

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

JUNE 7, 2016.—Committed to the Committee of the Whole House on the State of
 the Union and ordered to be printed

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

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 5393]

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, 2017, and for other purposes.

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HIGHLIGHTS OF THE BILL

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

The bill provides a total of \$56,001,000,000 in discretionary budget authority for fiscal year 2017, which is \$279,000,000 or 0.5 percent above the fiscal year 2016 discretionary enacted level.

The bill provides \$1,374,651,000 above the Administration's discretionary budget request. The funds above the Administration's request are necessary to address operational shortfalls left by the budget request proposal to fund the operations of the Federal government with over \$3.8 billion in new unauthorized mandatory spending. The Administration also proposed increasing the savings applied to the bill from changes in mandatory programs by more than \$1.8 billion over fiscal year 2016. The bill rejects these new mandatory funding gimmicks.

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

For the Department of Justice, the bill provides an increase of \$346,650,000 from the current year. This includes an increase of \$279,098,000 for the Federal Bureau of Investigation (FBI) to enhance its efforts to combat cybercrime, terrorism, and espionage. The recommendation includes an increase of \$34,859,000 to the Executive Office for Immigration Review for 25 additional Immigration Judge teams to markedly reduce case backlogs. The bill also supports the continued operations of critical Federal law enforcement agencies including the United States Marshals Service, the United States Attorneys, the Drug Enforcement Administration (DEA), the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Bureau of Prisons. For State and local law enforcement activities, the bill increases funds for Violence Against Women Prevention and Prosecutions Programs and Byrne Justice Assistance Grants. The bill also continues support for priority programs such as Adam Walsh Act, NICS background checks, the DNA initiative, Reducing Sexual Assault Kit Backlogs, the Second Chance Act, and the Missing and Exploited Children program. In order to combat the opioid epidemic, the bill includes \$103,000,000 for the programs authorized by H.R. 5046, The Comprehensive Opioid Abuse Reduction Act of 2016. The bill also provides a \$34,124,000 increase for DEA and a \$10,135,000 increase for Organized Crime and Drug Enforcement Task Forces.

The Committee is extremely disappointed that the Administration's request proposes to reduce discretionary appropriations for NASA by over \$1 billion from fiscal year 2016. This lack of commitment to the country's space program is not shared by the Congress.

NASA is a strategic asset to the nation. The Committee believes that additional investment is needed to maintain American leader-

ship in space exploration and science, and for NASA to successfully execute all of its activities and missions. A bold space exploration program that engages the nation will inspire new generations of scientists and engineers and contribute to the economic success and space leadership of the country. The recommendation provides \$19,507,000,000, an increase of \$222,000,000 over fiscal year 2016 and \$1,244,900,000 over the discretionary budget request. The bill advances space exploration and ensures our nation remains the world's leader in space exploration and technology, aeronautics research, and discovery in space and science. The bill provides for the continued development of the Orion crew vehicle, Space Launch System, and Exploration Ground Systems that will one day send astronauts beyond low Earth orbit. The bill continues funding for critical scientific missions and technology programs. The Committee directs NASA to follow the direction of the decadal surveys in prioritizing activities during fiscal year 2017 and in the future.

For the National Science Foundation, the bill increases the Research and Related Activities appropriation by \$45,785,000 over the historically high fiscal year 2016 level.

Within the Department of Commerce, the Patent and Trademark Office is funded at \$3,230,000,000, which is the level of fee collections estimated by the Congressional Budget Office. Funding for the National Oceanic and Atmospheric Administration prioritizes improving weather forecasting, fisheries management, the Joint Polar Satellite System (JPSS) and the Geostationary Operational Environmental Satellite-R Series (GOES-R).

In order to fund the priority programs described above, the bill recommends terminating 31 programs, resulting in savings of more than \$716,250,000 from the fiscal year 2016 level and \$626,900,000 from the President's request for these same programs. In addition, the bill recommends freezing or reducing 13 appropriation accounts in the Department of Commerce, 14 appropriation accounts in the Department of Justice, and 5 appropriation accounts in related agencies.

OVERSIGHT AND BUDGET REVIEW

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

- Withholds funds for information technology related to the 2020 census until a comprehensive investment plan is provided to the Committee and the Government Accountability Office.
- Caps total life-cycle costs for programs that have a record of poor performance, including weather satellites and the James Webb Space Telescope.
- Prohibits funding for the National Technical Information Service to charge customers for a copy of a document generated by the Legislative Branch unless the customer is informed how to receive an electronic copy free online.
- Requires monthly reporting on Immigration Judge performance.
- Maintains limitations on the Department of Justice's use of non-appropriated funds including the Working Capital Fund and the Assets Forfeiture Fund.
- Requires quarterly reporting of unobligated balances.

- Requires agencies to provide Inspectors General with timely access to information.
- 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.
- Limits the number of agency staff who can attend overseas conferences.
- Requires agencies to track undisbursed grant balances.
- Requires agencies to submit spending plans for the Committee's review.
- Requires agencies to notify the Committee of project cost overruns and mitigation plans.
- Requires agency computer networks to block pornography.

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

REPROGRAMMING PROCEDURES

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

Each department and agency funded in this bill shall follow the directions set forth in this bill and the accompanying report, and shall not reallocate resources or reorganize activities except as provided herein. Reprogramming procedures shall apply to funds provided in this bill, unobligated balances from previous appropriations Acts that are available for obligation or expenditure in fiscal year 2017, and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2017. As specified in section 505, the Committee expects that the Appropriations Subcommittees on Commerce, Justice, Science, and Related Agencies of the House and Senate will be notified by letter a minimum of 15 days prior to any reprogramming of funds that—

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes or renames offices, programs, or activities;

(6) contracts out or privatizes any functions or activities presently performed by Federal employees;

(7) augments existing programs, projects, or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project, or activity, or numbers of personnel by 10 percent; or

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

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

RELATIONSHIP WITH BUDGET AND COMPTROLLER OFFICES

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

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

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The Committee recommends \$495,000,000 in total resources for the programs of the International Trade Administration (ITA), which is \$2,000,000 above fiscal year 2016 and \$38,421,000 below the request. This amount is offset by \$12,000,000 in estimated fee collections, resulting in a direct appropriation of \$483,000,000.

Trade enforcement.—The recommendation funds Enforcement and Compliance at \$2,000,000 above the request. Additionally, the Committee instructs the ITA to make the enforcement of anti-

dumping and countervailing duties a priority, and recommends that the ITA specifically focus on expeditiously reducing case backlogs and thoroughly investigating the extent to which trade law evasion harms domestic industries.

BUREAU OF INDUSTRY AND SECURITY
OPERATIONS AND ADMINISTRATION

The Committee recommends \$114,000,000 for the Bureau of Industry and Security (BIS), which is \$1,500,000 above fiscal year 2016 and \$12,945,000 below the request. The recommendation funds the requested increase for Export Enforcement.

ECONOMIC DEVELOPMENT ADMINISTRATION

The Committee recommends \$264,500,000 for the programs and administrative expenses of the Economic Development Administration (EDA), which is \$3,500,000 above fiscal year 2016, and \$6,046,000 above the request.

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The Committee recommends \$225,000,000 for Economic Development Assistance Programs, which is \$3,000,000 above fiscal year 2016 and \$10,000,000 above the request. Funds shall be distributed as follows; any deviation shall be subject to the procedures set forth in section 505 of this Act:

Public Works	\$102,000,000
Partnership Planning	30,000,000
Technical Assistance	10,500,000
Research and Evaluation	1,500,000
Trade Adjustment Assistance	12,000,000
Economic Adjustment Assistance	38,000,000
Regional Innovation Grants	16,000,000
Assistance to Coal Mining Communities	15,000,000
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Total, Economic Development Assistance Programs	\$225,000,000

Assistance to coal mining communities.—The Committee continues to support the long overdue POWER plan, 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 not less than \$15,000,000 to assist coal mining communities through the POWER Plan or other EDA initiatives. The Committee appreciates that EDA has engaged and is collaborating with local leaders and stakeholders, along with other Federal agencies, to develop comprehensive strategies to promote economic growth in coal mining communities. The Committee expects this effort to continue. Within the funds provided, the Committee directs EDA to assist communities that have yet to develop an economic development strategy to begin the planning process. For communities that have created economic development strategies, EDA shall provide assistance to implement the strategies, including the funding of authorized economic development projects. Within 90 days of enactment of this Act, EDA shall report to the Committee on its efforts to assist coal communities and the government-wide POWER Plan. The report shall include a detailed description on 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.

SALARIES AND EXPENSES

The Committee recommends \$39,500,000 for EDA salaries and expenses, which is a \$500,000 increase over fiscal year 2016 and \$3,954,000 below the request.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The Committee recommends \$34,000,000 for the Minority Business Development Agency (MBDA), which is \$2,000,000 above fiscal year 2016 and \$1,613,000 below the request.

Native American businesses.—With a portion of the provided increase, the Committee urges MBDA to ensure that it provides adequate support to Native American businesses and to fulfill the intent of Public Law 106–464. MBDA shall submit a report to the Committee within 90 days of enactment on the services it provides to Native American businesses and how these efforts will spur business, economic development, and tourism in Indian Country. The Committee encourages MBDA to evaluate how it can expand its outreach and capacity building assistance to Native American tribes around the country.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The Committee recommends \$107,000,000 for economic and statistical analysis, which is \$2,000,000 below fiscal year 2016 and \$7,643,000 below the request.

BUREAU OF THE CENSUS

The Committee recommends a total of \$1,470,000,000 for the Bureau of the Census, which is \$100,000,000 above fiscal year 2016 and \$163,606,000 below the request.

CURRENT SURVEYS AND PROGRAMS

The Committee recommends \$270,000,000 for the Current Surveys and Programs, which is the same as the fiscal year 2016 level and \$15,287,000 below the request.

Survey of Income and Program Participation (SIPP).—Within the amounts provided, Census shall continue the level of effort for the SIPP at no less than the fiscal year 2016 level.

PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total of \$1,200,000,000 for Periodic Censuses and Programs, which is \$100,000,000 above the fiscal year 2016 level and \$148,319,000 below the request. The recommendation provides for a transfer of \$2,580,000 to the Department of Commerce Office of Inspector General (OIG) for oversight of the Census Bureau. The recommended increase will support

completion of research and the beginning of design, development, and testing for the 2020 Census.

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

2020 Census lifecycle cost.—The Committee is concerned that the Bureau's lifecycle cost estimate for the 2020 Census may not reflect cost estimation best practices. The Committee understands that no guidance or standard methodology was used to account for risks in its cost estimate. The Committee also understands that documentation of the assumptions in the estimate is lacking. The Committee directs the Bureau to submit a report to the Committee and the Government Accountability Office (GAO), no later than 60 days after enactment of this Act, on the steps it will take to improve its cost estimation and the time frame for taking these steps.

Census Enterprise Data Collection and Processing (CEDCaP).—The Committee supports the Bureau's efforts to develop a more flexible, automated and secure enterprise architecture that will enable Census to realize economies of scale to support data collection efforts. The Bureau shall continue to provide quarterly briefings regarding the status of these efforts. Information in these briefings shall include, but not be limited to, the current system's costs to maintain, the surveys supported, FTE associated with those systems, and the anticipated date that various IT systems will be retired and data merged onto the larger enterprise architecture. Census shall provide these reports concurrently to the OIG and GAO.

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

Language assistance and data on small population groups.—The Committee is concerned about the availability of data on small population groups and the availability of language assistance for respondents to the Census surveys, including those who speak Asian languages, Pacific Islander languages, American Indian and Alaska Native languages, African languages, Spanish, and other languages. Not later than 90 days after the date of the enactment of this Act, the Census Bureau shall submit a report identifying the languages spoken by respondent populations most in need of language assistance, along with the availability of interviewers and materials for persons speaking these languages, and the steps the Bureau will take to reach these respondents and otherwise ensure the availability and accuracy of data for small population groups. The Bureau is additionally directed to communicate this information on a regular basis to Census Telephone Centers and regional offices to address emerging needs.

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

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

Rural areas.—The Committee directs the Census Bureau to report, not later than 90 days after enactment of this Act, on the steps it will take to reduce the margin of error and increase the accuracy of income statistics for rural areas.

NATIONAL TELECOMMUNICATIONS AND INFORMATION
ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends \$36,322,000 for the salaries and expenses of the National Telecommunications and Information Administration (NTIA), which is \$3,178,000 below fiscal year 2016 and \$14,519,000 below the request. With the ramp down of the Broadband Technology Grant Programs, funding for broadband program activity is reduced, as requested.

Internet Corporation for Assigned Names and Numbers (ICANN).—The Committee remains concerned by NTIA's intent to transition certain Internet domain name functions to the global multistakeholder community. Any such transition represents a significant public policy change and should be preceded by an open and transparent process. In order for this issue to be considered more fully by the Congress, the Committee includes section 534 prohibiting funding for the transition.

Low Power Television Translators.—The Committee is aware that following the current Broadcast Incentive Auction there will be a restacking of remaining broadcast spectrum holders. NTIA, in partnership with the Federal Communications Commission, shall develop a plan to address the needs of low power broadcasters during this transition.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The Committee recommends \$3,230,000,000 for the United States Patent and Trademark Office (PTO), the full amount of fiscal year 2017 fee collections estimated by the Congressional Budget Office. The recommendation continues language making available any excess fee collections above the estimated level and the amounts appropriated in this Act. PTO shall continue to provide monthly reports on its actual and projected fee collections and performance. PTO shall also provide additional operations reporting to the Committee on a quarterly basis, including data on application volumes and staffing status.

Patent and Trademark Fee Reserve Fund.—The recommendation includes bill language regarding excess fees deposited in the Patent and Trademark Fee Reserve Fund. The Committee reminds PTO that prior to obligating any of the funds in the Reserve Fund during fiscal year 2017, PTO shall submit to the Committee a reprogramming notification with a spending plan describing the in-

tended uses of funds. The Committee expects that any such reprogramming will describe how the expenditure of these reserve funds will improve patent quality, reduce the backlog of pending applications and appeals, improve the information technology (IT) infrastructure, or otherwise improve the efficiency and effectiveness of PTO.

Patents End 2 End (PE2E).—PTO shall continue to provide quarterly reports to the Committee on the status of this information technology project, including the proposed retirement of legacy IT systems, and cost savings associated with those retirements, and any efficiencies achieved in patent processing as a result of these IT investments. The Committee looks forward to receiving the fiscal year 2016 quarterly reports and expects the timely submission of these reports in fiscal year 2017.

Addressing management failures.—During fiscal year 2014, serious management concerns came to light including two Inspector General reports: *Review of Waste and Mismanagement at the Patent Trial and Appeal Board* and *Review of Conduct by a High-Ranking USPTO Official in the Hiring of a Trademark Organization Employee*; and a PTO Internal Administrative Inquiry Report in response to an Inspector General Referral regarding abuse of telework programs at PTO. In July, 2015, the National Academy of Public Administration (NAPA) released its report, *The United States Patent and Trademark Office: A Telework and Internal Control Program Review*. The Committee notes that while PTO has implemented or is implementing many of NAPA's recommendations, there are still outstanding recommendations and progress to be made on them. During fiscal year 2017, the PTO shall continue to provide quarterly reports to the Committee on the implementation of reforms in response to recommendations in these reports and to ensure that employee time and attendance is appropriately managed and that nepotism is not tolerated. The Committee looks forward to receiving the fiscal year 2016 quarterly reports, and expects the timely submission of these reports in fiscal year 2017.

Patent quality.—The Committee looks forward to receiving the fiscal year 2016 required report on patent quality. Within 90 days of enactment of this Act, PTO shall submit an updated report to the Committee on the implementation of its Patent Quality Initiative, steps taken to improve patent quality in fiscal year 2016, and planned actions for fiscal year 2017.

Government agencies.—The Committee believes the PTO should notify the appropriate government agency when an application for trademark is filed for official or colloquially used names for any real property managed by that agency.

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

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The Committee recommends \$865,000,000 for NIST, which is \$99,000,000 below fiscal year 2016 and \$149,519,000 below the request.

Security.—The Committee is concerned about security-related issues at NIST, in particular potential inappropriate access of foreign nationals to NIST facilities and information systems. The Committee directs NIST to coordinate with the Federal Bureau of

Investigation to improve and standardize security training and enforcement across the agency and to ensure that security, counter-intelligence, and export control functions are fully staffed.

NIST shall continue to provide the following information to the Committee quarterly: an accounting of vacancy rates in security-related offices; a summary of all known security incidents occurring that quarter involving access violations by foreign nationals or the unauthorized transfer of proprietary or sensitive information; and a summary of any criminal or administrative sanctions applied that quarter due to violations of security-related laws or regulations.

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$680,000,000 for NIST's scientific and technical programs, which is \$10,000,000 below fiscal year 2016 and \$50,533,000 below the request.

Laboratory programs.—The recommendation includes \$608,000,000 for NIST Laboratory programs.

Standards Coordination and Special Programs.—The recommendation includes \$55,000,000 for standards coordination and special programs. Within these amounts, up to \$5,000,000 is included to maintain NIST's current forensic research and standards work. The recommendation does not include funds to support or operate Forensic Science Advisory Committees.

Lab-to-market.—The recommendation does not provide funding for the lab-to-market program.

Urban Dome.—The recommendation does not provide funding for the Urban Dome program.

Cybersecurity.—The Committee is aware that the nation's retail sector is vulnerable to and targeted by cyberattacks. The Committee encourages NIST to build on its existing industry-sector focused work to create a retail-specific cybersecurity initiative and partner, as appropriate, with academic entities and national leaders in retail cybersecurity and retail supply chain management and logistics.

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

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

NIST budget structure.—The Committee encourages NIST to work to bring greater transparency into its budget structure and provide additional detail in its budget justifications about base laboratory funding, rather than just program changes and new initiatives.

Internet of Things.—The Committee recognizes the importance of United States leadership in addressing security concerns for users and data within the Internet of Things and commends NIST for its ongoing work in this area, including the 2015 release of a draft framework for cyber-physical systems. In conjunction with this and other ongoing efforts related to cybersecurity, the Committee encourages NIST to continue strengthening its cybersecurity measurement science and standard-setting efforts related to the Internet of Things, including, but not limited to, industry-led best practices such as network segmentation.

INDUSTRIAL TECHNOLOGY SERVICES

The Committee recommends \$135,000,000 for Industrial Technology Services, which is \$20,000,000 below fiscal year 2016 and \$53,991,000 below the request. This amount includes \$130,000,000 for the Manufacturing Extension Partnership (MEP) and \$5,000,000 for the National Network for Manufacturing Innovation.

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

CONSTRUCTION OF RESEARCH FACILITIES

The Committee recommends \$50,000,000 for NIST construction, which is \$69,000,000 below fiscal year 2016 and \$44,995,000 below the request. NIST shall continue to provide updates on the projects funded within this account, to include milestones and total amount of funding necessary for completion.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The Committee recommends a total of \$5,580,575,000 in discretionary funds for the National Oceanic and Atmospheric Administration (NOAA), which is \$185,004,000 below fiscal year 2016 and \$267,668,000 below the request. The recommendation prioritizes funding for National Weather Service (NWS) operations, weather research, and related satellite programs, and the National Marine Fisheries Service.

Information technology security.—The Committee is encouraged by NOAA's efforts to address the security deficiencies in National Environmental Satellite, Data and Information Service's (NESDIS') information systems, but there is still considerable room for improvement. The Committee expects NESDIS and NWS to continue to make progress in this area.

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

Partnering with the private sector.—The Committee encourages NOAA to purchase services from the private sector when such services are available, cost effective, and practicable.

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

Regional Biosecurity Plan for Micronesia and Hawaii.—The Regional Biosecurity Plan for Micronesia and Hawaii is an important planning and guidance document to proactively address the threat of invasive species in the Pacific. Within one year of enactment of this Act, NOAA shall submit a report to the Committee on the activities NOAA has taken to implement the plan.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total program level of \$3,445,664,000 under this account for the coastal, fisheries, marine, weather, satellite, and other programs of NOAA. This total funding level includes \$3,298,000,000 in direct appropriations, a transfer of \$130,164,000 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 \$3,298,000,000 is \$7,813,000 below fiscal year 2016 and \$196,180,000 below the request.

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

National Ocean Service.—The recommendation provides \$475,140,000 for National Ocean Service, operations, research, and facilities.

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

Program	Amount
Navigation, Observations and Positioning	
Navigation, Observations and Positioning	\$139,570
Integrated Ocean Observing System Regional Observations	31,500
Hydrographic Survey Priorities/Contracts	25,000
Navigation, Observations and Positioning	196,070
Coastal Science and Assessment	
Coastal Science, Assessment, Response and Restoration	70,000
Competitive External Research	9,000
Coastal Science and Assessment	79,000
Ocean and Coastal Management and Services	
Coastal Zone Management and Services	39,570
Coastal Zone Management Grants	65,000
Coral Reef Program	26,000
Sanctuaries and Marine Protected Areas	49,000
National Estuarine Research Reserve System	20,500
Ocean and Coastal Management and Services	200,070
Total, National Ocean Service, Operations, Research, and Facilities	\$475,140

Navigation, Observations and Positioning.—The recommendation provides \$196,070,000 for Navigation, Observations, and Positioning. Within this amount, the Committee expects NOAA to prioritize its mission-critical responsibilities including mapping and charting, geodesy, tides, and current data activities. The Committee does not support the proposed termination of the Regional Geospatial Modeling Grant program or the proposed decrease for Hydrographic Research and Technology Development.

Integrated Ocean Observing System (IOOS).—The recommendation includes \$31,500,000 for IOOS regional observations. The Committee supports ongoing efforts to examine ways to increase use of autonomous gliders, and encourages IOOS to procure additional autonomous gliders, as appropriate.

Bathymetry.—The Committee encourages NOAA to pursue innovative bathymetric technology as a potential contributor to NOAA's overall hydrographic surveying mission.

Marine Debris Program.—The Committee appreciates the work that the Marine Debris Program has done to address marine debris affecting the ocean, coastal, and Great Lakes environment, as well as navigation safety in the United States. The Committee urges the Marine Debris Program to continue its work to reduce and prevent the amount of plastic debris entering the oceans.

Harmful Algal Blooms.—The Committee remains concerned about the increasing prevalence of Harmful Algal Blooms and the effect of the related toxins, especially in the Great Lakes. The Committee supports the ongoing work of the National Centers for Coastal Ocean Science on Harmful Algal Blooms.

Competitive external research.—The Committee supports scientific research sponsored through collaboration with external academic institutions that focuses on the conservation of corals and coral reef ecosystems within U.S. waters, which is important for management of coral reefs at the State, local, and territory level, and for the implementation of the National Coral Reef Action Strategy.

Coastal Zone Management.—Matching grants are an important tool in ensuring State and local partners are committed to working with NOAA on coastal activities. Section 306 grants require a 1:1 match under the Coastal Zone Management Act, and the Committee expects NOAA to continue to require a 50 percent match for the Regional Coastal Resilience Grants.

Coastal and Ocean Economy.—Of the funding provided for National Ocean Service, \$1,500,000 shall be used for NOAA to develop a Coastal and Ocean Economy Satellite account with the Bureau of Economic Analysis in order to develop a working definition of the industries and commodities to be included in the account, identify businesses that are ocean-dependent, and describe in numerical terms the relationship between the ocean economy and the U.S. economy as a whole.

National Marine Fisheries Service.—The Committee recommends \$860,835,000 for National Marine Fisheries Service operations, research, and facilities.

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	\$118,107
Species Recovery Grants	6,000
Atlantic Salmon	6,224
Pacific Salmon	63,500
Protected Resources Science and Management	193,831
Fisheries Science and Management	
Fisheries and Ecosystem Science Programs and Services	139,489
Fisheries Data Collections, Surveys and Assessments	164,749
Observers and Training	43,464
Fisheries Management Programs and Services	118,500
Aquaculture	3,500
Salmon Management Activities	35,500
Regional Councils and Fisheries Commissions	34,250
Interjurisdictional Fisheries Grants	3,000
Fisheries Science and Management	542,452
Enforcement	68,698
Habitat Conservation and Restoration	55,854
Total, National Marine Fisheries Service, Operations, Research, and Facilities	\$860,835

Protected Resources Science and Management.—The Committee recommends \$193,831,000 for Protected Resources Science and Management programs. Within available resources, the Committee encourages NOAA to maintain funding for marine mammal stranding grants.

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

Electronic monitoring.—The recommendation includes \$10,500,000, which is \$3,500,000 above the request, for development and implementation of electronic monitoring and reporting technologies. Electronic technologies, such as e-logbooks and video monitoring systems, can significantly improve total catch measurement and reduce uncertainty in the data needed for stock assessments.

Stock assessments.—The Committee recognizes that NOAA fisheries stock assessments are the cornerstone of fishery conservation and management measurements, but the current stock assessment data inputs must be improved. The Committee continues to provide significant funding to NOAA for fishery surveys and other activities in support of stock assessments, yet problems persist with the frequency of surveys, adequacy of the data, and the use of independent research in developing stock assessments. NOAA shall continue to provide quarterly briefings to the Committee on its

stock assessment program, to include but not be limited to, its process for determining its yearly data collection efforts, specific costs for each survey, and protocols for ingesting fishery independent data.

