

**DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED  
AGENCIES APPROPRIATIONS ACT, 2021**

The joint explanatory statement accompanying this division is approved and indicates congressional intent. Unless otherwise noted, the language set forth in House Report 116-455 (“the House report”) carries the same weight as language included in this joint explanatory statement and should be complied with unless specifically addressed to the contrary in this joint explanatory statement or the Act. The explanatory statement, while repeating some language for emphasis, is not intended to negate the language referred to above unless expressly provided herein. In cases where the House report directs the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations (“the Committees”).

Each department and agency funded in this Act shall follow the directions set forth in this Act and the accompanying explanatory statement, and shall not reallocate resources or reorganize activities except as provided herein. Reprogramming procedures shall apply to: funds provided in this Act; unobligated balances from previous appropriations Acts that are available for obligation or expenditure in fiscal year 2021; and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2021. These procedures are specified in section 505 of this Act.

Any reprogramming request shall include any out-year budgetary impacts and a separate accounting of program or mission impacts on estimated carryover funds. Any program, project, or activity cited in this explanatory statement, or in the House report and not changed by this Act, shall be construed as the position of the Congress and shall not be subject to reductions or reprogramming without prior approval of the Committees. Further, any department or agency funded in this Act that plans a reduction-in-force shall notify the Committees by letter no later than 30 days in advance of the date of any such planned personnel action.

When a department or agency submits a reprogramming or transfer request to the Committees and does not receive identical responses, it shall be the responsibility of the department or agency seeking the reprogramming to reconcile the differences between the two bodies before proceeding. If reconciliation is not possible, the items in disagreement in the reprogramming or transfer request shall be considered unapproved. Departments and agencies shall not submit reprogramming notifications after July 1, 2021, except in extraordinary

circumstances. Any such notification shall include a description of the extraordinary circumstances.

In compliance with section 528 of this Act, each department and agency funded in this Act shall submit spending plans, signed by the respective department or agency head, for the Committees' review not later than 45 days after enactment of this Act.

For fiscal year 2021, all agencies and departments funded in this Act are directed to follow prior year direction adopted in Public Law 116-93, on the following topics for this fiscal year: "Fighting Waste, Fraud, and Abuse," "Federal Vehicle Fleet Management," "Reducing Duplication and Improving Efficiencies," "Reprogrammings, Reorganizations, and Relocations," "Congressional Budget Justifications," "Reporting Requirements," and "Reductions-in-Force."

**TITLE I**  
**DEPARTMENT OF COMMERCE**

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The agreement includes \$541,000,000 in total resources for the International Trade Administration (ITA). This amount is offset by \$11,000,000 in estimated fee collections, resulting in a direct appropriation of \$530,000,000. The increased funding level is intended to support current services, requested adjustments to base, and programmatic increases highlighted herein. Additionally, the agreement modifies the House recommended funding level for Enforcement and Compliance (E&C) and supports an increase above the fiscal year 2020 enacted level to meet ITA's operational requirements for E&C and Industry and Analysis. Further, within the funds provided the agreement includes up to \$1,000,000 for the establishment of the U.S. Section of the Secretariat within the Department of Commerce as authorized under section 105 of the U.S.-Mexico-Canada Agreement Implementation Act (Public Law 116-113).

*Enforcement and Compliance.*—Within the amounts provided, the agreement includes the amounts requested for increases to manage the anti-dumping and countervailing duties (AD/CVD) workload and section 232 tariff exclusion applications. The agreement acknowledges the exponential growth in AD/CVD orders and directs ITA to prioritize its resources appropriately to support ITA's ability to continue making AD/CVD enforcement a priority, including self-initiating AD/CVD proceedings and thoroughly investigating dumping and subsidies causing injury to domestic businesses.

*Aluminum Import Monitoring (AIM) System.*—The agreement provides increased funding within the amounts provided to continue the development and implementation of the AIM system. ITA is encouraged to regularly consult with representatives from the aluminum industry to ensure the AIM system is meeting its stated goal of supporting U.S. aluminum producers.

*Global Markets.*—The agreement provides no less than \$340,750,000 for Global Markets (GM), an increase of \$7,750,000 above the fiscal year 2020 level. The agreement rejects the proposed reduction to GM staffing levels and ITA is directed to obligate adequate amounts for personnel compensation in order to continue to fill vacancies, in line with direction provided in

Senate Report 116–127 and adopted by Public Law 116–93. The agreement reaffirms prior year precedent that the Committees will not approve any requests to close foreign or domestic offices, including the Export Assistance Centers.

*Rural Export Assistance.*—The Secretary is encouraged to continue to prioritize the Department’s efforts to support and expand international trade opportunities for rural businesses, and the agreement provides no less than the fiscal year 2020 amount within GM towards rural export assistance.

*Commercial Engagement in the Pacific Region.*—Within funding provided for GM, the Committee provides up to \$400,000 for ITA to enhance commercial engagement in the Pacific region. In so doing, ITA should identify and prioritize areas that would bolster the diplomatic and national security interests of the United States.

*General Data Protection Regulation (GDPR).*—ITA is encouraged to continue efforts to educate small businesses about the European Union’s GDPR.

*Resource Allocation and Workforce Planning.*—The U.S. Government Accountability Office (GAO) is directed to undertake a follow-up to the report “Commercial Service Workforce Should Be Better Planned” (GAO–10–874) that should include assessing the priority of resource utilization within GM; analyzing the workforce and succession strategy within U.S. and Foreign Commercial Service (USFCS), including the percentage of senior leadership and workforce diversity and inclusion; and reviewing the current management structure of GM after the merger of the USFCS with the Market Access and Compliance business unit.

## BUREAU OF INDUSTRY AND SECURITY

### OPERATIONS AND ADMINISTRATION

The agreement includes \$133,000,000 for the Bureau of Industry and Security (BIS), an increase of \$5,348,000 above the fiscal year 2020 enacted level. The increased funding level is intended to support current services, requested adjustments to base, and requirements related to the product exclusion process for steel and aluminum tariffs applied under section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862).

*Export Control Regulatory Compliance Assistance.*—BIS is directed to continue educating companies of all sizes on their obligations related to export controls, consistent with direction provided in Senate Report 116–127 and adopted by Public Law 116–93.

*Sanction Violations.*—BIS is directed to continue providing a quarterly report regarding the compliance of ZTE Corporation with the settlement agreement and relevant export control laws, consistent with direction provided in Senate Report 116–127 and adopted by Public Law 116–93.

#### ECONOMIC DEVELOPMENT ADMINISTRATION

The agreement includes \$346,000,000 for the programs and administrative expenses of the Economic Development Administration (EDA). Section 521 of this Act includes a rescission of \$10,000,000 in Economic Development Assistance Programs balances. Such funds shall be derived from recoveries and unobligated grant funds that were not appropriated with emergency or disaster relief designations.

*Allocation of CARES Act Funds.*—House language regarding the Allocation of CARES Act Funds is adopted with the clarification that the requirement for future spend plans to include details about the geographic allocations of funds shall only apply to funds provided in supplemental appropriations acts. Additionally, EDA shall report to the Committees, no later than 30 days after the end of each fiscal year, on the geographic distribution of funds, by program, awarded during such preceding fiscal year.

#### ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The agreement includes \$305,500,000 for Economic Development Assistance Programs (EDAP). Funds are to be distributed as follows; any deviation of funds shall be subject to the procedures set forth in section 505 of this Act:

## ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

(in thousands of dollars)

Program	Amount
Public Works.....	\$119,500
Partnership Planning.....	33,500
Technical Assistance.....	10,000
Research and Evaluation.....	1,500
Trade Adjustment Assistance.....	13,500
Economic Adjustment Assistance.....	37,500
Assistance to Coal Communities.....	33,500
Assistance to Nuclear Closure Communities.....	16,500
Regional Innovation Program Grants.....	38,000
STEM Apprenticeships.....	2,000
<b>Total, Economic Development Assistance Programs.....</b>	<b>\$305,500</b>

In selecting EDAP projects, EDA shall consider geographic equity and ensure that projects in rural areas are adequately represented among those selected for funding. In addition, EDA is directed to coordinate with regional development organizations to support projects that address rural economic development challenges, including the opioid epidemic, broadband access, and the need for innovation in legacy industries, including in the use and value-added manufacturing of forest products.

EDA is encouraged to use funding provided for EDAP to support broadband infrastructure projects, particularly in underserved areas, and public-private partnerships in distressed communities seeking to diversify their local workforce. EDA is further encouraged to consider outdoor recreation projects that are consistent with a region's Comprehensive Economic Development Strategy, as well as projects in communities looking to expand the presence of aeronautics-related industries. EDA is also reminded of the need to continue to improve its technical assistance outreach and capabilities, especially in communities that have been affected by the decline of the manufacturing economy and those which are poorly positioned to produce technically sufficient proposals.

Further, EDA shall ensure, to the greatest extent practicable, that its grant programs avoid duplication and overlap with any other Federal grant programs.

*Economic Adjustment Assistance (EAA).*—Within funding for EAA, the agreement provides no less than the fiscal year 2020 enacted level to support EDA’s collaborations with the Delta Regional Authority, the Appalachian Regional Commission, and the Northern Border Regional Commission to assist distressed communities. Eligible activities for the Northern Border Regional Commission collaboration shall contribute to the recovery of forest-based economies and may include support for forest-based businesses, outdoor recreation infrastructure, and activities that assist in the recruitment and retention of employees in rural communities within the territory.

*Regional Innovation Program (RIP).*—The agreement provides \$38,000,000 to EDA for grants under RIP, also referred to as Build to Scale (B2S). Of the amount provided for RIP grants, no less than \$30,000,000 shall be for the i6 Challenge, also referred to as the B2S Venture Challenge, and no less than \$6,000,000 shall be for Seed Fund Support, also referred to as the B2S Capital Challenge. As part of the fiscal year 2021 spend plan, EDA is directed to provide a detailed justification for any funding provided herein that is intended to be used to support a B2S Industry Challenge in fiscal year 2021.

EDA shall continue to ensure that RIP awards go to multiple grantees in multiple and diverse geographic areas, including an increased focus on organizations and States that have not previously received funding from the program. Furthermore, within funds provided for RIP, EDA shall award not less than 40 percent of grants to support rural communities.

*New Forest Products.*—Many forest based economies have experienced disruption and decline in recent years. EDA is encouraged to work, including through RIP, with communities and regions that have been adversely impacted by rapid changes in the timber and pulp marketplaces and to support projects that help these communities develop related industries, including commercialization of new forest products using low-grade wood. This work may include the coordination of economic development efforts across multiple States or Economic Development Districts.

*Energy Efficiency Projects.*—The agreement encourages EDA to provide technical guidance for any applicants interested in funding for energy efficiency projects under the Economic Adjustment Assistance program.

*Science, Technology, Engineering, and Math (STEM) Apprenticeship.*—The agreement adopts House language on the STEM Apprenticeship Pilot Program and provides \$2,000,000. Within these funds, the Committee directs EDA to prioritize implementation grants.

*Technical Assistance to Distressed Small, Rural, and Underserved Communities.*—Within the increase provided to the Technical Assistance program, EDA is encouraged to support non-profit organizations to assist economically distressed small, rural, and underserved communities in pre-development activities associated with accessing EDA programs and services.

#### SALARIES AND EXPENSES

The agreement includes \$40,500,000 for EDA salaries and expenses.

### MINORITY BUSINESS DEVELOPMENT AGENCY

#### MINORITY BUSINESS DEVELOPMENT

The agreement includes \$48,000,000 for the Minority Business Development Agency (MBDA), an increase of \$6,000,000 above the fiscal year 2020 level. The agreement directs MBDA to allocate \$32,000,000 of its total appropriation toward cooperative agreements, external awards, and grants. The agreement provides \$9,000,000 for the Broad Agency Announcements (BAA) program. MBDA is directed to focus awards on innovation and entrepreneurship, formerly incarcerated persons, global women's empowerment, virtual business development, and access to finance. Further, of the funds provided for the BAA program, \$1,500,000 shall be for the HBCU/HSI Entrepreneurship Pilot as described in the House report and to include Tribal Colleges and Universities and Alaska Native and Native Hawaiian Serving Institutions.

*Business Centers.*—The agreement provides not less than \$18,000,000 to continue MBDA's traditional Business Center program and Specialty Project Center program. MBDA is directed to execute the scheduled re-compete and to ensure no lapse in Business Center services occurs while the re-compete is ongoing. As part of this process, MBDA is encouraged to consider applications from historically underserved regions of the country and is directed to operate at least one Business Center in each State with a plurality or a majority population of a national minority group.



## ECONOMIC AND STATISTICAL ANALYSIS

### SALARIES AND EXPENSES

The agreement includes \$111,855,000 for Economic and Statistical Analysis.

*Outdoor Recreation Satellite Account (ORSA).*—The agreement provides not less than \$1,500,000 to continue implementing the Outdoor Recreation Jobs and Economic Impact Act of 2016 (Public Law 114–249). The Bureau of Economic Analysis (BEA) is directed to continue working with the outdoor recreation industry, nongovernmental organizations, and other interested stakeholders to refine the national-level statistics and to continue developing regional statistics. House report language is modified to clarify that BEA shall provide appropriate support to the Department of Labor in any workforce needs study the Department of Labor may undertake that builds upon the information provided by ORSA.

*Income Growth Indicators.*—BEA is directed to continue development of income growth indicators, including providing annual reports about income growth in each decile of the income distribution.

## BUREAU OF THE CENSUS

The agreement includes \$1,106,644,000 for the Bureau of the Census.

### CURRENT SURVEYS AND PROGRAMS

The bill provides \$288,403,000 for the Current Surveys and Programs account of the Bureau of the Census.

*Survey of Income and Program Participation (SIPP).*—The agreement rejects the proposed cut to SIPP and provides no less than the fiscal year 2020 enacted level for this survey.

### PERIODIC CENSUSES AND PROGRAMS

#### (INCLUDING TRANSFER OF FUNDS)

The bill provides \$818,241,000 in direct appropriations for the Periodic Censuses and Programs account of the Bureau of the Census. The agreement expects the availability of more than \$1,000,000,000 in prior year funds will provide the Census Bureau sufficient funding to fully support its operational requirements in fiscal year 2021, specifically as they relate to the

2020 Decennial Census. The agreement assumes the combination of prior year funds and fiscal year 2021 direct appropriations will provide the Census Bureau with \$1,664,709,000 in available funds, of which \$934,430,000 will directly support the 2020 Decennial Census, as requested, and in line with the Department's revised Independent Cost Estimate. The agreement also makes available \$91,000,000 identified as fiscal year 2021 contingency reserve for the 2020 Decennial Census in the Independent Cost Estimate. In addition, the agreement expects that within available funds the Census Bureau will fully support efforts to establish the Data Ingest and Collection for the Enterprise (DICE), the next generation of the Census Enterprise Data Collection and Processing (CEDCaP) program.

*Quarterly Status Reports.*—The Census Bureau is directed to continue its quarterly status reports to the Committees until the tabulations of populations required under 13 U.S.C. 141(c) are reported to the States.

*2020 Census Operations Evaluation.*—Within one year of enactment of this Act, the Census Bureau shall submit an initial report to the Committee evaluating the 2020 Census operations, the ability to reach hard-to-count populations, initial assessments of data quality, as well as the costs and the adequacy of resource allocation throughout the Decennial Census cycle. As part of this evaluation, the Bureau should include elements such as modified operations, and the use of secretarial and risk-based contingency funds.

*2020 Census Data Availability.*—The Bureau is encouraged to work closely with stakeholders representing public interests, the Census Advisory Committees, and the data user community to ensure the availability of accurate data products for use by the public. The Bureau should continue seeking regular feedback from data users on disclosure avoidance and to evaluate privacy protection methods being considered for other Bureau data programs.

*Ensuring the Integrity and Security of Surveys and Data.*—The agreement clarifies House report language and directs the Census Bureau to coordinate with the Department of Homeland Security, and other relevant agencies, to prepare for, prevent, and disrupt cyber intrusions and disinformation campaigns that have the potential to impact survey participation or compromise data collected by the Census Bureau. The Bureau should also coordinate with State and local stakeholders and private industry, as appropriate. The agreement expects the Census Bureau to prioritize these efforts and to update the Committee on its efforts.

*Utilizing Libraries and Community Partners for Census Surveys.*—The Census Bureau is encouraged to continue its partnership with public libraries and other community technology centers to maximize the response to the American Community Survey and other surveys and assessments as appropriate. The Bureau is encouraged to work with libraries and library organizations, in coordination with the Institute of Museum and Library Services, regarding training for library staff and webinars or conference presentations to library audiences about Census surveys and assessments.

*Website Modernization.*—The agreement supports the Census Bureau’s efforts to implement the requirements of the 21st Century Integrated Digital Experience Act (IDEA) (Public Law 115–336) which will enable the Bureau to improve digital service delivery and data dissemination. The Bureau is further encouraged to implement requirements that effectively modernize the Bureau’s public-facing digital services and to leverage cloud services for its website to help achieve cost savings, efficiencies, and compliance with the IDEA website modernization requirements.

*American Community Survey (ACS).*—The agreement supports the ACS and directs the Bureau to continue using the ACS as a testbed for innovative survey and data processing techniques that can be used across the Bureau. In executing the ACS, the Bureau should ensure that rural areas are covered with the same accuracy as urban areas to the maximum extent practicable.

## NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

### SALARIES AND EXPENSES

The agreement includes \$45,500,000 for the salaries and expenses of the National Telecommunications and Information Administration (NTIA). The allocation of funding provided in the table in the House report is not adopted. Instead, the agreement provides (1) up to \$7,500,000 for broadband mapping in coordination with the Federal Communication Commission (FCC); (2) no less than the fiscal year 2020 enacted amount for Broadband Programs; (3) \$308,000 for Public Safety Communications; and (4) no less than \$3,000,000 above the fiscal year 2020 enacted level for Advanced Communications Research. Further, the agreement directs the additional funds for Advanced Communications Research be used to

procure and maintain cutting-edge equipment for research and testing of the next generation of communications technologies, including 5G, as well as to hire staff as needed. The agreement further encourages NTIA to improve the deployment of 5G and spectrum sharing through academic partnerships to accelerate the development of low-cost sensors. For fiscal year 2021, NTIA is directed to follow prior year report language, included in Senate Report 116-127 and adopted in Public Law 116-93, on the following topics: Federal Spectrum Management, Spectrum Management for Science, and the Internet Corporation for Assigned Names and Numbers (ICANN).

*Spectrum Management System.*—The agreement encourages NTIA and the Department to consider alternative proposals to fully fund the needed upgrades to its spectrum management system, including options outside of direct appropriations, and is directed to brief the Committee regarding possible alternative options no later than 90 days after enactment of this Act. (S)

*Next Generation Broadband in Rural Areas.*—NTIA is encouraged to ensure that deployment of last-mile broadband infrastructure is targeted to areas that are currently unserved or underserved, and to utilize public-private partnerships and projects where Federal funding will not exceed 50 percent of a project's total cost where practicable.

*National Broadband Map Augmentation.*—NTIA is directed to engage with rural and Tribal communities to further enhance the accuracy of the national broadband availability map. NTIA should include in its fiscal year 2022 budget request an update on rural- and Tribal-related broadband availability and access trends, challenges, and Federal actions to achieve equitable access to broadband services in currently underserved communities throughout the Nation. Furthermore, NTIA is encouraged, in coordination with the FCC, to develop and promulgate a standardized process for collecting data from State and local partners.

*Domain Name Registration.*—NTIA is directed, through its position within the Governmental Advisory Committee to work with ICANN to expedite the establishment of a global access model that provides law enforcement, intellectual property rights holders, and third parties with timely access to accurate domain name registration information for legitimate purposes. NTIA is encouraged, as appropriate, to require registrars and registries based in the United States to collect and make public accurate domain name registration information. (S)

## UNITED STATES PATENT AND TRADEMARK OFFICE

### SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The agreement includes language making available to the United States Patent and Trademark Office (USPTO) \$3,695,295,000, the full amount of offsetting fee collections estimated for fiscal year 2021 by the Congressional Budget Office. The agreement transfers \$2,000,000 to the Office of Inspector General to continue oversight and audits of USPTO operations and budget transparency.

The Secretary and the USPTO Director are directed to continue working with ITA and the Department of State to ensure that USPTO's intellectual property attachés are included in discussions and negotiations at the counselor rank and above.

## NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The agreement includes \$1,034,500,000 for the National Institute of Standards and Technology (NIST).

### SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(INCLUDING TRANSFER OF FUNDS)

The agreement provides \$788,000,000 for NIST's Scientific and Technical Research and Services (STRS) account, including an increase of \$16,350,000 for adjustments to base. The agreement adopts the following within STRS: (1) House direction on Quantum Information Science and provides \$6,500,000 above the fiscal year 2020 enacted amount; (2) House direction on Greenhouse Gas Program and Urban Dome Initiative and \$200,000 above the fiscal year 2020 enacted amount; (3) House direction on Direct Air Capture and Carbon Dioxide Removal and \$3,000,000; and (4) House direction on Forward Looking Building Standards. For fiscal year 2021, NIST is directed to follow prior year report language, included in Senate Report 116-127 and adopted in Public Law 116-93, on the following topics: Helmet Safety and Facial Recognition Vendor Test. House language regarding 5G telecommunications funding is not adopted.

*NIST Diversity and Inclusion.*—NIST is encouraged to take discrete steps to promote racial and cultural acceptance and diversity within its workforce. Within 180 days of enactment of this Act, NIST is directed to submit a report analyzing the current racial and cultural makeup of the agency; planned efforts to recruit, retain, and advance applicants and employees critical to promoting greater racial and cultural diversity, and the outcomes of these efforts; and any additional steps and recommendations planned to promote greater racial and cultural acceptance and diversity throughout the NIST workforce, including the development and analysis of metrics to evaluate success.

*Artificial Intelligence (AI).*—The agreement includes no less than \$6,500,000 above the fiscal year 2020 level to continue NIST’s research efforts related to AI and adopts House language on Data Characterization Standards in AI.

House language on Framework for Managing AI Risks is modified to direct NIST to establish a multi-stakeholder process for the development of an AI Risk Management Framework regarding the reliability, robustness, and trustworthiness of AI systems. Further, within 180 days of enactment of this Act, NIST shall establish the process by which it will engage with stakeholders throughout the multi-year framework development process.

*Cybersecurity.*—The agreement includes no less than the fiscal year 2020 enacted level for cybersecurity research, outreach, industry partnerships, and other activities at NIST, including the National Cybersecurity Center of Excellence (NCCoE) and the National Initiative for Cybersecurity Education (NICE). Within the funds provided, the agreement encourages NIST to establish additional NICE cooperative agreements with regional alliances and multi-stakeholder partnerships for cybersecurity workforce and education.

*Cybersecurity of Genomic Data.*—The agreement includes no less than \$1,250,000 for NIST and NCCoE to initiate a use case, in collaboration with industry and academia, to research the cybersecurity of personally identifiable genomic data, with a particular focus on better securing deoxyribonucleic acid sequencing techniques, including clustered regularly interspaced short palindromic repeat (CRISPR) technologies, and genomic data storage architectures from cyber threats. NIST and NCCoE should look to partner with entities who have existing capability to research and develop state-of-the-art cybersecurity technologies for the unique needs of genomic and biomedical-based systems.

*Industrial Internet of Things (IIoT).*—The agreement includes no less than the fiscal year 2020 enacted amount for the continued development of an IIoT cybersecurity research initiative and to partner, as appropriate, with academic entities and industry to improve the sustainable security of IIoT devices in industrial settings.

*Measurement Science Research for Advanced Manufacturing.*—The agreement modifies House language on Measurement Science Research for Advanced Manufacturing to encourage NIST to prioritize new STRS funds for this work.

*Pyrrhotite in Concrete Aggregate.*—The agreement provides no less than \$2,000,000 for NIST to partner with academic institutions to study and develop a reliable and cost-effective standard for testing for the presence of excessive pyrrhotite in concrete.

*Forensic Sciences.*—The agreement provides an increase of \$1,000,000 above the fiscal year 2020 level for forensic sciences, including no less than \$3,150,000 to support the Organization of 22 Scientific Area Committees, and no less than \$1,200,000 to support technical merit evaluations.

*Training Officers of the Court.*—No later than 90 days after enactment of this Act, NIST is directed to submit a plan for how to implement training to help officers of the court understand the science and concepts underlying the professional analyses of forensic experts. The plan should include staffing needs, necessary funding required, and possible topics of instruction.

*Plastics and Polymeric Materials.*—The agreement provides an increase of \$250,000 above the fiscal year 2020 enacted amount, for competitive external grants for academic institutions to investigate plastic and polymeric materials, as well as novel methods to characterize both known and newly developed materials. Such investigations should address ways to increase the strength of recycled plastics and better understand mechanical properties including tensile stress, compressive stress, thermal properties, and nanostructure of polymeric materials that could serve as industry standards for recycled plastic products.

*Graphene Research and Commercialization.*—The agreement includes no less than the fiscal year 2020 enacted amount for NIST to fund and pursue graphene research activities with industry and academic institutions that have expertise, existing capabilities, and infrastructure related to the commercial application of graphene.

*Unmanned Aerial Vehicle (UAV) Challenges and Credentialing.*—The agreement includes a total of \$3,250,000 for NIST’s UAV research challenges and credentialing program. Within the funding provided, NIST shall continue to partner with academic institutions to execute UAV prize-based challenges that focus on expanding the role that UAVs could play in emergency response operations. In addition, NIST shall use no less than \$1,000,000 of the funding provided to partner with relevant academic institutions to establish the measurements and standards infrastructure necessary for credentialing remote pilots. This effort should include implementation and demonstration of distributed pilot training and evaluation using standard test methods and also support flight test simulations.

*Public Health Risk to First Responders.*—The agreement provides no less than the fiscal year 2020 enacted level for NIST to continue the study of new and unused personal protective equipment worn by firefighters to determine the prevalence and concentration of per- and polyfluoroalkyl substances (PFAS) in the equipment, as well as the extent to which PFAS may be released from the gear during normal wear and under what conditions.

#### INDUSTRIAL TECHNOLOGY SERVICES

The agreement includes \$166,500,000 in total for Industrial Technology Services, including \$150,000,000 for the Hollings Manufacturing Extension Partnership, an increase of \$4,000,000 above the fiscal year 2020 enacted level. The agreement further provides \$16,500,000 for the Manufacturing USA Program, formerly known as the National Network for Manufacturing Innovation. Within the funding provided for Manufacturing USA, no more than \$5,000,000 may be used for coordination activities, of which up to \$1,000,000 may be used to support the U.S. Food and Drug Administration’s participation in biomanufacturing innovation institutes; \$10,000,000 shall be used for the continuation of the existing NIST-funded institute; and \$1,500,000 shall be for a competitive grant program to develop technology roadmaps for promising advanced manufacturing clusters.

#### CONSTRUCTION OF RESEARCH FACILITIES

The agreement includes \$80,000,000 for Construction of Research Facilities, of which no less than \$70,000,000 is for NIST to address its most pressing Safety, Capacity, Maintenance, and Major Repairs projects.



*Facilities Report.*—NIST is directed to contract with an independent entity to develop a report that assesses the comprehensive capital needs of NIST’s campuses. The report, at a minimum, should identify facilities in greatest need of repair, describe the work needed to bring them up to current standards, and include cost estimates for each project. NIST shall provide the report with its recommendations to the Committees no later than 1 year after the date of the contract agreement between NIST and the contracted entity.

#### NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

*Coastal Inundation Forecasting and Resilience.*—House direction regarding Coastal Inundation Forecasting and Resilience is modified to direct the National Oceanic and Atmospheric Administration (NOAA), rather than the Office of Oceanic and Atmospheric Research, to develop and initiate a cross-line office research agenda as described in the House report. As part of this effort, NOAA shall consider the establishment of a Cooperative Institute for Coastal Resilience and Adaptation that could benefit existing coastal resilience programs by providing additional research, data collection, experience, and strengthened relationships with institutions conducting coastal resilience and adaptation research and applied science activities.

#### OPERATIONS, RESEARCH, AND FACILITIES

##### (INCLUDING TRANSFER OF FUNDS)

The agreement includes a total program level of \$4,103,971,000 under this account for NOAA’s coastal, fisheries, marine, weather, satellite, and other programs. This total funding level includes \$3,840,300,000 in direct appropriations, a transfer of \$246,171,000 from balances in the “Promote and Develop Fishery Products and Research Pertaining to American Fisheries” fund, and \$17,500,000 derived from recoveries of prior year obligations.

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

*National Ocean Service (NOS).*—\$619,700,000 is for NOS Operations, Research, and Facilities.

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

Program	Amount
<b>Navigation, Observations and Positioning</b>	
Navigation, Observations and Positioning.....	\$162,500
Hydrographic Survey Priorities / Contracts.....	32,000
IOOS Regional Observations.....	40,500
	235,000
<b>Coastal Science and Assessment</b>	
Coastal Science, Assessment, Response and Restoration.....	86,500
Competitive Research.....	21,000
	107,500
<b>Ocean and Coastal Management and Services</b>	
Coastal Zone Management and Services.....	46,700
Coastal Zone Management Grants.....	78,500
National Oceans and Coastal Security Fund.....	34,000
Coral Reef Program.....	33,000
National Estuarine Research Reserve System.....	28,500
Sanctuaries and Marine Protected Areas.....	56,500
	277,200
<b>Total, National Ocean Service, Operations, Research, and Facilities.....</b>	<b>\$619,700</b>

*Navigation, Observations and Positioning.*—The agreement rejects all of the proposed decreases within Navigation, Observations and Positioning and directs NOS to follow prior year direction adopted in Public Law 116–93, on the distribution of Geospatial Modeling Grants.

*Hydrographic Research and Technology Development.*—The agreement supports the intended use of funds requested for Hydrographic Research and Technology Development and provides an additional \$1,000,000 above the fiscal year 2020 level for these purposes. In addition, the agreement provides \$2,000,000 above the request for NOAA to continue supporting joint ocean and coastal mapping centers in other areas of the country as authorized by the

Omnibus Public Land Management Act of 2009 (Public Law 111–11). Additional funding is provided for the designation of additional joint ocean and coastal mapping centers in order to provide steady funding for existing centers. NOAA shall not decrease funding levels for any existing centers.

*Ocean Mapping and Coastal Charting.*—Within Navigation, Observations and Positioning, the agreement provides \$2,000,000 for NOS to coordinate and implement an interagency mapping, exploration, and characterization strategy for the U.S. Exclusive Economic Zone, as well as the Arctic and sub-Arctic shoreline and nearshore of Alaska. For the latter activity, NOAA shall work closely with the Alaska Mapping Executive Committee and the State of Alaska to ensure that mapping efforts are coordinated and adhere to the priorities identified in the Alaska Coastal Mapping Strategy.

*Precision Navigation.*—As NOS concludes its two ongoing precision navigation pilots in fiscal year 2021, NOAA is directed to begin making preparations to commence additional precision navigation projects. The agreement supports the consideration of all U.S. seaports identified in the February 2020 Precision Navigation Socioeconomic Study for inclusion in the next precision navigation project and directs that preference shall be given to U.S. seaports that have immediate access to multiple interstate and railroad systems and at least 10,000 miles of inland waterway connections, are ranked within the top 15 by total tonnage of goods shipped and received, and which are currently performing or scheduled to perform channel expansion to accommodate larger draft vessels or already have such capacity.

