

SUMMARY OF GENERAL PROVISIONS
General Provisions—Department of Justice

Table 2 displays the Title II General Provisions for the Department of Justice contained in the FY 2018 President’s Budget. The FY 2018 language is compared below to the FY 2016 enacted Title II General Provisions (P.L. 114-113). New language proposed for FY 2018 is italicized and underlined, and FY 2016 enacted language proposed for deletion is bracketed.

Table 3 provides explanations related to select Title II General Provisions contained in the Department of Justice Appropriations Act, 2016, which are not continued in FY 2018.

Table 2
 FY 2018 PROPOSED TITLE II GENERAL PROVISIONS

Section Number	New? Yes/No	Language
201	No	In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.
202	No	None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: <i>Provided</i> , That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.
203	No	None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.
204	No	Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: <i>Provided</i> , That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.
205	No	Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: <i>Provided</i> , That any transfer pursuant to this section shall be treated as a reprogramming of funds under section [505] <u>504</u> of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.
206	No	None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.
207	No	(a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

Section Number	New? Yes/No	Language
		(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.
208	No	The notification thresholds and procedures set forth in section [505] 504 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the explanatory statement <i>that accompanies this Act</i> [described in section 4 (in the matter preceding division A of this consolidated Act)], and to any use of deobligated balances of funds provided under this title in previous years.
209	No	None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A-76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.
210	Amended ¹	<p>At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs"—</p> <p>(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; [and]</p> <p>(2) up to [2] 3 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs; <u>and</u></p> <p><u>(3) 7 percent of funds made available for grant or reimbursement programs: (1) under the heading "State and Local Law Enforcement Assistance"; and (2) under the headings "Research, Evaluation, and Statistics" and "Juvenile Justice Programs", to be transferred to and merged with funds made available under the heading "State and Local Law Enforcement Assistance", shall be available for tribal criminal justice assistance without regard to the authorizations for such grant or reimbursement programs.</u></p>
211	No	<p>Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated in this or any other Act making appropriations for fiscal years [2013] 2015 through [2016] 2018 for the following programs, waive the following requirements:</p> <p>(1) For the adult and juvenile offender State and local reentry demonstration projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)), the requirements under section 2976(g)(1) of such part.</p>

¹ The FY 2018 request proposes to change the maximum set-aside percentage for OJP research, evaluation, and statistics activities authorized from 2 to 3 percent, and creates a 7 percent set-aside to be available for tribal criminal justice assistance.

Section Number	New? Yes/No	Language
		(2) For State, Tribal, and local reentry courts under part FF of title I of such Act of 1968 (42 U.S.C. 3797w-2(e)(1) and (2)), the requirements under section 2978(e)(1) and (2) of such part. (3) For the prosecution drug treatment alternatives to prison program under part CC of title I of such Act of 1968 (42 U.S.C. 3797q-3), the requirements under section 2904 of such part. (4) For grants to protect inmates and safeguard communities as authorized by section 6 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)), the requirements of section 6(c)(3) of such Act.
212	No	Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.
213	No	None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.
214	Amended ²	Discretionary funds that are made available in this Act for the Office of Justice Programs may be used to participate in Performance Partnership Pilots authorized under section 526 of Division H of Public Law 113-76, <u>section 525 of division H of Public Law 114-113</u> , and such authorities as are enacted for Performance Partnership Pilots in an appropriations act for fiscal year [2016] 2018.
215	Yes ³	<u>Of the unobligated balances from prior year appropriations for the Office of Justice Programs, \$40,000,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</u>
216	Yes ⁴	<u>Notwithstanding any other provision of law:</u> <u>(a) Of the funds deposited or available in the Fund established by section 1402 of Title II of Public Law 98-473 (42 U.S.C. 10601), \$1,310,000,000 are hereby permanently cancelled.</u> <u>(b) Of the amounts deposited or available remaining in the Fund after the cancellation in subsection (a), in excess of \$3,000,000,000 shall not be available for obligation until the following fiscal year: Provided, That, notwithstanding section 1402(d) of such Act of 1984, of the amounts available from the Fund for obligations, the following amounts shall be</u>

² The FY 2018 request includes a citation to the FY 2017 Office of Justice Programs authority relating to Performance Partnership Pilots.

³ The FY 2018 request proposes to move OJP cancellation language to Title II; in the Department of Justice Appropriations Act, 2016, the OJP rescission is found in Section 524.