Gulf of Mexico stock assessments.—The Committee recognizes the economic, cultural and recreational value of the Red Snapper fishery in the Gulf of Mexico. Within the amount provided for Fisheries Data Collections, Surveys and Assessments, \$10,000,000 is provided for competitive awards to develop and implement agency-independent innovative strategies and alternative methods to improve research, monitoring, and stock assessments of reef fish in the Gulf of Mexico. Agency independent data shall be incorporated into NOAA stock assessments as expeditiously as possible, and may include data from academia and fishermen, including fishery data collected on artificial reefs, offshore oil platforms and other offshore fixed energy exploration infrastructure. Not later than 60 days after the enactment of this Act, NOAA shall report to the Committee on how new technologies and alternative methods will be used to accurately assess fish populations and how these data will be used for fishery management decisions. NMFS is directed to improve its communications with stakeholders on the stock assessment process and outcome. The Committee remains concerned about the negative impacts of the short recreational fishing season for Red Snapper in the Gulf of Mexico on the local economies the fishery supports.

Protection of Native Anadromous Fish in the Stanislaus River, California.—The bill includes section 541, which directs the Secretary to implement a non-native predator fish research and pilot removal program on the Stanislaus River, California. The program shall include methods to quantify the number and size of predator fish removed each year, the impact of such removal on the overall abundance of predator fish, and the impact of such removal on the populations of juvenile anadromous fish found in the Stanislaus River by, among other things, evaluating the number of juvenile anadromous fish that migrate past the rotary screw traps located at Caswell and Oakdale. The program shall consider removal methods such as wire fyke trapping, portable resistance board weirs, and boat electrofishing.

The Committee expects NMFS to work collaboratively with the districts on all aspects of the program, including scientists, research questions, experimental design, management, personnel, techniques, data collection, reporting, conduct, posting of data and having an independent review of the program upon completion.

NMFS shall ensure compliance of all contractors and employees involved with the program, including an annual accounting of costs to be borne by the districts, and any prior year funds remaining or owed, and an annual timeline for data collecting and posting by December 1st of each year.

Within 60 days of the enactment of this Act, NMFS shall report to the Committee on the progress it has made in establishing the pilot program, the status of engagement with the districts and the timeline for the pilot program. Within 180 days of completion of the pilot program NMFS and the districts shall submit to the Committee a final report evaluating the effectiveness of the program

and making recommendations for future nonnative predator fish research and removal work.

Finally, the Committee has also provided language clarifying the program's relationship to Title XXXIV of P.L. 102-575.

Observers.—The Committee directs NMFS to continue working with regional fishery programs to adequately support at-sea and dockside monitoring for fisheries with approved catch share management plans.

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

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

Highly Migratory Species.—The Committee encourages NOAA to competitively award studies of highly migratory fish species in the Atlantic and Gulf of Mexico. These species could greatly benefit from improved, science-based management and conservation. Research funded could look at age and growth of highly migratory species, stock abundance, migratory patterns, and bycatch reduction technologies.

Cooperative research.—The recommendation includes \$12,000,000 within Fisheries Data Collections, Surveys and Assessments for cooperative research, which shall be used to support external, independent data collection and other research. The Committee expects that all funding provided shall be used for cooperative fisheries research and not for NOAA activities or administrative overhead costs. NOAA shall submit a report no later than 90 days after enactment of this Act listing all cooperative research grants funded in fiscal year 2016, to include the amount, the fishery, the type of information collected, and the expected uses for that data. The Committee is concerned that cooperative research is not ingested into fishery stock assessments in a timely manner. The report shall address NOAA procedures and timeframes for making use of this independent fisheries research.

Horseshoe crabs.—While funding was identified for the 2016 horseshoe crab survey, continuing this survey in fiscal year 2017 is important for the management of this species. NOAA shall work to continue the survey of the horseshoe crab population to generate the data necessary to ensure that the horseshoe crab stock remains on a sustainable path.

Atlantic Striped Bass fishery.—The Committee supports the continued development of a sex specific stock assessment model. States produce valuable data on Atlantic Striped Bass, and the Committee supports the inclusion of this data in population estimates as appropriate. NOAA shall report to the Committee on these efforts within 180 days of enactment of this Act.

Salmon Management.—The Committee supports NOAA’s ongoing work on salmon genetic stock identification research, including efforts in collection, analysis and testing of methods to identify and track the location of Federally protected stocks in the wild, and provides \$2,000,000 for these efforts. Additionally, within the amounts provided for Salmon Management, \$13,000,000 is available for the Pacific Salmon Treaty.

Megafauna tagging studies.—The Committee encourages NMFS to pursue satellite and acoustic tagging studies of megafauna, such as sharks and rays, in partnership with National Marine Sanctuaries, to track local and regional movement of these animals for sanctuary management.

Oceanic and Atmospheric Research.—The Committee recommendation includes \$437,625,000 for Oceanic and Atmospheric Research (OAR) operations, research, and facilities. Given continued resource constraints, it is incumbent on NOAA to ensure that its research programs support the operational mission of each NOAA line office and that research efforts are an integral component in meeting line office program goals and milestones.

OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH

Operations, Research, and Facilities

(In thousands of dollars)

Program	Amount
Climate Research	
Laboratories and Cooperative Institutes	\$50,000
Regional Climate Data and Information	38,000
Climate Competitive Research, Sustained Observations and Regional Information	40,000
Climate Research	128,000
Weather and Air Chemistry Research	
Laboratories and Cooperative Institutes	80,000
U.S. Weather Research Program	8,000
Tornado Severe Storm Research/Phased Array Radar	13,158
Joint Technology Transfer Initiative	17,000
Weather and Air Chemistry Research	118,158
Ocean, Coastal and Great Lakes Research	
Laboratories and Cooperative Institutes	25,000
National Sea Grant College Program	64,000
Marine Aquaculture Program	2,000
Ocean Exploration and Research	36,000
Integrated Ocean Acidification	10,500
Sustained Ocean Observations and Monitoring	41,823
Ocean, Coastal and Great Lakes Research	179,323
High Performance Computing Initiatives	12,144
Total, Office of Oceanic and Atmospheric Research, Operations, Research, and Facilities	\$437,625

Regional Climate Data and Information.—Within amounts provided for Regional Climate Data and Information, the recommendation includes \$13,500,000 for the National Integrated Drought Information System (NIDIS) to support competitive research grants, maintain existing NIDIS activities, and develop and expand the Regional Drought Early Warning Information System.

Independent analysis.—NOAA is encouraged to increase funding for academia to perform independent climate model evaluation studies and to enable the production of atmospheric data sets from satellite observations for such studies. Satellite observations of the atmosphere provide information that is critical in the interpretation of Earth-based observations and in the evaluation and improvement of climate model simulations.

Weather and Air Chemistry Research.—The Committee includes \$118,158,000 for Weather and Air Chemistry Research, an increase of \$15,000,000 above fiscal year 2016, and encourages NOAA to continue research efforts that lead to near-term, affordable, and attainable advances in observational, computing, and modeling capabilities to deliver substantial improvements in weather forecasting for the protection of life and property. NOAA shall substantially accelerate the transition of its research to operations in ways easily adopted by the operational forecasting community.

Joint Technology Transfer Initiative.—The recommendation includes \$17,000,000 to expand the Joint Technology Transfer Initiative established in fiscal year 2016. These activities should be coordinated with the activities of OAR's U.S. Weather Research Program and the National Weather Service's Science and Technology Integration Program.

Multi-Function Phased Array Radar (MPAR) Program.—The Committee recognizes the importance of the MPAR program in the development and implementation of the next generation weather and aircraft radar network. The Committee directs NOAA to maintain its role in the MPAR research and development effort and encourages the continued work on a memorandum of understanding between NOAA, the Federal Aviation Administration, the Department of Defense and the Department of Homeland Security that delineates each agency's needs regarding function and timeline of a joint MPAR system.

Severe weather studies.—The Southeastern United States commonly experiences devastating tornadoes under variables and conditions that differ considerably from the conditions in other areas. OAR shall continue, at no less than the current year level, the Vortex-SE initiative to better understand how environmental factors that are characteristic of the Southeast United States affect the formation, intensity and storm path of tornadoes for this region.

Laboratories and Cooperative Institutes.—The Committee recognizes the important role that the coordinated NOAA Laboratories and Cooperative Institutes play in fulfilling NOAA's Mission Goals and Strategic Plan. To continue to fulfill NOAA's mission, NOAA should enhance its support of advanced monitoring and predictive modeling to explore deep water issues and their effect on the U.S. coastline. The Committee encourages NOAA to expand the role Cooperative Institutes play in fulfilling this role, and to consider how additional Cooperative Institutes, or consortia partners, could strengthen NOAA's ability to support this monitoring and modeling.

Ocean Exploration and Research.—The Committee recommends \$36,000,000 for Ocean Exploration and Research. NOAA's ocean exploration program should continue to conduct fundamental exploration and surveys of the world's oceans with a primary focus on America's Exclusive Economic Zones of the Continental United

States, Alaska, Puerto Rico, Hawaii, the U.S. Virgin Islands and the Pacific Territories. The Committee encourages NOAA to continue ocean exploration in which open source data are collected in real-time through tele-presence technology. The Committee encourages NOAA to emphasize areas for exploration that may be of interest to NOAA laboratories, including deep water regions of marine protected areas. The Committee encourages NOAA to partner with non-government organizations, academic institutions, and other government agencies including the National Science Foundation, in these activities and, to the extent appropriate, share costs with these partners. The Committee looks forward to receiving the report required in fiscal year 2016 on this topic.

Supporting the mapping and cataloguing of mineral wealth.—The Committee directs NOAA to continue and expand its important work of mapping the Extended Continental Shelf, which provides significant assistance in the assessment, identification, analysis and cataloguing of mineral wealth and rare earth elements, done by the United States Geological Survey and the Bureau of Ocean Energy Management.

Integrated Ocean Acidification Research.—The Committee encourages NOAA, in coordination with the Office of Science and Technology Policy, to implement a program to competitively award prizes under the Stevenson-Wylder 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 in distress due to the impacts of ocean acidification.

Adaptation and mitigation for ocean acidification.—The Committee encourages NOAA to continue to develop ocean monitoring and modeling capabilities, as well as vulnerability assessments, necessary to support research on innovative methods to mitigate and adapt to ocean acidification, such as biological uptake and iron fertilization. As GAO noted in its 2014 report on ocean acidification, the Federal Government has yet to develop adaptation and mitigation strategies as required by the Federal Ocean Acidification Research and Monitoring Act of 2009. The Committee encourages NOAA to actively pursue the research necessary to develop these strategies. Additionally the Committee encourages NOAA to convene an advisory board of representative stakeholders to direct research activities towards adaptation and mitigation.

Mariculture.—Within Sea Grant, \$1,000,000 is provided for a competitive award to develop advanced technology for open ocean agrarian mariculture in America's Exclusive Economic Zone.

Lionfish.—These invasive species have adverse effects on many local communities. The Committee encourages Sea Grant to seek to award competitive grants to address issues related to management of these species.

National Weather Service (NWS).—The Committee recommends \$988,834,000 for NWS operations, research, and facilities, which is \$12,327,000 above the request, to maintain critical capabilities to provide weather forecasts and warnings. Within the funds pro-

vided, the Committee supports the proposed improvements for Integrated Water Prediction.

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

Program	Amount
Observations	\$222,996
Central Processing	98,388
Analyze, Forecast and Support	485,931
Dissemination	49,563
Science and Technology Integration	131,956
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Total, National Weather Service, Operations, Research, and Facilities	\$988,834

Analyze, Forecast, and Support.—The recommendation includes \$485,931,000 for analyze, forecast, and support activities. The analyze, forecast, and support program funds the operation of the Weather Forecast Offices (WFOs), River Forecast Centers (RFCs), the seven National Centers and the Tsunami Warning Centers. The recommended level will support 24x7 weather surveillance, forecast and warning services, and operation of the service centers. The Committee does not support the proposed elimination of the National Tsunami Hazard Mitigation Program grants.

Observations.—The recommendation includes \$222,996,000 for observation activities. This funding supports surface, ocean and upper air observations, Next Generation Weather Radar (NEXRAD), the Automated Surface Observing System, ocean buoys and aircraft observations.

NEXRAD Coverage Report.—NOAA shall complete a study on gaps in NEXRAD coverage. Within this study, NOAA shall identify areas in the United States with limited or no NEXRAD coverage below 6,000 feet above ground level of the surrounding terrain. NOAA should identify the effects on prediction of improved radar detection, and identify additional sources of observations for high impact weather that are currently available and operational for such areas. NOAA shall assess the feasibility and advisability of efforts to integrate and upgrade Federal radar capabilities and incorporate other non-NOAA radars into NWS operations in such areas, and the cost and timeline for carrying out such radar improvements. NOAA shall submit the study findings to the Committee within 180 days of enactment of this Act. Not later than 30 days after the completion of the study, NOAA shall develop a plan to improve radar coverage in the identified areas.

Science and Technology Integration.—The recommendation includes \$131,956,000 for Science and Technology Integration activities. This program funds NWS internal research and development activities in cooperation with other NOAA line offices, partner agencies, and external weather data customers. This level supports the proposed increase for an integrated approach to move from research to operations.

Central Processing.—The recommendation provides \$98,388,000 for Central Processing including funds for the Advanced Weather Interactive Processing System, the Advanced Hydrologic Prediction System, modeling and supercomputing programs. The rec-

ommendation does not adopt the proposed reduction in information technology officers.

Dissemination.—The recommendation includes \$49,563,000 for Dissemination activities. This activity funds the communications technology that NWS uses to collect, tailor and distribute its data and products. Systems in this program include the telecommunications gateway, NOAA weather radio, and the satellite data ground readiness program.

National Environmental Satellite, Data and Information Service (NESDIS).—The Committee recommends \$230,062,000 for NESDIS operations, research, and facilities. The Committee recommendation includes proposed operational phase transfers for GOES-R, Jason-3 and DSCOVR.

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

Program	Amount
Environmental Satellite Observing Systems	
Satellite and Product Operations	\$121,000
NSOF operations	14,000
Office of Satellite and Product Operations	135,000
Product Development, Readiness and Application	32,355
Commercial Remote Sensing Regulatory Affairs	2,000
Office of Space Commercialization	2,000
Group on Earth Observations	500
Environmental Satellite Observing Systems	171,855
National Centers for Environmental Information	58,207
Total, National Environmental Satellite, Data and Information Service, Operations, Research, and Facilities	\$230,062

Office of Satellite and Product Operations.—The recommendation includes \$135,000,000 for the Office of Satellite and Product Operations. This activity funds the command and control of NOAA operational environmental satellites.

Commercial Remote Sensing Regulatory Affairs.—The Committee expects timely compliance with Title II of Public Law 114-90, and adherence to other timeframes currently required under the regulation.

NOAA Satellite Observing System Architecture.—NOAA shall brief the Committee on the results of this study, and associated proposed technology demonstrations, upon its completion in fiscal year 2017. The Committee encourages NOAA to include new and commercial technology insertion as part of this architecture study.

National Centers for Environmental Information (NCEI).—The recommendation includes \$58,207,000 for the NCEI. This program is the official data management entity for oceanographic, geophysical, and climatological information within the United States. The six Regional Climate Centers shall be funded at no less than their current operating level. The Committee supports NCEI's long

term efforts in coastal data development to better understand historical trends, anomalies, and the frequency of event occurrences.

Commercialization of Spectrum.—The budget request proposes to auction, or assign via fee, 1675–1680 MHz, a band of radio frequency spectrum that NOAA currently uses. The Committee notes the high value of spectrum assignments, and encourages NOAA to consolidate spectrum holdings where appropriate. Within 30 days of enactment of this Act, NOAA shall report to the Committee on its plans to make spectrum available for auction.

Mission Support.—The recommendation includes \$232,792,000 for Mission Support operations, research, and facilities. The recommendation accepts proposed technical transfers for the David Skaggs Research Center and the Western Regional Center.

MISSION SUPPORT

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

Program	Amount
Mission Support	
Executive Leadership	\$27,000
Mission Services and Management	124,811
IT Security	10,050
Payment to DOC Working Capital Fund	46,500
Mission Support	208,361
Office of Education	
BWET Regional Programs	5,000
Education Partnership Program/Minority Serving Institutions	14,431
NOAA Education Program Base	5,000
Office of Education	24,431
Total, Mission Support, Operations, Research and Facilities	\$232,792

Management and administrative costs.—The Committee notes that in addition to Mission Services, each line office also includes its own “Headquarters Program Support” costs. NOAA shall continue efforts to standardize the treatment of management and administrative costs in each line office in a manner that maximizes transparency and accountability, and reduce or eliminate unnecessary non-mission costs. The Committee also encourages NOAA to expeditiously dispose of vacant properties.

Office of Education.—The Committee includes \$24,431,000, \$7,950,000 above the request, for NOAA’s education program. Of this amount, \$14,431,000 is provided to continue the Educational Partnership Program with Minority Serving Institutions, and \$5,000,000 is provided to continue the Bay-Watershed Education and Training (B-WET) regional programs.

Office of Marine and Aviation Operations.—The recommendation includes \$220,376,000 for the Office of Marine and Aviation Operations, operations, research and facilities.

OFFICE OF MARINE AND AVIATION OPERATIONS
Operations, Research, and Facilities
(in thousands of dollars)

Program	Amount
Office of Marine and Aviation Operations	
Marine Operations and Maintenance	\$184,376
Aviation Operations and Aircraft Services	36,000
	\$220,376
Office of Marine and Aviation Operations	\$220,376

Relocation.—Within the level of funds provided, the Committee expects NOAA to sufficiently fund the relocation and rent costs associated with the forced move of the Aircraft Operations Center.

PROCUREMENT, ACQUISITION AND CONSTRUCTION
(INCLUDING TRANSFER OF FUNDS)

The Committee recommends a total program level of \$2,230,635,000 in direct obligations under this heading, of which \$2,217,635,000 is appropriated from the general fund and \$13,000,000 is derived from recoveries of prior year obligations. The direct appropriation is \$182,781,000 below fiscal year 2016 and \$52,488,000 below the request.

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

PROCUREMENT, ACQUISITION AND CONSTRUCTION
(in thousands of dollars)

Program	Amount
National Ocean Service	
National Estuarine Research Reserve Construction	\$1,350
Marine Sanctuaries Construction	1,650
Total, National Ocean Service - PAC	3,000
Office of Oceanic and Atmospheric Research	
Research Supercomputing/CCRI	\$26,379
National Weather Service	
Observations	32,755
Central Processing	66,761
Dissemination	34,619
Subtotal, National Weather Service, Systems Acquisition	134,135
Weather Forecast Office Construction	8,650
Total, National Weather Service - PAC	142,785
National Environmental Satellite, Data and Information Service	
GOES R	752,784
Polar Follow-on	370,000
Space Weather Follow-on	2,500
Jason-3	4,357
Joint Polar Satellite System (JPSS)	787,246
Solar Irradiance, Data and Rescue	500
DSCOVR	3,745
COSMIC-2/GNSS-RO	16,200
Satellite Ground Services	58,025
System Architecture and Advanced Planning	4,929

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

Program	Amount
Projects, Planning, and Analysis	28,700
Commercial Weather Data Pilot	6,000
Subtotal, NESDIS Systems Acquisition	2,034,986
Satellite CDA Facility	2,228
Total, NESDIS - PAC	2,037,214
Mission Support	
NOAA Construction	4,557
Office of Marine and Aviation Operations	
Fleet Capital Improvements and Technology Infusion	16,700
Total, Procurement, Acquisition and Construction	\$2,230,635

National Ocean Service (NOS).—The recommendation includes \$3,000,000 for National Ocean Service procurement, acquisition and construction.

National Weather Service (NWS).—The recommendation includes \$142,785,000 for NWS procurement, acquisitions and construction, as requested.

NEXRAD.—Within amounts for Observations, the recommendation includes the planned increase to continue the Service Life Extension Program to extend the useful life of the NEXRAD weather radar infrastructure through 2030. The Committee notes that 85 percent of all tornado warnings are based on radar detections.

NWS Facilities.—The recommendation includes \$8,650,000, as requested, to construct and provide for major repairs to Forecast Offices and other government owned weather facilities, including Weather Forecast Offices, River Forecast Centers, Weather Service Offices, National Centers and Tsunami Warning Centers. NOAA shall brief the Committee, no later than 180 days after enactment of this Act, on the status of the NOAA Facilities Condition Assessment and the implementation of the Facilities Strategic Plan.

National Environmental Satellite, Data and Information Service.—The recommendation includes \$2,037,214,000 for NESDIS procurement, acquisition and construction. The Committee recommendation continues to focus its limited resources on the Joint Polar Satellite System (JPSS) and Geostationary Operational Environmental Satellite (GOES) programs in light of their role in ensuring accurate and timely weather forecasts and warnings. The Committee continues to be concerned with the challenges that plague these programs, which have been identified by the GAO, OIG, and the NESDIS Independent Review Team (IRT). The Committee expects the Department of Commerce to ensure that these critical programs are proceeding within the cost estimates and meeting program milestones. The Committee expects to be notified promptly if any issues arise that could jeopardize the current launch schedules. The Department of Commerce and NOAA shall remain engaged in the overall management of JPSS, GOES and Polar Follow On (PFO) programs and efforts to develop solutions to mitigate any gaps in either JPSS or GOES programs and to ad-

dress the fragility of the JPSS program. NOAA shall continue to provide quarterly briefings to the Committee regarding all NOAA satellite programs. These briefings shall include the status of obligations for each program, including spacecraft, launch, sensor, integration, and ground components, and proposed changes to the fly out charts. NOAA shall also include in these briefings updates on all of its operational satellite systems.

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

Independent Review Team.—The Committee supports NOAA’s plan to initiate another IRT review of NOAA’s satellite programs. With the submission of the fiscal year 2018 budget request, NOAA shall submit to the Committee the IRT’s independent assessment, which shall include a review of NOAA’s satellite enterprise, in addition to a review of NESDIS’ updated strategic plan.

Joint Polar Satellite System.—The recommendation includes \$787,246,000 for JPSS, the requested amount. This level of funding will support the planned launch of JPSS–1 no later than the second quarter of fiscal year 2017. The Committee is concerned by ground system delays, which are increasing risk to the JPSS–1 launch readiness, and expects to be kept fully informed of progress on the Block 2 Ground System validation and any proposed changes to testing or completion.

JPSS gap mitigation.—The Committee remains concerned about the potential polar satellite data gap and expects NOAA to continue to prepare for the potential data gap. Within 30 days of enactment of this Act, NWS shall brief the Committee on associated contingency plans, as recommended in OIG–16–026–1.

Polar Follow On (PFO).—The Committee funds PFO at \$370,000,000, equal to the fiscal year 2016 enacted amount and \$23,000,000 below the request. The Committee is concerned that NOAA has not provided a Life Cycle Cost or an Independent Cost Estimate for PFO to the Committee, and the schedules of PFO remain uncertain. At the same time, NOAA has awarded the sensor and spacecraft contracts for PFO. NOAA shall report quarterly to the Committee on the steps it has taken to address the findings of OIG–16–026–1, *The Joint Polar Satellite System: Further Planning and Executive Decisions are Needed to Establish a Long-Term, Robust Program*. As a follow on to the JPSS program, the Committee expects NOAA to be able to significantly reduce the risk and costs associated with these satellites. The recommendation includes funds for the Earth Observing Nanosatellite-Microwave mission.

Geostationary Operational Environmental Satellite–R (GOES–R).—The recommendation includes \$752,784,000 for the GOES–R program, as requested. The Committee is disappointed that the GOES–R satellite launch slipped by another six months. NOAA shall continue to provide updates to the Committee regarding the status of this program to include the on-orbit GOES satellites, schedule risk and margin, and any proposed changes to fly out charts.

Flyout Charts for GOES and JPSS.—NOAA’s flyout charts are an important tool in helping the Committee analyze proposed plans and funding levels for NOAA’s critical weather satellite programs. The Committee expects these charts to be based on, among other factors, assessments of the health of operational satellites; the anticipated future availability of operational satellites; the results of regular satellite availability assessments; historical satellite performance; design life; and planned programs. The Committee expects any changes to these charts to be internally and externally vetted. NOAA’s flyout charts should reflect NOAA’s operational assessments and robustness planning for critical weather satellite programs.

Constellation Observing System for Meteorology, Ionosphere, and Climate–2 (COSMIC–2)/Global Navigation Satellite System—Radio Occultation (GNSS–RO).—NOAA should prioritize competitively purchased commercial weather data as the method to acquire new radio occultation data. NOAA shall submit a specific spend and project plan to the Committee for COSMIC–2/GNSS–RO, that demonstrates that NOAA has thoroughly reviewed potential commercial radio occultation data sources. If the plan proposes moving forward with additional COSMIC–2 satellites, the plan shall include the total cost to the U.S. government of developing, procuring, launching and operating COSMIC–2 Polar Orbiting Satellites, including how they would be launched and what Federal agency would incur that cost. Funds for COSMIC–2/GNSS–RO are not available for obligation until this plan has been submitted to, and reviewed by, the Committee.

