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Department of Justice (DOJ) Appropriations for FY2008 and FY2009

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Summary

Congress established the Department of Justice (DOJ) in 1870 (28 U.S.C. 501), with the Attorney General at its head. DOJ provides counsel for citizens in federal cases and protects them through law enforcement; represents the federal government in all proceedings, civil and criminal, before the Supreme Court; and provides legal advice and opinions, upon request, to the President and executive branch department heads. This report provides coverage of the FY2009 appropriations cycle for DOJ, including FY2008 supplemental appropriations and FY2009 stimulus funding.

Congress generally includes appropriations for DOJ in the annual Commerce, Justice, Science (CJS) and Related Agencies Appropriations bill. For FY2008, Congress appropriated nearly $23,958.3 million for DOJ, or $747.8 million more than the enacted level for FY2007. The Administration requested $185.8 million in FY2008 supplemental funding for DOJ, and Congress provided $449 million in the Supplemental Appropriations Act, 2008 (P.L. 110-252).

For FY2009, the Administration's final budget request for DOJ was $23,127.9 million. This amount is $952 million below the total level of funding that Congress has provided DOJ for FY2008. Several issues with funding implications that have arisen during FY2009 appropriations hearings include (1) continued oversight of the FBI's greater emphasis on national security investigations as opposed to traditional crime, (2) the Administration's proposal to further cut funding for state and local law enforcement assistance and consolidate related grant programs, (3) funding initiatives authorized to combat crimes against children under the under the Adam Walsh Act (P.L. 109-248), (4) reported increases in drug trafficking and related violent crime on the Southwest border, (5) funding shortfalls for the Federal Prison System, (6) the reentry of several waves of offenders whose prison sentences will soon end, and (7) the impact of the economic downturn on the budgets of state and local law enforcement agencies.

On June 19, 2008, the Senate Appropriations Committee reported an FY2009 CJS appropriations bill (S. 3182) that would have provided DOJ with $25,778.6 million, 7.6% greater than the FY2008 enacted level and 11.5% greater than the FY2009 request. On December 10, 2008, the House Appropriations Committee reported an FY2009 CJS appropriations bill (H.R. 7322) that would have provided DOJ with $25,438.7 million, 6.2% greater than the FY2008 enacted level and 10.0% greater than the FY2009 request. As neither chamber passed these bills, Congress passed two continuing resolutions that funded most DOJ agencies at their FY2008 levels through March 11, 2009. Congress then passed the Omnibus Appropriations Act, 2009 (H.R. 1105), which the President signed into law (P.L. 111-8) on March 11, 2009. This act includes $26,120.2 million for DOJ agencies and programs, 9.0% greater than the FY2008 enacted level and 12.9% greater than the FY2009 request. In addition, Congress passed and the President signed into law H.R. 1, the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) on February 17, 2009. This act includes an additional $4,002 million in stimulus funding for DOJ agencies and programs. This report will not be updated.

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Most Recent Developments

On March 10, 2009, the Senate passed the Omnibus Appropriations Act, 2009 (H.R. 1105), which the House had previously passed on February 25, 2009. On March 11, 2009, the President signed this bill into law (P.L. 111-8). This act provides DOJ with $26,120.2 million for FY2009, a 9% increase over the amount enacted for FY2008.

On February 13, 2009, Congress cleared the American Recovery and Reinvestment Act of 2009 (H.R. 1), which includes $4,002 million in stimulus funding for DOJ programs. On February 17, 2009, the President signed the bill into law (P.L. 111-5).

On June 26, 2008, Congress cleared the Supplemental Appropriations Act, 2008 (H.R. 2642), following an exchange of amendments that resolved differences in previous House- and Senate-passed versions of the bill. For DOJ, the Administration requested $185.8 million for counterterrorism-related activities and programs. Congress provided $449 million in this bill, including an additional $187.1 million for the Bureau of Prisons. On June 30, 2008, the President signed H.R. 2642 into law (P.L. 110-252).

Background

Established by an act of 1870 (28 U.S.C. 501), with the Attorney General at its head, the Department of Justice provides counsel for citizens in federal cases and protects them through law enforcement. It represents the federal government in all proceedings, civil and criminal, before the Supreme Court. In legal matters, generally, the Department provides legal advice and opinions, upon request, to the President and executive branch department heads. The major functions of DOJ agencies and offices are described below.

- *United States Attorneys* prosecute criminal offenses against the United States, represent the federal government in civil actions, and initiate proceedings for the collection of fines, penalties, and forfeitures owed to the United States.
- *United States Marshals Service* provides security for the federal judiciary, protects witnesses, executes warrants and court orders, manages seized assets, detains and transports unsentenced prisoners, and apprehends fugitives.
- *Federal Bureau of Investigation (FBI)* investigates violations of federal criminal law; helps protect the United States against terrorism and hostile intelligence efforts; provides assistance to other federal, state, and local law enforcement agencies; and shares jurisdiction with Drug Enforcement Administration (DEA) over federal drug violations.
- *Drug Enforcement Administration (DEA)* investigates federal drug law violations; coordinates its efforts with state, local, and other federal law enforcement agencies; develops and maintains drug intelligence systems; regulates legitimate controlled substances activities; and conducts joint intelligence-gathering activities with foreign governments.
- *Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)* enforces federal law related to the manufacture, importation, and distribution of alcohol, tobacco, firearms, and explosives. It was transferred from the Department of the Treasury

to the Department of Justice by the Homeland Security Act of 2002 (P.L. 107-296).

- *Federal Prison System* provides for the custody and care of the federal prison population, the maintenance of prison-related facilities, and the boarding of sentenced federal prisoners incarcerated in state and local institutions.
- *Office on Violence Against Women* coordinates legislative and other initiatives relating to violence against women and administers grant programs to help prevent, detect, and stop violence against women, including domestic violence, sexual assault, and stalking.
- *Office of Justice Programs (OJP)* manages and coordinates the activities of the Bureau of Justice Assistance, Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, and the Office of Victims of Crime.
- *Community Oriented Policing Services (COPS) Office* awards grants to state, local and tribal law enforcement agencies throughout the United States so they can hire and train law enforcement officers to participate in community policing, purchase and deploy new crime-fighting technologies, and develop and test new and innovative policing strategies.

Most crime control has traditionally been a state and local responsibility. With the passage of the Crime Control Act of 1968 (P.L. 90-351), however, the federal role in the administration of criminal justice has increased incrementally. Since 1984, Congress has approved five major omnibus crime control bills, designating new federal crimes, penalties, and additional law enforcement assistance programs for state and local governments.[1]

Government Performance and Results Act

The Government Performance and Results Act (GPRA) required the Department of Justice, along with other federal agencies, to prepare a five-year strategic plan, including a mission statement, long-range goals, and program assessment measures. The Department's Strategic Plan for FY2007-FY2012 sets out six goals:

- detect and prevent terrorism;
- combat violent crime;
- combat computer crime, especially child pornography, obscenity, and intellectual property theft;
- combat illegal drugs;
- attack corporate and public corruption; and
- promote civil rights and civil liberties.[2]

[1] For further information, see CRS Report RL32824, *Federal Crime Control: Background, Legislation, and Issues*, by Kristin M. Finklea and Lisa M. Seghetti.

[2] U.S. Department of Justice, Office of the Attorney General, *Stewards of the American Dream: FY 2007—FY 2012 Strategic Plan*, available at http://www.usdoj.gov/jmd/mps/strategic2007-2012/index.html.

Selected DOJ-Related Issues with Funding Implications

During consideration of the Administration's FY2009 budget request, several issues were brought to Congress's attention. These issues are briefly described below.

FBI Transformation

Over a 10-year period, from FY1999 to FY2008, Congress has increased direct appropriations for the FBI from $2,993.1 million and 26,693 positions to $6,657.7 million (122% increase) and 30,211 positions (13% increase). Most of these new resources were provided in the wake of the 9/11 terrorist attacks, as the FBI redirected its resources toward combating domestic and international terrorism through improvements in its intelligence gathering and processing capabilities. As a consequence, for FY2008, about 60% of FBI funding and staffing was allocated to national security programs, including counterterrorism and counterintelligence.

While al Qaeda remains a serious national threat, some Members of Congress—including appropriations subcommittee chairs—have expressed concern about the effect that redirecting a significant number of agents to counterterrorism could have on drug enforcement and violent crime investigations.[3] More recently, concerns have been raised about the effect that the redirection of resources toward counterterrorism may be having on DOJ and FBI's shared counterintelligence mission and the enforcement of espionage laws.[4] Nevertheless, the Administration's FY2009 budget request included $492.7 million in new funding for counterterrorism and related intelligence matters, of which $447.4 million had been requested for the FBI, but no budget increases were requested for traditional or emerging crime or espionage law enforcement (counterintelligence).

Consolidated Law Enforcement Assistance Grants Proposal

The Administration's FY2009 budget request included a proposal to consolidate the existing 38 federal law enforcement assistance programs into three "competitive" grant programs. Moreover, the FY2009 request of $404 million for state and local law enforcement assistance would have been $1,223.4 million less than the amount Congress appropriated individually for similar programs for FY2008 ($1,627.4 million combined for State and Local Law Enforcement Assistance, Weed and Seed, and COPS). For juvenile justice programs, the FY2009 request was $185 million, or $198.5 million less than the FY2008 enacted level. For the Office on Violence Against Women, the FY2009 request was $280 million, or $120 less than the FY2008 enacted

[3] Senator Barbara Mikulski, Chair of the Senate Appropriations Commerce, Justice, Science (CJS) and Related Agencies Subcommittee amended the FY2008 CJS appropriations bill (H.R. 3093) to include language to require the FBI Director to submit a report to House and Senate Appropriations Committees, within 60 days of enactment, on the FBI's current workforce allocation, right-sizing, and realignment of agents, analysts, and support personnel. See *Congressional Record*, Daily Edition, October 4, 2007, p. S12723. This requirement was included in the explanatory statement accompanying the Consolidated Appropriations Act, 2008 (P.L. 110-161; December 26, 2007). See *Congressional Record*, Daily Edition, December 17, 2007, p. H15798. Also, see "Panel Chairman Seeks Study of FBI Reorganization; Rep. Wolf Cites Concern on Impact of Shifting Agents to Counterterrorism Effort," *Washington Post*, June 5, 2002, p. A08.

[4] Statement of J. Patrick Rowan, Deputy Assistant Attorney General, National Security Division, U.S. Department of Justice, before the Subcommittee on Crime Terrorism, and Homeland Security, Committee on the Judiciary, House of Representatives, concerning "Enforcement of Federal Espionage Laws," January 29, 2008, available at http://judiciary.house.gov/hearings/pdf/Rowan080129.pdf.

level. Hence, for major law enforcement assistance programs, the Administration's FY2009 request of $869 million was $1,541.9 million less than the $2,410.9 million that was appropriated for FY2008. Although several similar consolidations and funding cuts were proposed in the past by the Bush Administration, Congress rejected those proposals and provided appropriations for federal law enforcement assistance grants in amounts greater than requested by the Administration and along existing account, subaccount, and program structures.

Crimes Against Children

Although the Administration stated in its FY2009 budget request that protecting children from sexual exploitation is among DOJ's highest priorities, budget increases were not requested to fund the enforcement of some of the initiatives authorized under the Adam Walsh Child Protection and Safety Act (P.L. 109-248). The major DOJ programs and activities to combat crimes against children are carried out by multiple offices within the department. They include Project Safe Childhood, coordinated by the U.S. Attorneys; the Missing and Exploited Children's program, administered by OJP; the activities of the Child Exploitation and Obscenity Section in the Criminal Division; and the Innocent Images National Initiative and Crimes Against Children program, administered by the FBI; as well as other federal and state partners on DOJ-led Internet Crimes Against Children (ICAC) Task Forces. In addition, OJP's Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART) Office, which was created in 2006 under P.L. 109-248, provides related assistance to state and local law enforcement agencies.

Southwest Border Enforcement Initiative

On January 31, 2008, DOJ announced its FY2009 funding request of $100 million for the Administration's Southwest Border Enforcement Initiative. This initiative would provide resources to bolster DOJ's efforts to combat illegal immigration, drug trafficking, and firearms smuggling across the Southwest border between the United States and Mexico. Most of these resources would be allocated to arrest, detain, prosecute, and incarcerate violent criminals, drug offenders, and immigration violators. DOJ estimates that with increased border enforcement by DHS—principally the U.S. Border Patrol—over 24,000 criminal immigration cases will be filed by the U.S. Attorneys in the next two years. DOJ also claims that such additional funding has assumed greater importance, as terrorists could attempt to exploit vulnerabilities on the Southwest border to enter the United States illegally and smuggle weapons of mass destruction into the United States.

