FY 2020 APPROPRIATIONS LANGUAGE CHANGES U.S. Department of Justice

Table 1 describes substantive changes to Department of Justice appropriations language, using the FY 2019 President's Budget as the starting point. The amounts included for 2019 reflect the annualized level provided by the continuing resolution. New language is *italicized and underlined*, and language proposed for deletion noted with brackets. Changes such as new funding levels, changes in references to fiscal years, minor program name changes, deletion of references to emergency funding designations and prior year rescissions are not discussed.

Table 1FY 2020 PROPOSED APPROPRIATION LANGUAGE CHANGES

Program	Language Changes
High Intensity Drug Trafficking Areas Program (Including Transfer of Funds)	For necessary expenses of the High Intensity Drug Trafficking Areas Program, authorized by [21 U.S.C. 1706] <u>the Office of National Drug Control Policy</u> <u>Reauthorization Act of 1998, as amended through Public Law 115–271 ("the Act")</u> , \$254,000,000, to remain available until September 30, [2020] <u>2021</u> , for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas ("HIDTAs"), of which not less than 51 percent shall be transferred to State and local entities for drug control activities and shall be obligated not later than 120 days after enactment of this Act: <i>Provided</i> , That up to 49 percent may be transferred to Federal agencies and departments in amounts determined by the Administrator of the Drug Enforcement Administration, of which up to \$2,700,000 may be used for auditing services and associated activities: <i>Provided further</i> , That, notwithstanding the requirements of Public Law 106–58, any unexpended funds obligated prior to fiscal year 2017 may be used for any other approved activities of that HIDTA, subject to reprogramming requirements: <i>Provided further</i> , That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: <u>Provided further</u> , That section 707 of the <u>Act shall be applied by substituting "Attorney General" for "Director" each place it appears: Provided further, That unexpended balances in the "High Intensity Drug Trafficking Areas Program, Federal Drug Control Programs, Executive Office of the President" account may be transferred to this appropriation.</u>
	EXPLANATION: Language changed from previous year to cite the Public Law. Further, the additional provisos transfer the authority and unexpended balances for the \$254 million High Intensity Drug Trafficking Areas (HIDTA) program from the Director of the Office of National Drug Control Policy to the Attorney General.
Executive Office for Immigration Review	For expenses necessary for the administration of immigration-related activities[,] of the Executive Office for Immigration Review, [\$563,407,000] <u>\$672,966,000</u> , of which \$4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account: Provided, That not to exceed \$35,000,000 shall remain available until expended: Provided further, That any unobligated balances available from funds appropriated for the Executive Office for Immigration Review under the heading "General Administration, Administrative Review and Appeals" shall be transferred to and merged with the appropriation under this heading.

Program	Language Changes
Executive Office for Immigration Review (cont'd)	EXPLANATION: No significant changes. Proposed language change is for consistency.
Office of Justice Programs Research, Evaluation and Statistics	For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351) ("the 1968 Act"); the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93–415) ("the 1974 Act"); the Missing Children's Assistance Act (title IV of Public Law 93–415); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Justice for All Act of 2004 (Public Law 108–405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101–647); the Second Chance Act of 2007 (Public Law 101–199); the Victims of Crime Act of 1984 (chapter XIV of title II of Public Law 98–473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 107–296) ("the 2002 Act"); the NICS Improvement Amendments Act of 2007 (Public Law 110–180); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198); and other programs, [\$77,000,000] §94.500,000, to remain available until expended, of which— (1) [\$41,000,000] <u>\$48,000,000</u> is for criminal justice statistics programs, and other activities, as authorized by part C of the 1968 Act; and (2) [\$36,000,000] <u>\$46,500,000</u> is for research, development, and evaluation programs, and other activities as authorized by part B of the 1968 Act; and subtitle [D]C of title II of the 2002 Act. of which at least <u>\$3,000,000 is for corrections-related research, and up to \$1,500,000 is for expenses (including related research and evaluation) associated with the National Institute of Justice's implementation of the First Step Act of 2018. EXPLANATION: 1. Updates legal citation and language to reflect passage of P.L. 115-278,</u>
	 which re-designated subtitle D of title II of the Homeland Security Act of 2002 as subtitle C. Adds language to provide a carveout for corrections-related research activities, per the proposal to consolidate National Institute of Corrections
	activities within OJP.3. Add language to provide an appropriation for implementation of the First Step Act, 2018.
Office of Justice Programs State and Local Law Enforcement Assistance	For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) ("the 1994 Act"); title I of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351) ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108–405); the Victims of Child Abuse Act of 1990