Commercial satellite weather data.—The Committee is pleased that NOAA proposes to continue and expand the Commercial Weather Data Pilot. The Committee provides \$6,000,000 to ensure NOAA has the resources necessary to thoroughly assess commercial data opportunities.

PACIFIC COASTAL SALMON RECOVERY

The Committee recommends \$65,000,000 for Pacific Coastal Salmon Recovery, which is the same as fiscal year 2016 and the request. In addition, the accompanying bill includes language that requires all funds to be allocated based on scientific and merit principles and prohibits the availability of funds for marketing activities. Bill language is included requiring a 33 percent match for States.

FISHERMEN’S CONTINGENCY FUND

The Committee recommends \$350,000 for the Fishermen’s Contingency Fund, which is the same as fiscal year 2016 and the request. This Fund is available to compensate U.S. commercial fishermen for damage or loss caused by obstructions related to oil and gas exploration, and is derived from fees collected by the Secretary of the Interior.

FISHERIES FINANCE PROGRAM ACCOUNT

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

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The Committee recommends \$58,000,000 for Departmental Management, which is equal to the fiscal year 2016 enacted and \$16,503,000 below the request.

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

World Exposition.—The Secretary of Commerce shall provide the necessary reports for any international expositions proposed to be held in the United States prior to the President making a national interest determination pursuant to the requirements of Public Law 91–269.

RENOVATION AND MODERNIZATION

The recommendation includes \$4,000,000 for the Department’s cost of the Herbert C. Hoover Building renovation and modernization which is \$15,062,000 below fiscal year 2016 and \$8,224,000 below the request. The recommendation prioritizes funding for life safety systems and security improvements.

OFFICE OF INSPECTOR GENERAL

The Committee recommends \$35,000,000 for the Office of Inspector General (OIG), which is \$3,000,000 above fiscal year 2016 and \$2,167,000 below the request. The recommendation also includes transfers of \$2,580,000 from the Census Bureau, \$1,302,000 from NOAA, and \$2,000,000 from PTO for OIG oversight of those activities.

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

Security.—The Committee is concerned about potential violations of security-related laws, regulations and policies at the National Institute of Standards and Technology (NIST), especially cases involving the inappropriate access of foreign nationals to NIST facilities or information systems. The Committee supports the thorough investigation and pursuit of criminal and administrative remedies for such violations and in fiscal year 2016 directed the OIG to undertake a review of NIST security and foreign national access. The OIG shall provide the Committee with a copy of its assessment when it is completed.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

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

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

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

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

Section 104 extends congressional notification requirements for NOAA satellite programs.

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

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

Section 107 provides the NOAA Administrator with the authority to avail NOAA of needed resources, with the consent of those supplying the resources, to carry out responsibilities of any statute administered by NOAA.

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

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends \$115,000,000 for Department of Justice, General Administration, Salaries and Expenses, which is \$3,500,000 above fiscal year 2016 and \$10,896,000 below the request. Within the funding provided, the Committee encourages the Department to fund the Justice Management Division at a level that sustains its management and administrative support of the Department's missions.

Third-party settlement payments.—The Committee understands a multi-year congressional investigation has revealed that in some cases the Department is requiring settling defendants to donate money to third-party advocacy or activist groups. These payments occur entirely outside of the congressional appropriations and oversight process. Accordingly, section 539 prohibits the Department from entering into a civil settlement agreement in which a defendant is required to make a donation to a third-party that is not a victim of the defendant's alleged unlawful activity. For the purposes of section 539, the term "donation" shall not be construed to prohibit any payment by a party to provide restitution for or otherwise remedy the actual harm, directly and proximately caused by the alleged conduct of the party, which is the basis for the agreement. The prohibition does not bar payments, upon invoice, to an organization or individual for services rendered to redress, mitigate or otherwise remediate the actual harm directly and proximately caused by a defendant's allegedly unlawful conduct.

Spending plans and status of balances.—The Department has alternative funding sources that lie largely outside the discretionary appropriations process, as described in the 2015 Government Accountability Office report, GAO-15-48: *Department of Justice*

(DOJ) Alternative Sources of Funding in Fiscal Year 2013. To fulfill its oversight responsibilities, the Committee needs to be informed about all such funding resources. Therefore the Department shall include with future congressional budget justifications a breakout of these funds by prior, current and budget years for, respectively, actual, estimated, and requested amounts assumed in the proposed budget; and identify funding by agency, purpose, and source of funding.

For the annual spending plan required by section 532, the Department shall include details on all non-appropriated funds the Department expects to obligate by agency and purpose. These non-appropriated funds include, but are not limited to: Working Capital Fund balances, including retained earnings and unobligated balance transfers, civil debt collection proceeds, Assets Forfeiture Fund (AFF) balances, and Criminal Justice Information Services fingerprint checks fees. The plan shall also report expected fund receipts and carryover balances, as well as full-time equivalent (FTE) positions to be funded through them, and clearly identify resources that supplement or supplant discretionary appropriations. The Committee expects deviations from the approved spending plan to be subject to the reprogramming requirements of section 505 of the Act, if they exceed threshold increases for on-going activities, or represent new or multi-year initiatives. Finally, the Department is directed to submit a quarterly report on the status of AFF and Three Percent Fund collections, and to devise a methodology for projecting and reporting anticipated future year collections. The Committee expects that AFF funding will have a demonstrated nexus to potential forfeiture actions, and will not be used to fund law enforcement operations that can be addressed through the regular budget and appropriation process.

Active shootings and technology.—The Committee is aware of developments in networked gunshot detection system technology, and encourages the DOJ to integrate such systems into first responder active shooter training to evaluate system effectiveness and develop best practices. The Department is encouraged to work with the General Services Administration to determine how such systems could augment security and enhance capabilities to respond to active shooter situations inside Federal facilities, and to coordinate efforts with the Department of Homeland Security's Federal Law Enforcement Training Center and Center for Domestic Preparedness.

Cyber-stalking and threat crimes.—The Committee is aware of concerns regarding increased instances of severe harassment, stalking, and threats transmitted in interstate commerce in violation of Federal law. Such targeted attacks against Internet users, particularly women, have resulted in the release of personal information, forced individuals to flee their homes, had a chilling effect on free expression, and limited access to economic opportunity. The Committee strongly urges the Department to intensify its efforts to combat this destructive abuse and expects to see increased investigation and prosecution of these crimes.

War crimes and human rights.—The Committee notes that the fiscal year 2015 annual Federal Bureau of Investigation (FBI) Human Rights report described progress made by the FBI International Human Rights Unit (IHRU), the successor to its Genocide

War Crimes Program, and its partners in law enforcement, intelligence and prosecution, in the campaign to identify, investigate and prosecute perpetrators of serious human rights violations. The Committee is pleased IHRU has increased staffing, has established active outreach in all FBI field offices, and is training field office personnel. The Committee also notes IHRU collaboration with its Federal partners in the Criminal Division, the Departments of Homeland Security and State, and the Intelligence Community, as well as with foreign counterparts and nongovernmental organizations have resulted in a growing number of active, complex and transnational investigations. The Committee directs the FBI and the Department of Justice to submit an updated annual report for fiscal year 2016 with its fiscal year 2017 budget request.

The report concludes that human rights violation cases often have complex, transnational connections, and investigations of them are hampered by ambiguous or missing historical records, a matter of immediate concern in the context of human rights violations by the Islamic State (ISIL). The Committee applauds the Administration for its recent designation of the atrocities perpetrated by ISIL against Christians, Yezidis, and other religious and ethnic minorities in Iraq and Syria as war crimes, crimes against humanity, and genocide under the terms of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, which was signed and ratified by the United States. This designation builds on the unanimous vote by the House of Representatives in March that such crimes constitute war crimes, crimes against humanity and genocide.

To ensure this designation results in Federal government enforcement action, the Committee directs the Department, in cooperation with the FBI and Department of State, to lead a task force of prosecutors and law enforcement to review legal options available under Federal law and any international treaties of which the U.S. is party for the prosecution of ISIL members, those seeking to join ISIL and others providing material support to ISIL, as well as recommendations for changes to the United States Code to strengthen prosecution of these crimes against humanity. A report on the task force conclusions, to be submitted to the Committee and the Attorney General not later than 180 days after enactment of this Act, should address how anti-terrorism and war crimes statutes can be used in conjunction for prosecution, and review past cases when these laws have been used successfully to prosecute and convict genocidaires.

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

Trafficking and transport of children.—The Committee expects the Attorney General to ensure the Innocence Lost National Initiative enhances capabilities of State and local law enforcement officers to detect, investigate and prosecute those who patronize or solicit children for sex; and that all Initiative-funded task forces and DOJ agencies increase efforts to deter and punish child labor trafficking. The Committee also expects the Department to implement

provisions of section 1088 of Public Law 112–239, regarding female genital mutilation.

Extraditions for return of American children.—The Department is directed to prioritize international child abduction cases, in coordination with the Secretary of State and left behind parents who have requested Department of Justice involvement.

Illegal use of body armor.—The Committee is concerned with the use of body armor in criminal activity, and directs the Department to conduct a review of such usage in criminal activity, and available data on such crimes. The Department shall report to the Committee not later than 180 days after the enactment of this Act on the results.

Identity theft.—Identity theft and related crime have a substantial impact on individuals, families, communities and our national economy. The Committee directs the Department to conduct a strategic review of identity theft and fraud in cooperation with the Federal Trade Commission. In addition, the review shall include the status of prosecutions and any other relevant information related to Internal Revenue Service impersonation scams.

Body-worn cameras.—The Committee supports the Department's provision of grant funding to State, local and tribal law enforcement agencies for the procurement of body-worn cameras. The Committee encourages the Department to develop and promulgate policies, procedures and guidance to Federal agencies for the procurement and deployment of body-worn cameras in Federal law enforcement units.

Interagency coordination.—The Committee directs the Department to coordinate with the Department of Homeland Security and designate a liaison to assist communities affected by a terrorist attack in navigating through Federal government assistance programs.

Conferences.—The Committee understands that OMB Memorandum M–0912–12 called for agencies to reduce travel expenses 30 percent compared to the fiscal year 2010 level, and limit conference spending. The Committee expects the Department of Justice to minimize conferences and limit conference expenses to those necessary to carry out the mission of the Department. The Committee expects the Department to make conference location decisions based on transparency, accountability and best value in the use of appropriated funds.

JUSTICE INFORMATION SHARING TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$40,000,000 for Justice Information Sharing Technology, which is \$9,000,000 above fiscal year 2016 and \$17,561,000 below the request. The Committee supports the Department's efforts to enhance its cybersecurity, and has therefore continued to include bill language providing the Department discretion and flexibility to transfer available Departmental funds to meet needs for IT transformation and cybersecurity, subject to the reprogramming procedures included in this Act.

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$457,154,000 for the Executive Office for Immigration Review (EOIR), of which \$4,000,000 is from immigration examination fees. The recommendation is \$29,003,000 above the request. The recommendation will support 25 additional immigration judge (IJ) teams. In addition, the recommendation includes a \$1,706,000 program increase for the modernization of mission critical systems and a \$5,727,000 program increase for infrastructure improvements. The recommendation sustains the current legal orientation program and related assistance, such as the information desk pilot. The recommendation does not include any funding to establish or fund a legal representation program.

Assuring immigration regulation helps optimize strong enforcement.—The Committee is concerned with the pace of hiring and onboarding Immigration Judges funded in fiscal years 2015 and 2016, and expects the Department to accelerate the recruitment, background investigation and placement of IJ teams to areas that have the highest workload. The Committee is alarmed that despite the increased resources provided to EOIR in fiscal years 2015 and 2016, the median days pending for a detained immigration case is 71 days and the median days pending for a non-detained case is 665 days. While the Committee understands that factors outside the control of Immigration Judges can affect case length, these median case times are unacceptable. The Committee directs EOIR to establish a goal that by the end of the fiscal year 2017 the median days pending of detained cases be no longer than 60 days, and the median length for non-detained cases be no longer than 365 days. To monitor the progress in this effort, the Committee directs EOIR to continue to provide monthly reporting on EOIR performance and IJ hiring as specified in the statement accompanying the fiscal year 2016 Omnibus Appropriation Act.

Court space.—The recommendation fully funds the request for additional court infrastructure and expects EOIR to use these funds fully to ensure that additional IJ teams have the necessary court space. However, the Committee is concerned that EOIR is not using all available EOIR or Department of Homeland Security (DHS) space. EOIR is directed to provide a report to the Committee within 90 days of enactment of this Act outlining its utilization of existing EOIR and DHS space and its plans for acquiring additional space in order to accommodate additional Immigration Judges.

Visa overstay cases.—The Committee directs EOIR to submit a report, no less than 60 days after enactment of this act, and monthly thereafter, detailing the number of instances of visa overstay cases that have been adjudicated through the court system, and recommend steps to take in coordination with other agencies to streamline visa overstay adjudication procedures.

To better understand the policy and practice of immigration courts in setting detainee bonds, the Committee directs the Executive Office for Immigration Review (EOIR) to report within 120 days of enactment on how immigration judges use “ability to pay” criteria in determining the amounts of bonds, and the process for appealing such bond decisions. In addition, the report should in-

clude for fiscal years 2012–2016 the number of requests for reconsideration or appeals of bond amounts; how many requests or appeals resulted in reductions in bonds; and how many detainees did not pay bond set by an immigration judge.

OFFICE OF THE PARDON ATTORNEY

The Committee recommends \$4,496,000 for the Office of the Pardon Attorney. The recommendation is \$4,797,000 below the requested level.

OFFICE OF INSPECTOR GENERAL

The Committee recommends \$93,709,000 for the Office of Inspector General (OIG), which is the same as fiscal year 2016 and \$4,105,000 below the request.

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

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The Committee recommends \$13,308,000 for the United States Parole Commission, which is the same as fiscal year 2016 and \$692,000 below the request.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The Committee recommends \$893,000,000 for General Legal Activities, which is the same as fiscal year 2016 and \$64,423,000 below the request. The Committee has provided separate funding recommendations by decision unit as follows:

Office of the Solicitor General	\$11,885,000
Tax Division	106,979,000
Criminal Division	181,745,000
Civil Division	292,214,000
Environmental and Natural Resources Division	107,089,000
Office of Legal Counsel	7,989,000
Civil Rights Division	148,239,000
INTERPOL Washington	36,860,000
Total, General Legal Activities	\$893,000,000

Within the funding provided, the Criminal Division shall prioritize funding to address the backlog in handling Mutual Legal

Assistance Treaty (MLAT) requests. Also within the funding provided, the Committee supports the International Criminal Investigative Training Assistance Program and Office of Overseas Prosecutorial Development Assistance and Training programs to develop stronger relationships with foreign law enforcement and prosecutorial counterparts.

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

Group Homes, Local Land Use, and the Fair Housing Act (Joint Statement).—The Committee is aware that the Attorney General is in the process of updating the 1999 Joint Statement on Group Homes, Local Land Use, and the Fair Housing Act. The Committee stresses the importance of the Attorney General coordinating with the Secretary of Housing and Urban Development to complete this process in a timely manner and recognizing or defining the role of State or local government in defining zoning ordinances, licensing, and registration requirements regarding sober homes.

Deinstitutionalization.—The Committee notes the nationwide trends towards deinstitutionalization of patients with intellectual or developmental disabilities in favor of community-based settings. The Committee also notes that in *Olmstead v. L.C.* (1999), a majority of the Supreme Court held that the Americans with Disabilities Act does not condone or require removing individuals from institutional settings when they are unable to handle or benefit from a community-based setting, and that Federal law does not require the imposition of community-based treatment on patients who do not desire it. The Committee notes that the Department of Health and Human Services Appropriations Act, 2016 requires notification of affected individuals of their legal rights in this regard.

Civil rights division, voting section.—The Committee looks forward to receiving the report required in the fiscal year 2016 Omnibus about Section 203 cases investigated in fiscal year 2016. When the fiscal year 2018 budget request is submitted, the Department of Justice shall submit to the Committee the same reporting on Section 203 case investigations for fiscal year 2017.

VACCINE INJURY COMPENSATION TRUST FUND

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

SALARIES AND EXPENSES, ANTITRUST DIVISION

The Committee recommends \$164,977,000 for salaries and expenses of the Antitrust Division, which is the same as fiscal year 2016 and \$15,529,000 below the request. The recommended funding level is offset by \$125,000,000 in estimated fee collections for a net direct appropriation of \$39,977,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The Committee recommends \$2,050,000,000 for the Executive Office for United States Attorneys and the 94 United States Attorneys' offices, which is \$50,000,000 above fiscal year 2016 and \$24,402,000 below the request. Within this amount the Department is expected to support enhanced efforts to address drug trafficking, cybercrime and human trafficking.

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

Prosecuting immigration crime.—Federal criminal immigration laws must be enforced in a consistent and effective manner, and to support this objective the Committee has sought information about how the Department and United States Attorneys prosecute and enforce such laws. The Committee has not yet received the report on immigration law enforcement that was required by the fiscal year 2016 Appropriations Act, in the detail specified in House Report 114–130. The Department is therefore directed to submit that report as soon as possible, and to provide a supplemental report not later than 60 days after enactment of this Act that provides comparable prosecution, sentencing and deportation information for fiscal year 2016. The Committee expects the Department to show leadership in addressing the continued high level of illegal immigration, and directs it to make vigorous use of statutory provisions at its disposal to investigate and prosecute violations of Federal law associated with improper entry or illegal reentry following deportation, including sections 1325 and 1326 of title 8, United States Code.

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

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

Intellectual Property Rights (IPR) enforcement.—The Committee expects the Department to continue to make IPR enforcement an investigative and prosecutorial priority for Federal prosecutors.

UNITED STATES TRUSTEE SYSTEM FUND

The Committee recommends \$225,908,000 for the United States Trustee Program, which is the same as fiscal year 2016 and \$3,809,000 below the request. The recommended funding is offset by \$163,000,000 in estimated fee collections for a net direct appropriation of \$62,908,000.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The Committee recommends \$2,374,000 for the Foreign Claims Settlement Commission, which is the same as fiscal year 2016 and \$35,000 below the request.

FEES AND EXPENSES OF WITNESSES

The Committee recommends \$270,000,000, which is the same as fiscal year 2016 and the request, for fees and expenses of witnesses who appear on behalf of the Government in cases in which the United States is a party. This appropriation is considered mandatory for scorekeeping purposes.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$15,500,000 for the Community Relations Service, which is \$1,054,000 above fiscal year 2016 and \$3,490,000 below the request. The recommendation supports funding for the Emmett Till Unsolved Civil Rights Act.

ASSETS FORFEITURE FUND

The Committee recommends \$20,514,000 for expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code. This amount is same as the fiscal year 2016 and the budget request.

Section 523 rescinds \$304,000,000 from the Assets Forfeiture Fund (Fund), which is equal to the budget request. The Committee was disappointed the Department chose to suspend equitable sharing payments for a portion of fiscal year 2016. The Department reports that balances in the Fund will be sufficient to allow the Department to rescind \$304,000,000 with no delays in the payment of equitable sharing payments. The Committee therefore directs the Department to refrain in fiscal year 2017 from suspending or delaying payments for equitable sharing distributions for asset forfeitures that the Department has approved.

Section 532 of the bill requires the Department to submit a spending plan for fiscal year 2017. 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 \$1,258,000,000 for the salaries and expenses of the United States Marshals Service (USMS), which is \$27,419,000 above fiscal year 2016 and \$17,156,000 below the request. Within this the Committee includes \$7,900,000 to implement the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes (Public Law 114–119) and ensure USMS can carry out its responsibilities to vet and provide notification of sex offenders traveling abroad. The Committee expects the USMS to

continue and strengthen its fugitive apprehension support aircraft program.

Detection technology.—The Committee encourages the USMS to seek cost effective ways to build on and leverage its use of detection technologies to increase safety of fugitive apprehension task forces, saving both lives and money.

CONSTRUCTION

The Committee recommends \$10,000,000, which is \$5,000,000 below fiscal year 2016 and the same as the request, for construction and related expenses in space controlled, occupied or used by USMS for prisoner holding and related support.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$1,475,000,000 for Federal Prisoner Detention, which is \$20,586,000 above fiscal year 2016 and \$29,009,000 below the request.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$97,337,000 for the National Security Division (NSD), which is \$2,337,000 above fiscal year 2016 and the same as the request. This amount will help NSD address its growing national security and counterterrorism workload, including its Foreign Intelligence Surveillance Act responsibilities.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The Committee recommends \$522,135,000 for Interagency Crime and Drug Enforcement, which is \$10,135,000 above fiscal year 2016 and the same as the request. Funds are included under this heading to support interagency Organized Crime Drug Enforcement Task Forces (OCDETF), which target high-level drug trafficking organizations through coordinated, multi-jurisdictional investigations. The recommendation includes a program increase of \$3,793,000 for the Co-located Strike Force/Southwest Border, as proposed in the budget request.

Decision unit subtotals.—The recommendation includes \$360,711,000 for investigations and \$161,424,000 for prosecutions. The Committee expects OCDETF will enhance its investigative, intelligence and prosecutorial efforts through OCDETF-led activities, including the OCDETF Fusion Center, OCDETF Co-located Strike Forces and the International Organized Crime Intelligence and Operations Center, and direct collaboration with State and local law enforcement, United States Attorneys' offices and the Criminal Division.

Full-Time Equivalent (FTE).—The Committee directs the Department to submit with its fiscal year 2018 budget request an updated report on FTE devoted to OCDETF cases at the level of de-

tail provided in its September 9, 2015 report to the Committee. The report should include actual and projected investigative and prosecutorial FTE devoted to OCDETF cases for fiscal years 2016–2018, broken out by agency and funding source.

FEDERAL BUREAU OF INVESTIGATION
SALARIES AND EXPENSES

The Committee recommends \$8,768,884,000 for the salaries and expenses account of the Federal Bureau of Investigation (FBI), which is \$279,098,000 above fiscal year 2016 and \$50,000,000 above the request. The increase reflects funding necessary to carry out essential elements of FBI’s mission, in particular its critical work on terrorism, national security, and cyber threats. These include supporting work on the Next Generation Cyber program, IT Infrastructure, training and new technology challenges; confronting threats from foreign intelligence and insiders; addressing capacity constraints in data sharing that have impacts on the FBI’s ability to timely share vast quantities of forensic and other data; helping the FBI combat intrusions, investigate cybercrime, and improve cybersecurity; and ensuring it can carry out its render safe mission.

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

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

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

Intelligence	\$1,748,966,000
Counterintelligence and National Security	3,588,224,000
Criminal Enterprise and Federal Crimes	2,920,394,000
Criminal Justice Services	511,300,000
Total, Salaries and Expenses	\$8,768,884,000

Digital Rights Management (DRM) technology.—The Committee expects the FBI to lead the Federal community in preventing the unauthorized review, redistribution and modification of sensitive Government information, and is aware the FBI is testing DRM shared service capability for this purpose. The Committee requests a briefing not later than 45 days after the enactment of this Act on FBI plans to protect internal data across the FBI enterprise, including prospects for adopting DRM technology.

Human trafficking investigations.—Additional resources in the bill will enable the FBI and its field offices to increase investigation of human trafficking and forced labor crimes, and to work with potential victims of such crimes. The Committee encourages the FBI to work closely with victim service providers on victim referrals and assistance, as well as with the Department of Homeland Secu-

rity in cases involving alien victims of severe forms of trafficking, and on improving FBI agent training in the identification of human trafficking. The Committee supports FBI leadership in its Innocence Lost initiative, to include Operation Cross Country, which has helped recover underage trafficking victims and led to the arrest of hundreds of traffickers. The Committee encourages the FBI to improve use of forensic interviews of victims, and directs it to report not later than 60 days after the date of enactment of this Act the total number of individuals arrested during Operation Cross Country actions for purchasing sex, and the number of individuals so identified but not arrested.

Aviation modernization.—The FBI aviation program supports critical surveillance, render safe, tactical and transportation missions, but the Committee is aware the base budget covers only operations, leasing and maintenance, with no identified funding for fleet modernization or replacement of aircraft to ensure optimal readiness and performance. The Committee understands the FBI is conducting cost-benefit analyses of purchase versus lease arrangements for different aircraft missions. The Committee encourages the FBI, as it conducts this review, to include fleet modernization and replacement considerations, as well as long-term cost avoidance, into its base budget plan for its aviation program, and to submit reprogramming proposals should such funding action be justified. The Committee directs the FBI to provide a briefing not later than 90 days after enactment of the Act on the aviation program and forecasted expenses, and how it is addressing its overall fleet performance and ensure continuity of operations, reliability and a cost-effective approach. The briefing should refer to baseline information reported to the Committees on Appropriations pursuant to the fiscal year 2014 Department of Justice Appropriation Act, as specified in House Report 113–171.

Intellectual property rights (IPR) enforcement.—The Committee expects the FBI to prioritize the investigation of IPR cases, and to coordinate with IPR units at the U.S. Attorneys and the Criminal Division.

