

## [H.R. 2578, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016](#)

### FLOOR SITUATION

On Tuesday, June 2, 2015, the House will begin consideration of [H.R. 2578](#), *the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016*, under a [modified-open rule](#). The bill was introduced on May 27, 2015 by Rep. John Culberson (R-TX), Chairman of the House Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies. The bill was marked-up and ordered reported by the Committee on Appropriations, as amended, by voice vote, on May 20, 2015.

### SUMMARY

H.R. 2578 provides a total of \$51.4 billion in discretionary budget authority in fiscal year 2016 for programs funded under the bill. The amount represents an increase of \$1.3 billion over the fiscal year 2015 level and \$661 million below the President's request for these programs. The bill prioritizes funding for law enforcement, national security, science, and space exploration programs.<sup>1</sup>

The bill also makes reductions to several lower-priority programs for a savings of more than \$400 million compared to fiscal year 2015, and rescinds \$375 million in unused prior year funds.<sup>2</sup>

Further, the bill contains several policy provisions, including: continuation of a prohibition on the transfer or release of certain Guantanamo detainees into the U.S.; continuation of various existing provisions related to firearms; prohibiting the National Aeronautics and Space Administration (NASA) and the Office of Science and Technology Policy from engaging in bilateral activities with China unless authorized or certified via procedures established in the bill; prohibiting funds for exports to the Cuban military officers or their families; continuation of language prohibiting funds to relinquish the responsibility of Department of Commerce with respect to Internet domain name system functions; and, continuation of existing policies related to the sanctity of life.<sup>3</sup>

The major provisions of the bill are as follows:

<sup>1</sup> See Press Release—[“Appropriations Committee Approves the Fiscal Year 2016 Commerce, Justice, Science Bill,”](#) May 20, 2015.

<sup>2</sup> See Press Release—[“Appropriations Committee Releases the Fiscal Year 2016 Commerce, Justice, Science Bill,”](#) May 13, 2015.

<sup>3</sup> Id.

## Title I—Department of Commerce

The bill provides a total of \$8.2 billion in discretionary budget authority for the Department of Commerce, which is \$256 million below the fiscal year 2015 enacted level, and \$1.6 billion below the President's request for these programs.<sup>4</sup> Funding for the Department of Commerce includes funding for the following agencies:

Patent and Trademark Office (PTO) – The bill includes \$3.3 billion for the PTO, which is equal to the estimated amount of fees to be collected by the PTO during fiscal year 2016. The bill also includes a provision that allows the PTO to use any fees in excess of the estimated collected amount, subject to congressional approval.

National Institute of Standards and Technology (NIST) – The bill includes \$855 million for NIST, which is \$9 million below the fiscal year 2015 enacted level. Within this total, important core research activities are funded at \$675 million to help advance U.S. competitiveness, innovation, and economic growth, and to improve cyber security.

National Oceanic and Atmospheric Administration (NOAA) – The bill includes \$5.2 billion for NOAA, which is \$274 million below the enacted level. Within this total, the National Weather Service is funded at \$968 million—\$4 million above the President's request. The bill also includes full funding for the continuation of the current Joint Polar Satellite System weather satellite program and the Geostationary Operational Environmental Satellite program to help maintain and improve weather forecasting to warn communities about potentially devastating natural disasters.

Census Bureau – The bill includes \$1.1 billion for the Census Bureau, \$25 million above the fiscal year 2015 enacted level and \$387 million below the request. The additional funding is provided for research and planning activities as we approach the next decennial census.

## Title II—Department of Justice

The bill provides a total of \$27.5 billion in discretionary budget authority for the Department of Justice, which is \$857 million above the fiscal year 2015 enacted level.<sup>5</sup> Funding for the Department of Justice includes funding for the following agencies:

Federal Bureau of Investigation (FBI) – The bill includes \$8.6 billion for the FBI, an increase of \$111 million above the fiscal year 2015 enacted level. Within this funding, priority is given to counterterrorism, counterintelligence, and cybercrime.

Drug Enforcement Administration (DEA) – The bill includes \$2.4 billion for the DEA, an increase of \$45 million above the fiscal year 2015 enacted level. This includes \$372 million for regulatory and enforcement efforts to combat prescription drug abuse.

Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) – The bill includes \$1.3 billion for the ATF, \$49 million above the fiscal year 2015 enacted level. The bill continues all provisions carried in previous years related to Second Amendment rights, and makes four of these provisions permanent law. The bill also prohibits funding for an unauthorized reporting and

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<sup>4</sup> Id.

<sup>5</sup> Id.

registration requirement on the sale of multiple rifles to the same person in various border states.

