr. Visclosky  
Ms. Wasserman Schultz  
Mrs. Watson Coleman

## FULL COMMITTEE VOTES

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

## Roll Call 2

Date: July 14, 2020

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY2021

Motion by: Mr. Diaz-Balart

Description of Motion: Exempts school hardening measures from the requirements of section 219 of the Bill.

Results: Defeated 22 yeas to 30 nays

*Members Voting Yea*

Mr. Aderholt  
Mr. Amodei  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Ms. Herrera Beutler  
Mr. Hurd  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mr. Rogers  
Mr. Rutherford  
Mr. Simpson  
Mr. Stewart  
Mr. Womack

*Members Voting Nay*

Mr. Aguilar  
Mr. Bishop  
Mrs. Bustos  
Mr. Cartwright  
Mr. Case  
Ms. Clark  
Mr. Crist  
Mr. Cuellar  
Ms. DeLauro  
Ms. Frankel  
Ms. Kaptur  
Mr. Kilmer  
Mrs. Kirkpatrick  
Mrs. Lawrence  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppersberger  
Mr. Ryan  
Mr. Serrano  
Mrs. Torres  
Mr. Visclosky  
Ms. Wasserman Schultz  
Mrs. Watson Coleman

**FULL COMMITTEE VOTES**

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

**Roll Call 3**

Date: July 14, 2020

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY2021

Motion by: Mr. Rutherford

Description of Motion: Exempts certain programs funded under the "Community Oriented Policing Services" heading from the requirements of section 219 of the Bill.

Results: Defeated 22 yeas to 30 nays

*Members Voting Yea*

Mr. Aderholt  
Mr. Amodei  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Ms. Herrera Beutler  
Mr. Hurd  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mr. Rogers  
Mr. Rutherford  
Mr. Simpson  
Mr. Stewart  
Mr. Womack

*Members Voting Nay*

Mr. Aguilar  
Mr. Bishop  
Mrs. Bustos  
Mr. Cartwright  
Mr. Case  
Ms. Clark  
Mr. Crist  
Mr. Cuellar  
Ms. DeLauro  
Ms. Frankel  
Ms. Kaptur  
Mr. Kilmer  
Mrs. Kirkpatrick  
Mrs. Lawrence  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppersberger  
Mr. Ryan  
Mr. Serrano  
Mrs. Torres  
Mr. Visclosky  
Ms. Wasserman Schultz  
Mrs. Watson Coleman

**FULL COMMITTEE VOTES**

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

**Roll Call 4**

Date: July 14, 2020

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY2021

Motion by: Mr. Kaptur

Description of Motion: To report the Commerce, Justice, Science, and Related Agencies Appropriations Bill to the House, as amended.

Results: Approved 30 yeas to 22 nays

*Members Voting Yea*

Mr. Aguilar  
Mr. Bishop  
Mrs. Bustos  
Mr. Cartwright  
Mr. Case  
Ms. Clark  
Mr. Crist  
Mr. Cuellar  
Ms. DeLauro  
Ms. Frankel  
Ms. Kaptur  
Mr. Kilmer  
Mrs. Kirkpatrick  
Mrs. Lawrence  
Ms. Lee  
Mrs. Lowey  
Ms. McCollum  
Ms. Meng  
Ms. Pingree  
Mr. Pocan  
Mr. Price  
Mr. Quigley  
Ms. Roybal-Allard  
Mr. Ruppersberger  
Mr. Ryan  
Mr. Serrano  
Mrs. Torres  
Mr. Visclosky  
Ms. Wasserman Schultz  
Mrs. Watson Coleman

*Members Voting Nay*

Mr. Aderholt  
Mr. Amodei  
Mr. Calvert  
Mr. Carter  
Mr. Cole  
Mr. Diaz-Balart  
Mr. Fleischmann  
Mr. Fortenberry  
Ms. Granger  
Mr. Graves  
Dr. Harris  
Ms. Herrera Beutler  
Mr. Hurd  
Mr. Joyce  
Mr. Moolenaar  
Mr. Newhouse  
Mr. Palazzo  
Mr. Rogers  
Mr. Rutherford  
Mr. Simpson  
Mr. Stewart  
Mr. Womack

## STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

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

## RESCISSION OF FUNDS

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

Department of Commerce:	
National Oceanic and Atmospheric Administration, Fisheries Enforcement Asset Forfeiture Fund .....	\$10,000,000
Department of Justice:	
Working Capital Fund .....	75,000,000
Office of Justice Programs .....	70,000,000
Community Oriented Policing Services .....	15,000,000

## TRANSFERS OF FUNDS

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

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

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

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

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

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

Under Office of the Inspector General, language is included to transfer funds from the Public Safety Trust Fund.

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

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

Under General Administration, Executive Office for Immigration Review, language is included to transfer funds to the Executive Of-

Office for Immigration Review from fees deposited in the Immigration Examinations Fee account.

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

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

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

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

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

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

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

Under Community Oriented Policing Services, Community Oriented Policing Services Programs, language is included to allow the transfer of funds to the Office of Justice Programs.

Section 210 provides language for the transfer of funds between certain grant funds and the National Institute of Justice and the Bureau of Justice Statistics.

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

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

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

Under General Provisions, Section 508 provides for the transfer of funds in certain circumstances.

Under General Provisions, Section 510 provides for the transfer of funds to the Department of Justice, Office of Inspector General.

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

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

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

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omit-

ted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

**SECTION 151 OF THE FOREIGN RELATIONS  
AUTHORIZATION ACT, FISCAL YEARS 1990 AND 1991**

**SEC. 151. DANGER PAY ALLOWANCE.**

The Secretary of State may not deny a request by the Drug Enforcement Administration **[or]**, *the* Federal Bureau of Investigation, *or the United States Marshals Service* to authorize a danger pay allowance (under section 5928 of title 5, United States Code) for any employee of such agency.

**COMMERCE, JUSTICE, SCIENCE, AND RELATED  
AGENCIES APPROPRIATIONS ACT, 2020**

(Public Law 116-93, division B)

**DIVISION B—COMMERCE, JUSTICE,  
SCIENCE, AND RELATED AGENCIES  
APPROPRIATIONS ACT, 2020**

\* \* \* \* \*

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

\* \* \* \* \*

SEC. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98-473 (34 U.S.C. 20101) in any fiscal year in excess of \$2,641,000,000 shall not be available for obligation until the following fiscal year: *Provided*, That notwithstanding section 1402(d) of such Act, of the amounts available from the Fund for obligation: (1) \$10,000,000 shall be transferred to the Department of Justice Office of Inspector General and remain available until expended for *crime victim-related* oversight and auditing purposes **[associated with this section]**; and (2) 5 percent shall be available to the Office for Victims of Crime for grants, consistent with the requirements of the Victims of Crime Act, to Indian tribes to improve services for victims of crime.

\* \* \* \* \*

CHANGES IN THE APPLICATION OF EXISTING LAW

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



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

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

Under Bureau of Industry and Security, Operations and Administration, the language provides for no-year availability of funds. Language is included regarding the costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims; official representation expenses abroad; awards of compensation to informers; and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use without regard to any price limitation established by law. In addition, language is included regarding the Mutual Educational and Cultural Exchange Act of 1961. Finally, language is recommended providing that payments and contributions collected and accepted for materials or services may be retained for use in covering the cost of those activities and other communications.

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

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

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

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

Under Bureau of the Census, Current Surveys and Programs, language is included providing that funds may be used for collecting, compiling, analyzing, preparing and publishing statistics and for promotion, outreach and marketing activities.

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

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

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

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

Under National Institute of Standards and Technology (NIST), Scientific and Technical Research and Services, language is included providing for no-year availability of funds. In addition, language is included allowing transfers to the Working Capital Fund. Language is included limiting funds for official reception and rep-

resentation expenses. Finally, language is included allowing NIST to provide local transportation for a certain fellowship program.

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

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

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

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

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

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

Additionally, under Fishery Disaster Assistance language is included providing two-year availability of funds.

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

Under Departmental Management, Salaries and Expenses, language is included limiting funds for official reception and representation expenses. Further, language is included requiring reimbursement for Commerce employees detailed to offices within the Office of the Secretary of the Department of Commerce for more than 30 days.

In addition, under Renovation and Modernization, language is included making available funds for expenses towards Department of Commerce facilities.

Additionally, under the Nonrecurring Expenses Fund, language is included making available funds for expenses towards the modernization of its business application system. Further, language is included providing three-year availability of the funds.

Moreover, under the Office of Inspector General, language is included making funds available for purposes of carrying out provisions of the Inspector General Act of 1978. Additionally, funds are provided from the Public Safety Trust Fund for activities associated with carrying out investigations and audits related to the First Responder Network Authority.

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

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

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

Section 103 provides language for the transfer of funds between Department of Commerce appropriations in certain circumstances and requires the Secretary of Commerce to notify the Committee of certain actions.

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

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

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

Section 107 provides the Administrator with the authority to avail NOAA of needed resources, with the consent of those supplying the resources, to carry out responsibilities of any statute administered by NOAA.