⁴ The request sets aside specific amounts of funding to support tribal programs for victims of violence and victims services programs for victims of trafficking. Also allows a small percentage of available funds to be used for research, evaluation, or statistical purposes related to crime victims and related programs.

Section Number	New? Yes/No	Language
		<u>available without fiscal year limitation to the Director of the Office for Victims of Crime for the following purposes: (1) \$25,000,000 for supplemental victims' services and other victim-related programs and initiatives; and (2) 5 percent for grants and other assistance to Indian tribes to improve services and justice for victims of crime: Provided further, That, notwithstanding section 1402(d) of such Act, of the amounts available from the Fund for obligation, \$10,000,000 shall remain available until expended to the Department of Justice Office of Inspector General for oversight and auditing purposes: Provided further, That up to 3 percent of funds available from the Fund for obligation may be made available to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation or statistical purposes related to crime victims and related programs.</u>
217	Yes ⁵	<u>Sec. 218. Section 527 of title 28, United States Code, is amended in the third sentence by inserting: "(1)" before "the Department" and by inserting "; and (2) Federally recognized tribes for supplies, materials and services related to access to federal law enforcement databases;" after "and services".</u>
218	Yes ⁶	Chapter 11 Quarterly Bankruptcy Fees. <u>(a) Section 1930(a) of title 28, United States Code, is amended in paragraph (6) by striking "\$6,500 for each quarter in which disbursements total \$1,000,000 or more but less than \$2,000,000;" and all that follows and inserting in lieu thereof: "1 percent of disbursements, or \$250,000, whichever is less, for each quarter in which disbursements total \$1,000,000 or more. The fee shall be payable on the last day of the calendar month following the calendar quarter for which the fee is owed. Beginning in fiscal year 2021, the Director of the Executive Office for United States Trustees may adjust (no more frequently than once per fiscal year) the fee for each quarter in which disbursements total \$1,000,000 or more, not to exceed 1 percent of disbursements, or \$250,000, whichever is less."</u> <u>(b) This section and the amendment made by subsection (a) shall take effect October 1, 2017, or on the first day of the calendar quarter following the enactment of this Act, whichever is later, and shall apply to all cases pending or filed under title 11 of the United States Code on or after the effective date of the amendment.</u>
219	Yes ⁷	<u>Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended as follows—</u> <u>(a) In subsection (a), by replacing "any government entity or official" with "any government law enforcement entity or official" and by striking all that follows after "from" and inserting the following new paragraphs—</u> <u>"(1) sending to, or receiving from, the Department of Homeland Security information, including information related to the nationality, citizenship,</u>

⁵ The request provides an additional mechanism for tribes to access critical national crime information databases.

⁶ The U.S. Trustees Programs proposes to adjust quarterly fees for the largest Chapter 11 debtors. If the fee adjustment is effective October 1, 2017, the FY 2018 President's budget request is anticipated to be fully offset by bankruptcy fees collected and on deposit in the U.S. Trustee System Fund.

⁷ The Department of Homeland Security (DHS) and DOJ are requesting an amendment to 8 U.S.C. 1373 to: 1) expand the scope to prevent State and local government officials from prohibiting or restricting any government law enforcement entity or official from complying with a lawful civil immigration detainer request; and 2) authorize DHS and DOJ to condition certain grants and cooperative agreements on requirements that recipients agree to cooperate with specific Federal immigration enforcement activities and requests.