NICS Improvement Act Authorizations

The tragic events at Virginia Tech on April 16, 2007, prompted Congress to pass the NICS Improvement Amendments Act (P.L. 110-180). This law includes provisions that would require states, as a condition of federal funding, to update and make available disqualifying records for inclusion in the National Instant Criminal Background Check System (NICS). This Act also includes two authorizations to make appropriations and increase federal assistance for purposes related to gun control ($1,312.5 million over five years). Subsection 103(e) authorizes increased appropriations to assist states and Indian tribal governments in upgrading records that would disqualify persons from possessing a firearm in a manner consistent with the National Criminal History Improvement Program (NCHIP), which is funded under the COPS program but administered by DOJ's Bureau of Justice Statistics. Section 301 authorizes increased appropriations to improve state court systems in regard to final dispositions on misdemeanor

domestic violence convictions and mental health adjudications where persons are determined to be a threat to themselves or others.

In recent years, however, appropriated funding for NCHIP has generally decreased. The FY2008 NCHIP appropriation was $9.4 million, compared with $50 million for FY1997 to implement provisions of Brady Handgun Violence Prevention Act, 1993 (P.L. 103-159). Consequently, realizing FY2009 appropriations at the levels authorized under P.L. 110-180 ($187.5 million)[5] could prove challenging.

Bureau of Prisons (BOP) Facilities and Capacity

The BOP has projected that its facilities will be 39% over capacity in 2008 and 42% over capacity in 2009.[6] BOP has alleviated overcrowding by contracting for additional bed space, but BOP contracts only for bed space to house low-security criminal aliens and convicted offenders in halfway houses when they are within six months of being released.[7] In addition to contracting additional bed space, BOP could likely need to either expand existing facilities or build new facilities in order to properly house the growing federal prison population.[8]

Offender Reentry [9]

Over 95% of the prison population today will be released at some point in the future, and each year in the United States, almost 650,000 offenders are released from prison.[10] The Bureau of Justice Statistics (BJS) has estimated that two-thirds of all released prisoners will commit new offenses (recidivate) within three years of their release.[11] Many studies have indicated that reentry initiatives that combine work training and placement with counseling and housing assistance can reduce recidivism rates.[12]

The Office of Justice Programs within DOJ oversees a wide array of grant programs that include support for offender reentry programs or activities among the purpose areas eligible for funding. However, only one grant program within DOJ is exclusively focused on offender reentry; that program is currently being called the Prisoner Reentry Initiative (PRI) by DOJ.[13] In FY2008, the

[5] For FY2009, subsection 103(3) authorizes $125 million to be appropriated, and section 301 authorizes $62.5 million, for a total authorized funding level of $187.5 million under these two provisions of P.L. 110-180.

[6] U.S. Department of Justice, Federal Bureau of Prisons, *FY2009 Congressional Budget Submission*, p. 3.

[7] Telephone conversation on February 12, 2008 with U.S. Department of Justice, Bureau of Prisons, Office of Congressional Affairs.

[8] According to BOP the federal inmate population housed in BOP facilities in 2007 was 167,323. BOP projects the federal inmate population housed in BOP facilities to increase to 175,759 in 2009. U.S. Department of Justice, Bureau of Prison, *FY2009 Performance Budget, Congressional Submission, Salaries and Expenses*, p. 3.

[9] For further information, see CRS Report RL34287, *Offender Reentry: Correctional Statistics, Reintegration into the Community, and Recidivism*, by Nathan James.

[10] U.S. Department of Justice, Office of Justice Programs, "Learn About Reentry," available at http://www.reentry.gov/learn.html.

[11] U.S. Department of Justice, Bureau of Justice Statistics, "Reentry Trends in the United States: Recidivism," available at http://www.ojp.usdoj.gov/bjs/reentry/recidivism.htm.

[12] Wilkinson, Reginald A., Director of the Ohio Department of Rehabilitation and Correction, "Offender Reentry: A Storm Overdue," Paper Prepared for Third National Forum on Restorative Justice, March 2002, available at http://www.drc.state.oh.us/web/Articles/article98.htm.

[13] From FY2002 through FY2005, the program was known as the Serious and Violent Offender Reentry Initiative. Both (continued...)

PRI received an appropriation of $11.75 million. On April 9, 2008 the Second Chance Act (P.L. 110-199) was enacted into law. The act, among other things, included a significant expansion of the current offender reentry grant program within DOJ and authorized $55 million for this program in both FY2009 and FY2010. Given the increasing number of ex-offenders that will be released from incarceration in the near future, the amount appropriated for re-entry programs authorized by the act may continue to be of interest to Congress.

Economic Downturn and the Impact on the Budgets of Local Law Enforcement Agencies

In July 2008, the Police Executive Research Forum (PERF) surveyed of 56 law enforcement agencies and asked them about violent crime trends and the impact the economy has had their agencies. Data from the survey found that overall, murder, robbery, aggravated assaults, and aggravated assaults with a firearm, decreased in the first half of 2008 (January to June) compared to the same period in 2007.[14] However, the decline in these violent crimes was not universal. Some surveyed law enforcement agencies reported increases in the number of certain violent crimes.[15] PERF reported that 74% of surveyed police departments believe that the economy, poverty, and unemployment were factors contributing to crime, just behind gangs (84%) and juvenile and/or youth crime (80%).[16]

Nearly 40% of respondents reported experiencing a decrease in their operating budgets during the last budget cycle.[17] PERF reported that 45% of respondents believe that the economic downturn has affected their agency's ability to reduce crime, and 43% believe that it has impacted their ability to deliver services.[18] In October 2008, PERF hosted a summit of police chiefs, mayors, and Presidential campaign officials. According to PERF, many police chiefs reported that recent budget cuts had been relatively small, but they were being told to prepare for larger cuts in the next fiscal year; cuts which would, in many cases, require them to layoff sworn officers.[19]

Sustainability of Jobs Created by Funding in the American Recovery and Reinvestment Act

The American Recovery and Reinvestment Act of 2009 (ARRA, P.L. 111-5) includes $1 billion for COPS hiring grants and $2 billion for the Edward Byrne Memorial Justice Assistance Grant (JAG) program. One question facing Congress could be whether jobs created as a result of COPS and JAG funding can be sustained in absence of continued funding at or near the levels found in the ARRA. While it is possible that some of the JAG funding will be used to fund projects with a

(...continued)

programs, however, draw on the same legislative authority: P.L. 107-273, Title II, Division B, § 2421(a); codified at 42 U.S.C. 3797w.

[14] Police Executive Research Forum, *Violent Crime and the Economic Crisis: Police Chiefs Face A New Challenge*, Part I, Washington, DC, January 2009, p. 1.

[15] Ibid.

[16] Ibid., p. 2.

[17] Ibid., p. 5.

[18] Ibid.

[19] Ibid., p. 6.

limited time frame—meaning any jobs created by those projects would end regardless of funding levels—state and local governments may use some of the funding for long-term programs. Any law enforcement agency that accepts a COPS grant must retain hired officers for one budget cycle after the grant period ends.[20] However, law enforcement agencies are not required to retain officers hired with COPS grants if they can prove that they planned to retain the officers but they could not do so because of severe fiscal distress. If state and local tax revenues do not rebound in the next three to four years, thereby allowing state and local governments to support the programs created with JAG funds or retain the law enforcement officers hired with COPS grants, Congress may consider whether it will have to increase appropriations for JAG and COPS in future fiscal years in order to continue any the benefits realized by these programs.

DOJ Appropriations for FY2008 and FY2009

Congressional Action and Summary Tables

The President's final FY2009 DOJ budget request included $23,127.9 million. This amount reflected a reduction in funding of almost $830.3 million compared with the FY2008 enacted appropriation of $23,958.3 million, which includes $449.0 million in supplemental funding that was a part of the Supplemental Appropriations Act, 2008 (P.L. 110-152). This overall reduction of 3.5% largely reflected proposed reductions in grants administered by the Office of Justice Programs (OJP), Community Oriented Policing Services (COPS) Office, and Office of Violence Against Women (OVW). The House and Senate Appropriations Committees both reported FY2008 CJS appropriations bills, but neither chamber passed these bills.

In the absence of final action on the regular FY2009 CJS appropriations bill, Congress passed two continuing resolutions that funded most DOJ agencies at their FY2008 levels through March 6, 2009, and then through March 11, 2009.[21] As described in greater detail below, Congress completed action on the regular appropriation, as well as emergency/stimulus funding, for DOJ in February and March 2009.

Regular FY2008 and FY2009 DOJ Appropriations

Table 1 below shows amounts appropriated by Congress for FY2008 (including supplemental funding) and amounts requested by the Administration for FY2009 for DOJ agencies and

[20] U.S. Department of Justice, Community Oriented Policing Services Office, *COPS Fact Sheet: Universal Hiring Program, Adding Officers to the Street*, Washington , DC, August 10, 2005, p. 2, http://www.cops.usdoj.gov/files/RIC/Publications/e08042467.pdf.

[21] A few DOJ accounts received funding over those FY2008 levels. For example, the CR funded the Bureau of Prisons' salaries and expenses account at a rate that would have been equal to a full-year FY2009 appropriation of $5.397 billion; the Detention Trustee at a rate that was equal to a full-year appropriation of $1.246 billion; and departmental Legal Activities at a rate that would have equaled a full-year appropriation of $3.390 billion. Of the amount provided for Legal Activities, the CR required that an amount corresponding to $1.090 billion of a full-year appropriation be transferred to the Office of Personnel Management for costs associated with the federal observer program provided under Section 8 of the Voting Rights Act of 1965 (42 U.S.C. §1973f). Furthermore, the CR funded the FBI at its FY2008 level of funding through March 6 and stipulated that $144.0 million in FY2008 emergency supplemental funding that Congress appropriated for the FBI would be regarded as part of that calculation. In the discussions below of the DOJ budget accounts, the CR is not mentioned, unless it provided amounts that were different from those provided for FY2008.

programs. It also shows the amounts that would have been provided in the bills reported by both the Senate and House Appropriations Committees, as well as the amounts finally enacted for FY2009.

On June 19, 2008, the Senate Appropriations Committee reported an FY2009 CJS appropriations bill (S. 3182; S.Rept. 110-397) that would have provided DOJ with $25,778.6 million, 7.6% greater than the FY2008 enacted level and 11.5% greater than the FY2009 request. This amount included $7,270.1 million for the FBI, $1,954.4 million for the DEA, $1,042.8 million for the ATF, and $5,973.9 million for the Bureau of Prisons. The Senate-reported bill also included $3,136.1 million for state and local law enforcement assistance (OJP and OVW).

On June 25, 2008, the House Appropriations Committee approved a draft FY2009 CJS appropriations bill that would have provided DOJ with $25,438.7 million, 6.2% greater than the FY2008 enacted level and 10.0% greater than the FY2009 request. This amount included $7,108.1 million for the FBI, $1,939.1 million for the DEA, $1,054.2 million for the ATF, and $5,733.9 million for the Bureau of Prisons. The House bill also included $3,129.1 million in state and local law enforcement assistance (OJP and OVW). The House Appropriations Committee reported this bill December 10, 2008 (H.R. 7322; H.Rept. 110-919).

On June 26, 2008, Congress cleared the Supplemental Appropriations Act, 2008 (H.R. 2642), following an exchange of amendments that resolved differences (principally related to domestic spending) in previous House- and Senate-passed versions of the bill. For DOJ, the Administration requested $185.8 million in supplemental funding for counterterrorism-related activities and programs. Congress provided $449 million in this bill. On June 30, 2008, the President signed H.R. 2642 into law (P.L. 110-252). The amounts provided for DOJ under this act are incorporated into **Table 1** and are broken out separately below in **Table 2**.

On September 27, 2008, in the absence of final action on an FY2009 CJS appropriations bill, Congress cleared the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (H.R. 2638). This bill included a continuing resolution that funded most DOJ agencies at their FY2008 level through March 6, 2009. The President signed this bill (P.L. 110-329) into law on September 30, 2008. On March 6, 2009, Congress passed a second continuing resolution (H.J.Res. 38; P.L. 111-6) that funded DOJ agencies through March 11, 2009.