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

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

Section 110 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.

In title II, Department of Justice, under General Administration, Salaries and Expenses, language is included providing for an

amount for security and construction of Department of Justice facilities, which shall remain available until expended. Language is also included providing funding to implement section 220 of this Act related to a Task Force on Law Enforcement Oversight.

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

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

Moreover, under Office of Inspector General, language is included providing for not to exceed \$10,000 to meet unforeseen emergencies of a confidential character. Language is also included making certain funds available for two years.

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

Under Legal Activities, Salaries and Expenses, General Legal Activities, language is included providing not to exceed a certain amount for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General. Language is also included providing for the administration of pardons and clemency petitions. Language is also included providing for rental of space in the District of Columbia. Language is included making an amount available until expended for litigation support contracts. In addition, language is included making certain funds available to INTERPOL available until expended. Also, language is included limiting the amount of funds for official representation and reception expenses available to INTERPOL Washington and to the Criminal Division. Additional language is included providing funds for the Civil Rights Division related to additional expenses related to enforcement of authorities under Titles 34 and Titles 18 of United States Code, including compliance with consent decrees or judgments. Furthermore, language is included providing funds to the Civil Rights Division for expenses associated with election monitoring, authority to reimburse the Office of Personnel Management for such expenses, and availability of such funds until expended. Language is also included regarding the transfer of funds for Civil Division litigation activities, which shall be subject to the provisions of section 505 of this Act. Finally, language is included for expenses associated with processing cases under the National Childhood Vaccine Injury Act of 1986.

Also, under Salaries and Expenses, Antitrust Division, language is included providing for no-year availability of funds and the use of offsetting collections, and limiting the amount of funds for official representation and reception expenses. The language also provides that fees collected for premerger notification filings, regard-

less of the year of collection, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended.

In addition, under Salaries and Expenses, United States Attorneys, language is included regarding inter-governmental and cooperative agreements and limiting funds for official reception and representation expenses. Additional language is included for additional expenses related to enforcement of authorities under Titles 18 and 34 of the United States Code, including compliance with consent decrees or judgments. Language is also included extending the availability of certain funds. Finally, language is included requiring each United States Attorney to establish or participate in a task force on human trafficking.

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

Moreover, under Fees and Expenses of Witnesses, language is included regarding contracts for the procurement and supervision of expert witnesses. In addition, language is included regarding funds for construction of buildings for safesites, armored and other vehicles, and telecommunication equipment. The language also provides for no-year availability of funds. Under Salaries and Expenses, Community Relations Service, language is included regarding the transfer of funds for conflict resolution and violence prevention activities, which shall be subject to the provisions of section 505 of this Act.

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

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

In addition, under Federal Prisoner Detention, language is included providing for no-year availability of funds. Language is included limiting the amount of funds considered "funds appropriated for State and local law enforcement assistance". Language is also included providing that the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System.

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

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

Under Federal Bureau of Investigation, Salaries and Expenses, language is included providing for no-year availability of certain funds. Additional language is provided related to funding for the Corruption/Civil Rights Section for enforcement of authorities under Titles 18 and 34 of the United States Code, including compliance with consent decrees or judgments. Language is included providing for a limitation on official reception and representation expenses.

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

Under Drug Enforcement Administration, Salaries and Expenses, language is included providing for funds to meet unforeseen emergencies of a confidential character. Language is also included allowing conduct of drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs. In addition, language is included providing for no-year availability of certain funds. Language is included providing for a limitation on official reception and representation expenses. Finally, language is included permitting use of some of the appropriation to reimburse expenses incurred to clean up and safely dispose of certain substances which may present a danger to public health or the environment.

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

Additionally, under Construction, language is included specifying the purpose of the appropriation and providing five-year availability of the funds.

Under Federal Prison System, Salaries and Expenses, language is included making certain funds available for the First Step Act of 2018. Language also provides for the transfer to the Department of Health and Human Services funds necessary for medical relief for inmates. Language is also included that provides authority to the Director to enter into contracts to furnish health care. In addition, language is included placing a limitation on funds for reception and representation expenses. Furthermore, language is included extending the availability of certain funds. Finally, language is included providing authority for the Federal Prison System to accept donated property and services.

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

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

Furthermore, under Limitation on Administrative Expenses, Federal Prison Industries, Incorporated, language is included making available funds for its administrative expenses, and for certain services, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures that such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

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

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

Also, under State and Local Law Enforcement Assistance, language is included to provide for no-year availability of funds. Language is also included regarding an Officer Robert Wilson III Memorial Initiative on Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative, Smart Policing, Smart Prosecution, juvenile indigent defense, Convention Security, a National Missing and Unidentified Persons System, a training program to improve response for those with mental illness, the John R. Justice grant program, Capital Litigation and Wrongful Conviction Review, Prison Rape Prevention and Prosecution, Kevin and Avonte's Law, Emergency Federal Law Enforcement Assistance, managed access systems, regional law enforcement technology, Community Based Violence Prevention, family friendly visitation spaces in correctional facilities, Public Safety Innovation



Grants, Law Enforcement Training, grants to improve reporting on the use of force, hit rates data collection demonstration grants, police report in jurisdictions responding to litigation, and the application of certain sections and special rules. In addition, language is included regarding Federal immigration and other detainees housed in State and local detention facilities. Language is included for an immigration legal aid pilot. Furthermore, language is included regarding local government use of funds to increase the number of law enforcement officers. Language is also included regarding DNA training and education for law enforcement, correctional personnel, and court officers. There is further language regarding certain time limitations under the Second Chance Act. Furthermore, language is included waiving a provision of law that terminated the COPS Hiring Program after September 2000. Language is also included regarding smart policing, smart prosecution, tribal law enforcement, regional information sharing activities, and certain police training. Additional language is included regarding pattern and practice investigations, independent prosecution of law enforcement, community-based improvement of law enforcement and pilot programs to improve management and address police misconduct. The language also provides for certain funds to be transferred to "Research, Evaluation and Statistics". The included language specifies appropriations for various programs within the Office of Justice Programs.

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

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

Within the COPS Hiring program, language is included regarding the Tribal Resources grant program, Tribal Access Program, Community Policing, the Regional Information Sharing System, Civilian Review Boards and Law Enforcement Mental Health and Wellness Act. In addition, the language includes Police Act grants, Anti-Methamphetamine and Anti-Heroin Task Forces as well as grants under the STOP School Violence Act.

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

Section 201 prohibits the use of funds to pay for an abortion, except in the case of incest, rape or to preserve the life of the mother.

Section 202 prohibits the use of funds to require any person to perform or facilitate the performance of an abortion.

Section 203 establishes that the Director of the Bureau of Prisons (BOP) is obliged to provide escort services to an inmate receiving an abortion outside of a Federal facility, except where this obligation conflicts with the preceding section.

Section 204 prohibits the use of certain funds for transporting prisoners classified as maximum or high security, other than to a facility certified by the Bureau of Prisons as appropriately secure.

Section 205 prohibits the use of funds for the purchase or rental by Federal prisons of audiovisual equipment, services and materials used primarily for recreational purposes, except for those items and services needed for inmate training, religious, or educational purposes.

Section 206 requires review by the Deputy Attorney General and the Department Investment Review Board prior to the obligation or expenditure of funds for major information technology projects.

Section 207 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 208 prohibits funding from being used for certain public-private competitions.

Section 209 prohibits U.S. Attorneys from holding dual or additional responsibilities that exempt U.S. Attorneys from statutory residency requirements.

Section 210 permits up to 2 percent of grant and reimbursement program funds made available to OJP to be used for training and technical assistance, and up to 2 percent of grant or reimbursement funds made available to that office to be used for criminal justice research, evaluation and statistics.

Section 211 gives the Attorney General the authority to waive matching requirements for Second Chance Act adult and juvenile reentry demonstration projects; State, tribal and local reentry courts; and drug treatment programs.

Section 212 waives the requirement that the Attorney General reserve certain funds from amounts provided for offender incarceration.

Section 213 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 214 places limitations on the obligation of funds from certain Department of Justice accounts and funding sources.

Section 215 provides authority to use certain grant funding for Performance Partnership Pilots.

Section 216 increases the threshold for balances in the United States Trustee System Fund.

Section 217 prohibits the use of case closure metrics for immigration judge performance evaluations.

Section 218 amends Section 151 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991, to enable United States Marshals Service employees to be eligible for danger pay in certain circumstances.