CONSTRUCTION

The Committee recommends \$308,982,000 for the construction of FBI facilities and related activities, which is the same as fiscal year 2016 and \$474,500,000 below the request. Funding in this account will facilitate and expedite work on current design and construction projects, in particular the new headquarters. Other project work includes ongoing work at Quantico, secure work environment building and modifications and data center consolidation.

The recommendation does not adopt the proposed reduction to the secure work environment program. \$240,000,000 is provided for the new headquarters. The Administration is expected to work with the House Transportation and Infrastructure Committee to secure approval of a prospectus for this project.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The Committee recommends total budget authority of \$2,485,638,000 for salaries and expenses, of which \$382,662,000 is

derived from fees deposited in the Diversion Control Fund, and \$2,102,976,000 is provided by direct appropriation. The recommended direct appropriation is \$22,976,000 above fiscal year 2016 and equal to the request. The increase will support DEA's growing enforcement workload, including rising threats from heroin and opioids, challenges in its overseas programs, and the provision of continuing support to State and local partners.

Diversion control.—The recommendation includes \$382,662,000 for the regulatory and enforcement activities of DEA's Diversion Control Program. The Diversion Control Program is funded by fee collections. Within this level of funding is an \$8,874,000 increase to enhance diversion control programs.

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

Prescription drug and heroin abuse.—The Committee continues to be extremely concerned about the rising harm of prescription drug abuse, and crisis levels of heroin abuse and overdoses. DEA's 2015 National Drug Threat Assessment reports that overdose deaths rose 244 percent between 2007 and 2013, and notes that these numbers may be undercounted. The report also notes the increase in smuggling across the borders and the continued role of major trafficking cartels in moving heroin and other drugs into U.S. communities. The Committee recommendation supports a vigorous investigative program for DEA to deal with these rising threats, and directs DEA to brief the Committee no later than 60 days after enactment of this Act on the actual or estimated number of heroin and prescription drug diversion investigations for fiscal years 2015 through 2017, the amounts and street value of drugs associated with such investigations, and prosecutions resulting from investigations. The Committee also encourages DEA to work with partner agencies, to include the Department of Health and Human Services, on outcome measures of success that reflect the impact of multi-agency efforts, such as reduction in the incidence and the severity of abuse. The Department is expected to collaborate with all its partner agencies to allocate resources strategically and avoid duplication or fragmentation of efforts. The recommendation includes a program increase of \$12,483,000 for four new heroin enforcement teams.

Fentanyl.—The Committee heard testimony from the Acting Administrator this year describing the potency and harm of fentanyl, an extremely dangerous synthetic opioid that has contributed to the alarming increase in fatal heroin overdoses. DEA reports that fentanyl is up to 50 times more potent than heroin and up to 100 times more potent than morphine. Traffickers and dealers are cutting heroin with fentanyl to meet demand and increase its potency, but most users are unaware of this increasing the risk of overdose. The Committee directs DOJ and DEA to include fentanyl monitoring, interdiction and testing in their efforts to counter heroin abuse.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
SALARIES AND EXPENSES

The Committee recommends \$1,257,757,000 for the salaries and expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), which is \$17,757,000 above fiscal year 2016 and \$48,306,000 below the request. The recommendation provides for inflationary cost adjustments and additional funds for the processing of National Firearms Act (NFA) applications. No funds are provided for additional agents or inspectors.

The Committee is concerned that Federal law enforcement agencies do not consistently enter crime scene ballistics evidence into the National Integrated Ballistics Imaging Network (NIBIN), despite evidence that doing so aids investigations and reduces gun violence. The Department shall brief the Committee not later than 60 days after enactment of this Act on the status of establishing protocols and implementing such information sharing, as well as efforts to improve the quality of trace and eTrace submissions from partner agencies, and meet the challenge posed by obliterated serial numbers. The Committee also understands the Department is considering developing new standards for acquisition and identification of ballistic images. The Committee expects such an effort will be conducted in a transparent and comprehensive manner, so as to incorporate requirements and perspectives from current and future NIBIN users, criminal investigators, and technology developers, ensure interoperability of systems, and support the continued ability to examine and correlate existing and future ballistic data. The Committee directs ATF to provide a briefing on the status of such efforts not later than 90 days after the date of enactment of this Act.

Counter-improvised explosives devices.—The Committee encourages ATF to support the work of its National Center for Explosives Training and Research on countering advanced improvised explosive devices.

National Firearms Act.—The Committee is concerned with rising processing times for NFA transfer applications, and the prospect that new rules taking effect this year may increase the need for background checks. The recommendation includes a \$6,000,000 program increase to address growing NFA workload, and directs ATF to brief the Committee not later than 45 days after the enactment of the Act on its NFA application backlog and its plans to achieve lower processing times in fiscal year 2017.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$7,016,791,000 for salaries and expenses of the Bureau of Prisons (BOP), which is \$68,291,000 above fiscal year 2016 and \$169,434,000 below the request.

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

high security institutions. Additionally, the Committee is concerned that the Bureau continues to house low security inmates in more costly environments where cost savings could be realized by using available State, local and private prison capacity. In order to promote safety, minimize overcrowding, and ensure a fiscally efficiently run prison system, the Committee directs the Bureau to look at the current classification of all inmates in their system and submit to the Committee within 90 days from enactment of this Act a capacity realignment plan to ensure that inmates with lower security classifications (both U.S. citizens and criminal aliens) are in the most cost effective facilities. If the Bureau determines that some inmates can be shifted to lower cost alternatives to alleviate overcrowding, the plan should include detailed steps the Bureau will take that includes population projections, overcrowding percentages, timelines, and cost savings.

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

Contraband communication devices.—The Committee remains concerned about the use of contraband cellular phones and devices in BOP or BOP-contracted facilities, in some cases to direct criminal activity outside the facilities. The Committee is aware that research continues into development of countermeasures, as detailed in its May 2015 report to the Committees, and urges BOP and the Department to take steps to help expedite such research, continue pilot testing, and to the extent possible, implement systems, methods and procedures to thwart illegal use of telecommunications by inmates and help protect the officers and public.

Oleoresin Capsicum (OC) aerosol spray pilot program.—The Committee notes that in March the President signed into law the Eric Williams Correctional Officer Protection Act of 2015, Public Law 114–133, authorizing all officers and employees of the Bureau of Prisons to carry OC spray. The Act requires OC to be issued to officers and employees to reduce acts of violence, establishes training requirements, and requires the Government Accountability Office to conduct an evaluation of the policy and report to Congress. The Committee encourages BOP to keep the Committee informed about the implementation of this policy and its results.

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

New detainee cooperation policy.—The Committee is very pleased that the Department has adopted a new policy that ensures BOP will, when releasing an inmate from custody for whom there is an outstanding detainee request from U.S. Immigration and Customs Enforcement (ICE), first offer the individual to ICE to be taken into

custody for deportation processing. This policy, while it may allow for transfer to another jurisdiction for prosecution for outstanding criminal action, will ensure such a transfer will only occur when ICE is assured it will regain custody of the individual at the end of adjudication process to permit the deportation process to proceed. The Committee believes this cooperation between the Department and the Department of Homeland Security marks a real improvement in public safety, and progress in the effort to ensure dangerous and deportable criminals remain in government custody until they are removed from the United States.

BUILDINGS AND FACILITIES

The Committee recommends \$140,000,000 for the construction, acquisition, modernization, maintenance, and repair of prison and detention facilities housing Federal inmates, which is \$390,000,000 below fiscal year 2016 and \$26,978,000 above the request. The recommendation includes \$50,000,000 for costs related to construction of new facilities; not less than \$77,000,000 for maintenance and repairs of existing facilities, to include inmate work areas, of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs; and up to \$13,000,000 for the cost of base construction staff and operations.

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

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

The Committee recommends a limitation on administrative expenses of \$2,700,000 for Federal Prison Industries, Incorporated, (FPI) which is the same as fiscal year 2016 and the request.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

In total, the Committee recommends \$2,392,956,000 for State and local law enforcement and crime prevention grant programs, including \$2,319,956,000 in discretionary appropriations.

Management and administrative expenses.—The Committee encourages grant offices to minimize administrative spending to maximize funding for grants or training and technical assistance. The Committee also directs the Department to ensure that the methodology for assessing management and administration costs is equitable and reflects a fair representation of the share of common management and administrative costs associated with each program. The Committee notes that an across-the-board percentage assessment may not be the most appropriate solution. The Committee is aware that, in general, the Department's grant offices for State and Local Law Enforcement Activities have authority to allocate certain expenses administratively to activities that are ancillary to the core purposes of the appropriation (e.g., peer review for

a competitive program, training and technical assistance, and research and statistical activities).

Office of Victims of Crime (OVC).—The recommendation provides \$2,737,000,000 for the Crime Victims Fund. Within available resources, OVC may implement the office’s Vision 21, which seeks to bring better technology, planning, research and data into the crime victims services field.

The Committee expects the Department of Justice to consult with Indian tribal governments on the distribution of the funds made available in section 510 from the Crime Victims Fund.

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

The Committee recommends \$527,500,000 for the Office on Violence Against Women (OVW), which is \$47,500,000 above fiscal year 2016 and \$38,500,000 above the request. The recommendation does not divert funds from the Crime Victims Fund to pay for these discretionary programs. The recommendation includes funding above the request for Services, Training, Officers, and Prosecutors (STOP) grants, research and evaluation on violence against women, and the Rape Survivor Child Custody Act. The recommendation also funds the victims of trafficking program under this heading. Funds are distributed as follows:

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS
(in thousands of dollars)

Program	Amount
STOP Grants	\$215,000
Transitional Housing Assistance	30,000
Research and Evaluation on Violence Against Women	5,000
Consolidated Youth-Oriented Program	11,000
Grants to Encourage Arrest Policies	51,000
Homicide Reduction Initiative	(4,000)
Sexual Assault Victims Services	35,000
Rural Domestic Violence and Child Abuse Enforcement	34,000
Violence on College Campuses	20,000
Civil Legal Assistance	45,000
Elder Abuse Grant Program	5,000
Family Civil Justice	16,000
Education and Training for Disabled Female Victims	6,000
National Resource Center on Workplace Responses	500
Research on Violence Against Indian Women	1,000
Indian Country-Sexual Assault Clearinghouse	500
Tribal assistance	5,000
Victims of trafficking	45,000
Rape Survivor Child Custody Act	2,500
TOTAL, Violence Against Women Prevention and Prosecution Programs	\$527,500

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

The Committee recommends \$93,000,000 for Research, Evaluation and Statistics, which is \$23,000,000 below fiscal year 2016 and \$61,000,000 below the request. Funds are distributed as follows:

RESEARCH, EVALUATION AND STATISTICS
(in thousands of dollars)

Program	Amount
Bureau of Justice Statistics	\$48,000
National Crime Victimization Survey	(6,000)
NCS-X Implementation Program	5,000
National Institute of Justice	40,000
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TOTAL, Research, Evaluation and Statistics	\$93,000

Forensics.—The recommendation does not include funding for the forensics initiative. The Committee is concerned that the Administration’s forensic sciences initiative lacks the involvement of the State and local practitioner community, making the community an observer—not a participant—in addressing forensic reform, and thereby running the risk that the initiative will not take into consideration existing, proven standards and processes used within the community. This matter is also addressed elsewhere in the report.

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

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

High-risk vehicle events.—The Committee encourages the Bureau of Justice Statistics to develop a data collection process to accurately capture the number of deaths and injuries from police pursuits and high-risk vehicle events.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The Committee recommends \$1,199,906,000 for State and Local Law Enforcement Assistance programs, which is \$208,594,000 below fiscal year 2016 and \$102,106,000 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	\$476,000
Officer Robert Wilson III VALOR Initiative	(20,000)
Domestic Radicalization Research	(4,000)
Bulletproof Vest Partnership	(22,500)

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE—Continued

(in thousands of dollars)

Program	Amount
Juvenile Indigent Defense	(2,500)
NamUS	(2,400)
State Criminal Alien Assistance Program	273,906
Capital Litigation and Wrongful Conviction Review	2,000
White Collar Crime Prevention	10,000
Adam Walsh Act Implementation	20,000
National Sex Offender Public Website	1,000
Violent Gang and Gun Crime Reduction	20,000
National Instant Criminal Background Check System (NICS) Initiative	73,000
DNA Initiative	125,000
Debbie Smith DNA Backlog Grants	(117,000)
Kirk Bloodsworth Post-Conviction DNA Testing Grants	(4,000)
Sexual Assault Forensic Exam Program Grants	(4,000)
CASA—Special Advocates	9,000
Prison Rape Prevention and Prosecution	12,000
Comprehensive School Safety Initiative	75,000
Opioid Initiative	103,000
Drug Courts	(42,000)
Veterans Treatment Courts	(7,000)
Residential Substance Abuse Treatment	(12,000)
Prescription Drug Monitoring	(14,000)
Mentally Ill Offender Act	(12,000)
TOTAL, State and Local Law Enforcement Assistance	\$1,199,906

Opioid abuse.—The recommendation includes \$103,000,000 for programs to reduce opioid abuse, which is the full amount authorized by the House-passed Comprehensive Opioid Abuse Reduction Act of 2016. Within this amount is \$42,000,000 for drug courts; \$7,000,000 for veterans treatment courts; \$12,000,000 for Residential Substance Abuse Treatment; \$14,000,000 for prescription drug monitoring; \$12,000,000 for the Mentally Ill Offender Act; and \$16,000,000 for other programs authorized by the bill.

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

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

The Committee understands that ATF is willing to provide technical assistance to all States seeking to establish programs that meet the NIAA requirements for NARIP grants. Even in the absence of funding exclusively for NARIP, the Committee directs the

Department to continue these efforts. The Committee again urges the OJP, ATF and FBI to assist States that are not currently eligible for NARIP grants in meeting the eligibility requirements.

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

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

Gun crime and gang violence.—The recommendation includes \$20,000,000 for communities working with their local U.S. Attorneys to develop and implement gun crime and gang violence reduction programs.

Byrne Memorial Justice Assistance Grant (Byrne/JAG) program.—The recommendation includes \$476,000,000 for the Byrne/JAG program and consolidates the activities of the COPS Hiring program into the Byrne/JAG program. Funding under this formula program is authorized for law enforcement programs including those that promote data interoperability between disparate law enforcement entities; prosecution and court programs; prevention and education programs; corrections programs; drug treatment and enforcement programs; planning, evaluation, and technology improvement programs; and crime victim and witness programs, other than compensation. Within the amount provided, \$4,000,000 is for research on domestic radicalization; \$20,000,000 is for the Officer Robert Wilson III Preventing Violence Against Law Enforcement and Ensuring Officer Resilience and Survivability (VALOR) Initiative; \$22,500,000 is for the Bulletproof Vest Partnership program; \$2,500,000 is juvenile indigent defense; and \$2,400,000 is for the National Missing and Unidentified Persons System. Excluding carveouts, the recommendation for Byrne/JAG is \$77,500,000 above fiscal year 2016 and \$117,100,000 above the request. The Committee is concerned by the impact on law enforcement of the growing epidemic of prescription drug and heroin abuse, and notes that funds within this account may be utilized for the implementation of medication-assisted treatment to maintain abstinence from all opioids and heroin. The Committee notes that Byrne/JAG funding can be used for law enforcement purposes, such as the hiring of law enforcement officers, including School Resource Officers or other “non-enforcement” officers. The Committee notes that Byrne/JAG funding can be used for pursuit technology and training to reduce deaths and injuries during high-risk vehicle events. The Committee recognizes the importance of cultural sensitivity training and diversity in hiring in local law enforcement to ensure that law enforcement reflects the communities they serve. The Committee notes that Byrne/JAG funds may be used for these purposes.

Officer Robert Wilson III Memorial VALOR Initiative.—In order to address violence against law enforcement officers, the Committee has increased funding for the VALOR Initiative by \$5,000,000. The Committee also encourages VALOR to increase its 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.

State Criminal Alien Assistance Program (SCAAP).—The recommendation includes \$273,906,000 for SCAAP, which is \$63,906,000 above fiscal year 2016. SCAAP provides grants that reimburse States and localities for the costs incurred in incarcerating undocumented criminal aliens. The President's request proposed to terminate this program.

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

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

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

DNA initiative.—The recommendation includes \$125,000,000 for DNA-related and forensic programs and activities, an increase of \$20,000,000 above the request and the same as the fiscal year 2016 level. Within the funds provided, the Committee provides \$4,000,000 each for Post-Conviction DNA Testing grants and Sexual Assault Forensic Exam Program grants. The Committee expects that OJP will make funding for DNA analysis and capacity enhancement a priority to meet the purposes of the Debbie Smith DNA Backlog Grant Program. The Committee directs the Department to submit, as part of its spending plan, a plan for the use of all funds appropriated for DNA-related and forensic programs and a report on the alignment of appropriated funds with the authorized purposes of the Debbie Smith DNA Backlog Grant Program.

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

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

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

JUVENILE JUSTICE PROGRAMS

The Committee recommends \$184,250,000 for Juvenile Justice programs, which is \$85,910,000 below fiscal year 2016 and \$150,150,000 below the request. Funds are distributed as follows:

JUVENILE JUSTICE PROGRAMS
(in thousands of dollars)

Program	Amount
Youth Mentoring Grants	\$90,000
Victims of Child Abuse Programs	20,000
Missing and Exploited Children Programs	72,250
Training for Judicial Personnel	2,000
TOTAL, Juvenile Justice	\$184,250

Youth mentoring grants.—The recommendation includes \$90,000,000 for youth mentoring grants, which is the same as fiscal year 2016 and \$32,000,000 above the request.

Missing and exploited children programs.—The recommendation includes \$72,250,000 for missing and exploited children programs, which is \$90,000 above fiscal year 2016 and \$5,250,000 above the request. The Committee expects the Department to allocate no less than the current year level for task force grants, training and technical assistance, research and statistics, and administrative costs for the Internet Crimes Against Children program. The Committee expects the Department to allocate \$1,000,000 to be used to hire and equip wounded, ill or injured veterans as digital forensic analysts or investigators to support child exploitation investigations.

PUBLIC SAFETY OFFICER BENEFITS

The Committee recommends a total of \$89,300,000 for the Public Safety Officer Benefits program, which is \$1,000,000 above fiscal year 2016 and the same as the request. Within the funds provided, \$73,000,000 is for death benefits for survivors, an amount estimated by the Congressional Budget Office that is considered mandatory for scorekeeping purposes. Also within the total, \$16,300,000 is recommended, as requested, for disability benefits for public safety officers who are permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty, and for education benefits for the spouses and children of officers who are killed in the line of duty or who are permanently and to-

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

COMMUNITY ORIENTED POLICING SERVICES
COMMUNITY ORIENTED POLICING SERVICES PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

The recommendation includes \$299,000,000 for the COPS account. Funds are to be distributed as follows:

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS
(in thousands of dollars)

Program	Amount
Transfer to DEA for Methamphetamine Lab Cleanups	\$11,000
Community trust initiative	75,000
Body worn camera partnership initiative	(22,500)
Justice Reinvestment Initiative	(27,500)
Research and statistics on community trust	(10,000)
Byrne Criminal Justice Innovation Program	(15,000)
Second Chance Act	68,000
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog	45,000
Tribal assistance	65,000
Regional information sharing activities	35,000
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TOTAL, Community Oriented Policing Services	\$299,000

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

Community trust initiative.—The recommendation includes \$75,000,000 for a program to improve police-community relations. Included in this initiative is \$15,000,000 for the Byrne Criminal Justice Innovation Program, \$27,500,000 for justice reinvestment, \$22,500,000 for a body-worn camera partnership initiative, and \$10,000,000 for research and statistics on community trust.

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

As the Committee believes that improving police-community relations will require more than just equipment procurement, the recommendation provides \$27,500,000 for the justice reinvestment initiative, which provides assistance to jurisdictions to implement data-driven strategies to improve public safety by reducing correc-

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

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

Second Chance Act/offender reentry programs.—The recommendation includes \$68,000,000 for Second Chance Act grants. Excluding carveouts, the recommendation is \$22,500,000 above fiscal year 2016.

The Committee remains concerned that despite a dramatic increase in corrections spending over the past two decades, recidivism and re-incarceration rates are largely unchanged. The Committee is aware that case studies of innovative, evidence-based practices provide strong indication that this pattern can be reversed. The Committee expects that Second Chance Act grants will foster the implementation of strategies that have been proven to reduce recidivism and ensure safe and successful reentry back to their communities of adults released from prisons and jails. The Committee expects DOJ to designate funds for proven, evidenced-based programs that will further the goal of maximizing public safety.

Vocational and intensive outpatient services.—The Committee is aware of promising program models that combine vocational and intensive outpatient services for individuals recovering from addiction who are referred through the U.S. Probation and Pretrial Services System. The Committee encourages OJP to demonstrate and measure the impact of these models. The Department shall report, no later than 90 days after enactment of this Act, on the status of these efforts.

Tribal assistance.—The recommendation includes \$65,000,000 for OJP tribal grant programs, an increase of \$35,000,000 above the enacted level. The Committee expects OJP to continue to consult closely with tribes to determine how tribal assistance funds will be allocated among grant programs that improve public safety in tribal communities, such as grants for detention facilities under section 20109 of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), civil and criminal legal assistance as authorized by title I of Public Law 106–559, tribal courts, and alcohol and substance abuse reduction assistance programs. The Committee directs OJP to use such consultation to inform the allocation of funds it shall submit as part of its spending plan. The Committee notes that the recommendation includes

additional grant funding for tribal law enforcement programs through OVW.

Sexual assault kit backlog grants.—The recommendation includes \$45,000,000 for grants to address the sexual assault kit (SAK) backlog. The Committee encourages stakeholders and local law enforcement to continue working with Federal law enforcement to resolve this important issue. The Committee also encourages OJP to increase its efforts to ensure that strong research and program evaluations are undertaken utilizing independent evaluators with the experience and skills to provide necessary feedback and improve the efficiency of SAK processing.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 213 permanently prohibits funds, other than funds for the National Instant Criminal Background Check System estab-

lished 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.

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The Committee recommends \$5,555,000 for the Office of Science and Technology Policy (OSTP), which is the same as fiscal year 2016 and \$11,000 less than the request.

The Committee commends OSTP and the National Science Foundation (NSF) for their work in co-chairing the National Science and Technology Council's Committee on Science, Technology, Engineering, and Math Education (CoSTEM), which was chartered to coordinate Federal programs and activities in support of STEM education pursuant to the requirements of the *America COMPETES Reauthorization Act of 2015* (Public Law 111–358). The Committee believes that Federal investments in STEM education could be greatly enhanced through the creation of a unified and publicly available online location containing information about, and links to, all Federal STEM education-related programs and materials across departments and agencies, including complex search options to maximize the utility of the portal. The target audience of such an online portal should broadly include both individuals and groups, students, and formal and informal educators. Such an online portal could and should ultimately be used by all Federal agencies engaged in STEM education and should be implemented in accordance with the CoSTEM goals and the Federal STEM Education 5-year Strategic Plan. The Committee directs OSTP to work with the Federal departments and agencies represented on the CoSTEM to develop a plan detailing the costs, schedule, and efforts that would be needed to create and operate this unified online portal. Such plan should be delivered to the Committee not later than 60 days after enactment of this Act.

Public access to Federally funded research.—In response to direction from the Committee, OSTP continues to coordinate Federal agency plans to develop and implement policies to increase public access to the results of Federally funded scientific research. The Committee understands that a number of agencies already have posted access plans online and that efforts continue to approve access plans for the remaining Federal agencies. Further, the Committee urges OSTP to coordinate the development and implementation of policies by Federal agencies to require that agencies make research data underpinning the results described in scientific publications publicly accessible. OSTP shall continue to report to the Committee until all agencies have implemented their plans to increase public access to the results of Federally funded scientific research.

Patents.—The Committee is aware that Federal employees who work at certain research laboratories are eligible to benefit from

successful patent applications that were granted as a result of Federally funded research, as per 15 U.S.C. 3710c. OSTP shall submit a report within 180 days of enactment of this Act describing how Federal science agencies and bureaus funded in this bill use this authority; the number of employees who have benefited from 15 U.S.C. 3710c; and a list of the patents to which this section has been applied.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The Committee recommends \$19,508,000,000 for the National Aeronautics and Space Administration (NASA), which is \$223,000,000 above fiscal year 2016 and \$1,245,900,000 above the discretionary request. The request included \$763,000,000 of unrealistic and unauthorized new mandatory funding proposals that disproportionately impacted ongoing science and human exploration programs. The recommendations below do not include any mandatory funds. Instead, the recommendations provide NASA with a balanced portfolio that ensures current and future stability to pursue scientific discoveries, develop new technology, explore our universe, and engage Americans. NASA is a national asset that must be challenged, funded, guided, and supported. Budget gimmickry such as that included in the budget request does nothing to thoughtfully contribute to the goal of ensuring that NASA maintains its global leadership position as we push the boundaries of human and scientific exploration, discovery, and knowledge.

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

Government Accountability Office (GAO) assessments of large-scale projects.—NASA shall continue to cooperate fully and provide timely information to the GAO so that it may fulfill its congressional mandate to report on the status of large-scale projects at NASA. Such information includes, but is not limited to, copies of preliminary cost estimates; access to online agency applications, databases, and web portals; and access to contractor and agency personnel.

