



COMMITTEE *on* APPROPRIATIONS

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SUMMARY

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

Washington, D.C. – The fiscal year 2021 Commerce, Justice, Science, and Related Agencies (CJS) Appropriations Bill provides a total of \$71.1 billion in regular discretionary funding, consistent with the Subcommittee’s 302(b) allocation. This amount is \$2.05 billion lower than the fiscal year 2020 level and \$2.2 billion more than the President’s request. The bill also includes \$604 million in emergency supplemental funding to address the impacts of COVID-19 on the Department of Justice, for a total of \$71.7 billion in discretionary spending included in the bill.

The CJS bill invests in a wide range of critical programs that affect the lives of all Americans. The bill provides \$33.8 billion, \$1.1 billion more than fiscal year 2020 and \$789 million more than the President’s request, for the Department of Justice (DOJ) to keep America safe from criminals and terrorists. The Department of Commerce receives \$8.9 billion to warn Americans about severe weather, promote American businesses and exports, create cybersecurity standards, protect American ideas, foster economic development, enable sustainable management of ocean resources, and complete the 2020 Census. This amount is \$6.3 billion less than the fiscal year 2020 level, as significantly less funding is needed for the 2020 Census compared to the last fiscal year when the bulk of the activity to conduct the census took place. The National Aeronautics and Space Administration (NASA) is funded at \$23.3 billion to explore the solar system and protect our planet.

Key Points & Highlights

Strengthening Police-Community Relations

The bill provides \$153.5 million for State and Local Law Enforcement Assistance and Community Oriented Policing Services (COPS) Office grant programs related to police-community relations. This is an increase of \$67 million, or 77.5 percent, more than the fiscal year 2020 level and \$144 million more than the President’s request. Dedicated funding is provided for de-escalation training (\$15 million), crisis intervention teams in order to embed mental and behavioral health services with law enforcement (\$10 million), training for properly responding to situations when individuals are mentally ill or disabled (\$7.5 million), and accreditation of law enforcement agencies (\$5 million). The bill also continues to direct DOJ to collect information regarding how police officers across the country are trained, in order to try to

determine what the best baseline of training may be as well as where gaps may exist. This directive, initiated in fiscal year 2016, collects officer training data as part of the Byrne-JAG and COPS Hiring grant programs and provides the information to the Bureau of Justice Statistics in order to establish a data collection set on officer training.

The bill also provides \$5 million for DOJ to create and maintain databases to track both excessive use of force and officer misconduct. In order to ensure that all stakeholders are involved in this development, DOJ is directed to consult not only with State and local law enforcement agencies, but also community organizations and advocacy groups, including those that advocate for the preservation of civil liberties and civil rights. DOJ is directed to establish a Task Force on Law Enforcement Oversight to coordinate the process of the detection and referral of complaints regarding incidents of alleged law enforcement misconduct as well.

The bill also directs DOJ to: develop and implement consistent accreditation standards for federal, state, and local law enforcement; take the lead to ensure implementation of evidence-based training programs on de-escalation, the use-of-force, and the protection of civil rights that are broadly applicable and scalable to all Federal law enforcement agencies; consult with the heads of each Federal law enforcement agency in order to improve the Federal participation in the Federal Bureau of Investigation's National Use of Force Data Collection (only a quarter of Federal law enforcement agencies currently submit data); and review all Justice law enforcement components' use of force policies and publish these policies on DOJ's website.

Responding to Substance Abuse in Our Communities

The bill provides our communities and first responders a total of \$541.5 million in dedicated grant program funding to respond to substance abuse, including opioids, and drug trafficking, an increase of \$23.5 million more than the fiscal year 2020 funding level and \$136.8 million more than President's request. The largest part of this funding is \$394 million for Comprehensive Addiction and Recovery Act (CARA) grants, an increase of \$16 million more than the fiscal year 2020 funding level and \$42 million more than President's request. The bill rejects the Administration's plan to eliminate the anti-heroin task force program within the Community Oriented Policing Services (COPS) Office, instead providing \$35 million, the same amount as fiscal year 2020 level. The bill also provides \$15 million for the anti-methamphetamine task force program within the COPS Office, an increase of \$2 million more than the fiscal year 2020 level.