Section 219 prohibits funds made available under this Act for the Edward Byrne Memorial Justice Assistance Grant program or Community Oriented Policing Services from being used unless the Attorney General certifies that the State or unit of local government (1) maintains adequate policies and procedures designed to eliminate racial profiling in law enforcement, and has eliminated any existing practices that permit or encourage racial profiling in law enforcement; (2) requires each law enforcement officer in the

State or unit of local government to complete training programs on racial profiling, implicit bias, de-escalation use of force and a duty to intervene in cases where another law enforcement officer is using excessive force against a civilian, and procedural justice; (3) has in effect a law that prohibits law enforcement officers in the State or other jurisdiction from using a chokehold or carotid hold; (4) has in effect a law that prohibits law enforcement officers in the State or other jurisdiction from using less lethal force; (5) has in effect a law that prohibits law enforcement officers in the State or other jurisdiction from using deadly force, (6) has in effect a law that prohibits the issuance of a “no-knock warrant” in a drug case; (7) has provided the United States Attorney General a law enforcement practice report that includes information on the race, ethnicity, age, and gender of the officers and employees of the law enforcement agency and of members of the public involved in, (A) traffic violation stops, (B) pedestrian stops, (C) frisk and body searches, (D) instances where officers or employees of the law enforcement agency used deadly force; and (8) will not make such funds available to a law enforcement agency that has entered into or renewed any contractual arrangement, including a collective bargaining agreement with a labor organization, that (A) would prevent the Attorney General from seeking or enforcing equitable or declaratory relief against a law enforcement agency engaging in a pattern or practice of unconstitutional misconduct or, (B) conflicts with any terms or conditions contained in a consent decree.

Section 220 establishes a National Task Force on Law Enforcement Oversight.

Section 221 prohibits Department of Justice funding from being made available to any law enforcement agency of any State, unit of local government, or Federally recognized Tribal government unless the Attorney General has certified that such agency has begun or completed the process of receiving accreditation from a law enforcement accreditation organization approved by the Attorney General.

Section 222 prohibits the awarding of funds under the Byrne JAG or COPS programs unless the United States Attorney General certifies that the recipient State or unit of local government has in effect a law prohibiting sexual activity while acting under color of law.

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

Under National Space Council, language is included providing that certain funds be available for reception and representation expenses.

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

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

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

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

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

Additionally, under Science, Technology, Engineering, and Mathematics Engagement, language is included providing for the multi-year availability of funds. Language is also included delineating amounts for program components.

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

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

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

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

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

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

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

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

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

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

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

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

also included prohibiting certain unauthorized activities. Finally, language is included authorizing the Chair to accept donations or gifts to carry out the work of the Commission.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 510 limits the obligation of receipts deposited into the Crime Victims Fund to \$2,650,000,000 during fiscal year 2021, and provides for a transfer of \$10,000,000 to the Department of Justice, Office of Inspector General for oversight and auditing of the fund. It also provides for a tribal set-aside.

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

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

Section 513 requires certain timetables of audits performed by Inspectors General of the Departments of Commerce and Justice,

the National Aeronautics and Space Administration, the National Science Foundation and the Legal Services Corporation and sets limits and restrictions on the awarding and use of grants or contracts funded by amounts appropriated by this Act.

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

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

Section 516 prohibits the use of funds made available in this Act to include certain language in trade agreements.

Section 517 prohibits the use of funds made available in this Act to authorize or issue a national security letter (NSL) in contravention of certain laws authorizing the FBI to issue NSLs.

Section 518 requires congressional notification regarding any project within the Departments of Commerce or Justice, the National Science Foundation or the National Aeronautics and Space Administration totaling more than \$75,000,000 that has cost increases of 10 percent or more.

Section 519 deems funds for intelligence or intelligence related activities as authorized by Congress during fiscal year 2021 until the enactment of the Intelligence Authorization Act for fiscal year 2021.

Section 520 prohibits contracts or grant awards in excess of \$5,000,000 unless the prospective contractor or grantee certifies that the organization has filed all Federal tax returns, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has no unpaid Federal tax assessment.

Section 521 provides for rescissions of unobligated balances from the Departments of Commerce and Justice.

Section 522 prohibits the use of funds made available in this Act for the purchase of first class or premium air travel in contravention of certain Federal regulations.

Section 523 prohibits the use of funds made available in this Act to pay for the attendance of more than 50 department or agency employees, who are stationed in the United States, at any single conference outside the United States, unless the conference is a law enforcement training or operational event where the majority of Federal attendees are law enforcement personnel stationed outside the United States.

Section 524 requires tracking and reporting of undisbursed balances in expired grant accounts.

Section 525 requires, when practicable, the use of funds in this Act to purchase light bulbs that have the “Energy Star” or “Federal Energy Management Program” designation.

Section 526 prohibits the use of funds made available in this Act by the National Aeronautics and Space Administration (NASA), the Office of Science and Technology Policy (OSTP) or the National Space Council (NSC) to engage in bilateral activities with China or a Chinese-owned company unless the activities are authorized by subsequent legislation or NASA, OSTP or NSC after consultation with the Federal Bureau of Investigation have made a certification pursuant to subsections (c) and (d) of this section.

Section 527 prohibits the use of funds made available in this Act to establish or maintain a computer network that does not block pornography, except for law enforcement or victim assistance purposes.

Section 528 requires each department and agency funded in the bill to submit spending plans.

Section 529 prohibits the use of funds to pay for unsatisfactory contractor performance.

Section 530 prohibits the use of funds by the Department of Justice or the Drug Enforcement Administration in contravention of a certain section of the Agricultural Act of 2014.

Section 531 prohibits the Department of Justice from preventing certain States or territories from implementing their laws regarding the use of medical marijuana.

Section 532 requires quarterly reports from the Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation on official travel to China.

Section 533 requires not less than 10 percent of the funds provided for certain programs be provided to persistent poverty counties.

Section 534 makes a clarification regarding the formulation and development costs for the James Webb Space Telescope.

Section 535 prohibits funds to be used by the Bureau of the Census in contravention of existing law.

Section 536 prohibits funds to move a Bureau of Alcohol, Tobacco, Firearms and Explosives facility.

Section 537 prohibits funds from being used for the development of data products in connection with the 2020 Decennial Census that do not meet specific requirements.

Section 538 prohibits funding to implement a November 2018 Attorney General Memorandum entitled “Principles and Procedures for Civil Consent Decrees and Settlement Agreements with State and Local Governmental Entities”.

Section 539 prohibits funds to carry out or support law enforcement actions taken to support or control a crowd or public demonstration unless certain clearly visible law enforcement identification is worn.

Section 540 prohibits funds for the salaries and expenses of more than five political and presidential appointees in the Bureau of the Census.



Section 541 prohibits funds to pay for Attorney General travel more than 50 miles from the Robert F. Kennedy Department of Justice Building in the District of Columbia.

Section 542 amends section 510 of division B of Public Law 116–93.

#### APPROPRIATIONS NOT AUTHORIZED BY LAW

The Committee, in a number of instances, has found it necessary to recommend funding for ongoing activities and programs for which authorizations have not been enacted to date. Pursuant to clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill that are not authorized by law for the period concerned:

#### UNAUTHORIZED APPROPRIATIONS

[In thousands of dollars]

Program	Last year of authorization	Authorization level in year of authorizations	Appropriations in last year of authorization	Appropriations in this bill
Department of Commerce:				
International Trade Administration:				
Operations and Administration:				
Export Promotion Activities .....	1996	such sums	264,885	*
Bureau of Industry and Security:				
Operations and Administration .....	1994	such sums	34,747	137,664
Economic Development Administration:				
Salaries and Expenses .....	2008	Such sums	30,832	42,000
Economic Development Assistance Programs .....		Various		314,000
Public Works and Economic Development Act Programs	2008	500,000	349,100	*
Minority Business Development Agency:				
Minority Business Development .....	n/a	n/a	n/a	52,000
Economics and Statistics Administration:				
Salaries and Expenses. ....	n/a	n/a	n/a	111,855
National Telecommunications and Information Administration:				
Salaries and Expenses .....	1993	17,900	18,493	45,500
National Institute of Standards and Technology:				
Scientific and Technical Research and Services .....	2013	676,700	609,514	789,000
Industrial technology services .....	2013	241,709	140,316	170,000
Manufacturing extension partnerships .....	2013	(165,100)	(126,088)	(153,000)
Construction of research facilities ..	2013	121,300	58,874	85,000
National Oceanic and Atmospheric Administration:				
Operations, Research and Facilities:				
National Ocean Service .....	1993	121,183	150,864	625,406
Integrated Ocean Observing System Regional Observations ...	2013	Such sums	(334,932)	(40,500)
Coastal Science, Assessment, Response and Restoration .....		Various		(88,500)
Competitive External Research .....		Various		(22,000)
Coastal Zone Management and Services ....	n/a	n/a	n/a	(47,700)
Coastal Zone Management Grants .....	1999	(50,500)	(52,700)	(78,000)
Title IX Fund .....	2019	such sums	(30,000)	(36,000)

## UNAUTHORIZED APPROPRIATIONS—Continued

[In thousands of dollars]

