

2009 APPROPRIATION LANGUAGE CHANGES

Department of Justice

The information provided below describes substantive changes from the Department of Justice Appropriations Act for 2008. Also, changes such as new funding levels, changes in the number of motor vehicles, changes in references to fiscal years, and deletion of references to emergency funding designations and prior year rescissions are not discussed.

Program	Language Changes
General Administration, Salaries and Expenses	Deletes language that restricts the Attorney General's authority to transfer funds within General Administration offices to five percent.
Administrative Review and Appeals	Deletes language requiring \$3,760,000 to be expended on the Executive Office for Immigration Review's Legal Orientation Programs.
Office of Inspector General	Deletes provision that requires the Inspector General to conduct an audit of all legislative and public affairs offices at each location of the Department, its bureaus and agencies.
Working Capital Fund	Changes language stating that \$41,000,000 in available unobligated balances is rescinded to read "...\$100,000,000 are permanently cancelled."
General Legal Activities	Adds provision stating that "...of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses associated with the federal observer program under section 8 of the Voting Rights Act (42 U.S.C. 1973f): Provided further, That of the amounts provided under this heading for the federal observer program \$3,390,000 shall remain available until expended."
United States Attorneys, Salaries and Expenses	Deletes language providing \$5,000,000 to hire U.S. Attorneys to carry out section 704 of the Adam Walsh Act of 2006.
United States Trustee System Fund	Deletes language that requires \$20,000,000 of the U.S. Trustees appropriation to come from prior year unobligated balances.
U.S. Marshals Service	Deletes language from the construction account that provides \$2,304,000 in funds for the construction of space by the United States Marshals Service for prisoner holding and related support. Adds the following language to the Salaries and Expenses account to provide funds for prisoner holding space and related support into the salaries and expenses account, "...and of which not less than \$2,304,000 shall be available until expended for construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support space."
United States Trustee System Fund	Deletes the following language, "...That, notwithstanding any other provision of law, \$214,402,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2006, so as to result in a final fiscal year 2006 appropriation from the Fund estimated at \$0." This language is not necessary.
Assets Forfeiture Fund	Changes language from "rescission" to "permanently cancel" \$285,000,000 in unobligated balances.

Interagency Crime and Drug Enforcement	Adds provision stating that "...prior year unobligated balances available within this account may be used for the continued operations of the Organized Crime Drug Enforcement Task Force program Fusion Center."
Federal Bureau of Investigation	Deletes provision stating that not to exceed \$170,000 be available for expenses related to the 100 th anniversary of the FBI.
Federal Bureau of Investigation, Construction	Deletes language related to the construction of the Federal Bureau of Investigation Center for Integrated Training and Technology Transfer in Redstone Arsenal, a chemical and biological evidence handling and storage facility, and a permanent central records complex in Frederick County, Virginia.
Bureau of Alcohol, Tobacco, Firearms and Explosives	Changes language from "27 CFR 178" to "27 CFR "478". Changes language clarifying ATF's ability to share information from the National Trace Center with State and local jurisdictions by adding the term "bona fide" to criminal investigations, adding "counterterrorism" as a reason a Federal agency may be exempted and adding "tribal" to the list of governments that should not be prevented from sharing or exchanging trace information. Also adds a reference to "section 921(a)(9)," where information on the importers and manufacturers of products regulated by the ATF can be found. Deletes language that funds \$23,500,000 for the construction or acquisition of buildings or sites.
Office of Justice Programs	<p>For Justice Assistance: deletes language referring to the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Justice for All Act of 2004 (Public Law 108-405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162); and the Victims of Crime Act of 1984 (Public Law 98-473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296), and other programs (including Statewide Automated Victims Notification Program). It also deletes language stating that not to exceed \$127,915,000 shall be expended in total for Office of Justice Programs management and administration. Adds language dividing the appropriation between criminal justice statistics programs; research, development; Regional Information Sharing System; and support services and administrative expenses of the Office for Victims of Crime.</p> <p>For State and Local Law Enforcement Assistance: deletes all language; and adds language to transfer funds and merge them with the 'Justice Assistance' account; dividing between three program areas: violent crime reduction partnership initiative program; Byrne public safety and protection program; and community policing training and technical assistance.</p> <p>For Weed and Seed: deletes all language.</p> <p>For Juvenile Justice Programs: deletes all language; and adds language transferring funds for a child safety and juvenile justice program and merging them with the 'Justice Assistance' account.</p> <p>For Public Safety Officers' Benefits: deletes language relating to the availability of funds to conduct appeals under section 1205 (c) of the 1968 act. This is one time language from FY 2008 that is not necessary.</p>
Community Oriented Policing Services	Deletes language regarding use of prior year balances made available for: the enforcement armor vest program; methamphetamine program; law enforcement technologies and interoperable communications program; Offender Re-entry program; grants to upgrade criminal records; DNA related and forensic programs; law enforcement assistance to Indian tribes program; national program to reduce gun crime and gang violence; training and assistance costs; Paul Coverdell Forensic Sciences Improvement Grants; program

	<p>management and administration; grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers and a national grant program the purpose of which is to assist State and local law enforcement to locate, arrest and prosecute child sexual predators and exploiters, and to enforce State offender registration laws described in section 1701(b) of the 1968 Act. Changes rescission language to a cancellation of unobligated recoveries from available prior year appropriations.</p>
<p>Office on Violence Against Women</p>	<p>Changes program title from “violence against women prevention and prosecution programs” to “Prevention and Prosecution of Violence Against Women and Related Victim Services Program.” Deletes previous language including language references to the following legislation: the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) (“the 1968 Act”); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) (“the 1994 Act”); the Victims of Child Abuse Act of 1990 (Public Law 101-647) (“the 1990 Act”); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) (“the 1974 Act”); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386) (“the 2000 Act”); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) (“the 2005 Act”). Deletes language appropriating funds to the following: the court-appointed special advocate program; child abuse training programs for judicial personnel; grants to combat violence against women; grants to encourage arrest policies; grants for sexual assault victims assistance; rural domestic violence assistance grants; training programs; grants for stalker and domestic violence databases; grants to reduce violence on campuses; victim legal assistance program; elder abuse grant program; safe haven project; disabled female victims program; engaging men and youth in prevention program; analysis and research on violence against Indian women; tracking violence against Indian women; youth advocate and response services; grants to assist youth exposed to violence; court training and improvements program; child televised testimony grants; and a grant to the National Resource Center on Workplace Responses. Also deletes \$14,700,000 rescission.</p>
<p>Crime Victims Fund</p>	<p>Adds language authorizing \$590,000,000 from the General Fund to be made available until expended, offset by receipts collected during FY 2009 to equal \$0 from the General Fund. Also adds language stating that Crime Victims Fund deposits in excess of \$590,000,000 will be unavailable for obligation and unobligated balances in excess of this amount are permanently cancelled and transferred to miscellaneous receipts at the Treasury.</p>