On March 10, 2009, the Senate passed the Omnibus Appropriations Act, 2009 (H.R. 1105), which the House had previously passed on February 25, 2009. On March 11, 2009, the President signed this bill into law (P.L. 111-8), providing DOJ with $26,120.2 million for FY2009, 9.0% greater than the FY2008 enacted level and 12.9% greater than the FY2009 request. This amount includes $7,310.2 million for the FBI, $1,939.1 million for the DEA, $1,054.2 million for the ATF, and $6,173.9 for the Bureau of Prisons. It also includes $3,177.1 million for state and local law enforcement assistance (OJP and OVW), instead of cutting such funding by $1,609.2 million, as proposed by the Administration. Hereafter, P.L. 111-8 will be referred to as the “Omnibus.”

Table 1. Funding for the Department of Justice

(budget authority in millions of dollars)

Accounts	FY2008 Enacted	FY2009 Request	House-Reported	Senate-Reported	FY2009 Enacted[a]
General Administration	1,798.8	1,952.1	2,014.2	1,928.4	2,007.8
General Administration	257.6	321.3	384.7	292.7	370.8
Administrative Review & Appeals	240.6	259.8	264.8	264.8	266.0
Detention Trustee	1,225.9	1,295.3	1,289.1	1,295.3	1,295.3
Office of the Inspector General	74.6	75.7	75.7	75.7	75.7
U.S. Parole Commission	11.5	12.6	12.6	12.6	12.6
Legal Activities	3,619.3	3,829.7	3,841.9	3,864.7	3,855.6
General legal activities	747.2	804.0	804.0	804.0	804.0
United States Attorneys	1,759.8	1,831.3	1,836.3	1,831.3	1,836.3
United States Marshals Service	895.1	933.1	940.3	968.1	954.0
Other	217.1	261.2	261.2	261.2	261.2
National Security Division	73.4	83.8	83.8	83.8	83.8
Interagency Law Enforcement	497.9	531.6	521.9	511.7	515.0
Federal Bureau of Investigation	6,763.8	7,147.2	7,108.1	7,270.1	7,301.2
Salaries and expenses	4,291.0	3,349.2	3,310.1	4,359.7	3,392.7
Counterintelligence and National Security	2,308.6	3,755.0	3,755.0	2,725.5	3,755.0
Construction	164.2	43.0	43.0	185.0	153.5
Drug Enforcement Administration	1,887.4	1,936.6	1,939.1	1,954.4	1,939.1
Bureau of Alcohol, Tobacco, Firearms and Explosives	1,011.6	1,027.8	1,054.2	1,042.8	1,054.2
Federal Prison System	5,612.6	5,533.9	5,733.9	5,973.9	6,174.0
Office of Violence Against Women	400.0	280.0	435.0	415.0	415.0
Office of Justice Programs	2,282.0	792.7	2,694.1	2,721.1	2,762.1
Justice assistance	196.2	134.6	95.0	240.0	220.0
State and local law enforcement assistance	1,008.1[b]	404.0	1,277.0	1,387.0	1,328.5
Weed and seed program fund	32.1	—	—	25.0	25.0
Community oriented policing services	587.2	—	627.0	600.0	550.5
Salaries and Expenses[c]	—	—	195.0	—	195.0
Juvenile justice programs	383.5	185.0	431.0	400.0	374.0
Public safety officers benefits	74.8	69.1	69.1	69.1	69.1
Total: Department of Justice	**23,958.3**	**23,127.9**	**25,438.7**	**25,778.6**	**26,120.2**

Source: House Appropriations Committee Print on the Consolidated Appropriations Act, 2008 (H.R. 2764/*P.L. 110-161*); Budget of the United States Government, Fiscal Year 2009—Appendix; H.R. 7322 (H.Rept. 110-919); S. 3182 (S.Rept. 110-397); and Joint Explanatory Statement to accompany the Omnibus Appropriations Act, 2009 (H.R. 1105), as published in the Congressional Record, Daily Edition, vol. 155 (February 23, 2009), pp. H1761.

Note: Amounts may not total due to rounding.

a. FY2009 enacted amounts do not reflect any emergency/stimulus funding that was included in the American Recovery and Reinvestment Act of 2009 (P.L. 111-5). For those amounts, see **Table 3**.

b. Includes $100 million in emergency funding that was appropriated for security at the Presidential Nominating Conventions.

c. The House-reported bill and the Omnibus Appropriations Act, 2009 (P.L. 111-8) included a separate subaccount that would breakout and provide $195 million for OJP, OVW, and COPS administrative costs.

Breakouts of FY2008 DOJ Supplemental Funding

Congress also provided DOJ with an additional $449.0 million in FY2008 funding as part of the Supplemental Appropriations Act, 2008 (P.L. 110-152). This FY2008 supplemental funding has been incorporated into **Table 1** above in the enacted FY2008 column. It is also broken out separately in **Table 2** below. For FY2008, the Administration had requested $185.8 million in supplemental funding for DOJ. The bill (H.R. 2642) originally passed by the House would have provided DOJ with $407.3 million in supplemental funding, and the bill passed by the Senate (also H.R. 2642) would have provided $1,130.6 million. In an exchange of amendments, the House and Senate resolved their differences and the bill was cleared for the President on June 26, 2008.

Table 2. FY2008 Supplemental Funding for the Department of Justice

(budget authority in millions of dollars)

Accounts	Request	House-Passed	Senate-Passed	Enacted
General Administration	—	4.0	4.0	4.0
Office of the Inspector General	—	4.0	4.0	4.0
Legal Activities	24.0	25.3	75.3	35.3
General Legal Activities	4.1	1.7	1.7	1.7
U.S. Attorneys	5.0	5.0	5.0	5.0
U.S. Marshals Service	14.9	18.6	68.6	28.6
Federal Bureau of Investigation	140.2	174.8	247.6	188.7
Counterterrorism	101.1	92.2	165.0	106.1
FY2009 Advanced Appropriation	39.1	82.6	82.6	82.6
Drug Enforcement Administration	8.5	12.2	22.7	29.9
Bureau of Alcohol, Tobacco, Firearms and Explosives	4.0	4.0	4.0	4.0
Federal Prison System	9.1	187.1	187.1	187.1
State and Local Law Enforcement Assistance	—	—	590.0	—
Total: FY2008 DOJ Supplemental	**185.8**	**407.3**	**1,130.6**	**449.0**

Source: For House amounts, see *Congressional Record*, Daily Edition, vol. 154 (May 15, 2008), p. H4012. For Senate amounts, see *Congressional Record*, Daily Edition, vol. 154 (May 19, 2008), p. S4302. For enacted amounts, see the Supplemental Appropriations Act, 2008 (P.L. 110-252).

Note: Amounts may not total due to rounding.

Emergency/Stimulus Funding

On February 13, 2009, Congress cleared the American Recovery and Reinvestment Act (ARRA) of 2009 (H.R. 1), which includes $4,002 million in emergency/stimulus funding for DOJ programs.[22] On February 17, 2009, the President signed the bill into law (P.L. 111-5). As shown in **Table 3** below, the enacted amount of $4,002 million in stimulus funding for DOJ programs is the same total amount of funding as in the House-passed bill, but 20.4% less than the total amount of funding in the Senate-passed bill.

The act provides $2,765 million for state and local law enforcement assistance. This amount includes $2,000 million for the Edward Byrne Memorial Justice Assistance Grant (JAG) program which provides funding state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including:

- law enforcement programs;
- prosecution and court programs;
- prevention and education programs;
- corrections and community corrections programs;
- drug treatment programs;
- planning, evaluation, and technology improvement programs; and
- crime victim and witness programs (other than compensation).

The act also includes $225 million for the Office on Violence Against Women and $1,000 million for COPS hiring programs. The latter program provides funding to state, local, and tribal law enforcement agencies to cover the cost of the salary and benefits for newly hired entry-level officers engaged in community policing. In addition, the act provides $2 million for the DOJ Office of Inspector General. Finally, the act requires the Attorney General to submit a spending plan detailing the planned allocations of monies provided under this act to the House and Senate Appropriations Committees within 60 days of enactment (April 18, 2009).

Table 3. Emergency/Stimulus Funding for the Department of Justice

(budget authority in millions of dollars)

Accounts	House-passed	Senate-passed	Enacted
General Administration	—	100.0	—
Tactical Law Enforcement Wireless Communications	—	100.0	—
Detention Trustee	—	100.0	—
Office of the Inspector General	2.0	2.0	2.0
U.S. Marshals Service	—	150.0	—
Salaries and Expenses	—	50.0	—

[22] Amounts appropriated in the ARRA are designated as an emergency requirement and necessary to meet emergency needs pursuant to section 204(a) of S.Con.Res. 21 (110th Congress) and section 301(b)(2) of S.Con.Res. 70 (110th Congress), the concurrent resolutions on the budget for fiscal years 2008 and 2009.

Accounts	House-passed	Senate-passed	Enacted
Construction	—	100.0	—
Federal Bureau of Investigation	—	375.0	—
Salaries and Expenses	—	75.0	—
Construction	—	300.0	—
Federal Prison System	—	800.0	—
Buildings and Facilities	—	800.0	—
Office on Violence Against Women	—	300.0	225.0
STOP Formula Grants	—	250.0	175.0
Transitional Housing Assistance Grants	—	50.0	50.0
State and Local Law Enforcement Assistance	3,000.0	2,190.0	2,765.0
Byrne Justice Assistance Grants (JAG)	3,000.0	1,200.0	2,000.0
Byrne Competitive Grants	—	300.0	225.0
Rural Law Enforcement Assistance	—	150.0	125.0
Southern Border and HIDTA Grants	—	90.0[a]	40.0[a]
Victims Compensation Grants	—	100.0	100.0
Tribal Correctional Facilities Construction Grants	—	250.0	225.0
Tribal Courts Initiative	—	25.0	—
Tribal Alcohol and Substance Abuse Reduction Grants	—	25.0	—
Internet Crimes Against Children Task Forces	—	50.0	50.0
Community Oriented Policing Services	1,000.0	1,000.0	1,000.0
Salaries and Expenses for OJP and COPS	—	10.0	10.0
Total: American Recovery and Reinvestment Act (ARRA)	**4,002.0**	**5,027.0**	**4,002.0**

Source: Conference Report on H.R. 1, American Recovery and Reinvestment Act of 2009, H.Rept. 111-16, as published in the *Congressional Record*, Daily Edition, vol. 155 (Feb. 12, 2009), pp. H1307-H1516.

a. Includes $10 million for the Bureau of Alcohol, Tobacco, Firearms, and Explosives for Project Gunrunner.

General Administration

The General Administration account provides funds for salaries and expenses for the Attorney General's office and the Inspector General's office, as well as other programs designed to ensure that the collaborative efforts of DOJ agencies are coordinated to help fight crime as efficiently as possible. The General Administration budget request was $1,952.1 million for FY2009. This amount was $153.3 million more than the enacted FY2008 appropriation of almost $1,798.8 million, an increase of 8.5%. The House-reported bill would have provided $2,014.2 million for General Administration, 12.0% more than the FY2008 enacted level and 3.2% more than the FY2009 request. The Senate-reported bill would have provided $1,928.4 million for General Administration, 7.2% more than the FY2008 level and 1.2% less than the FY2009 request. The Omnibus included $2.008 for General Administration, a decrease of 0.3% compared to the amount recommended in the House-reported bill, but 4.1% more than the amount recommended

in the Senate-reported bill. The FY2009 enacted amount is 11.6% more than the FY2008 enacted amount and 2.9% more than the FY2009 request.

In the Supplemental Appropriations Act, 2008 (P.L. 110-252), Congress provided the Office of the Inspector General (OIG) with an additional $4.0 million. The American Recovery and Reinvestment Act of 2009 (P.L. 111-5) also provided an additional $2.0 million for the OIG (see **Table 3**). Described below are several General Administration subaccounts, such as the OIG.

General Administration

For General Administration, the FY2009 budget request included $321.3 million dollars, an increase of 24.7% over the $257.6 million appropriation for FY2008. The House-reported bill would have provided $384.7 million, 49.3% more than FY2008 level and 19.7% more than the President's request. The Senate-reported bill would have provided $292.7 million, 13.6% more than FY2008 enacted level, but 8.9% less than the President's request. The Omnibus included $370.8 million for General Administration, 3.6% less than the $384.7 million in the House-reported bill, but 26.7% more than the $292.7 million in the Senate-reported bill. The FY2009 enacted amount is 43.9% more than the FY2008 enacted amount and 15.4% more than the FY2009 request.