Program	Last year of authorization	Authorization level in year of authorizations	Appropriations in last year of authorization	Appropriations in this bill
Coral Reef Program .....	2004	(16,000)	(26,100)	(34,000)
Sanctuaries and Marine Protected Areas .....	2005	(40,000)	(58,750)	(58,000)
National Estuarine Research Reserve System .....	1999	(4,600)	(4,300)	(28,250)
National Marine Fisheries Services:				967,586
Marine Mammals, Sea Turtles and Other Species .....				(127,905)
Species Recoveries Grants .....	1992	†	††	(7,000)
Atlantic Salmon .....	1992	†	†	(6,500)
Pacific Salmon .....	1992	†	†	(67,250)
Fisheries and Ecosystem Science Programs and Services .....		Various		(150,018)
Fisheries Data Collections, Surveys and Assessments .....		Various		(173,709)
Observers and Training .....		Various		(50,000)
Fisheries Management Programs and Services .....		Various		(124,500)
Salmon Management Activities .....		Various		(59,643)
Regional Councils and Fisheries Commissions .....		Various		(46,446)
Interjurisdictional Fisheries Grants .....	2012	3,400	1,157	(3,365)
Enforcement .....		Various		(77,000)
Habitat Conservation and Restoration .....		Various		(59,000)
Oceanic and Atmospheric Research .....	1993	1,589,081	202,172	††
Climate Laboratories and Cooperative Institutes .....	1993	(109,877)	(79,948)	(78,000)
Regional Climate Data and Information .....		Various		(43,000)
Climate Competitive Research .....	n/a	n/a	n/a	(69,000)
Ocean and Coastal Laboratories and Cooperative Institutes .....		Various		(37,000)
National Sea Grant College Program .....	2014	†	(62,800)	(71,000)
Marine Aquaculture Program .....	2014	†	(4,500)	(13,000)
Ocean Exploration and Research .....	2015	(59,436)	(28,000)	(42,742)
Integrated Ocean Acidification .....	2012	(20,000)	(6,359)	(16,000)
Sustained Ocean Observations and Monitoring .....	n/a	n/a	n/a	(46,000)
High Performance Computing Initiatives .....	1996	(4,500)	(6,500)	(17,800)
National Weather Service:	1993	395,822	†	†
Observations .....		Various		(241,000)
Central Processing .....	1993	‡	‡	(102,538)
Analyze, Forecast and Support .....		Various		(538,000)

## UNAUTHORIZED APPROPRIATIONS—Continued

[In thousands of dollars]

Program	Last year of authorization	Authorization level in year of authorizations	Appropriations in last year of authorization	Appropriations in this bill
Dissemination .....	1993	f	f	(79,112)
Science and Technology Integration .....		Various		(151,423)
National Environmental Satellite, Data and Information Service: .....				285,606
Office of Satellite and Production Operations .....	1993	†	†	(189,099)
Product Development, Readiness and Application .....	1993	†	†	(28,907)
Commercial Remote Sensing Regulatory Affairs .....	n/a	n/a	n/a	(1,800)
Office of Space Commerce .....	n/a	n/a	n/a	(1,800)
Group on Earth Observations .....	1993	n/a	n/a	(500)
National Centers for Environmental Information .....	1993	39,596	32,646	(63,500)
Mission Support:				
Mission Support Services .....	1993	75,750	71,433	270,954
NOAA Office of Education .....	n/a	n/a	n/a	33,500
Office of Marine and Aviation Operations:				
Marine Operations and Maintenance .....	1993	68,518	61,222	174,000
Aviation Operations .....	1993	10,336	9,872	29,466
Unmanned Systems Operations .....	n/a	n/a	n/a	10,665
Procurement, Acquisition and Construction:				
National Ocean Service:				
National Estuarine Research Reserve Construction .....	n/a	n/a	n/a	2,000
Marine Sanctuaries Construction .....	2005	6,000	10,000	4,000
Office of Oceanic and Atmospheric Research:				
Research Supercomputing/CCRI .....	n/a	n/a	n/a	42,000
National Weather Service:				
Observations .....	1993	†	84,516	15,745
Central Processing .....	n/a	n/a	n/a	66,761
Dissemination .....	n/a	n/a	n/a	9,934
Weather Forecast Office Construction .....	n/a	n/a	n/a	15,000
National Environmental Satellite, Data and Information Service:				
GOES R .....	n/a	n/a	n/a	334,500
Space Weather Follow-on .....	n/a	n/a	n/a	108,115
Polar Weather Satellites .....	n/a	n/a	n/a	657,835
CDARS .....	1993	2,300	n/a	14,400
Low Earth Orbit .....	n/a	n/a	n/a	33,202
Geostationary Earth Orbit System Architecture and Advanced Planning ....	n/a	n/a	n/a	44,822
Satellite CDA Facility ....	n/a	n/a	n/a	2,450
Mission Support:				
NOAA Construction .....	1993	94,500	64,500	50,000

## UNAUTHORIZED APPROPRIATIONS—Continued

[In thousands of dollars]

Program	Last year of authorization	Authorization level in year of authorizations	Appropriations in last year of authorization	Appropriations in this bill
Office of Marine and Aviation Operations:				
Fleet Capital Improvements and Technology Infusion .....	n/a	n/a	n/a	27,500
Pacific Coastal Salmon Recovery .....	2009	90,000	80,000	65,000
Fishermen's Contingency Fund .....	n/a	n/a	n/a	349
Fisheries Disaster Assistance .....	2013	such sums	5,000	300
Fisheries Finance Program Account .....	n/a	n/a	n/a	— 8,000
Departmental Management:				
Salaries and Expenses .....	n/a	n/a	n/a	73,080
Renovation and Modernization .....	n/a	n/a	n/a	1,123
Office of Inspector General .....	n/a	n/a	n/a	35,520
Department of Justice:				
General Administration:				
Salaries and Expenses .....	2009	181,561	105,805	120,041
Justice Information Sharing Technology .....	2009	204,152	80,000	33,875
Executive Office for Immigration Review .....	2009	n/a	n/a	734,000
Office of Inspector General .....	2009	81,922	80,681	113,985
United States Parole Commission:				
Salaries and Expenses .....	2009	12,711	12,570	13,539
Legal Activities:				
Salaries and Expenses, General Legal Activities .....	2009	764,526	805,655	969,211
Salaries and Expenses, Antitrust Division .....	2009	162,488	157,788	180,274
Salaries and Expenses, United States Attorneys .....	2009	1,829,194	1,851,336	2,347,177
Salaries and Expenses, Foreign Claims Settlement Commission ..	2009	1,429	1,823	2,366
Fee and Expenses of Witnesses .....	2009	203,755	168,300	270,000
Salaries and Expenses, Community Relations Service .....	2009	10,977	9,873	20,300
Assets Forfeiture Fund (discretionary) .....	2009	22,000	20,990	20,514
United States Marshals Service .....	2009	900,178	954,000	3,366,645
Salaries and Expenses .....		\$	(960,000)	(1,484,184)
Construction .....		\$	(4,000)	(15,000)
Federal Prison Detention .....	2009	1,858,509	1,355,319	(1,867,461)
National Security Division:				
Salaries and Expenses .....	n/a	n/a	n/a	114,837
Interagency Law Enforcement:				
Interagency Crime and Drug Enforcement .....	2009	744,593	515,000	565,000
Federal Bureau of Investigation .....	2009	6,480,608	7,301,191	9,755,243
Salaries and Expenses .....		\$	(7,182,700)	(9,703,348)
Construction .....		\$	(153,491)	(51,895)
Drug Enforcement Administration:				
Salaries and Expenses .....	2009	1,930,462	1,959,084	2,331,370
Bureau of Alcohol, Tobacco, Firearms and Explosives:				
Salaries and Expenses .....	2009	1,038,939	1,078,215	1,550,000
Construction .....	2009			5,000
Federal Prison System .....	2009	5,698,292	6,171,561	7,880,000
Salaries and Expenses .....		\$	(5,600,792)	(7,770,000)
Building and Facilities .....		\$	(575,807)	(110,000)

## UNAUTHORIZED APPROPRIATIONS—Continued

[In thousands of dollars]