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

Federally Funded Research and Development Centers (FFRDCs).—In June 2004, the Report of the President’s Commission on Implementation of the United States Space Exploration Policy recommended that NASA, through an open, competitive process, transition its Centers to FFRDCs, noting that the FFRDC model is a proven management structure that results in successful and innovative research. The Commission stated that with the exception of some specific governmental functions such as contracting, launch operations, and flight operations, which should remain under direct Federal management within the Centers, the FFRDC model would work well for NASA Centers. NASA shall, within 90 days of enactment of this Act, contract for an independent examination of the benefits and constraints of increasing NASA Centers’ collaboration with academia and the private sector. To conduct this assessment, which shall be published no more than 2 years after enactment of this Act, NASA shall choose an organi-

zation that will convene individuals with recognized relevant expertise and whose collective credentials sufficiently cover the entire range of NASA's mission activities. The study shall include the feasibility of increasing partnerships between the Centers and academia, and the feasibility of transitioning some or all Centers to become FFRDCs. This review shall examine the Department of Energy (DOE) laboratories, which are FFRDCs, and NASA's relationship with the Jet Propulsion Lab (JPL), a current NASA FFRDC, to determine if the DOE or JPL model would be feasible or advantageous for adoption at any of the NASA Centers. This review shall also include recommendations for incentives to address potential employee concerns with respect to Federal employment status.

Termination liability.—The Committee notes that it awaits a report on NASA termination liability policies required in Public Law 114–113.

Multi-year procurement authority.—The Committee understands that NASA has multi-year procurement authority under 10 U.S.C. 2306b (procurement of property) and 10 U.S.C. 2306c (procurement of services). The Committee urges NASA to use these authorities to the fullest extent possible to take advantage of cost savings and other efficiencies that may be achieved with long-lead purchase requirements. Use of this authority, however, does not obviate the need for NASA to keep the Committee fully informed of its expenditure of funds.

Program and project totals.—The Committee's program and project recommendations for NASA are included in the consolidated funding table below and in narrative direction throughout this report. The Committee reminds NASA that any deviations from the amounts included in the table below are subject to section 505 requirements of this Act. When executing its budget for fiscal year 2017, NASA shall incorporate the funding levels established in both the table and the narrative direction. NASA is reminded that comity has existed between the Congress and the Executive Branch with respect to abiding by language included in this report and in the accompanying appropriations Act. The Committee expects NASA to respect this long-standing practice.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
(in thousands of dollars)

Program	Amount
Science:	
Earth Science	\$1,690,000
Planetary Science	1,846,000
Astrophysics	792,900
James Webb Space Telescope	569,400
Heliophysics	698,700
	5,597,000
Total, Science	5,597,000
Aeronautics:	712,000
Space Technology:	739,200
Human Exploration and Operations:	
Orion Multi-purpose Crew Vehicle	1,350,000
Space Launch System (SLS) Vehicle Development	2,000,000
Exploration Ground System	429,000

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

Program	Amount
Exploration R&D	404,000
Total, Human Exploration and Operations	4,183,000
Space Operations:	4,890,300
Education:	
NASA Space Grant	40,000
Experimental Program to Stimulate Competitive Research	18,000
Minority University Research Education Program	32,000
STEM Education and Accountability Projects	25,000
Total, Education	115,000
Safety, Security and Mission Services:	2,835,400
Construction and Environmental Compliance and Restoration:	398,000
Office of Inspector General:	38,100
Total, NASA	\$19,508,000

SCIENCE

The Committee recommends \$5,597,000,000 for Science, which is \$7,600,000 above fiscal year 2016 and \$294,500,000 above the discretionary request.

Earth Science.—The recommendation includes \$1,690,000,000 for Earth Science programs. NASA shall ensure that the Earth Science portfolio is focused on the science priorities outlined in the most recent Earth Science decadal survey. Within amounts provided, NASA shall prioritize funding for the NASA–ISRO Synthetic Aperture Radar (NISAR) to maintain the 2020 launch for this satellite that will observe ecosystem disturbances, ice-sheet collapse, earthquakes, tsunamis, volcanoes and landslides. NASA shall also prioritize funds for continued development of the Landsat-9 mission. The Committee expects NASA and its partners to evaluate commercially available data in the event that there is a data gap in the Landsat program.

Planetary Science.—The recommendation includes \$1,846,000,000 for Planetary Science. The Committee urges NASA, in subsequent budget requests, to ensure that it requests sufficient funds across its Discovery and New Frontiers programs to ensure a balanced cadence of missions that the science community can adequately plan for and participate in.

Within amounts provided for Planetary Science, the recommendation includes \$284,700,000 for Planetary Science Research, including \$178,100,000 for Planetary Science Research and Analysis. The recommendation also includes \$50,000,000 as requested for NASA’s continued efforts to detect and monitor near Earth objects.

Discovery.—The recommendation includes \$232,300,000, including an increase of \$30,000,000 above the request, to support the selection of up to two competitively selected missions from the Discovery 2014 Announcement of Opportunity. Discovery missions

allow scientists and engineers to assemble teams that launch small missions using fewer resources and shorter development times; their main objective is to explore planets, moons of planets, comets and asteroids. Successful Discovery missions that have produced a wealth of science and spurred public interest include the Mars Pathfinder, Dawn, and Kepler, among many others. In subsequent budget requests, NASA is encouraged to plan for and select two Discovery missions every four years.

New Frontiers.—The recommendation includes \$144,000,000 for New Frontiers. New Frontiers missions explore the solar system with frequent, medium-class spacecraft missions. The Committee notes that the Origins-Spectral Interpretation-Resource Identification-Security-Regolith Explorer (OSIRIS-Rex) New Frontiers mission, which will launch during 2016, will collect samples from an asteroid and return them to Earth.

Mars Exploration.—The recommendation includes \$647,000,000 for the Mars Exploration program, including \$408,000,000 for the Mars 2020 mission that meets scientific objectives from the most recent Planetary Science decadal survey. Additional funding above the request is provided to achieve maximum efficiencies from early buys of hardware with commonality with the Curiosity Rover. Also included within amounts for Mars Exploration is \$239,000,000 for Other Missions and Data Analysis (OMDA). Within amounts provided for OMDA, \$20,000,000 is for Mars Technology, including \$15,000,000 for a Mars helicopter technology demonstration to be flown on the Mars 2020 mission; and \$20,000,000, \$10,000,000 above the request, is for Mars Future Missions to initiate the next Mars mission after Mars 2020, including the enhancements needed for telecommunications capability around Mars. NASA shall continue technology development for subsequent sample return stages to ensure that it meets the highest priority Planetary Science decadal survey objectives.

Outer Planets and Ocean Worlds.—The Committee appreciates that NASA has created an Ocean Worlds Exploration Program whose primary goal is to discover extant life on another world using a mix of Discovery, New Frontiers and flagship class missions. The recommendation includes \$348,000,000 for Outer Planets and Ocean Worlds, of which not less than \$260,000,000 is for the Jupiter Europa Orbiter and Lander to fulfill the requirements of the most recent Planetary Science decadal survey. To support progress on this mission, NASA shall ensure that future funding requests are consistent with achieving a Europa Orbiter launch no later than 2022 and a Europa Lander launch no later than 2024, pending final mission configuration. NASA is encouraged to select the Lander payload during fiscal year 2017 to support the above launch window.

Technology.—The recommendation includes \$190,000,000 for Technology. Within these amounts, no less than \$25,000,000 is for icy satellite surface technology and test-bed activities. Also included within the Technology program is \$20,000,000 for NASA to continue its collaboration work with the Department of Energy to domestically produce plutonium-238 for use as a source of energy in space missions.

Impact craters.—Impact craters in the U.S. that are well preserved and accessible provide researchers and educators with the

simultaneous opportunity to expand our understanding of the Earth's and the Solar System's history and to show students research in action as a part of their STEM education. NASA is encouraged to make funds available for external competitive funding to conduct further scientific investigation of well-preserved and easily accessible impact craters and simultaneously provide education and outreach on Earth's erosion processes and more broadly on the scientific method of research.

Astrophysics.—The recommendation includes \$792,900,000 for Astrophysics. An increase of \$10,000,000 is provided for the Exoplanet Exploration program to develop the technology for a possible StarShade demonstration mission using the Wide-Field Infrared Survey Telescope.

Astrophysics observatories.—The Committee commends NASA for its long-standing efforts to provide the scientific community with observations of astrophysical objects simultaneously over a broad range of wavelengths. The Committee understands that NASA and the community are working on concept studies for the next Astrophysics Decadal survey and that missions are being proposed for the upcoming Astrophysics Explorers Announcement of Opportunity. As appropriate, NASA shall keep the Committee informed of any future plans to obtain astrophysical observations in the x-ray and gamma-ray wavelengths.

Stratospheric Observatory for Infrared Astronomy (SOFIA).—The recommendation includes \$85,200,000, the fiscal year 2016 level, for SOFIA, a state-of-the-art far-infrared observatory with a planned 20-year life cycle. When determining future observation cycles, NASA shall not undertake any actions leading to the premature shutdown of the SOFIA program without the participation of international partners, as appropriate, in any scientific reviews and formulation of recommendations. Consistent with the approach NASA has taken with the Great Observatories, NASA shall also not undertake any changes that would be disruptive to the SOFIA program and the management of its operations.

James Webb Space Telescope (JWST).—The recommendation for the JWST is \$569,400,000, which is the same as the request and \$50,600,000 below fiscal year 2016. While the Committee remains supportive of the JWST and the science that will result from its mission, GAO's March 2016 Assessments of Major Projects found that major integration and test events remain to be completed prior to its October 2018 launch readiness date. NASA shall continue to provide the Committee with quarterly briefings on JWST's technical status, achievement of program milestones, and budget and schedule performance.

Heliophysics.—The recommendation includes \$698,700,000 for Heliophysics, which is \$25,000,000 above the discretionary request.

Education and Public Outreach (EPO).—The recommendation includes \$37,000,000 for Science Mission Directorate (SMD)-wide EPO activities. NASA shall, in the fiscal year 2017 spending plan, reallocate these funds proportionally among the SMD divisions, resulting in a dedicated budget line for each division's EPO activities. This approach will still permit competition among projects for the best use of funds; focus that competition among projects that are more easily compared to one another; and provide better stability for the educational communities in each major SMD discipline.

AERONAUTICS

The Committee recommends \$712,000,000 for Aeronautics, which is \$72,000,000 above fiscal year 2016 and \$77,500,000 above the discretionary request.

Low Boom Flight Demonstrator.—Within amounts provided for Aeronautics, \$61,000,000 is to begin development of the Low Boom Flight Demonstrator. This funding builds on \$16,000,000 allocated by NASA in fiscal year 2016 for preliminary design efforts. The Committee anticipates that the total cost to build this flight demonstrator will be approximately \$300,000,000 and that it will be flown starting in fiscal year 2020. NASA shall ensure that it requests sufficient funds in subsequent budget requests to build and fly the low boom flight demonstrator as proposed. Finally, NASA shall ensure that research resulting from the flight demonstrator is transitioned, as quickly as possible, to the private sector for use in commercial aviation applications.

Hypersonics research.—NASA is encouraged to work with other Federal partners to conduct fundamental hypersonics research, applied research in propulsion, vehicle technologies, and hypersonic flight experiments.

Advanced materials research.—The Committee recognizes the role NASA and university research institutions play in developing advanced materials platforms for next generation air and space vehicles. Within amounts provided, NASA is encouraged to partner with academic institutions that have strong capabilities in aviation and aerospace structures; materials testing and evaluation; and with a demonstrated and recognized record for integration of these materials into manufacturing and production within the aviation and aerospace industry.

Unmanned aircraft systems (UAS) safety.—The recommendation includes \$169,400,000 for the Airspace Operations and Safety Program and directs NASA to help ensure the safe integration of UAS into the national airspace system. NASA is encouraged to work with the Federal Aviation Administration (FAA) and the Department of Homeland Security to evaluate the safety of UAS for use in a broad range of public safety applications over land and maritime environments and to answer key research questions.

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

Vertical lift research.—The Committee is supportive of NASA's Revolutionary Vertical Lift Technology initiative. NASA shall provide a report within 90 days of enactment that describes NASA's current rotary wing and fixed wing vertical lift research as well as planned outyear investments in this area.

SPACE TECHNOLOGY

The Committee recommends \$739,200,000 for Space Technology, which is \$52,700,000 above fiscal year 2016 and \$48,600,000 above the discretionary request. When considering energy and propulsion

grants, including fusion energy, NASA is encouraged to seek partnerships with agencies and universities with expertise in this area.

Nuclear thermal propulsion technology.—The recommendation includes no less than \$35,000,000 for nuclear propulsion technologies for space transportation and exploration. NASA shall provide a report to the Committee within 180 days of enactment of this Act on ongoing nuclear propulsion research, how NASA intends to employ this technology to support various exploration programs, and a comparison of nuclear propulsion and use to other forms of propulsion, in terms of speed and ease of construction.

Small launch technology platform.—The recommendation provides no less than \$45,000,000 for sub-orbital and orbital technology demonstration of small launch technology platforms able to carry a 200–300 kilogram small satellite into low Earth orbit. The small launch technology demonstration platform shall leverage existing government derived small launch technologies to the maximum extent possible.

Additive manufacturing.—The recommendation provides no less than \$25,000,000 for additive manufacturing technology research for use in rocket engines and structures.

Interstellar propulsion research.—Current NASA propulsion investments include advancements in chemical, solar electric, and nuclear thermal propulsion. However, even in their ultimate theoretically achievable implementations, none of these could approach cruise velocities of one-tenth the speed of light (0.1c), nor could any other fission-based approach (including nuclear electric or pulsed fission). The Committee encourages NASA to study and develop propulsion concepts that could enable an interstellar scientific probe with the capability of achieving a cruise velocity of 0.1c. These efforts shall be centered on enabling such a mission to Alpha Centauri, which can be launched by the one-hundredth anniversary, 2069, of the Apollo 11 moon landing. Propulsion concepts may include, but are not limited to fusion-based implementations (including antimatter-catalyzed fusion and the Bussard interstellar ramjet); matter-antimatter annihilation reactions; multiple forms of beamed energy approaches; and immense ‘sails’ that intercept solar photons or the solar wind. At the present time, none of these are beyond technology readiness level (TRL) 1 or 2. The NASA Innovative Advanced Concepts (NIAC) program is currently funding concept studies of directed energy propulsion for wafer-sized spacecraft that in principle could achieve velocities exceeding 0.1c and an electric sail that intercepts solar wind protons. Over the past few years NIAC has also funded mission-level concept studies of two fusion-based propulsion concepts. Therefore, within one year of enactment of this Act, NASA shall submit an interstellar propulsion technology assessment report with a draft conceptual roadmap, which may include an overview of potential advance propulsion concepts for such an interstellar mission, including technical challenges, technology readiness level assessments, risks, and potential near-term milestones and funding requirements.

EXPLORATION

The Committee recommends \$4,183,000,000 for Exploration, which is \$153,000,000 above fiscal year 2016 and \$1,019,100,000 above the discretionary request. GAO shall continue its reviews of

NASA's human exploration programs, specifically the Space Launch System (SLS) program, the Orion program, and Exploration Ground Systems, including issues that cut across these programs. GAO shall provide interim, periodic updates to the Committee, as necessary, given that the first launch of SLS with Orion is scheduled to occur in 2018.

Mission to Mars.—While the Committee recognizes the benefits of some of the technology that is under development as part of the asteroid redirect and retrieval missions, namely advanced propulsion technology research, asteroid deflection, and grappling technologies, the Committee believes that neither a robotic nor a crewed mission to an asteroid appreciably contribute to the overarching mission to Mars. Further, the long-term costs of launching a robotic craft to the asteroid, followed by a crewed mission, are unknown and will divert scarce resources away from developing technology and equipment necessary for missions to Mars, namely deep space habitats, accessing and utilizing space resources, and developing entry, descent, landing, and ascent technologies. Toward that end, no funds are included in this bill for NASA to continue planning efforts to conduct either robotic or crewed missions to an asteroid. Instead, NASA is encouraged to develop plans to return to the Moon to test capabilities that will be needed for Mars, including habitation modules, lunar prospecting, and landing and ascent vehicles. Further, the Committee is supportive of NASA's efforts to use the International Space Station (ISS) to conduct research necessary to enable long-term human spaceflight, or "Earth-reliant" technology development; cis-lunar space activities, or "proving ground" efforts such as Orion flights on SLS in the vicinity of the Moon, and deployment and testing of deep space habitation modules; and finally, NASA's "Earth independent" activities which include using cis-lunar space as a staging area, mapping potential human exploration zones and caching samples on Mars as part of the Mars Rover 2020 mission.

Long-term exploration capabilities.—NASA continues to develop the Orion Multi-Purpose Crew Vehicle, Space Launch System and Exploration Ground System Development projects with the completion of the critical design review milestone for the core designs. These core designs will support many of the missions that the Agency will undertake in the future. These designs are extensible to human missions to the proving ground and will support a new class of robotic spacecraft and missions. Early human missions, such as Exploration Mission-1 (EM-1) and EM-2 will serve as the foundational missions validating the core functionality of the designs and building operational knowledge needed for flights beyond the Earth and moon system. Because Orion and SLS are elements of a multi-decadal, integrated deep space exploration capability, the missions beyond EM-2 will evolve the designs of both Orion and SLS with enhanced capabilities and build the skills necessary for human exploration independent of Earth. This evolution, as was done on Mercury, Gemini, Apollo and Space Shuttle allows the continued adaptability, flexibility and flight safety approach critical to moving from the proving ground to Earth independent phases of exploration.

Human exploration.—The recommendation for NASA's human exploration program includes \$1,350,000,000 for the Orion Multi-

purpose Crew Vehicle; \$2,000,000,000 for SLS vehicle development; and \$429,000,000 for Exploration Ground Systems. NASA's budget proposed funding gimmicks and cuts that would decimate the very programs that will engage, employ, energize and inspire the nation. The Committee instead proposes a steady funding stream to maintain near-term launch schedules for NASA's human exploration program and enable NASA to develop long-term life-cycle costs and schedules for using these capabilities for future exploration missions.

Space Launch System.—The recommended level of \$2,000,000,000, an increase of \$817,600,000 above the discretionary request, for launch vehicle development includes no less than \$250,000,000 for continued exploration upper stage (EUS) development and \$47,500,000 for SLS program integration. Funds provided above the request are to ensure that the EM-1 launch date does not slip beyond 2018 and to complete EUS for EM-2. The Committee notes that despite specific direction and funding in the Consolidated Appropriations Act, 2016, the request does not include funding for the EUS and its propulsion systems required for EM-2, the second flight of SLS/Orion planned for 2021. NASA shall provide the Committee with a report within 120 days of enactment of this Act describing investments to date on the EUS, a spend plan with milestones for the funds provided in fiscal year 2017 and funds necessary to complete EUS for use on EM-2 and to develop EUS for use on subsequent SLS launches. This report shall also include an analysis regarding the most efficient and cost effective means of manufacturing subsequent EUSs for use on future SLS flights. In addition, NASA shall continue submitting quarterly reports on SLS spending by major program element, as first required in the statement accompanying Public Law 112-55. To the maximum extent possible, NASA shall ensure that all vehicle development leverages existing investments; promotes efficiency through commonality of design and concurrent development; and minimizes the need for redesigns or other costly changes affecting future SLS vehicle configurations.

Maximizing use of SLS.—The Committee reminds NASA that Public Law 114-113 directed NASA to submit long-term plans for maximizing the use of the SLS. NASA shall include the Europa Orbiter and Lander missions in this plan, as directed elsewhere in this report and accompanying bill. As part of this effort to develop a long-term plan to use SLS to the fullest extent possible, NASA shall make SLS available on a cost reimbursable basis for non-NASA payloads, as appropriate. To ensure that the significant investment in SLS is maximized, within one year of enactment of this Act, NASA shall also issue a Request for Information to determine what payloads might benefit commercial and educational providers, when space is available on an SLS flight beyond low Earth orbit.

Orion.—The recommendation provides \$1,350,000,000, which is \$80,000,000 above the enacted level and \$296,600,000 above the discretionary request, for the Orion program. NASA shall continue to provide quarterly briefings to the Committee on the overall status of Orion. The Committee remains concerned that NASA's current schedule does not provide adequate time to conduct in-situ tests and fully test all systems necessary to support humans on

EM-1, prior to sending humans on Orion in EM-2. NASA shall provide a report to the Committee, within 90 days of enactment, describing and documenting why this approach is acceptable. NASA shall keep the Committee informed of ongoing work with respect to the Orion Service Module. Nothing in this report or accompanying Act shall be construed as directing NASA to proceed with any human spaceflight until all of the risks have been retired.

Integrated launch readiness.—The recommendation includes \$47,500,000 as requested for SLS, Orion and ground system integration activities. These funds will address coordination issues among the three programs and ensure that they are progressing in tandem toward EM-1 and future missions. The Committee notes that it is still awaiting a comprehensive plan, with yearly budgets by component including various ground facilities and quarterly milestones, to achieve integrated launch readiness dates for EM-1 and EM-2. This report shall also provide an analysis of various capabilities that will be provided with 70, 105, and 130 metric ton capabilities, to include the yearly costs necessary to proceed with this incremental approach.

Exploration Research and Development (R&D).—The recommendation includes \$404,000,000 for Exploration R&D. The Committee urges NASA to continue its work with the private sector and academia to develop exploration capabilities such as advanced propulsion, habitats and landers that may be used with Orion and SLS and are necessary to enable space and human exploration to the Moon, Mars, and other deep space destinations.

Next Space Technologies for Exploration Partnerships.—The recommendation includes no less than \$75,000,000 under the Advanced Exploration Systems program for development of a demonstration habitation module. NASA shall provide periodic updates regarding the status and funding of this project to ensure timely completion.

Lunar surface.—The Committee supports the development and launch of low-cost missions to explore and characterize the lunar surface and encourages NASA to work with commercial industry, academia, and international space agencies to better understand the subsurface lunar geology, particularly in-situ water resources, to support future robotic and astronaut operations. Not later than 180 days after the enactment of this Act, NASA shall submit a report detailing ongoing and planned lunar programs.

SPACE OPERATIONS

The Committee recommends \$4,890,300,000 for Space Operations.

International Space Station (ISS) operations.—The Committee remains concerned about annual ISS operations costs and encourages NASA to implement cost savings measures with the goal of slowing and reducing the ISS operations budget while maximizing research opportunities. Given that NASA operations on the ISS are extended through only 2024, NASA is encouraged to begin efforts to determine what follow-on activities are necessary, within budget constraints, to maintain a U.S. human presence in space.

NASA continues to allocate insufficient resources for space life and physical science research aboard the ISS. The Committee believes that this basic research performed on the ISS is an essential

translational step for space exploration that also reduces uncertainty for research pathways that have potential high value life and physical science applications on Earth. Within amounts provided for ISS Research, NASA is encouraged to allocate no less than 15 percent of this amount for space life and physical science research and provide a report to the Committee on these matters no later than 180 days after enactment of this Act.

Commercial Crew.—The Committee understands and is concerned that some fiscal year 2016 and 2017 project milestones have slipped. NASA shall continue submitting quarterly reports on the status of the Commercial Crew Integrated Capability and Commercial Crew Transportation Capability contracts and advise the Committee promptly if milestone slips will impact the planned 2017 uncrewed and crewed flights to the ISS. As part of the quarterly reporting requirements, NASA shall submit information describing the planned operations tempo of the Commercial Crew program, to include numbers of astronauts per flight and per provider; training needs, costs, and status of U.S. based training facilities; and a description of any Commercial Crew seats that will be allocated to foreign partners. NASA also shall provide an assessment by the second quarter of fiscal year 2017 on the cost and need to reserve flights on foreign partner capsules in tandem with the Commercial Crew program in 2018 and future years.

Space and Flight Support.—Space and flight support includes \$12,000,000, as requested, to modernize and upgrade both the Wallops Flight Facility (WFF) and Kennedy Space Center (KSC) launch and range complexes. The Committee supports maintaining launch sites serving the ISS at both the WFF and KSC to ensure uninterrupted domestic cargo access to the ISS.

Commercial cargo.—NASA shall continue to provide quarterly updates on the Commercial Resupply Services (CRS) –1 contract and shall begin including data on CRS–2 contracts and associated milestones. These reports shall include information currently provided and shall now also include cost per flight, date of actual flight, and date when payments for each mission are made.

Space shuttle closeout costs.—The Committee is aware that NASA continues to work with former space shuttle providers to close any remaining contracts. The Committee urges NASA and its partners to expeditiously close remaining items, in accordance with established accounting procedures, so as not to impact ongoing ISS activities. NASA shall keep the Committee informed of these activities.

EDUCATION

The Committee recommends \$115,000,000 for Education, which is the same as fiscal year 2016 and \$14,900,000 above the request. The Committee is concerned that despite direction in Public Law 114–113, overhead costs remain excessive. To ensure that the program is operating efficiently with minimum overhead, NASA shall provide a report to the Committee within 180 days of enactment that analyzes how funds have been spent over the last three fiscal years, to include 1) a list of cooperative agreements, Space Act Agreements, and grantees, including the amount and purpose of grant or funding allocation; and 2) a complete description, including amounts and purposes, of how remaining funds have been

spent. This analysis shall also include a plan to ensure that no more than five percent overhead is charged within the Education account by fiscal year 2018.