*Coastal Survey Data.*—NOS is directed to submit a report to the Committees, within one year of enactment of this Act, on progress it has made toward conducting comprehensive coastal survey work in Alaska. The report shall detail steps taken to implement NOAA’s strategy, developed pursuant to section 3 of the 2019 Presidential Memorandum on Ocean Mapping of the United States, for mapping the Arctic and sub-Arctic shoreline and nearshore of Alaska.

*Modernization of the Vertical Datum.*—The agreement provides no less than the fiscal year 2020 enacted level for the Gravity for the Re-Definition of the American Vertical Datum initiative within the Geodesy program.

*Hydrographic Surveys and Contracts.*—For fiscal year 2021, NOS shall follow prior year direction adopted in Public Law 116–93, on the following topics: Hydrographic Surveys and Contracts and Hydrographic Charting in the Arctic.

*Integrated Ocean Observing System (IOOS).*—The agreement includes \$40,500,000 for IOOS Regional Observations and directs NOS to expand the regional underwater profiling gliders program consistent with House direction as well as for disaster response and the forecasting of freshwater and marine water quality.

*Coastal Science, Assessment, Response and Restoration.*—The agreement provides no less than the fiscal year 2020 enacted level for the Gulf of Mexico Disaster Response Center (DRC), and directs NOS to continue to prioritize full staffing of the DRC in fiscal year 2021. Additionally, the recommendation includes \$1,000,000 above the fiscal year 2020 enacted level for the Disaster Preparedness Program.

*Marine Debris Program.*—The agreement provides no less than \$9,000,000 for the Marine Debris program and adopts House language on the topic. NOS is encouraged to prioritize funding for projects in urban communities that support waterway cleanup efforts to remove any and all forms of marine debris, projects in rural and remote communities that lack infrastructure to address their marine debris problems, and projects that address the impact of marine debris in fresh water systems that are a source of drinking water.

*National Centers for Coastal Ocean Science (NCCOS).*—The agreement provides \$47,000,000 for NCCOS. NOS is directed to consider expanding NCCOS’s efforts related to coastal sustainability and resilience, including assessing the effects of land-use on coastal and marine resources, measuring societal benefits of coastal restoration and green infrastructure, encouraging citizen science monitoring of coastal and marine resources, and assessing the adaptive capacity of human communities to coastal hazards.

*Harmful Algal Blooms (HABs).*—Across NOS, the recommendation includes an additional \$5,500,000 for HABs work as compared to fiscal year 2020. House direction and an increase of \$1,000,000 above the fiscal year 2020 enacted level is adopted for NCCOS’s HABs work. The agreement also adopts House direction and provides \$2,500,000 to continue and expand the IOOS-sponsored pilot programs launched in fiscal year 2020 to enhance the monitoring and detection of HABs. In addition, the agreement provides up to \$1,000,000, from

within funds allocated to the IOOS-sponsored pilot programs, for IOOS to establish an initial HABs monitoring and detection test bed in the Gulf of Mexico. The agreement expects that the test bed will deploy, operate, and test a range of technologies and also determine the data management and dissemination needs for operating and maintaining a complete end-to-end HABs detection and monitoring system. The agreement encourages the testbed to be established in an area that has experienced HABs in recent years and which has existing expertise, infrastructure, and collaboration between IOOS, an IOOS regional association, and academic and State partners that can be readily leveraged.

The agreement provides \$21,000,000 for Competitive Research, including not less than \$13,000,000 for HABs research, and adopts House direction for these funds. From within these funds, the agreement also provides up to \$2,000,000 to explore innovative methods to increase monitoring and detection of HABs in freshwater systems by partnering with a consortium of academic institutions with expertise in unmanned aircraft systems.

*Sea Level Rise and Coastal Resilience.*—The agreement provides an increase of \$2,000,000 above the fiscal year 2020 enacted level within Coastal Science, Assessment, Response and Restoration to address the increasing risk of coastal inundation due to sea level rise consistent with House direction. From within these increased funds, up to \$1,000,000 shall be applied to the new Hydrology and Water Resources Cooperative Institute described in the National Weather Service section of this explanatory statement to accelerate the Integrated Water Prediction (IWP) program and inform NOAA’s broader efforts on coastal inundation and resilience.

*Regional Data Portals.*—Within funding provided for Coastal Zone Management and Services, \$2,500,000 is for the regional ocean partnerships, or their equivalent, to enhance their capacity for sharing and integration of Federal and non-Federal data to support regional coastal, ocean, and Great Lakes management priorities.

*Ocean Economy of the Territories.*—The agreement adopts House direction and funding for NOAA to include the five U.S. territories in the estimate of the ocean economy.

*Aquatic Invasive Species.*—NOAA is directed to establish the Coastal Aquatic Invasive Species Mitigation Grant Program and Mitigation Fund, as authorized by the Vessel Incident Discharge Act of 2018 (Public Law 115–282).

*National Oceans and Coastal Security Fund.*—The agreement provides \$34,000,000 for the National Oceans and Coastal Security Fund, also known as the Title IX Fund or the National Coastal Resilience Fund. Of the amount provided, not less than \$3,000,000 shall be for project planning and design.

*Coral Reefs.*—The recommendation provides \$33,000,000 for the Coral Reef Program and adopts the House language. Within these funds, the agreement provides up to \$8,500,000 for NOS to work with academic institutions and non-governmental research organizations to establish innovative active restoration projects to restore degraded coral reefs, such as projects like “Mission: Iconic Reef.”

*Marine National Monuments.*—Within funding provided for Sanctuaries and Marine Protected Areas, up to \$1,200,000 may be used for competitive research, management, and education grants for existing marine national monuments administered by NOS, provided that such grants are subject to a 100 percent non-Federal match.

*Papahānaumokuākea Sanctuary Designation.*—NOAA is directed to initiate the process under the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.) to designate the Papahānaumokuākea Marine National Monument as a National Marine Sanctuary to supplement and complement, rather than supplant, existing authorities. NOAA shall provide the Committees an update on this designation before the end of fiscal year 2021.

*National Marine Fisheries Service (NMFS).*—\$964,862,000 is for NMFS Operations, Research, and Facilities.

# NATIONAL MARINE FISHERIES SERVICE

## OPERATIONS, RESEARCH, AND FACILITIES

(in thousands of dollars)

Program	Amount
<b>Protected Resources Science and Management</b>	
Marine Mammals, Sea Turtles, and Other Species.....	\$125,164
Species Recovery Grants.....	7,000
Atlantic Salmon.....	6,500
Pacific Salmon.....	67,000
Protected Resources Science and Management.....	205,664
<b>Fisheries Science and Management</b>	
Fisheries and Ecosystem Science Programs and Services.....	146,927
Fisheries Data Collections, Surveys, and Assessments.....	175,927
Observers and Training.....	55,468
Fisheries Management Programs and Services.....	123,836
Aquaculture.....	17,500
Salmon Management Activities.....	62,050
Regional Councils and Fisheries Commissions.....	41,500
Interjurisdictional Fisheries Grants.....	3,365
Fisheries Science and Management.....	626,573
Enforcement.....	75,000
Habitat Conservation and Restoration.....	57,625
Total, National Marine Fisheries Service, Operations, Research, and Facilities..	\$964,862

For fiscal year 2021, NMFS shall follow prior year Senate direction and, if applicable, funding levels adopted by Public Law 116-93 on the following topics: Promote and Develop Fisheries Products and Research Funding Transfer, Saltonstall-Kennedy Grant Program, NMFS Staffing, Hawaiian Monk Seal and Sea Turtles, Species Recovery Grants, Atlantic Salmon, Pacific Salmon, American Lobster and Jonah Crab Research, Electronic Monitoring and Reporting, International Fisheries Management Coordination, Bycatch Reduction, Atlantic Herring Stock Assessment, and Seafood Reporting. The agreement also adopts House language

disbursed

on Foreign Fisheries and provides \$750,000 for this work, but does not adopt House language on Video Review of Electronic Monitoring Data. The agreement maintains the existing budget structure for Regional Councils and Fisheries Commissions.

*False Killer Whales.*—Within the funding provided for Marine Mammals, Sea Turtles, and Other Species, the agreement includes \$1,000,000 for NMFS to study interactions between the U.S. fishing fleet and false killer whales in the Western Pacific.

*Unusual Mortality Events (UMEs).*—NMFS is directed to submit a report, within 90 days of enactment of this Act, showing how funds from the Unusual Mortality Event Fund have been ~~dispersed~~ during UMEs active within the past 10 years. The report shall include what specific services and incurred costs have been financed or reimbursed by NOAA as well as an overview of services provided by Tribal partners, including, but not limited to, carcass retrieval and shipment, regardless of whether or not compensation was provided for these services or related expenses were reimbursed.

*North Atlantic Right Whale.*—The agreement rejects the proposed reduction and provides an additional \$2,000,000 above the fiscal year 2020 enacted level within Marine Mammals, Sea Turtles, and Other Species for North Atlantic right whale-related research, development, and conservation efforts. These additional funds shall be spent as outlined in the House language. Within funding provided, not less than \$1,000,000 shall be to support the existing pilot program to develop, refine, and field test innovative lobster fishing gear technologies as directed in Public Law 116-93.

NOAA shall continue to support disentanglement, stranding response, necropsy activities, aerial surveys, and passive acoustic monitoring in the waters of the Atlantic Ocean, and is encouraged to develop a habitat suitability index and long-term tagging methods. Further, NMFS is directed to continue to work in coordination with counterparts in the Canadian government to reduce risks throughout the range of the North Atlantic right whale.

In any rulemaking regarding the North Atlantic right whale, NMFS shall incorporate recent research on the species' primary food source, *Calanus finmarchicus*, which indicates these zooplankton have decreased in abundance in the Gulf of Maine since 2010. NOAA is also directed to fully evaluate the feasibility, as well as the safety and economic implications, of any



management actions relating to the North Atlantic right whale. Further, the North Atlantic right whale risk reduction target proposed by NMFS depends heavily on how unknown entanglements are assigned to individual fisheries and countries. Any misattributions of whale entanglements that NMFS has acknowledged must be considered by NMFS and incorporated in relevant rulemaking.

*Risk Reduction Credit.*—Should NOAA award risk reduction credit to any State as part of the current North Atlantic right whale take reduction management process, the agency shall also ensure that other States have the opportunity to receive credit for past management actions.

*Assessment of Fishing Interference.*—The agreement directs NMFS to undertake a review, no later than 90 days after enactment of this Act, to assess and better understand the occurrence of conflicts between dolphins and sharks and commercial, for-hire, and recreational fishing vessels in the Gulf of Mexico and South Atlantic. The review should provide: (1) a quantification, to the extent practicable within existing resources, of the degree to which dolphins and sharks interfere with commercial, charter, and recreational fishing; and (2) recommendations for non-lethal methods to deter dolphins and sharks from interfering with commercial, for-hire, and recreational fishing, in accordance with existing laws. NMFS shall report to the Committees on the results of the review no later than one year after the review is commenced. In conducting the review, NMFS shall consult with the Marine Mammal Commission, the Gulf of Mexico Fishery Management Council, the South Atlantic Fishery Management Council, the Atlantic Highly Migratory Species Advisory Panel, and conduct outreach to commercial, for-hire, and recreational fishermen.

*Northeast Groundfish Research.*—Within funding provided for Fisheries and Ecosystem Science Programs and Services, the agreement provides \$2,500,000 for Northeast groundfish research, with a focus on the effects of changing climatic conditions and warming waters on the fishery, including stock health and natural mortality. NOAA is further encouraged to prioritize research regarding relative gear efficiency, stock boundaries, and other topics that can improve groundfish stock assessments in the next five years. Within funding provided, \$500,000 shall be obligated to develop methods for improving and increasing utilization of the full range of available fishery-dependent data to better inform groundfish stock abundance estimates. This should include a review of statistical strengths and weaknesses of existing bottom trawl surveys

for different species and the development of alternative data sources and sampling methods that will augment and improve groundfish stock assessments as recommended in the 2020 report of the Groundfish Trawl Task Force. This funding is intended to support new and innovative research, including by the Northeast Fisheries Science Center (NEFSC), separately by, or in collaboration with, outside partners such as higher education institutions or State agencies, and in cooperation with the fishing industry.

*Fisheries Information Systems Grants.*—The agreement includes no less than the fiscal year 2020 enacted amount for Fisheries Information Systems grants.

*Cooperative Research.*—The agreement provides no less than \$13,000,000 for the Cooperative Research program. NMFS is directed to prioritize trawl surveys that are designed and conducted cooperatively with industry and States to provide empirical measures of fish stock abundance, such as swept area biomass surveys. NMFS is encouraged to prioritize studies conducted cooperatively with States, industry, and nonprofit institutions using video systems deployed in commercial trawl nets for surveys. NMFS is also encouraged to focus on improving understanding of natural mortality and relative gear efficiency to ensure accurate measures of catchability.

The NEFSC is directed to consider prioritizing cooperative research efforts for species that are experiencing shifts in range and population density due to warming waters and other global environmental changes. Further, NMFS is encouraged to prioritize data collection that may be affected by offshore wind energy development.

*Gulf Reef Fish.*—Within funding for Fisheries and Ecosystem Science Programs and Services, the agreement includes no less than \$2,000,000 for NMFS to support Gulf reef fish surveys, research, and sampling. NMFS is also encouraged to continue to collaborate with NOAA's Office of Oceanic and Atmospheric Research on the agency-independent reef fish population assessments funded within Sea Grant.

*State Management for Recreational Red Snapper.*—Within the amount provided for Fisheries Data Collections, Surveys, and Assessments, the agreement includes \$5,000,000 for NMFS to continue to work with the Gulf States to ensure successful implementation of State management for recreational red snapper. The agreement reiterates past direction that these

efforts shall be a top priority for NOAA, and that such efforts shall be done in coordination with the Gulf States.

Many are concerned by the results of recent efforts by NMFS to calibrate each Gulf State's catch data program to catch data derived by the Marine Recreational Information Program (MRIP), which in some cases resulted in significant discrepancies between the Federal and State catch statistics for red snapper. The discrepancies are large enough that it calls into question whether MRIP is providing the best account of the fishery, especially when available data from the Gulf States suggest otherwise. Therefore, before making any related regulatory changes, NMFS is directed to address the question of which data collection system (i.e., MRIP or the catch data programs administered by the Gulf States) are providing the best estimates of recreational red snapper catch in the Gulf of Mexico. The agreement includes \$2,000,000, from within the funding provided to support State management of red snapper, for NMFS to contract with a non-governmental entity with expertise in statistics and fisheries-dependent data collection to provide the following: (1) an independent assessment of the accuracy and precision of both the Federal and State recreational catch data programs in the Gulf of Mexico; (2) recommended improvements to be made to the Federal and State recreational catch data programs in the Gulf of Mexico to improve accuracy and precision; and (3) an independent assessment, based on the results of the two prior items, of how best to calibrate the Federal and State recreational catch data programs in the Gulf of Mexico to a common currency.

*South Atlantic Reef Fish.*—The agreement provides no less than \$1,800,000 with the instructions contained in the House report.

*Data Collection for Recreational Fisheries.*—The agreement includes no less than \$3,500,000 within Fisheries Data Collections, Surveys, and Assessments, to support collaborative programs focused on improving recreational fishery data collection, as articulated in sections 102, 201, and 202 of Public Law 115–405. This funding should focus on assisting States to establish, test, and implement more reliable recreational fishery data collection tools, such as smartphone applications or text messaging supplements. In addition, NMFS is directed to support efforts by the Regional Fishery Management Councils to implement section 102 of Public Law 115–405, including the shared initiative between the Gulf of Mexico and South Atlantic Fishery Management Councils to establish a joint committee.

*Northeast Multispecies Fishery.*—NOAA is directed to fully fund the At-Sea Monitoring costs in the New England groundfish fishery, including sea and shore side infrastructure costs, and shall ensure the costs and benefits of At-Sea Monitoring are commensurate with the gross revenues of vessels in the fishery. The agreement provides no less than the fiscal year 2020 enacted amount within Observers and Training for this purpose. Before obligating any of these funds, NOAA shall provide the Committees with a detailed spending plan. The Committees also look forward to receiving the report requested by Public Law 116–93 outlining the current status of electronic monitoring and reporting technology for the Northeast multispecies fishery.

*North Pacific Observer Coverage.*—Within Observers and Training, the agreement includes no less than \$7,500,000 for the North Pacific Observers Program. This additional funding shall be used to offset observer costs normally paid for by harvesters in fisheries that are undertaking a transition to electronic monitoring and reporting. Additionally, NOAA is encouraged to identify and implement any efficiencies that would mitigate the cost burden shouldered by small vessel operators in the fixed-gear fleet.

*For-Hire Electronic Monitoring and Reporting Implementation.*—The agreement provides no less than \$2,250,000 within Fisheries Management Programs and Services and \$1,500,000 within Enforcement to support the continued and timely implementation of electronic logbooks for the federally permitted charter-for-hire sector in the Gulf of Mexico.

*Fisheries Surveys and Offshore Wind.*—The agreement provides \$500,000 within Fisheries and Ecosystem Science Programs and Services to ensure the continuity of fisheries survey data that may be affected by offshore wind energy development and \$500,000 within Fisheries Management Programs and Services to support the permitting process.

*Fisheries Surveys.*— Within funds for Fisheries Data Collections, Surveys, and Assessments, the agreement provides \$1,000,000 above the fiscal year 2020 enacted amount for NMFS fishery and ecosystem research surveys and directs NMFS take the necessary steps to ensure that historical levels of survey coverage are achieved without disruption in fiscal year 2021. At this funding level NMFS is expected to contract no fewer than six surveys for Alaskan bottom trawl surveys and cooperative research, including a survey to capture movement of fish populations out of historic survey areas, and no fewer than four vessels for West Coast groundfish surveys.

*Northwest Fisheries Ecosystem Monitoring System.*—Within funds for Fisheries Data Collections, Surveys, and Assessments, the agreement provides \$500,000 to maintain a time-series monitoring system that includes no less than monthly data collection, analysis, and dissemination of hydrographic and ecological data to inform fishery management on the Northern California Current.

*Western Atlantic Bluefin Tuna (ABFT).*—Many are concerned by NOAA's April 2, 2020, rulemaking to reopen for commercial long-line fishing two gear-restricted areas (GRAs) in the Gulf of Mexico that were previously closed annually during April and May to protect spawning ABFT. The hypothetical basis for this rulemaking—that all of the management measures previously in place for ABFT in the Gulf of Mexico may not be necessary in tandem and that such measures are inhibiting the harvest of other target species—is questioned because of the following facts: (1) the Gulf of Mexico is the primary spawning ground for ABFT, and recovery of the still depleted stock requires that spawning fish be protected; and (2) the management measures implemented in 2015, the Individual Bluefin Quota and time-area closures, have in tandem, not individually, reduced ABFT discards and catch during peak spawning months. Therefore, NOAA is directed to reconsider the decision to open the two GRAs in the Gulf of Mexico. If the status quo is maintained, NOAA shall increase monitoring efforts within the GRAs through 100 percent human observer coverage and by making publicly available all Gulf of Mexico ABFT catch data, broken down both inside and outside the GRAs, on a weekly basis and within one week of catch, during the months of April and May in order to allow for increased oversight to ensure that this rule does not result in the longline fishery exceeding their ABFT catch limits.

*Harmful Drift Gillnets.*—NMFS is encouraged to establish a pilot program to assist fishermen in replacing large-mesh drift gillnets with more sustainable gear and to consider actions to ban the use of drift gillnets in Federal waters off the coast of California.

*Marine Aquaculture.*—The agreement includes no less than \$500,000 in the Aquaculture Program, Project, or Activity (PPA) for NMFS, in collaboration with NOS, to perform activities in support of the identification of at least two aquaculture opportunity areas, as called for in section 7 of the May 7, 2020, Presidential Executive Order on Promoting American Seafood and Competitiveness and Economic Growth. The agreement also provides up to \$500,000 above the

fiscal year 2020 enacted level in the Aquaculture PPA to increase the amount of staff focused on aquaculture at all NMFS fisheries science centers. Within the funding provided, NOAA is encouraged to return staffing levels to those in fiscal year 2010 at the Northeast and Northwest Fisheries Science Centers.

*Regional Pilots in Sustainable Aquaculture.*—The agreement includes \$2,000,000 in the Aquaculture PPA for the NMFS Aquaculture Office to continue the regional aquaculture pilot program, in partnership with the three interstate marine fisheries commissions, to establish partnerships between the seafood industry and community partners that can develop, validate, and deploy economically and environmentally sustainable aquatic farming techniques and regional business practices to grow domestic seafood production. To maximize the impact of these pilot grants, NMFS is encouraged to give priority consideration to promising but less commercially developed technologies, such as those targeting shellfish, seaweed, and other relative newcomers to the domestic aquaculture industry.

In addition, the agreement provides no less than \$2,000,000 for the NMFS Aquaculture Office, in partnership with the Gulf States Marine Fisheries Commission, to partner with a university or consortium of universities to establish a multi-year demonstration pilot of an Integrated Multi-Trophic Aquaculture (IMTA) system in State waters of the Gulf of Mexico, which shall culture native species of finfish, bivalve mollusks, and macroalgae. The pilot is to be for research, training, and educational purposes only and should involve students, fishermen, and farmers, and shall endeavor to inform how to adapt IMTA methods and systems, in an environmentally and ecologically balanced manner, for deployment in warm water environments.

*Salmon Management Activities.*—Within the amount included for Salmon Management Activities, the agreement provides \$39,500,000, an increase of \$4,000,000 above the fiscal year 2020 enacted level, to enable NOAA, the Pacific States, and Tribal communities to continue activities in support of the obligations set forth in the renegotiated annex of the Pacific Salmon Treaty (PST). No less than \$20,000,000 of the funds provided shall be made available to support ongoing and new implementation and mitigation activities for the PST. Before any of these funds may be obligated, NOAA is directed to provide the Committees with a detailed spending plan that is reflective of the funding recommendations produced by the U.S. section of the Pacific

Salmon Commission. In doing so, NOAA is directed to consult with the Pacific States, Tribal communities, and other stakeholders. Further, NOAA is encouraged to minimize, to the extent practicable, the amount of funds withheld for administrative expenses.

*Salmon and Steelhead Monitoring.*—The agreement recognizes that NOAA intends to continue funding research in fiscal year 2021 to monitor mortality of spring Chinook salmon in the Columbia River in order to understand the impacts of marine mammal predation. Not later than 60 days after submission of the President’s budget for fiscal year 2022, NOAA is directed to brief the Committees on the research priorities of the Northwest Fisheries Science Center and the prospect of expanding research to include monitoring fall Chinook salmon and steelhead mortality from marine mammals.

*Mitchell Act.*—The agreement rejects the proposed reduction and provides not less than \$22,000,000 for Mitchell Act mitigation hatchery programs, in recognition of the important cultural, ecological, and economic benefits that these programs provide for the people of the Columbia River Basin. NOAA is directed to continue genetic stock identification for salmon recovery and management.

*Interstate Marine Fisheries Commissions.*—Within the amount provided for Regional Councils and Fisheries Commissions, no less than \$1,850,000 shall be for the three Interstate Marine Fisheries Commissions.

*Northeast Lobster Enforcement.*—Within Enforcement, the agreement includes no less than \$750,000 for NMFS, in partnership with the relevant States, Joint Enforcement Agreement partner agencies, and the Atlantic States Marine Fisheries Commission, to establish a pilot cooperative offshore lobster enforcement program. The program shall endeavor to establish multi-year contracts with commercial vessels, which are not participating in the lobster fishery but are capable of hauling deep-set gear, to carry law enforcement officials to oversee inspection of offshore lobster gear. As part of the establishment of the program, NMFS shall consider (1) implementing measures to increase the tracking of vessels participating in the offshore lobster fishery and (2) how the resulting increase in enforcement and/or any enforcement actions (e.g., seizure of illegal gear) could count towards risk-reduction under the North Atlantic right whale take reduction program. NMFS shall report to the Committees in writing on the status of the

program, beginning not later than 180 days after enactment of this Act, and every 90 days thereafter until the program is established.

*Report on Illegal, Unreported, and Unregulated (IUU) Fishing.*—In lieu of House language requesting a report on IUU enforcement and seafood traceability, NMFS is directed to provide a report, within 90 days of enactment of this Act, that summarizes ongoing efforts to prevent the importation of seafood harvested through IUU fishing and address imported seafood fraud. The report should include the following: (1) the volume and value of seafood species subject to the Seafood Import Monitoring Program (SIMP) imported during fiscal year 2020; (2) the enforcement activities carried out under SIMP; (3) the percentage of import shipments subject to SIMP selected for inspection or audit; (4) the number of instances of noncompliance with the SIMP requirements; (5) the seafood species in which such noncompliance were found to be the most prevalent; and (6) such other information that NMFS considers appropriate with respect to SIMP monitoring and enforcing compliance.

*Definition of Illegal, Unreported, and Unregulated Fishing.*—Not later than 90 days after enactment of this Act, NOAA shall revise existing regulations defining IUU fishing, provided in 50 C.F.R 300.201, to be consistent with the definition codified in section 3532(6) of Public Law 116–92.

*Habitat Conservation and Restoration.*—Within Habitat Conservation and Restoration, NOAA is encouraged to include a broader ecosystem-based management philosophy; expand criteria to include recreational species, managed commercial species, and forage species; and prioritize proposals that engage local communities. NOAA should also continue to emphasize the value of partnerships when evaluating grant applications.

*Oyster Restoration.*—The agreement provides \$250,000 above the fiscal year 2020 enacted level within Habitat Conservation and Restoration to support oyster restoration in the Chesapeake Bay.

*Marine National Monuments.*—The Offices of Habitat Conservation and Protected Resources are encouraged to support competitive research and management grants for existing marine national monuments off of the continental United States administered by NMFS, provided such grants are subject to a 100 percent non-Federal match.



Office of Oceanic and Atmospheric Research (OAR).—\$570,590,000 is for OAR Operations, Research, and Facilities.

OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH

OPERATIONS, RESEARCH, AND FACILITIES

(in thousands of dollars)

Program	Amount
<b>Climate Research</b>	
Climate Laboratories and Cooperative Institutes.....	\$75,500
Regional Climate Data and Information.....	42,500
Climate Competitive Research.....	64,000
<b>Climate Research.....</b>	<b>182,000</b>
<b>Weather and Air Chemistry Research</b>	
Weather Laboratories and Cooperative Institutes.....	85,500
U.S. Weather Research Program.....	26,500
Tornado Severe Storm Research / Phased Array Radar.....	14,382
Joint Technology Transfer Initiative.....	13,000
<b>Weather and Air Chemistry Research.....</b>	<b>139,382</b>
<b>Ocean, Coastal, and Great Lakes Research</b>	
Ocean Laboratories and Cooperative Institutes.....	36,500
National Sea Grant College Program.....	75,000
Sea Grant Aquaculture Research.....	13,000
Ocean Exploration and Research.....	43,000
Integrated Ocean Acidification.....	15,500
Sustained Ocean Observations and Monitoring.....	45,408
National Oceanographic Partnership Program.....	3,000
<b>Ocean, Coastal, and Great Lakes Research.....</b>	<b>231,408</b>
<b>High Performance Computing Initiatives.....</b>	<b>17,800</b>
<b>Total, Office of Oceanic and Atmospheric Research, Operations, Research, and Facilities.....</b>	<b>\$570,590</b>

The agreement adopts House direction and funding for Atmospheric Baseline Observatories as well as House language and an increase of \$2,500,000 above the fiscal year

2020 enacted level for the Regional Integrated Sciences and Assessments program. Further, the agreement encourages NOAA to increase collaboration with the Department of Energy in its climate research and modeling efforts, including, as appropriate, the sharing of resources and the exchange of detailees, in order to minimize the duplication of efforts and to increase the cross pollination of ideas and research.

*Earth's Radiation Budget.*—The agreement adopts House language and provides \$9,000,000 for Earth's Radiation Budget, and directs OAR to coordinate this work with the National Aeronautics and Space Administration (NASA), as appropriate.

*VORTEX-USA.*—The agreement provides \$7,500,000 to initiate the implementation of a tornado warning improvement and extension program as authorized in the Weather Research and Forecasting Innovation Act of 2017 (Public Law 115–25), and to be known as VORTEX-USA. In developing the program plan and annual budget, as authorized by Public Law 115–25, OAR shall consider all options across the technology readiness scale to reduce the loss of life and economic damage caused by tornadoes, including expanding atmospheric observations, advancing radar technology, and improving the delivery of actionable weather information, and shall include as part of the program plan quantitative goals for improving the prediction of tornadoes by which the Committees can measure the success of any investments. The VORTEX-SE program shall continue and be closely coordinated with this broader initiative, and, within these funds, the agreement provides an increase of no less than \$2,000,000 above the fiscal year 2020 level to expand the VORTEX-SE efforts.

*U.S. Weather Research Program (USWRP).*—The agreement rejects the proposal to cut base funding for USWRP. Within the funding provided for USWRP, no less than \$13,000,000, an increase of \$5,000,000 above the fiscal year 2020 enacted amount, is included for the Earth Prediction Innovation Center (EPIC) and House language on EPIC is adopted. Further, NOAA is expected to finalize and award the EPIC contract in fiscal year 2021, and continue building the community-based infrastructure so that participants can utilize external compute resources, including cloud technologies, to interface with the agency. It is also expected that NOAA will continue to centralize available observations used in operational models in a publicly accessible manner by leveraging cloud technology within the EPIC infrastructure.

Within funding for USWRP, the agreement provides \$1,000,000 to support external opportunities with academic institutions in promising areas of weather-related research that may advance NOAA's mission and benefit society, including infrasonic monitoring methods of violent weather.

*National Sea Grant College Program.*—The agreement provides \$75,000,000 for the National Sea Grant College Program, including an increase of \$2,500,000 as compared to the fiscal year 2020 enacted level for the base program that funds universities in States around the country.

*Fisheries-Related Research.*—The agreement includes \$2,500,000 within Sea Grant to fully fund the project initiated in fiscal year 2020 to develop agency-independent estimates of the abundance of greater amberjack in the Gulf of Mexico. Within the funding provided, the Committee also encourages Sea Grant to establish a regional extension initiative for Gulf of Mexico reef fish.

*American Lobster Research.*—Within funding for the Sea Grant program, the agreement provides \$2,000,000 for American lobster research as directed in Public Law 116–93.

*Green Infrastructure.*—The agreement provides \$500,000 for the Sea Grant program to partner with local, regional, and State governments, as well as with non-governmental organizations, to research innovative techniques and use of low-impact development and green infrastructure practices to mitigate runoff from developed lands that contribute to nutrient-driven cyanobacteria blooms, and otherwise pollute freshwater aquatic systems, especially large lakes.

*Contaminants of Emerging Concern.*—The agreement provides \$500,000 within the Sea Grant program to partner with State agencies and academic institutions to research and monitor contaminants of emerging concern that may cause ecological or human health impacts, including PFAS, in coastal and estuarine waters.