Program	Last year of authorization	Authorization level in year of authorizations	Appropriations in last year of authorization	Appropriations in this bill
Office on Violence Against Women:				
Violence Against Women Prevention and Prosecution Programs:				
STOP Grants .....	2018	215,000	215,000	223,000
Transitional Housing Assistance .....	2018	35,000	35,000	39,000
Research and Evaluation on Violence Against Women ....	n/a	n/a	n/a	3,500
Consolidated Youth-oriented Program .....		Various		12,000
Engaging Men and Youth in Prevention .....	n/a	n/a	n/a	††
Grants to Assist Children and Youth Exposed to Violence .....	n/a	n/a	n/a	††
Supporting Teens Through Education Program .....	2011	5,000	**	††
Services to Advocate and Respond to Youth .....	n/a	n/a	n/a	††
Grants to Encourage Arrest Policies .....	2018	53,000	53,000	53,000
Homicide Reduction Initiative .....	n/a	n/a	n/a	(4,000)
Sexual Assault Victims Services .....	2018	40,000	35,000	42,500
Rural Domestic Violence and Child Abuse Enforcement ...	2018	50,000	40,000	45,000
Violence on College Campuses .....	2018	12,000	20,000	21,000
Civil Legal Assistance .....	2018	57,000	45,000	47,500
Elder Abuse Grant Program ....	2018	9,000	5,000	6,000
Family Civil Justice .....		Various		17,500
Court Training and Improvements Program .....	2011	5,000	**	
Safe Havens Program ....	2011	5,000	**	
Education and Training for Disabled Female Victims ....	2018	9,000	6,000	6,000
National Resource Center on Workplace Responses .....	2018	1,000	500	1,000
Research on Violence Against Indian Women .....	2015	1,000	940	1,000
Indian Country- Sexual Assault Clearinghouse .....	n/a	n/a	n/a	500
Tribal Special Domestic Violence Criminal Jurisdiction .....	2018	n/a	n/a	4,300
Rape Survivor Child Custody Act .....	2019	5,000	1,500	2,200
Office on Justice Programs:				
Research Evaluation and Statistics:				
Bureau of Justice Statistics ...	1995	33,000	32,335	45,000
NCS-X Implementation Program .....	n/a	n/a	n/a	(5,000)
National Institute of Justice ...	1995	33,000	58,879	43,500
Domestic Radicalization Research .....	n/a	n/a	n/a	(6,000)
State and Local Law Enforcement Assistance:				
Byrne Memorial Justice Assistance Grants .....	2012	1,095,000	470,000	515,000
Officer Robert Wilson III VALOR Initiative .....	n/a	n/a	n/a	(12,500)
Smart Policing .....	n/a	n/a	n/a	(7,500)
Smart Prosecution .....	n/a	n/a	n/a	(8,500)

## UNAUTHORIZED APPROPRIATIONS—Continued

[In thousands of dollars]

Program	Last year of authorization	Authorization level in year of authorizations	Appropriations in last year of authorization	Appropriations in this bill
Juvenile Indigent Defense	n/a	n/a	n/a	(3,000)
John R. Justice Grant Program .....	2014	.....	Such sums	(3,000)
Prison Rape Prevention and Prosecution .....	2010	40,000	15,000	(15,500)
Emergency Federal Law Enforcement Assist-	2016	20,000	n/a	.....
ance .....	n/a	n/a	n/a	(3,000)
Managed Access .....				
Regional Law Enforce-	n/a	n/a	n/a	(3,000)
ment Training Initia-				
tive .....				
Family Friendly Visitation	n/a	n/a	n/a	2,000
in Correctional Facili-				
ties .....				
Local Task Forces on	n/a	n/a	n/a	5,000
Public Safety Innova-				
tion .....				
Grants to Improve Re-	n/a	n/a	n/a	15,000
porting on Use of				
Force .....				
Hit Rates Data Collec-	n/a	n/a	n/a	5,000
tion Demonstration				
Grants .....				
Police Reform in Juris-	n/a	n/a	n/a	7,200
dictions Responding				
to Litigation .....				
Law Enforcement Train-	n/a	n/a	n/a	50,000
ing .....				
State Criminal Alien Assist-	2011	950,000	n/a	251,500
ance Program .....				
Adam Walsh Act Implementa-	2009	Such sums	18,000	20,500
tion .....				
National Sex Offender Public	n/a	n/a	n/a	1,000
Website .....				
Community Teams to Reduce				
the Sexual Assault Kit				
(SAK) Backlog .....	n/a	n/a	n/a	49,000
CASA Special Advocates .....	2018	12,000	12,000	12,500
Community Trust Initiative .....	n/a	n/a	n/a	77,500
Body-won Camera Part-	n/a	n/a	n/a	(27,500)
nership .....				
Justice Reinvestment Ini-	n/a	n/a	n/a	(30,000)
tiative .....				
Immigration Representation				
Pilot .....	n/a	n/a	n/a	15,000
Hate Crimes Prevention Act				
Grants .....	2012	n/a	n/a	8,000
Grants for Pattern and Prac-	n/a	n/a	n/a	100,000
tice Investigations .....				
Grants to Implement Inde-				
pendent Investigations of	n/a	n/a	n/a	250,000
Law Enforcement .....				
Community-based Organiza-	n/a	n/a	n/a	25,000
tions Aimed at Improving				
Law Enforcement .....				
Pilot Program to Improve Man-				
agement and Address Mis-	n/a	n/a	n/a	25,000
conduct by Law Enforce-				
ment Officers .....				
Juvenile Justice Programs:				
Youth Mentoring Grants .....	2007	Such sums	\$ \$	100,000

## UNAUTHORIZED APPROPRIATIONS—Continued

[In thousands of dollars]

Program	Last year of authorization	Authorization level in year of authorizations	Appropriations in last year of authorization	Appropriations in this bill
Juvenile Accountability Block Grant Missing and Exploited Children Programs	2018	Various	84,000	.....
Missing and Exploited Children grants .....	.....	*	*	*
Training for Judicial Personnel	2018	2,300	2,000	5,000
Community Oriented Policing Services:				
COPS Hiring Grants .....	2009	1,047,117	1,000,000	231,000
Regional information sharing activities .....	2003	100,000	29,000	(40,000)
Tribal Access Program ...	n/a	n/a	n/a	(3,000)
Community Policing Development/Training and Technical Assistance .....	n/a	n/a	n/a	(6,500)
Civilian Review Boards ..	n/a	n/a	n/a	4,000
POLICE Act .....	2016	Various	n/a	11,000
Anti-Methamphetamine Task Forces .....	n/a	n/a	n/a	11,000
Anti-Heroin Task Forces .....	n/a	n/a	n/a	13,000
Science:	n/a	n/a	n/a	35,000
National Aeronautics and Space Administration:				
Science .....	2017	5,500,000	5,764,900	7,097,500
Aeronautics .....	2017	640,000	660,000	819,000
Space Technology .....	2017	686,000	686,500	1,100,000
Exploration .....	2017	4,330,000	4,324,000	6,017,600
Space Operations .....	2017	5,023,000	4,950,700	4,052,200
STEM Engagement .....	2017	115,000	100,000	126,000
Safety, Security and Mission Services .....	2017	2,788,600	2,768,600	2,953,400
Construction and Environmental Compliance and Restoration.. ..	2017	388,000	360,700	419,100
Office of Inspector General .....	2017	37,400	37,900	44,200
National Science Foundation:				
Research and Related Activities .....	2013	6,637,879	5,983,280	6,967,123††
Major Research Equipment and Facilities Construction .....	2013	236,764	196,170	243,230
Education and Human Resources ...	2013	1,041,762	895,610	970,000
Agency Operations and Award Management .....	2013	363,670	299,400	345,640
Office of the National Science Board .....	2013	4,906	4,440	4,500
Office of Inspector General .....	2013	15,049	14,200	17,850
Related Agencies:				
Commission on Civil Rights:				
Salaries and Expenses .....	1995	9,500	8,904	12,000
International Trade Commission:				
Salaries and Expenses .....	2004	57,240	58,925	105,000
Legal Services Corporation:				
Payment to the Legal Services Corporation .....	1980	205,000	300,000	465,000
Marine Mammal Commission:				
Salaries and Expenses .....	1999	1,750	1,240	3,769
Office of the U.S. Trade Representative:				
Salaries and Expenses .....	2004	33,108	41,552	55,000
State Justice Institute:				
Salaries and Expenses .....	2008	7,000	3,760	7,700

\* The recommendation does not provide a specific amount for this program.

† Authorization provides a single amount for activities spread across multiple NOAA Control Table lines.

†† The National Integrated Drought Information System Reauthorization Act of 2018 (Public Law 115–423) authorized Weather and Air Chemistry Research Programs. Other programs are unauthorized.

int; The last time the NWS was comprehensively authorized was 1993. Though specific programs, like the Tsunami Warning and Education Program, are currently authorized the recommendation does not provide a specific amount for those programs.

¶ The authorization authorizes funding for the "Administrative Review and Appeals" account, which encompassed the activities of the Executive Office for Immigration Review and the Office of Pardon Attorney. The recommendation separates these into different accounts.

§ Authorization does not provide amounts for specific accounts within this agency.

# This was formerly the "General Administration, Detention Trustee" account.

\*\* The authorization for this program expired in FY 2011. Since the government was funded by a full-year continuing resolution, the Committee did not provide a specific appropriation for this program.

†† These programs have been combined into the Consolidated Youth-oriented Program.

§ § The authorization for this program expired in FY 2007. Since the government was funded by a full-year continuing resolution, the Committee did not provide a specific appropriation for this program.

¶¶ Within the Research and Related Activities account, funding for Dyslexia and windstorm research are authorized.

## COMPARISON WITH THE BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget Act requires the report accompanying a bill providing new budget authority to contain a statement comparing the levels in the bill to the suballocations submitted under section 302(b) of the Act for the most recently agreed to concurrent resolution on the budget for the applicable fiscal year.