Program	Language Changes
Office of Justice Programs State and Local Law Enforcement Assistance (cont'd)	(Public Law 101–647) ("the 1990 Act"): the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109–164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"): the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"): the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 107–296) ("the 2002 Act"): the Homeland Security Act of 2002 (Public Law 107–296) ("the 2002 Act"): the Public Safety Officer Medal of Valor Act of 2001 (Public Law 107–12); the Second Chance Act of 2007 (Public Law 110–199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 107–403); the Victims of Crime Act of 1984 (chapter XIV of title II of Public Law 98–473; (34 U.S.C. 20101) ("the 1984 Act"); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198) ("CARA"); the Keep Young Athletes Safe Act of 2018 (34 U.S.C. 202531 et seq.): the Student. Teachers, and Officers Preventing (STOP) School Violence Act of 2018 (34 U.S.C. 10551 et seq.): the Fix NICS Act of 2018 (title VI of division S of Public Law 115–141); the Justice Served Act (Public Law 115–257); and other programs, [\$1,132,500,000] <u>\$405,200,000</u> (or the Edward Byrme Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of the 1968 Act shall not apply for purposes of this Act); <u>Provided. That up to 3 percent of funds awarded hereunder to a State or local government must be used by the same to enable its full participation in the National Incident Based Reporting Violence Against Law Enforcement Officer Resilience and Survivability (VALOR); (C) \$22,500,000 is for a Officer Robert Wilson III memorial inititative on research targeted toward developing a better unders</u>

Language Changes
(H) \$3.000.000 is for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108–405, or for grants for wrongful conviction review; and (J) \$6.000.000 is for a program to address violent crime along the Southwest Border: (2) [\$45.000.000]\$Z7,000.000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386, by Public Law 109–164, or by Public Law 113–4; (3) \$20,000.000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related activities; [(4) \$8.000.000 for or omprehensive opioid and stimulant abuse reduction activities, including as authorized by CARA, and for the following programs, which shall address opioid and stimulant abuse reduction consistent with underlying program authorites— (A) \$145.000.000 for a comprehensive opioid and stimulant abuse program: (B) \$75,000.000 for Drug Courts, as authorized by section 1001(a)(25)(A) of the 1968 Act; (C) \$30.000.000 for mental health courts and adult and iuvenile collaboration program grants, as authorized by parts V and HH of the 1968 Act, notwithstanding section 2991(e) of such Act of 1968; (D) \$30,000.000 for a veterans treatment courts program; and (F) \$20.000.000 for a veterans treatment courts program; and (F) \$30.000.000 for a veterans treatment courts program; and (F) \$30.000.000 for a veterans treatment courts program; and (F) \$43.000,000 for a veterans treatment courts program; and (F) \$40.000.000 for a veterans treatment courts program; and (F) \$40.000.000 for a veterans treatment and address economic, notwithstanding section 2991(e) of such Act of 1968.] [(7) \$12,000.000 for a grant program to prevent and address economic, notwithstanding section 2991(e) of such Act of 1968.] [(7) \$12,000.000 for a grant program to prevent and address economic, high technology and Internet crime, including as authorized by section 401 of Public Law 110–403, of which not more than \$2,500,000 is for intellectual pro
[(8)](5) \$11,000,000 for a grant program to prevent and address economic, high technology and Internet crime, including as authorized by section 401 of Public Law 110–403, of which not more than \$2,500,000 is for intellectual property enforcement grants, including as authorized by section 401 of Public Law 110–403; [(9)](6) \$1,000,000 for the National Sex Offender Public Website; [(10)](7) [\$140,000,000] <u>\$100,000 for</u> [evidence-based programs to reduce gun crime and gang violence] <u>the project safe neighborhoods program.</u>

Program	Language Changes
Office of Justice Programs State and Local Law Enforcement Assistance (cont'd)	[(12)](9] \$10,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of the 1968 Act; [(13)](10) \$105,000,000 for DNA-related and forensic programs and activities, of which—