*Microfiber Research.*—The Sea Grant program is encouraged to support interdisciplinary research on the impact of microfiber pollution on aquatic environments that leverages public-private partnerships and focuses on identifying and characterizing microfibers in textile products, as well as determining their impact on aquatic environments and species.

agreement

*Sea Grant Aquaculture Research.*—The agreement provides \$13,000,000 for Sea Grant Aquaculture Research. NOAA is directed to support marine aquaculture research and development in partnership with universities, including with Historically Black Colleges and Universities and Tribal Colleges and Universities. Similar research efforts have led to beneficial outcomes such as the development and commercialization of new technologies to meet the domestic demand for seafood, including finfish, shrimp, and oysters.

*Ocean Exploration and Research.*—The Committee provides \$43,000,000 for Ocean Exploration and Research. Within the funding provided, OAR is directed to accelerate efforts to map and characterize America’s Exclusive Economic Zone and Extended Outer Continental Shelf, including by maximizing the amount of funding provided for the Ocean Exploration Cooperative Institute and supporting competitive awards for deep ocean acoustic research. NOAA is also encouraged to work with the Department of Defense and other relevant agencies to continue fundamental ocean exploration in which open source data are collected for the oceanographic community and private industries in real-time through telepresence technology.

*National Weather Service (NWS).*—\$1,100,776,000 is for NWS Operations, Research, and Facilities.

NATIONAL WEATHER SERVICE

Operations, Research, and Facilities

(in thousands of dollars)

Program	Amount
Observations.....	\$231,910
Central Processing.....	97,980
Analyze, Forecast and Support.....	537,000
Dissemination.....	78,362
Science and Technology Integration.....	155,524
Total, National Weather Service, Operations, Research, and Facilities.....	\$1,100,776

The agreement does not adopt House language on Data Sharing for Integrated Global Observing System and Global Basic Observing Network and includes up to \$1,000,000 for Ship

Observation Data Buys. For fiscal year 2021, NWS shall follow prior year direction regarding NWS Staffing in Alaska adopted in Public Law 116–93.

*NEXRAD Coverage.*—NOAA is directed to provide the Committees with a follow-up briefing with personnel from NWS and OAR to discuss best options and cost requirements of further supplementing the NEXRAD system with additional sources of observations regularly used by forecasters to predict severe weather in absence of complete radar coverage.

*National Data Buoy Center (NDBC).*—The agreement provides sufficient funding to maintain, at a minimum, NDBC operations at 80 percent data availability. NOAA is directed to provide adequate funding to support maintenance and service of the Tropical Atmosphere/Ocean Array and Deep Ocean Assessment and Reporting of Tsunamis Array across the equatorial Pacific, recognizing the importance of ensuring full tsunami prediction capacity. As part of the fiscal year 2021 spending plan, NOAA shall include a schedule to restore existing data buoy operability, including buoys damaged by hurricanes in calendar year 2020, and its strategy to minimize outages in the future.

*National Mesonet Program.*—The agreement provides no less than \$22,200,000, an increase of \$2,000,000 above the fiscal year 2020 enacted level, for the continuation and expansion of the National Mesonet Program. Of the funds provided, up to \$750,000 may be used for Meteorological Assimilation Data Ingest System activities, and up to \$500,000 may be used for costs associated with the National Mesonet Program Office.

The National Mesonet Program is encouraged to proactively work with other Federal agencies, including the National Science Foundation and the U.S. Geological Survey, to identify observations and platforms of opportunity in areas with sparse instrumentation that may be transferred to the National Mesonet Program. Further, the National Mesonet Program is encouraged to establish a profiler research testbed, using existing profiler networks that provide statewide observational capability, to use advanced technologies to sample the weather in the atmospheric boundary layer. NWS is directed to provide a briefing to the Committees about how such a profiler research testbed could be established.

*Automated Surface Observing System (ASOS).*—NWS is directed to ensure that rural and remote communities who disproportionately rely on ASOS operability for continued reliable air

service are provided with additional resources, such as trained human observers, to continue observing capabilities in the event of an ASOS outage.

*Climate Prediction Center.*—NWS is directed, through the Climate Prediction Center, to engage with State agencies, non-profit organizations, academic institutions, and the general public in rural areas in the Mid-Atlantic United States that due to changes in climate have seen unseasonable and unexpected drought in order to improve drought monitoring and reporting.

*Analyze, Forecast, and Support (AFS).*—The agreement provides an increase of \$22,500,000 above the fiscal year 2020 enacted level for AFS and directs NWS to use the increased funding to reconcile previous year funding gaps and prioritize filling vacancies in currently understaffed weather forecast offices.

*Environmental Processes in the Arctic.*—Within the funding provided for AFS, the National Centers for Environmental Prediction is encouraged to develop capacity for seasonal to multiannual timescale predictions of environmental processes in the Arctic.

*Tsunami Warning Program.*—The agreement rejects NWS's proposed cut to the Tsunami Warning Program, including for the National Tsunami Hazard Mitigation program grants. Funding is provided at no less than \$500,000 above the fiscal year 2020 enacted level to ensure that high-quality tsunami watches, warnings, and advisories are issued to safeguard lives and property. NWS is directed to expeditiously fill the current vacancies.

*Tsunami Preparedness in Alaska.*—NOAA is directed to work with other relevant Federal agencies, the State of Alaska, local governments, and area stakeholders to actively monitor Barry Glacier in Prince William Sound, Alaska, and tailor, as needed, its early warning tsunami systems to be prepared for a possible landslide-induced tsunami in the area. This effort should include, if appropriate, the deployment of sensors in strategic locations and the development of inundation models to inform emergency planning efforts.

*Report on Weather Research Priorities.*—In lieu of House language on a Weather Decadal, the agreement directs NOAA's Science Advisory Board to publish a report, not later than one year after enactment of this Act, that provides policymakers with the relevant information necessary to prioritize investments in weather forecasting, modeling, data assimilation, and supercomputing over the next ten years; and that evaluates future potential

Federal investments in science, satellites, radars, and other observation technologies, to include surface and boundary layer observations, so that all domestic users of weather information can receive data in the most efficient and effective manner possible.

*Office of Water Prediction (OWP).*—The agreement provides no less than \$34,500,000 for OWP, which receives funding across multiple NWS budget lines, and rejects the proposed decrease for OWP within AFS. The agreement maintains the direction adopted in previous fiscal years for NWS to continue to expedite hiring within the National Water Center (NWC) Water Prediction Operations Division and reach full operating capability no later than the end of fiscal year 2022. NOAA shall also continue to transition OWP personnel from other offices to the NWC, as deemed necessary to improve effectiveness and efficiency. Within 45 days of enactment of this Act, NOAA is directed to provide the Committees with an updated staffing plan for the NWC.

The agreement also provides no less than the fiscal year 2020 enacted level to continue to expedite development of the National Water Model and other next-generation water modeling capabilities, and directs NWS to continue to expeditiously transition the water resources prediction capabilities developed by OWP, including flood inundation mapping products, into operations.

*Hydrology and Water Resource Programs.*—The agreement recognizes that the clear, present, and increasing threat of water-related hazards demands an increased commitment to and investment in water-related research and development to better support NOAA's existing and growing water-related operational services. Therefore, the agreement includes no less than \$15,000,000 (\$14,000,000 within NWS, Science Technology and Integration; and \$1,000,000 within NOS, Coastal Science and Assessment) for NWS, in collaboration with NOS, to establish a new NOAA Cooperative Institute (CI), by no later than the end of fiscal year 2021, which is to focus solely on helping NOAA address the Nation's growing water-related challenges. The proposed CI should leverage talent and diversity from multiple universities to lead an interdisciplinary, systems-based research approach from mountains to tributaries, lakes and rivers, and ultimately to the coasts that will seed new and improved operational services for NOAA by improving our current understanding of the water cycle and our ability to observe and predict it. The CI shall deliver expertise and resources in the following areas of emphasis:

hydroinformatics and community water resources modeling; geographic information systems and remote sensing, including snow depth and soil moisture; coastal inundation modeling and forecasting in collaboration with NOS; data assimilation; computational science and high performance computing; artificial intelligence; and machine learning. The proposed CI shall also prioritize the cultivation of the next-generation of water resources scientists and engineers who will be needed to tackle the grand challenges of 21st century water resources. NOAA should encourage and prioritize submissions from applicants that can demonstrate established collaboration with NOAA's water research programs, led by the National Water Center, as well as those of other pertinent Federal partners, principally the U.S. Geological Survey and Federal Emergency Management Agency.

*Dissemination.*—The agreement provides \$78,362,000 for Dissemination which shall be used to cover adjustments to base and other mission-critical costs, including those needed to further strengthen and advance the NWS integrated dissemination platform.

*National Environmental Satellite, Data and Information Service (NESDIS).*—\$291,533,000 is for NESDIS Operations, Research, and Facilities.



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

**OPERATIONS, RESEARCH, AND FACILITIES**

(in thousands of dollars)

Program	Amount
<b>Environmental Satellite Observing Systems</b>	
Office of Satellite and Product Operations.....	\$189,099
Product Development, Readiness and Application.....	28,434
Office of Space Commerce.....	10,000
U.S. Group on Earth Observations .....	500
<b>Environmental Satellite Observing Systems.....</b>	<b>228,033</b>
<b>National Centers for Environmental Information.....</b>	<b>63,500</b>
<b>Total, National Environmental Satellite, Data and Information Service, Operations, Research, and Facilities.....</b>	<b>\$291,533</b>

The agreement adopts the proposed technical transfers to the Office of Satellite and Product Operations, moving operations funded within Cooperative Data and Rescue Services, Satellite Ground Services, and the Office of Projects, Planning and Analysis from Procurement, Acquisition and Construction to Operations, Research, and Facilities. The agreement clarifies House language that Regional Climate Services is provided no less than \$7,000,000, which includes no less than \$4,600,000 for Regional Climate Centers.

*Space Commerce.*—The agreement approves the request to merge the Office of Commercial Remote Sensing Regulatory Affairs and the Office of Space Commerce (OSC) and provides \$10,000,000 for OSC, which on balance is \$5,900,000 above the fiscal year 2020 enacted level. Within the funding provided, the agreement directs NESDIS and OSC to initiate a space traffic management (STM) pilot program, in collaboration with industry, the Department of Defense, the Federal Aviation Administration, NASA, and other Federal partners, as appropriate, to develop STM technical prototypes, initiate an open architecture data repository, and perform STM demonstrations and experiments. Within 45 days of enactment of this Act,

NESDIS shall provide the Committees with a detailed spending plan for the funding provided to OSC.

*Mission Support.*—\$302,845,000 is for Mission Support Operations, Research, and Facilities.

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

Program	Amount
Mission Support Services	
Executive Leadership.....	27,078
Mission Services and Management.....	156,000
IT Security.....	15,378
Payment to the DOC Working Capital Fund.....	66,389
Facilities Maintenance and Capital Improvements.....	5,000
	269,845
Office of Education	
BWET Regional Programs.....	7,750
José E. Serrano Educational Partnership Program with Minority Serving Institutions.....	20,000
NOAA Education Program Base.....	5,250
	33,000
Office of Education.....	33,000
	\$302,845
Total, Mission Support, Operations, Research, and Facilities.....	\$302,845

*Sexual Assault and Sexual Harassment (SASH).*—The agreement directs NOAA to continue implementing NOAA Administrative Order (NAO) 202–1106 on sexual assault and sexual harassment prevention and provides \$2,000,000 within Mission Services and Management for this purpose. The agreement further encourages the use of carryover funds to expedite the hiring of staff to carry out this work. NOAA shall continue to provide the Committees with a copy of the report required under Section 12.02 of NOAA Administrative Order 202–1106.

*NOAA Diversity and Inclusion.*—NOAA is directed to take discrete steps to promote racial and cultural acceptance and diversity within its workforce. No later than 180 days after enactment of this Act, NOAA is directed to submit a report analyzing the current racial and cultural makeup of the agency; planned efforts to recruit, retain, and advance applicants and employees critical to promoting greater racial and cultural diversity, and the outcomes of these efforts; and any additional steps and recommendations planned to promote greater racial and cultural acceptance and diversity throughout the NOAA workforce, including the development and analysis of metrics to evaluate success.

*Workforce Succession Planning.*—NOAA is directed to provide the Committees, no later than 270 days after enactment of this Act, a report that details: (1) the age composition of NOAA's workforce, to include an assessment of the percentage of staff by line office that are currently retirement eligible or will be within the next five fiscal years; (2) a summary of the agency's current workforce succession plans, including any relevant documentation; and (3) any challenges to succession planning that could be remedied through legislation.

*Facilities Maintenance and Capital Improvements.*—Within Mission Support, the agreement includes \$5,000,000 in a new PPA, Facilities Maintenance and Capital Improvements, which is to be administered by the Office of the Chief Administrative Officer to address the growing backlog of deferred maintenance and capital improvement needs at NOAA facilities. Before any of these funds may be obligated, NOAA is directed to provide the Committees with a detailed spending plan that explains what projects will be supported with the provided funding, as well as a prioritized list of the backlog of needed facilities repair, improvement, and maintenance projects. NOAA is encouraged to minimize, to the extent practicable, the amount of funds withheld for administrative expenses.

*NOAA Environmental Security Computing Center (NESCC).*—Within funding provided for Facilities Maintenance and Capital Improvements, NOAA shall consider making necessary upgrades to the NESCC to support future compute needs. Additionally, NOAA, in coordination with the General Services Administration, is encouraged to execute a cost benefit analysis to determine the merit of potentially acquiring the facility.

*Office of Marine and Aviation Operations (OMAO).*—\$253,665,000 is for OMAO 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.....	\$166,000
Aviation Operations and Aircraft Services.....	32,000
Autonomous Uncrewed Technology Operations.....	13,665
NOAA Commissioned Officer Corps.....	42,000
Total, Office of Marine and Aviation Operations, Operations, Research, and Facilities.....	\$253,665

For fiscal year 2021, OMAO is directed to follow prior year language on Charter Vessels adopted by Public Law 116–93.

*Funding for the NOAA Commissioned Officer Corps.*—The agreement accepts the administration’s budget proposal to consolidate OMAO funding for the NOAA Commissioned Officer Corps and its supporting functions into a single PPA, as is reflected in the preceding table. In so doing, funding has been transferred from Marine Operations and Maintenance, Aviation Operations and Aircraft Services, and Autonomous Uncrewed Technology Operations to the new PPA. However, on balance, the amount provided for OMAO represents a \$9,250,000 increase above the fiscal year 2020 enacted level.

*Mitigating Hi ‘ialakai Operations.*—It is noted that even before OMAO operations were disrupted in 2020, no coverage was to be provided in fiscal year 2020 to assess emerging threats to marine national monuments in the Pacific administered by NOS. OMAO is directed to submit a report on its plan to ensure adequate ship time for this mission no later than 90 days after enactment of this Act.

*Monitoring of Atmospheric Rivers.*—The agreement provides no less than \$1,500,000 within Aviation Operations and Aircraft Services to better observe and predict atmospheric rivers and encourages the use of unexpended funds for this purpose from fiscal year 2020 to increase atmospheric rivers observations.

*Pilot Recruitment and Training*.—The agreement directs OMAO to continue programs to recruit and train pilots for service in the NOAA Commissioned Officer Corps, and provides up to the fiscal year 2020 enacted amount for this purpose.

*High Altitude Hurricane Hunter Aircraft Back-up*.—The agreement supports efforts by NOAA and NASA to establish a memorandum of agreement (MOA) for the NASA Gulfstream-V to serve as a back-up to the NOAA Gulfstream IV-SP Hurricane Hunter aircraft. The Committee expects NOAA and NASA to formalize an MOA as soon as possible, but not later than 90 days after enactment of this Act.

*Autonomous and Uncrewed Technology Operations (AUTO)*.—The agreement provides \$13,665,000 for AUTO, as authorized by the Commercial Engagement through Ocean Technology Act (Public Law 115–394). Within the funds provided, up to \$5,000,000, an increase of \$1,000,000 above the fiscal year 2020 enacted level, may be used to establish and support extramural partnerships for unmanned maritime systems research, development, testing, and training, including any legacy projects previously supported by the Unmanned Aircraft Systems Program Office or the Autonomous Underwater Vehicle Demonstration Testbed. Further, the agreement also provides up to \$3,000,000 to continue data acquisition from unmanned maritime systems (UMS), as defined within Public Law 115–394, as well as for cooperative, competitive research and development of UMSs that can serve as a cost-effective augmentation for relevant research missions and fisheries data collection.

In executing the AUTO program, OMAO is encouraged to continue to coordinate with IOOS regarding use of underwater gliders and leverage partnerships with universities, oceanographic institutions, and other Federal agencies, especially the Naval Meteorology and Oceanography Command and the Naval Undersea Warfare Center.

*2021 Hurricane Hunter Flight Hours*.—The agreement includes an additional \$2,000,000 within Aviation Operations and Aircraft Services to fund additional hurricane flight hours in fiscal year 2021. There is concern that OMAO's annual aircraft budgeting and scheduling processes are not accounting for the actual annual requirements of the hurricane reconnaissance mission, evidenced by the fact that in each of the three previous fiscal years OMAO has vastly exceeded the number of hours allocated for hurricane reconnaissance on its WP-3D Orion aircraft. Therefore, OMAO is directed to brief the Committees, not later than 90 days after

enactment of this Act, on its annual aircraft budgeting and scheduling processes and shall include as part of its fiscal year 2022 budget the number of flight hours supported on each aircraft type within the fleet.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

The agreement includes a total program level of \$1,545,558,000 in direct obligations for NOAA Procurement, Acquisition and Construction (PAC), of which \$1,532,558,000 is appropriated from the general fund and \$13,000,000 is derived from recoveries of prior year obligations. The following narrative and table identify the specific activities and funding levels included in this Act:

## PROCUREMENT, ACQUISITION AND CONSTRUCTION

(in thousands of dollars)

Program	Amount
<b>National Ocean Service</b>	
National Estuarine Research Reserve Construction.....	\$4,500
Marine Sanctuaries Construction.....	4,000
Total, NOS – PAC.....	8,500
<b>Office of Oceanic and Atmospheric Research</b>	
Research Supercomputing / CCRI.....	43,500
<b>National Weather Service</b>	
Observations.....	15,700
Central Processing.....	68,000
Dissemination.....	9,934
Facilities Construction and Major Repairs.....	10,000
Total, NWS – PAC.....	103,634
<b>National Environmental Satellite, Data and Information Service</b>	
Geostationary Systems – R.....	334,500
Polar Weather Satellites.....	657,835
Cooperative Data and Rescue Services.....	14,400
Space Weather Follow On.....	108,115
COSMIC 2 / GNSS RO.....	5,892
Satellite Ground Services.....	39,287
Projects, Planning, and Analysis.....	15,945
Geostationary Earth Orbit.....	10,000
Systems / Services Architecture and Engineering.....	38,500
Satellite CDA Facility.....	2,450
Total, NESDIS – PAC.....	1,226,924
<b>Mission Support</b>	
NOAA Construction.....	43,000
<b>Office of Marine and Aviation Operations</b>	
Fleet Capital Improvements and Technology Infusion.....	25,000
Vessel Recapitalization and Construction.....	75,000
Aircraft Recapitalization and Construction.....	20,000
Total, OMAO – PAC.....	120,000
Total, Procurement, Acquisition and Construction.....	\$1,545,558

*Judgment Fund Repayment.*—The agreement does not provide funding for NOAA to make payments to the Department of Treasury Judgment Fund.

*Research Supercomputing.*—Within funding provided for Research Supercomputing / CCRI, \$15,000,000 shall be used to continue to develop a dedicated high performance computing facility in collaboration with partners that have existing high performance computing expertise and scientific synergies.

*National Weather Service.*—The agreement includes the requested amount for NWS Observations to continue the Next Generation Weather Radar and the ASOS Service Life Extension Programs as planned.

*Integrated Water Prediction.*—The agreement provides an increase of \$1,239,000 above the fiscal year 2020 enacted level for Central Processing under NWS PAC, which includes not less than \$5,739,000 to procure operational high performance computing resources to enable modeling improvements associated with the IWP initiative. With the increased computing resources, the agreement encourages the prioritization of work by NOS, in collaboration with NWS, on IWP and coastal inundation.

*Systems / Services Architecture and Engineering (SAE).*—The agreement accepts the proposed transfer from the Office of Projects, Planning, and Analysis into SAE. No less than \$2,700,000 is provided for Joint Venture Partnerships with NASA and the commercial sector to leverage emerging capabilities for NOAA's operational use.

The agreement also provides not less than \$4,000,000 above the fiscal year 2020 enacted level for the commercial data purchase and commercial weather data pilot programs, which is to be divided between the two programs as deemed appropriate.

*Geostationary Earth Orbit (GEO).*—The agreement approves the administration's proposal to create a GEO PPA and has transferred \$10,000,000 from SAE to fund this activity. This funding shall be used to support the start of the GEO Phase A mission concept and technology development activities, including the continuity missions to follow the Geostationary Systems-R series and Space Weather Follow On programs. These activities may include low-cost sensors and CubeSats to advance existing space weather measurement capabilities. Further,



NOAA is encouraged to coordinate with NASA to ensure its space weather research is applicable and can be transitioned to NOAA's space weather operations.

*Satellite Ground Services.*—The agreement provides the requested amount for Satellite Ground Services, including no less than \$5,000,000 for Data-source Agnostic Common Services to utilize data and observations from an increasingly diverse array of partner and commercial systems.

*NOAA Construction.*—The agreement provides \$43,000,000 for NOAA's highest priority facilities construction, repair, and deferred maintenance requirements. Thirty days before obligating any funds, NOAA shall submit a report detailing how the funds will be expended and an explanation of why these projects were prioritized. NOAA is directed to prioritize funding for infrastructure projects related to marine operations, including facilities to accommodate NOAA research vessels.

There is significant concern that several NMFS laboratories will soon be unable to perform basic scientific functions, given the age of the infrastructure, state of disrepair, and changing physical environments in which they are located. NOAA is therefore encouraged to commence a competitive solicitation process for proposals from academic and nonprofit partners to co-locate NMFS laboratories, as a means of leveraging research efforts and enhancing scientific capabilities.

*Vessel Deferred Maintenance and Technology Infusion.*—The funding provided above the request for Fleet Capital Improvements and Technology Infusion shall be for deferred maintenance and technology infusion to transition to a progressive maintenance model.

*NOAA Ship Ronald H. Brown.*—The agreement reiterates House language expressing frustration over the omission of a request for funding in the fiscal year 2021 President's budget request for the midlife maintenance period for NOAA Ship *Ronald H. Brown*. Maintaining a safe and capable fleet of vessels is a NOAA mission requirement and it is expected that DOC and NOAA will make this ~~is~~ a top priority in future budget requests. Not later than 90 days after enactment of this Act, OMAO shall develop and brief the Committees on a plan to allocate funds from within Vessel Recapitalization and Construction to commence the midlife maintenance period for NOAA Ship *Ronald H. Brown*.

*Mission Requirement Costs.*—NOAA is directed to document within all of its future budget requests any unfunded mission requirement costs, and particularly those that are necessary to maintain the optimal operational tempo of NOAA assets and posture of NOAA facilities.

*Buy American Provisions.*—NOAA shall follow prior year direction adopted in Public Law 116–93 regarding Buy American provisions related to marine vessels and marine vessel components. NOAA shall report to the Committees about how this direction has been reflected in current acquisition documents and how it will be incorporated in the Fleet Recapitalization Plan no less than 90 days after enactment of this Act.

*Aircraft Recapitalization.*—The agreement provides \$20,000,000 to finalize the procurement and modifications of a suitable replacement for the Gulfstream IV–SP Hurricane Hunter aircraft.

*Acquisition and Construction Cost Estimation.*—The agreement notes with exasperation the continuing trend of NOAA underestimating the costs of major acquisition and construction projects. As such, the agreement directs GAO to conduct an audit, as soon as possible, of NOAA’s internal cost estimation procedures to include (1) a review of the extent to which NOAA’s cost estimation procedures align with best practices in GAO’s Cost Estimating and Assessment Guide, (2) ways in which NOAA can increase the reliability of cost estimates, and (3) specific NOAA projects or components of the NOAA cost estimation process that should be subject to regular oversight by the DOC Office of Inspector General.

#### PACIFIC COASTAL SALMON RECOVERY

The agreement includes \$65,000,000 for the Pacific Coastal Salmon Recovery Fund (PCSRF) and directs that funds will be available to Tribes without a matching requirement. NOAA is directed to report on how its current priorities meet the intent of the PCSRF to support the recovery and protection of all declining salmon stocks.

#### FISHERMEN’S CONTINGENCY FUND

The agreement includes \$349,000 for the Fishermen’s Contingency Fund.

## FISHERIES FINANCE PROGRAM ACCOUNT

The agreement includes 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 agreement includes \$73,000,000 for Departmental Management (DM) salaries and expenses. The Department is expected to spend within its appropriated amounts.

For fiscal year 2021, the Department is directed to follow prior year report language, included in Senate Report 116–127 and adopted by Public Law 116–93, on Small Business Innovation Research, Rare Earth Elements Manufacturing Cooperative, and Working Capital Funds. House report language regarding Artificial Intelligence (AI) Talent is modified to clarify that these efforts shall be led by NIST, in accordance with House language for NIST on U.S. Leadership in AI.

*Staffing Report.*—The Chief Financial Officer and the Chief Human Capital Officer of the Department shall continue to provide quarterly briefings to the Committees on all Department-wide human capital issues, to include: a list of funded vacancies, by bureau, type, and location, including the length of time the positions have been vacant; a plan and explanation for addressing each vacancy, including a target for when the vacancy will be filled; and other relevant topics as appropriate.

*Salary Lapse.*—The Department is directed to provide a detailed accounting of the amounts projected in salary lapse in its fiscal year 2021 spend plan with an explanation of how all anticipated balances will be spent for each component. The Department is directed to provide this information by line offices within NOAA that have a greater than 10 percent vacancy rate as of September 30, 2020. The Department is advised that any amounts insufficiently justified to either augment staff vacancies or support mission critical functions will be considered for rescission in fiscal year 2022.

*Department of Commerce Working Capital Fund.*—As part of the fiscal year 2022 budget request, the Department is directed to provide justification that clearly articulates why each Advancements and Reimbursements account and Working Capital Fund project administered by the Office of Acquisition Management, Office of Budget, Office of the Chief

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Financial Officer and Assistant Secretary for Administration, and Chief of Staff should continue to be funded through the Department of Commerce Working Capital Fund.

*Scientific Integrity Policy.*—~~The Committees~~ are alarmed by the findings of the National Academy of Public Administration (NAPA) investigation titled “An Independent Assessment of Allegations of Scientific Misconduct.” The NAPA investigation found that NOAA officials violated the NOAA Scientific Integrity Policy (NOAA Administrative Order 202–735d), specifically the Code of Ethics for Science Supervision and Management, in its issuance of a statement rebuking NWS meteorologists regarding Hurricane Dorian forecasts on September 6, 2019. The NAPA investigation and a similar Inspector General investigation, “Evaluation of NOAA’s September 6, 2019, Statement About Hurricane Dorian Forecasts” (OIG–20–032–1), both note the role that Department officials played in the development and release of the statement. However, Department officials are not bound by NOAA’s Scientific Integrity Policy. Therefore, the Department is directed to develop a Department-wide Scientific Integrity Policy. The Department Policy should draw upon, but not interfere with, the NOAA Scientific Integrity Policy and ensure that bona fide scientific evidence and results can be presented absent political interference or censorship.

*Section 232 Exclusion Process.*—The agreement continues to provide funding for the ongoing exclusion process for steel and aluminum tariffs applied under section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862), including no less than \$7,000,000 within BIS and \$1,500,000 within DM, and up to \$8,000,000 within ITA. If additional funding for the exclusion process becomes necessary, the Department shall report to the Committees at least 15 days prior to the obligation of funds above the totals specified herein. The Department is directed to exhaust all available options to ensure section 232 activities are funded without causing disruption to component operational needs or trade enforcement priorities previously highlighted in the agreement. Additionally, the Department should ensure section 232 activities are appropriately funded in future year budget requests and clearly show both current services and program increases anticipated to support the program.

*Improving Trade Data Reporting.*—The Department is directed, in coordination with U.S. Customs and Border Protection, U.S. International Trade Commission, and other relevant agencies, to review and compare methodologies for collecting and publishing gross trade flows

data and detailed supply chain data to better document the country of origin for components of each imported good before it reaches U.S. consumers.

#### RENOVATION AND MODERNIZATION

The agreement includes a total of \$1,123,000 for the Renovation and Modernization account. For fiscal year 2021, the Department is directed to follow prior year report language included in Senate Report 116–127 and adopted by Public Law 116–93 under this heading.

#### NONRECURRING EXPENSES FUND

The agreement includes \$20,000,000 for the Department of Commerce Nonrecurring Expenses Fund to continue phase one of the financial management and business information technology modernization. The Department is directed to provide an updated 5-year budget profile for this project as part of the fiscal year 2022 budget request.

#### OFFICE OF INSPECTOR GENERAL

The agreement includes a total of \$43,556,000 for the Office of Inspector General (OIG). This amount includes \$34,000,000 in direct appropriations, a \$2,000,000 transfer from USPTO, a transfer of \$3,556,000 from the Bureau of the Census, Periodic Censuses and Programs, and \$2,000,000 from NOAA PAC for audits and reviews of those programs. In addition, \$2,000,000 is derived from the Public Safety Trust Fund for oversight of FirstNet.

The agreement directs the OIG to continue its oversight work on cybersecurity, NOAA satellite and vessel procurements, telework, patent quality, the 2020 Decennial Census, the business application system modernization. Further, the OIG is directed to continue assessing all of the working capital funds within the Department to evaluate the budgetary controls in place to develop reimbursement formulas, the relationship of reimbursements to client services; the appropriateness of the level of fund balances, and compliance with appropriations law and direction. As part of this assessment, the Inspector General shall pay particular attention to the increasing amounts of funding needed to support the Department's Office of General Counsel (OGC), including the justification and metrics for how such funding is being levied against each agency and, reciprocally, how the agencies account for the services they receive from the OGC. The agreement also recommends the OIG investigate the growth and utilization of the

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Department's cash balances in its Working Capital Fund and the quality of services provided to the customers.

## GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

### (INCLUDING TRANSFER OF FUNDS)

The agreement includes 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 Department of Commerce salaries and expenses 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 15 days advance notification to the Committees on Appropriations for certain actions.

Section 104 provides congressional notification requirements for NOAA satellite programs and includes life cycle cost estimates for certain weather 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 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 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 services.

Section 109 allows NOAA to be reimbursed by Federal and non-Federal entities for performing certain activities.

Section 110 provides the Economics and Statistics Administration certain authority to enter into cooperative agreements.

Section 111 removes the requirement for matching funds for amounts provided in this Act through the Manufacturing Extension Partnership.

Section 112 allows the Secretary of Commerce to waive the cost sharing requirements for funds provided in this Act under sections 306 and 306A of the Coastal Zone Management Act of 1972.

Section 113 provides transfer authority for the Bureau of the Census to fund facilities renovation and reconfiguration projects.