[In millions of dollars]

	302(b) Allocations		This Bill	
	Budget Authority	Outlays	Budget Authority	Outlays
Comparison of amounts in the bill with Committee allocations to its subcommittees: Subcommittee on Commerce, Justice, Science, and Related Agencies				
Discretionary .....	71,473	74,000	71,473 <sup>1</sup>	73,414
Mandatory .....	342	340	342 <sup>1</sup>	340

<sup>1</sup> Includes outlays from prior-year budget authority.

Note.—The amounts in this report do not include \$838,000,000 in discretionary outlays from such funding that was provided by the CARES Act (Public Law 116–136). Consistent with the Congressional Budget Act of 1974, in the House of Representatives such amounts do not count against the Committee's allocation.

## FIVE-YEAR OUTLAY PROJECTIONS

In compliance with section 308(a)(1)(B) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill:

[In millions of dollars]

	Outlays
Projection of outlays associated with the recommendation:	
2021 .....	<sup>1</sup> 44,285
2022 .....	18,294
2023 .....	6,048
2024 .....	2,595
2025 and future years .....	2,773

<sup>1</sup> Excludes outlays from prior-year budget authority.

## ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget Act of 1974, as amended, the Congressional Budget Office has provided the following estimates of new budget authority and outlays provided by the accompanying bill for financial assistance to State and local governments:



[In millions of dollars]

	Budget Authority	Outlays
Financial assistance to State and local governments for 2021 .....	204 <sup>1</sup>	643

<sup>1</sup> Excludes outlays from prior-year budget authority.

## COMMITTEE HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—

The following hearings were used to develop or consider the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2021:

The Subcommittee on Commerce, Justice, Science, and Related Agencies held a budget hearing on March 4, 2020 entitled “Member Day Hearing.” The Subcommittee received testimony from:

The Honorable Peter J. Visclosky, Member of Congress.

The Honorable Ted Yoho, Member of Congress.

The Honorable Danny Davis, Member of Congress.

The Honorable French Hill, Member of Congress.

The Honorable Ed Perlmutter, Member of Congress.

The Honorable Jenniffer González-Colón, Member of Congress.

The Honorable Joseph Kennedy, Member of Congress.

The Honorable Anthony Gonzalez, Member of Congress.

The Honorable Brad Schneider, Member of Congress.

The Subcommittee on Commerce, Justice, Science, and Related Agencies held a budget hearing on March 10, 2020, entitled “Department of Commerce Budget Request for Fiscal Year 2021.” The Subcommittee received testimony from:

Wilbur Ross, Secretary, U.S. Department of Commerce.

## PROGRAM DUPLICATION

No provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL)  
AUTHORITY

The following table provides a detailed summary, for each department and agency, comparing the amounts recommended in the bill with fiscal year 2020 enacted amounts and budget estimates presented for fiscal year 2021:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration.....	521,250	485,407	542,428	+21,178	+57,021
Offsetting fee collections.....	-11,000	-11,000	-11,000	---	---
Direct appropriation.....	510,250	474,407	531,428	+21,178	+57,021
Bureau of Industry and Security					
Operations and administration.....	87,652	96,664	96,664	+9,012	---
Defense function.....	40,000	41,000	41,000	+1,000	---
Total, Bureau of Industry and Security.....	127,652	137,664	137,664	+10,012	---
Economic Development Administration					
Economic Development Assistance Programs.....	292,500	---	314,000	+21,500	+314,000
Salaries and expenses.....	40,500	31,593	42,000	+1,500	+10,407
Total, Economic Development Administration.....	333,000	31,593	356,000	+23,000	+324,407
Minority Business Development Agency					
Minority Business Development.....	42,000	10,281	52,000	+10,000	+41,719

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Economic and Statistical Analysis					
Salaries and expenses.....	107,990	111,855	111,855	+3,865	---
Bureau of the Census					
Current Surveys and Programs.....	274,000	279,268	288,403	+14,403	+9,135
Periodic censuses and programs.....	4,784,319	1,392,709	1,392,709	-3,391,610	---
2020 Census (H. Res. 293; HR 2021).....	2,500,000	---	---	-2,500,000	---
Subtotal.....	7,284,319	1,392,709	1,392,709	-5,891,610	---
Total, Bureau of the Census.....	7,558,319	1,671,977	1,681,112	-5,877,207	+9,135
National Telecommunications and Information Administration					
Salaries and expenses.....	40,441	72,203	45,500	+5,059	-26,703
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding.....	3,450,681	3,695,295	3,695,295	+244,614	---
Offsetting fee collections.....	-3,450,681	-3,695,295	-3,695,295	-244,614	---
Total, United States Patent and Trademark Office	---	---	---	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>National Institute of Standards and Technology</b>					
Scientific and Technical Research and Services.....	754,000	652,027	789,000	+35,000	+136,973
(transfer out).....	(-9,000)	(-9,000)	(-9,000)	---	---
Industrial Technology Services.....	162,000	25,252	170,000	+8,000	+144,748
Manufacturing extension partnerships.....	(146,000)	---	(153,000)	(+7,000)	(+153,000)
National Network for Manufacturing Innovation.....	(16,000)	(25,252)	(17,000)	(+1,000)	(-8,252)
Construction of research facilities.....	118,000	40,644	85,000	-33,000	+44,356
(Legislative Proposal).....	---	294,000	---	---	-294,000
Working Capital Fund (by transfer).....	(9,000)	(9,000)	(9,000)	---	---
<b>Total, National Institute of Standards and Technology.....</b>	<b>1,034,000</b>	<b>1,011,923</b>	<b>1,044,000</b>	<b>+10,000</b>	<b>+32,077</b>
<b>National Oceanic and Atmospheric Administration</b>					
Operations, Research, and Facilities.....	3,763,939	3,165,124	3,871,659	+107,720	+706,535
(by transfer).....	(174,774)	(183,834)	(253,171)	(+78,397)	(+69,337)
Promote and Develop Fund (transfer out).....	(-174,774)	(-183,834)	(-253,171)	(-78,397)	(-69,337)
<b>Subtotal.....</b>	<b>3,763,939</b>	<b>3,165,124</b>	<b>3,871,659</b>	<b>+107,720</b>	<b>+706,535</b>
Procurement, Acquisition and Construction.....	1,530,890	1,466,669	1,524,360	-6,530	+57,691
Pacific Coastal Salmon Recovery.....	65,000	---	65,000	---	+65,000
Fishermen's Contingency Fund.....	349	349	349	---	---
Fishery Disaster Assistance.....	---	300	300	+300	---
Fisheries Finance Program Account.....	-8,000	-7,600	-7,600	+400	---
<b>Total, National Oceanic and Atmospheric Administration.....</b>	<b>5,352,178</b>	<b>4,624,842</b>	<b>5,454,068</b>	<b>+101,890</b>	<b>+829,226</b>

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Departmental Management</b>					
Salaries and expenses.....	61,000	96,134	73,080	+12,080	-23,054
Renovation and Modernization.....	1,000	1,123	1,123	+123	---
Office of Inspector General.....	33,000	35,520	35,520	+2,520	---
Collection from the Public Safety Trust Fund.....	---	(-2,000)	(-2,000)	(-2,000)	---
Public Safety Trust Fund transfer.....	(2,000)	(2,000)	(2,000)	---	---
Department of Commerce Nonrecurring Expenses Fund.....	20,000	38,038	20,000	---	-18,038
Total, Departmental Management.....	115,000	170,815	129,723	+14,723	-41,092
<b>Total, title I, Department of Commerce.....</b>					
(by transfer).....	15,220,830	8,317,560	9,543,350	-5,677,480	+1,225,790
(transfer out).....	185,774	194,834	264,171	+78,397	+69,337
	-183,774	-194,834	-264,171	-80,397	-69,337

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
TITLE II - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses.....	114,740	121,769	120,041	+5,301	-1,728
Justice Information Sharing Technology.....	33,875	34,064	33,875	---	-189
Total, General Administration.....	148,615	155,833	153,916	+5,301	-1,917
Executive Office for Immigration Review.....	672,966	882,872	734,000	+61,034	-148,872
Transfer from Immigration examinations fee account	-4,000	-4,000	-4,000	---	---
Direct appropriation.....	668,966	878,872	730,000	+61,034	-148,872
Office of Inspector General.....	105,000	107,211	113,985	+8,985	+6,774
United States Parole Commission					
Salaries and expenses.....	13,308	13,539	13,539	+231	---
Legal Activities					
Salaries and expenses, general legal activities.....	920,000	971,429	969,211	+49,211	-2,218
Vaccine Injury Compensation Trust Fund.....	13,000	19,000	19,000	+6,000	---
Salaries and expenses, Antitrust Division.....	166,755	188,524	180,274	+13,519	-8,250
Offsetting fee collections - current year.....	-141,000	-150,000	-150,000	-9,000	---
Direct appropriation.....	25,755	38,524	30,274	+4,519	-8,250