National Space Grant College and Fellowship Program.—The recommendation includes \$40,000,000 for the Space Grant program, which is the same as fiscal year 2016. These funds shall be allocated to the consortia lead institutions in all 52 participating jurisdictions according to the percentage allocation provided to States in the current five year grant award period.

Experimental Program to Stimulate Competitive Research (EPSCoR).—The recommendation includes \$18,000,000 for EPSCoR, which is the same as fiscal year 2016.

STEM Education and Accountability Programs (SEAP).—NASA shall brief the Committee on the intended distribution of fiscal year 2017 SEAP resources to individual activities; how that distribution compares to the fiscal year 2016 distribution; how that distribution supports the priorities contained in the government-wide STEM education strategic plan; and what partnerships NASA has formed through its various SEAP programs with Hispanic Serving Institutions and Historically Black Colleges and Universities.

SAFETY, SECURITY AND MISSION SERVICES

The Committee recommends \$2,835,400,000 for Safety, Security and Mission Services, which is \$66,800,000 above fiscal year 2016 and \$1,400,000 below the request.

Security.—The Committee recognizes that proper security compliance at NASA requires effective and comprehensive policies, strong enforcement mechanisms, sustained leadership attention, and implementation of the foreign national access management (FNAM) recommendations from such organizations as the National Academy of Public Administration (NAPA), GAO, and the NASA IG. NAPA's March 2016 follow-up assessment report, *Review of the NASA Response to the Academy's Report on Foreign National Access Management*, found that NASA had taken some steps to address each of NAPA's 2014 recommendations and is on a path toward institutionalizing an integrated FNAM Program and incorporating its components into daily Center operations. However, the Committee is concerned that all of the previous recommendations have not been fully implemented. Therefore, NASA shall continue to submit quarterly reports and contract with an independent entity for an additional update on the agency's progress in implementing the needed corrective actions. The Committee expects that this update process will begin no later than 30 days after enactment of this Act with a subsequent report to be submitted no later than one year after enactment of this Act.

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

Infrastructure revitalization plan.—The Committee recognizes that, according to various NASA IG and GAO reports, NASA facilities are aging and in need of significant repair, modification, and upgrades. Given ongoing budget constraints paired with an aggressive science and exploration agenda, NASA shall develop a multi-year investment plan that ensures NASA's infrastructure can sup-

port its various missions now and into the future. NASA shall integrate institutional, operational, maintenance, and facility requirements into a revitalization plan for review by the NASA Advisory Council, Institutional Committee. This agency-level revitalization plan shall identify areas of concern, gaps in the maintenance and capability of NASA infrastructure compared to requirements, and provide a sustainable multi-year plan and cost estimate to address these items. The results of the revitalization plan shall be submitted to the Committee within 18 months of enactment of this Act.

Property disposal.—The Committee encourages NASA to avail itself of existing authority that authorizes NASA to “. . . sell and otherwise dispose of real and personal property . . .” in accordance with the provisions of chapters 1 to 11 of title 40 and in accordance with title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.). NASA shall submit a report within 180 days of enactment describing its use of this authority for fiscal years 2015 and 2016, and any intended uses during fiscal year 2017.

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

Independent Verification and Validation (IV&V).—The recommendation includes no less than the fiscal year 2016 operating level for the IV&V program. If necessary, NASA shall fund any additional IV&V activities from within the mission directorates that make use of IV&V services.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

The Committee recommends \$398,000,000 for Construction and Environmental Compliance and Restoration, which is \$9,100,000 above fiscal year 2016 and \$21,800,000 below the request. Within amounts provided, NASA shall assess its existing infrastructure and ensure that appropriate facilities are available to support continued development and use of the supersonic low boom flight demonstrator. When taking remedial actions, NASA is encouraged to protect culturally significant Native American sites.

OFFICE OF INSPECTOR GENERAL

The Committee recommends \$38,100,000 for the Office of Inspector General, which is \$700,000 above fiscal year 2016 and the same as the request.

Export control.—The Committee understands that the NASA IG will issue a report regarding NASA’s implementation of recommendations made by the GAO in its 2014 report, GAO–14–315, *Export Controls: NASA Management Action and Improved Oversight Needed to Reduce the Risk of Unauthorized Access to Its Technologies*. The Committee encourages the NASA IG to examine any access violations by foreign nationals and any unauthorized transfer of proprietary or sensitive information during fiscal years 2012 through fiscal year 2016 and provide a report on these matters within six months of enactment of this Act.

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 allows the transfer of balances under a previous appropriations account structure to the current appropriations account structure.

NATIONAL SCIENCE FOUNDATION

The Committee commends NSF and its academic partners for the September, 2015 detection of gravitational waves using the twin Laser Interferometer Gravitational-wave Observatory (LIGO) detectors. The Committee believes that infrastructure investments such as these result in expanding our understanding of the universe and inspiring students to pursue careers in the sciences. The Committee is mindful of the need to balance these investments with the need to ensure that research funds are available and ample so that scientists can study and exploit data derived from such large infrastructure projects. The Committee recognizes that current and future large scientific facilities represent an enormous investment of Federal resources that must be administered wisely. Toward that end, NSF shall provide periodic updates to the Committee with respect to its implementation of recommendations from the NAPA report, *National Science Foundation: Use of Cooperative Agreements to Support Large Scale Investment in Research* which included a review NSF's use of cooperative agreements to support the development, construction, commissioning, and future operations of state-of-the-art, large-scale research facilities. Further, within amounts provided, NSF shall allocate sufficient support to its existing national research assets, including the astronomy assets, the current academic research fleet including global class vessels with unique seismic capabilities, Federally funded research and development centers, and the national high performance computing centers, so they may provide the support needed for cutting edge research. With respect to the academic fleet, NSF shall provide the Committee, coincident with the fiscal year 2018 budget request, a five year schedule for the deployment of the academic fleet that maximizes research opportunities in a cost effective and transparent manner.

Independent Review.—GAO shall review programs funded within the Major Research Equipment and Facilities Construction (MREFC) account and provide analysis to the Committee similar to that which the Committee receives from GAO on NASA's large-scale acquisition and construction projects. The Committee believes

that this additional independent analysis will help identify potential technical risks and cost overruns over the construction life of projects so that these important scientific missions remain on schedule and on budget. NSF is directed to cooperate fully and to provide timely program analysis, evaluation data, and other relevant information to GAO so that it may report to Congress shortly after the annual budget submission of the President and semiannually thereafter on the status of large-scale NSF programs, projects, and activities based on its review of this information. The Committee notes that NSF has a no-cost overrun policy and expects GAO's analysis to explain how NSF intends to implement this policy should it be triggered.

RESEARCH AND RELATED ACTIVITIES

The Committee recommends \$6,079,430,000 for Research and Related Activities, which is an increase of \$45,785,000 above fiscal year 2016 and the same as the request.

Peer review.—The Committee has long been supportive of NSF's peer review process to identify and recommend funding for scientifically meritorious research. NSF's ability to fund cutting-edge research helps keep the United States at the forefront of research across all scientific disciplines, which in turn builds the technological capabilities that underpin economic growth and prosperity.

Abstracts.—The Committee directs NSF to continue its efforts to ensure that award abstracts clearly explain in plain English the intent of the project and how the project meets both the intellectual merit and the broader impact review criterion. Improving the peer review process and project abstracts are critical to protecting NSF's stellar scientific integrity. The abstracts serve as a public justification for NSF funding decisions by articulating how the project serves the national interest, consistent with the Foundation's mission as established in the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq). The Committee believes that abstracts should explain how a project increases economic competitiveness in the United States; advances the health and welfare of the American public; develops an American STEM workforce, including computer science and information technology sectors, that are globally competitive; increases public scientific literacy and public engagement with science and technology in the United States; increases partnerships between academia and industry in the United States; supports the national defense of the United States; or promotes the progress of science for the United States.

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

Neuroscience.—Within amounts provided, \$146,930,000 is for NSF's contributions to the Brain Research through Advancing Innovative Neurotechnologies (BRAIN) initiative.

Astronomical Sciences Portfolio Review.—The Committee recognizes that the continued operation of the NSF network of astronomical observatories is a strategic asset to the nation, and that each observatory serves a specific need in Astronomical Sciences. These observatories were created with strong Federal investments and the observatories shall remain under NSF operation where possible. NSF shall not implement any final divestment of infra-

structure tied to the findings of its 2012 Astronomical Sciences Portfolio Review without first reporting such actions to the Committee. Further, any such actions shall be carried out in accordance with relevant reprogramming requirements. The Committee is aware that NSF is working cooperatively with academic and private sector partners to develop plans to share future operations and maintenance costs of some aging but still scientifically productive facilities. NSF shall keep the Committee informed of these activities.

High-performance computing.—The Committee urges NSF to continue its commitment to modernizing its world-class big data and high-performance computing resources, which support all areas of scientific research and education, including the most demanding scientific challenges. NSF shall brief the Committee periodically on its efforts to incorporate the recommendations from the National Academy of Sciences report, *Future Directions for NSF Advanced Computing Infrastructure to Support U.S. Science and Engineering in 2017–2020*.

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

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

The Committee recommends \$87,120,000 for Major Research Equipment and Facilities Construction, which is \$113,190,000 below fiscal year 2016 and \$106,000,000 below the request.

Large Synoptic Survey Telescope (LSST).—The recommendation includes \$67,120,000, the requested amount, for the LSST. The LSST, which was ranked as the top large ground-based astronomy project by the National Research Council 2010 Decadal Survey, will produce the deepest, widest-field sky image ever, and issue alerts for moving and transient objects within 60 seconds of discovery. NSF shall provide quarterly briefings to the Committee on the status of this project, to include updates on addressing the issues identified by the NSF IG.

Daniel K. Inouye Solar Telescope (DKIST).—NSF shall provide quarterly briefings to the Committee on the status of DKIST, to include updates on addressing the issues identified by the NSF IG.

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

EDUCATION AND HUMAN RESOURCES

The Committee recommends \$880,000,000 for Education and Human Resources (EHR), which is the same as fiscal year 2016 and \$18,870,000 below the request.

Dyslexia.—NSF shall fully implement section 4 of the *Research Excellence and Advancements for Dyslexia Act* exactly as enacted in Public Law 114–124.

Advanced Technological Education (ATE).—The recommendation provides no less than the fiscal year 2016 level for the ATE program.

Broadening participation programs.—To broaden the participation of underrepresented populations in STEM education programs and, ultimately, the STEM workforce, the recommendation provides no less than \$35,000,000 for the Historically Black Colleges and Universities Undergraduate Program; \$46,000,000 for the Louis Stokes Alliance for Minority Participation; and \$14,000,000 for the Tribal Colleges and Universities Program. In addition, over the past several years, this Committee has asked NSF to consider creating a program within EHR to focus on Hispanic Serving Institutions (HSIs). Such a program was authorized in the *America COMPETES Act of 2010*. The Committee directs NSF to establish an HSI-specific program no later than 120 days after enactment of this Act and demonstrate a \$30,000,000 investment no later than September 30, 2017.

Innovation Corps.—The recommendation includes \$35,000,000 for the NSF Innovation Corps program. The \$5,000,000 increase above the request will allow the NSF to provide additional funding for new and existing I-Corps Teams, Sites, and Nodes to enable greater participation nationally.

Cybersecurity Research.—The Committee encourages NSF to form partnerships with Hispanic Serving Institutions and Historically Black Colleges and Universities and to report to the Committee on these matters within 180 days of enactment of this Act.

AGENCY OPERATIONS AND AWARD MANAGEMENT

The Committee recommends \$340,000,000 for Agency Operations and Award Management, which is \$10,000,000 above fiscal year 2016 and \$33,020,000 below the request.

Headquarters.—NSF shall keep the Committee informed regarding the status of transitioning to the new headquarters building.

OFFICE OF THE NATIONAL SCIENCE BOARD

The Committee recommends \$4,380,000 for the National Science Board, which is \$10,000 more than fiscal year 2016 and the same as the request.

OFFICE OF INSPECTOR GENERAL

The Committee recommends \$15,200,000 for the Office of Inspector General, which is \$40,000 above fiscal year 2016 and the same as the request.

Management challenges.—The IG shall brief the Committee on a quarterly basis regarding NSF’s progress in addressing issues raised in various IG reports and alert memos.

ADMINISTRATIVE PROVISION

(INCLUDING TRANSFER OF FUNDS)

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

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

The Committee recommends \$9,200,000 for the Commission on Civil Rights, which is the same as fiscal year 2016 and \$230,000 below the request.

Prioritization of statutory enforcement report subject matter.—When choosing the subject matter for future statutory enforcement reports, the Committee believes the Commission should focus on crucial and urgent civil rights concerns.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The Committee recommends \$364,500,000 for the Equal Employment Opportunity Commission (EEOC), which is the same as fiscal year 2016 and \$12,146,000 below the request.

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

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

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

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The Committee recommends \$90,000,000 for the International Trade Commission (ITC), which is \$1,500,000 above fiscal year 2016 and \$2,866,000 below the request.

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

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The Committee recommends \$350,000,000 for the Legal Services Corporation (LSC), which is \$35,000,000 below fiscal year 2016 and \$125,000,000 below the request.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

The bill continues restrictions on the uses of LSC funding. None of the funds appropriated in this Act to the LSC shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the LSC shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2016 and 2017, respectively.

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

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The Committee recommends \$3,431,000 for the Marine Mammal Commission, which is the same as fiscal year 2016 and the request.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

The Committee recommends \$65,000,000 for the Office of the U.S. Trade Representative (USTR), which is \$10,500,000 above fiscal year 2016 and \$5,624,000 above the request.

SALARIES AND EXPENSES

The Committee recommends \$50,000,000 for the salaries and expenses of USTR, which is \$4,500,000 below fiscal year 2016 and \$9,376,000 below the request.

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

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

TRADE ENFORCEMENT TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

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

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The Committee recommends \$5,121,000 for the State Justice Institute, which is the same as fiscal year 2016 and the request.

TITLE V

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

(INCLUDING RESCISSIONS)

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

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

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

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

Section 505 prohibits a reprogramming of funds that: (1) creates or initiates a new program, project, or activity; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs, or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees; (7) augments funds for existing programs, projects, or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project, or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

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

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

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

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

Section 510 limits the obligation of receipts deposited into the Crime Victims Fund to \$2,737,000,000 during fiscal year 2017. This language is continued to ensure that a stable level of funds will remain available for the program, despite inconsistent levels of fines deposited annually into the Fund. The language also provides for a tribal set-aside.

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

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

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

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

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

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

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

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

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

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

Section 521 deems funds for intelligence or intelligence related activities as authorized by Congress during fiscal year 2017 until the enactment of the Intelligence Authorization Act for fiscal year 2017.

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

(RESCISSIONS)

Section 523 provides for rescissions of unobligated balances from the Department of Justice.

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

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

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

Section 527 prohibits the use of funds in this or any other Act to construct, acquire, or modify any facility in the United States, its territories, or possessions to house certain individuals who, as of June 24, 2009, were located at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or control of the Department of Defense.

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

Section 529 prohibits the use of funds made available in this Act by the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to engage in bilateral activities with China or a Chinese-owned company unless

the activities are authorized by subsequent legislation or NASA or OSTP and the Federal Bureau of Investigation have made a certification pursuant to subsections (c) and (d) of this section.

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

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

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

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

Section 534 prohibits the use of funds to relinquish the responsibility of the National Telecommunications and Information Administration with respect to Internet domain name system functions.

Section 535 prohibits funds to deny an Inspector General funded under this Act with timely access to records, documents, or other materials.

Section 536 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 537 prohibits funds to facilitate, permit, license, or promote certain exports to Cuba. This section does not apply to exports permitted under the Trade Sanctions Reform and Export Enhancement Act of 2000.

Section 538 prohibits funds to approve the registration, renewal, or maintenance of the registration of a mark, trade mark, trade name, or commercial name when the mark, trade mark, trade name, or commercial name was unlawfully confiscated in Cuba.

Section 539 prohibits funds to enter into a civil settlement agreement on behalf of the United States that includes certain donations.

Section 540 prohibits funds from being used to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person.

Section 541 requires the establishment of nonnative predator fish research and removal pilot programs.

Section 542 expands conservation fish hatcheries to enhance, supplement, and rebuild endangered species.

Section 543 prohibits funds for Operation Choke Point.

Section 544 requires not less than 10 percent of the funds provided for certain programs be provided to persistent poverty counties.

Section 545 prohibits funds for the Equal Employment Opportunity Commission for collection of information as set forth in the notice published on February 1, 2016.

Section 546 allows States, in civil actions, to obtain all appropriate relief against any party under the Constitution and to re-

quire that courts promptly hear and determine any such civil action and afford the State any necessary preliminary relief.

SPENDING REDUCTION ACCOUNT

Section 547 establishes a Spending Reduction Account.

HOUSE OF REPRESENTATIVES REPORTING REQUIREMENTS

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

FULL COMMITTEE VOTES

FULL COMMITTEE VOTES

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

ROLL CALL NO. 1

Date: May 24, 2016

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2017

Motion by: Mr. Culberson

Description of Motion: To allow States, in civil actions, to obtain all appropriate relief against any party under the Constitution and to require that courts promptly hear and determine any such civil action and afford the state any necessary preliminary relief.

Results: Adopted 28 yeas to 19 nays

Members Voting Yea

Mr. Aderholt
 Mr. Amodei
 Mr. Calvert
 Mr. Carter
 Mr. Cole
 Mr. Cuellar
 Mr. Culberson
 Mr. Dent
 Mr. Diaz-Balart
 Mr. Fleischmann
 Mr. Fortenberry
 Mr. Frelinghuysen
 Mr. Graves
 Dr. Harris
 Mr. Jenkins
 Mr. Jolly
 Mr. Joyce
 Mr. Palazzo
 Mr. Rigell
 Mrs. Roby
 Mr. Rogers
 Mr. Rooney
 Mr. Simpson
 Mr. Stewart
 Mr. Valadao
 Mr. Womack
 Mr. Yoder
 Mr. Young

Members Voting Nay

Mr. Bishop
 Ms. DeLauro
 Mr. Farr
 Mr. Honda
 Mr. Israel
 Ms. Kaptur
 Mr. Kilmer
 Ms. Lee
 Mrs. Lowey
 Ms. McCollum
 Ms. Pingree
 Mr. Price
 Mr. Quigley
 Ms. Roybal-Allard
 Mr. Ruppertsberger
 Mr. Ryan
 Mr. Serrano
 Mr. Visclosky
 Ms. Wasserman Schultz

FULL COMMITTEE VOTES

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

ROLL CALL NO. 2

Date: May 24, 2016

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2017

Motion by: Mrs. Lowey

Description of Motion: To allow the Attorney General to deny transfers of firearms to persons known or suspected to be engaged in conduct related to terrorism.

Results: Defeated 17 yeas to 29 nays

Members Voting Yea

Ms. DeLauro
Mr. Farr
Mr. Honda
Mr. Israel
Ms. Kaptur
Mr. Kilmer
Mrs. Lowey
Ms. McCollum
Ms. Pingree
Mr. Price
Mr. Quigley
Ms. Roybal-Allard
Mr. Ruppersberger
Mr. Ryan
Mr. Serrano
Mr. Visclosky
Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
Mr. Amodei
Mr. Bishop
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Cuellar
Mr. Culberson
Mr. Dent
Mr. Diaz-Balart
Mr. Fleischmann
Mr. Frelinghuysen
Mr. Graves
Dr. Harris
Mr. Jenkins
Mr. Jolly
Mr. Joyce
Mr. Palazzo
Mr. Rigell
Mrs. Roby
Mr. Rogers
Mr. Rooney
Mr. Simpson
Mr. Stewart
Mr. Valadao
Mr. Womack
Mr. Yoder
Mr. Young

FULL COMMITTEE VOTES

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

ROLL CALL NO. 3

Date: May 24, 2016

Measure: Commerce, Justice, Science, and Related Agencies Appropriations Bill, FY 2017

Motion by: Mrs. Lowey

Description of Motion: To provide \$229,000,000 in funding for the COPS hiring program.

Results: Defeated 20 yeas to 27 nays

Members Voting Yea

Mr. Bishop
Mr. Cuellar
Ms. DeLauro
Mr. Farr
Mr. Honda
Mr. Israel
Ms. Kaptur
Mr. Kilmer
Ms. Lee
Mrs. Lowey
Ms. McCollum
Ms. Pingree
Mr. Price
Mr. Quigley
Ms. Roybal-Allard
Mr. Ruppertsberger
Mr. Ryan
Mr. Serrano
Mr. Visclosky
Ms. Wasserman Schultz

Members Voting Nay

Mr. Aderholt
Mr. Amodei
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mr. Dent
Mr. Diaz-Balart
Mr. Fleischmann
Mr. Frelinghuysen
Mr. Graves
Dr. Harris
Mr. Jenkins
Mr. Jolly
Mr. Joyce
Mr. Palazzo
Mr. Rigell
Mrs. Roby
Mr. Rogers
Mr. Rooney
Mr. Simpson
Mr. Stewart
Mr. Valadao
Mr. Womack
Mr. Yoder
Mr. Young

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 Justice	
Working Capital Fund	\$300,000,000
Legal Activities, Assets Forfeiture Fund	304,000,000
Drug Enforcement Administration	6,192,000
Federal Bureau of Investigation, Fees	140,000,000
Federal Bureau of Investigation, Salaries and Expenses	51,600,000
U.S. Marshals Service, Federal Prisoner Detention	24,000,000
State and Local Law Enforcement Assistance	
Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs	15,000,000
Office of Justice Programs	40,000,000
Community Oriented Policing Services	10,000,000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Under National Aeronautics and Space Administration, Administrative Provisions, language is included to allow unexpired balances of an old account to be transferred to a different account funding the same activities.

Under National Science Foundation, Administrative Provisions, language is included providing for the transfer of funds among appropriations in certain circumstances.

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.

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, the Committee notes that the accompanying bill does not propose to repeal or amend a statute or part thereof.

CHANGES IN THE APPLICATION OF EXISTING LAW

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

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

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

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

guage 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. Language is also included regarding section 27 of the Stevenson-Wydler Technology Innovation Act.

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. Language is also included requiring the collection of certain data in a certain survey.

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

Under National Telecommunications and Information Administration, Salaries and Expenses, language is included providing for two-year availability of funds. Language is also 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, Scientific and Technical Research and Services, language is included providing for no-year availability of funds. In addition, language is included allowing transfers to the working capital fund. Language is included limiting funds for official reception and representation expenses. Finally, language is included allowing NIST to provide local transportation for a certain fellowship program.

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

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

Under National Oceanic and Atmospheric Administration, Operations, Research, and Facilities, language is included allowing for two-year availability for funds, except for cooperative enforcement funds, which are available for three years. Language is also included allowing maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities. Language is included allowing fees and donations received by a particular office to be retained and used for expenses related to certain activities. In addition, language is included that provides that certain funds be derived from various sources and restricting their use to certain activities. Furthermore, language is included limiting the amount of funds that can be provided for corporate services administrative support. 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. Finally, language is included withholding certain funding.

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.

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

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

Under Renovation and Modernization, language is included making funds available until expended and allowing funding to be transferred into the account.

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

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

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

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

Section 104 extends Congressional notification requirements for NOAA satellite programs.

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.

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

Also, under Justice Information Sharing Technology, language is included providing that funds be available until expended. Lan-

guage is also included allowing transfers up to a certain amount to this account for information technology initiatives.

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

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

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

Under Legal Activities, Salaries and Expenses, General Legal Activities, language is included providing not to exceed \$20,000 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 rental of space in the District of Columbia. Language is included making an amount available until expended for litigation support contracts. In addition, language is included making certain funds available to INTERPOL available until expended. Also, language is included limiting the amount of funds for official representation and reception expenses available to INTERPOL Washington. Furthermore, language is included providing funds to the Civil Rights Division for expenses associated with election monitoring, authority to reimburse the Office of Personnel Management for such expenses, and availability of such funds until expended. Finally, language is included for expenses associated with processing cases under the National Childhood Vaccine Injury Act of 1986.

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

In addition, under Salaries and Expenses, United States Attorneys, language is included regarding inter-governmental and cooperative agreements and limiting funds for official reception and representation expenses. Language is also included extending the availability of certain funds. Finally, language is included requiring each United States Attorney to establish or participate in a task force on human trafficking.

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

Moreover, under Fees and Expenses of Witnesses, language is included regarding contracts for the procurement and supervision of expert witnesses. In addition, language is included regarding funds for construction of buildings for safesites, armored and other vehicles, and telecommunication equipment. The language also provides for no-year availability of funds. In addition, language is included

providing no funds may be transferred pursuant to section 205 of this Act.

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

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

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

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

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

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

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

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

Under Drug Enforcement Administration, Salaries and Expenses, language is included providing for funds to meet unforeseen 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. Finally, language is included providing for a limitation on representational expenses.