Section Number	New? Yes/No	Language
		<p><u>immigration status, removability, scheduled release date and time, home address, work address, or contact information, of any individual in custody or suspected of a violation of law, provided that such information is relevant to the enforcement of the immigration laws as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)); or "(2) complying with any lawful request made by the Department of Homeland Security pursuant to its authorities under section 236, 241, or 287 of the Immigration and Nationality Act (8 U.S.C. 1226, 1231, 1357), including any request to maintain custody of the alien for a period not to exceed 48 hours in order to permit assumption of custody by the Department pursuant to a detainer for, or provide reasonable notification prior to the release of, any individual."</u></p> <p><u>(b) In subsection (b)—</u></p> <p><u>(1) In the introductory clause, by inserting "law enforcement" before "entity" and by replacing "regarding the immigration status, lawful or unlawful, of any individual", with "information, including information related to the nationality, citizenship, immigration status, removability, scheduled release date and time, home address, work address, or contact information, of any individual currently or previously in custody or currently or previously suspected of a violation of law, provided that such information is relevant to the enforcement of the immigration laws as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))";</u></p> <p><u>(2) In paragraph (1), by replacing "the U.S. Immigration and Naturalization Service" with "Department of Homeland Security"; and</u></p> <p><u>(3) In paragraph (2), by inserting ", collecting, inquiring into, or verifying" after "Maintaining". (c) In subsection (c)— (1) By replacing "the Immigration and Naturalization Service" with "the Department of Homeland Security"; and (2) By replacing "the citizenship or immigration status" with "the nationality, citizenship, or immigration status". (d) After subsection (c), by inserting the following— "(d) The Secretary of Homeland Security or the Attorney General may condition</u></p> <p><u>a grant or cooperative agreement awarded by the Department of Homeland Security or the Department of Justice to a State or political subdivision of a state, for a purpose related to immigration, national security, law enforcement, or</u></p> <p><u>preventing, preparing for, protecting against or responding to acts of terrorism, on a requirement that the recipient of the grant or cooperative agreement agrees that it will— "(1) Send to the Department of Homeland Security information requested by the Secretary of Homeland Security, or the Secretary's designee, including information related to the nationality, citizenship, immigration status, removability, scheduled release date and time, home address, work address, or contact information, of any individual in custody or suspected of a violation of law, provided that such information is relevant to the enforcement of the immigration laws as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17));</u></p> <p><u>"(2) Exchange, at the request of the Secretary of Homeland Security, or the Secretary's designee, information, including information related to the nationality, citizenship, immigration status, removability, scheduled release date and time, home address, work address, or contact information, of any individual in custody or suspected of a violation of law, with any other Federal, State, or local government law enforcement entity, provided that such information is relevant to the enforcement of the immigration laws as</u></p>

Section Number	New? Yes/No	Language
		<p><u>defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17));</u></p> <p><u>"(3) Not prohibit or restrict any entity, official, or employee from collecting, inquiring into, or verifying information, including information related to the nationality, citizenship, immigration status, removability, scheduled release date and time, home address, work address, or contact information, of any individual in custody or suspected of a violation of law, provided that such information is relevant to the enforcement of the immigration laws as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)), and will maintain any such information it may collect, during the period of performance of a grant or cooperative agreement conditioned under this subsection; and</u></p> <p><u>"(4) Comply with any lawful request made by the Department of Homeland Security pursuant to its authorities under section 236, 241, or 287 of the Immigration and Nationality Act (8 U.S.C. 1226, 1231, 1357), including any request to maintain custody of the alien for a period not to exceed 48 hours in order to permit assumption of custody by the Department pursuant to a detainer for, or provide reasonable notification prior to the release of, any individual.".</u> (e) <u>In the section heading, by replacing "Immigration and Naturalization Service" with "Department of Homeland Security".</u> (f) <u>The Secretary of Homeland Security or the Attorney General may require States and political subdivisions of States that apply for Federal grants or cooperative agreements from the Department of Homeland Security or the Department of Justice to include a certification that they will comply with subsection (d) in their applications for award. The Secretary or the Attorney General may prescribe the form of the certification for the Federal grants and cooperative agreements awarded by their respective Departments.</u> (g) <u>The Secretary of Homeland Security and the Attorney General may enforce the provisions of this Section through any lawful means, including by seeking injunctive or other relief from a court of competent jurisdiction.</u> (h) <u>SEVERABILITY.—The provisions of this section are severable. If any provision of this section, or any application thereof, is found unconstitutional, that finding shall not affect any provision or application of this section not so adjudicated.</u></p>