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**TITLE II**  
**DEPARTMENT OF JUSTICE**

**GENERAL ADMINISTRATION**

**SALARIES AND EXPENSES**

The agreement includes \$119,000,000 for General Administration, Salaries and Expenses. In addition, the agreement provides funding for the Department's classified programs as described in the classified annex accompanying this explanatory statement.

For fiscal year 2021, the Department is directed to continue following the directives in Senate Report 116-127, as adopted by Public Law 116-93, on the following topics: "Trafficking in Persons," "Domestic Trafficking Victims Fund Special Assessments," "Human Trafficking Justice Coordinators," "Implementation of the Child Protection Improvements Act (CPIA)," "Constitutional Policing," "Enforcement of Federal Hate Crimes Law," "Combating Domestic Terrorism," "Human Rights Crimes," "Addressing Violence Against Indigenous Women," "U.S. Victims of State Sponsored Terrorism Fund," "Crime Victims Fund Awareness," and "Wildlife Trafficking." The Department shall submit updated reports consistent with the directives.

*Strengthening Police-Community Relations.*—The agreement provides \$153,500,000 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 \$67,000,000, or 77.45 percent, above the fiscal year 2020 level.

In addition, \$5,000,000 is provided to the Department, through section 222 of this Act, for the development and deployment of a database to track excessive use of force and officer misconduct, as required by section 3 of Executive Order 13929 (June 16, 2020). In developing these databases, the Department is directed to consult with State and local law enforcement agencies, community organizations, and advocacy groups, including those that advocate for the preservation of civil liberties and civil rights. The Department is directed to submit a plan for the use and approval of these funds as part of the fiscal year 2021 spending plan process and to provide quarterly updates following the initial plan submission. The House report language, and associated funding, for a National Police Misconduct Registry is not adopted.



# The Department of Justice (DOJ)

*Federal Police Cameras and Accountability.*—The agreement supports the October announcement that DOJ will permit State, local, territorial, and Tribal task force officers to use body-worn cameras on Federal task forces around the Nation. The agreement supports the use of the body-worn cameras, and notes that funding has been provided for the Body-Worn Camera Partnership Program since fiscal year 2016. However, there are complex issues associated with the use of body-worn cameras, including data storage costs, access under Federal records laws, and the need for consistent and accountable deployment of such technology by law enforcement agencies. In lieu of the House report language, the agreement supports continued evaluation of their use by DOJ's law enforcement components.

*DOJ Task Force Body Camera Pilot Program.*—Last year, the Department initiated a pilot program to allow federally deputized task force officers to use body-worn cameras while serving arrest warrants, participating in planned arrest operations, and executing search warrants. The Department is directed to submit a report, not later than 30 days after the date of enactment of this Act, assessing the results of this pilot program. In addition to a programmatic analysis, the report shall describe the resource requirements for continuation and expansion of the pilot.

*Responding to Opioids, Methamphetamine, Synthetic Drugs, and Substance Abuse in Our Communities.*—The agreement includes a total of \$541,500,000 in dedicated grant program funding, an increase of \$23,500,000 above the fiscal year 2020 enacted level, to help communities and State and local law enforcement respond to substance abuse, including opioids, stimulants, and synthetic drugs. The Drug Enforcement Administration (DEA) is funded at \$2,796,762,000, an increase of \$74,467,000 above the fiscal year 2020 enacted level, to strengthen drug trafficking investigations, including those related to heroin, fentanyl, and methamphetamines. The agreement further supports the continuation of heroin enforcement teams, methamphetamine and fentanyl cleanup and container programs, and other interdiction and intervention efforts, including DEA's 360 Strategy.

*Task Force on Law Enforcement Oversight.*—The Attorney General is directed to establish a Task Force on Law Enforcement Oversight, to be comprised of representatives from (1) the Civil Rights Division, (2) the Office of Justice Programs, (3) the Office of Community Oriented Policing Services (COPS), (4) the Federal Bureau of Investigation, (5) the Community Relations Service, and (6) the Office of Tribal Justice. The Task Force shall consult with

professional law enforcement associations, labor organizations, and community-based organizations to coordinate the process of the detection and referral of complaints regarding incidents of alleged law enforcement misconduct.

The Department is directed to provide up to \$5,000,000 for the activities of the Task Force. In addition, the Department, in its fiscal year 2021 spending plan required by section 528 of this Act, is directed to identify amounts derived from appropriations to “General Administration—Salaries and Expenses”, “Legal Activities—Salaries and Expenses, General Legal Activities”, “Legal Activities—Salaries and Expenses, Community Relations Service”, “Federal Bureau of Investigation—Salaries and Expenses”, and amounts derived from management and administration fees assessed by the Office of Justice Programs and the COPS Office, and that will solely be used to support the activities of the task force.

*Accreditation of Law Enforcement Agencies.*—The agreement supports DOJ’s effort to develop and implement consistent accreditation standards for Federal, State, and local law enforcement. Consistent standards, informed by broadly-applicable model guidelines and best practices, can ensure community accountability and promote policing with a guardian mentality. In lieu of the House report language, the Attorney General is directed to take the lead in these efforts, and, in consultation with law enforcement accreditation organizations, recommend broadly-applicable model guidelines and best practices for accreditation standards. The recommendations should be based on an analysis of existing accreditation standards and methodology developed by law enforcement accreditation organizations nationwide, including national, State, regional, and Tribal accreditation organizations.

*Training for Law Enforcement Officers.*—The Department of Justice is expected to exercise leadership in law enforcement across the Federal government. Accordingly, in lieu of language in the House Report, the agreement directs the Attorney General 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. Such programs should be developed in consultation with the DOJ law enforcement components, the Office of Justice Programs, the Community Oriented Policing Services Office, and the Civil Rights Division, with consideration given to establishing consistent standards and curricula. The Attorney General is further directed to consult with the heads of each Federal law

enforcement agency in furtherance of the adoption of these programs. Not later than six months after the date of enactment of this Act, the Department shall submit a report on the implementation status of these training programs, including but not limited to training curriculum topics and availability and capacity of training facility space. Within one year of the date of the enactment of this Act, the Department shall submit a report on its consultations with each Federal law enforcement agency and provide a determination of whether each agency provides training consistent with the aforementioned programs.

The Department's leadership in these matters must also extend to accountability and transparency. The Federal Bureau of Investigation (FBI) launched the National Use-of-Force Data Collection (NUOFDC) on January 1, 2019, and published the 2019 results in August 2020. While all of DOJ's law enforcement components participate in this data collection, only 29 other Federal agencies, or 25.4 percent of Federal law enforcement, participate. The Attorney General and the Director of the FBI are directed to consult with the heads of each Federal law enforcement agency in furtherance of universal Federal participation in the NUOFDC. Within six months of the date of enactment of this Act, the Department shall submit a report on the status of these consultations. Within one year of the date of the enactment of this Act, the Department shall submit a report identifying those agencies that are not participating in the collection, and, in each case, a description of basis on which the agency declined to do so. the

The House reports accompanying each of the fiscal year 2021 appropriations bills included references to training and use-of-force in Federal law enforcement. In lieu of each of those passages, the explanatory statements accompanying the appropriations titles of this division adopt language synchronized with the directives to the Attorney General described above.

*Use of Force Incidents.*—The agreement strongly supports efforts to promote participation in the ~~National Use of Force Data Collection (NUOFDC)~~ by Federal, State, and local enforcement agencies. law In lieu of the House report language captioned "Use of force", the Department and the FBI are directed to submit a report, not later than 180 days after the date of enactment of this Act, with a detailed description of the methods for collecting this data and an assessment of strategies for increasing participation by Federal, State, and local law enforcement

agencies. The Department and the FBI are further directed to provide a briefing on the NUOFDC not later than 60 days after the date of enactment of this Act.

*DOJ Law Enforcement Agencies' Use of Force Policies.*—The Department is directed to review the policies governing the use of deadly force and less-than-lethal force for all of its law enforcement components, including the Bureau of Prisons (BOP), to ensure they are current and meet appropriate guidelines including the Department's own Deadly Force Policy and statutory requirements. The Department is directed to maintain these policies on its website in a clearly accessible location.

*Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016.*—The agreement includes the full authorized level of \$13,500,000 for DOJ component agencies to implement the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016.

*National Instant Criminal Background Check System (NICS).*—The Department shall comply with directions in the House report regarding notifications to State and local authorities; publication of notification data in its annual NICS Section Operations Report and on the Justice Department website; and submission of a report regarding firearms sales that have taken more than three days to complete. The Department is expected to build on its initial efforts to secure certification and implementation plans for the Fix NICS Act of 2018 and is directed to submit the required semiannual report on time. Furthermore, DOJ shall report not later than 30 days after the date of enactment of this Act on how Project Guardian satisfies each element of the NICS denial notification directive adopted by the joint explanatory statement accompanying Public Law 116–93, and the number of notifications provided to date. The FBI shall also, as part of each annual NICS Section Operations Report, provide data on the notifications provided to State and local law enforcement, including the number of notifications provided to each of (a) State law enforcement and (b) local law enforcement, for each prohibited category. The FBI shall also publish monthly data on its website listing denials and notifications by State and prohibition type.

*Federal Law Enforcement in the Caribbean.*—The Attorney General shall comply with the direction in the House report to report on violent crime initiatives in Puerto Rico and the U.S. Virgin Islands. The Department is directed to assess its strategy for assisting the Commonwealth

## The U.S. Attorneys Offices'

of Puerto Rico in addressing violent crime and to consider providing additional Federal resources, if appropriate.

*Office of Legal Counsel (OLC) Opinions.*—In lieu of House report language, the Attorney General is again strongly urged to direct OLC to publish all legal opinions and other materials that are appropriate for publication—in particular those materials that are the subject of repeated requests or that may be of public or historical interest.

*Reports on Departmental Funds.*—The Department shall continue to submit information on all applicable funds, including the Working Capital Fund, the Three Percent Fund, and the Assets Forfeiture Fund, at the same level of detail provided in fiscal year 2020 and as required by the explanatory statement accompanying Public Law 116–93. In addition, the section 505 notification of the Three Percent Fund allocation submitted to the Committees shall include, for each component receiving Three Percent Fund support, a detailed description of programs, projects, and activities funded through the Three Percent Fund.

*Crime Victims Fund (CVF).*—The Department shall provide monthly reports regarding CVF balances, deposits, recoveries, and obligations, including obligations associated with the Antiterrorism and Emergency Assistance Program. In addition, the Department is directed to submit as part of its annual spending plan a description of the CVF's allocation process, including the release of funds for the purposes of the Children's Justice Act (Public Law 99–401), discretionary grants provided by the Office for Victims of Crime (OVC), the USAO victim-witness coordinators, and the FBI's victim-witness specialists.

*Tribal Sovereign Immunity.*—The agreement includes not less than \$50,000 for the Office of Tribal Justice (OTJ) to consult with Tribal entities concerning risk management, loss prevention, the resolution of tort claims, alternative dispute resolution, and protecting and managing Tribal sovereign immunity in the context of economic development. OTJ is directed to report, not later than one year after the date of enactment of this Act, on the best practices for Tribal risk management.

*Sexual Harassment Policies.*—The Department should be a leader in maintaining a model workplace and is encouraged to collaborate with other Federal agencies on the development of policies regarding sexual harassment and sexual misconduct.

*Multi-Disciplinary Task Force Addressing Human Trafficking in International Waters.*—The Department has failed to meet the directives and reporting deadlines, including the submission of a final report in March 2019, originally set in Senate Report 115–139 and adopted in appropriations Acts each fiscal year thereafter. The Department is directed to immediately submit all reports and materials that may be responsive to this directive, and to publish the final report on the Department’s website not later than 15 days after the date of the enactment of this Act.

*Departmental Efforts to Combat Crimes Against Children.*—The Department is expected to maintain a cross-agency budget of Crimes Against Children and to report annually to the Committees thereon. As a National Strategy for Child Exploitation Prevention and Interdiction has not been submitted since April 2016, the Department shall immediately submit and publish on its website an updated strategy, as required by 34 U.S.C. 21111(b). The Department shall ensure the position of National Coordinator for Child Exploitation Prevention and Interdiction is dedicated to the role set forth by law, and shall submit a detailed expenditure plan for that office, including staffing, travel, and temporary duty travel expenses not later than 90 days after the date of enactment of this Act and include those costs in future budget submissions.

*Improving Intradepartmental Collaboration to Combat Terrorism.*—The Department is directed to significantly increase opportunities for its law enforcement components to utilize the National Center for Explosives Training and Research and co-located ranges, and to expeditiously execute interagency agreements with respect to range use. The Department is directed to report on its progress in this effort not later than 180 days after the date of enactment of this Act.

*DNA Sample Collection from Immigration Detainees.*—In lieu of House report language, the Department is directed to report, not later than 90 days after the date of enactment of this Act, on the FBI role in the collection, use, and retention of DNA samples collected on the basis of the final rule “DNA-Sample Collection from Immigration Detainees” (March 9, 2020), and the impact of that policy on FBI DNA sample testing processing rates.

*Domestic Terrorism Task Force.*—In lieu of the House report language, the agreement encourages the Attorney General, in consultation with the Secretary of Homeland Security, to

consider whether a dedicated task force would improve the capacity of the Federal Government to counter domestic terrorism, and to present legislative recommendations thereon.

*Charging Policies for Drug Offenders.*—The Department shall immediately submit the detailed report required by the explanatory statement accompanying Public Law 116–93 on charging policies for drug offenders. The Department is encouraged to work with other Federal agencies to gather the required data relating to pre-sentencing reports and drug trafficking cases.

*Financial Fraud.*—The Attorney General shall continue to prioritize Departmental resources to ensure that reports of financial fraud, including scams against senior citizens, are thoroughly investigated, with the goal of bringing the perpetrators of these crimes to justice.

*Robocall Forfeiture Orders.*—The Attorney General is directed to prioritize resources toward enforcing FCC forfeiture orders and collecting the substantial unpaid penalties imposed by the FCC against illegal robocallers.

*Animal Welfare Enforcement.*—The Department shall continue to comply with Congressional direction to prioritize the investigation and prosecution of animal welfare crimes, including those under 7 U.S.C. 2156, 18 U.S.C. 48 and 49, and 49 U.S.C. 80502, and to report not later than 120 days after the date of enactment of this Act on actions it is taking to enforce such laws, including case development and prosecutions based on referrals from the FBI, the U.S. Department of Agriculture Office of Inspector General, and other Federal agencies, as well as specific training related to these types of crimes for both Departmental law enforcement and litigating components. The report shall include the number of prosecutions and seizures, broken out by litigating component and/or district, for fiscal years 2019, 2020, and 2021.

*Live Tissue Training (LTT).*—The Department is urged to cease the use of LTT. Should additional funding be needed for humane medical simulation, the Department should request this as part of components' budget submissions.

*Additional Resources.*—The agreement urges the Department to appropriately address the needs arising out of the Supreme Court's decision in *McGirt v. Oklahoma* and directs the Department to continue to make itself available for consultations in support of a sustainable, long-term response.

The direction in the House Report regarding the DOJ review of applications for Federal funding shall have no effect.

JUSTICE INFORMATION SHARING TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

The agreement includes \$34,000,000 for Justice Information Sharing Technology.

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

(INCLUDING TRANSFER OF FUNDS)

The agreement includes \$734,000,000 for the Executive Office for Immigration Review (EOIR), of which \$4,000,000 is a transfer from the U.S. Citizenship and Immigration Services Immigration Examinations Fee Account. The agreement provides \$61,034,000 above the fiscal year 2020 enacted level and provides \$35,000,000 in no-year funds. EOIR is directed to provide a robust and detailed justification for the continuation of no-year funds in its fiscal year 2022 budget request. The agreement continues the requirement in the explanatory statement accompanying Public Law 116–93 for DOJ to maintain its role in overseeing EOIR’s financial management.

*Information Technology (IT) Modernization.*—Within the amount provided, the agreement expects EOIR to expedite efforts to implement its new electronic case management system and reiterates the direction in the explanatory statement accompanying Public Law 116–93 for EOIR to upload existing case files into the new system. EOIR shall continue to include updates on its IT modernization projects in its quarterly reports to the Committees. The agreement recognizes EOIR is working in coordination with the Department of Homeland Security (DHS) on a unified immigration portal and directs the Department, in consultation with DHS, to provide an update on its implementation plan for this initiative within 90 days of the date of enactment of this Act. Should any fiscal year 2021 funds be used to support this effort, this report shall provide details thereon.



*Interpretation Services.*— Within the funds provided, EOIR is directed to properly resource interpretation services, and further directs EOIR to continue to ensure appropriate language access is available for all respondents, including indigenous language speakers. EOIR should inform the Committees of specific resource needs related to interpretation services and should identify any possible opportunities for sharing of interpreter resources with other Federal agencies, including DHS. EOIR is further directed to continue to submit the quarterly reports required by the explanatory statement accompanying Public Law 116–93.

*Immigration Adjudication Performance and Reducing Case Backlog.*—The agreement adopts the directive in the House report to include more comprehensive staffing information for all positions that compose an immigration judge (IJ) team in its monthly staffing report. The agreement further directs the Department to submit a cost break out for an IJ team, which should include salary, position, interpretation contract costs, and rent and facility costs, in its fiscal year 2021 spending plan and future budget request materials. There should be a standardized baseline for what constitutes an IJ team cost that is clearly understood by the Committees, and when there are significant deviations from the baseline, EOIR shall include this in its quarterly report by court location with justification for the variance. EOIR is further directed to continue to make its hiring processes for new immigration judges publicly available, and to update its website within 30 days of any changes to hiring processes or rules.

*Legal Orientation Program (LOP).*—The agreement includes \$22,500,000 for services provided by the LOP, of which \$3,500,000 is for the Immigration Court Helpdesk (ICH). LOP funding is also provided for LOP for Custodians (LOPC), the LOP Call Center, and efforts, pursuant to the Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457), to address the responsibility of custodians of unaccompanied, undocumented children to attempt to ~~the~~ ensure the child’s appearance at all immigration proceedings, and to protect the child from mistreatment, exploitation, and trafficking.

EOIR is directed to continue all LOP components’ services and activities without interruption, including during any review of the program, and to ensure all components continue to be operated by non-profit NGOs with demonstrated immigration law expertise. EOIR is further directed, in lieu of the briefing described in the House report, to provide details on the

execution of LOP funds as part of the Department's fiscal year 2021 spending plan broken out by LOP program and promptly alert the Committees to any deviation of planned obligations.

The agreement supports efforts to promote access to LOP, with attention to geographic equity and the need for legal services at remote immigration detention sites that are far from legal service providers in urban centers. EOIR is requested to provide an evaluation of the resources necessary to offer LOP services at additional sites.

*Video Teleconferencing (VTC).*— In lieu of House Report language regarding “Video teleconferencing” and “Tent Court Proceedings”, EOIR is directed to update its policy memorandum on the use of VTC, so as to ensure clear and consistent guidelines are followed in all adjudication settings. This update further directs EOIR to make all policies and procedures related to EOIR's use of VTC, including policies for public and media access to each location using VTC publicly available on its website. EOIR shall continue to follow the directives regarding real-time data collection and quarterly reporting described in the explanatory statement accompanying Public Law 116–93.

*Court Operations.*—In lieu of the House report language, EOIR is encouraged to develop a nationwide plan that details steps EOIR will take to ensure all respondents have access to a centralized mechanism to electronically file an EOIR Form–33 in order to change their address remotely, in addition to the current use of paper filings, and report on the status of this plan to the Committees no later than 90 days after the date of enactment of this Act.

The House report language under “LOP Pilot”, “Migrant Protection Protocol (MPP) Statistics Publication” and “Rocket Dockets” is not adopted.

#### OFFICE OF INSPECTOR GENERAL

The agreement includes \$110,565,000 for the Office of Inspector General.

*Status of Recommendations.*—The Office of the Inspector General shall provide a briefing to the Committees not later than 30 days after the date of enactment of this Act on the status of recommendations in its December 9, 2019, report and its March 30, 2020, management advisory memorandum related to Foreign Intelligence Surveillance Act applications.

## UNITED STATES PAROLE COMMISSION

### SALARIES AND EXPENSES

The agreement includes \$13,539,000 for the salaries and expenses of the United States Parole Commission.

### LEGAL ACTIVITIES

#### SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

The agreement includes \$960,000,000 for General Legal Activities. Within the funding provided, up to \$10,000,000 shall be for the Civil Rights Division for additional expenses relating to the enforcement of 34 U.S.C. 12601; criminal enforcement under 18 U.S.C. 241–242; and administrative enforcement by the Department of Justice, including compliance with consent decrees or judgments entered into under such sections.

*Human Trafficking.*—The agreement strongly supports the Department’s efforts to combat human trafficking, including its participation in the interagency Anti-Trafficking Coordination (ACTeam) Initiative and the activities of the Civil Rights Division’s Human Trafficking Prosecution Unit (HTPU). Within the funding provided, DOJ is directed to provide additional staffing and resources for these efforts. The Department is directed to submit a report, not later than 90 days after the date of enactment of this Act, describing hiring within HTPU, training provided by HTPU as part of the ACTeam initiative, and causes of the decline in human trafficking prosecutions.

*Civil Rights Violations in State and Local Prisons and Jails.*—Within the funding provided, the Civil Rights Division shall increase efforts to investigate and address violations of the Civil Rights of Institutionalized Persons Act in State and local prisons and jails.

#### VACCINE INJURY COMPENSATION TRUST FUND

The agreement includes a reimbursement of \$17,000,000 for DOJ expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99-660).

#### SALARIES AND EXPENSES, ANTITRUST DIVISION

The agreement includes \$184,524,000 for the Antitrust Division (ATR). This appropriation is offset by an estimated \$150,000,000 in pre-merger filing fee collections, resulting in a direct appropriation of \$34,524,000.

*High-speed Internet Access.*—In lieu of the House report language, the agreement directs ATR to provide a briefing, not later than 30 days after the date of enactment of this Act, on the status of competition in the telecommunications industry, including in rural areas.

#### SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The agreement includes \$2,342,177,000 for the Executive Office for United States Attorneys and the 94 United States Attorneys' offices, of which \$25,000,000 shall remain available until expended. Within the funding provided, up to \$10,000,000 shall be for additional expenses relating to the enforcement of 34 U.S.C. 12601; criminal enforcement under 18 U.S.C. 241-242; and administrative enforcement by the Department of Justice, including compliance with consent decrees or judgments entered into under such sections.

In lieu of the House report language captioned "Credible Fear" and "Immigration enforcement data", DOJ is directed to continue to submit quarterly reports, by U.S. Attorney's Office, on defendants who are charged with violations of 8 U.S.C. 1325 and 8 U.S.C. 1326.

#### UNITED STATES TRUSTEE SYSTEM FUND

The agreement includes \$232,361,000 for the United States Trustee Program.

*Disclosure Requirements.*—The United States Trustee Program (USTP) is encouraged to continue its efforts to ensure a fair and transparent bankruptcy process for stakeholders and for the public. USTP shall submit a report, not later than 180 days after the date of enactment of this

Act, describing its efforts to enforce compliance with the disclosure requirements of Bankruptcy Rule 2014(a) in fiscal years 2020 and 2021. The report should describe the number and nature of the actions taken, provide illustrative examples, and include an assessment of overall compliance with Rule 14(a) disclosure requirements by bankruptcy professionals.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The agreement includes \$2,366,000 for the Foreign Claims Settlement Commission.

FEES AND EXPENSES OF WITNESSES

The agreement includes \$270,000,000 for Fees and Expenses of Witnesses.

The Department is expected not to obligate funds for expert witness services, including the payment of fees and expenses of expert witnesses, from any other DOJ accounts other than Fees and Expenses of Witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

(INCLUDING TRANSFER OF FUNDS)

The agreement includes \$18,000,000 for the Community Relations Service.

ASSETS FORFEITURE FUND

The agreement includes \$20,514,000 for the Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

The agreement includes \$1,496,000,000 for the salaries and expenses of the United States Marshals Service (USMS). The Department shall continue to submit the quarterly report required by the explanatory statement accompanying Public Law 116–93, on USMS use of Assets Forfeiture Fund funding.

*Regional Fugitive Task Forces Program (RFTF).*—USMS is directed to submit a report, not later than 180 days after the date of enactment of this Act, on the possible expansion of the RFTF program. This report should describe requirements with respect to staffing, operational

space and agreements, equipment, tactical canine teams, medical and trauma support and partnerships, and expected future resource needs. The report should further identify the geographic regions that would benefit most from establishment of an RFTF.

*International Operations.*—The USMS is directed to submit an updated annual report on its extradition program and international operations workload as directed by the explanatory statement accompanying Public Law 116-93. The report should detail the number of extraditions, deportations, district cooperations, and extradition requests made by foreign counterparts. The report should further describe any plans for expansion to locations where USMS does not yet have a permanent presence, but where there has been an increase in workload due to extraditions. DOJ is directed to assess unobligated resources available Department-wide, and to submit a reprogramming of funding, if required, to cover the full costs of meeting USMS' international extradition responsibilities.

*Judicial Protection.*—The agreement supports USMS's efforts to place additional deputy U.S. marshals and accompanying analytical personnel in the field, and to provide expanded training for threat investigations and protective intelligence. Within funding provided, the agreement includes the amount jointly requested by the Department and the Judicial Conference of the United States for replacement of the Home Intrusion Detection Systems (HIDS), and further provides additional support for open source intelligence initiatives in the Office of Protective Intelligence.

*Training Efficiencies.*—USMS is directed to assess whether consolidation of its training programs in one centralized location could streamline training operations and deliver efficiencies and savings. USMS is further directed to submit a report on its findings, as well as estimates of the resource requirements to implement such consolidation, not later than 90 days after the date of enactment of this Act.

#### CONSTRUCTION

The agreement includes \$15,000,000 for construction and related expenses in space controlled, occupied, or utilized by the USMS for prisoner holding and related support.

#### FEDERAL PRISONER DETENTION

The agreement includes \$2,046,609,000 for Federal Prisoner Detention (FPD).

The Department and USMS are expected to anticipate the true funding needs for the FPD account, to avoid funding shortfalls and emergency reprogrammings. USMS is directed to submit a monthly report on individuals in the detention system. The report should include information on the current and projected number of detained individuals, offense categories, the population change from the prior month to the current month, the population change from the current month to the prior year, and the associated annualized costs.

## NATIONAL SECURITY DIVISION

### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The agreement includes \$117,451,000 for the salaries and expenses of the National Security Division.

## INTERAGENCY LAW ENFORCEMENT

### INTERAGENCY CRIME AND DRUG ENFORCEMENT

The agreement includes \$550,458,000 for the Organized Crime and Drug Enforcement Task Forces (OCDETF), of which \$385,188,000 is for investigations and \$165,270,000 is for prosecutions.

Within funding provided, the Department is encouraged to hire additional Assistant U.S. Attorneys nationwide to help stop the flow of illicit drugs and reduce violent crime associated with the drug trade. In addition, OCDETF is urged to continue to coordinate with the DEA and other Federal and international law enforcement partners to intercept and disrupt foreign drug shipments.

## FEDERAL BUREAU OF INVESTIGATION

### SALARIES AND EXPENSES

The agreement includes \$9,748,686,000 for the salaries and expenses of the FBI, including \$1,832,876,000 for Intelligence, \$3,944,462,000 for Counterterrorism and Counterintelligence, \$3,376,355,000 for Criminal Enterprises and Federal Crimes, and \$594,993,000 for Criminal Justice Services. Within the funding provided, the agreement includes

not less than \$125,000,000 to increase the capacity and efficiency of the National Instant Criminal Background Check System (NICS). Within the funding provided, up to \$5,000,000 shall be for the Public Corruption and Civil Rights Sections for additional expenses relating to the enforcement of 34 U.S.C. 12601; criminal enforcement under 18 U.S.C. 241–242; and administrative enforcement by the Department of Justice, including compliance with consent decrees or judgments entered into under such sections.

The agreement also includes funding at no less than the fiscal year 2020 level to support the FBI role at the National Bioforensic Analysis Center and to maintain its ongoing operations there. House report language on gun violence data is not adopted.

*National Incident-Based Reporting System (NIBRS) Transition.*—The FBI shall brief the Committees, not later than 90 days after the date of enactment of this Act, on the status of efforts to integrate NIBRS and the data it contains into the Uniform Crime Reporting Program, and provide progress reports every 180 days thereafter. The FBI shall also comply with directions in the House report regarding collection and publishing of crime statistics from all United States jurisdictions, including U.S. territories.

*Data Analytics and Technical Tools.*—The agreement includes additional resources to support the FBI’s efforts to develop enterprise technical tools, modernize its network infrastructure, and improve its data analytics capabilities. Within the funds provided, the FBI is encouraged to explore opportunities to collaborate with research universities on advanced threat analysis, to develop advanced data analytics solutions that are tailored to the needs of FBI investigators.

*Cyber Investigative Capabilities.*—The agreement supports the FBI’s cyber investigative capabilities, including the development of advanced technical capabilities to thwart enemies and to bolster the Cyber Action Teams (CATs) that deploy to sites of computer intrusion. Within the funds provided, the FBI is encouraged to develop partnerships with universities to develop and institute an evidence-based training program to more rapidly identify persons of interest, de-conflict information, track criminal markets, and detect matters that rise to the level of national security.

*Combatting Modern Slavery and Human Trafficking.*—The FBI is directed to continue to designate a lead agent in each field office as a Human Trafficking Program Coordinator. In



addition, the FBI is urged to allocate additional resources to those field offices in States with the highest rates of modern slavery and human trafficking. Not later than 180 days after the date of enactment of this Act, the FBI shall submit a report on those field offices' capacity to investigate all crimes of slavery and human trafficking in their jurisdiction. The report should further detail any additional resources that have been provided to those field offices for these efforts.

*Hate Crimes Reporting.*—The FBI shall expeditiously submit the report required by the explanatory statement accompanying Public Law 116–93, on FBI efforts to ensure that all Federal, State, and local law enforcement agencies fully report hate crimes statistics, consistent with the Hate Crime Statistics Act of 1990 (Public Law 101–275) as amended, and the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (Public Law 111–84).

*Counter–Unmanned Aerial System (C–UAS).*—The FBI is directed, through the Critical Incident Response Group and in consultation with the Federal Aviation Administration, to submit a report, not later than 180 days after the date of enactment of this Act, on the feasibility of establishing a C–UAS training program for State, local, and Tribal law enforcement. The report shall further detail the resource requirements for full-scale implementation of a C–UAS training program.

*Terrorist Explosive Device Analytical Center (TEDAC), Hazardous Device School (HDS), and New Facilities.*—The agreement strongly supports the FBI's efforts to create a campus for collocating FBI explosives and counter-IED programs and activities; to create advanced and specialized training capacities and capabilities to address requirements that cannot be satisfied at other FBI facilities; and to create options for FBI Executive management to proactively meet future operational and facilities requirements. The agreement provides no less than the fiscal year 2020 level for the operations of TEDAC and HDS. Furthermore, the agreement fully provides for the operations of new, collocated facilities expected to open in 2021, including the Operations Building, the Technology Building, and the TEDAC Explosive Technical Lab.