Examples of programs funded under this subaccount include the Joint Automated Booking System and the Automated Biometric Identification System. The latter is designed to integrate fingerprint identification systems maintained by DOJ and Department of Homeland Security (DHS). Under this subaccount, DOJ also continues to enhance its counterterrorism and intelligence capabilities through the Law Enforcement Wireless Communications program (LEWC, formerly known as Narrowband Communications), through which nationwide integrated wireless networks are being developed and implemented to support the federal law enforcement and homeland security missions of DOJ. In addition, this account funds the Justice Information Sharing Technology (JIST) program, which provides for investments in information technology to further support the Department's strategic goals.

Administrative Review and Appeals (ARA)

ARA includes the Executive Office of Immigration Review (EOIR) and the Office of the Pardon Attorney (OPA). The Attorney General is responsible for the review and adjudication of immigration cases in coordination with the DHS's efforts to secure the Nation's borders. The EOIR handles these matters. The OPA receives and reviews petitions for executive clemency. For FY2008, Congress appropriated $240.7 million for ARA. The President's budget request included $259.8 million for ARA funding for FY2009. The requested amount exceeded FY2008 funding levels by $19.1 million, representing an increase of 8.0%. The House- and Senate-reported bill would have provided $264.8 million, 10% more than the FY2008 enacted level and 1.9% more than the President's request. Both bills included $5 million over the FY2009 request to hire new immigration judges and additional support staff to address the growing EOIR immigration caseload. For FY2009, Congress appropriated $266 million for ARA, 0.5% more than the $264.8 million recommended by both the House and the Senate. The amount appropriated for FY2009 is 10.5% more than what was appropriated for FY2008 and 2.4% more than the FY2009 request.

Federal Office of Detention Trustee (OFDT)

The OFDT provides overall management and oversight for federal detention services relating to federal prisoners in non-federal institutions or otherwise in the custody of the U.S. Marshals Service. The FY2009 budget request for OFDT was $1,295.3 million. This amount would have been $69.4 million more than the FY2008 appropriation of almost $1,225.9 million. The House-reported bill would have provided $1,289.1 million for OFDT, 5.1% more than FY2008 enacted levels and 0.5% less than the President's request. The Senate-reported bill would have provided the same amount as the President's request. The Omnibus included $1,295.3 million for OFDT, 0.5% more than the amount recommended by the House, but the same as the amount the Senate-reported bill would have provided, and the same as the President's request. The FY2009 enacted amount is 5.7% greater than the FY2008 appropriated amount.

Office of the Inspector General (OIG)

The OIG is responsible for detecting and deterring waste, fraud, and abuse involving DOJ programs and personnel; promoting economy and efficiency in DOJ operations; and investigating allegations of departmental misconduct. The President's FY2009 budget request included nearly $75.7 million for the OIG. This amount would have been $1.1 million greater than the amount appropriated by Congress for FY2008 and would represent a 1.4% increase in funding for FY2009. The Supplemental Appropriations Act, 2008 (P.L. 110-252), included an additional $4.0 million for the OIG to continue audit and oversight activities related to the FBI's use of National Security Letters and orders for business records under section 215 of the PATRIOT Act.[23] Both the House- and Senate-reported bills would have provided the same amount as the President's FY2009 request. The Omnibus included the same amount as the House- and Senate-reported bills. The American Recovery and Reinvestment Act (P.L. 111-5) also provided an additional $2.0 million for the OIG to oversee the expenditure of the $4,000 million in grants funds included in the act (see below).

U.S. Parole Commission

The U.S. Parole Commission adjudicates parole requests for prisoners who are serving felony sentences under federal and District of Columbia code violations. For FY2009, the President's budget request for the Parole Commission was just under $12.6 million, or a 9.7% increase as compared with the FY2008 appropriation of $11.5 million. Both the House- and the Senate-reported bill would have provided the same amount as in the President's FY2009 request. The FY2009 enacted amount is the same as the amount included in the House- and Senate-reported bills.

Legal Activities

The Legal Activities account includes several subaccounts: (1) general legal activities, (2) U.S. Attorneys, (3) U.S. Marshals Service, and (4) other legal activities.[24] For FY2009, the President's

[23] For House explanatory language, see *Congressional Record*, Daily Edition, vol. 154 (May 15, 2008), p. H4012. For Senate explanatory language, see *Congressional Record*, Daily Edition, vol. 154 (May 19, 2008), p. S4302.

[24] "Other legal activities" includes the Anti Trust Division, Vaccine Injury Compensation Trust Fund, U.S. Trustee System Fund, Foreign Claims Settlement Commission, Fees and Expenses of Witnesses, Community Relations (continued...)

budget request for general legal activities included $3,829.7 million, or an increase of 5.8% and nearly $210.4 million more than the enacted FY2008 funding level of $3,619.3 million for these activities. The House-reported bill would have provided almost $3,841.9 million for legal activities, 6.2% more than the FY2008 enacted level and 0.3% more than the President's request. The Senate-reported bill would have provided almost $3,864.7 million, 6.8% more than the FY2008 enacted level and 0.9% more than the President's request. The Omnibus included $3,855.6 million for Legal Activities, 0.4% more than the House-reported bill, but 0.2% less than the Senate-reported bill. The FY2009 enacted amount is 6.5% greater than the FY2008 enacted, and 0.7% greater than the FY2009 requested amount.

In the Supplemental Appropriations Act, 2008 (P.L. 110-252), Congress provided an additional $35.3 million in FY2008 funding for certain Legal Activities program accounts, including the General Legal Activities, U.S. Attorneys, and U.S. Marshals Service. This amount is included in the FY2008 enacted amount described above.

General Legal Activities

The General Legal Activities account funds the Solicitor General's supervision of the department's conduct in proceedings before the Supreme Court. It also funds several departmental divisions (tax, criminal, civil, environment and natural resources, legal counsel, civil rights, and antitrust). The FY2009 budget request included $804 million for general legal activities, $56.8 million more than the FY2008 enacted appropriation, or a proposed 7.6% increase in funding. The House- and Senate-reported bills included the same level of funding as the President's FY2009 budget request. The Omnibus included the same amount as the House- and Senate-reported bills.

As part of the Supplemental Appropriations Act, 2008 (P.L. 110-252), Congress provided an additional $1.7 million for the General Legal Activities account for litigation support services for the Special Inspector General to investigate corruption within Iraqi reconstruction efforts,[25] instead of the $4.1 million requested by the Administration. House explanatory language stated that funding was not provided to create Iraq and Afghanistan support units within General Legal Activities and the Criminal Division, as these "worthy activities" should be funded through the Department of Defense and the Department of State.[26] This amount is included in the FY2008 enacted amount described above.

Office of the U.S. Attorney

The U.S. Attorneys enforce federal laws through prosecution of criminal cases and represent the federal government in civil actions in all of the 94 federal judicial districts. For FY2009, the President's budget request would have provided $1,831.3 million for the U.S. Attorneys Office, a 4.1% increase over the prior year. For FY2008, the U.S. Attorneys' appropriated budget was almost $1,759.8 million.

(...continued)

Services, and the Assets Forfeiture Fund.

[25] Ibid., p. H4013 and p. S4302.

[26] Ibid., p. H4013.

The House-reported bill included $1,836.3 million for the U.S. Attorneys Office, 4.3% more than enacted FY2008 appropriations and 0.3% more than the President's FY2009 request. The House amount would have included $5.0 million more than requested by the Administration for child exploitation investigations and prosecutions. Report language stated the House committee's expectation was that not less than $33.6 million would be available for those purposes in FY2009. The Senate-reported bill included the same level of funding as requested by the President for FY2009. The Omnibus included $1,836.3 million for the U.S. Attorneys, the same as the House-reported bill.

In addition, the Supplemental Appropriations Act, 2008 (P.L. 110-252) included an additional $5.0 million for the Office of the U.S. Attorneys, as requested by the Administration for extraordinary litigation expenses associated with terrorism-related prosecutions in the United States.[27] This amount is included in the FY2008 enacted amount described above.

U.S. Marshals Service (USMS)

The USMS is responsible for the protection of the federal judicial process, including protecting judges, attorneys, witnesses, and jurors. In addition, USMS provides physical security in courthouses, safeguards witnesses, transports prisoners from court proceedings, apprehends fugitives, executes warrants and court orders, and seizes forfeited property. For FY2008, the appropriation for the USMS was $895.1 million.

The President's request for FY2009 proposed USMS funding of $933.1 million, an increase of $38 million, or 4.2% over the FY2008 enacted level. The House-reported bill would have provided $940.3 million for USMS, 5.0% more than FY2008 enacted levels and 0.8% more than the President's budget request. The Senate-reported bill would have provided $968.1 million, 8.2% more than FY2008 enacted funding and 3.8% more than the President's budget request. Both bills would have provided $12.7 million requested by the Administration to meet the Marshal Service's escalating immigration workload related to Southwest border immigration enforcement. House report language indicated that the House bill would have provided $4.0 million for the Marshals Service to analyze increasing threats to federal judges. Senate report language indicated that the Senate bill included a proposed increase of $20.0 million over the FY2008 appropriations for judicial and courthouse security, the same amount as requested by the Administration. The FY2009 enacted amount for the USMS was $954 million, 1.5% greater than the House-reported bill, but 1.5% less than the Senate-reported bill. The amount included in the Omnibus is 6.6% greater than the FY2008 appropriated amount and 2.2% greater than the FY2009 requested amount.

The Supplemental Appropriations Act, 2008 (P.L. 110-252), included an additional $28.6 million for the USMS, as compared with the $14.9 million requested by the Administration. Previous versions of both the House- and Senate-passed FY2008 Iraq war supplemental appropriations bills (H.R. 2642) would have included $18.6 million for the USMS to provide security at "high-threat" terrorist trials (nearly $8 million), improve court witness security in Afghanistan ($3.7 million), and enforce the Adam Walsh Child Protection and Safety Act (nearly $7 million).[28] Furthermore, the Senate-passed bill would have included an additional $50.0 million for the USMS to enforce the Adam Walsh Act by hiring and equiping at least 200 Deputy Marshals and

[27] Ibid., p. H4013 and p. S4303.

[28] Ibid.

25 support personnel for the next five years.[29] According to Senate language, this funding was necessary to establish a National Sex Offender Targeting Center, improve information technology, and provide other infrastructure to leverage efforts by Deputy Marshals to track down child predators.[30]

Regarding the Adam Walsh Child Protection and Safety Act, both House and Senate report language that accompanied the FY2009 appropriations bills expressed disappointment that the FY2009 request had not included any budget increases for the Marshals Service to enforce this legislation. House report language indicated that with FY2008 supplemental funding that there would have been nearly $18.5 million available for Adam Walsh enforcement activities for FY2009. Senate report language indicated that $25.0 million would have been provided for these purposes for FY2009.

Explanatory language accompanying the Omnibus indicated that an increase of $5.2 million has been provided under this act for enforcement of the Adam Walsh Child Protection and Safety Act (P.L. 110-252), bringing the total amount provided for these purposes to $22.2 million for FY2009. The explanatory language also indicated that the FY2009 funding includes an increase of $10 million for Marshal-led Regional Fugitive Task Forces, and stipulated that the distribution of this funding should be weighted towards the workload created by the Adam Walsh Act. In addition, the Omnibus includes an increase of $4 million to analyze and investigate threats against the Judiciary.[31]

Other Legal Activities

For other legal activities—the Community Relations Service, the U.S. Trustee Fund (which is responsible for maintaining the integrity of the U.S. bankruptcy system by, among other things, prosecuting criminal bankruptcy violations), and the Asset Forfeiture program—the President's FY2009 budget request included $261.2 million. This amount reflected a 20.3% increase over the FY2008 enacted level of $217.1 million. The House and Senate-reported bills would have provided the same funding level as requested in the FY2009 President's budget. The Omnibus included the same amount as the House- and Senate-reported bills.

National Security Division (NSD)

The NSD coordinates DOJ's national security and terrorism missions through law enforcement investigations and prosecutions. The NSD was established in DOJ in response to the recommendations of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (WMD Commission), and authorized by Congress on March 9, 2006, in the USA PATRIOT Improvement and Reauthorization Act of 2005 (P.L. 109-177). Under the NSD, the DOJ resources of the Office of Intelligence Policy and Review and the Criminal Division's Counterterrorism and Counterespionage Sections were consolidated to coordinate all intelligence-related resources and ensure that criminal intelligence information is shared, as appropriate.

[29] Ibid., p. S4213.

[30] Ibid.

[31] *Congressional Record*, Daily Edition, vol. 155 (February 23, 2009), p. H1763.