Under Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses, language is included allowing training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection, and

allowing provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement. Language is also included limiting official reception and representation expenses. In addition, language is included providing funds for the payment of attorneys' fees. In addition, language is included providing for no-year availability of certain funds. 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. Moreover, language is included that prohibits funds to transfer the functions, missions or activities of ATF to other agencies or departments.

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

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

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

Furthermore, under Limitation on Administrative Expenses, Federal Prison Industries, Incorporated, language is included making available funds for its administrative expenses, and for certain services, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

Under State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs, language is included making funds available until expended. Language is also included placing a limitation on funds to be made available for expenses related to evaluation, training, and technical assistance. In addition, language is included

providing for specific appropriations for various programs within the Office on Violence Against Women. Furthermore, language is included making available certain unobligated balances for specified programs. The language also applies certain conditions to specified grants. It provides for certain funds to be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs.

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

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

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

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

Under Community Oriented Policing Services, Community Oriented Policing Services Programs, language is included providing for no-year availability of funds. Language is also included requiring that balances available through deobligations only be available through reprogramming. In addition, language is included regarding transfers of funds for anti-methamphetamine activities. There is further language regarding certain time limitations under the Second Chance Act. Finally, the language delineates certain amounts for various programs under this heading.

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 213 prohibits funds, other than funds for the National Instant Criminal Background Check System established under the Brady Handgun Violence Prevention Act, from being used to facilitate the transfer of an operable firearm to a known or suspected agent of a drug cartel where law enforcement personnel do not continuously monitor or control such firearm. This language is made permanent.

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

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

Under National Aeronautics and Space Administration, Science, language is included providing for the multi-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 multi-year availability of funds.

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

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

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

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

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

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

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

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

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 operational 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, and providing for no-year availability of some funds.

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.

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

Under Equal Employment Opportunity Commission, Salaries and Expenses, language is included designating an amount for payments to State and local enforcement agencies. Language is also in-

cluded limiting funds for official reception and representation expenses. Finally, language is included authorizing the Chair to accept donations or gifts to carry out the work of the Commission.

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

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

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

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

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

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

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

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

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

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

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

Section 505 specifies requirements for the reprogramming of funds.

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

tured, produced, or assembled in the United States or its territories or possessions.

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

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

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

Section 510 limits the obligation of certain funds and provides for a set-aside.

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

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

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

Section 514 prohibits funds for acquisition of certain information systems unless the acquiring department or agency has reviewed and assessed certain risks. Language is also included making such acquisition contingent upon the development of a risk mitigation strategy and a determination that the acquisition is in the national interest.

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

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

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

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

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

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

Section 521 deems funds for intelligence or intelligence related activities as authorized by Congress during fiscal year 2017 until the enactment of the Intelligence Authorization Act for fiscal year 2017.

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

Section 523 provides for rescissions of unobligated balances from the Department of Justice.

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

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

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

Section 527 prohibits the use of funds in this or any other Act to construct, acquire, or modify any facility in the United States, its territories, or possessions to house certain individuals who, as of June 24, 2009, were located at United States Naval Station, Guantanamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or control of the Department of Defense.

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

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

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

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

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

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

Section 534 prohibits the use of funds to relinquish the responsibility of the National Telecommunications and Information Administration with respect to Internet domain name system functions.

Section 535 prohibits funds to deny an Inspector General funded under this Act with timely access to records, documents, or other materials.

Section 536 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 537 prohibits funds to facilitate, permit, license, or promote certain exports to Cuba.

Section 538 prohibits funds to approve the registration, renewal, or maintenance of the registration of a mark, trade mark, trade name, or commercial name when the mark, trade mark, trade name, or commercial name was unlawfully confiscated in Cuba.

Section 539 prohibits funds to enter into a civil settlement agreement on behalf of the United States that includes certain donations.

Section 540 prohibits funds from being used to require a person licensed under section 923 of title 18, United States Code, to report information to the Department of Justice regarding the sale of multiple rifles or shotguns to the same person.

Section 541 requires the establishment of nonnative predator fish research and removal pilot programs.

Section 542 expands conservation fish hatcheries to enhance, supplement, and rebuild endangered species.

Section 543 prohibits funds for Operation Choke Point.

Section 544 requires 10 percent of the funds for programs go to persistent poverty counties.

Section 545 prohibits funds for the Equal Employment Opportunity Commission for collection of information as set forth in the notice published on February 1, 2016.

Section 546 allows States, in civil actions, to obtain all appropriate relief against any party under the Constitution and to require that courts promptly hear and determine any such civil action and afford the State any necessary preliminary relief.

APPROPRIATIONS NOT AUTHORIZED BY LAW

The Committee, in a number of instances, has found it necessary to recommend funding for ongoing activities and programs for which authorizations have not been enacted to date. Pursuant to clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law for the period concerned:

UNAUTHORIZED APPROPRIATIONS
Fiscal Year 2017
(dollars in thousands)

Program	Last year of au- thorization	Authorization level in last year of authorization	Appropriations in last year of authorization	Appropriations in this bill
Department of Commerce:				
International Trade Administration				
Operations and Administration				
Export Promotion Activities	1996	such sums	264,885	*
Bureau of Industry and Security				
Operations and Administration	1994	such sums	34,747	114,000
Economic Development Administration				
Salaries and Expenses	2008	such sums	30,832	39,500
Economic Development Assistance Programs	2008	various	349,100	225,000
Public Works and Economic Development Act Programs	2008	500,000		(209,000)
Minority Business Development Agency				
Minority Business Development	n/a	n/a	n/a	34,000
Economic and Statistical Analysis	n/a	n/a	n/a	107,000
National Telecommunications and Information Administration				
Salaries and Expenses	1993	17,900	18,493	36,322
National Institute of Standards and Technology				
Scientific and Technical Research and Services	2013	676,700	609,514	680,000
Industrial technology services	2013	241,709	140,316	135,000
Manufacturing extension partnerships	2013	(165,100)	(126,088)	(130,000)
Construction of research facilities	2013	121,300	58,874	50,000
National Oceanic and Atmospheric Administration				
Operations, Research and Facilities				
Oceanic and Atmospheric Research	1993	1,589,081	202,172	‡
Climate and air quality research activities	1993	(103,877)	†	†
Atmospheric research activities	1993	(44,781)	†	†
National Ocean Service	1993	121,183	150,864	475,140
Coral Reef Conservation	2004	(16,000)	(16,000)	(26,000)
Coastal Zone Management	1999	(55,300)	(52,700)	(104,570)
Marine Protection, Research, Preservation & Sanctuaries	2005	(40,000)	(57,958)	(49,000)
National Marine Fisheries Services				
Endangered Species Act Activities	1992	various	6,750	‡

1999	Marine Mammal Protection Act Activities	34,768	‡	‡
2000	NOAA Marine Fisheries Program Activities	110,470	‡	‡
1993	National Weather Service	395,822	†	†
1993	Operations and research activities	132,034	†, \$	†, \$
1993	Public warning and forecast systems	336,000	†, \$	†, \$
1993	NESDIS	39,596	10,300	10,300
1993	Satellite observing systems activities (NESDIS)	75,750	25,000	25,000
1993	Data and information services activities	68,518	61,200	61,200
1993	Mission Support	10,336	9,500	9,500
1993	Executive Direction and Administrative Activities			208,361
1993	Marine Services			184,376
1993	Aircraft Services			36,000
1997	Procurement, Acquisition and Construction	such sums	8,000	16,700
2009	Office of Marine and Aviation Operations		80,000	65,000
	Fleet modernization and replacement			
	Pacific Coastal Salmon Recovery			
	Departmental Management			
n/a	Salaries and Expenses	n/a	n/a	58,000
n/a	Renovation and Modernization	n/a	n/a	4,000
Department of Justice:				
General Administration				
2009	Salaries and Expenses	181,561	105,805	115,000
2009	Justice Information Sharing Technology	204,152	80,000	40,000
2009†	Executive Office for Immigration Review	n/a	n/a	457,154
2009‡	Office of Pardon Attorney	n/a	n/a	4,496
2009	Office of Inspector General	81,922	80,681	93,709
2009	United States Parole Commission			
2009	Salaries and Expenses	12,711	12,570	13,308
Legal Activities				
2009	Salaries and Expenses, General Legal Activities	764,526	805,655	893,000
2009	Salaries and Expenses, Antitrust Division	162,488	157,788	164,977
2009	Salaries and Expenses, United States Attorneys	1,829,194	1,851,336	2,050,000
2009	Salaries and Expenses, Foreign Claims Settlement Commission	1,429	1,823	2,374
2009	Fees and Expenses of Witnesses	203,755	168,300	270,000
2009	Salaries and Expenses, Community Relations Service	10,977	9,873	15,500
2009	United States Marshals Service	900,178	954,000	2,743,000
	Salaries and Expenses		(960,000)	(1,258,000)
	Construction		(4,000)	(10,000)
2009	Federal Prison Detention*	1,858,509	1,355,319	(1,475,000)

UNAUTHORIZED APPROPRIATIONS—Continued
Fiscal Year 2017
(dollars in thousands)

Program	Last year of authorization	Authorization level in last year of authorization	Appropriations in last year of authorization	Appropriations in this bill
National Security Division				
Salaries and Expenses	n/a	n/a	n/a	97,337
Interagency Law Enforcement				
Interagency Crime and Drug Enforcement	2009	744,593	515,000	522,135
Federal Bureau of Investigation	2009	6,480,608	7,301,191	9,077,866
Salaries and Expenses			(7,182,700)	(8,768,884)
Construction			(153,491)	(308,982)
Drug Enforcement Administration				
Salaries and Expenses	2009	1,930,462	1,959,084	2,102,976
Bureau of Alcohol, Tobacco, Firearms and Explosives				
Salaries and Expenses	2009	1,038,939	1,078,215	1,257,757
Federal Prison System	2009	5,698,292	6,171,561	7,156,791
Salaries and Expenses			(5,600,792)	(7,016,791)
Buildings and Facilities			(575,807)	(140,000)
Office on Violence Against Women				
Violence Against Women Prevention and Prosecution Programs				
Research and Evaluation on Violence against Women	n/a	n/a	n/a	5,000
Family Civil Justice		various		16,000
Court Training and Improvements Program	2011	5,000	**	
Safe Havens Program	2011	20,000	**	
Consolidated Youth-oriented Program				
Engaging Men and Youth in Prevention	n/a	n/a	n/a	11,000
Grants to Assist Children and Youth Exposed to Violence	n/a	n/a	n/a	**
Supporting Teens Through Education Program	2011	5,000	**	**
Services to Advocate and Respond to Youth	n/a	n/a	n/a	**
Research on Violence Against Indian Women	2015	1,000	940	1,000
Indian Country—Sexual Assault Clearinghouse	n/a	n/a	n/a	500
Tribal assistance	n/a	n/a	n/a	5,000
Office of Justice Programs				
Research, Evaluation and Statistics				
Bureau of Justice Statistics	1995	33,000	32,335	48,000
NCS-X Implementation Program	n/a	n/a	n/a	5,000

Program Name	Year	Amount	Notes
National Institute of Justice	1995	33,000	58,879
State and Local Law Enforcement Assistance			40,000
Byrne Memorial Justice Assistance Grants	2012	1,095,000	476,000
Domestic Radicalization Research	n/a	n/a	(4,000)
Officer Robert Wilson III VALOR Initiative	n/a	n/a	(20,000)
Juvenile Indigent Defense	n/a	n/a	(2,500)
NamUS	n/a	n/a	(2,400)
State Criminal Alien Assistance Program	2011	950,000	273,906
Capital Litigation and Wrongful Conviction Review	2009	75,000	2,000
White Collar Crime Prevention	n/a	n/a	10,000
Adam Walsh Act Implementation	2009	such sums	20,000
National Sex Offender Public Website	n/a	n/a	1,000
Violent Gang and Gun Crime Reduction	n/a	n/a	20,000
NICS Initiative		various	73,000
NICS Act Record Improvement Program	2013	125,000	*
National Criminal History Improvement Program	2013	62,500	*
DNA Initiative			
Debbie Smith DNA Backlog Grants	2014	151,000	117,000
Post-Conviction DNA Testing Grants	2009	5,000	4,000
Sexual Assault Forensic Exam Program Grants	2014	30,000	4,000
Prison Rape Prevention and Prosecution	2010	40,000	12,000
Comprehensive School Safety Initiative	n/a	n/a	75,000
Opioid initiative		various	103,000
Drug Courts	2008	70,000	(42,000)
Veterans Treatment Courts	n/a	n/a	(7,000)
Residential Substance Abuse Treatment	2000	72,000	(12,000)
Prescription Drug Monitoring	n/a	n/a	(14,000)
Mentally Ill Offender Act	2014	50,000	(12,000)
Comprehensive Opioid Abuse Reduction Act of 2016	n/a	n/a	(16,000)
Juvenile Justice Programs			
Youth Mentoring Grants	2007	such sums	90,000
Victims of Child Abuse Programs	2005	8,481	20,000
Missing and Exploited Children Programs		various	72,250
AMBER Alert grants	2004	*	*
Community Oriented Policing Services			
Transfer to DEA for Methamphetamine Lab Cleanups	n/a	n/a	11,000
Community trust initiative	n/a	n/a	75,000
Body-worn Camera Partnership	n/a	n/a	(22,500)
Justice Reinvestment Initiative	n/a	n/a	(27,500)
Research and statistics on community trust	n/a	n/a	(10,000)

UNAUTHORIZED APPROPRIATIONS—Continued
 Fiscal Year 2017
 (dollars in thousands)

Program	Last year of au- thorization	Authorization level in last year of authorization	Appropriations in last year of authorization	Appropriations in this bill
Byrne Criminal Justice Innovation Program	n/a	n/a	n/a	(15,000)
Second Chance Act/Offender Reentry	2010	55,000	100,000	68,000
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog	n/a	n/a	n/a	45,000
Tribal Assistance		various		65,000
Tribal Courts	2004	such sums	(8,000)	**
Alcohol and Substance Abuse	n/a	n/a	n/a	**
Indian Prison Grants	2000	(2,753)	(5,000)	**
Training/TA Civil and Criminal Legal Assistance	n/a	n/a	n/a	**
Regional information sharing activities	2003	100,000	29,000	35,000
Science:				
National Aeronautics and Space Administration				
Science	2013	5,509,600	5,047,447	5,597,000
Aeronautics	2013	590,000	559,301	712,000
Space Technology	2013	515,000	629,950	793,200
Exploration	2013	5,264,000	3,814,041	4,183,000
Space Operations	2013	4,253,300	3,878,802	4,890,300
Education	2013	145,700	122,654	115,000
Safety, Security and Mission Services	2013	3,276,800	2,770,012	2,835,400
Construction and Environmental Compliance and Remediation	2013	366,900	667,236	398,000
Office of Inspector General	2013	38,700	37,287	38,100
National Science Foundation				
Research and Related Activities	2013	6,637,849	5,870,974	6,079,430
Major Research Equipment and Facilities Construction	2013	236,764	192,488	87,120
Education and Human Resources	2013	1,041,762	878,799	880,000
Agency Operations and Award Management	2013	363,670	293,780	340,000
Office of the National Science Board	2013	4,906	4,357	4,380
Office of Inspector General	2013	15,049	13,933	15,200
Related Agencies:				
Commission on Civil Rights				
Salaries and Expenses	1995	9,500	8,904	9,200
International Trade Commission				
Salaries and Expenses	2004	57,240	58,295	90,000

Legal Services Corporation				
Payment to the Legal Services Corporation	1980	205,000	300,000	350,000
Marine Mammal Commission				
Salaries and Expenses	1999	1,750	1,240	3,431
Office of the U.S. Trade Representative				
Salaries and Expenses	2004	33,108	41,552	50,000
State Justice Institute				
Salaries and Expenses	2008	7,000	3,760	5,121

* The recommendation does not provide a specific amount for this program.
† The National Oceanic and Atmospheric Administration Authorization Act of 1992 (P.L. 102-567) provides authorizations for general categories of activities, rather than specific programs. Since a program may cut across several authorizations, it is impossible to determine the exact amount of unauthorized appropriations.
‡ Authorization covers multiple lines in the NOAA control table.
§ This authorization provides for both procurement and operations activities, but does not provide a breakdown for each.
¶ 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 FY2011. Since the government was funded by a full-year continuing resolution, the Committee did not provide a specific appropriation for this program.
†† These programs have been combined into the Consolidated Youth-oriented Program.
‡‡ The recommendation includes an overall amount for tribal assistance but does not specify amounts for each particular program.
§§ The authorization for this program expired in FY2007. Since the government was funded by a full-year continuing resolution, the Committee did not provide a specific appropriation for this program.

COMPARISON WITH THE BUDGET RESOLUTION

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a)(1)(A) of the Congressional Budget Act of 1974, the following table compares the levels of new budget authority and outlays provided in the bill with the appropriate allocations made under section 302(b) of the Budget Act:

SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES
[In millions of dollars]

	302(b) allocation		This bill	
	Budget Authority	Outlays	Budget Authority	Outlays
General purpose discretionary	56,001	64,600	56,001	64,600*
Mandatory	320	330	320	330*

* Includes outlays from prior-year budget authority.

FIVE-YEAR OUTLAY PROJECTIONS

Pursuant to clause 3(c)(2) of rule XIII and section 308(a)(1)(B) of the Congressional Budget Act of 1974, the following table contains five-year outlay projections associated with the budget authority provided in the accompanying bill, as provided to the Committee by the Congressional Budget Office:

[In millions of dollars]

Projection of outlays associated with the recommendation:	
2017	42,276*
2018	14,250
2019	3,951
2020	1,239
2021	3,700

* Excludes outlays from prior-year budget authority.

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Pursuant to clause 3(c)(2) of rule XIII and section 308(a)(1)(C) of the Congressional Budget Act of 1974, the Congressional Budget Office has provided the following estimates of new budget authority and outlays provided by the accompanying bill for financial assistance to State and local governments:

[In millions of dollars]

	Budget Authority	Outlays
Financial assistance to State and local governments for 2017	-6,130	83*

* Excludes outlays from prior-year budget authority.

PROGRAM DUPLICATION

Pursuant to section 3(g) of H. Res. 5 (114th Congress), no provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DIRECTED RULE MAKING

Pursuant to section 3(i) of H. Res. 5 (114th Congress), the bill does not direct any rule making.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL)
AUTHORITY

The following table provides a detailed summary, for each department and agency, comparing the amounts recommended in the bill with fiscal year 2016 enacted amounts and budget estimates presented for fiscal year 2017:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration.....	493,000	533,421	495,000	+2,000	-38,421
Offsetting fee collections.....	-10,000	-12,000	-12,000	-2,000	---
Direct appropriation.....	483,000	521,421	483,000	---	-38,421
Bureau of Industry and Security					
Operations and administration.....	76,500	90,945	78,000	+1,500	-12,945
Defense function.....	36,000	36,000	36,000	---	---
Total, Bureau of Industry and Security.....	112,500	126,945	114,000	+1,500	-12,945
Economic Development Administration					
Economic Development Assistance Programs.....	222,000	215,000	225,000	+3,000	+10,000
Salaries and expenses.....	39,000	43,454	39,500	+500	-3,954
Total, Economic Development Administration.....	261,000	258,454	264,500	+3,500	+6,046
Minority Business Development Agency					
Minority Business Development.....	32,000	35,613	34,000	+2,000	-1,613

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request

Economic and Statistical Analysis					
Salaries and expenses.....	109,000	114,643	107,000	-2,000	-7,643
Bureau of the Census					
Current Surveys and Programs.....	270,000	285,287	270,000	---	-15,287
Periodic censuses and programs.....	1,100,000	1,348,319	1,200,000	+100,000	-148,319
Total, Bureau of the Census.....	1,370,000	1,633,606	1,470,000	+100,000	-163,606
National Telecommunications and Information Administration					
Salaries and expenses.....	39,500	50,841	36,322	-3,178	-14,519
United States Patent and Trademark Office					
Salaries and expenses, current year fee funding.....	3,272,000	3,230,000	3,230,000	-42,000	---
Offsetting fee collections.....	-3,272,000	-3,230,000	-3,230,000	+42,000	---
Total, United States Patent and Trademark Office	---	---	---	---	---
National Institute of Standards and Technology					
Scientific and Technical Research and Services.....	690,000	730,533	680,000	-10,000	-50,533
(transfer out).....	(-9,000)	(-9,000)	(-9,000)	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Industrial Technology Services.....	155,000	188,991	135,000	-20,000	-53,991
Manufacturing extension partnerships.....	(130,000)	(141,991)	(130,000)	---	(-11,991)
National Network for Manufacturing Innovation.....	(25,000)	(47,000)	(5,000)	(-20,000)	(-42,000)
Construction of research facilities.....	119,000	94,995	50,000	-69,000	-44,995
Working Capital Fund (by transfer).....	(9,000)	(9,000)	(9,000)	---	---
Total, National Institute of Standards and Technology.....	964,000	1,014,519	865,000	-99,000	-149,519
National Oceanic and Atmospheric Administration					
Operations, Research, and Facilities.....	3,305,813	3,494,180	3,298,000	-7,813	-196,180
(by transfer).....	(130,164)	(130,164)	(130,164)	---	---
Promote and Develop Fund (transfer out).....	(-130,164)	(-130,164)	(-130,164)	---	---
Subtotal.....	3,305,813	3,494,180	3,298,000	-7,813	-196,180
Procurement, Acquisition and Construction.....	2,400,416	2,270,123	2,217,635	-182,781	-52,488
Pacific Coastal Salmon Recovery.....	65,000	65,000	65,000	---	---
Fishermen's Contingency Fund.....	350	350	350	---	---
Fisheries Disaster Assistance.....	---	9,000	---	---	-9,000
Fisheries Finance Program Account.....	-6,000	-410	-410	+5,590	---
National Oceans and Coastal Security Fund.....	---	10,000	---	---	-10,000
Total, National Oceanic and Atmospheric Administration.....	5,765,579	5,848,243	5,580,575	-185,004	-267,668

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Departmental Management					
Salaries and expenses.....	58,000	74,503	58,000	---	-16,503
Renovation and Modernization.....	19,062	12,224	4,000	-15,062	-8,224
Office of Inspector General.....	32,000	37,167	35,000	+3,000	-2,167
Total, Departmental Management.....	109,062	123,894	97,000	-12,062	-26,894
Total, title I, Department of Commerce.....					
(by transfer).....	9,245,641	9,728,179	9,051,397	-194,244	-676,782
(transfer out).....	139,164	139,164	139,164	---	---
	-139,164	-139,164	-139,164	---	---
TITLE II - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses.....	111,500	125,896	115,000	+3,500	-10,896
Justice Information Sharing Technology.....	31,000	57,561	40,000	+9,000	-17,561
Total, General Administration.....	142,500	183,457	155,000	+12,500	-28,457
Administrative review and appeals.....					
Executive Office for Immigration Review.....	426,791	437,444	---	-426,791	-437,444
Transfer from immigration examinations fee account.....	-4,000	-4,000	457,154	+457,154	+457,154
Direct appropriation.....	422,791	433,444	-4,000	---	---
			453,154	+30,363	+19,710

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of the Pardon Attorney.....	---	---	4,496	+4,496	+4,496
Office of Inspector General.....	93,709	97,814	93,709	---	-4,105
United States Parole Commission					
Salaries and expenses.....	13,308	14,000	13,308	---	-692
Legal Activities					
Salaries and expenses, general legal activities.....	893,000	957,423	893,000	---	-64,423
Vaccine Injury Compensation Trust Fund.....	9,358	11,970	10,000	+642	-1,970
Salaries and expenses, Antitrust Division.....	164,977	180,506	164,977	---	-15,529
Offsetting fee collections - current year.....	-124,000	-125,000	-125,000	-1,000	---
Direct appropriation.....	40,977	55,506	39,977	-1,000	-15,529
Salaries and expenses, United States Attorneys.....	2,000,000	2,074,402	2,050,000	+50,000	-24,402
United States Trustee System Fund.....	225,908	229,717	225,908	---	-3,809
Offsetting fee collections.....	-162,000	-163,000	-163,000	-1,000	---
New fees (Sec. 221) (legislative proposal).....	---	-125,000	---	---	+125,000
Direct appropriation.....	63,908	-58,283	62,908	-1,000	+121,191