Law Enforcement

Federal law enforcement agencies within the DOJ including the Federal Bureau of Investigation, U.S. Marshals Service, Drug Enforcement Administration (DEA), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and Bureau of Prisons all receive at least a 2.5 percent increase for salaries and expenses in this bill and are funded at a total of \$22.8 billion, \$726 million more than fiscal year 2020. The bill also rejects the proposal included in the President's request to move High Intensity Drug Trafficking Area grants from the Office of National Drug Control Policy to the DEA. The Byrne-JAG program is funded at \$484 million. Accounting for non-recurrence of \$100 million in nominating convention security grants, this is an increase of \$36.8 million more than the fiscal year 2020 level and \$72.3 million more than the President's request. COPS Hiring is funded at \$237 million, an increase of \$2 million more than the fiscal year 2020

level and \$138 million more than the President's request, which will place approximately 1,300 more police officers on the streets of our communities.

Police Officer Mental Health and Wellness

This bill continues to support the mental health of our police officers, as well as addressing the issue of police suicide. Dedicated grant funding of \$8 million is provided to directly assist state and local law enforcement agencies to improve mental health services, conduct training to reduce the stigma of officers seeking help, and implement programs to better handle repeated exposure to stress and trauma. As no federal agencies currently keep statistics regarding police suicide, DOJ is not only directed to collect data on this critical issue and report on it, but \$3 million is provided for this data collection and analysis.

First Step Act Implementation (FSA)

This bill provides the full request level of \$409.5 million for the Bureau of Prisons (BOP) to continue implementation of criminal justice reforms and programming created by the First Step Act (Public Law 115-391). The BOP is further directed to continue to expand programs covered under the FSA including medication assisted treatment programs, recidivism reduction partnerships with non-governmental and faith-based organizations, and assisting with securing identification documentation and benefits when inmates are nearing their release date.

Addressing Violence Against Women

The bill contains \$513.5 million, the highest funding level ever, for grants provided by the Office on Violence Against Women. Funding is provided for multiple competitive and formula grant programs that support training for police officers and prosecutors, state domestic violence and sexual assault coalitions, rape prevention programs, lethality assessment and homicide reduction initiatives, domestic violence hotlines, and women's shelters and transitional housing support services. The bill also provides \$48 million to support the Sexual Assault Kit Initiative, which supports multi-disciplinary community response teams tasked with developing and implementing comprehensive reform regarding sexual assault, including reducing the backlog of rape kits at law enforcement agencies.

NOAA Research and Grants

The bill rejects the administration's request to cut funding for climate, weather, and oceans research by 40 percent, and instead funds the National Oceanic and Atmospheric Administration's (NOAA) research at \$614 million, an increase of \$24 million or 4 percent more than the fiscal year 2020 level. This includes a \$12.5 million or 7 percent more than fiscal year 2020 for climate research. Additionally, the bill again rejects the president's proposal to eliminate successful NOAA programs like Sea Grant, Coastal Zone Management (CZM) grants, the National Ocean and Coastal Security Fund, and the National Estuarine Research Reserve System (NERRS). The Sea Grant program is funded at \$75 million, \$1 million more than the fiscal year 2020 level, which yields \$412 million in economic activity and supports 10,400 jobs and nearly 1,000 American businesses. CZM grants are funded at \$78.5 million, \$1.5 million more than the fiscal year 2020 level, and the National Oceans and Coastal Security Fund is funded at \$34 million, an increase of \$1 million more than the fiscal year 2020 level. Our coasts and Great Lakes contribute about \$350 billion to the economy annually and these State-Federal partnerships support sustainable economic development and environmental restoration.

Weather Satellites

This bill provides \$658 million to continue construction of NOAA's three new Polar Weather Satellites, equal to the fiscal year 2021 request. Polar satellites provide 85 percent of the data used to forecast the weather, and are a vital component of Americans' personal, property, and economic security. One-third of U.S. GDP is affected by climate and weather, including farmers trying to protect livestock and crops, cities relying on energy from wind turbines and solar panels, and air travelers trying to get home safely and on time. In the first nine months of 2020, the United States experienced 16 separate weather and climate disasters that cost more than \$1 billion dollars each, tying annual records set in 2011 and 2017. The 2020 Atlantic hurricane season also set a new record with 30 named storms. These storms would have cost far more and posed even greater threats to human safety without sufficient warning. The bill also provides \$335 million for NOAA's Geostationary Operational Environmental Satellite (GOES) weather satellites, equal to the fiscal year 2020 request.