For FY2009, the President's budget request proposed NSD funding of $83.8 million. In FY2008, Congress appropriated nearly $73.4 million for NSD. The proposed funding level for FY2009 reflected a 14.2% increase over FY2008 enacted appropriations. The House- and Senate-reported bills would have provided the same funding level as requested in the FY2009 President's budget. The Omnibus included the same amount for NSD as the House- and Senate-reported bills. The Joint Explanatory Statement that accompanied the Omnibus expressed concern about the backlog of "non-emergency" Foreign Intelligence Surveillance Act (FISA) requests at the NSD, and it requires a report to the House and Senate Appropriations Committees from DOJ on FISA request trends for the past five fiscal years.

Interagency Law Enforcement

The Interagency Law Enforcement account reimburses departmental agencies for their participation in the Organized Crime Drug Enforcement Task Force (OCDETF) program. Organized into nine regional task forces, this program combines the expertise of federal agencies with the efforts of state and local law enforcement to disrupt and dismantle major narcotics-trafficking and money-laundering organizations. From DOJ, the federal agencies that participate in OCDETF are the Drug Enforcement Administration; the Federal Bureau of Investigation; the Bureau of Alcohol, Tobacco, Firearms and Explosives; the U.S. Marshals Service; the Justice, Tax, and Criminal Divisions of DOJ; and the U.S. Attorneys. From DHS, the U.S. Bureau of Immigration and Customs Enforcement and the U.S. Coast Guard participate in OCDETF. In addition, the Internal Revenue Service and Treasury Office of Enforcement also participate from the Department of the Treasury. State and local law enforcement agencies participate in approximately 90% of all OCDETF investigations.[32]

For FY2009, the President's request would have provided almost $531.6 million for OCDETF. The proposed FY2009 funding level would have exceeded the FY2008 OCDETF enacted funding level of $497.9 million by 6.8%. The House-reported would have provided $521.9 million, 4.8% more than the FY2008 enacted level but 1.8% less than the President's request. The Senate-reported bill would have provided $511.7 million, 2.8% more than the FY2008 enacted level but 3.7% less than the President's request. The FY2009 enacted amount, $515 million, is 1.3% less than the House-reported bill, but 0.6% more than the Senate-reported bill. The enacted amount is 3.4% greater than the FY2008 appropriated amount, but 3.1% less than the FY2009 request.

Federal Bureau of Investigation (FBI)

The FBI is the lead federal investigative agency charged with defending the country against foreign terrorist and intelligence threats; enforcing federal laws; and providing leadership and criminal justice services to federal, state, municipal, tribal, and territorial law enforcement agencies and partners. Since the September 11, 2001, terrorist attacks, the FBI has reorganized and reprioritized to focus more sharply on preventing terrorism and related criminal activities.

For FY2009, the President's request would have provided $7,147.2 million for the FBI, including $3,755.0 million for counterterrorism investigations, foreign counterintelligence, and other national security activities, as well as construction funding of nearly $43.0 million. The enacted

[32] U.S. Department of Justice, Interagency Law Enforcement, *FY2009 Interagency Crime and Drug Enforcement Congressional Submission*, February 2008, p. 9.

FY2008 FBI budget included $6,763.8 million, of which $2,308.6 million was provided for national security activities, and $164.2 million for construction. Taken as a whole, the FY2009 budget request would have exceeded the FBI's FY2008 funding level by $383.4 million, an overall funding increase of 5.7%.

The House-reported bill would have provided $7,108.1 million for the FBI, 5.1% more than the FY2008 enacted, but 0.5% less than the President's request. House report language indicated that no funding would be available for the FBI's National Security Analysis Center, as the committee was concerned about the FBI plans to use "predictive models and patterns of behavior" that could possibly lead to needless privacy intrusions into the lives of innocent citizens. The House report language also called upon the FBI to report to the House and Senate Appropriations Committees on intelligence collection on foreign entities that are not connected to ongoing national security investigations. Report language also indicated that for FY2009, the House bill would have provided increases of $10 million for mortgage fraud investigations, $3 million for contracting fraud, and $10 million for child exploitation investigations.

The Senate-reported bill would have provided $7,270.1 million for the FBI, 7.5% more than the FY2008 funding level and 1.7% more than the President's request. Senate report language expressed the committee's disappointment that the FBI did not deliver a work force study that was due 60 days following the enactment of the FY2008 appropriation (February 19, 2008). Report language noted further that the FBI had undergone a tremendous transformation since 2001 in terms of organizational structure and investigative priorities, but the committee remains concerned that the FBI has not adequately considered the distribution of its staff and resources around the country. Report language also indicated that the Senate bill would have provided increases of $38 million for cyber crime investigations, $1.5 million for the investigation of human rights violators from foreign countries residing in the United States, $10.0 million for mortgage fraud investigations, $9.0 million for the Innocent Images National Initiative (IINI), and $9.0 million for task forces dedicated to reducing violent crime and gang violence.

The Omnibus included $7,301.2 million for the FBI, 2.7% greater than the House recommended amount and 0.4% greater than the Senate recommended amount. The FY2009 appropriation for the FBI is 7.9% greater than the FY2008 appropriation and 2.2% greater than the FY2009 requested amount. Explanatory language accompanying the Omnibus indicated that the amounts provided under this act do not include $10.7 million as requested by the Administration to increase FBI efforts at its National Security Analysis Center to engage in "predictive modeling practices," because of the possibility that such practices "could violate the privacy and civil liberties of law abiding U.S. citizens." The explanatory language also indicated that the FY2009 funding includes $9.4 million for intellectual property enforcement, $10 million for mortgage fraud investigations, $19 million for child exploitation investigations (including no less than $9 million for the IINI), and $1.5 million for investigations of serious human rights violators that have found haven in the United States.[33]

In the Supplemental Appropriations Act, 2008 (P.L. 110-252), Congress provided the FBI with an additional $188.7 million for counterterrorism purposes, of which $106.1 million was a supplemental appropriation for FY2008 and $82.6 million is an advanced FY2009 appropriation to ensure operational continuity in the event that the FY2009 appropriations were not enacted by the end of FY2008. The Administration had previously requested $140.2 million in FY2008

[33] *Congressional Record*, Daily Edition, vol. 155 (February 23, 2009), p. H1763.

supplemental funding for the global war on terror. Previous versions of the House- and Senate-passed FY2008 Iraq war supplemental appropriations bills (H.R. 2642) included different amounts for the FBI. The House bill would have provided $92.2 million for counterterrorism operations in Iraq and Afghanistan.[34] The Senate bill would have provided $165.0 million for the FBI, including $140.0 million for counterterrorism operations generally, $20.0 million for forensics backlog reduction, and $5.0 million for fraud investigations.[35] Both included $82.6 million in "bridge funding" to maintain FBI operations for the first six months of FY2009, as did the enacted supplemental.[36]

Drug Enforcement Administration (DEA)

The DEA is the lead federal agency tasked with reducing the illicit supply and abuse of narcotics and drugs through drug interdiction and seizing of illicit revenues and assets from drug trafficking organizations. According to DEA, the agency's efforts to reduce the illicit drug supply has contributed to a 23% drop in national drug use over the past five years.[37] By 2009, one of DEA's goals is to recover $3 billion in ill-gotten proceeds annually from international drug trafficking networks operating in the United States. In congressional testimony on April 19, 2007, DEA noted that it continues to face evolving challenges in limiting the supply of illicit drugs, such as the illicit use of pharmaceutical drugs available through the Internet, and enforcement along the Southwest border with Mexico, where DEA estimates that 85% of illicit drugs are smuggled into the United States.[38]

For FY2009, the President's budget request included almost $1,936.6 million in funding for DEA. This amount would have exceeded the enacted FY2008 funding level of $1,887.4 million by $49.2 million and would reflect a 2.6% funding increase. The House-reported bill would have provided $1,939.1 million, 2.7% above the FY2008 enacted level and 0.1% over the FY2009 request. The Senate-reported bill would have provided $1,954.4 million, 3.5% above the FY2008 enacted level and 0.9% over the FY2009 request.

The Omnibus included $1.939.1 million for the DEA, the same as the House-reported bill, but 0.8% less than the Senate-reported bill. The enacted appropriation for FY2009 is 2.7% greater than the FY2008 appropriation and 0.1% greater than the FY2009 requested amount. Explanatory language accompanying the Omnibus indicated that this act fully supports the "Drug Flow Attack Strategy,"[39] as well as provides an increase $10 million for Mobile Enforcement Teams.[40] The

[34] *Congressional Record*, Daily Edition, vol. 154 (May 15, 2008), p. H4013.

[35] *Congressional Record*, Daily Edition, vol. 154 (May 19, 2008), p. S4303.

[36] Ibid., p. H4013 and p. S4303.

[37] Statement of Karen Tandy, Administrator, Drug Enforcement Agency, Hearing before the Senate Committee on Appropriations, Subcommittee on Commerce, Justice, Science, and Related Agencies, *Drug Threats and Enforcement Challenges*, April 19, 2007.

[38] Ibid.

[39] The Drug Flow Attack Strategy was designed by DEA to disrupt the flow of drugs, money, and chemicals between the source zones and the United States. By working with other federal agencies and state and local law enforcement, as well as international partners, DEA targets vulnerabilities in the supply, transportation, and financial infrastructure of major drug trafficking organizations. For further information, see Statement of The Honorable Michele M. Leonhart, Acting Administrator, Drug Enforcement Administration before the United States House of Representatives, Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies, March 12, 2008.

[40] Mobile Enforcement Teams are tactical, quick response teams that are deployed by DEA to assist state and local law enforcement agencies that have encountered violent drug trafficking offenders.

explanatory language also directs DEA to work with other federal agencies to "aggressively and permanently eradicate marijuana and other drug operations on public lands."[41]

As part of the Supplemental Appropriations Act, 2008 (P.L. 110-252), Congress also provided DEA with an additional $29.9 million to thwart narco-terrorism, as compared with the $8.5 million requested by the Administration.[42] Previously, a House-passed version of the Iraq supplemental appropriations bill (H.R. 2642) would have provided DEA with $12.2 million,[43] while a Senate-passed version of the bill (also H.R. 2642) would have provided $22.7 million.[44] Both bills would have supported DEA's efforts to advance a narco-terrorism initiative known as "Operation Breakthrough" as well as efforts to conduct financial investigations, but the Senate version of the bill would have provided additional funding for certain intelligence programs that support the Afghan government's counternarcotics efforts.[45]

Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)[46]

The ATF enforces federal criminal law related to the manufacture, importation, and distribution of alcohol, tobacco, firearms, and explosives. ATF works both independently and through partnerships with industry groups, international, state and local governments, and other federal agencies to investigate and reduce crime involving firearms and explosives, acts of arson, and illegal trafficking of alcohol and tobacco products.

For FY2009, the President's request included nearly $1,027.8 million for ATF. Compared with FY2008 congressional appropriations of $1,011.6 million, the President's request would have provided a funding increase of $16.2 million, or 1.6% more than FY2008 levels. The House-reported bill would have provided $1,054.2 million, 4.2% above the FY2008 enacted level and 2.6% over the FY2009 request. House report language indicated that the House bill would have provided an increase of $5 million for "Project Gunrunner," a Southwest border initiative to reduce illegal gun trafficking from the United States to Mexico. The Senate-reported bill would have provided $1,042.8 million, 3.1% above the FY2008 enacted level and 1.5% over the FY2009 request. Senate report language indicated that the Senate bill would have provided an increase of $15.0 million to expand ATF's Violent Crime Impact Teams. Both House and Senate report language expressed the committees' continued support of ATF's National Integrated Ballistic Information Network.

As part of the Supplemental Appropriations Act, 2008 (P.L. 110-252), Congress provided ATF with $4 million in additional FY2008 funding, the same amount as requested by the Administration for ATF operations in Iraq and Afghanistan. Previous versions of both the House- and Senate-passed Iraq war supplemental appropriations bills (H.R. 2642) included $4.0 million for this purpose.[47] The Senate version of the bill also included another $15.0 million to bolster an

[41] *Congressional Record*, Daily Edition, vol. 155 (February 23, 2009), p. H1764.

[42] *Congressional Record*, Daily Edition, vol. 154 (May 19, 2008), p. S4303.

[43] *Congressional Record*, Daily Edition, vol. 154 (May 15, 2008), p. H4013.

[44] *Congressional Record*, Daily Edition, vol. 154 (May 19, 2008), p. S4303.

[45] Ibid.

[46] For further information, see CRS Report RL34514, *The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF): Budget and Operations*, by William J. Krouse.