Program	Language Changes
Office of Justice Programs State and Local Law Enforcement Assistance (cont'd)	exceed \$125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: <i>Provided further</i> , That of the amount made available in this paragraph— [(A) \$5,000,000 is for an initiative to support evidence-based policing:] [(B)](A) \$10,000,000 is for regional information sharing activities, as authorized by part M of the 1968 Act; [(C) \$10,000,000 is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities, of which up to \$3,000,000 shall be available to enhance the ability of tribal government entities to access, enter information into, and obtain information from, federal criminal information databases as authorized by section 534 of title 28. United States Code (including the purchase of equipment and software, and related maintenance, support, and technical assistance for such entities in furtherance of this purpose), and to reimburse the "General Administration, Justice Information Sharing Technology" account for the expenses of providing such services to tribal government entities:] [(D))(B) [\$5,000,000 is for the collaborative reform model of technical assistance in furtherance of the purposes in section 1701 of the 1968 Act (34 U.S.C. 10381); [and] [(E) \$5,000,000 is for the collaborative reform model of technical assistance in furtherance of the purposes in section 1701 of the 1968 Act (34 U.S.C. 10381)] (C) \$10,000,000 is for activities authorized by the POLICE Act of 2016 (Public Law 114–199); and (D) \$2,000,000 is for law enforcement mental health and wellness activities: Provided further, That balances from any fiscal year for these programs or other programs that may have been administered by the Office of Community Oriented Policing Services may be transferred from the Community Oriented Policing Services account to this account[.]; (15) \$100,000,000 for school safety programs, including as authorized by the STOP School Violence Act of 2018; (16) \$2,500,000 for corrections-related training
	Safe Act of 2018 (36 U.S.C. 220531 et seq.); the Student, Teachers, and Officers Preventing (STOP) School Violence Act of 2018 (34 U.S.C. 10551 et seq.); the Fix NICS Act of 2018 (title VI of division S of Public Law 115-141), and the Justice Served Act (Public Law 115-257).
	 Updates legal citations to reflect passage of P.L. 115-278, which re- designated subtitle D of title II of the Homeland Security Act of 2002 as subtitle C.
	3. Revises language to add a requirement for jurisdictions to dedicate a portion of Byrne Justice Assistance Grants Program awards to National Incident Based Reporting System (NIBRS) compliance. This is for preparation for the

Program	Language Changes
	FBI's planned transition from Uniform Crime Reporting to NIBRS only data collection by 2021.
	 Revises language related to the body-worn camera program to allow for the purchase of related expenses and to expand the types of equipment that may be purchased.
	5. Adds language to provide appropriations for PREA activities and the Capital Litigation Grant program as carveouts under JAG.
	Adds language to create a new program to address violent crime along the Southwest Border as a carveout under JAG.
	 Deletes language providing an appropriation for the Children Exposed to Violence program.
	 Reorganizes CARA-related language in line with existing budget presentations. Additionally, revises the COAP language to allow additional flexibility for states facing drug overdoses not solely from opioids, but also from stimulants.
Office of Justice Programs	9. Revises language for an appropriation for Project Safe Neighborhoods.
State and Local Law Enforcement Assistance	10. Revises language to allow funds to be used for cold cases that are also related to sexual assault cases.
(conťd)	11. Removes the carveout for Pay for Success projects.
	12. Adds language to provide appropriations for activities authorized by the POLICE Act of 2016 and the Law Enforcement Mental Health And Wellness Act, as carveouts under the COPS Hiring Program. The COPS Hiring Program will be consolidated within OJP. Also clarifies language to allow transfer of balances from any fiscal year.
	13. Adds language to provide appropriations for programs including as authorized by the STOP School Violence Act of 2018 and as authorized by the Keep Young Athletes Safe Act of 2018.
	14. Adds language to provide appropriations for corrections-related training and technical assistance, per the proposal to consolidate National Institute of Corrections activities within OJP.
Office of Justice Programs, Juvenile Justice	For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93–415) ("the 1974 Act"); title I of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351) ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162) ("the 2005 Act"); the Missing Children's Assistance Act (title IV of Public Law 93–415); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Victims of Child Abuse Act of 1990 (Public Law 101–647) ("the 1990 Act"); the Adam Walsh