Economic Development

For the fourth year in a row, the agreement rejects the administration's request to eliminate the Economic Development Administration (EDA). The bill instead provides \$346 million for EDA, a \$13 million increase more than fiscal year 2020. This includes \$119.5 million for Public Works grants, \$37.5 million for Economic Adjustment Assistance grants, and \$38 million for the Regional Innovation Program. The bill also provides \$16.5 million to support communities dealing with the closure of a nuclear power plant and \$2 million for a pilot program to support science- and tech-related apprenticeships. EDA awards infrastructure and planning grants to all 50 states. The fiscal year 2021 funding level will leverage an estimated \$4.5 billion in local and private investment and support more than 21,000 American jobs. The agreement would also provide \$48 million for the Minority Business Development Agency to help minority-owned businesses adapt and grow. This is an increase of \$6 million or 14 percent more than the fiscal year 2020 level.

Trade

The bill provides \$541 million for the International Trade Administration (ITA), a \$20 million increase more than fiscal year 2020, including \$8 million for export promotion and \$10 million for trade enforcement. Over the past three years, ITA has facilitated \$296 billion in U.S. exports and foreign investment, assisting over 77,000 U.S. companies, 80 percent of which are small- and medium-sized businesses. The bill provides \$133 million for the Bureau of Industry and Security, an increase of \$5 million, sufficient support to continue executing the substantial number of exemption requests to the steel and aluminum tariffs. The U.S. International Trade Commission receives \$103 million, an increase of \$3.6 million more than fiscal year 2020 to execute a record enforcement caseload.

Census Bureau

The Census not only determines Congressional apportionment, but also is relied on to distribute \$1.5 trillion in Federal funds. The bill provides \$1.1 billion for the Census Bureau, a decrease of \$6.5 billion below the fiscal year 2020 enacted amount and \$565 million below the President's request. This reduction is typical in the year after the decennial census is conducted as the bulk of the work to prepare for and conduct it have occurred in previous fiscal years. The bill also allows the Census Bureau to spend more than \$1.05 billion in available prior year funds for a

total of \$2.16 billion in available resources for the Census Bureau in fiscal year 2021. In total, the bill provides \$1.03 billion for the 2020 Decennial Census, the entire amount requested by the Department of Commerce's Independent Cost Estimate, including a \$91 million contingency reserve. After a three-month delay of field operations due to the pandemic, the 2020 Decennial Census field operations ended in early fiscal year 2021. The Census Bureau is now in the midst of data processing to ensure data quality and correct any detected anomalies. During this fiscal year, the Census Bureau will deliver the apportionment and redistricting counts to Congress, the President, and the States.

National Institute of Standards and Technology

The bill provides a total of \$1.03 billion for the National Institute of Standards and Technology (NIST), an increase of \$500,000 more than the fiscal year 2020 enacted level and \$317 million more than the President's base funding request. Funding for NIST measurement labs and research is \$788 million, \$34 million or 4.5 percent more than the fiscal year 2020 level. The bill also rejects the administration's proposal to terminate the Hollings Manufacturing Extension Partnership (MEP) program, instead funding the program at \$150 million, a \$4 million increase more than fiscal year 2020. For every dollar of Federal investment, MEP generates \$33.80 in new sales growth for manufacturers and \$32.20 in new investment. This translates into \$4.7 billion in new sales annually. Further, the bill provides \$16.5 million for the Manufacturing USA Program to support the existing NIST-sponsored biomedical institute. The bill also provides \$80 million for NIST facilities, including \$70 million to reduce the more than \$750 million infrastructure state of good repair backlog.

NASA

This bill provides \$23.3 billion for NASA, which is \$642 million more than the fiscal year 2020 enacted level and \$1.98 billion below the President's request. NASA Science is funded at \$7.3 billion which is \$162 million higher than the fiscal year 2020 level and \$995 million more than the President's request. The bill continues funding for projects the request proposed to cancel – the Nancy Grace Roman Wide-Field InfraRed Survey Telescope (\$505.2 million); Plankton, Aerosol, Cloud, and Ocean Ecosystem (\$145 million); Climate Absolute Radiance and Refractivity Observatory-Pathfinder (\$24.5 million); and Carbon Monitoring System (\$10 million). It fully supports the James Webb Space Telescope and the Mars 2020 mission, and provides funds to begin planning a 2026 Mars sample return. The bill includes \$726 million for Heliophysics and \$2 billion for Earth Science, an increase of \$28 million for Earth Science more than the fiscal year 2020 level, rather than the \$204 million cut below the fiscal year 2020 level proposed in the President's request.