[47] For House explanatory language, see *Congressional Record*, Daily Edition, vol. 154 (May 15, 2008), p. H4012. For Senate explanatory language, see *Congressional Record*, Daily Edition, vol. 154 (May 19, 2008), p. S4302.

ATF initiative known as Project Gunrunner,[48] but this funding was not included in the enacted bill.

The Omnibus included $1.054.2 million for the ATF, the same as the House-reported bill and 1.1% more than the Senate-reported bill. The amount for the ATF is 4.2% greater than the FY2008 enacted appropriation and 2.6% greater than the FY2009 request. It includes an increase of not less than $5 million of Project Gunrunner.[49] The American Recovery and Reinvestment Act of 2009 (P.L. 111-5) includes $40 million for grants to support state and local law enforcement along the southern border or in High-Intensity Drug Trafficking Areas (HIDTA), of which $10 million is to be transferred to ATF for Project Gunrunner (see **Table 3**).

Federal Prison System (Bureau of Prisons)

The Bureau of Prisons (BOP) maintains federal penal institutions nationwide and contracts with state, local, and private facilities for additional detention space. BOP projects that in 2008 there will be 207,020 inmates in the federal prison system population, and BOP estimates that this population will grow to approximately 213,220 by the end of 2009.[50] Of the total number of federal inmates, over 167,000 are in facilities operated by BOP, while the remaining 17% are in contract care at privately operated secure facilities, residential reentry centers, or serving a sentence of home confinement. BOP estimates that its facilities were operating at 39% above capacity, as of January 29, 2008, and it estimates that by 2009, the facilities will be operating at 42% above capacity.[51]

The President's FY2009 budget request proposes BOP funding of almost $5,533.9 million, of which $95.8 million would be provided for acquisition of sites and construction of facilities. This amount would reflecting a 1.4% decrease in funding compared to FY2008. The House-reported bill included $5,733.9 million for the BOP, a 2.2% increase over the FY2008 enacted level and a 3.6% increase over the FY2009 request. The Senate-reported bill includes $5,973.9 million for BOP, a 6.4% increase over the FY2008 enacted level and an 8.0% increase over the FY2009 request. The Omnibus included $6,173.9 million for BOP, 7.7% more than what was recommended for BOP in the House-reported bill and 3.3% more than what was recommended in the Senate-reported bill. The amount for BOP included in the Omnibus represents a 10.0% increase over what was appropriated for BOP for FY2008 and 11.6% more than what was requested.

The Supplemental Appropriations Act, 2008 (P.L. 110-252), included an additional $187.1 million for the BOP. This amount included the $9.1 million requested by the Administration for the BOP to monitor the communications of incarcerated terrorists, collect intelligence, and disseminate relevant intelligence to other law enforcement agencies.[52] It also included an additional $178.0 million for BOP to cover FY2008 budget shortfalls and provide for costs related to the care and custody of inmates and the maintenance and operation of correctional and penal facilities.[53] Both

[48] Ibid., p. S4313 and S4382.

[49] *Congressional Record*, Daily Edition, vol. 155 (February 23, 2009), p. H1764.

[50] U.S. Department of Justice, Federal Bureau of Prisons, *FY2009 Congressional Budget Submission*, p. 2.

[51] Ibid., pp. 2-3.

[52] *Congressional Record*, Daily Edition, vol. 154 (May 15, 2008), p. H4013. For Senate explanatory language, see *Congressional Record*, Daily Edition, vol. 154 (May 19, 2008), p. S4303.

[53] Ibid., p. H4029, and ibid., p. S4313.

amounts were also included in the previous House- and Senate-passed versions of the FY2008 supplemental appropriations bills (H.R. 2642).

Office on Violence Against Women

The Office on Violence Against Women (OVW) was created to administer programs created under the Violence Against Women Act (VAWA) of 1994 and subsequent legislation. These programs provide financial and technical assistance to communities around the country to facilitate the creation of programs, policies, and practices designed to improve criminal justice responses related to domestic violence, dating violence, sexual assault, and stalking.

The President's FY2009 budget request would have provided $280.0 million for OVW, a reduction of $120.0 million, or a 30.0% decrease in funding compared with FY2008 funding of $400.0 million (see **Table 4**). Under the President's FY2009 proposal, OVW's current formula and discretionary grant programs would have been consolidated into a single grant program, the Prevention and Prosecution of Violence Against Women and Related Victim Services Program. Grants under the proposed consolidated program would be awarded on a competitive basis to state, local, and tribal governments. Funding would have supported efforts to develop and implement effective, coordinated prevention and prosecution of domestic violence, dating violence, sexual assault and stalking, and support related victims services. According to the President's FY2009 proposal, the consolidated grant awards would have been "designed to forge state, local and tribal partnerships among police, prosecutors, the judiciary, victim advocates, health care providers, faith leaders, and others to help provide victims with protection and needed services, while enabling communities to hold offenders accountable."[54]

Table 4. Funding for Office on Violence Against Women

(budget authority in thousands of dollars)

Accounts	FY2008 Enacted	FY2009 Request	House Reported	Senate-Reported	FY2009 Enacted
STOP Grants	183,800	—	200,000	185,000	190,000
National Institute of Justice Earmark - Research & Development	1,880	—	2,000	1,880	1,880
Transitional Housing Assistance	17,390	—	20,000	17,390	18,000
Grants to Encourage Arrest Policies	59,220	—	60,000	59,000	60,000
Rural Domestic Violence Assistance Grants	40,420	—	41,000	42,000	41,000
Violence on College Campuses	9,400	—	10,000	9,400	9,500
Civil Legal Assistance	36,600	—	41,000	42,000	37,000
Sexual Assault Victims Services	9,400	—	15,000	12,000	12,000
Elder Abuse Grant Program	4,230	—	5,000	4,500	4,250
Safe Havens Project	13,630	—	15,000	14,000	14,000

[54] U.S. Executive Office of the President, Office of Management and Budget, *Budget for Fiscal Year 2009*, Appendix, p. 728.

Accounts	FY2008 Enacted	FY2009 Request	House Reported	Senate-Reported	FY2009 Enacted
Education and Training for Disabled Female Victims	6,580	—	7,000	6,580	6,750
Court-Appointed Special Advocates (CASA)	13,160	—	15,000	15,000	15,000
Training for Judicial Personnel	2,350	—	3,000	2,820	2,500
Stalking Database	2,820	—	3,000	3,030	3,000
Court Training and Improvements	2,820	—	3,000	2,820	3,000
Services for Children/Youth Exposed to Violence	2,820	—	3,000	2,770	3,000
Advocates for Youth/Services for Youth Victims	2,820	—	5,000	2,820	3,500
National Tribal Sex Offender Registry	940	—	1,000	940	1,000
Research on Violence Against Indian Women	940	—	1,000	940	1,000
Closed Circuit Television Grants	940	—	—	940	1,000
Engaging Men and Youth in Prevention	2,820	—	3,000	2,500	3,000
Training Programs to Assist Probation and Parole Officers	3,290	—	3,000	5,000	3,500
National Resource Center on Workplace Responses	940	—	1,000	940	1,000
Prevention and Prosecution of Violence Against Women and Related Victim Services Program	—	280,000	—	—	—
Total: VAWA	**$400,000**	**$280,000**	**$435,000**	**$415,000**	**$415,000**

Source: House Appropriations Committee Print on the Consolidated Appropriations Act, 2008 (H.R. 2764/*P.L. 110-161*); Budget of the United States Government, Fiscal Year 2009—Appendix; H.R. 7322 (H.Rept. 110-919); S. 3182 (S.Rept. 110-397); and Joint Explanatory Statement to accompany the Omnibus Appropriations Act, 2009 (H.R. 1105), as published in the Congressional Record, daily edition, vol. 155 (February 23, 2009), pp. H1761-H 1824.

Note: Amounts may not total due to rounding.

Both the House committee-approved draft bill and the Senate-reported bill rejected the Administrations consolidation proposal and maintained OVW's current program structure. The House-reported bill would have provided OVW with $435.0 million, an increase of 8.8% over the FY2008 enacted level and 55.4% over the FY2009 request. The Senate-reported bill would provide $415.0 million, an increase of 3.8% over the FY2008 enacted level and 48.2% over the FY2009 request. The Omnibus included $415.0 million for OVW, 4.6% less than the House-reported bill and the same as the Senate-reported bill. The $415.0 million for OVW is 3.8% more than the FY2008 appropriation and 48.2% more than the FY2009 request.

In addition to the amount included in the Omnibus, the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) provided $225.0 million for the Office on Violence Against Women (see **Table 3**).

Office of Justice Programs

The Office of Justice Programs (OJP) manages and coordinates the National Institute of Justice, Bureau of Justice Statistics, Office of Juvenile Justice and Delinquency Prevention, Office of Victims of Crimes, Bureau of Justice Assistance, and related grant programs. For OJP, the Administration's FY2009 budget request included $792.7 million, or nearly $1,489.3 million less than the FY2008 appropriation of $2,282 million. The House-reported bill included $2,694.1 million, an increase of 18.1% over the FY2008 enacted level and an increase of 239.8% over the FY2009 request.[55] The Senate-reported bill included $2,721.1 million, an increase of 19.2% over the FY2008 enacted level and an increase of 243.2% over the FY2009 request. The Omnibus included $2,762 million for OJP, 2.5% more than the House-reported bill and 1.5% more than the Senate-reported bill. The amount included in the Omnibus represents a 21.0% increase over the FY2008 appropriation for OJP and a 248.4% increase over the FY2009 request.

In addition to the amount included in the Omnibus, the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) provided $3,765 million for OJP, of which $2,765 million was for State and Local Law Enforcement Assistance and $1,000 million was for Community Oriented Policing Services (see **Table 3**).

Justice Assistance

While the Administration's FY2009 request did not include a proposal to modify the Justice Assistance account, it included $134.6 million for this account, or 31.4% less than what was appropriated in FY2008. The FY2009 request included funding for the following programs:

- $34.7 million for National Institute of Justice (NIJ),
- $53.0 million for the Bureau of Justice Statistics (BJS),
- $34.2 million for the Regional Information Sharing System (RISS), and
- $12.7 million for support services and administrative expenses for the Office of Victims of Crime.

By comparison, the enacted FY2008 appropriation for Justice Assistance was $196.2 million. Some of the programs funded under that amount include

- $37.0 million for NIJ,
- $34.8 million for BJS,
- $40.0 million for RISS,
- $50.0 million for missing and exploited children, and

[55] The House-reported bill included funding for several programs that received appropriations for FY2008 under the Justice Assistance account under different accounts for FY2009. For example, the House-reported bill included $63 million for missing children program under the Juvenile Justice Programs account, $18 million for grants to support state and local law enforcement agencies in the prevention, investigation and prosecution of Internet, high-tech and economic crimes under the State and Local Law Enforcement Assistance account, and $45 million for RISS under the Community Oriented Policing Services account.

- $11.3 million to support state and local law enforcement agencies in the prevention, investigation and prosecution of Internet, high-tech, and economic crimes.[56]

As part of the FY2009 request, the Administration proposed funding missing and exploited children under a proposed consolidated child safety and juvenile justice grant program.

The House-reported bill would have provided $95.0 million for the Justice Assistance account, 51.6% less than the FY2008 enacted level and 29.4% less than the FY2009 request. The House bill included $45.0 million for NIJ and $50.0 million for BJS. The House bill, however, would have funded programs that for FY2008 received funding under the Justice Assistance account under other Office of Justice Program accounts for FY2009. For example, for FY2009 the House bill included $10.0 million for victim notification and $18.0 million for Internet, high-tech, and economic crimes under the State and Local Law Enforcement Assistance account, and $45.0 million for RISS under the COPS account. The House bill also included $63.0 million for missing and exploited children under the Juvenile Justice programs account.

The Senate-reported bill would have provided $240.0 million for the Justice Assistance account, 22.3% more than the FY2008 enacted level and 78.2% more than the FY2009 request. The Senate bill included

- $45.0 million for NIJ,
- $40.0 million for BJS,
- $15.0 million for victim notification systems,
- $50.0 million for RISS, and
- $70.0 million for missing and exploited children.

The Omnibus included $220.0 million for the Justice Assistance account, which included

- $48.0 million for NIJ,
- $45.0 million for BJS,
- $12.0 million for victim notification systems,
- $45.0 million for RISS, and
- $70.0 million for missing and exploited children.

The FY2009 enacted amount is 131.6% more than the House-reported bill, but 8.3% less than the Senate-reported bill. The amount included in the Omnibus is 12.1% more than what was enacted in FY2008 and 63.4% more than the FY2009 request.