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Salaries and expenses, Foreign Claims Settlement Commission.....	2,374	2,409	2,374	---	-35
Fees and expenses of witnesses.....	270,000	270,000	270,000	---	---
Salaries and expenses, Community Relations Service.....	14,446	18,990	15,500	+1,054	-3,490
Assets Forfeiture Fund.....	20,514	20,514	20,514	---	---
Total, Legal Activities.....	3,314,577	3,352,931	3,364,273	+49,696	+11,342
United States Marshals Service					
Salaries and expenses.....	1,230,581	1,275,156	1,258,000	+27,419	-17,156
Construction.....	15,000	10,000	10,000	-5,000	---
Federal Prisoner Detention.....	1,454,414	1,504,009	1,475,000	+20,586	-29,009
Total, United States Marshals Service.....	2,699,995	2,789,165	2,743,000	+43,005	-46,165
National Security Division					
Salaries and expenses.....	95,000	97,337	97,337	+2,337	---
Interagency Law Enforcement					
Interagency Crime and Drug Enforcement.....	512,000	522,135	522,135	+10,135	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Bureau of Investigation					
Salaries and expenses.....	3,444,306	3,537,251	3,557,536	+113,230	+20,285
Counterintelligence and national security.....	5,045,480	5,181,633	5,211,348	+165,868	+29,715
Subtotal.....	8,489,786	8,718,884	8,768,884	+279,098	+50,000
Construction.....	308,982	783,482	308,982	---	-474,500
(by transfer).....	---	(85,000)	---	---	(-85,000)
Total, Federal Bureau of Investigation.....	8,798,768	9,502,366	9,077,866	+279,098	-424,500
Drug Enforcement Administration					
Salaries and expenses.....	2,451,514	2,485,638	2,485,638	+34,124	---
Diversion control fund.....	-371,514	-382,662	-382,662	-11,148	---
Total, Drug Enforcement Administration.....	2,080,000	2,102,976	2,102,976	+22,976	---
Bureau of Alcohol, Tobacco, Firearms and Explosives					
Salaries and expenses.....	1,240,000	1,306,063	1,257,757	+17,757	-48,306
Federal Prison System					
Salaries and expenses.....	6,948,500	7,186,225	7,016,791	+68,291	-169,434
Buildings and facilities.....	530,000	113,022	140,000	-390,000	+26,978

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Limitation on administrative expenses, Federal Prison Industries, Incorporated.....	2,700	2,700	2,700	---	---
Total, Federal Prison System.....	7,481,200	7,301,947	7,159,491	-321,709	-142,456
State and Local Law Enforcement Activities					
Office on Violence Against Women:					
Prevention and prosecution programs.....	101,000	163,000	527,500	+426,500	+364,500
(by transfer).....	(379,000)	---	---	(-379,000)	---
Crime Victims Fund (transfer out).....	(-379,000)	---	---	(+379,000)	---
Offsetting collections.....	---	-326,000	---	---	+326,000
Spending of offsetting collections.....	---	326,000	---	---	-326,000
Office of Justice Programs:					
Research, evaluation and statistics.....	116,000	154,000	93,000	-23,000	-61,000
State and local law enforcement assistance.....	1,408,500	1,097,800	1,199,906	-208,594	+102,106
Juvenile justice programs.....	270,160	334,400	184,250	-85,910	-150,150
Public safety officer benefits:					
Death benefits.....	72,000	73,000	73,000	+1,000	---
Disability and education benefits.....	16,300	16,300	16,300	---	---
Subtotal.....	88,300	89,300	89,300	+1,000	---
Total, Office of Justice Programs.....	1,882,960	1,675,500	1,566,456	-316,504	-109,044

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Community Oriented Policing Services:					
COPS programs.....	212,000	286,000	299,000	+87,000	+13,000
Total, State and Local Law Enforcement					
Activities.....	2,195,960	2,124,500	2,392,956	+196,996	+268,456
Total, title II, Department of Justice.....	29,089,808	29,828,135	29,437,458	+347,650	-390,677

TITLE III - SCIENCE

Office of Science and Technology Policy.....	5,555	5,566	5,555	---	-11
National Aeronautics and Space Administration					
Science.....					
Aeronautics.....	5,589,400	5,302,500	5,597,000	+7,600	+294,500
Space Technology.....	640,000	634,500	712,000	+72,000	+77,500
Exploration.....	886,500	690,600	739,200	+52,700	+48,600
Space Operations.....	4,030,000	3,163,900	4,183,000	+153,000	+1,019,100
Education.....	5,029,200	5,075,800	4,890,300	-138,900	-185,500
Safety, Security and Mission Services.....	115,000	100,100	115,000	---	+14,900
Construction and environmental compliance and restoration.....	2,768,600	2,836,800	2,835,400	+66,800	-1,400
	388,900	419,800	398,000	+9,100	-21,800

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Inspector General.....	37,400	38,100	38,100	+700	---
Total, National Aeronautics and Space Administration.....	19,285,000	18,262,100	19,508,000	+223,000	+1,245,900
National Science Foundation					
Research and related activities.....	5,966,125	6,011,910	6,011,910	+45,785	---
Defense function.....	67,520	67,520	67,520	---	---
Subtotal.....	6,033,645	6,079,430	6,079,430	+45,785	---
Major Research Equipment and Facilities Construction..	200,310	193,120	87,120	-113,190	-106,000
Education and Human Resources.....	880,000	898,870	880,000	---	-18,870
Agency Operations and Award Management.....	330,000	373,020	340,000	+10,000	-33,020
Office of the National Science Board.....	4,370	4,380	4,380	+10	---
Office of Inspector General.....	15,160	15,200	15,200	+40	---
Total, National Science Foundation.....	7,463,485	7,564,020	7,406,130	-57,355	-157,890
Total, title III, Science.....	26,754,040	25,831,686	26,919,685	+165,645	+1,087,999

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses.....	9,200	9,430	9,200	---	-230
Equal Employment Opportunity Commission					
Salaries and expenses.....	364,500	376,646	364,500	---	-12,146
International Trade Commission					
Salaries and expenses.....	88,500	92,866	90,000	+1,500	-2,866
Legal Services Corporation					
Payment to the Legal Services Corporation.....	385,000	475,000	350,000	-35,000	-125,000
Marine Mammal Commission					
Salaries and expenses.....	3,431	3,431	3,431	---	---
Office of the U. S. Trade Representative					
Salaries and expenses.....	54,500	59,376	50,000	-4,500	-9,376
Enforcement fund.....	---	---	15,000	+15,000	+15,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request

State Justice Institute					
Salaries and expenses.....	5,121	5,121	5,121	---	---
=====					
Total, title IV, Related Agencies.....	910,252	1,021,870	887,252	-23,000	-134,618
=====					
TITLE V - GENERAL PROVISIONS					
Economic Development Assistance Programs (rescission).....	-10,000	---	---	+10,000	---
DOJ, Working Capital Fund (rescission).....	-69,000	-164,743	-300,000	-231,000	-135,257
DOJ, Assets Forfeiture Fund (rescission).....	-458,000	-304,000	-304,000	+154,000	---
FBI, Salaries and Expenses:					
(Fees) nondefense (rescission).....	---	-60,855	-56,798	-56,798	+4,057
(Fees) defense (rescission).....	---	-89,145	-83,202	-83,202	+5,943
Nondefense (rescission).....	---	-29,854	-20,934	+11,833	+8,920
Defense (rescission).....	-32,767	-43,732	-30,666	+17,334	+13,066
Federal Prisoner Detention (rescission).....	-48,000	-24,000	-24,000	+171,974	---
DOJ, Drug Enforcement Administration (rescission).....	-195,974	-6,192	-6,192	-6,192	---
Violence against women prevention and prosecution programs (rescission).....	---	-5,000	-15,000	-15,000	-10,000
Office of Justice programs (rescission).....	-40,000	-20,000	-40,000	---	-20,000
COPS (rescission).....	-10,000	-10,000	-10,000	---	---
=====					
Total, title V, General Provisions.....	-878,741	-757,521	-890,792	-12,051	-133,271
=====					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2016
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2017
(Amounts in thousands)

	FY 2016 Enacted	FY 2017 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total.....	65,121,000	65,652,349	65,405,000	+284,000	-247,349
Appropriations.....	(65,999,741)	(66,409,870)	(66,295,792)	(+296,051)	(-114,078)
Rescissions.....	(-878,741)	(-757,521)	(-890,792)	(-12,051)	(-133,271)
(by transfer).....	518,164	224,164	139,164	-379,000	-85,000
(transfer out).....	-518,164	-139,164	-139,164	+379,000	---

MINORITY VIEWS

We commend Chairman Rogers and Chairman Culberson for their overall efforts in assembling the Fiscal Year (FY) 2017 Commerce, Justice, Science (CJS) bill and acknowledge they have made a strong effort to fund a number of important public investments at healthy funding levels.

However, a great many critical national needs receive far less funding than necessary to ensure public safety, boost economic development, deliver a cost-effective 2020 Census, and much more. The bill also includes a number of very problematic and highly objectionable riders that jeopardize the appropriations process and the enactment of this bill.

The FY 2017 bill approved by the Committee provides net budget authority of \$56 billion, an increase of \$279 million above FY 2016. However, when comparing total new discretionary budget authority between FY 2016 and the FY 2017 Committee bill, it is a cut of \$84 million below the comparable FY 2016 level and \$441 million below the Administration's FY 2017 discretionary request.

Within this allocation, the bill provides increases to federal law enforcement components, most federal science efforts, and several other priorities such as trade enforcement. However, a large number of critical public investments simply do not receive adequate resources, with many cut below current levels. In particular, the bill contains damaging cuts to state and local law enforcement, advanced manufacturing research, climate research, legal aid for those in need, and more. As the process moves forward, we hope to address these inadequacies while preserving the positive aspects of this bill and to remove harmful riders. Given the wide array of public needs that must be funded at workable levels, our careful attention to all of these efforts is absolutely crucial.

DEPARTMENT OF COMMERCE

With regard to Title I, we appreciate the strong funding level for the Minority Business Development Agency, which will continue to assist minority-owned enterprises as they work to create jobs across the country. The Economic Development Administration receives a modest increase, and the Patent and Trademark Office (PTO) is once again given the authority to spend its full fee collections estimate.

However, many important responsibilities within the Department of Commerce are badly underfunded. While strong funding is provided for trade enforcement activities of the International Trade Administration, the agency's other export expansion efforts are effectively reduced when adjusted for inflation. The National Institute of Standards and Technology, which advances U.S. technological innovation and industrial competitiveness, is cut by \$99 million and nearly \$150 million below the President's discretionary re-

quest. The huge cut to the National Network for Manufacturing Innovation (NNMI) is especially disappointing, as funding was not included to continue the new open competition NNMI center. These extremely successful, industry-supported innovation hubs are incubators that focus on developing and bringing to market the next generation of advanced manufacturing technologies, which will create jobs and enhance American competitiveness.

The Bureau of Economic Analysis and the Census Bureau enable policymakers and the general public to better understand and predict changes in the American economy and the health of American communities, which in turn informs good public policy. Yet both agencies are underfunded in this bill.

The bill's funding level for the Census Bureau, though an increase of \$100 million, is more than \$163 million below the Administration's request and is inadequate to keep the Bureau's research, testing, computer systems development and other activities on track for 2020. These steps continue to be vital to ensuring that the next decennial census will utilize innovative and efficient methods, which could save taxpayers as much as \$5.2 billion. Preparation toward a modernized census, including a complete end-to-end systems test, needs to be sufficiently funded in FY 2017 to ensure these future cost savings. The end-to-end systems test, which was missing from preparations for both the 2010 Census and other government information technology ventures that experienced cost overruns as a result, is particularly critical.

We also support strong funding for the American Community Survey (ACS), which is essential for high-quality data for small population groups, including rural communities, veterans, minorities, and individuals with limited English proficiency. In particular, businesses and governments at all levels rely upon ACS data every day to make decisions.

Within the National Oceanic and Atmospheric Administration (NOAA), there are strong funding levels for a number of efforts, including weather forecasting and procurement of near-term weather satellites, and certain NOAA fisheries programs, among others. However, we are greatly disappointed by damaging cuts in other areas, including a cut of \$25 million below FY 2016 to the National Ocean Service. A number of individual programs important to the economic vitality of coastal and Great Lakes areas are cut below FY 2016 levels, including Coastal Zone Management Grants, Fisheries Habitat Conservation and Restoration, and the National Estuarine Research Reserve System.

Furthermore, we are greatly disappointed that the Committee bill slashes funding for important climate science efforts of NOAA and its external partners. The Committee provides \$128 million for NOAA climate research, a cut of \$30 million (19%) below FY 2016 and \$61.9 million (33%) below the Administration's request. According to the third National Climate Assessment, released in May 2014, the average temperature in the U.S. increased by between 1.3 and 1.9 degrees Fahrenheit since recordkeeping began in 1895, with 80 percent of this increase occurring since 1970. The assessment noted that impacts related to climate change are already evident in many sectors and are expected to become increasingly disruptive across the nation throughout this century. For example,

storm surge on top of the rise in sea level exacerbates coastal flooding during hurricanes. Climate change is also increasing the risks of respiratory stress from poor air quality, heat stress, and the spread of foodborne, insectborne, and waterborne diseases. These are just some examples of what we face as a result of climate change. We must fully fund NOAA's research in this area, which will greatly improve our nation's ability to understand and predict climate change and thus enhance our ability to plan and respond.

DEPARTMENT OF JUSTICE

For the Department of Justice (DOJ), a total of \$29.1 billion is provided, a decrease of \$32.3 million below the comparable FY 16 level and \$716.8 million below the comparable budget request.

We are encouraged that \$457.2 million is provided for the Executive Office for Immigration Review (EOIR), which is \$34.9 million above FY 2016 and \$29 million above the request. The increase would allow EOIR to hire 25 additional judge teams and improve infrastructure. Unfortunately, funding is not provided for direct representation for minors or to expand the help desk and Legal Orientation Program. These efforts are essential to both efficient operations of the courts and ensuring fair outcomes for individuals in immigration proceedings.

Increases above the FY 2016 level for Federal law enforcement and the Office of U.S. Attorneys will allow for continued efforts to conduct investigations, protect national security, and litigate civil and criminal cases. For Federal Bureau of Investigation (FBI), Salaries and Expenses, \$8.8 billion is provided, an increase of \$279 million above FY 2016 and \$50 million above the request. This funding will allow the FBI to hire additional examiners to conduct firearms background checks.

We are pleased that the bill provides \$73 million for grants to improve the submission of records to the National Instant Criminal Background Check System, an increase of \$18 million above the request and the same as the FY 2016 level. Furthermore, the bill provides \$75 million for the Comprehensive School Safety Initiative, the same level of funding as proposed in the President's budget and provided last year. This funding will continue to support research and to help schools implement evidence-based approaches to improving school safety.

For the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the bill provides \$1.26 billion, an increase of \$17.8 million above FY 2016, though \$48.3 million below the request. While this amount covers inflationary expenses, it does not fund the President's request for 80 additional ATF special agents and 120 additional Industry Operations Investigators. These initiatives, which were part of the President's executive actions to combat gun violence, are designed to reduce gun violence by broadening agent enforcement efforts and by enhancing inspection coverage of the steadily increasing number of firearms licensees.

We are pleased that many important grant programs are protected through level funding or increases, including the State Criminal Alien Assistance Program, Crime Victims Fund programs, the Byrne-JAG formula grant program, the Justice Reinvestment Initiative, the Youth Mentoring program, the Community Trust

Initiative, the Drug Court program, the DNA Initiative, and the Office on Violence Against Women grant programs. The inclusion of \$45 million for Community Teams to Reduce the Sexual Assault Kit Backlog as well as \$45 million for Victims of Trafficking Grants is especially noteworthy. However, we are concerned with the competition between victims' services and task forces and would prefer a more balanced approach. In addition, moving the Victims of Trafficking Grants program into the Violence Against Women program area creates the illusion of an increase above the Administration's request. We oppose a cut to the wrongful conviction review grant program, and we would like additional resources for this program as the process moves forward.

Finally, while we are pleased with the inclusion of tribal grant funding, we would have preferred the Administration's proposal for a set-aside.

Moreover, the bill cuts overall state and local grant programs at DOJ by a massive \$182 million below the comparable FY 2016 enacted level and \$57.5 million below the President's request.

Several important grant programs are eliminated entirely, including Coverdell Forensic Science grants, the Children Exposed to Violence Initiative, and the John R. Justice grant program.

Juvenile Justice programs overall are decimated, with a cut of \$85.9 million below FY 2016 and \$150.2 million below the request. This includes the elimination of the Community-Based Violence Initiative, the National Forum on Youth Violence, Part B formula grants, the Local Delinquency Prevention Incentive grant program, the Children of Incarcerated Parents program, Tribal Youth program, and a program targeting girls in the justice system. These eliminations would have severe consequences for at-risk and disadvantaged youth as well as those who depend on these resources to improve outcomes for these young people.

The most egregious of these cuts is the elimination of the Community Oriented Policing Services (COPS) hiring program. This important public safety program is cut by \$186 million below FY 2016 and \$229 million below the request. Had it been funded at the request, this program would have provided for the hiring of over 1,200 new law enforcement professionals. Overall funding for the COPS account creates yet another misleading illusion; of the \$299 million, \$258 million is for programs not administered by the COPS office. Programs funded or requested in other accounts were moved into the COPS account to create the appearance of increased funding. While Byrne-JAG funding can be used for hiring, that is only one of many allowable uses; the program is not intended to target the hiring of new officers.

We are disappointed that many of the Administration's proposed new grant programs were not funded in the bill. These initiatives would seek to improve equal access to justice and support better police-community relations, among other activities. Moving forward, funding for these and other important programs should be included in the final FY 2017 CJS Appropriations Act.

SCIENCE

The Committee is to be commended for making National Science Foundation (NSF) grant funding a priority. The NSF Research and

Related Activities account receives \$6.08 billion, \$46 million above FY 2016 and the same as the request. NSF overall receives \$7.4 billion, \$57 million below FY 2016 and \$158 million below the request. NSF funds research in new frontiers of scientific inquiry and helps create a highly skilled, globally-competitive workforce in science and engineering. The U.S. must maintain its leadership position in scientific research and education, and NSF is critical to this endeavor. We appreciate the lack of language specifying directorate-level funding. As the process moves forward, we intend to work to increase NSF funding in the final FY 2017 CJS bill, especially for research grants.

The bill provides a healthy overall total of \$19.5 billion for the National Aeronautics and Space Administration (NASA), \$223 million above FY 2016. The \$712 million for the Aeronautics account, \$72 million above the FY 2016 level, would allow NASA to support much of the research needed to develop the next generation of aircraft to remain competitive in an increasingly flight-dependent world. This includes developing low boom supersonic jets, solar electric aircraft, and highly fuel-efficient aircraft. The Science Mission Directorate as a whole receives very strong funding, and we are pleased that the Stratospheric Observatory for Infrared Astronomy receives both \$85.2 million and Committee support against actions leading to a premature shutdown. However, we are greatly concerned about the huge cut to Earth Science, which is slashed by \$231 million below FY 2016 and by \$342.2 million below the request. Research in Earth Science ultimately helps to protect lives, businesses, and infrastructure.

NASA Space Technology receives a healthy \$739.2 million, but the set-asides included in report language will limit NASA's ability to execute the technology development efforts as specified in NASA's budget request. We are pleased to see language supporting commercial, academic, and international partnerships to study lunar geology and in-situ water resources on the moon.

Regarding the White House Office of Science and Technology Policy, we appreciate the inclusion of report language on the subject of Science, Technology, Engineering, and Mathematics (STEM) Education. With the ultimate goal to make the many excellent STEM programs and materials funded by federal dollars more accessible to each and every student, teacher, school, and state, we are pleased to have language directing a report covering the costs and logistics of creating a unified online portal for all Federal STEM education-related programs and materials.

RELATED AGENCIES

The Office of the U.S. Trade Representative (USTR) receives \$65 million, a strong increase of \$10.5 million above FY 2016, targeted at trade enforcement efforts.

However, the Legal Services Corporation (LSC) is irresponsibly cut by \$35 million below the FY 2016 level of \$385 million, when it should have received an increase. The final FY 2016 CJS Act provided a \$10 million increase above FY 2015. The President recognized the need for additional funding by recommending \$425 million for FY 2017 for the LSC. The harmful cut in the Committee bill must be reversed.

IRRESPONSIBLE GUN RIDERS

We continued to be extremely troubled by the inclusion of gun-related riders, including one that would effectively prevent the enforcement of an existing requirement that Federal firearms licensees (FFLs) in four southwest border states report to the National Tracing Center on the sale of certain kinds of semi-automatic rifles favored by Mexican drug cartels. This reporting requirement is narrow and targeted, applying only to the four border states (Texas, Arizona, New Mexico and California), and only when a dealer sells two or more qualifying long guns to a single individual within five business days. Qualifying guns are rifles that (1) are semi-automatic; (2) are greater than .22 caliber; and (3) can hold a detachable magazine. It does not apply to shotguns or the vast majority of rifles regularly used for hunting or sporting purposes.

This reporting requirement is identical to one that has existed for decades for handguns, and in no way does it hinder the ability of any law-abiding person to purchase as many rifles as he or she desires. It is not an undue burden on FFLs, with the time to complete a multiple sales form estimated at 12 minutes and an estimated annual cost in employee time of only \$16.

This very limited reporting requirement has proven to be an important tool for Federal law enforcement in the effort to uncover illegal trafficking operations intended to supply semi-automatic weapons to violent drug gangs across the border. According to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), these multiple sales reports have thus far led to more than 300 defendants recommended for prosecution, including both alleged straw purchasers and others farther up the firearms trafficking chain. Also according to ATF, the reporting requirement is forcing firearms traffickers to change tactics, making straw purchases more difficult and serving as a deterrent for many people who might have engaged in straw purchasing in the past.

This is not about restricting gun ownership or compiling a registry of long gun owners. Information that does not become part of a trafficking investigation is purged from ATF records within two years. This is a law enforcement response to the evidence from successful tracings of weapons recovered in Mexico. These tracings show that a large number of these weapons were initially sold by licensed gun dealers in California, Arizona, New Mexico, or Texas.

In 2013, a unanimous panel of the U.S. Court of Appeals for the Fifth Circuit affirmed an earlier court finding that Federal law “unambiguously authorizes” this reporting requirement. This Committee simply has no business in tying the hands of law enforcement agencies as they attempt to carry out Federal law.

OTHER PROBLEMATIC RIDERS

We are also concerned about other inappropriate riders that do not belong in this bill, including ones that would undermine the Endangered Species Act with respect to certain endangered fish in California, as well as a rider that would block the transition of certain Internet domain name system functions to a multi-stakeholder process, even though this transition has been supported in principle by every Presidential administration since 1998.

The bill also contains two riders that restrict U.S. policy on Cuba. The first appears to effectively target certain categories of U.S. exports authorized by the Obama Administration as part of its policy shift on Cuba. The provision would restrict or even prevent exports that would otherwise go toward improving the lives of ordinary Cubans working in the private sector. The second rider places restrictions on PTO's ability to issue trademarks to Cuban nationals, even in cases in which a specific license from the Treasury Department's Office of Foreign Assets Control has been issued. The provision would additionally create significant administrative burden on PTO.

We are troubled that a provision was included which would prohibit the Department of Justice from funding an activity to combat financial fraud called "Operation Choke Point." The investigation targeted financial fraud by investigating and prosecuting financial services providers that processed fraudulent transactions.

We are disappointed that a provision was included prohibiting DOJ from negotiating or concluding civil settlements that require the defendant to make a payment to an organization or individual that is not a party to the lawsuit. This has potential impact on a wide variety of civil settlements, including environmental and mortgage fraud cases, among others.

COMMITTEE AMENDMENTS

We are pleased that the amendment to provide a dedicated funding level of 5% from the Crime Victims Fund for tribal purposes was adopted. The Federal Government has provided significant support to crime victim services programs across the country. However, as is too often the case, Indian Country has largely been left out of this effort. Crime victims on tribal lands still struggle to access even the most basic services. This amendment begins to remedy this inequity by directing funding from the Crime Victims Fund to tribal governments.

We are disappointed that the Committee did not adopt the Lowey amendment to allow the Department of Justice to block the sales of firearms to persons known or suspected to be engaged in conduct related to terrorism. Currently, Federal law prohibits nine categories of dangerous people from purchasing or owning firearms. However, Federal law does not allow the Attorney General the discretion to block a firearms purchase to an individual on a terror watch list. There have been consequences. On November 5, 2009, 13 people were shot and killed and 30 others wounded by Nidal Hasan, who was able to pass a background check and buy a handgun even though he was under investigation by the FBI for links to terrorism. We believe that allowing the Attorney General the discretion to block these purchases is a commonsense approach that should be widely supported.

A disappointing amendment was adopted prohibiting the Equal Employment Opportunity Commission from moving forward with a policy change aimed at collecting additional pay information from employers. This data, combined with other information available to the agency, would be used in conducting investigations. This data will help fill a significant void in the information we need to ensure that American workers are paid fairly for their hard work, and it

would help employers evaluate their own pay practices so they can prevent pay discrimination in their workplaces.

We are troubled by the adoption of an amendment on state sovereignty. The amendment offered by the Chairman to his own mark is ambiguous and unclear. We are uncertain as to what, if any, effect the provision would have. It is possible that the amendment could provide a new cause of action or remedy for states—although it is far from clear what for and against whom. It is likely that time-consuming and costly litigation over the meaning of this provision will ensue.

CONCLUSION

In spite of all our concerns, we would like to reiterate our appreciation for Chairman Culberson's work with us on a number of issues. Within the constraints facing the bill, it does fund a number of the interests we have expressed. However, the shortcomings in this and other appropriations bills are many and very real. It is our firm hope that we can work together to find a path forward that will allow all of the FY 2017 Appropriations bills to be sufficiently funded without damaging riders. We look forward to working with the Chairman and the Members of this Committee to advance the process.

NITA M. LOWEY.
MICHAEL M. HONDA.