*Human Rights Violations.*—The FBI shall continue to investigate and support DOJ criminal prosecution of serious human rights crimes, including genocide, torture, use or recruitment of child soldiers, war crimes, and other crimes committed by serious human rights violators, at no less than the fiscal year 2020 enacted level, and shall continue to comply with

## Criminal Justice Information Services

direction in the explanatory statement accompanying Public Law 116-93, regarding the International Human Rights Unit, the Human Rights Violators and War Crimes Center, and FBI field office training. The FBI shall report on these efforts no later than 90 days after the date of enactment of this Act.

*Security Advisory Opinion (SAO) Processing.*—The FBI shall prepare an updated report on SAO processing, as required by the explanatory statement accompanying Public Law 116-93, to include any classified data, and submit it to the Committees not later than 120 days after the date of enactment of this Act.

*National Data Exchange (N-DEX) System.*—The FBI shall report not later than 120 days after the date of enactment of this Act on which ~~CIS~~ databases, including N-DEX, are used for point-of-contact (POC) initiated firearm background checks; what barriers, if any, prevent incorporating N-DEX into POC background check processes, and how to overcome them; and how to raise State and local awareness of N-DEX.

*NICS Protocols and Procedures.*—The FBI shall submit a report, not later than 180 days after the date of enactment of this Act, describing how the FBI is addressing each recommendation in the OIG report “Audit of the Handling of Firearms Purchase Denials Through the National Instant Criminal Background Check System” (Audit Division 16-32). If the FBI is not implementing a recommendation, the report shall indicate whether the FBI intends to do so, and if not, the justification for not pursuing the recommended course of action. The report shall also identify any changes made to the Standard Operating Procedures to better process NICS inquiries within the three-day time period. All unclassified data shall be publicly released by the FBI.

*FBI Police.*—The FBI is encouraged to provide the Office of Personnel Management or other relevant agencies information or data required to assist with designating FBI Police officers as law enforcement officers in order to make their rates of basic pay, salary schedule, pay provisions, and benefits equivalent to those applicable to other similar law enforcement divisions that have such designation.

*Internet Investigations.*—The FBI and its partners investigate massive Internet-based child exploitation and human trafficking forums, which requires robust information sharing and technical tools to acquire evidence from the Darknet and other forums for prosecution. The FBI

is directed to consider novel partnership and contracting strategies, along with its 21st Century training and technology initiatives, to acquire, develop, and implement advanced technical solutions to more rapidly exploit digital evidence and intelligence related to investigations targeting human trafficking and child exploitation efforts, both domestic and international.

*Operational Medicine Program.*—The agreement adopts the House report language on the Operational Medicine Program, and encourages the FBI to provide regular updates on this program and submit any recommendations for improvements.

2,336,263,000

## CONSTRUCTION

The agreement includes \$566,100,000 for FBI construction, which provides funding above the requested level for the FBI to address its highest priorities outside of the immediate national capital area, in addition to resources dedicated to secure work environment projects. The agreement does not include any funding for headquarters construction. The FBI is encouraged to work with the General Services Administration to submit a prospectus for a new, fully-consolidated headquarters building, including at one of the three previously vetted sites, which complies with prior Congressional directives and meets all Interagency Security Committee Level V security standards.

*21st Century Facilities.* —The agreement continues to support the FBI's long-term vision for collocating complementary mission operations while balancing the eventual transition into a new headquarters building with changing footprints at Quantico, Clarksburg, Huntsville, and Pocatello facilities. The delay in the new FBI headquarters project only exacerbates the need to secure viable space for supporting a variety of mission, workforce, and land requirements. The agreement provides funding at no less than the fiscal year 2020 enacted level to further support the FBI's 21st Century Facility plans, and the FBI is encouraged to transition from interim facilities to full operating capabilities, including plans for technological requirements. As part of this 21<sup>st</sup> Century Facility planning, the FBI should continue to research the feasibility of using public-private partnership opportunities, provided that the annual lease and operating costs are reasonable and the facilities can be securely constructed and maintained at a level that meets the FBI's requirements.

## DRUG ENFORCEMENT ADMINISTRATION

### SALARIES AND EXPENSES

The agreement includes a direct appropriation of ~~\$2,386,263,000~~ for the salaries and expenses of the DEA. In addition, DEA expects to derive \$460,499,000 from fees deposited in the Diversion Control Fund to carry out the Diversion Control Program, resulting in \$2,796,762,000 in total spending authority for DEA. The agreement includes \$10,000,000 to assist State, local, and Tribal law enforcement agencies in efforts to remove and dispose of hazardous materials at methamphetamine and fentanyl labs and processing operations. DEA is

encouraged to issue regional contracts with small businesses, to the maximum extent practical, from the region served by the contract.

*Remote Prescribing of Controlled Substances.*—DEA is directed to complete the requirements under section 3232 of the SUPPORT for Patients and Communities Act (Public Law 115–271) to promulgate regulations clarifying the limited circumstances in which Special Registration for Telemedicine may occur under the Ryan Haight Act (Public Law 110–425). DEA is further directed to brief the Committees on the status of these regulations not later than 30 days after the date of enactment of this Act.

*Special Agent Staffing.*—The agreement supports DEA’s efforts to reverse the decline in special agent staffing to combat the ongoing methamphetamine and opioid crises, particularly in geographic areas most broadly harmed by methamphetamine and opioid trafficking.

*Hemp Testing Technology.*—DEA has developed field testing kits that can distinguish between hemp and marijuana on-the-spot. DEA is directed to continue to work to ensure State and local law enforcement have access to this field test technology so they can more efficiently conduct their drug interdiction efforts at the local level. DEA is further directed to report back, not later than 180 days after the date of enactment of this Act, and not less than every 6 months thereafter, until such time as testing kits are deployed to State and local law enforcement in the field.

*Interdiction of Methamphetamines.*—DEA is encouraged to consider whether Operation Crystal Shield should be expanded to additional U.S. locations that may serve as methamphetamine trafficking transportation hubs.

*Delivery of a Controlled Substance by a Pharmacy to an Administering Practitioner.*—DEA is directed to provide a briefing, not later than 30 days after the date of enactment of this Act, on its implementation of section 3204 of Public Law 115–271, and to ensure that providers and patients have access to all medication-assisted treatment options to address the opioid epidemic. This update should detail DEA’s efforts to inform providers and dispensers of the new provisions and how they apply to FDA-approved opioid dependence treatment products.

*Illegal Tetrahydrocannabinol (THC) Vaping Products.*—DEA is directed to report, not later than 180 days after the date of enactment of this Act, on its efforts to interdict illicit vaping

cartridges containing THC. This report shall assess how and to what extent such products are being marketed to children.

~~DRUG ENFORCEMENT ADMINISTRATION~~

CONSTRUCTION

*Expanded Laboratory Capacity in Order to Meet Testing Demands.*—DEA field offices face a growing unmet demand for drug testing, particularly when division, district, and resident offices are not located in close proximity to a testing laboratory in the DEA Laboratory System. This issue is a critical risk for areas of the country that have been hardest hit by increases in synthetic drugs, including fentanyl, as well as rural offices or those divisions that do not have their own laboratories, as agents must drive long distances to reach the nearest laboratory for testing. The agreement provides \$50,000,000 to construct a new laboratory, including other required facilities like warehouse space, to meet the growing needs for drug testing, including fentanyl, in the New England region.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The agreement includes \$1,483,887,000 for the salaries and expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

*Crime Gun Intelligence Centers (CGICs).*—There are currently 25 CGIC sites across the country and ATF is encouraged to work with additional high-risk areas to identify solutions and metrics to demonstrate meaningful reductions in illegal gun trafficking and related violent crime.

*United States-Mexico Firearms Trafficking.*—ATF is directed to continue to provide to the Committees the information required by the explanatory statement accompanying Public Law 116-93.

*Notification of Local Authorities.*—ATF is encouraged to, when possible, notify local law enforcement when a felon in their jurisdiction tries to buy a firearm. If a NICS check is not completed within three days and a felon obtains a firearm, ATF is encouraged to notify and utilize the help of local law enforcement in retrieving the firearm.

House report language under “Illegal Firearms” and “Ghost Guns” is not adopted.

## FEDERAL PRISON SYSTEM

### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The agreement includes \$7,708,375,000 for the salaries and expenses of the Federal Prison System. The agreement fully funds the requested \$409,483,000 for programs and activities authorized by the First Step Act of 2018, including medication-assisted treatment.

For fiscal year 2021, within the funding provided, the Department is directed to continue following the directives in Senate Report 116–127, as adopted by Public Law 116–93, on the following topics: “First Step Act (FSA) Implementation,” “Additional Requirements of the FSA,” “Residential Reentry Centers,” and “Freedom of Information Act Records”.

BOP is expected to hire additional full-time correctional officers in order to reduce the overreliance on augmentation and improve staffing beyond mission-critical levels in custody and all other departments, including medical, counseling, and educational positions. BOP shall provide quarterly reports to the Committees on the use of augmentation broken out by region, institution, and security level for each time such practice is employed. In addition, BOP shall include with its fiscal year 2022 budget submission, and each year thereafter, a detailed report for each Federal correctional facility at which two or more Federal inmates have died in one calendar year, describing each incident and the role augmentation may have played in exacerbating the inherent dangers present at those locations.

*Hiring, Staffing, and Inmate-to-Officer Ratios.* —BOP shall continue to submit quarterly reports on inmate-to-correctional officer ratio as required by the explanatory statement accompanying Public Law 116–93, and to publish these reports on the BOP website. To the extent BOP does not currently record staffing by shift, it is directed to begin doing so and include such metrics in this report by the end of fiscal year 2021. Separately, BOP shall submit a report

to the Committees regarding any incident involving the use of deadly force at an institution with a staffing ratio greater than 15:1, explaining any role staffing levels may have played in the incident, and describing a detailed plan to prevent recurrence of such incidents.

*Vacancies.*—BOP is directed to improve hiring policies to ensure that, within the funding provided, it can promptly fill existing and future vacancies in order to staff its 122 Federal facilities at January 2016 levels, and forgo further position eliminations. BOP shall report not later than 90 days after the date of enactment of this Act on the number of vacancies at each facility, further detailed by job title, job series, and General Schedule level as well as the number of applicants going through the hiring process for each vacant position. DOJ is directed to explore ways to expedite BOP hiring, such as working with OPM to provide expedited hiring for BOP facilities with vacancy rates exceeding ten percent and making use of recruitment and retention bonuses. BOP shall describe such efforts in the aforementioned report.

BOP is directed to continue to ensure at least two correctional officers are on duty for each housing unit for all three shifts at all high-security institutions, including United States Penitentiaries and Administrative and Federal Detention Centers. BOP is directed to continue to submit quarterly reports showing compliance with this directive and to provide a cost estimate and strategic plan for implementation at medium-security institutions that currently do not have a second officer for all three shifts.

*Inmate Health Care.*—GAO is directed to examine inmate healthcare, including, but not limited to: the percentage of inmates that receive medical assistance under a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); inmate access to healthcare services and providers, including specialty care; the quality of healthcare services provided to inmates; the percentage of inmates who, upon release, are enrolled under such a State plan and connected to a primary care provider in their community; and trends in the prevalence and incidence of illness and injury among inmates.

*Inmate Mental Health Care and Restrictive Housing.*—BOP is encouraged to continue to develop evidence-based policies and appropriate facilities to enable BOP to operate safely while properly caring for inmates with mental illness, and to expeditiously submit its report on the resolution of recommendations from the July 2017 OIG report on ways to improve BOP screening, treatment, and monitoring of inmates with mental illness in restrictive housing units.



restrictive

BOP is also directed, within the funding provided, to reduce the number of Federal inmates in ~~restricted~~ housing, including by opening transition units and other specialized units for populations often sent to restrictive housing, and by working with regional directors and wardens to address the widespread reliance on restrictive housing.

*Contraband Cell Phones in Prison Facilities.*—The agreement supports the budget request for contraband cellphone detection technology. BOP is directed to submit, not later than 180 days after the date of enactment of this Act, either a detailed plan for the deployment of a whole-complex jamming pilot, or an exhaustive explanation of the rationale, including health and safety considerations, that would necessarily preclude such a deployment.

*Land Mobile Radio (LMR) Communications.*—BOP is directed to develop a plan to update its LMR and video security systems in facilities where aging communications infrastructure and equipment pose a threat to officer safety, and to submit the plan to the Committees not later than 180 days after the date of enactment of this Act.

*Medication-Assisted Treatment (MAT).*—BOP shall consider all three forms of FDA-approved MAT as it expands access, and is expected to continue hiring ~~hire~~ healthcare staff, including physicians, pharmacists, nurses, and drug counselors, in order to properly meet inmates' medical needs, including those receiving MAT. BOP is directed to continue to report quarterly on the number of individuals who are screened for MAT, are seeking MAT, have received MAT, or are on a wait list for MAT. These categories should be further broken out by institution or residential reentry center (RRC) and type of MAT.

*Procurement of Food Products.*—BOP is directed to report to the Committees not later than 30 days after the date of enactment of this Act on how it is implementing the recommendations in the March 2020 OIG Management Advisory Memorandum on food procurement to ensure such food meets contract specifications and does not endanger the health of inmates and staff. BOP is further directed to examine how it can leverage contracts and services with local and regional businesses, including farmers, ranchers, food processors and other food vendors in order to lower costs while providing higher quality meals, and report on its findings not later than 180 days after the date of enactment of this Act.

*Inmate Access to Mail.*—BOP is directed to implement and expand solutions, like those that allow photographs or handwritten letters to be scanned and reprinted at secure off-site

locations and mailed directly to a correctional facility, or allow digital photographs and letters to be uploaded through a website or app and then printed at and mailed from a secure location, which are capable of eliminating the risk of contraband while maintaining inmates' access to mail from friends and family. Such solutions should not require additional equipment or changes to current infrastructure, should address any specific concerns relating to legal mail, and should ensure the highest degree of fidelity between the facsimiles and the originals. BOP is further directed to report, not later than 180 days of the date of enactment of this Act, on the status of mail scanning pilot programs currently occurring at two institutions, the resources needed to further expand solutions to mitigate the threat of contraband in mail to inmates, and to identify those resources requirements in its fiscal year 2022 budget request.

*Subsistence Fees.*—In lieu of House section 551, BOP is directed to report to the Committees, no later than 60 days after the date of enactment of this Act, on its current and planned efforts to notify persons in RRCs of the procedures for applying for subsistence fee waivers.

*Communicable Diseases and Prisons.*—The incarcerated population faces significantly higher risks of acquiring a communicable disease. BOP policy requires that prison protocols include an assessment of inmate immunizations and the provision of basic medical care, including hepatitis B and C testing and treatment, as well as preventive health services such as immunizations. However, the OIG reported in 2016 that some BOP facilities were not complying with this policy. The Department is directed to report not later than 270 days after enactment of the Act on the progress of efforts to achieve compliance with the protocols since the 2016 OIG report. The report should identify gaps in services and barriers to provision of immunization services; identify potential collaborations with health organizations to address identified disparities; and recommend ways to close them.

*Home Confinement.*—In lieu of the House report language, the agreement directs BOP to submit a report, not later than 60 days after the date of enactment of this Act, on home confinement and compassionate release. This report shall address the eligibility determination process, as well as implementation of home confinement-related provisions of the First Step Act and the Attorney General's memoranda dated March 26, 2020 and April 3, 2020. The report

should further provide an update required by the explanatory statement accompanying Public Law 116-93.

#### BUILDINGS AND FACILITIES

The agreement includes \$127,000,000 for the construction, acquisition, modernization, maintenance, and repair of prison and detention facilities housing Federal inmates. BOP shall proceed with ongoing planned and associated new construction efforts to meet projected capacity requirements, as identified in its monthly status of construction reports to the Committees. BOP is directed to continue to provide such reports on a monthly basis, along with notifications and explanations of any deviation from construction and activation schedules, and any planned adjustments or corrective actions.

*Modernization and Repair (M&R) of Existing Facilities.*—BOP is expected to apply the funding to reduce its longstanding M&R backlog, and is directed to prioritize funding for repairs that protect life and safety, and at facilities assessed as having deficiencies of a geological and seismic nature. BOP shall continue to provide monthly status of construction reports and notify the Committee of any changes reflected in those reports. BOP is further directed to continue providing a schedule and timeline for repairs of facilities with geological and seismic deficiencies and include updates in the monthly M&R reports.

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

The agreement includes a limitation on administrative expenses of \$2,700,000 for Federal Prison Industries, Incorporated.

#### STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

In total, the agreement includes \$3,385,300,000 for State and local law enforcement and crime prevention programs. This amount includes \$2,950,300,000 in discretionary budget authority, and \$435,000,000 derived by transfer from the Crime Victims Fund. The agreement also includes \$119,000,000 scored as mandatory for Public Safety Officer Benefits.

For fiscal year 2021, the Department is directed to continue following the directives required by Public Law 116–93, on the following topics: “Management and Administration Expenses,” “Grant Funds for Rural Areas,” “Science Advisory Board,” “Post-Conviction Relief for Trafficking Victims,” “Consent Decrees and Grant Assistance,” and “Peer-to-Peer Training.”

*Sufficient Number of Qualified Applicants.*—OJP is directed to submit an annual report on grant programs that have not received a sufficient number of qualified applicants.

*Submission of Officer Training Information.*—The Department has been directed to collect data on officer training each subsequent year as part of both the Edward Byrne Memorial Justice Assistance Grants (Byrne-JAG) and COPS Hiring application processes, including the number and rank of officers trained, as well as the type of training, including use of force, de-escalation, racial and ethnic bias, and community engagement. This data was directed to be provided to BJS in order to begin a data set on officer training. The public report and publication of a data set, required by Public Law 116–93, is overdue, and the Department is directed to release it immediately.

*Grant Funding Set-Asides.*—The Department is directed to continue providing a comprehensive report as described in Public Law 116-93 concurrently with the spending plan regarding grant set-asides.

*Tribal Grants and Victim Assistance.*—The agreement provides a total of \$92,500,000 in discretionary grant funding for Tribes as follows: \$46,000,000 within the Office of Justice Programs (OJP) for Tribal assistance; \$10,000,000 for a Tribal youth program within the Office of Juvenile Justice and Delinquency Prevention (OJJDP); \$29,500,000 for Tribal Resources and \$3,000,000 for a Tribal Access Program within the Community Oriented Policing Services (COPS) Office; and \$4,000,000 for a special domestic violence criminal jurisdiction program within the Office on Violence Against Women (OVW). In addition, a total of \$52,589,255 is provided to Tribal governments and Tribal coalitions in OVW funding as part of set-asides determined by program statute. For Tribal assistance grants within OJP, funding is to be used to support efforts to help Tribes improve the capacity of their criminal and civil justice systems. OJP is expected to consult closely with Tribal stakeholders in determining how Tribal assistance funds will be awarded for detention facilities, including outdated detention facilities that are unfit for detention purposes and beyond rehabilitation; courts; alcohol and substance abuse programs;

civil and criminal legal assistance; and other priorities. OJP is directed to submit, as part of the Department's spending plan for fiscal year 2021, a plan for the use of these funds that is informed by such consultation.

The agreement also includes a 5 percent set-aside for Tribes within the CVF. OVC is directed to consult closely with Tribal stakeholders to improve services for Tribal victims of crime, to include expanded purpose areas described in the OVC final rule effective August 8, 2016. OVC shall continue to follow direction required by Public Law 116-93 regarding grant application requirements, accountability, and assistance. The Department is directed to give Tribes maximum flexibility in use of funds in order to best meet the unique needs of victims in Tribal communities. The Department is also directed to streamline administrative requirements as much as possible to increase accessibility for those most in need in Indian Country.

*Human Trafficking in Indian Country.*—The Department is encouraged, in coordination with the Departments of the Interior and Health and Human Services, to work to address the need for and impact of Federal grant assistance regarding human trafficking in Indian Country, to ensure that Federal dollars are used effectively and efficiently. The Department is directed to report, not later than 180 days after the date of enactment of this Act, on its efforts to coordinate Federal grant programs to address trafficking in Indian Country. This report should compile data on the severity of the problem and the impact of grant assistance and identify instances of high administrative costs or burdens within programs.

*STOP School Violence Act Grants.*—In lieu of House report language on school design, the Department is encouraged to continue its ongoing work with the Departments of Homeland Security and Education through the School Safety Clearinghouse, which facilitates and coordinates interagency efforts to assess and share best practices related to school security resources, technologies, and innovations as well as identify safe school design practices for use by education agencies, law enforcement agencies, schools, architects, and engineers. The agreement includes a total of \$132,000,000 for STOP School Violence grants, and this funding is directed to be distributed for covered purpose areas provided under the STOP School Violence Act of 2018.

*DOJ Grant Oversight.*—The Department is encouraged to review its multi-year grant award processes and protocols to ensure grantees have fully complied with the rules of year-one

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funding before year-two funding is disbursed in multi-year grant awards, and to continue efforts to ~~create~~ identify high-risk grantees, so as to increase fiscal responsibility throughout the grant making process. It is recommended that the Department promptly complete and publish an internal review of the program, to inform efforts to implement a high-risk grantee designation in other Federal agencies.

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The agreement includes \$513,500,000 for the Office on Violence Against Women. These 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.....	40,000
Research and Evaluation on Violence Against Women.....	2,500
Consolidated Youth-Oriented Program.....	12,000
Grants to Encourage Arrest Policies.....	53,000
Homicide Reduction Initiative.....	(4,000)
Sexual Assault Services Program.....	41,000
Rural Domestic Violence and Child Abuse Enforcement.....	45,000
Violence on College Campuses.....	20,000
Civil Legal Assistance.....	47,000
Elder Abuse Grant Program.....	5,500
Family Civil Justice.....	18,000
Education and Training for Disabled Female Victims.....	6,500
National Resource Center on Workplace Responses.....	1,000
Research on Violence Against Indian Women.....	1,000
Indian Country- Sexual Assault Clearinghouse.....	500
Tribal Special Domestic Violence Criminal Jurisdiction.....	4,000
Rape Survivor Child Custody Act.....	1,500
<b>TOTAL, Violence Against Women Prevention and Prosecution Programs...</b>	<b>\$513,500</b>

*Community- Based Organizations.*—In lieu of the House report language regarding Community-Based Organizations, the Department shall submit a report to the Committees on the number of community-based organizations that provide culturally specific services and the amounts allocated to these organizations in fiscal years 2018, 2019, and 2020, as well as

estimates for fiscal year 2021. The Department shall report this information to the Committee not later than 90 days after the date of enactment of this Act. (S)

*Grants to Encourage Arrest Policies.*—The agreement supports survivor safety and recovery, and service coordination, for improving the criminal justice response to domestic violence, dating violence, sexual assault and stalking. In executing the Grants to Encourage Arrest Policies/Improving the Criminal Justice Response program, the Department is expected to make funding under this program open to all eligible entities, including victim service providers consistent with the statutory authority.

*Statutory Set-Asides.*—The underlying statutes for several grant programs, including the Services, Training, Officers Prosecutors (STOP) Formula Grant Program and the Sexual Assault Services Formula Grant Program (SASP), outline set-asides for Tribal governments and coalitions, culturally specific community-based organizations, and organizations providing services to underserved populations. These set-asides will provide a total of \$69,899,255 for fiscal year 2021 with \$52,589,255 for Tribal governments and coalitions, \$11,950,000 for culturally specific organizations and \$5,360,000 to meet the needs of underserved populations. OVW shall ensure that the full amounts provided for in the authorizing statutes are released to these groups expeditiously.

#### OFFICE OF JUSTICE PROGRAMS

#### RESEARCH, EVALUATION AND STATISTICS

The agreement provides \$82,000,000 for the Research, Evaluation and Statistics account. These funds are distributed as follows:



**RESEARCH, EVALUATION AND STATISTICS**  
(IN THOUSANDS OF DOLLARS)

Program	Amount
Bureau of Justice Statistics.....	\$45,000
Data Collection on Police Suicide.....	(3,000)
National Institute of Justice.....	37,000
Research on Domestic Radicalization.....	(6,000)
Research of School Safety.....	(1,000)
Research to Reduce Trauma for Child Pornography Victims.....	(1,500)
National Model for Reducing Incarceration Rates.....	(4,000)
Research on C-UAS .....	(2,000)
TOTAL, Research, Evaluation and Statistics.....	<u>\$82,000</u>

The agreement does not adopt House report language regarding a study addressing delayed law enforcement response to investigators' questions and an evaluation of data on stops and searches.

*Spending Plans.*—The Department is directed to submit, as part of its spending plan for State and Local Law Enforcement Activities, a plan for the use of all funding administered by the National Institute of Justice (NIJ) and the Bureau of Justice Statistics (BJS), respectively, for approval by the Committees prior to the obligation of any such funds.

*Study on Reducing Racial Disparities.*—In lieu of House language, the Department is directed to award a research grant for an evidence-based, nonpartisan analysis of existing evidence to examine how observed racial and ethnic disparities in the justice system might be reduced through public policy. The study should be awarded via a competitive grant process open to all applicants to promote the most rigorous research to be applied to this important question.

*Law Enforcement Management and Administrative Statistics (LEMAS) Survey.*—BJS is directed to immediately begin the next installment of the LEMAS survey if it has not already done so, in order to complete publication by September 30, 2021. BJS is further directed to

submit a plan to publish this data on a more regular schedule, and to identify the resources necessary for that purpose, not later than 90 days after the date of enactment of this Act.

*Pretrial Detention.*—In lieu of House report language regarding pretrial detention, it is expected that the results from the National Pretrial Reporting Program (NPRP), and Local Jails Reporting Program (LJRP) will fill the gap in currently collected data on the pretrial population and produce estimates of the demographic breakdown, types of offenses, and bail characteristics of the pretrial population.

*Prison Suicide Incidence Report.*—In lieu of House report language regarding Prison Suicide Incidence Reporting, the BJS shall submit to the Committees a report detailing a comprehensive statistical review and analysis of the incidence of prison suicide not later than 180 days after the date of enactment of this Act. The statistical review and analysis should include the identification of the common characteristics of victims of prison suicide and prisons and prison systems with a high incidence of prison suicide. In addition, the Department is directed to include recommendations for possible mitigation strategies and changes to Federal laws and regulations.

*Death in Custody Reporting Act (DCRA).*—In a December 2018 report, the OIG examined DCRA compliance and found that BJS had abandoned three different proposals for data collection, thereby delaying the process until fiscal year 2021. BJS is requested to publish the collections for fiscal years 2017, 2018, 2019, and 2020 by September 30, 2021. If that deadline cannot be met, BJS must notify the Committees as to the reason for the delay.

*Research to Reduce Trauma for Child Pornography Victims.*—The agreement provides \$1,500,000 for NIJ to administer a competitive grant to an accredited research university for a study of best practices to reduce the trauma of children affected by child pornography investigations. While some best practices have been adopted by law enforcement agencies who investigate these crimes, often referrals, access, and utilization of services for child victims remains sporadic and inconsistent. As a result, this study should produce a report with concrete recommendations for improving and synchronizing law enforcement best practices for ensuring child victims' well-being during and after the investigation into the crime.

*National Model for Reducing Incarceration Rates for Minor Parole Violations.*—Poor coordination within the criminal justice system, coupled with a lack of support systems for

affected individuals, can result in unnecessary incarceration rates, create a heavy financial burden for States and localities, and impose employment losses and societal costs on the incarcerated and their friends and family. To address these issues, this agreement includes \$4,000,000 for grants to academic partners who can design and test models, to expedite judicial review for technical violations of supervision, while linking individuals to evidence-based services that address the root causes of recidivism. Grantees should work to produce and test models that can be replicated on a national scale.

*Research on Counter Unmanned Aircraft Systems (C-UAS).*—This agreement supports the Department's efforts to address and mitigate the threats to public safety and national security caused by C-UAS. This agreement includes \$2,000,000 for NIJ to support the research, testing, and evaluation of C-UAS in DOJ law enforcement operations. The agreement recommends this research, testing, and evaluation be conducted with Federal Aviation Administration-designated UAS Test Sites.

*Understanding the Effects of Human Trafficking.*—Within the funds provided, NIJ is directed to develop and conduct studies consistent with those required by section 201(a)(1) of the Trafficking Victims Protection Act of 2005 (34 U.S.C. 20701(a)(1)). Furthermore, this agreement reiterates the Committees' previous direction for NIJ to conduct a study on the physical and psychological effects of severe forms of human trafficking, as required by section 20 of Public Law 115-392. NIJ is directed to provide a status report on this study not later than 30 days after the date of enactment of this Act.

*Interruption of Health Care Coverage in Pre-Trial Settings.*—NIJ is encouraged to study the impact of the interruption of medical, mental health, and addiction treatment coverage in pre-trial settings on individuals' health coverage, reentry, and on State and local criminal justice budgets.

*Data-Driven Policing and Courts.*—NIJ is encouraged to fund multi-year grants to educational institutions that have shown excellence in criminal justice data-driven analysis and decision-making, implementation science, and training. Grant recipients should focus on increasing utilization of data interventions proven effective and backed by research findings at the State and local level, and on developing systems to standardize courts and corrections data. Applicants should propose how they would work with surrounding States to develop a regional

profile on crime and criminal justice and serve as a repository for data that can be readily used for program solving, analysis, and evaluation.

*Correctional Education Evaluation.*—NIJ is directed to establish a public-private partnership with research and correctional institutions to collect and evaluate data to continue to advance the research on the impact of correctional education on recidivism.

*Research on Gunshot Detection Technology (GDT).*—In lieu of the House report language regarding gunshot detection, the Committees note that funding provided to NIJ in fiscal year 2015 supported a research project titled, “Evaluating Gunshot Detection Technology to Aid in the Reduction of Firearms Violence”. The results of this project were published in September 2019 as NCJ Number 254283, and this report is publicly available online. NIJ is encouraged to update this research effort, including the review of new advancements in GDT technology and the expanded number of site locations.