State and Local Law Enforcement Assistance

The Administration requested $404.0 million for the State and Local Law Enforcement Assistance account for FY2009 (see **Table 5**). In addition, the Administration proposed collapsing 16 State and Local Law Enforcement Assistance grant programs, 14 COPS grant programs

[56] *Congressional Record*, Daily Edition, vol. 153 (December 17, 2007), p. H15800.

(described below), along with the Weed and Seed program (also described below), into three competitive grant programs. Under this proposal, the FY2009 request would have included:

- $200.0 million for a *Violent Crime Reduction Partnership Initiative* to assist communities experiencing high rates of violent crime—with an emphasis on reducing drug trafficking and gang activity—by providing resources for forming and participating in multi-jurisdictional task forces that would include members of federal, state, and local law enforcement;
- $200.0 million for a *Byrne Public Safety and Protection Program* to assist and allow state, municipal, local, tribal, and territorial governments with developing programs that address the particular needs of their jurisdiction; and
- $4.0 million for community policing training and technical assistance for state, municipal, local, tribal and territorial governments and other public and private entities to advance community policing, expand cooperation between law enforcement agencies and community members, and enhance public safety.

By comparison, the FY2009 budget request of $404.0 million for the State and Local Law Enforcement Assistance grants program was $604.1 million less than the $1008.1 million[57] Congress appropriated for this program for FY2008 (see **Table 5**). The House-reported bill included $1,277.0 million for the State and Local Law Enforcement Assistance account, 26.7% more than the FY2008 enacted level and 216.1% more than the FY2009 request. The House bill included $10.0 million for victim notification systems and $18 million for economic, high-tech, and cybercrime prevention programs under the State and Local Law Enforcement Assistance account. For FY2008, both of these programs received appropriations under the Justice Assistance account. The Senate-reported bill included $1,387.0 million for this account, 37.6% more than the FY2008 enacted level and 243.3% more than the FY2009 request. The Senate bill included $20.0 million to fund provisions of the Second Chance Act (P.L. 110-199). This amount included $10.0 million for adult and juvenile offender state and local re-entry demonstration programs and $10.0 million for offender re-entry mentoring programs. The Omnibus included $1,328.5 million for the State and Local Law Enforcement Assistance account; 4.0% more than the House-passed bill, but 4.2% less than the Senate-passed bill. This amount is 31.8% more than what was enacted for FY2008 and 228.8% more than the Administration's request.

In addition, the American Recovery and Reinvestment Act included $2,765 million for programs funded under the State and Local Law Enforcement Assistance account.

Table 5. Funding for State and Local Law Enforcement Assistance

(budget authority in thousands of dollars)

Accounts	FY2008 Enacted	FY2009 Request	House Reported	Senate-Reported	FY2009 Enacted
Edward Byrne Justice Assistance Grant (JAG)	170,433	—	550,000	580,000	546,000
State and Local Law Enforcement Intelligence	2,000	—	5,000	2,000	2,000

[57] This amount includes $100 million in emergency funding that Congress appropriated for security at the Presidential Nominating Conventions under this program.

Accounts	FY2008 Enacted	FY2009 Request	House Reported	Senate-Reported	FY2009 Enacted
NIJ for Law Enforcement Technology	2,000	—	5,000	5,000	5,000
State Criminal Alien Assistance Program	410,000	—	420,000	400,000	400,000
Southwest Border Prosecution Program	—	—	—	25,000	—
Northern Border Prosecution Program	—	—	—	10,000	—
Southeast Border Prosecution Program	—	—	—	10,000	—
Indian Assistance	22,440	—	—	30,000	25,000
Tribal Prison Construction Program	8,630	—	—	15,000	10,000
Indian Tribal Courts Program	8,630	—	—	9,000	9,000
Alcohol and Substance Abuse	5,180	—	—	6,000	6,000
Edward Byrne Discretionary Grant Program	187,513	—	122,000	190,000	178,500
Edward Byrne Competitive Grant Program	16,000	—	30,000	40,000	30,000
Victims of Trafficking Grants	9,400	—	10,000	10,000	10,000
State Prison Drug Treatment	9,400	—	10,000	10,000	10,000
Drug Courts	15,200	—	40,000	30,000	40,000
Southwest Border Prosecution Program	30,080	—	35,000	—	31,000
Northwest Border Prosecution Program	2,820	—	—	—	3,000
Prescription Drug Monitoring	7,050	—	7,000	3,000	7,000
Prison Rape Prosecution and Prevention	17,860	—	12,500	5,000	12,500
Intelligence State and Local Training	—	—	—	—	—
Missing Alzheimer's Patients Program	940	—	1,500	2,000	2,000
Capital Litigation Grant Program	2,500	—	1,000	10,000	5,500
Cannabis Eradication	—	—	—	—	—
Mentally-Ill Offender Act Program	6,500	—	10,000	12,000	10,000
Presidential Nominating Conventions Emergency Appropriation	100,000	—	—	—	—
Victim Notification	—	—	10,000	—	—
Economic, High-Tech, & Cybercrime	—	—	18,000	—	18,000
Second Chance Act	—	—	—	20,000	—
Other	—	—	—	45,000	—
Violent Crime Reduction Partnership	—	200,000	—	—	—
Byrne Public Safety and Protection	—	200,000	—	—	—
Community Policing Training and Technical Assistance	—	4,000	—	—	—

Accounts	FY2008 Enacted	FY2009 Request	House Reported	Senate-Reported	FY2009 Enacted
Total: State and Local Law Enforcement Assistance	**$1,008,136**	**$404,000**	**$1,277,000**	**$1,387,000**	**$1,328,500**

Source: House Appropriations Committee Print on the Consolidated Appropriations Act, 2008 (H.R. 2764/*P.L. 110-161*); Budget of the United States Government, Fiscal Year 2009—Appendix; H.R. 7322 (H.Rept. 110-919); S. 3182 (S.Rept. 110-397); and Joint Explanatory Statement to accompany the Omnibus Appropriations Act, 2009 (H.R. 1105), as published in the Congressional Record, Daily Edition, vol. 155 (February 23, 2009), pp. H1761-H 1824.

Note: Amounts may not total due to rounding.

Weed and Seed Program

The Weed and Seed program is designed to provide grants to help communities build stronger, safer neighborhoods by implementing local-level approaches to solve and prevent crimes. The program provides assistance for community-based strategies of "weeding and seeding" activities, based on the premise that leaders from neighborhood and community organizations, including faith-based organizations, law enforcement, and private enterprise, must be involved in leveraging resources to solve community problems at the local level. Site funding generally provides resources for "weeding" activities, which include joint law enforcement operations and community policing, and "seeding" activities, which range from prevention activities, including physically improving the neighborhood and economic development. The enacted FY2008 level of funding for the Weed and Seed program was $32.1 million. The Administration did not request any funding for the Weed and Seed program for FY2009. Instead, the Administration's grant consolidation proposal would have incorporated the Weed and Seed program into the proposed Byrne Public Safety and Protection program (described above). The House-reported bill included $15 million for the Weed and Seed program, 53.3% less than the FY2008 enacted level.[58] The Senate-reported bill included $25.0 million for Weed and Seed, 22.1% less than the FY2008 enacted level. The Omnibus included $25.0 million for the Weed and Seed program, 66.7% more than the House-reported bill and the same as the Senate-reported bill. The amount included in the Omnibus is 22.1% less than the FY2008 appropriation.

Community Oriented Policing Services

For FY2009, the Administration's budget request did not include specific funding for a number of COPS programs and initiatives. Instead, the Administration proposed consolidating COPS grant programs under the proposed $4.0 million "competitive" community policing training and technical assistance program (described above). By comparison, for FY2008 Congress enacted $587.2 million in appropriations for COPS programs (see **Table 6**). For FY2009, the House-reported included $627 million for COPS, 6.8% more than the FY2008 enacted level. In the House bill, the COPS account included funding for several programs that received funding under other OJP accounts for FY2008. For example, the House bill included $25.0 million for Indian Assistance, $20.0 million for school security programs, and $45.0 million for RISS, which were funded under the State and Local Law Enforcement Assistance, Juvenile Justice Programs, and Justice Assistance accounts, respectively, for FY2008. The House bill also included $15.0 million

[58] The House-reported bill included funding for the Weed and Seed program under the Community Oriented Policing Services account instead of appropriating funding for the program under its own account.

for Weed and Seed under the COPS account. For FY2008, Weed and Seed was funded under it own separate account. The Senate-reported bill included $600.0 million for COPS, 2.2% more than the FY2008 enacted level. The Omnibus included $550.5 million for COPS, 12.2% less than the House-reported bill, and 8.3% less than the Senate-reported bill. The FY2009 appropriation for COPS is 6.3% less than the FY2008 appropriation. As mentioned above, the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) included an additional $1,000 million for COPS (see **Table 3**).

Table 6. Funding for the COPS Program

(budget authority in thousands of dollars)

Accounts	FY2008 Enacted	FY2009 Request	House Reported	Senate Reported	FY2009 Enacted
COPS Hiring Program	20,000	—	40,000	50,000	—
Training and Technical Assistance	3,760	—	4,000	6,000	4,000
Tribal Law Enforcement Programs	15,040	—	20,000	15,040	20,000
Indian Assistance	—	—	25,000	—	—
Tribal Prison Construction Program	—	—	12,000	—	—
Indian Tribal Courts Program	—	—	8,000	—	—
Alcohol and Substance Abuse	—	—	5,000	—	—
Methamphetamine Enforcement and Clean-up	61,187	—	35,000	61,187	39,500
Bullet-proof Vest Program	25,850	—	25,000	25,850	25,000
Law Enforcement Technology Program	205,366	—	145,000	110,000	187,000
Crime Identification Technology Programs	—	—	—	—	—
NICS	—	—	15,000	—	10,000
National Criminal History Improvement Program	9,400	—	10,000	5,960	10,000
DNA Initiative	—	—	—	—	—
DNA Forensic Programs	152,272	—	153,000	180,963	156,000
Debbie Smith DNA Backlog Grant Program	147,391	—	150,000	151,000	151,000
Kirk Bloodsworth DNA Post-Conviction Testing	4,881	—	3,000	5,000	5,000
DNA Training and Education	—	—	—	6,000	—
DNA Research and Development	—	—	—	5,000	—
DNA Identification of	—	—	—	3,000	—

Accounts	FY2008 Enacted	FY2009 Request	House Reported	Senate Reported	FY2009 Enacted
Missing Persons					
DNA Evidence Analysis Turn Around Time	—	—	—	10,983	—
Coverdell Forensic Science	18,800	—	—	40,000	25,000
Project Safe Neighborhoods	—	—	—	—	—
Offender Re-entry Program	11,750	—	45,000	—	25,000
Anti-gang Program	—	—	—	20,000	—
Anti-gang and Gun Violence Program	20,000	—	15,000	—	15,000
Child Sexual Predator Program	15,608	—	10,000	55,000	18,000
Sex Offender Management Assistance	4,162	—	—	—	5,000
National Sex Offender Public Registry	850	—	1,000	—	1,000
Secure Our Schools Act	—	—	20,000	—	16,000
Regional Information Sharing System	—	—	45,000	—	—
Wrongful Prosecutions	—	—	5,000	—	—
Weed & Seed	—	—	15,000	—	—
Management and Administration	28,200	—	—	30,000	—
Total: Community Oriented Policing	**$587,233**	**—**	**$627,000**	**$600,000**	**$550,500**

Source: House Appropriations Committee Print on the Consolidated Appropriations Act, 2008 (H.R. 2764/*P.L. 110-161*); Budget of the United States Government, Fiscal Year 2009—Appendix; H.R. 7322 (H.Rept. 110-919); S. 3182 (S.Rept. 110-397); and Joint Explanatory Statement to accompany the Omnibus Appropriations Act, 2009 (H.R. 1105), as published in the Congressional Record, Daily Edition, vol. 155 (February 23, 2009), pp. H1761-H 1824.

Note: Amounts may not total due to rounding.

Juvenile Justice Programs

The Administration's FY2009 budget included $185.0 million for Juvenile Justice programs in FY2009, or 51.8% less than what was appropriated in FY2008 (see **Table 7**). The Administration's grant consolidation proposal would have collapsed the seven existing juvenile justice programs into a single "competitive" Child Safety and Juvenile Justice grant program, which would have been awarded to state and local governments on a competitive basis. According to the Administration, the proposed grant program would have allowed state and local governments to develop juvenile justice or child safety programs that address local needs, including reducing incidents of child exploitation and abuse, improving juvenile justice outcomes, and addressing school safety needs.