Table 3
 FY 2016 GENERAL PROVISIONS NOT CONTINUED IN FY 2018 – Title II

Section Included in the Consolidated Appropriations Act, 2016 (P.L. 114-113)	Explanation for Why General Provision is No Longer Necessary
<p>Sec. 206 Funds appropriated by this or any other Act, with respect to any fiscal year, under the heading "Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses" shall be available for retention pay for any employee who would otherwise be subject to a reduction in pay upon termination of the Bureau's Personnel Management Demonstration Project (as transferred to the Attorney General by section 1115 of the Homeland Security Act of 2002, Public Law 107296 (28 U.S.C. 599B)): <i>Provided</i>, That such retention pay shall comply with section 5363 of title 5, United States Code, and related Office of Personnel Management regulations, except as provided in this section: <i>Provided further</i>, That such retention pay shall be paid at the employee's rate of pay immediately prior to the termination of the demonstration project and shall not be subject to the limitation set forth in section 5304(g)(1) of title 5, United States Code, and related regulations.</p>	<p>This language does not need to be repeated, as the provision in the Consolidated Appropriations Act, 2016, is permanent.</p>
<p>Sec. 209 None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of \$100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.</p>	<p>This language is no longer required due to the recent IT management controls included under the Federal IT Reform Act (FITARA) legislation, which provide for an inclusive governance process that enables effective planning, budgeting and execution for IT investments.</p>
<p>Sec. 212 Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.</p>	<p>This provision impinges on the ability of the Attorney General to manage Department of Justice resources.</p>
<p>Sec. 217 (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2016, except up to \$40,000,000 may be obligated for implementation of</p>	<p>This provision impinges on the ability of the Attorney General to manage Department of Justice resources.</p>

Section Included in the Consolidated Appropriations Act, 2016 (P.L. 114-113)	Explanation for Why General Provision is No Longer Necessary
<p>a unified Department of Justice financial management system.</p> <p>(b) Not to exceed \$30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2016, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.</p> <p>(c) Not to exceed \$10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2016, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.</p> <p>(d) Subsections (a) through (c) of this section shall sunset on September 30, 2016.</p>	
<p>SEC. 218. (a) Of the funds appropriated by this Act under each of the headings "General Administration—Salaries and Expenses", "United States Marshals Service—Salaries and Expenses", "Federal Bureau of Investigation—Salaries and Expenses", "Drug Enforcement Administration—Salaries and Expenses", and "Bureau of Alcohol, Tobacco, Firearms and Explosives—Salaries and Expenses", \$20,000,000 shall not be available for obligation until the Attorney General demonstrates to the Committees on Appropriations of the House of Representatives and the Senate that all recommendations included in the Office of Inspector General of the Department of Justice, Evaluation and Inspections Division Report 15–04 entitled "The Handling of Sexual Harassment and Misconduct Allegations by the Department's Law Enforcement Components", dated March, 2015, have been implemented or are in the process of being implemented. (b) The Inspector General of the Department of Justice shall report to the Committees on Appropriations of the House of Representatives and the Senate not later than 90 days after the date of enactment of this Act on the status of the Department's implementation of recommendations included in the report specified in subsection (a).</p>	<p>This is one-time language that was addressed during FY 2016.</p>

FY 2018 TITLE V GENERAL PROVISIONS

U.S. Department of Justice Comments

Table 4 displays substantive changes to Title V general provisions for the Department of Justice, using the FY 2016 enacted budget (Title V, P.L. 114-113) as the starting point. An explanation is also provided. New language is *italicized and underlined*, and language proposed for deletion is [bracketed].

Table 4

FY 2018 PROPOSED TITLE V GENERAL PROVISIONS

Section Number	LANGUAGE CHANGES
501	<p>[No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.]</p> <p>Explanation: This provision limits agency discretion in using funds.</p>
504	<p>None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year [2016] <u>2018</u>, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of [\$500,000] <u>\$1,000,000</u> or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds [by agencies (excluding agencies of the Department of Justice) funded by this Act and 45 days in advance of such reprogramming of funds by agencies of the Department of Justice funded by this Act.</p> <p>EXPLANATION: The change increases the reprogramming threshold.</p>

Section Number	LANGUAGE CHANGES
507	<p>[(a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.</p> <p>(b) The report described in subsection (a) shall be submitted within 30 days of the end of each quarter.</p> <p>(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.]</p> <p>EXPLANATION: This provision requires the Department of Justice to provide a quarterly accounting of cumulative unobligated balances. This information is provided at the request of the Committees, and does not need to be in statute.</p>
507	<p>None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products[, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type].</p>
512	<p>[None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.]</p> <p>EXPLANATION: This provision is not necessary to restrict transfers- any transfer requires specific legislative authority.</p>
513	<p>[Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.]</p> <p>EXPLANATION: This provision limits agency discretion in using funds.</p>
514	<p>[(a) The Inspectors General of the Department of Commerce, the Department</p>