*Data on Police Suicide.*—BJS was directed to start the process of maintaining a data set on police suicide for Federal, State, and local law enforcement by Public Law 116-93. As with the data collection on officer training described under “Submission of Officer Training Information” under State and Local Law Enforcement Activities, the Department is directed to request that State and local law enforcement report on police suicides within their agencies as part of both the Byrne-JAG and COPS Hiring Program application processes. As BJS also maintains the DCRA data collection, the methods used for DCRA could also be applied to gain data on police suicide. The agreement provides \$3,000,000 to assist with this effort and directs that BJS brief the Committees, not later than 60 days after the date of enactment of this Act, on the status of this data collection, methods for obtaining better data from law enforcement agencies, and ongoing resource needs. A public report with full data analysis is to be released by September 30, 2021, and data shall be collected and published annually.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

The agreement includes \$1,914,000,000 for State and Local Law Enforcement Assistance programs. These funds are distributed as follows:

## STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(IN THOUSANDS OF DOLLARS)

Program	Amount
Byrne Memorial Justice Assistance Grants.....	\$484,000
Officer Robert Wilson III VALOR Initiative.....	(13,000)
Smart Policing.....	(8,000)
Smart Prosecution.....	(8,000)
NamUS.....	(2,400)
Officer Training for Responding to People w/ Mental Illness/Disability ....	(7,500)
John R. Justice Grant Program.....	(2,000)
Prison Rape Prevention and Prosecution.....	(15,500)
Kevin and Avonte's Law.....	(3,000)
National Center on Forensics.....	(4,000)
Project Safe Neighborhoods.....	(20,000)
Capital Litigation & Wrongful Conviction Review.....	(7,000)
Community Based Violence Prevention.....	(14,000)
National Center for Restorative Justice.....	(3,000)
Ashanti Alert Network.....	(1,000)
Family Alternative Sentencing Pilots.....	(3,500)
Child Advocacy Training.....	(1,000)
Rural Violent Crime Initiative.....	(7,000)
Managed Access Systems.....	(2,000)
Family Friendly Visitation Spaces in Prisons/Jails.....	(2,000)
State Criminal Alien Assistance Program.....	244,000
Victims of Trafficking Grants.....	85,000
Economic, High-tech, White Collar and Cybercrime Prevention.....	12,000
Intellectual Property Enforcement Program.....	(2,500)
Internet of Things.....	(2,000)
Adam Walsh Act Implementation.....	20,000
Patrick Leahy Bulletproof Vest Partnership Grant Program.....	30,000
Transfer to NIST/OLES.....	(1,500)
National Sex Offender Public Website.....	1,000
National Instant Criminal Background Check System (NICS) Initiative.....	85,000
NICS Acts Record Improvement Program.....	(25,000)
Paul Coverdell Forensic Science.....	33,000

DNA Initiative.....	141,000
Debbie Smith DNA Backlog Grants.....	(110,000)
State, Local and Federal Forensics Activities.....	(19,000)
Kirk Bloodsworth Post-Conviction DNA Testing Grants.....	(8,000)
Sexual Assault Forensic Exam Program Grants.....	(4,000)
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog.....	48,000
CASA – Special Advocates.....	12,500
Tribal Assistance.....	46,000
Second Chance Act/Offender Reentry.....	100,000
Smart Probation.....	(6,000)
Children of Incarcerated Parents Demo Grants.....	(5,000)
Project HOPE Opportunity Probation with Enforcement.....	(4,500)
Pay for Success.....	(7,500)
Anti-Opioid Initiative.....	394,000
Drug Courts.....	(83,000)
Mental Health Courts.....	(35,000)
Residential Substance Abuse Treatment.....	(34,000)
Veterans Treatment Courts.....	(25,000)
Prescription Drug Monitoring.....	(32,000)
Comprehensive Opioid, Stimulant, and Substance Abuse Program.....	(185,000)
Keep Young Athletes Safe Act of 2018.....	2,500
STOP School Violence Act.....	79,000
Emmett Till Grants.....	2,000
Hate Crimes Prevention Act Grants.....	5,000
Community Trust Initiative.....	90,000
Body Worn Camera Partnership Program.....	(35,000)
Justice Reinvestment Initiative.....	(33,000)
Byrne Criminal Justice Innovation Program.....	(22,000)
 TOTAL, State and Local Law Enforcement Assistance.....	 \$1,914,000

For fiscal year 2021, DOJ is directed to follow prior year report language, included in Senate Report 116–127 and adopted in Public Law 116–93, on “Capital Litigation Improvement and Wrongful Conviction Review”, “Project Safe Neighborhoods”, “Group Violence Intervention (GVI)”, “Gunfire Detection Technology”, “Grants to Combat Human Trafficking”, “Patrick Leahy Bulletproof Vest Partnership Grant Program”, “Sexual Assault Kit Initiative”, and “Keep Young Athletes Safe Act”.

*Law Enforcement Training.*—In lieu of House report language regarding law enforcement training, the agreement recognizes that training with regard to use of force, racial profiling, implicit bias, procedural justice, efforts to gain accreditation, development of uniform

## implementation of

standards, ~~implement~~ innovative law enforcement and non-law enforcement strategies, and the establishment of crisis intervention teams can be among the permissible uses of Byrne JAG funding.

*High-Risk Vehicle Events.*—The National Incident-Based Reporting System (NIBRS) data collection currently captures a subset of deaths or injuries associated with vehicular pursuits, including deaths or injuries to law enforcement officers and deaths of suspects. In lieu of House report language regarding data on high-risk vehicle events, BJS is encouraged to study the feasibility of developing a data collection process that more accurately captures the number of deaths and injuries from police pursuit and high-risk vehicle events, and include an analysis of the potential obstacles to capturing such data as well as data on bystanders injured or killed during police pursuits.

*Smart Policing.*—The agreement includes \$8,000,000 for Smart Policing. DOJ is directed to prioritize applications for the development of real-time crime centers in communities with high rates of violent and gun crime.

*Officer Training on Responding to People with Mental Illness or Disabilities.*—The agreement includes \$7,500,000 for a competitive grant program to award grants to State and local law enforcement and correctional entities to educate, train, and prepare officers so that they are equipped to appropriately interact with mentally ill or disabled individuals in the course of completing their job responsibilities. This training should be developed in conjunction with healthcare professionals to provide crisis intervention training focused on understanding mental and behavioral health, developing empathy, navigating community resources, de-escalation skills, and practical application training for all first responders. OJP is expected to track the results of this grant program in order to better establish best practices for law enforcement agencies. OJP is directed to submit a plan for implementing this grant program as part of the fiscal year 2021 spending plan.

*National Center on Forensics.*—The agreement includes \$4,000,000 for a National Center on Forensics. The National Center on Forensics shall be housed at an accredited university of higher education, with medical and law schools affiliated within the same university system, and work in partnership with a full-service and independent State department of forensic science with a medical examiner function, that is located in the same State as the



partner accredited university. The Center is to provide medico-legal learning opportunities for medical students to train as deputy medical examiners/coroners in underserved rural areas; provide forensic science and legal training to district attorneys, judges, and law enforcement; and develop opportunities as appropriate among the designated partners to benefit current and future practitioners in the field.

*National Center on Restorative Justice.* —The agreement provides \$3,000,000 to continue a partnership with an accredited university of higher education and/or law school for the purposes of supporting a National Center on Restorative Justice to educate and train the next generation of justice leaders. The Center shall also continue to support research focusing on how best to provide direct services to address social inequities, such as simultaneous access to substance abuse treatment and higher education. Further, the Center shall expand educational opportunities for those under sentence and in a court-supervised substance abuse program, and, through research and evaluation, the Center shall disseminate reports on the impact of attitudes, recidivism, and costs of the educational initiatives.

*Ashanti Alert Act Implementation.* —The agreement includes \$1,000,000 for continued efforts to implement the Ashanti Alert Act (Public Law 115-401) in order to further establish this network that assists regional and local search efforts in locating missing adults. This funding shall be provided to directly assist State and local government and law enforcement in order to develop or expand their missing adult communications networks. OJP is directed to submit, no later than 90 days ~~of~~ <sup>after</sup> the enactment of this Act, a status report on continued Ashanti Alert Act implementation.

*Family-Based Alternative Sentencing Pilot Programs.* —Several States have recently implemented family-based alternative sentencing pilot programs for parents, typically primary caregivers, who have been convicted of non-violent offenses. These programs allow parents to remain with their dependent children while receiving services, including drug treatment, job training, and counseling, rather than being incarcerated. The agreement includes \$3,500,000 for grants in support of such programs, to demonstrate the extent to which these programs can reduce costs to the criminal justice and foster care systems. OJP is directed to provide a plan for this grant program to the Committees not later than 45 days after enactment of this Act.

*Child Advocacy Training.*—The Report of the Attorney General’s National Task Force on Children Exposed to Violence acknowledged the need to include curricula in post-secondary educational programs to ensure that every child- and family-serving professional receives training in multiple evidence-based methods for identifying and screening children for exposure to violence. The agreement includes \$1,000,000 for a competitive grant program to support child advocacy training in undergraduate programming and continuing education. The grants should support the training of future mandated reporters and child protection professionals and support efforts across the country to train child protection professionals in the field, including law enforcement officers, social workers, mental and medical health professionals, and prosecutors.

*Rural Violent Crime Initiative.* —The agreement includes \$7,000,000 for a rural violent crime initiative, with grants to be awarded on a competitive basis to small law enforcement agencies in rural locations. Grants are to support improved training and technology, expanded community-based crime prevention programs, and partnerships with victim service providers. This initiative is intended to improve communication and collaboration between State, local, and Tribal law enforcement agencies and the communities they serve, to address the unique criminal justice challenges in rural areas.

*Community-Based Violence Prevention (CBVP).* —The agreement includes \$14,000,000 for CBVP and directs that these funds support evidence-based and data-driven intervention, prevention, and deterrence focused initiatives that aim to reduce violence. These initiatives should be focused on areas that are disproportionately impacted by violent crime including areas experiencing high rates of illegal firearms arrests and homicides. Projects are to be competitively awarded and require close collaboration among law enforcement, service providers, and community-based organizations. Projects shall employ community-based strategies including conflict mediation, street outreach, GVI, and hospital-based violence intervention programs associated with homicide reductions.

*Drug-Detection Canines.* —The rise of drug trafficking, including that of methamphetamines, within the United States and along our borders has created increased demand for drug-detection canines for local and State law enforcement. The Department is reminded that the purchase of drug detection canines is a permissible use of Byrne-JAG grant funds. The Department is directed to, where possible, further clarify within other existing

programs, including the AFF's Equitable Sharing Program, that canines are a permissible use of Federal funding.

*Combatting Contraband Cell Phones in Prisons and Jails.*—OJP is directed to publicize that managed access systems and other mitigation technologies are a permissible use of Byrne-JAG funds, including through statements on its website, in 'FAQs,' and in Byrne-JAG solicitations. OJP is further directed to report, as part of its fiscal year 2021 spending plan, on the efforts it will take to promote awareness of these systems in future Byrne-JAG award cycles.

*Fentanyl Detection.*—DOJ is encouraged to support the use of grant funds, such as Byrne-JAG funds, for the purchase of fentanyl detection equipment and training as well as naloxone distribution for law enforcement safety.

*Internet of Things Device Capabilities.*—Currently, no database exists of capabilities of Internet of Things devices, for training on options and best practices for handling of evidence to meet judicial standards and privacy concerns. To meet this need, \$2,000,000 shall be dedicated for a separate competitive grant program in order to provide four awards of not less than \$500,000 each for institutions of higher learning that provide training in computer forensics and digital investigation to develop a database on Internet of Things device capabilities and to build and execute training modules for law enforcement.

*Paul Coverdell Forensic Science.*—The agreement provides a total of \$33,000,000, of which \$17,000,000 is to specifically target the challenges the opioid and synthetic drug epidemic has brought to the forensics community, as required by the explanatory statement accompanying Public Law 116–93.

*Compliance with Statutory Requirements.*—Section 3 of the Justice for All Reauthorization Act of 2016 (Public Law 114–235) requires that, for fiscal year 2021, not less than 75 percent of the amounts made available to the Attorney General for a DNA Analysis and capacity enhancement program and for other local, State, and Federal forensic activities be provided for grants for activities described under paragraphs (1), (2), and (3) of section 2(a) of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546). OJP is directed to comply with this requirement by ensuring that at least 75 percent of the amount appropriated for these programs is awarded for these purposes. Additionally, the Justice Served Act of 2018 (Public Law 115–257) requires that not more than 7 percent and not less than 5 percent of the

funds allocated for the Debbie Smith DNA Backlog Grant Program be used for grants for prosecutors to increase the capacity of State and local prosecution offices to address cold cases involving violent crime, where suspects have been identified through DNA evidence. The Department is directed to implement the Justice Served Act of 2018 in accordance with the clear intent of Congress, and to ensure that not more than 7 percent and no less than 5 percent of the funds provided under the Debbie Smith program are allocated for the purpose of increasing the capacity of State and local prosecutors to address cold cases.

*Second Chance Act (SCA) Grants and Drug Treatment.*—SCA funding is expected to support grants that foster the implementation of strategies that have been proven to reduce recidivism and ensure adults released from prisons and jails safely and successfully reenter their communities. The agreement supports the Office of Management and Budget’s scoring mechanism for SCA grant funding as it relates to opioid abuse and the heroin epidemic. In addition, when awarding SCA grants, OJP is directed to consider the impact of reentry of prisoners on communities in which a disproportionate number of individuals reside upon release from incarceration. OJP shall assess the reentry burdens borne by local communities and local law enforcement agencies; review the resources available in such communities to support successful reentry and the extent to which those resources are used effectively; and make recommendations to strengthen the resources in such communities which are available to support successful reentry and to lessen the burden placed on such communities by the need to support reentry.

*Project HOPE Institute.*—The agreement provides \$4,500,000 for Project HOPE, of which not less than \$500,000 shall be directed to establishing a Project HOPE Institute to provide training, technical assistance, and best practices for jurisdictions replicating the HOPE model. As this same funding level was provided in fiscal year 2020, OJP is directed to submit a report, no later than 90 days after the enactment ~~act~~<sup>of</sup> of this act, describing the efforts to establish a Project HOPE Institute and the assistance provided in replicating the HOPE model. (VC)

*Comprehensive Addiction and Recovery Act (CARA) Programs.*—OJP is directed that funding for the Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) be focused on prevention and education efforts, effective responses to those affected by substance abuse, and services for treatment and recovery from addiction. Of the \$185,000,000 for

COSSAP, no less than \$11,000,000 shall be made available for additional replication sites employing the Law Enforcement Assisted Diversion (LEAD) model, with applicants demonstrating a plan for sustainability of LEAD-model diversion programs; no less than \$5,500,000 shall be made available for education and prevention programs to connect law enforcement agencies with K–12 students; and no less than \$10,500,000 shall be made available for embedding social services with law enforcement in order to rapidly respond to drug overdoses where children are impacted.

OJP is encouraged to ensure that funds provided for residential substance abuse treatment for State prisoners are being used to treat underlying mental health disorders, in addition to substance abuse disorders. Within the funding provided for drug courts, OJP is encouraged to give attention to States and localities that have the highest concentrations of opioid-related cases, and to prioritize assistance to underserved areas whose criminal defendants currently have relatively little opportunity to access drug courts and coordinate, as appropriate, with other Federal agencies such as the Department of Health and Human Services, as it implements these activities in order to avoid duplication. OJP is directed to include appropriate long-acting medications, including injectable anti-psychotic medication, as an allowable expense to improve treatment adherence and reduce risk for relapse and re-incarceration.

Additionally, the Department is urged to provide funding in accordance with section 14002 of the 21st Century CURES Act of 2016 (Public Law 114–255) for court-ordered assisted outpatient treatment as authorized in law. Finally, the 21st Century CURES Act authorized the funding of Forensic Assertive Community Treatment (FACT) Initiatives as part of the adult and juvenile collaboration program grants. OJP is encouraged to make funding available for FACT Initiatives within these programs.

*Body-Worn Camera Partnership Program.*—It is recommended that jurisdictions continue to: (1) develop camera policies and procedures with community input; (2) commit to a set of narrow and well-defined purposes for which cameras and their footage may be used; (3) specify clear operational policies for recording, retention, and access; (4) require training for both the proper use of body-worn cameras and for the handling and use of the obtained video and audio recordings; (5) ensure that prior to use of body-worn cameras, privacy and data retention policies are already in place; and (6) as appropriate, make footage available to promote

accountability with necessary privacy safeguards. In addition, OJP is requested to update the Body-Worn Camera Toolkit on an annual basis with any new information, data, and best practices and keep it publicly available on its website.

*Justice Reinvestment Initiative (JRI).* — Jurisdictions may use the JRI to reduce recidivism; control the size of corrections populations, either incarcerated or on community supervision; reduce crime; and create budgetary solutions to better balance correctional costs within a State's budget. Justice reinvestment is used to implement data-driven strategies to improve public safety by reducing corrections spending and reinvesting those savings in efforts to decrease crime and strengthen neighborhoods. Funding may be used to provide technical assistance to States with existing justice reinvestment programs to further such programs; provide technical assistance to additional States to expand the justice reinvestment initiative to those jurisdictions; or provide funding to States with existing justice reinvestment initiatives to expand or enhance the State's self-identified justice reinvestment initiative goals. Justice reinvestment funds shall not be restricted by Federal agencies for use on specific programs or policy initiatives, and States shall be permitted to establish their own priorities within the justice reinvestment framework.

*Sexual Assault Kit Initiative (SAKI).* — Within the amounts provided in this agreement, OJP shall provide competitively awarded grants with a comprehensive community-based approach to assist with the reduction of the backlog of untested rape kits at law enforcement agencies. OJP is further directed to provide a report, no later than 90 days after enactment of this act, on its progress in developing a strategy and model to serve as best practices for discovering and testing kits, training law enforcement, and supporting victims throughout the process as required by Public Law 113-235.

#### JUVENILE JUSTICE PROGRAMS

The agreement includes \$346,000,000 for Juvenile Justice programs. These funds are distributed as follows:

## JUVENILE JUSTICE PROGRAMS

(IN THOUSANDS OF DOLLARS)

Program	Amount
Part B – State Formula Grants.....	\$67,000
Emergency Planning – Juvenile Detention Facilities.....	(500)
Youth Mentoring Grants.....	100,000
Title V – Delinquency Prevention Incentive Grants.....	49,000
Prevention of Trafficking of Girls.....	(2,000)
Tribal Youth.....	(10,000)
Children of Incarcerated Parents Web Portal.....	(500)
Girls in the Justice System.....	(3,000)
Opioid Affected Youth Initiative.....	(10,000)
Children Exposed to Violence.....	(8,000)
Victims of Child Abuse Programs.....	30,000
Missing and Exploited Children Programs .....	94,000
Child Abuse Training for Judicial Personnel .....	3,500
Juvenile Indigent Defense.....	2,500
TOTAL, Juvenile Justice.....	\$346,000

000

For fiscal year 2021, the Department is directed to continue following the directives as required by Public Law 116–93, on the following topics: “Implementation of the Juvenile Justice Reform Act of 2018”, “Juvenile Diversion Programs”, and “ICAC Training”.

*Part B: State Formula Grants.*—OJP is directed to submit as part of its spending plan for State and Local Law Enforcement Activities a plan for the administration of Part B State Formula Grants, including details pertaining to the formulas utilized in awarding grants under this heading. OJP is further directed to submit a report not later than one year after the date of enactment of this Act describing the types of programs that grantees are using their formula grant funding to support.

DOJ is urged to encourage Title II grant recipients to coordinate with their State education agencies to support continuity of education opportunities for adjudicated youth and

~~encourages the Department~~ to continue its efforts to institute reforms to ensure States’

compliance with the Title II core requirements. The Department shall report to the Committees on these efforts not later than 60 days after the date of enactment of this Act.

*Arts Programs and Therapies for At-Risk and Justice-Involved Youth.*—The agreement supports the use and implementation of arts-based programs and therapies at various points in the juvenile justice system as a way to work collaboratively across sectors to achieve system improvements and positive outcomes for youth. As a result, OJJDP is directed to review opportunities to include arts-based methods for prevention, diversion, and residential grant programs, and to provide a report to the Committees, not later than 90 days after the date of enactment of this Act, on the OJJDP programs providing options for these programs and therapies.

*Youth Mentoring Grants.*—Within the funds provided for Youth Mentoring Grants, \$16,500,000 is for helping youth impacted by substance abuse, including opioids and methamphetamine. OJJDP is expected to take all steps necessary to ensure fairness and objectivity in the award of these and future competitive grants. OJP and OJJDP are expected to maintain expanded eligibility for local mentoring programs, particularly in rural areas, unaffiliated with national mentoring organizations. OJP and OJJDP are also expected to collaborate with mentoring stakeholders to expand youth mentoring services in rural areas inordinately affected by substance abuse and that are considered at-risk.

*Victims of Child Abuse Act.*—For the various programs authorized under the Victims of Child Abuse Act (Public Law 101–647), OJJDP is directed to ensure that not less than 90 percent of the grants awarded are for the purposes of developing and maintaining children’s advocacy centers (CAC), including training and accreditation. OJJDP is further directed to ensure the funds intended to support local CACs are used efficiently with the highest percentage possible of Federal funding expended for local CAC organizational capacity, which is essential for the effective support of implementing the multidisciplinary response to child abuse investigation, prosecution, and intervention services. Within the funds provided, \$5,000,000 shall be for Regional Children’s Advocacy Centers (RCACs) Programs.

The agreement supports efforts by CACs to use their unique model and expertise to help military installations address cases of child abuse, and again provides \$1,000,000 from within the funds provided to continue to support a pilot project to identify, develop, and operationalize best practices. As this effort has been funded since fiscal year 2017, OJJDP is directed to report on



the status of this pilot, including the locations of CACs and military installations working together, the number of children served through these partnerships, and lessons learned from this pilot program.

*Missing and Exploited Children Programs.*—With the exception of funding directives, direction in the House report on Missing and Exploited Children Programs stands. The agreement includes \$94,000,000 for these programs and the Department is directed to distribute the increased amount proportionally among Missing and Exploited Children programs, excluding research and technical assistance activities.

Furthermore, OJP is directed to provide a plan for the use of these funds as part of the Department's spending plan for fiscal year 2021, which shall include investments in authorized national programs that serve as a resource center and clearinghouse on missing and exploited children, task force grants, and administrative costs for the Internet Crimes Against Children (ICAC) program.

Within the funds provided in this agreement for the AMBER Alert program, no less than \$4,400,000 is for the operation and activities of the existing AMBER Alert program. Of the funds provided for AMBER Alert activities, \$1,000,000 shall be directed to addressing State/Tribal integration consistent with the findings of the report directed by Public Law 115–166.

OJJDP is directed to continue to provide for the development of IT solutions to address both duplicative tips and law enforcement deconfliction, to ensure that only high-quality information is being provided to law enforcement agencies, including ICAC task forces, as required by the explanatory statement accompanying Public Law 116–93.

Within the funds provided in this agreement, \$3,000,000 shall be for a competitive grant award program to increase the technological investigative capacity, and associated training of law enforcement, to support the development, refinement, and advancement of widely used investigative tools, methods and technologies that address child pornography, exploitation, and sex trafficking, as previously directed in fiscal years 2018, 2019 and 2020. OJJDP is further directed to expand efforts to provide advanced skills training for ICAC officers.

*ICAC Structure.*—OJJDP is directed to submit a report, not later than 120 days after the date of enactment of this Act, describing how the ICAC program can be better structured to ensure consistency across the 61 task forces. Issues to be addressed include, adherence to

standardized operating procedures; deconfliction processes with other Federal, State, local, and Tribal law enforcement agencies; the best way to prioritize investigations; and the possibility of establishing a formalized governing board over the ICAC program. This report should also discuss how to reduce the problem of high turnover for ICAC investigators, reasons for this turnover, and the skill sets and law enforcement backgrounds that have been most beneficial for investigators who have longevity with their ICAC programs.

*Children Exposed to Violence.*—The agreement provides \$8,000,000 for grants to help children exposed to violence, through supportive services for the children and their families, training and awareness to communities, and technical assistance for child and family-serving organizations to help them better recognize and help families at risk for violence.

## PUBLIC SAFETY OFFICER BENEFITS

SC

(INCLUDING TRANSFER OF FUNDS)

The agreement includes \$143,800,000 for the Public Safety Officer Benefits program for fiscal year 2021.

## COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

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The agreement includes \$386,000,000 for Community Oriented Policing Services (COPS) programs, as follows:

## COMMUNITY ORIENTED POLICING SERVICES

(IN THOUSANDS OF DOLLARS)

Program	Amount
COPS Hiring Grants.....	\$237,000
Tribal Resources Grant Program.....	(29,500)
Regional Information Sharing Activities .....	(40,000)
Tribal Access Program.....	(3,000)
Law Enforcement Mental Health and Wellness Act.....	(8,000)
POLICE Act.....	11,000
Anti-Methamphetamine Task Forces.....	15,000
Anti-Heroin Task Forces.....	35,000
STOP School Violence Act.....	53,000
Community Policing Development/Training and Technical Assistance.....	35,000
Co-responder Crisis Teams.....	(10,000)
De-escalation Training.....	(15,000)
Accreditation Support.....	(5,000)
CPD Microgrants.....	(3,000)
Diversity and Anti-Bias Training.....	(2,000)
TOTAL, Community Oriented Policing Services.....	\$386,000

For fiscal year 2021, DOJ is directed to follow prior year report language, included in Senate Report 116–127 and adopted in Public Law 116–93, on “Anti-Methamphetamine Task Forces” and “Anti-Heroin Task Forces.”

*COPS Hiring Program.*—The COPS Hiring Program grant solicitation for fiscal year 2021 is directed to include two additional priority focus areas: (1) hiring officers who live in the communities that they serve and (2) hiring officers who are willing to relocate to areas characterized by fragmented relationships between police and residents of the community, or where there are high incidents of crime.

*Community Policing Development (CPD), Training and Technical Assistance.*— The agreement provides \$35,000,000 for CPD, for competitive grants provided directly to law enforcement agencies, in the following manner: \$10,000,000 is to expand the use of crisis intervention teams in order to embed mental and behavioral health services with law

institutions

enforcement, including training programs; \$15,000,000 is for officer training in de-escalation techniques, of which no less than \$4,000,000 is for grants to regional de-escalation training centers that are administered by accredited ~~universities~~ of higher education and offer de-escalation training certified by a national certification program; \$5,000,000 is for assisting agencies with gaining accreditation to ensure compliance with national and international standards covering all aspects of law enforcement policies, procedures, practices, and operations, of which no less than \$1,500,000 is to be provided for small and rural law enforcement agencies for this purpose; \$3,000,000 is for the CPD Microgrants program, which provides funding for demonstration and pilot projects that offer creative ideas to advance crime fighting, community engagement, problem solving, and organizational changes to support community policing; and \$2,000,000 is for grants to support tolerance, diversity, and anti-bias training programs offered by organizations with well-established experience training law enforcement personnel and criminal justice professionals. The COPS Office is directed to report, within 30 days of enactment of this Act, on how the direction for CPD grants is being followed as well as timelines for grant deadlines and distribution.

*Law Enforcement Mental Health and Wellness Grants.*—Funding for the Law Enforcement Mental Health and Wellness Act (Public Law 115–113) shall be distributed via competitive grant process for State and local law enforcement agencies to provide better training on officer emotional and mental health, to implement suicide prevention programming, and to help officers seek assistance in receiving support services.

*School Resource Officers.*—The COPS Office is directed to continue to implement requirements and procedures regarding written memoranda of understanding and training requirements, including clear definitions of officers' roles and responsibilities on campus, for any COPS Hiring grant funds used to hire school-based law enforcement officers.

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## GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

(INCLUDING TRANSFER OF FUNDS)

The agreement includes 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 or 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 that the Director of the Bureau of Prisons (BOP) is obliged to provide escort services to an inmate receiving an abortion outside of a Federal facility, except where this obligation conflicts with the preceding section.

Section 205 establishes requirements and procedures for transfer proposals.

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

Section 207 prohibits the use of funds for the purchase or rental by Federal prisons of audiovisual or electronic media or 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 BOP or 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 2 percent of grant and reimbursement program funds made available to the OJP to be used for training and technical assistance and permits up to 2 percent of grant funds made available to that office to be used for criminal justice research, evaluation and statistics by the NIJ and the Bureau of Justice Statistics.

Section 213 gives the Attorney General the authority to waive matching requirements for Second Chance Act adult and juvenile reentry demonstration projects; State, Tribal, and local reentry courts; and drug treatment programs. If a waiver is granted, the Attorney General shall document any factors and material presented by a grantee upon determining that a fiscal hardship exists prior to making an award.

Section 214 waives the requirement that the Attorney General reserve certain funds from amounts provided for offender incarceration.

Section 215 prohibits funds, other than funds for the national instant criminal background check system established under the Brady Handgun Violence Prevention Act, from being used to facilitate the transfer of an operable firearm to a known or suspected agent of a drug cartel where law enforcement personnel do not continuously monitor or control such firearm.

Section 216 places limitations on the obligation of funds from certain Department of Justice accounts and funding sources.

Section 217 allows certain funding to be made available for use in Performance Partnership Pilots.

Section 218 increases the threshold for balances in the United States Trustee System Fund.

Section 219 provides access for Tribes to national information databases.

Section 220 makes the Attorney General responsible for payment of witness fees.

Section 221 makes United States Marshals Service employees eligible for danger pay for certain foreign deployments.

Section 222 provides funding to develop and operate a database on law enforcement use of force and officer misconduct.

### TITLE III SCIENCE

#### OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The agreement includes \$5,544,000 for the Office of Science and Technology Policy (OSTP).

*Emerging Contaminants.*— Within 30 days of the enactment of this Act, OSTP shall update its October 2018 “Plan for Addressing Critical Research Gaps Related to Emerging Contaminants in Drinking Water” as directed in Senate Report 116-127 and adopted by Public Law 116-93. The update shall identify any necessary program, policy, or budgetary resources required, by agency, to support implementation of the Federal research strategy for fiscal years 2021, 2022, and 2023. OSTP is further directed to brief the Committees on the National Emerging Contaminant Research Initiative within 30 days of enactment of this Act.

*Research Integrity.*— The Committees have yet to receive the assessment that will form the baseline for guidance for government agencies, universities, and the broader research community on indicators of risks to research integrity from foreign influence. OSTP shall report within 30 days of enactment of this Act to the Committees on the extent of these issues and provide OSTP’s suggested risk mitigation actions that can be implemented by universities and the U.S. Government.

*Research on the Great Lakes Resources.*— The vessels of the Great Lakes ecosystem Federal research fleet are nearing the end of their useful service lives. OSTP is reminded of the requirement to submit an assessment of the fleet contained in Senate Report 115-275, adopted by Public Law 116-6.

*Federal Unmanned Aircraft Systems (UAS) Procurement.*— OSTP is encouraged to identify domestically-produced UAS options as alternatives to commercially-available foreign

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UAS that may allow for the unintended transmittal of data being collected and to coordinate guidelines that will allow for secure utilization of UAS by all Federal agencies.

#### NATIONAL SPACE COUNCIL

The agreement includes \$1,965,000 for the activities of the National Space Council.

*Quarterly Briefings.*— The National Space Council is directed to provide the Committees with quarterly briefings, beginning with the annual budget submission, that identify current and emerging threats to maintaining U.S. leadership in space-based activities by the Federal Government, industry, and academia and the associated plans and policies to maintain that leadership.

#### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The agreement includes \$23,271,278,000 for the National Aeronautics and Space Administration (NASA).

*Partial Funding Requests.*—The agreement notes that going forward, NASA should refrain from requesting only part of the funding it requires to accomplish all of its missions. Additionally, the agreement objects to NASA's efforts in recent fiscal years to redirect funding away from priorities clearly set by the Congress in law and has included more specific bill language to curtail such actions.

*Quarterly Launch Schedule.*—NASA shall continue providing the Committees with a quarterly launch schedule, by mission, which describes the risks associated with any launch delays, the impacts of launch delays to other missions in the launch queue, a budget estimate of the anticipated carrying costs for missed launch windows, as well as any adjustments to launch windows for delayed missions.