Table 7. Funding for Juvenile Justice Programs

(budget authority in thousands of dollars)

Accounts	FY2008 Enacted	FY2009 Request	House Reported	Senate-Reported	FY2009 Enacted
Part A - Coordinate Federal Efforts	658	—	—	500	—
Part B - Formula Grants	74,260	—	75,000	74,500	75,000
Part E - Demonstration Projects	93,835	—	75,000	65,000	82,000
Title V - Incentive Grants	61,100	—	40,000	65,000	62,000
Tribal Youth Program	14,100	—	25,000	15,000	25,000
Gang Prevention Program	18,800	—	15,000	10,000	10,000
Enforcing Underage Drinking Laws	25,000	—	—	25,000	25,000
Secure Our Schools Act	15,040	—	—	10,000	—
Juvenile Accountability Block Grant	51,700	—	55,000	80,000	55,000
Project ChildSafe	—	—	—	—	—
Missing and Exploited Children Program[a]	—	—	63,000	—	—
Juvenile Mentoring Programs	70,000	—	100,000	80,000	80,000
Victims of Child Abuse Act Programs	16,920	—	23,000	25,000	20,000
Child Safety and Juvenile Justice Grants	—	185,000	—	—	—
Total: Juvenile Justice Programs	**$383,513**	**$185,000**	**$431,000**	**$400,000**	**$374,000**

Source: House Appropriations Committee Print on the Consolidated Appropriations Act, 2008 (H.R. 2764/*P.L. 110-161*); Budget of the United States Government, Fiscal Year 2009—Appendix; H.R. 7322 (H.Rept. 110-919); S. 3182 (S.Rept. 110-397); and Joint Explanatory Statement to accompany the Omnibus Appropriations Act, 2009 (H.R. 1105), as published in the Congressional Record, Daily Edition, vol. 155 (February 23, 2009), pp. H1761-H 1824.

Note: Amounts may not total due to rounding.

a. The Missing and Exploited Children program has been funded historically under the Justice Assistance account.

Table 7 also provides the enacted FY2008 funding level for Juvenile Justice programs of $383.5 million, as allocated by program. Both the House and Senate Appropriations Committees rejected the Administration's consolidation proposal and have approved funding FY2009 along the lines of the FY2008 Juvenile Justice Program account and subaccount structure. The House-reported bill would have provided $431.0 million for Juvenile Justice Programs, 12.4% more than the FY2008 enacted level and 133% more than the FY2009 request. The Senate-reported bill included $400.0 million, 4.3% more than the FY2008 enacted level and 116.2% more than the FY2009 request. The Omnibus included $374.0 million for Juvenile Justice Programs, 13.2% less than the House-reported bill and 6.5% less than the Senate-reported bill. The amount enacted for FY2009 is 2.5% less than what was appropriated for Juvenile Justice Programs for FY2008, but it is 102.2% more than what was requested.

Public Safety Officers Benefits Program [59]

The Public Safety Officers' Benefits (PSOB) program provides three different types of benefits to public safety officers or their survivors: a death, a disability, and an education benefit. The PSOB program is intended to assist in the recruitment and retention of law enforcement officers, firefighters, and first responders and to offer peace of mind to men and women who choose careers in public safety. For FY2009, the Administration requested $69.1 million for the PSOB program, which is 7.7% less than what was appropriated for FY2008. For FY2008, Congress appropriated $74.8 million for the PSOB program.[60] Both the House- and Senate-reported bill included the same amount as requested by the Administration. The Omnibus included the same amount as the House- and Senate-reported bills.

Salaries and Expenses

The House committee-approved draft bill includes an account that would provide $195.0 million for salaries and expenses of OJP, OVW, and COPS. Of the $195.0 million, up to $14.0 million would be provided for OVW, up to $130.0 million for OJP, and up to $30.0 million for COPS. In addition, up to $21.0 million would be provided for the Office of Audit, Assessment, and Management (OAAM) under OJP. The Omnibus included the same amount as the House-reported bill.

Related Legislation

Listed below are three enacted laws and other bills that received congressional action during the 110th Congress that include provisions that would increase DOJ activities and responsibilities, as well as authorize appropriations for these purposes.

P.L. 110-180; H.R. 2640 (McCarthy)

NICS Improvement Amendments Act of 2007. H.R. 2640 was introduced by Representative Carolyn McCarthy and co-sponsored by Representative John Dingell. As passed by the House, by a voice vote, on June 13, 2007, H.R. 2640 reportedly reflected a compromise between groups favoring and opposing greater gun control.[61] The Senate Judiciary Committee approved similar, but not identical, NICS improvement amendments as part of the School Safety and Law Enforcement Improvement Act of 2004 on August 2, 2007, and reported this bill on September 21, 2007 (S. 2084; S.Rept. 110-183). Following lengthy negotiations, the Senate amended and passed the NICS Improvement Amendments Act of 2007 (H.R. 2640), as did the House, on December 19, 2007, clearing that bill for the President's signature. President Bush signed this bill into law on January 8, 2008 (P.L. 110-180).

[59] For further information, see CRS Report RL34413, *Public Safety Officers' Benefits (PSOB) Program*, by Nathan James.

[60] U.S. Department of Justice, *FY2009 Budget and Performance Summary*, Part III: Department of Justice Request Information by Appropriation, Office of Justice Programs (OJP) and Community Oriented Policing Services (COPS), available online at http://www.usdoj.gov/jmd/2009summary/.

[61] Jonathan Weisman, "Democrats, NRA Reach Deal on Background-Check Bill," *Washington Post*, June 10, 2007, p. A02.

P.L. 110-180 strengthens the Brady Handgun Violence Prevention Act (P.L. 103-159), which requires federal agencies to provide, and the Attorney General to secure, any government records with information relevant to determining the eligibility of a person to receive a firearm. As a condition of federal assistance, P.L. 110-180 requires states to make available to the Attorney General certain records that disqualify persons from acquiring a firearm for inclusion in NICS, particularly those records related to convictions for misdemeanor crimes of domestic violence and persons adjudicated as mentally defective.[62] P.L. 110-180 also requires states, as a condition of federal assistance, as well as federal agencies like the Department of Veterans Affairs (VA), to establish administrative relief procedures under which a person who has been adjudicated mentally defective could apply to have his firearms possession and transfer eligibility restored.[63] In addition, P.L. 110-180 includes two authorizations to increase appropriations for federal assistance for improving access to disqualifying records by $1,312.5 million over five years, including $187.5 million for FY2009.

P.L. 110-177; H.R. 660 (Conyers)/S. 378 (Leahy)

Court Security Improvement Act of 2007. Amends current law to strengthen and improve judicial security through measures that (1) authorize increased appropriated funding for the U.S. Marshals Service to provide increased judicial security; (2) amend the criminal code to provide greater protection for judges, their family members, and witnesses; and (3) authorize appropriations to provide grants to states for the protection for judges and witnesses. On January 7, 2008, the bill was signed into law (P.L. 110-177).

P.L. 110-199; H.R. 1593 (Davis)/S. 1060 (Biden)

Second Chance Act of 2007. Amends current law to reauthorize the adult and juvenile state and local reentry demonstration projects; provides for improvements in the offender residential substance abuse treatment for state offenders; establishes state and local reentry courts; establishes grants for state and local prosecutors to develop, implement, or expand qualified drug treatment program alternatives to imprisonment; and provides grants for the establishment of family substance abuse treatment alternatives to incarceration. H.R. 1593 was passed by the House on November 13, 2007. The Senate passed the bill without amendment on March 11, 2008. On April 9, 2008, the bill was signed into law (P.L. 110-199).

H.R. 1592 (Conyers)/S. 1105 (Kennedy)

Local Law Enforcement Hate Crimes Prevention Act of 2007. These bills would authorize grants for state, local, and tribal law enforcement for extraordinary expenses of investigating hate crimes. Provides technical, forensic, prosecutorial, and other forms of assistance to local law enforcement agencies for investigating and prosecuting hate crimes. Following hearings on the

[62] Under 27 CFR 478.11, the term "adjudicated as mental defective" includes a determination by a court, board, commission, or other lawful authority that a person, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease (1) is a danger to himself or others or (2) lacks the mental capacity to manage his own affairs. The term also includes (1) a finding of insanity by a court in a criminal case and (2) those persons found incompetent to stand trial or found not guilty by reason of lack of mental responsibility pursuant to articles 50a and 72b of the Uniform Code of Military Justice, 10 U.S.C. 850a, 876(b).

[63] Federal law authorizes the Attorney General to consider applications from prohibited persons for relief from disqualification (18 U.S.C. §925(c)). Since FY1993, however, Congress has attached an appropriations rider on the ATF salaries and expenses account that prohibits the expenditure of any funding under that account to process such applications.

bill on April 17, 2007, the bill was reported by the House Judiciary Committee on April 30, 2007, and passed by the House on May 3, 2007. Language similar to S. 1105 was amended to the FY2008 Defense Authorization Act (H.R. 1585). The Senate passed this bill on October 1, 2007, but the hate crime provisions were not included in the H.R. 1585 conference agreement.

H.R. 1700 (Weiner)/S. 368 (Biden)

COPS Improvements Act of 2007. The bills would amend current law to expand the scope of COPS grant programs, change the COPS program into a multi-grant program instead of a single-grant program, and authorize additional funding for COPS. H.R. 1700, as amended by the House Judiciary Committee, was reported on May 2, 2007, and passed by the House on May 15, 2007. S. 368 was referred to the Senate Judiciary Committee and reported out of the committee without amendment on May 24, 2007.

H.R. 1759 (Bono)

Managing Arson Through Criminal History (MATCH) Act of 2007. H.R. 1759 would establish guidelines and incentives for states to establish arsonist registries and to require the Attorney General to establish a national arsonist registry and notification program. After a hearing on H.R. 1759 on October 6, 2007, the bill was marked up by the Subcommittee on Crime, Terrorism, and Homeland Security, and reported by the House Judiciary Committee on December 4, 2007. The bill was passed by the House on December 5, 2007 by voice vote. The bill has been referred to the Senate Committee on Judiciary.

P.L. 110-294; H.R. 3546 (Johnson)/S. 231 (Feinstein)

Both bills would extend authorized appropriations for the Edward Byrne Memorial Justice Assistance Grant (JAG) program until FY2012. The bill would authorize $1.095 billion for each fiscal year through FY2012. H.R. 3546 was introduced on September 17, 2007, and it was referred to the House Judiciary Committee. The House Subcommittee on Crime, Terrorism, and Homeland Security marked H.R. 3546 up on May 20, 2008. S. 231 was introduced on January 7, 2007, and it was referred to the Senate Judiciary Committee. The Senate bill was reported by the Judiciary Committee on May 23, 2008, and passed the Senate on May 24, 2008. On July 30, 2008, the bill was signed into law (P.L. 110-294).

S. 456 (Feinstein)

Gang Abatement and Prevention Act of 2007. S. 456 would amends current law to create new criminal penalties for gang-related crimes, authorize grants for gang prevention activities, as well as for federal, state, and local law enforcement cooperation in fighting gangs, and for hiring 94 assistant U.S. Attorneys to be deployed in “high intensity interstate gang activity” areas. S. 456, was passed by the Senate on September 21, 2007.

P.L. 110-360; H.R. 5057 (Maloney)

Debbie Smith Reauthorization Act of 2008. H.R. 5057 reauthorizes appropriations for the Debbie Smith DNA Backlog Grant program. The bill authorizes $151 million for each fiscal year for FY2009 through FY2014. H.R. 5057 was introduced on January 17, 2008. It was amended at a House Judiciary Committee mark-up on June 11, 2008. The bill was reported and passed by the House on July 14, 2008. H.R. 5057 passed the Senate on September 25, 2008. On October 8, 2008, the bill was signed into law (P.L. 110-360).

H.R. 6028 (Berman)

Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008. This bill includes a provision that would authorize to be appropriated over three years, for FY2008 through FY2010, a total of $73.5 million to increase the number of ATF positions dedicated to Project Gunrunner ($45 million) and assign ATF agents to Mexico ($28.5 million). Such resources are to be provided to stem the flow of illegal firearms being trafficked from the United States into Mexico. The Committee on Foreign Affairs reported H.R. 6028 (H.Rept. 110-673) on May 22, 2008. The House passed H.R. 6028 on June 10, 2008, by a roll call vote of 311 to 106 (Roll no. 393).

Related CRS Products

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