

DEPARTMENT OF JUSTICE
2004 APPROPRIATION LANGUAGE CHANGES

The information provided below describes substantive changes from the 2003 President's Budget Request. A regular 2003 appropriation for the Department of Justice had not been enacted at the time the budget was prepared; therefore, the Department of Justice is operating under a continuing resolution (P.L. 107-229, as amended) for 2003. The amounts included in the budget for 2003 reflects the Administration's 2003 policy proposals. Non-substantive changes such as new funding requests, changes in the number of motor vehicles, or changes in references to fiscal years are not discussed.

Impact of the 21st Century Department of Justice Authorization Appropriations Act (P.L. 107-273). General authorizations provided in this act, have permanently provided: 1) authority for accounting for confidential expenditures solely under the certificate of the Attorney General; 2) authority to purchase vehicles for law enforcement purpose without regard to the general purchase price limitation; and 3) designation of construction-related activities such as planning, designing, equipping, renovating, modernizing, remodeling, maintaining, and repairing as part of a general construction authority. Therefore, these terms are no longer repeated in the Department's annual appropriations language, but are included under the general term construction.

Impact of Program Restructuring on Appropriations language. Consistent with Government Performance and Results Act, the 2004 budget proposes to streamline the budget account structure to produce a more thematic presentation of both budget and performance information, thereby enhancing the understanding of programs and measures of performance. The restructuring proposal includes the merger of construction accounts in the operating accounts, for which resources are provided. In addition, the state and local assistance programs are reflected as three appropriations: Justice Assistance, Community Oriented Policing Service, and Crime Victims Fund. The appropriations language is restructured to reflect these proposals.

Detention Trustee. All Department of Justice detention resources are requested in this account. To afford the Detention Trustee maximum flexibility, language is proposed to allow funds to be transferred annually to the U.S. Marshals Services. Funding for detention activities included with Federal Prison Detention in 2002 are requested in this appropriation. Resources for immigration detention previously requested in this account are now requested under Border and Transportation Security in the Department of Homeland Security.

Identification Systems Integration. Language includes funding for the integration of the Automated Biometric Identification System (IDENT) with the Integrated Automated Identification system (IAFIS).

General Legal Activities. Language to transfer the Radiation Exposure Compensation, Administrative Expenses to the General Legal Activities Salaries, and Expenses appropriation in 2004 is proposed.

United States Marshals Service, Salaries and Expenses. Language is proposed deleting the provisions that allows proceeds from disposal of small aircraft to be available until expended for acquisition of similar small aircraft, spare parts, and leasing of similar small aircraft. This provision has been enacted in the permanent provisions of P.L. 107-273, the 21st Century Department of a Justice Appropriations Authorization Act .

Language is proposed for merging the United States Marshals Service Construction account with the Salaries and Expenses account in 2004.

Fees and Expenses of Witnesses. Language is proposed deleting the “mileage, compensation, and per diems in lieu of subsistence , as authorized by law.” This phrase has been permanently enacted in P.L. 107-273, the 21st Century Department of Justice Appropriations Authorization Act.

Assets Forfeiture Fund. A legislative proposal to transfer the Treasury Forfeiture Fund to the Department of Justice Assets Forfeiture Fund in 2004 will follow.

Interagency Law Enforcement. Language is proposed to delete “detection” and insert “ identification”, and to substitute “the most significant drug trafficking and money laundering organizations” for “affiliated individuals involved in organized crime drug trafficking.” These changes reflect current operations of ICDE.

Federal Bureau of Investigation (FBI), Salaries and Expenses. Language is proposed to merge the Construction appropriation with the Salaries and Expenses appropriation in 2004.

Drug Enforcement Administration, Salaries and Expenses. Language is proposed to merge the Construction appropriation with the Drug Enforcement Administration Salaries and Expenses appropriation in 2004.

Bureau of Alcohol, Tobacco, Firearms, and Explosives, Salaries and Expenses. Language is added in 2004 requesting funding for the Bureau of Alcohol, Tobacco, Firearms, and Explosives in the Department of Justice pursuant to the Homeland Security Act of 2002 (P.L. 107-296).

Federal Prison System Salaries and Expenses. Language is proposed in 2004 to merge the Federal Prison System’s Buildings and Facilities account with the Federal Prison Systems, Salaries and Expenses account.

Office of Justice Programs (OJP) Justice Assistance. Language is proposed in 2004 to merge the State and Local Law Enforcement Assistance, Weed and Seed Program, Juvenile Justice Programs and the Public Safety Officer’s Benefits accounts, into the Justice Assistance account . Language is formatted to reflect the program restructuring proposed for 2004.

Community Oriented Policing Services. Language is proposed to decrease the amount of funding available for the COPS Office, as a result of transferring and realigning programs historically appropriated to COPS but administered by the Office of Justice Programs.

Language is proposed to eliminate the Public Safety and Community Policing Grants pursuant to Title I of the 1994 Act, and the matching grant program under the Omnibus Crime Control and Safe Streets Act of 1968. Language is proposed to delete training and technical assistance and replace it with community policing development initiatives.