*Oversight and Accountability.*—NASA acquisition management remains on the U.S. Government Accountability Office's (GAO's) "high risk" list. NASA is expected to maintain focus on improving oversight and accountability. NASA is directed to cooperate fully with GAO and shall provide timely program analysis, evaluation data, and other relevant information so GAO can report to Congress shortly after the annual budget submission, and semiannually thereafter, on the status of large-scale NASA programs, projects, and activities. NASA is further



directed to brief the Committees within 30 days of the annual budget submission on the reserves, along with confidence level if appropriate, assumed in the proposed funding level for each directorate, theme, program, project, or activity.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

(IN THOUSANDS OF DOLLARS)

Program	Amount
<b>Science</b>	
Earth Science.....	\$2,000,000
Planetary Science.....	2,700,000
Astrophysics.....	1,356,200
James Webb Space Telescope.....	414,700
Heliophysics.....	751,000
Biological and Physical Sciences.....	79,100
<b>Total, Science.....</b>	<b>7,301,000</b>
<b>Aeronautics.....</b>	<b>828,700</b>
<b>Space Technology.....</b>	<b>1,100,000</b>
<b>Exploration</b>	
Exploration Systems Development.....	4,582,600
Orion Multi-purpose Crew Vehicle.....	1,406,700
Space Launch System (SLS) Vehicle Deployment.....	2,585,900
Exploration Ground Systems.....	590,000
Exploration Research and Development.....	1,972,800
Gateway.....	698,800
Human Landing System.....	850,000
<b>Total, Exploration.....</b>	<b>6,555,400</b>
<b>Space Operations.....</b>	<b>3,988,200</b>
<b>Science, Technology, Engineering, and Mathematics (STEM) Engagement</b>	
NASA Space Grant.....	51,000
EPSCoR.....	26,000
Minority University Research Education Project.....	38,000
STEM Education and Accountability Projects.....	12,000
<b>Total, Science, Technology, Engineering, and Mathematics (STEM) Engagement.....</b>	<b>127,000</b>
<b>Safety, Security and Mission Services.....</b>	<b>2,936,500</b>
<b>Construction and Environmental Compliance and Restoration.....</b>	<b>390,278</b>
<b>Office of Inspector General.....</b>	<b>44,200</b>
<b>Total, NASA.....</b>	<b>\$23,271,278</b>

SCIENCE

The agreement includes \$7,301,000,000 for Science.

*Earth Science.*—The agreement includes \$2,000,000,000 for Earth Science and adopts all funding levels designated by the House, except as follows.

*Earth Science Research and Analysis.*—The agreement directs no less than \$25,000,000 above the requested level for Earth Science Research and Analysis.

*Earth Science Decadal.*—In keeping with the recommendations of the Earth Science decadal survey, NASA should plan to competitively select future missions. An increase in competed, Principal Investigator (PI)-led missions can encourage better cost and schedule management, infuse new technologies, and contribute to workforce.

*Earth System Science Pathfinder Missions.*—The agreement includes \$343,900,000 for Earth System Science Pathfinder missions.

*Venture Class Missions.*—The agreement includes \$263,600,000 for Venture Class Missions.

*NASA– Indian Space Research Organisation (ISRO) Synthetic Aperture Radar, Geosynchronous Littoral Imaging and Monitoring Radiometer (GLIMR), and Geostationary Carbon Cycle Observatory (GeoCARB).*—The agreement fully supports, at no less than the request level, NASA–ISRO Synthetic Aperture Radar, the GLIMR instrument, and GeoCARB is due to launch in 2023 and will demonstrate the feasibility of using a commercial communications satellite to host a scientific instrument to measure vegetation off-gassing and detect methane. GeoCARB could serve as a model for meeting future Earth Science research needs in a cost-effective manner. The ~~Committee remains~~ supportive of collaborative research that works to advance our understanding of the behavior of the Earth by engaging academia, particularly students, in its studies and investigations, as these partnerships ensure that NASA’s data expertise remains up-to-date and increases the research capacities at universities.

and  
GeoCARB

*Planetary Science.*—The agreement includes \$2,700,000,000 for Planetary Science.

*Lunar Discovery.*—The agreement includes up to \$451,500,000 for the Lunar Discovery and Exploration, including \$22,000,000 to continue the Lunar Reconnaissance Orbiter,

agreement is

\$70,000,000 for the new Lunar Future initiative, and up to the request level for Commercial Lunar Payload Services (CLPS). NASA is expected to provide funding under the CLPS program only for lunar landers and rovers majority-designed, developed, and built in the United States. Additionally, this level of funding supports a regular cadence of at least one robotic mission to the lunar surface per year. The Lunar Discovery and Exploration program shall adhere to the lunar science priorities established by decadal surveys and the National Research Council's Scientific Context for the Exploration of the Moon by funding activities that meet both lunar science and human exploration needs through varied mission types.

*Planetary Defense.*—The agreement includes \$156,400,000 for planetary defense of which \$66,400,000 is for the Double Asteroid Redirect Test (DART) to ensure a June 2021 launch and \$90,000,000 is for other Near Earth Object Observations missions and data analysis. NASA is expected to request adequate resources for simultaneous development of DART and the Near Earth Object Surveillance Mission (NEOSM) that pursues a 2025 launch date for NEOSM. NASA is directed to report to the Committees within 180 days of the enactment of this Act on how the agency is fulfilling its mandate to detect 90 percent of objects greater than 140 meters that threaten Earth, along with development progress of DART and NEOSM.

*Asteroid Sample and Advanced Curation Facility.*—NASA's investments in the Asteroid Sample and Advanced Curation Facility, as well as the Astromaterials Curation Annex, will allow NASA to properly analyze and curate the variety of samples encountered in the planned Mars Sample Return (MSR) mission. NASA should ~~to~~ leverage these investments by engaging the academic community to support sample return missions and make samples available for research to the worldwide science community.

*New Frontiers Missions.*—The agreement includes \$183,200,000 for New Frontiers missions. Within New Frontiers, \$100,000,000 is included for Dragonfly missions. The agreement includes the budget request for Radioisotope Power Systems. Further, the agreement expects NASA to continue the selection and launch cadence of New Frontiers and Discovery class missions in spite of any cost pressures from planetary flagship missions or the Mars program.

necessary

*Mars Exploration Program.*—The House language regarding the Mars Exploration Program is accepted and within these amounts the agreement includes \$263,500,000 to further development of an MSR mission to be launched in 2026.

*Commercial Deep Space Communications Relay.*—Consistent with House direction, within 180 days of enactment of this Act, NASA is directed to submit a report to the Committees outlining the Science plan for securing commercial services for future Mars surface assets. NASA may use fiscal year 2021 funds to procure such services to the extent they are available, scientifically ~~necessarity~~, and can be selected competitively.

*Europa Clipper Mission.*—The agreement includes \$403,500,000 for the Jupiter Europa Clipper mission, modifies House language regarding Clipper, and includes a proviso regarding conditions to be met and directives for the Administrator.

*Icy Satellites Surface Technology.*—The agreement includes no less than \$17,500,000 above the requested level for Icy Satellites Surface Technology.

*Science Mission Directorate (SMD) Education.*—The agreement provides no less than \$45,600,000 for education and outreach efforts. The agreement further supports the recommendation that the Astrophysics program continue to administer this SMD-wide education funding. The agreement encourages SMD-funded investigators to be directly involved in outreach and education efforts and support citizen science. NASA should continue to prioritize funding for ongoing education efforts linked directly to its science missions.

*Astrophysics.*—The agreement includes \$1,356,200,000 for Astrophysics.

*Cosmic Origins.*—The agreement includes \$93,300,000 for the Hubble Space Telescope, \$10,000,000 for search for life technology development to leverage and scale technologies developed for the James Webb Space Telescope, and \$85,200,000 for the Stratospheric Observatory for Infrared Astronomy (SOFIA).

*James Webb Space Telescope (JWST).*—The agreement includes \$414,700,000 for JWST.

*Nancy Grace Roman Space Telescope.*—The agreement includes \$505,200,000 for the Roman Telescope.

*Heliophysics.*—The agreement provides \$751,000,000 for Heliophysics, including \$280,800,000 for Heliophysics Research which includes the request level for Research Range; \$148,200,000 for Living with a Star, which includes no less than \$25,000,000 for space weather science applications and \$15,000,000 above the request for Geospace Dynamics Constellation; \$148,600,000 for Solar Terrestrial Probes, which includes funding for the Magnetospheric Multiscale mission at no less than the fiscal year 2020 level and \$10,000,000 to begin formulation for the Dynamical Neutral Atmosphere-Ionosphere Coupling mission as a Principal Investigator (PI)-led mission; and \$173,400,000 for Heliophysics Explorers. This amount supports the Diversify, Realize, Integrate, Venture, Educate initiative as recommended in the most recent heliophysics decadal survey, as well as science centers and early career researchers. NASA is directed to establish a standalone heliophysics technology program in future budget requests. NASA's space weather science applications program should focus on research and technologies that enable other agencies to dramatically improve operational space weather forecasts and assets, including ground-based assets such as the Daniel K. Inouye Solar Telescope.

*Unmanned Aerial Vehicles.*—The agreement supports NASA's efforts to develop and refine UAV platforms and encourages continued cooperation from Federal science agencies, including NOAA, to expand utilization and supplement data collection in support of hurricane forecast modeling.

*Biological and Physical Science.*—The agreement includes \$79,100,000 for Biological and Physical Science within Science, with a commensurate reduction in Space Operations.

#### AERONAUTICS

The agreement includes \$828,700,000 for Aeronautics. The agreement supports New Aviation Horizons and is encouraged by NASA's efforts toward developing a Low Boom Flight Demonstrator X-plane, referred to as the Low Boom Flight Demonstrator (LBFD). Appropriate funds are also included to enable the next X-plane demonstration planned beyond LBFD.

*University Leadership Initiative.*—NASA is expected make additional awards to U.S. universities from the Fiscal Year 2020 solicitation to address additional technical barriers in aeronautics and is encouraged to utilize universities and their capabilities in areas where

multidisciplinary convergent research is needed in early stage aeronautics research and technology development.

*Hypersonics Technology.*—The agreement includes up to \$60,000,000 for Hypersonics Technology.

*Hypersonics Advanced Materials.*—The agreement provides an additional \$8,000,000 above the request for collaborative work between industry and academia for development of lower cost advanced three-dimensional carbon/carbon material testing and characterization that will benefit the next generation of very high temperature composites for hypersonic vehicles.

*High-Rate Composite Aircraft Manufacturing (HiCAM).*—The agreement provides no less than the requested amount for HiCAM and encourages NASA to leverage existing academic and industry expertise to help demonstrate efficient design, development, and certification requirements associated with this program and to utilize no less than 75 percent of these funds to support public-private partnership with at least a 50 percent government cost share.

*Subsonic Aircraft Research.*—NASA is encouraged to continue research and development in key technologies and innovative aircraft structures and components to enable development of ultra-efficient, sustainable transonic aircraft, including investments in X-planes or other appropriate test platforms.

*Advanced Composite Project (ACP).*—The agreement encourages NASA to maintain the capabilities and intellectual property structures developed through public-private partnerships within the ACP, provides no less than the fiscal year 2020 funding level for these activities, and expects the activities associated with the ACP to be leveraged across the aeronautics portfolio as part of the fiscal year 2022 request.

*Advanced Materials Research.*—The agreement provides \$7,000,000 above the request level for advanced materials research and encourages NASA to partner with academic institutions that have strong capabilities in aviation, aerospace structures, and materials testing and evaluation for these activities.

*Unmanned Traffic Management System (UTM).*—NASA is encouraged to continue work with Federal agencies, States, counties, cities, and Tribal jurisdictions on research toward the development of a UTM system that will ensure the broadest level of acceptance from local

agreement

jurisdictions. Within 60 days of enactment of this Act, NASA shall provide a report to the Committees on Appropriations regarding the agency's future unmanned traffic management UTM airspace requirements, UTM airspace needs, and by extension, the agency's advanced air mobility airspace needs.

*UTM Modeling.*—The Committees support NASA's ability to leverage test range airspace, modeling, and simulation from other Federal agencies for UTM and advanced air mobility related activities. NASA should ensure that UTM regional modeling and simulation include electric and hybrid vertical takeoff and landing (VTOL) aircraft and that VTOL aircraft, infrastructure, and airspace meet the needs of rural, suburban, and urban communities.

*Cleaner, Quieter Airplanes.*—Not later than 180 days after the enactment of this Act, NASA shall submit to the Committees a report on NASA's progress on the development of technologies for quieter, cleaner airplanes, including ability to transition these technologies to industry.

#### SPACE TECHNOLOGY

The agreement includes \$1,100,000,000 for Space Technology and reaffirms support for the independence of the mission directorate and recognizes that its current status enables it to support the development of a wide array of various technologies.

*Regional Economic Development Program.*—The agreement includes up to \$8,000,000 for the Regional Economic Development Program. NASA is encouraged to expand the program to all 50 states.

*On Orbit Servicing and Manufacturing.*—The agreement includes up to the requested level for On Orbit Servicing and Manufacturing Demonstration-2.

*Restore-L/Space Infrastructure DEXterous Robot (SPIDER).*—The agreement provides \$227,000,000 for Restore-L/SPIDER.

*Nuclear Thermal Propulsion.*—The agreement provides not less than \$110,000,000 for the development of nuclear thermal propulsion, of which not less than \$80,000,000 shall be for the design of test articles that will enable a flight demonstration. Within 180 days of the enactment of this Act, NASA, in conjunction with other relevant Federal departments and agencies, shall submit a multi-year plan that enables technology development leading to an in-



space propulsion-system demonstration and describes future missions and propulsion and power systems enabled by this capability.

*Solar Electric Propulsion.*—The agreement includes the requested level for Solar Electric Propulsion activities.

*Additive Manufacturing.*—The agreement includes \$35,000,000 for additive manufacturing.

*Flight Opportunities Program.*—The agreement includes no less than \$27,000,000 for the Flight Opportunities Program. The funding provided for this program may be used to support undergraduate and graduate work in developing flight opportunities payloads. NASA should ensure that funds are available for flight opportunities of science, technology demonstration, and educational payloads developed across all NASA Mission Directorates, as well as external flight opportunities, as authorized under section 907 of the NASA Authorization Act of 2010 (Public Law 111–267), including competitively-selected opportunities in support of payload development and flight of K–12 and collegiate educational payloads. NASA is directed to consider how the Flight Opportunities Program may be leveraged to provide expanded opportunities to Science, Technology, Engineering, and Mathematics (STEM) students and early career researchers. The recommendation includes \$7,000,000 to support payload development and flight of K–12 and collegiate educational payloads.

*Innovative Nanomaterials.*—The agreement includes \$5,000,000 to advance large scale production and use of innovative nanomaterials, including carbon nanotubes.

*On Surface Manufacturing Capabilities.*—The agreement provides the budget request for On-Surface Manufacturing and directs NASA, through partnerships with universities, to leverage efforts that complement ongoing work on the development of advanced materials with a focus on point-of-need and in-place generated materials, energy capture and power storage, recycling, commercialization, and workforce development.

*Small Business Innovation Research.*—NASA shall continue to fulfill statutory obligations for the amount of Small Business Innovation Research (SBIR) and place an increased focus on awarding SBIR awards to firms with fewer than 50 employees.

## EXPLORATION

The agreement includes \$6,555,400,000 for Exploration and recognizes that the Nation deserves a safe and robust human spaceflight program to explore beyond low-Earth orbit (LEO) and ensure U.S. leadership in space. To support these efforts, the agreement provides funding for NASA to make investments in critical infrastructure that will enable the human exploration of space beyond LEO through the Artemis program and provide flexibility for a variety of mission destinations including the Moon and Mars.

*Orion Multi-Purpose Crew Vehicle.*—The agreement includes \$1,406,700,000 for the Orion Multi-Purpose Crew Vehicle. NASA is further directed to inform Congress of the status of activities related to Orion, the European Service Module, and ongoing activities related to integration of Orion with Space Launch System and associated ground infrastructure.

*Space Launch System (SLS).*—The agreement provides \$2,585,900,000 for SLS, of which \$400,000,000 is for concurrent SLS Block 1B Development, including Exploration Upper Stage development and associated stage adapter work. The agreement is supportive of fully developing the capabilities of SLS, and directs NASA to continue the simultaneous development of activities as authorized under sections 302(c)(1)(a) and (b) of Public Law 111–267. The agreement reiterates House language directing NASA to engage an independent reviewer to conduct a review of SLS completion costs. Additionally, not later than 180 days after the enactment of this Act, the agreement directs NASA to submit to the Committees a comprehensive manifest of Space Launch System cargo flights through 2030 which incorporates planned Science missions, such as the Europa Lander mission and outer planet missions to Uranus and Neptune.

*Exploration Ground Systems.*—In lieu of direction in the House report, the agreement includes \$590,000,000 for Exploration Ground Systems.

*VAB Construction.*—The agreement provides for a transfer of \$25,000,000 from Exploration Systems Development to Exploration Construction of Facilities, to fund additional Exploration Ground Systems construction requirements incrementally, consistent with the incremental funding authority provided for Exploration Systems in the FY 2018 Consolidated Appropriations Act (P.L. 115-141), as Exploration Systems programs move from development to production and operations. This transfer will increase funding for the KSC Modifications to

Launch Infrastructure for SLS project, to initiate construction of new platforms for Vehicle Assembly Building (VAB) High Bay 3 to enable processing the SLS Block 1B configuration.

*Second Mobile Launch Platform (MLP-2).*—In lieu of the House report language, the agreement within Exploration Ground Systems includes \$74,000,000 for MLP-2.

*Exploration Research and Development.*—The agreement includes \$1,972,800,000 for Exploration Research and Development, and directs that of that amount, \$698,800,000 is for Gateway, and \$850,000,000 is for the Human Landing System.

*Priority of Use Missions.*—NASA is directed to continue reporting to the Committees any activities that cause NASA to invoke its “Priority of Use” clause, including identifying the conflicting activities between NASA and non-Federal activities, and how the conflict was resolved, 15 days prior to any activity taking place. NASA shall ensure that any non-Federal activities do not interfere with the progress of, and schedule for, the Artemis missions.

*Lunar Lander Program Office.*—Within the amount provided for the Human Landing System, the agreement includes full funding for the Lunar Lander Program Office.

#### SPACE OPERATIONS

The agreement provides \$3,988,200,000 for Space Operations, including \$17,000,000 for commercial low Earth orbit (LEO) development.

*Commercial Crew and Cargo Program.*—The agreement provides the requested level of funding for Commercial Crew and Cargo, including funds to enable cargo flights for all three current providers within the Commercial Crew and Cargo program.

*Biological and Physical Science Research and Applications.*—At the request of NASA, the agreement moves the Biological and Physical Science research and applications to the Science Mission Directorate. The agreement supports the full request for ISS Research. However, of the requested amount, \$79,100,000 for Biological and Physical Science is provided within the NASA Science account. NASA is directed to continue to support grant opportunities in biological and physical sciences research within a microgravity environment, including continued study of and quantifying potential exposure to cosmic rays through initiatives such as the Alpha Magnetic Spectrometer.

*Commercial LEO Development.*—The agreement provides \$17,000,000 for LEO commercialization to grow promising research across all scientific disciplines and industries. Within 180 days of enactment of this Act, NASA shall provide the Committees the selection criteria used by NASA and other U.S. based entities for selecting projects, a list of the projects selected, the total costs incurred by NASA for delivery and execution of each project, and the amount NASA will be reimbursed for transportation, personnel, and facility use for each project. NASA is also directed to provide the Committees, within 180 days of enactment of this Act, an assessment of the benefits and challenges of using repurposed upper stages as free-flying platforms. NASA shall not use funds provided in this or any other Act to subsidize the cost of any project that is primarily intended for marketing, advertising, or entertainment purposes.

*Space Communications.*—The proposal to consolidate the Communications Services Program (CSP) under Space Communications and Navigation (SCaN) has created uncertainty about how CSP will be managed. The agreement directs NASA to develop a plan, budget, and timeline for sustainment of the existing network and infrastructure upgrades, as well as delineating responsibilities for the program and explaining how the program goals differ from SCaN. NASA is directed to brief the Committees on the plan within 180 days of enactment of this Act.

#### SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ENGAGEMENT

The agreement includes \$127,000,000 for Science, Technology, Engineering, and Mathematics Engagement.

*Space Grant Program.*—The agreement includes \$51,000,000 for the Space Grant Program; directs that these amounts be allocated to State consortia for competitively awarded grants in support of local, regional, and national STEM needs; and directs that all 52 participating jurisdictions be supported at no less than \$760,000 each.

*Established Program to Stimulate Competitive Research (EPSCoR).*—The agreement includes \$26,000,000 for EPSCoR.

*Minority University Research and Education Project (MUREP).*— The agreement includes \$38,000,000 for MUREP. MUREP is encouraged to support programs that connect

science, indigenous culture, and community, including the integration of indigenous practices, at minority-serving higher education institutions, including Alaska Native and Native-Hawaiian Serving Institutions and Tribal Colleges and Universities, in a State or States where the need for such indigenous-academic collaboration is present.

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

*Museums and Planetariums.*—No less than \$5,000,000 is provided for the Competitive Program for Science Museums, Planetariums, and NASA Visitor Centers within SEAP, and NASA is encouraged to follow the program's authorized purpose.

#### SAFETY, SECURITY AND MISSION SERVICES

The agreement includes \$2,936,500,000 for Safety, Security and Mission Services.

*IV&V Program.*—The agreement directs that within the amounts provided \$39,100,000 is for NASA's IV&V Program and, if necessary, NASA is directed to fund additional IV&V activities from within the mission directorates that make use of IV&V services.

*Accounting System.*—The agreement directs that NASA not implement, alter, or configure any changes to its financial system to accommodate amounts below NASA appropriation account levels. NASA should request such changes, and any associated costs, as part of a future budget request.

*Buy American Provisions.*—NASA is directed to follow prior year report language included in Senate Report 116-127 and adopted by Public Law 116-93 regarding Buy American provisions related to marine vessels and marine vessel components.

*Diversity and Inclusion.*—NASA is encouraged to take steps to promote racial and cultural acceptance and diversity within its workforce. Within 180 days of enactment of this Act, NASA is directed to submit a report analyzing the current racial and cultural makeup of the agency; planned efforts to recruit, retain, and advance applicants and employees critical to promoting greater racial and cultural diversity, and the outcomes of these efforts; and any additional steps and recommendations planned to promote greater racial and cultural acceptance

and diversity throughout the NASA workforce, including the development and analysis of metrics to evaluate success.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

CECR The agreement includes \$390,278,000 for Construction and Environmental Compliance and Restoration (~~CECR~~). The agreement also includes the request for Construction of Facilities for Science, Exploration, and Space Operations.

OFFICE OF INSPECTOR GENERAL

The agreement includes \$44,200,000 for the Office of Inspector General.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

NASA is directed to provide any notification under section 20144(h)(4) of title 52, United States Code, to the Committees.

The agreement also permits a transfer of funds from Exploration to Construction.

Not more than 20 percent or \$50,000,000, whichever is less, of the amounts made available in the current-year CECR appropriation may be applied to CECR projects funded under previous years' appropriation acts. Use of current-year funds under this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

## NATIONAL SCIENCE FOUNDATION

The agreement includes \$8,486,759,000 for the National Science Foundation (NSF).

*Arecibo Observatory (AO).*—The significant loss caused by the collapse of the 305-meter radio telescope at the Arecibo Observatory in Arecibo, Puerto Rico, is devastating. During its 57 years in operation, the telescope was an integral part of U.S. capabilities to advance scientific research and served as an iconic, beloved site for the residents of Puerto Rico and the scientific community. With this in mind and keeping safety as the number one priority, NSF is directed to report to the Committees within 60 days of enactment of this Act on the causes and extent of the damage, the plan to remove debris in a safe and environmentally sound way, the preservation of the associated AO facilities and surrounding areas, and the process for determining whether to establish comparable technology at the site, along with any associated cost estimates. NSF shall keep the Committees informed of any other activities related to this facility.

*Innovation Corps.*—The agreement includes \$40,000,000 for the Innovation Corps program. NSF is encouraged to facilitate greater participation in the program from academic institutions in States that have not previously received awards.

*Student Diversity and Success Research.*—The agreement adopts House language regarding Historically Black Colleges and Universities (HBCU) Student Diversity and Success Research and expands it to encourage NSF to support the listed activities at Hispanic Serving Institutions, Alaska Native Serving Institutions, Native-Hawaiian Serving Institutions, and Tribal Colleges and Universities and to direct NSF to include these types of institutions in the required report, in addition to HBCUs.

### RESEARCH AND RELATED ACTIVITIES

The agreement includes \$6,909,769,000 for Research and Related Activities (R&RA) and no less than \$200,000,000 for EPSCoR.

Within the amount provided for R&RA, the agreement provides for the Facility Operation Transition activity at the budget request level, operation of the National Ecological Observatory Network at no less than the fiscal year 2020 level, and the Center for High Energy X-Ray Science at no less than the budget request level.

*Maintaining Core Research.*—NSF shall maintain its core research at levels not less than those provided in fiscal year 2020, including supporting existing observational networks and research infrastructure, including astronomy facilities, the academic research fleet, federally funded research and development centers and the national high-performance computing centers.

*Daniel K. Inouye Solar Telescope (DKI-ST).*—The agreement supports the budget request for the Daniel K. Inouye Solar Telescope (DKI-ST). NSF is encouraged to support the existing ancillary academic partnerships between NSF and DKI-ST.

*Green Bank Observatory (GBO).*—The agreement supports NSF’s effort to develop multi-agency plans at GBO and provides no less than the request level to support operations and maintenance at GBO through multi-agency plans, or directly through the Foundation.

*Navigating the New Arctic.*—The Committee urges NSF to formulate Arctic research programs leveraging expertise from regions accustomed to changing marine ecosystems. Specifically, NSF is encouraged to consider the impact of the opening of the two trans-Arctic sea routes and the proximity to deep U.S. ports.

*Online Influence.*—NSF is encouraged to consider additional research efforts that will help counter influence from foreign adversaries on social media platforms designed to influence U.S. perspectives and undermine confidence in U.S. elections and institutions. To the extent practicable, NSF should engage other Federal agencies to help identify areas of research that will provide insight that can mitigate adversarial online influence.

*U.S. Neutron Monitor Network.*—NSF is directed to immediately submit the U.S. Neutron Monitor Network plan required under Senate Report 116-127, as adopted in Public Law 116-93.

*Study of Temperate Woodland and Alpine Ecosystems and Ecoregions.*—NSF is expected to continue supporting research on unique mountain temperate woodland ecosystems and ecoregions, in order to better understand and sustain the health and vitality of mountain ecosystems.

*Spectrum Innovation Initiative.*—The Committee supports investments in the Spectrum Innovation Initiative.

agreement



*Water Contamination Research.*—From fiscal year 2014 to present, NSF has obligated more than \$30,000,000 to research related to the water crisis in Flint, Michigan, or closely related subjects. NSF is encouraged to continue multi-institutional, multidisciplinary water-related research.

*Rules of Life.*—The agreement supports NSF's focus on Rules of Life funding of research, including in plant genomics, and directs NSF to continue to advance the ongoing plant genomics research program, further its work in crop-based genomics research, and to maintain a focus on research related to crops of economic importance.

*Verification of the Origins of Rotation in Tornadoes Experiment-Southeast (VORTEX-SE).*—NSF is encouraged to continue its cooperation with NOAA for the VORTEX-SE field campaign in the southeastern United States. NSF should look beyond its traditional research disciplines to utilize programs, co-funding opportunities, and to utilize collaborative research to better understand the fundamental natural processes of tornadoes and to improve models of these seasonal extreme events.

*High-Performance Computing Planning.*—NSF should invest in additional high-performance computational systems and renew and adequately resource its commitment to developing and supporting systems that facilitate tremendous leaps in computational simulation.

*Intense, Ultrafast Lasers.*—In 2018, the National Academy of Sciences found that the United States has lost its previous dominance in high-intensity lasers, which are critical to advance scientific discovery, future science facilities, and important applications in national security, industry, and medicine. NSF is encouraged to implement report recommendations and to make the necessary early stage investments in intense, ultrafast laser science and technology.

*Marine Research.*—NSF is to maintain current funding levels for marine research facilities. A plan shall be developed by NSF with the scientific community to continue researcher access to marine research facilities and to accept new research proposals.

*Re-Engineering Plastic Textiles.*—NSF is encouraged to take a comprehensive and coordinated approach to support research in plastics, microplastics, and microfibers to address the significant challenges on the aquatic environment, to human health, and in the transport and migration of materials, waste management, and development of alternative materials.

*Coastlines and People.*—NSF is encouraged to continue to advance research in coastal environmental viability and natural hazards in coastal regions, including the efforts of the Coastlines and People program.

*Quantum Information Science.*—The agreement includes funds up to the request levels for quantum information science research and from within this amount provides no less than \$160,000,000 for activities authorized under section 301 of the National Quantum Initiative Act and \$50,000,000 for National Quantum Information Science Research Centers, as authorized in section 302 of that Act.

*Artificial Intelligence (AI).*—This agreement fully funds AI related grants and interdisciplinary research initiatives across NSF at up to the fiscal year 2021 request level. In addition, the agreement reiterates House language to encourage NSF to continue its efforts in workforce development for AI and other emerging technologies, with focused outreach to community colleges, Historically Black Colleges and Universities, Hispanic Serving Institutions, Tribal Colleges and Universities and other Minority Serving Institutions.

*Sustainable Chemistry Research.*—NSF is encouraged to develop and implement a sustainable chemistry research and development program, as authorized by the America Competes Reauthorization Act of 2010 (Public Law 111–358). Additionally, NSF shall report to the Committees within 90 days after the enactment of this Act on its implementation plan for this program.

#### MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

The agreement includes \$241,000,000 for Major Research Equipment and Facilities Construction (MREFC), including funds at the requested levels for the continued construction of the Vera C. Rubin Observatory (previously known as the Large Synoptic Survey Telescope), the Antarctic Infrastructure Modernization for Science, and the High Luminosity-Large Hadron Collider Upgrade. The Government Accountability Office is directed to continue its annual reviews and semiannual updates of programs funded within MREFC and shall report to Congress on the status of large-scale NSF projects and activities based on its review of this information.

*Mid-scale Research Infrastructure.*—The agreement includes \$76,250,000 for Mid-scale research infrastructure. NSF is encouraged to award at least one mid-scale research infrastructure project led by an institution in an EPSCoR State.

*Infrastructure Planning.*—Under 42 U.S.C 18621, the NSF Director is required to prepare, and include as part of the Foundation's annual budget request to Congress, a plan for the proposed construction of, and repair and upgrades to, national research facilities. Under 42 U.S.C. 1862n-4, the Director, with the approval of the National Science Board, also develops a prioritized list of MREFC projects approved by the Board. The Board found in its 2030 Vision report that: “Providing research infrastructure across the range of scientific fields and at various scales will require field-based, agency-based, and interagency planning and execution to ensure that infrastructure investments are complementary and that America’s S&E infrastructure is globally competitive.” In lieu of House language regarding infrastructure planning, NSF and the Board are encouraged to engage in robust planning for and investments in the next generation of world class facilities, including any projects recommended by the upcoming Astrophysics decadal survey.

*Buy American Provisions.*—NSF is directed to follow prior year report language included in Senate Report 116-127 and adopted by Public Law 116-93 regarding Buy American provisions related to marine vessels and marine vessel components.