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Salaries and expenses, United States Attorneys.....	2,254,541	2,378,418	2,347,177	+92,636	-31,241
United States Trustee System Fund.....	227,229	234,464	232,361	+5,132	-2,103
Offsetting fee collections.....	-309,000	-318,000	-318,000	-9,000	---
Direct appropriation.....	-81,771	-83,536	-85,639	-3,868	-2,103
Salaries and expenses, Foreign Claims Settlement Commission.....	2,335	2,366	2,366	+31	---
Fees and expenses of witnesses.....	270,000	239,000	270,000	---	+31,000
Salaries and expenses, Community Relations Service....	16,000	---	20,300	+4,300	+20,300
Assets Forfeiture Fund.....	20,514	20,514	20,514	---	---
Total, Legal Activities.....	3,440,374	3,585,715	3,593,203	+152,829	+7,488
United States Marshals Service					
Salaries and expenses.....	1,430,000	1,608,073	1,484,184	+54,184	-123,889
Construction.....	15,000	15,000	15,000	---	---
Federal Prisoner Detention.....	1,867,461	2,046,609	1,867,461	---	-179,148
Total, United States Marshals Service.....	3,312,461	3,669,682	3,366,645	+54,184	-303,037

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Security Division					
Salaries and expenses.....	110,000	117,451	114,837	+4,837	-2,614
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement.....	550,458	585,145	565,000	+14,542	-20,145
Federal Bureau of Investigation					
Salaries and expenses.....	3,841,128	3,955,100	3,936,648	+95,520	-18,452
Counterintelligence and national security.....	5,626,774	5,793,729	5,766,700	+139,926	-27,029
Subtotal, Salaries and expenses.....	9,467,902	9,748,829	9,703,348	+235,446	-45,481
Construction.....	485,000	51,895	51,895	-433,105	---
Total, Federal Bureau of Investigation.....	9,952,902	9,800,724	9,755,243	-197,659	-45,481
Drug Enforcement Administration					
Salaries and expenses.....	2,722,295	2,859,304	2,791,869	+69,574	-67,435
Diversion control fund.....	-443,142	-460,499	-460,499	-17,357	---
Total, Drug Enforcement Administration.....	2,279,153	2,398,805	2,331,370	+52,217	-67,435
High Intensity Drug Trafficking Areas Program.....	---	254,000	---	---	-254,000



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Bureau of Alcohol, Tobacco, Firearms and Explosives</b>					
Salaries and expenses.....	1,400,000	1,637,574	1,550,000	+150,000	-87,574
Construction.....	---	28,685	5,000	+5,000	-23,685
Total, Bureau of Alcohol, Tobacco, Firearms and Explosives.....	1,400,000	1,666,259	1,555,000	+155,000	-111,259
<b>Federal Prison System</b>					
Salaries and expenses.....	7,470,000	7,611,126	7,770,000	+300,000	+158,874
Buildings and facilities.....	308,000	99,453	110,000	-198,000	+10,547
Limitation on administrative expenses, Federal Prison Industries, Incorporated.....	2,700	2,700	2,700	---	---
Total, Federal Prison System.....	7,780,700	7,713,279	7,882,700	+102,000	+169,421
<b>State and Local Law Enforcement Activities</b>					
Office on Violence Against Women: Prevention and prosecution programs.....	---	---	---	---	---
(by transfer).....	(435,000)	---	(435,000)	---	(+435,000)
Crime Victims Fund (transfer out).....	(-435,000)	---	(-435,000)	---	(-435,000)
Violence Against Women Prevention & Prosecution Programs .....	67,500	---	90,000	+22,500	+90,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Justice Programs:					
Research, evaluation and statistics.....	79,000	86,500	88,500	+9,500	+2,000
State and local law enforcement assistance.....	1,892,000	1,511,200	2,402,000	+510,000	+890,800
Juvenile justice programs.....	320,000	227,500	337,000	+17,000	+109,500
Public safety officer benefits:					
Death benefits.....	117,000	119,000	119,000	+2,000	---
Disability and education benefits.....	24,800	24,800	24,800	---	---
Subtotal.....	141,800	143,800	143,800	+2,000	---
Total, Office of Justice Programs.....	2,432,800	1,969,000	2,971,300	+538,500	+1,002,300
Community Oriented Policing Services:					
COPS programs.....	343,000	---	343,000	---	+343,000
Total, State and Local Law Enforcement Activities.....	2,843,300	1,969,000	3,404,300	+561,000	+1,435,300
Total, title II, Department of Justice.....	32,605,237	32,915,515	33,579,738	+974,501	+664,223

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - SCIENCE					
Office of Science and Technology Policy.....	5,544	5,000	5,544	---	+544
National Space Council.....	1,965	1,965	1,965	---	---
National Aeronautics and Space Administration					
Science.....	7,138,900	6,306,500	7,097,500	-41,400	+791,000
Aeronautics.....	783,900	819,000	819,000	+35,100	---
Space Technology.....	1,100,000	1,578,300	1,100,000	---	-478,300
Exploration.....	6,017,600	8,761,700	6,017,600	---	-2,744,100
Space Operations.....	4,140,200	4,187,300	4,052,200	-88,000	-135,100
Science, Technology Engineering, and Mathematics Engagement.....	120,000	---	126,000	+6,000	+126,000
Safety, Security and Mission Services.....	2,913,300	3,009,900	2,953,400	+40,100	-56,500
Construction and environmental compliance and restoration.....	373,400	539,085	419,100	+45,700	-119,985
Office of Inspector General.....	41,700	44,200	44,200	+2,500	---
Total, National Aeronautics and Space Administration.....	22,629,000	25,245,985	22,629,000	---	-2,616,985
National Science Foundation					
Research and related activities.....	6,666,200	6,142,020	6,896,123	+229,923	+754,103
Defense function.....	71,000	71,000	71,000	---	---
Subtotal.....	6,737,200	6,213,020	6,967,123	+229,923	+754,103

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Major Research Equipment and Facilities Construction...	243,230	229,750	243,230	---	+13,480
Education and Human Resources.....	940,000	930,930	970,000	+30,000	+39,070
Agency Operations and Award Management.....	336,900	345,640	345,640	+8,740	---
Office of the National Science Board.....	4,500	4,210	4,500	---	+290
Office of Inspector General.....	16,500	17,850	17,850	+1,350	---
Total, National Science Foundation.....	8,278,330	7,741,400	8,548,343	+270,013	+806,943
Total, Title III, Science.....	30,914,839	32,994,350	31,184,852	+270,013	-1,809,498

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses.....	10,500	10,065	12,000	+1,500	+1,935
Equal Employment Opportunity Commission					
Salaries and expenses.....	389,500	362,481	408,700	+19,200	+46,219
International Trade Commission					
Salaries and expenses.....	99,400	99,600	105,000	+5,600	+5,400
Legal Services Corporation					
Payment to the Legal Services Corporation.....	440,000	18,200	465,000	+25,000	+446,800
Marine Mammal Commission					
Salaries and expenses.....	3,616	2,449	3,769	+153	+1,320

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
Office of the U.S. Trade Representative					
Salaries and expenses.....	54,000	60,000	55,000	+1,000	-5,000
Trade Enforcement Trust Fund.....	15,000	13,000	15,000	---	+2,000
State Justice Institute					
Salaries and expenses.....	6,555	8,000	7,700	+1,145	-300
	=====	=====	=====	=====	=====
Total, title IV, Related Agencies.....	1,018,571	573,795	1,072,169	+53,598	+498,374
	=====	=====	=====	=====	=====

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE V - GENERAL PROVISIONS					
Crime Victims Fund (transfer out) (Sec. 510).....	(-10,000)	---	(-10,000)	---	(-10,000)
Department of Justice OIG (by transfer).....	(10,000)	---	(10,000)	---	(+10,000)
DOC National Institute of Standards and Technology, Industrial Technology Services (rescission).....	---	-20,000	---	---	+20,000
Economic Development Assistance Programs (rescission). NOAA, Fisheries, Enforcement Asset Forfeiture Funds (rescission).....	-17,000	-38,000	---	+17,000	+38,000
Periodic Censuses and Programs (rescission).....	-5,000	---	-10,000	-5,000	-10,000
DOJ, Working Capital Fund (rescission).....	---	-88,600	---	---	+88,600
DOJ, Fees and Expenses of Witnesses (rescission).....	-107,000	-75,000	-75,000	+32,000	---
FBI, Salaries and Expenses: nondefense (rescission).....	---	---	---	---	---
defense (rescission).....	-29,200	-32,456	---	+29,200	+32,456
FBI, Construction (rescission).....	-42,774	-47,544	---	+42,774	+47,544
Federal Prison System, Buildings and Facilities (rescission).....	---	-150,000	---	---	+150,000
Violence against women prevention and prosecution programs (rescission).....	---	-505,000	---	---	+505,000
Office of Justice programs (rescission).....	---	-10,000	---	---	+10,000
COPS (rescission).....	-70,000	-85,000	-70,000	---	+15,000
NASA Science (rescission).....	-13,000	---	-15,000	-2,000	-15,000
DEA, salaries & expenses (rescission).....	-70,000	---	---	+70,000	---
	-10,000	---	---	+10,000	---
Total, title V, General Provisions.....	-363,974	-1,051,600	-170,000	+193,974	+881,600