Section Number	LANGUAGE CHANGES
	<p>of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.</p> <p>(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—</p> <p>(1) any matter described in section 552(b) of title 5, United States Code; and</p> <p>(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes. subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract. (d) The provisions of the preceding subsections of this section shall take effect</p> <p>30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.]</p> <p>EXPLANATION: This information will be provided as requested and does not need to be in statute.</p>
518	<p>[Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.]</p> <p>EXPLANATION: This provision has been included in the CJS language since 2005 and prohibits ATF from denying import applications seeking to import US origin curio or relic firearms. This provision limits the President's discretion in administering foreign policy and should be deleted.</p>

Section Number	LANGUAGE CHANGES
512	<p>If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than [\$75,000,000] [\$250,000,000] has reasonable cause to believe that the total program cost has increased by 10 percent or more, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.</p> <p>EXPLANATION: The change increases the notification threshold.</p>
515	<p>[(RESCISSIONS)] CANCELLATION)</p> <p>(a) Of the unobligated balances from prior year appropriations available to the Department of Commerce's Economic Development Administration, Economic Development Assistance Programs, [\$10,000,000] [\$47,000,000] are <u>permanently</u> [rescinded] <u>cancelled</u>, not later than September 30, [2016] <u>2018</u>.</p> <p>[(b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2016, from the following accounts in the specified amounts—</p> <p>(1) "Working Capital Fund", \$69,000,000;</p> <p>(2) "United States Marshals Service, Federal Prisoner Detention", \$195,974,000;</p> <p>(3) "Federal Bureau of Investigation, Salaries and Expenses", \$80,767,000 from fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs;</p> <p>(4) "State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs", \$15,000,000;</p> <p>(5) "State and Local Law Enforcement Activities, Office of Justice Programs", \$40,000,000;</p> <p>(6) "State and Local Law Enforcement Activities, Community Oriented Policing Services", \$10,000,000; and</p>

Section Number	LANGUAGE CHANGES
	<p>(7) "Legal Activities, Assets Forfeiture Fund", \$458,000,000.]</p> <p>[(c) The Departments of Commerce and Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2016, specifying the amount of each rescission made pursuant to subsections (a) and (b).]</p> <p>EXPLANATION: This provision identifies one-time rescissions in FY 2016. DOJ rescission proposals for FY 2018 are included under the appropriate components' appropriations language or in Title II.</p>
530	<p>[The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:</p> <p>(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.</p> <p>(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.</p> <p>(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.</p> <p>(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.]</p> <p>EXPLANATION: This provision is administratively burdensome.</p>
532	<p>[None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—</p> <p>(1) all other requirements of law with respect to the proposed importation are met; and</p> <p>(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.]</p> <p>EXPLANATION: This provision limits agency discretion in using funds and in the performance of its regulatory oversight duties.</p>

Section Number	LANGUAGE CHANGES
535	<p>[(a) The head of any executive branch department, agency, board, commission, or office funded by this Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2016 for which the cost to the United States Government was more than \$100,000.</p> <p>(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—</p> <p>(1) a description of its purpose;</p> <p>(2) the number of participants attending;</p> <p>(3) a detailed statement of the costs to the United States Government, including—</p> <p>(A) the cost of any food or beverages;</p> <p>(B) the cost of any audio-visual services;</p> <p>(C) the cost of employee or contractor travel to and from the conference; and</p> <p>(D) a discussion of the methodology used to determine which costs relate to the conference; and</p> <p>(4) a description of the contracting procedures used including—</p> <p>(A) whether contracts were awarded on a competitive basis; and</p> <p>(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.</p> <p>(c) Within 15 days of the date of a conference held by any executive branch department, agency, board, commission, or office funded by this Act during fiscal year 2016 for which the cost to the United States Government was more than \$20,000, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending such conference.</p> <p>(d) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.</p>

Section Number	LANGUAGE CHANGES
	<p>(e) None of the funds made available in this Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012 or any subsequent revisions to that memorandum.]</p> <p>EXPLANATION: This provision limits agency discretion in using funds and is unnecessary in light of our efforts to limit conference expenditures and attendance.</p>
542	<p>[None of the funds made available in this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, Wisconsin, and Wyoming, or with respect to the District of Columbia, Guam, or Puerto Rico, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.]</p>
543	<p>[None of the funds made available by this Act may be used in contravention of section 7606 ("Legitimacy of Industrial Hemp Research") of the Agricultural Act of 2014 (Public Law 113-79) by the Department of Justice or the Drug Enforcement Administration.]</p> <p>EXPLANATION: The Department (including DEA) does not and will not act in contravention of Section 7606 of the Agricultural Act of 2014, Public Law 113-79.</p>