#### EDUCATION AND HUMAN RESOURCES

The agreement includes \$968,000,000 for Education and Human Resources, including no less than these amounts for the following programs: \$49,500,000 for Louis Stokes Alliance for Minority Participation; \$75,000,000 for the Advanced Technological Education program; \$36,500,000 for the Historically Black Colleges and Universities Undergraduate Program; \$16,500,000 for the Tribal Colleges and Universities Program; \$62,500,000 for Advancing Informal STEM Learning; \$8,000,000 for the Alliance for Graduate Education and the Professoriate; \$24,000,000 for Centers for Research Excellence in Science and Technology; and \$18,000,000 for Advancement of Women in Academic Science and Engineering Careers.

The agreement does not adopt the proposed funding reductions for the Improving Undergraduate STEM Education, Robert Noyce Scholarship Program, or the Graduate Research Fellowship, and instead includes the fiscal year 2020 funding levels for these programs.

Funding in this account is also used to implement the Building Blocks of STEM Act (Public Law) 116–102).

*Hispanic-Serving Institutions (HSIs).*—The agreement includes \$46,500,000 for the HSI program to build capacity at institutions of higher education that typically do not receive high levels of NSF funding.

*CyberCorps: Scholarships for Service.*—The agreement includes no less than \$60,000,000 for the CyberCorps: Scholarships for Service program, of which not less than \$7,500,000 should be used to continue work with community colleges that have been designated as a Center of Academic Excellence in Information Assurance 2-Year Education (CAE2Y) by the National Security Agency and the Department of Homeland Security, including through providing scholarships to students at CAE2Y institutions who will not transfer into a 4-year program, such as career-changers who possess 4-year degrees and veterans of the Armed Forces.

*Cybersecurity Research.*—In addition to the partnership efforts called for in the House report under this heading, NSF is urged to collaborate with National Initiative for Cybersecurity Education at NIST on efforts to develop cybersecurity skills in the workforce, especially in support of nontraditional or technical degree qualifications.

*Bioprocessing.*—NSF is encouraged to include training in bioprocessing within appropriate research areas as part of their educational efforts.

#### AGENCY OPERATIONS AND AWARD MANAGEMENT

The agreement includes \$345,640,000 for Agency Operations and Award Management.

*Diversity and Inclusion.*—NSF is encouraged to take steps to promote racial and cultural acceptance and diversity within its workforce. Within 180 days of enactment of this Act, NSF is directed to submit a report analyzing the current racial and cultural makeup of the Foundation; planned efforts to recruit, retain, and advance applicants and employees critical to promoting greater racial and cultural diversity, and the outcomes of these efforts; and any additional steps and recommendations planned to promote greater racial and cultural acceptance and diversity throughout the NSF workforce, including the development and analysis of metrics to evaluate success.

#### OFFICE OF THE NATIONAL SCIENCE BOARD

The agreement includes \$4,500,000 for the National Science Board.

OFFICE OF INSPECTOR GENERAL

The agreement includes \$17,850,000 for the Office of Inspector General.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

The agreement includes two administrative provisions. One allows limited transfers of funds among accounts. The other requires notification for disposal of certain assets.

**TITLE IV  
RELATED AGENCIES**

The Social Status of

**COMMISSION ON CIVIL RIGHTS**

**SALARIES AND EXPENSES**

The agreement includes \$12,500,000 for the Commission on Civil Rights, of which \$500,000 is included for first-year costs to establish the Commission on Black Men and Black Boys. Within 60 days of enactment of this Act, the Commission shall provide the Committees with a detailed spending plan for the funding provided for the Commission on Black Men and Boys. In addition, the Commission shall include the Commission on Black Men and Boys as a separate line item in future fiscal year budget requests.

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

**SALARIES AND EXPENSES**

The agreement includes \$404,490,000 for the Equal Employment Opportunity Commission (EEOC).

*Summary of Equal Pay Data and Report.*—In lieu of House language regarding analyzing summary pay information collected through the revised EEO-4 form for 2017 and 2018, it is acknowledged that the EEOC is contracting with the National Academies of Sciences, Engineering, and Medicine’s Committee on National Statistics to conduct an independent assessment of the quality and utility of the EEO-1 Component 2 data for FY 2017 and 2018. The Committees on Appropriations expect a thorough, transparent review of the data, and look forward to the results of the study that will be completed in December of 2021.

EEO-1

*Charge Reporting.*—EEOC is directed to report to the Committee and post on its public website within 30 days of enactment of this act on the number of A, B, and C charges for each of the last  $\text{\$}$  fiscal years.

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*Public Comment on EEOC Guidance.*—If requested by at least two Commissioners, the EEOC shall make any new guidance available for public comment in the Federal Register for not less than 30 days prior to taking any potential action on proposed guidance.

five

fiscal years

*Nondiscrimination report.*—The EEOC, in consultation with OMB and OPM, is directed to submit a report within 90 days of enactment of this Act on its efforts to prevent discrimination in the awarding of Federal grants, cooperative agreements, and other assistance.

## INTERNATIONAL TRADE COMMISSION

### SALARIES AND EXPENSES

The agreement includes \$103,000,000 for the International Trade Commission.

In lieu of direction in the House report, the agreement acknowledges concerns that some regions of the United States that specialize in seasonal produce may be vulnerable to competition and unfair trade practices from foreign markets.

## LEGAL SERVICES CORPORATION

### PAYMENT TO THE LEGAL SERVICES CORPORATION

The agreement includes \$465,000,000 for the Legal Services Corporation.

## MARINE MAMMAL COMMISSION

### SALARIES AND EXPENSES

The agreement includes \$3,769,000 for the Marine Mammal Commission.

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

The agreement includes a total of \$70,000,000 for the Office of the U.S. Trade Representative (USTR).

The agreement reinforces the frustration expressed in the House report concerning USTR's lack of mandatory notification to the Committees under section 505 of this Act and prior year Appropriations Acts concerning the creation of a new office within its organization. Section 505 prohibits both the creation of a new program, project, or activity and the reorganization or renaming of offices without advance notification to the Committees. USTR's justification that the new office was resource neutral and simply a realignment of existing

resources is unacceptable as its actions run in direct contravention of section 505 and section 903 of Title IX of the United States-Mexico-Canada Implementation Act (Public Law 116-113). The agreement further stresses that future violations will be penalized appropriately.

#### SALARIES AND EXPENSES

The agreement includes \$55,000,000 for the salaries and expenses of USTR. For fiscal year 2021, USTR is directed to follow prior year report language, included in Senate Report 116-127 and adopted in Public Law 116-93, on the following topics: “Trade and Agricultural Exports,” “Section 301 Exclusion Process,” and “Travel.” In addition, USTR is directed to follow prior year report language regarding “De Minimis Thresholds” included in the explanatory statement accompanying Public Law 116-93.

*China Trade Deal Costs.*—USTR is directed to provide the Committees, on a biannual basis, a report documenting the agency’s obligations related to the Bilateral Evaluation and Dispute Resolution Office created as part of the Economic and Trade Agreement Between the United States of America and the People’s Republic of China, also known as the U.S.-China Phase One deal.

#### TRADE ENFORCEMENT TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

The agreement includes \$15,000,000, which is to be derived from the Trade Enforcement Trust Fund, for trade enforcement activities and transfers authorized by the Trade Facilitation and Trade Enforcement Act of 2015.

#### STATE JUSTICE INSTITUTE

##### SALARIES AND EXPENSES

The agreement includes \$7,000,000 for the State Justice Institute (SJI).

*Fines, Fees, and Bail Practices.*—One of SJI’s priority areas of investment for fiscal year 2020 was fines, fees, and bail practices. SJI is encouraged to continue investing in this area so that State courts can continue taking a leadership role in reviewing these practices.



*Emergency Preparedness and Cybersecurity.*—SJI is encouraged to continue its ongoing emergency preparedness and cybersecurity funding priority, which supports projects that address innovative approaches to ensuring courts are prepared to respond to disasters, pandemics, attacks on electronic systems, and other threats.

*State Court Behavioral Health Collaborative.*—SJI is encouraged to document and promote innovative court-based programs that address substance abuse and mental illness and develop a sustainable community of practice to share the programs and practices on a national level.

**TITLE V**  
**GENERAL PROVISIONS**

(INCLUDING RESCISSIONS)

(INCLUDING TRANSFER OF FUNDS)

The agreement includes the following general provisions:

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 provided.

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 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 this 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 employee; (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 existing program, project, or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects, or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

Section 506 provides that if it is determined that any person intentionally affixes a "Made in America" label to any product that was not made in America that person shall not be eligible to receive any contract or subcontract 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 stipulates the obligations of certain receipts deposited into the Crime Victims Fund.

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 in this agreement to any department, agency, or instrumentality of the United States Government, except for transfers made by, or pursuant to authorities provided in, this agreement or any other appropriations Act.

Section 513 requires certain timetables of audits performed by Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation and the Legal Services Corporation and sets limits and restrictions on the awarding and use of grants or contracts funded by amounts appropriated by this Act.

Section 514 prohibits funds for acquisition of certain information systems unless the acquiring department or agency has reviewed and assessed certain risks. Any acquisition of such an information system is contingent upon the development of a risk mitigation strategy and a determination that the acquisition is in the national interest. Each department or agency covered under section 514 shall submit a quarterly report to the Committees on Appropriations describing reviews and assessments of risk made pursuant to this section and any associated findings or determinations.

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

Section 516 prohibits the use of funds to include certain language in trade agreements.

Section 517 prohibits the use of funds 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 518 requires congressional notification for any project within the Departments of Commerce or Justice, the National Science Foundation, or the National Aeronautics and Space Administration totaling more than \$75,000,000 that has cost increases of 10 percent or more.

Section 519 deems funds for intelligence or intelligence-related activities as authorized by the Congress until the enactment of the Intelligence Authorization Act for fiscal year 2021.

Section 520 prohibits contracts or grant awards in excess of \$5,000,000 unless the prospective contractor or grantee certifies that the organization has filed all Federal tax returns, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has no unpaid Federal tax assessment.

(RESCISSIONS)

Section 521 provides for rescissions of unobligated balances. Subsection (c) requires the Departments of Commerce and Justice to submit a report on the amount of each rescission.

These reports shall include the distribution of such rescissions among decision units, or, in the case of rescissions from grant accounts, the distribution of such rescissions among specific grant programs, and whether such rescissions were taken from recoveries and deobligations, or from funds that were never obligated. Rescissions shall be applied to discretionary budget authority balances that were not appropriated with emergency or disaster relief designations.

Section 522 prohibits the use of funds in this Act for the purchase of first class or premium air travel in contravention of the Code of Federal Regulations.

Section 523 prohibits the use of funds 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: (1) a law enforcement training or operational event where the majority of Federal attendees are law enforcement personnel stationed outside the United States, or (2) a scientific conference for which the department or agency head has notified the House and Senate Committees on Appropriations that such attendance is in the national interest, along with the basis for such determination.

Section 524 requires any department, agency, or instrumentality of the United States Government receiving funds appropriated under this Act to track and report on undisbursed balances in expired grant accounts.

Section 525 requires, when practicable, the use of funds in this Act to purchase light bulbs that have the "Energy Star" or "Federal Energy Management Program" designation.

Section 526 prohibits the use of funds by NASA, OSTP, or the National Space Council (NSC) to engage in bilateral activities with China or a Chinese-owned company or effectuate the hosting of official Chinese visitors at certain facilities unless the activities are authorized by subsequent legislation or NASA, OSTP, or NSC have made a certification pursuant to subsections (c) and (d) of this section.

Section 527 prohibits the use of funds to establish or maintain a computer network that does not block pornography, except for law enforcement and victim assistance purposes.

Section 528 requires the departments and agencies funded in this Act to submit spending plans.

Section 529 prohibits funds to pay for award or incentive fees for contractors with below satisfactory performance or performance that fails to meet the basic requirements of the contract.

Section 530 prohibits the use of funds by the Department of Justice or the Drug Enforcement Administration in contravention of a certain section of the Agricultural Act of 2014.

Section 531 prohibits the Department of Justice from preventing certain States from implementing State laws regarding the use of medical marijuana.

Section 532 requires quarterly reports from the Department of Commerce, the National Aeronautics and Space Administration, and the National Science Foundation of travel to China.

Section 533 limits formulation and development costs for the James Webb Space Telescope.

Section 534 requires 10 percent of the funds for certain programs be allocated for assistance in persistent poverty counties.

Section 535 includes language regarding detainees held at Guantanamo Bay.

Section 536 includes language regarding facilities for housing detainees held at Guantanamo Bay.

Section 537 prohibits the use of funds in this Act to require certain export licenses.

Section 538 prohibits the use of funds in this Act to deny certain import applications regarding "curios or relics" firearms, parts, or ammunition.

Section 539 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 540 prohibits the use of funds to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

Section 541 makes emergency supplemental appropriations for "United States Marshals Service, Federal Prisoner Detention."

Section 542 makes emergency supplemental appropriations for "Federal Bureau of Investigation, Salaries and Expenses."

Section 543 makes emergency supplemental appropriations for "Federal Prison System, Salaries and Expenses."

Insert 143 A-P

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
-----					
TITLE I - DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration.....	521,250	485,407	541,000	+19,750	+55,593
Offsetting fee collections.....	-11,000	-11,000	-11,000	---	---
Direct appropriation.....	510,250	474,407	530,000	+19,750	+55,593
Bureau of Industry and Security					
Operations and administration.....	87,852	96,664	92,100	+4,448	-4,564
Defense function.....	40,000	41,000	40,900	+900	-100
Total, Bureau of Industry and Security.....	127,852	137,664	133,000	+5,348	-4,664
Economic Development Administration					
Economic Development Assistance Programs.....	292,500	---	305,500	+13,000	+305,500
Salaries and expenses.....	40,500	31,593	40,500	---	+8,907
Total, Economic Development Administration.....	333,000	31,593	346,000	+13,000	+314,407
Minority Business Development Agency					
Minority Business Development.....	42,000	10,281	48,000	+6,000	+37,719

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
<b>Economic and Statistical Analysis</b>					
Salaries and expenses.....	107,990	111,855	111,855	+3,865	---
<b>Bureau of the Census</b>					
Current Surveys and Programs.....	274,000	279,268	288,403	+14,403	+9,135
Periodic censuses and programs.....	4,784,319	1,392,709	818,241	-3,966,078	-574,468
2020 Census (H. Res. 293; HR 2021).....	2,500,000	---	---	-2,500,000	---
Subtotal.....	7,284,319	1,392,709	818,241	-6,466,078	-574,468
Total, Bureau of the Census.....	7,558,319	1,871,977	1,106,644	-6,451,875	-565,333
<b>National Telecommunications and Information Administration</b>					
Salaries and expenses.....	40,441	72,203	45,500	+5,059	-26,703
<b>United States Patent and Trademark Office</b>					
Salaries and expenses, current year fee funding.....	3,450,681	3,695,295	3,695,295	+244,614	---
Offsetting fee collections.....	-3,450,681	-3,695,295	-3,695,295	-244,614	---
Total, United States Patent and Trademark Office	---	---	---	---	---

143 B

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
<b>National Institute of Standards and Technology</b>					
Scientific and Technical Research and Services.....	754,000	652,027	788,000	+34,000	+135,973
(transfer out).....	(-9,000)	(-9,000)	(-9,000)	---	---
Industrial Technology Services.....	162,000	25,252	166,500	+4,500	+141,248
Manufacturing extension partnerships.....	(146,000)	---	(150,000)	(+4,000)	(+150,000)
Manufacturing USA.....	(16,000)	(25,252)	(16,500)	(+500)	(-8,752)
Construction of research facilities.....	118,000	40,644	80,000	-38,000	+39,356
(Legislative Proposal).....	---	294,000	---	---	-294,000
Working Capital Fund (by transfer).....	(9,000)	(9,000)	(9,000)	---	---
<b>Total, National Institute of Standards and Technology.....</b>	<b>1,034,000</b>	<b>1,011,923</b>	<b>1,034,500</b>	<b>+500</b>	<b>+22,577</b>
<b>National Oceanic and Atmospheric Administration</b>					
Operations, Research, and Facilities.....	3,763,939	3,165,124	3,840,300	+76,361	+675,176
(by transfer).....	(174,774)	(183,834)	(246,171)	(+71,397)	(+62,337)
Promote and Develop Fund (transfer out).....	(-174,774)	(-183,834)	(-246,171)	(-71,397)	(-62,337)
<b>Subtotal.....</b>	<b>3,763,939</b>	<b>3,165,124</b>	<b>3,840,300</b>	<b>+76,361</b>	<b>+675,176</b>

143c

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Procurement, Acquisition and Construction.....	1,530,690	1,486,669	1,532,558	+1,668	+65,889
Pacific Coastal Salmon Recovery.....	65,000	---	65,000	---	+65,000
Fishermen's Contingency Fund.....	349	349	349	---	---
Fishery Disaster Assistance.....	---	300	---	---	-300
Fisheries Finance Program Account.....	-8,000	-7,600	-7,600	+400	---
<b>Total, National Oceanic and Atmospheric Administration.....</b>	<b>5,352,178</b>	<b>4,624,842</b>	<b>5,430,607</b>	<b>+78,429</b>	<b>+805,765</b>
<b>Departmental Management</b>					
Salaries and expenses.....	61,000	96,134	73,000	+12,000	-23,134
Renovation and Modernization.....	1,000	1,123	1,123	+123	---
DOC Nonrecurring Expense Fund.....	20,000	38,036	20,000	---	-18,036
Office of Inspector General.....	33,000	35,520	34,000	+1,000	-1,520
Collection from the Public Safety Trust Fund.....	(-2,000)	(-2,000)	(-2,000)	---	---
Public Safety Trust Fund transfer.....	(2,000)	(2,000)	(2,000)	---	---
<b>Total, Departmental Management.....</b>	<b>115,000</b>	<b>170,815</b>	<b>128,123</b>	<b>+13,123</b>	<b>-42,692</b>
<b>Total, title I, Department of Commerce.....</b>	<b>15,220,830</b>	<b>8,317,560</b>	<b>8,914,229</b>	<b>-6,306,601</b>	<b>+596,669</b>
(by transfer).....	185,774	194,834	257,171	+71,397	+62,337
(transfer out).....	-185,774	-194,834	-257,171	-71,397	-62,337

143 D

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
<b>TITLE II - DEPARTMENT OF JUSTICE</b>					
<b>General Administration</b>					
Salaries and expenses.....	114,740	121,769	119,000	+4,260	-2,769
Justice Information Sharing Technology.....	33,875	34,064	34,000	+125	-64
<b>Total, General Administration.....</b>	<b>148,615</b>	<b>155,833</b>	<b>153,000</b>	<b>+4,385</b>	<b>-2,833</b>
Executive Office for Immigration Review.....	672,966	882,872	734,000	+61,034	-148,872
Transfer from immigration examinations fee account	-4,000	-4,000	-4,000	---	---
<b>Direct appropriation.....</b>	<b>668,966</b>	<b>878,872</b>	<b>730,000</b>	<b>+61,034</b>	<b>-148,872</b>
Office of Inspector General.....	105,000	107,211	110,565	+5,565	+3,354
<b>United States Parole Commission</b>					
Salaries and expenses.....	13,308	13,539	13,539	+231	---
<b>Legal Activities</b>					
Salaries and expenses, general legal activities.....	920,000	971,429	960,000	+40,000	-11,429
Vaccine Injury Compensation Trust Fund.....	13,000	19,000	17,000	+4,000	-2,000
Salaries and expenses, Antitrust Division.....	166,755	188,524	184,524	+17,769	-4,000
Offsetting fee collections - current year.....	-141,000	-150,000	-150,000	-9,000	---

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Direct appropriation.....	25,755	38,524	34,524	+6,769	-4,000
Salaries and expenses, United States Attorneys.....	2,254,541	2,378,418	2,342,177	+87,636	-36,241
United States Trustee System Fund.....	227,229	234,464	232,361	+5,132	-2,103
Offsetting fee collections.....	-309,000	-318,000	-316,000	-9,000	---
Direct appropriation.....	-81,771	-83,536	-85,639	-3,868	-2,103
Salaries and expenses, Foreign Claims Settlement					
Commission.....	2,335	2,366	2,366	+31	---
Fees and expenses of witnesses.....	270,000	239,000	270,000	---	+31,000
Salaries and expenses, Community Relations Service....	16,000	---	18,000	+2,000	+18,000
Assets Forfeiture Fund.....	20,514	20,514	20,514	---	---
Total, Legal Activities.....	3,440,374	3,585,715	3,578,942	+138,568	-6,773
United States Marshals Service					
Salaries and expenses.....	1,430,000	1,608,073	1,496,000	+66,000	-112,073
Construction.....	15,000	15,000	15,000	---	---
Federal Prisoner Detention.....	1,867,461	2,046,609	2,046,609	+179,148	---
Total, United States Marshals Service.....	3,312,461	3,669,682	3,557,609	+245,148	-112,073
National Security Division					
Salaries and expenses.....	110,000	117,451	117,451	+7,451	---

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
<b>Interagency Law Enforcement</b>					
Interagency Crime and Drug Enforcement.....	550,458	585,145	550,458	---	-34,687
<b>Federal Bureau of Investigation</b>					
Salaries and expenses.....	3,841,128	3,955,100	3,955,042	+113,914	-58
Counterintelligence and national security.....	5,626,774	5,793,729	5,793,644	+166,870	-85
Subtotal, Salaries and expenses.....	9,467,902	9,748,829	9,748,686	+280,784	-143
Construction.....	485,000	51,895	566,100	+81,100	+514,205
Total, Federal Bureau of Investigation.....	9,952,902	9,800,724	10,314,786	+361,884	+514,062
<b>Drug Enforcement Administration</b>					
Salaries and expenses.....	2,722,295	2,859,304	2,796,762	+74,467	-62,542
Diversion control fund.....	-443,142	-460,499	-460,499	-17,357	---
Construction.....	---	---	50,000	+50,000	+50,000
Total, Drug Enforcement Administration.....	2,279,153	2,398,805	2,386,263	+107,110	-12,542
High Intensity Drug Trafficking Areas Program.....	---	254,000	---	---	-254,000

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
<b>Bureau of Alcohol, Tobacco, Firearms and Explosives</b>					
Salaries and expenses.....	1,400,000	1,637,574	1,483,887	+83,887	-153,687
Construction.....	---	28,685	---	---	-28,685
<b>Total, Bureau of Alcohol, Tobacco, Firearms and Explosives.....</b>	<b>1,400,000</b>	<b>1,666,259</b>	<b>1,483,887</b>	<b>+83,887</b>	<b>-182,372</b>
<b>Federal Prison System</b>					
Salaries and expenses.....	7,470,000	7,611,126	7,708,375	+238,375	+97,249
Buildings and facilities.....	308,000	99,453	127,000	-181,000	+27,547
Limitation on administrative expenses, Federal Prison Industries, Incorporated.....	2,700	2,700	2,700	---	---
<b>Total, Federal Prison System.....</b>	<b>7,780,700</b>	<b>7,713,279</b>	<b>7,838,075</b>	<b>+57,375</b>	<b>+124,796</b>
<b>State and Local Law Enforcement Activities</b>					
<b>Office on Violence Against Women:</b>					
Prevention and prosecution programs.....	---	---	---	---	---
(by transfer).....	(435,000)	---	(435,000)	---	(+435,000)
Crime Victims Fund (transfer out).....	(-435,000)	---	(-435,000)	---	(-435,000)
Violence Against Women Prevention & Prosecution Programs.....	87,500	---	78,500	+11,000	+78,500

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final B111	Final B111 vs Enacted	Final B111 vs Request
<b>Office of Justice Programs:</b>					
Research, evaluation and statistics.....	79,000	86,500	82,000	+3,000	-4,500
State and local law enforcement assistance.....	1,892,000	1,511,200	1,914,000	+22,000	+402,800
Juvenile justice programs.....	320,000	227,500	346,000	+28,000	+118,500
<b>Public safety officer benefits:</b>					
Death benefits.....	117,000	119,000	119,000	+2,000	---
Disability and education benefits.....	24,800	24,800	24,800	---	---
Subtotal.....	141,800	143,800	143,800	+2,000	---
Total, Office of Justice Programs.....	2,432,800	1,969,000	2,485,800	+53,000	+516,800
<b>Community Oriented Policing Services:</b>					
COPS programs.....	343,000	---	386,000	+43,000	+386,000
Total, State and Local Law Enforcement Activities.....	2,843,300	1,969,000	2,950,300	+107,000	+981,300
<b>General Provision</b>					
E0 13929 Database.....	---	---	5,000	+5,000	+5,000
Total, title II, Department of Justice.....	32,805,237	32,915,515	33,789,875	+1,184,638	+874,360
(by transfer).....	435,000	---	435,000	---	+435,000
(transfer out).....	-435,000	---	-435,000	---	-435,000

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(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final B111	Final B111 vs Enacted	Final B111 vs Request
<b>TITLE III - SCIENCE</b>					
Office of Science and Technology Policy.....	5,544	5,000	5,544	---	+544
National Space Council.....	1,965	1,965	1,965	---	---
<b>National Aeronautics and Space Administration</b>					
Science.....	7,138,900	6,306,500	7,301,000	+162,100	+994,500
Aeronautics.....	783,900	819,000	828,700	+44,800	+9,700
Space Technology.....	1,100,000	1,578,300	1,100,000	---	-478,300
Exploration.....	6,017,600	6,761,700	6,555,400	+537,800	-2,206,300
Space Operations.....	4,140,200	4,187,300	3,988,200	-152,000	-199,100
<b>Science, Technology, Engineering, and Mathematics</b>					
Engagement.....	120,000	---	127,000	+7,000	+127,000
Safety, Security and Mission Services.....	2,913,300	3,009,900	2,936,500	+23,200	-73,400
Construction and environmental compliance and restoration.....	373,400	539,085	390,278	+16,878	-148,807
Office of Inspector General.....	41,700	44,200	44,200	+2,500	---
<b>Total, National Aeronautics and Space Administration.....</b>	<b>22,629,000</b>	<b>25,245,985</b>	<b>23,271,278</b>	<b>+642,278</b>	<b>-1,974,707</b>
<b>National Science Foundation</b>					
Research and related activities.....	6,666,200	6,142,020	6,838,769	+172,569	+696,749
Defense function.....	71,000	71,000	71,000	---	---
<b>Subtotal.....</b>	<b>6,737,200</b>	<b>6,213,020</b>	<b>6,909,769</b>	<b>+172,569</b>	<b>+696,749</b>

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Major Research Equipment and Facilities Construction..	243,230	229,750	241,000	-2,230	+11,250
Education and Human Resources.....	940,000	930,930	968,000	+28,000	+37,070
Agency Operations and Award Management.....	336,900	345,840	345,840	+8,740	---
Office of the National Science Board.....	4,500	4,210	4,500	---	+290
Office of Inspector General.....	16,500	17,850	17,850	+1,350	---
<b>Total, National Science Foundation.....</b>	<b>8,278,330</b>	<b>7,741,400</b>	<b>8,486,759</b>	<b>+208,429</b>	<b>+745,359</b>
<b>Total, Title III, Science.....</b>	<b>30,914,839</b>	<b>32,994,350</b>	<b>31,765,546</b>	<b>+850,707</b>	<b>-1,228,804</b>

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
-----					
TITLE IV - RELATED AGENCIES					
Commission on Civil Rights					
Salaries and expenses.....	10,500	10,065	12,500	+2,000	+2,435
Equal Employment Opportunity Commission					
Salaries and expenses.....	389,500	362,481	404,490	+14,990	+42,009
International Trade Commission					
Salaries and expenses.....	99,400	99,600	103,000	+3,600	+3,400
Legal Services Corporation					
Payment to the Legal Services Corporation.....	440,000	18,200	465,000	+25,000	+446,800
Marine Mammal Commission					
Salaries and expenses.....	3,816	2,449	3,769	+153	+1,320

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
-----					
Office of the U.S. Trade Representative					
Salaries and expenses.....	54,000	60,000	55,000	+1,000	-5,000
Trade Enforcement Trust Fund.....	15,000	13,000	15,000	---	+2,000
State Justice Institute					
Salaries and expenses.....	8,555	8,000	7,000	+445	-1,000
=====					
Total, title IV, Related Agencies.....	1,018,571	573,795	1,065,759	+47,188	+491,964
=====					

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(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
<b>TITLE V - GENERAL PROVISIONS</b>					
Crime Victims Fund (transfer out) (Sec. 510).....	(-10,000)	---	(-10,000)	---	(-10,000)
Department of Justice OIG (by transfer).....	(10,000)	---	(10,000)	---	(+10,000)
DOC National Institute of Standards and Technology, Industrial Technology Services (rescission).....	---	-20,000	---	---	+20,000
Economic Development Assistance Programs (rescission). NOAA, Fisheries, Enforcement Asset Forfeiture Funds (rescission).....	-17,000	-38,000	-10,000	+7,000	+28,000
Periodic Censuses and Programs (rescission).....	-5,000	---	-5,000	---	-5,000
DOJ, Working Capital Fund (rescission).....	---	-88,600	---	---	+88,600
FBI, Salaries and Expenses: nondefense (rescission).....	-107,000	-75,000	-188,000	-81,000	-113,000
defense (rescission).....	-29,200	-32,456	-32,456	-3,256	---
FBI, Construction (rescission).....	-42,774	-47,544	-47,544	-4,770	---
Federal Prison System, Buildings and Facilities (rescission).....	---	-150,000	---	---	+150,000
Violence against women prevention and prosecution programs (rescission).....	---	-505,000	---	---	+505,000
Office of Justice programs (rescission).....	---	-10,000	---	---	+10,000
COPS (rescission).....	-70,000	-85,000	-127,000	-57,000	-42,000
NASA Science (rescission).....	-13,000	---	-15,000	-2,000	-15,000
DEA, salaries & expenses (rescission).....	-70,000	---	---	+70,000	---
United States Marshals Service, Federal Prisoner Detention Sec. 541 (emergency).....	-10,000	---	---	+10,000	---
Federal Bureau of Investigation, Salaries and Expenses Sec. 542 (emergency).....	---	---	125,000	+125,000	+125,000
Federal Prison System, Salaries and Expenses Sec. 543	---	---	179,000	+179,000	+179,000

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
(emergency).....	---	---	300,000	+300,000	+300,000
Total, title V, General Provisions.....	-363,974	-1,051,600	179,000	+542,974	+1,230,600

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

(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Final Bill	Final Bill vs Enacted	Final Bill vs Request
Grand total.....	79,395,503	73,749,620	75,714,409	-3,681,094	+1,964,789
Appropriations.....	(77,259,477)	(74,801,220)	(75,535,409)	(-1,724,068)	(+734,189)
Rescissions.....	(-363,974)	(-1,051,600)	(-425,000)	(-81,026)	(+626,600)
Emergency appropriations.....	---	---	(604,000)	(+604,000)	(+604,000)
Census Cap Adjustment.....	(2,500,000)	---	---	(-2,500,000)	---
(by transfer).....	630,774	194,834	702,171	+71,397	+507,337
(transfer out).....	-630,774	-194,834	-702,171	-71,397	-507,337

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