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
OTHER APPROPRIATIONS					
USMCA SUPPLEMENTAL APPROPRIATIONS ACT, 2019 (P.L. 116-113)					
National Oceanic and Atmospheric Administration					
Operations, Research and Facilities (emergency).....	16,000	---	---	-16,000	---
Office of the U.S. Trade Representative					
Salaries and expenses (emergency).....	50,000	---	---	-50,000	---
Trade Enforcement Trust Fund (emergency).....	40,000	---	---	-40,000	---
Total, Office of the U.S. Trade Representative..	90,000	---	---	-90,000	---
-----					
Total, USMCA Supplemental Appropriations Act, 2019.....	106,000	---	---	-106,000	---



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>EMERGENCY APPROPRIATIONS FOR CORONAVIRUS HEALTH RESPONSE AND AGENCY OPERATIONS (P. L. 116-136 DIV B)</b>					
<b>DEPARTMENT OF COMMERCE</b>					
<b>ECONOMIC DEVELOPMENT ADMINISTRATION</b>					
Economic Development Assistance Programs (emergency) ..	1,500,000	---	---	-1,500,000	---
(transfer out) (emergency) .....	(-33,000)	---	---	(+33,000)	---
Salaries and Expenses (by transfer) (emergency) .....	(33,000)	---	---	(-33,000)	---
National Institute of Standards and Technology					
Scientific and Technical Research and Services					
(emergency) .....	6,000	---	---	-6,000	---
Industrial Technology Services (emergency) .....	60,000	---	---	-60,000	---
Manufacturing Extension Partnership (emergency) ..	(50,000)	---	---	(-50,000)	---
National Network for Manufacturing Innovation					
(emergency) .....	(10,000)	---	---	(-10,000)	---
Total, National Institute of Standards and Technology .....	66,000	---	---	-66,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Oceanic and Atmospheric Administration					
Operations, Research, and Facilities (emergency).....	20,000	---	---	-20,000	---
Fisheries Disaster Assistance (emergency).....	300,000	---	---	-300,000	---
Total, National Oceanic and Atmospheric Administration.....	320,000	---	---	-320,000	---
Departmental Management					
Office of Inspector General (by transfer) (emergency).....	(3,000)	---	---	(-3,000)	---
Total, Department of Commerce.....	1,886,000	---	---	-1,886,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>DEPARTMENT OF JUSTICE</b>					
General Administration					
Justice Information Sharing Technology (emergency).....	2,000	---	---	-2,000	---
Office of Inspector General (emergency).....	2,000	---	---	-2,000	---
Total, General Administration.....	4,000	---	---	-4,000	---
Office of United States Attorneys					
Salaries and Expenses (emergency).....	3,000	---	---	-3,000	---
United States Marshals Service					
Salaries and Expenses (emergency).....	15,000	---	---	-15,000	---
Federal Bureau of Investigation					
Salaries and Expenses (emergency).....	8,000	---	---	-8,000	---
Defense (emergency).....	12,000	---	---	-12,000	---
Drug Enforcement Administration					
Salaries and Expenses (emergency).....	15,000	---	---	-15,000	---
Federal Prison System					
Salaries and Expenses (emergency).....	100,000	---	---	-100,000	---
Office of Justice Programs					
State and Local Law Enforcement Assistance					
(emergency).....	850,000	---	---	-850,000	---
Total, Department of Justice.....	1,007,000	---	---	-1,007,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Aeronautics and Space Administration					
Safety, Security, and Mission Services (emergency)....	60,000	---	---	-60,000	---
National Science Foundation					
Research and Related Activities (emergency).....	75,000	---	---	-75,000	---
Agency Operations and Award Management (emergency)....	1,000	---	---	-1,000	---
Total, National Science Foundation.....	76,000	---	---	-76,000	---
Legal Services Corporation					
Payment to the Legal Services Corporation (emergency) .	50,000	---	---	-50,000	---
Total, Emergency Appropriations for Coronavirus Health Response and Agency Operations.....	3,079,000	---	---	-3,079,000	---
Total, Other Appropriations.....	3,185,000	---	---	-3,185,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total.....	82,580,503	73,749,620	75,210,109	-7,370,394	+1,460,489
Appropriations.....	(77,259,477)	(74,801,220)	(75,380,109)	(-1,879,368)	(+578,889)
Rescissions.....	(-363,974)	(-1,051,600)	(-170,000)	(+193,974)	(+881,600)
Emergency appropriations.....	(3,185,000)	---	---	(-3,185,000)	---
Census Cap Adjustment.....	(2,500,000)	---	---	(-2,500,000)	---
(by transfer).....	666,774	194,834	709,171	+42,397	+514,337
(transfer out).....	-661,774	-194,834	-709,171	-47,397	-514,337
PTO pre-funding payments (Health benefits fund)...	-94,000	-99,000	-99,000	-5,000	---
Crime Victims Fund (Sec. 510).....	-5,737,000	---	-3,249,000	+2,488,000	-3,249,000
Independent counsel.....	2,000	---	---	-2,000	---
Medicare-eligible retiree health fund					
contributions, NOAA.....	1,497	1,591	1,591	+94	---

## MINORITY VIEWS

We appreciate the efforts of the Majority in producing a Commerce, Justice, Science and Related Agencies (CJS) Appropriations bill that addresses many priorities of Members on both sides of the aisle. We also want to thank Chairman Serrano and his staff for their diligent efforts to incorporate many of our Members' proposed modifications into his Manager's Amendment.

We are pleased that the bill provides no less than \$400,000,000 for the Block IB version of the Space Launch System and continues strong funding for deep space exploration technologies, such as nuclear thermal propulsion. We also appreciate the strong support for the agencies that ensure compliance with our trade laws and agreements, as well as funding for the Commerce Department's recently created Aluminum Import Monitoring and Analysis system.

In addition to these key priorities, the bill addresses issues impacting all of our communities. It increases funding for drug court programs and other vital initiatives that address the opioid epidemic, as well as DNA programs that are helping to analyze the backlog of sexual assault evidence and solve cold cases.

Still, we have many unaddressed concerns with this bill. The bill makes new investments in science, but only selectively. The flat funding for NASA reveals a deliberate effort to undercut our path toward renewed American space dominance, and it imperils the goal of landing on the moon in 2024. Specifically, the bill fails to provide adequate funding for an essential component of NASA's Artemis program: the human landing systems on which the first woman will travel to the surface of the moon. It also fails to provide adequate resources for critical ground infrastructure in support of the Artemis program.

This is shortsighted, to say the least. Sending American astronauts to the south pole of the moon will showcase the global leadership and technological advances of the United States. It will also enhance our national security by allowing us to establish a strategic presence on the moon. Our nation is facing serious threats in space, specifically from China. Being the world leader in space will be expensive, but it will not be nearly as costly as letting China dominate in space. For far too long, we have allowed China to challenge us, with negative implications both for our economy and our national security.

In addition, by imposing new, unauthorized conditions on the Byrne Justice Assistance Grant (JAG) program and programs administered by the Office on Community Oriented Policing, the Majority is effectively halting funding for many authorized programs with strong bipartisan support. Among other purposes, funding for these programs supports active shooter response training under the POLICE Act (P.L. 114–199), grants for the purchase of school hardening equipment under the STOP School Violence Act (Title V of

P.L. 115–141), suicide prevention measures for police officers under the Law Enforcement Mental Health and Wellness Act (P.L. 115–113), and law enforcement assistance in tribal communities, where homicide rates among American Indians and Alaska Natives are more than double the rate for the U.S. as a whole. Conditioning needed funding for schools and communities on policies far outside the control of law enforcement—in the name of social justice—is inappropriate.

Moreover, in their effort to appease voices calling for the defunding of police, the Majority also underfunds all of the Federal law enforcement agencies of the Department of Justice, halts funding for anti-methamphetamine and heroin task forces, and directs resources to a misconduct registry that would be required by law to report baseless accusations. In doing so, they contribute to a climate wherein far too many good law enforcement officers are considering a career change because they feel their efforts are unsupported and the sacrifices they are willing to make are unappreciated.

The bill also includes several partisan immigration-related riders opposed by the Minority. It provides \$15,000,000 for a new, unauthorized program to provide direct legal representation of aliens arriving at our Southern border, prohibits the use of case completion benchmarks to evaluate immigration judge performance, and includes unauthorized restraints on the Census Bureau that will preclude it from using any of the data it legally collects to develop estimates of citizens, lawfully present non-citizens and unauthorized aliens in the U.S.

Finally, the bill eliminates several long-standing Second Amendment protections that have enjoyed historical, bipartisan support. The elimination of freedoms that are not even associated with the criminal misuse of firearms is indicative of a gun control agenda with no basis in the science of criminal justice.

We do commit, as always, to working with the Majority in good faith as we proceed through the legislative process, to cure these and other deficiencies.

KAY GRANGER.  
ROBERT B. ADERHOLT.