Aeronautics is supported at \$828.7 million, an increase of \$44.8 million more than the fiscal year 2020 level, to ensure continued U.S. leadership in aviation. Building on 30 years of NASA expertise in repairing satellites in space, the bill includes \$227 million for the Restore-L/Space Infrastructure DEXterous Robot (SPIDER) satellite servicing mission. The proposal to cancel key NASA Education programs is rejected, and these programs continue to be funded in the bill – Space Grant (\$51 million); the Experimental Program to Stimulate Competitive Technology (\$26 million); and the Minority University Research and Education Project (\$38 million).

For human space flight, the bill supports funding to continue the International Space Station (ISS) and to launch American astronauts on American commercial vehicles to ISS during fiscal year 2020. The bill includes significant resources to enable the goal of returning humans to the Moon, including \$1.4 billion for Orion, \$2.6 billion for Space Launch System (SLS), \$590 million for ground systems, the full request for lunar science, \$850 million for lunar landers, and \$699 million for the Gateway.

National Science Foundation

The National Science Foundation (NSF) is funded at \$8.49 billion, \$208 million or 2.5 percent more than the fiscal year 2020 level. This funding includes \$6.9 billion for NSF's research and related activities, an increase of \$173 million more than the fiscal year 2020 level and \$697 million more than the President's request. NSF's education and training programs to build tomorrow's innovation workforce are funded at \$968 million, an increase of \$28 million more than the fiscal year 2020 level. NSF's funding level will support approximately 500 additional research and education grants and 6,800 more scientists, technicians, teachers, and students, compared fiscal year 2020.

Legal Services Corporation (LSC)

The bill provides \$465 million for LSC, which is \$25 million more than the fiscal year 2020 level, rejecting the Administration's request to eliminate LSC. LSC is the largest funder of civil legal aid in the country, and its grantees served more than 1.8 million people in 2019, helping them with family law, domestic violence, housing, fraud, and other legal problems.

Marine Mammal Commission (MMC)

The Commission is funded at \$3.8 million, a \$153,000 or 4 percent more than fiscal year 2020. The bill again rejects the elimination of MMC, an independent government agency chartered under the Marine Mammal Protection Act to provide science-based oversight of actions affecting marine mammals.

Medical Marijuana

This bill again contains language preventing the Justice Department from interfering with states that have medical marijuana laws, ensuring that the prescribing and dispensing of medical marijuana in those states is both legal and regulated. Patients and doctors in states that have approved medical marijuana need to know that they are safe from arrest and prosecution by the federal government.

COVID-19

The bill includes \$604 million to address the impact of COVID-19 on the Department of Justice, as follows: \$300 million for the BOP, \$125 million for U.S. Marshals Service's Federal Prisoner Detention (FPD), and \$179 million for the Federal Bureau of Investigation (FBI).

This funding will allow the BOP to purchase additional medical supplies and items needed for quarantining inmates like isolation beds and tents, provide additional medical services, PPE, COVID-19 testing, and expand the use of home confinement. As of December 18, 27 percent of BOP inmates and 12 percent of BOP staff either currently have confirmed cases of COVID-19, have recovered from COVID-19, or died from COVID-19. The Marshals Service is responsible

for the housing, medical, and transportation costs for all individuals in the federal court system remanded into their custody until they are either acquitted or convicted and delivered to their designated federal Bureau of Prisons facility. This funding will assist with mitigating COVID-19.

Gun purchases have exponentially increased since the start of the pandemic. The FBI has conducted nearly 11 million more checks in 2020 than in 2019, and this funding will provide assistance like hiring additional personnel and upgrading IT systems for the FBI's National Instant Criminal Background Check System (NICS) at the Criminal Justice Information Services Division in order to keep pace with the ballooning workload.

Victims of Crime Act Deposits Fix

Disappointingly, this bill does not contain a legislative fix that would direct settlements from deferred prosecution agreements and non-prosecution agreements to be deposited into the Crime Victims Fund. Over the past several years, more than \$3 billion has gone to the Treasury as part of these agreements, while deposits in the Crime Victims Fund have steadily declined from collections of \$6.6 billion in fiscal year 2017 to collections just over \$500 million in fiscal year 2020. The Appropriations Committee has worked with victim advocates for many years to try to provide more stability to the Crime Victims Fund since deposits from criminal cases have drastically dropped off.

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