Grant Programs – The bill includes a total of \$2 billion for various DOJ grant programs, a reduction of \$326 million below the fiscal year 2015 enacted level. Within this amount, funds are targeted to the highest-priority national programs, including \$479 million for Violence Against Women programs (an increase of \$49 million), \$409 million for Byrne Justice Assistance Grants (an increase of \$33 million), \$220 million for the State Criminal Alien Assistance Program (which the President proposed to eliminate), and \$68 million for missing and exploited children programs.

In addition, the bill creates a new, \$52.5 million “Community Trust Initiative.” This will fund efforts to improve the safety of local communities and support police training and research, including: \$15 million for body camera pilots and research, \$32.5 million for justice reform and collaboration efforts, and \$5 million for improved statistics collection.

### Title III—Science

Title III includes funding primarily for the following agencies:

Office of Science and Technology Policy (OSTP) – The bill provides \$5.6 million for the Office of Science and Technology Policy (OSTP), which is the same as fiscal year 2015 and \$11,000 less than the budget request.<sup>6</sup>

National Aeronautics and Space Administration (NASA) – The bill provides \$18.5 billion for the National Aeronautics and Space Administration (NASA), which is \$519 million above fiscal year 2015 and the same as the budget request.<sup>7</sup> This funding includes:

- \$4.8 billion for Exploration – \$403 million above the fiscal year 2015 enacted level and \$253 million above the budget request.<sup>8</sup> This includes funding to continue the development of the Orion Multi-Purpose Crew Vehicle and Space Launch System flight program, and to continue progress in the commercial crew program.
- \$5.2 billion for NASA Science programs – \$7 million below the 2015 enacted level and \$51 million below the budget request.<sup>9</sup> This includes funding above the President’s request for planetary science to ensure the continuation of critical research and development programs.

National Science Foundation (NSF) – The bill provides \$7.4 billion for the National Science Foundation (NSF), which is an increase of \$50 million above fiscal year 2015 and \$329.3 million below the request.<sup>10</sup> This funding is targeted to programs that foster innovation and U.S. economic competitiveness, including funding for research on advanced manufacturing, cybersecurity, neuroscience and Science, Technology, Engineering and Math (STEM) education.

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<sup>6</sup> [House Report 114-130](#) at 55.

<sup>7</sup> Id. at 56.

<sup>8</sup> Id. at 60.

<sup>9</sup> Id. at 58.

<sup>10</sup> Id. at 65.

## Title IV—Related Agencies

Title IV includes funding primarily for the following agencies:

Equal Employment Opportunity Commission (EEOC) – The bill contains \$364.5 million for the EEOC, the same level as fiscal year 2015 and \$8.6 million below the President’s request.<sup>11</sup>

International Trade Commission – The bill contains \$84.5 million in funding for activities conducted and services provided by the International Trade Commission, which is the same as fiscal year 2015 and \$47 million below the President’s budget request.<sup>12</sup>

Legal Services Corporation – The bill provides \$300 million for the Legal Services Corporation, which is \$75 million below the 2015 level and \$152 million below the President’s budget request.<sup>13</sup>

Office of the United States Trade Representative – The bill provides \$54.3 million for the Office of the United States Trade Representative, which is the same as fiscal year 2015 and \$2 million below the President’s budget request.<sup>14</sup>

## Title V—General Provisions

Title V of the bill includes, among others, the following general provisions:

- Prohibiting funds for publicity or propaganda purposes unless expressly authorized by law (Section 501);
- Prohibiting the use of Department of Justice funds from being used to discriminate against or denigrate the religious or moral beliefs of students participating in such programs (Section 511);
- Prohibiting the use of funds to support or justify the use of torture by any government official or contract employee of the U.S. government (Section 516);
- Permanently prohibiting the use of funds to deny certain import applications regarding “curios or relics” firearms, parts, or ammunition (Section 518);
- Prohibiting the transfer or release of certain Guantanamo detainees into the United States (Section 527);
- Permanently prohibiting funds from being used to deny the importation of certain shotgun models (Section 532); and,
- Prohibiting funds from being used for computer networks unless they block the viewing, downloading, and sharing of pornography (Section 533).

## BACKGROUND

“The Commerce, Justice, Science, and Related Agencies Subcommittee has jurisdiction over a diverse group of agencies responsible for combating gangs and violent crime, drug trafficking, financial fraud, terrorism, espionage, cybercrime, enforcing trade laws, conducting periodic censuses, forecasting the weather, managing fisheries, exploring space, and advancing science. The activities

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<sup>11</sup> Id. at 69.

<sup>12</sup> Id. at 70.

<sup>13</sup> Id.

<sup>14</sup> Id. at 71.

of these agencies impact nearly every American and are integral to the operations of our government.”<sup>15</sup>

### **COST**

If enacted, H.R. 2578 would result in discretionary budget authority of \$51.4 billion.

### **STAFF CONTACT**

For questions or further information on the bill, contact [Jerry White](#) with the House Republican Policy Committee by email or at 5-0190.

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<sup>15</sup> [House Report 114-130](#) at 2.