Program	Language Changes
	Child Protection and Safety Act of 2006 (Public Law 109–248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110–401) ("the 2008 Act"); the Victims of Crime Act of 1984 (chapter XIV of title II of Public Law 98–473) ("the 1984 Act"); the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4) ("the 2013 Act"); the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198); and other juvenile justice programs, [\$229,500,000] <i>\$238,500,000</i> to remain available until expended as follows—
	(1) \$58,000,000 for programs authorized by section 221 of the 1974 Act: <i>Provided</i> , That of the amounts provided under this paragraph, \$500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities: <i>Provided further,</i> That notwithstanding sections 103(26) and 223(a)(11)(A) of the 1974 Act, for purposes of funds appropriated in this Act—
Office of Justice Programs, Juvenile Justice (cont'd)	 (A) the term "adult inmate" shall be understood to mean an individual who has been arrested and is in custody as the result of being charged as an adult with a crime, but shall not be understood to include anyone under the care and custody of a juvenile detention or correctional agency, or anyone who is in custody as the result of being charged with or having committed [an] a delinquent offense [described in section 223(a)(11)(A) of the 1974 Act]; [and] [(B) section 223(a)(11)(A)(ii) of the 1974 Act shall apply only to those individuals described in section 223(a)(11)(A) who, while remaining under the jurisdiction of the court on the basis of the offense described therein, are charged with or commit a violation of a valid court order thereof;] (2) \$58,000,000 for youth mentoring programs; (3) \$17,000,000 for delinquency prevention, [as authorized by section 505]
	of the 1974 Act,] of which, pursuant to sections 261 and 262 [thereof] <u>of the 1974</u> <u>Act</u> — (A) \$5,000,000 shall be for gang and youth violence education, prevention and intervention, and related activities; (B) \$500,000 shall be for an Internet site providing information and resources on children of incarcerated parents; [and] (C) \$2,000,000 shall be for competitive grant programs focusing on girls in the juvenile justice system; <u>and</u> (D) \$5,000,000 shall be for an opioid-affected youth initiative;
	 (4) \$20,000,000 for programs authorized by the 1990 Act[, except that section 213(e) of the 1990 Act shall not apply for purposes of this Act]; (5) [\$72,000,000]<u>\$81,000,000</u> for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the 2008 Act shall not apply for purposes of this Act); (6) \$2,000,000 for child abuse training programs for judicial
	 personnel and practitioners, as authorized by section 222 of the 1990 Act; and (7) \$2,500,000 for grants and training programs to improve juvenile [indigent defense]<i>justice prosecution and defense process improvements programs, of which \$1,250,000 shall be for programs related to juvenile justice prosecution and \$1,250,000 shall be for programs related to juvenile justice defense</i>: <i>Provided,</i> That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities related to juvenile justice and delinquency prevention: <i>Provided further,</i> That not more than 2 percent of each amount designated, other than as expressly authorized by statute, may be used

Program	Language Changes
Office of Justice Programs, Juvenile Justice (cont'd)	for training and technical assistance related to juvenile justice and delinquency prevention: <i>Provided further</i> , That funds made available for juvenile justice and delinquency prevention activities pursuant to the two preceding provisos may be used without regard to the authorizations associated with the underlying sources of those funds: <i>Provided further</i> , That the three preceding provisos shall not apply to grants and projects administered pursuant to sections 261 and 262 of the 1974 Act and to missing and exploited children programs.
	EXPLANATION:
	 Amends language to reflect the passage of the Juvenile Justice Reform Act of 2018.
	 Revises language due to passage of the Juvenile Justice Reform Act of 2018. Section 505 of the Juvenile Justice and Delinquency Prevention Act was amended by that Act to only authorize grants to Indian tribes. For that reason, the reference to Section 505 is now too restrictive to describe the intended programs.
	 Deletes language that is no longer necessary after reauthorization of the Victims of Child Abuse Act.
	4. Adds language to create an opioid-affected youth initiative.
	Revises language to provide carveouts for juvenile prosecution and juvenile defense improvements programs.
CVF	The FY 2020 Department Budget continues the Crime Victims Fund (CVF) reform effort included in the FY 2019 President's Budget. As such, the 2020 Department budget does not include language to limit CVF availability. Instead, the CVF reform proposal would establish a \$2.3 billion mandatory annual appropriation for CVF to support programs authorized by the Victims of Crime Act (VOCA) and the Violence Against Women Act (VAWA). The Office for Victims of Crime (OVC) will continue to provide formula and non-formula grants to the states to support crime victim compensation and victims services programs.
	EXPLANATION: Along with other reforms of the CVF, this provides more reliable funding for the program, allowing for long-term program planning that will better serve victims of crime.