

SUMMARY OF GENERAL PROVISIONS  
**General Provisions—Department of Justice**

Table 2 displays the Title II General Provisions for the Department of Justice contained in the FY 2021 President’s Budget. The FY 2021 language is compared below to the FY 2020 enacted budget. New language proposed for FY 2021 is italicized and underlined, and language proposed for deletion is bracketed.

Table 3 provides explanations related to select Title II General Provisions, which are not continued in FY 2021.

Note: Because of a technical error in the Department of Justice Title II General Provisions, section numbers are not amended correctly from the Department of Justice Appropriations Act, 2020. The section numbers contained herein offer the corrected amendments, and should be considered an accurate representation of the Budget’s intentions.

**Table 2**  
 FY 2021 PROPOSED TITLE II GENERAL PROVISIONS

Section Number	New? Yes/No	Language
201	No	In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.
202	No	None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: <i>Provided</i> , That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.
203	No	None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.
204	No	Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: <i>Provided</i> , That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.
205	Amended <sup>1</sup>	Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: <i>Provided</i> , That any transfer pursuant to this section shall be [treated as] <u>subject to the procedures for a</u> reprogramming of funds under section [505] <u>504</u> of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.
206	No	None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for

<sup>1</sup> Updates language for clarity.

Section Number	New? Yes/No	Language
		the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.
207	No	(a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes. (b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.
208	Amended <sup>2</sup>	The notification thresholds and procedures set forth in section [505] <u>504</u> of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the explanatory statement [described in section 4 (in the matter preceding division A of this consolidated Act),] <u>that accompanies this Act</u> and to any use of deobligated balances of funds provided under this title in previous years
209	No	None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A-76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

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<sup>2</sup> Updates language.

Section Number	New? Yes/No	Language
210	Amended <sup>3</sup>	<p>At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs" or otherwise appropriated or transferred under this Act for administration by the Office of Justice Programs—</p> <p>(1) up to [2] <u>3</u> percent of funds made available [to the Office of Justice Programs] for grant or reimbursement programs may be used by [such] the Office of Justice Programs to provide training and technical assistance; [and]</p> <p>(2) up to [2] <u>3</u> percent of funds made available for grant or reimbursement programs [under such headings], except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs[.]; <u>and</u></p> <p><u>(3) up to 7 percent of funds made available for grant or reimbursement programs may be transferred to and merged with funds under the heading "State and Local Law Enforcement Assistance", for assistance to Indian tribes, without regard to authorizations for such grant or reimbursement programs.</u></p>
211	Amended <sup>4</sup>	<p>Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated in this or any other Act making appropriations for fiscal years [2017] <u>2018</u> through [2020] <u>2021</u> for the following programs, waive the following requirements:</p> <p>(1) For the adult and juvenile offender State and local reentry demonstration projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 [(34 U.S.C. 10631 et seq.)], the requirements under section 2976(g)(1) of such part [(34 U.S.C. 10631(g)(1))].</p> <p>(2) For grants to protect inmates and safeguard communities as authorized by section 6 of the Prison Rape Elimination Act of 2003 [(34 U.S.C. 30305(c)(3))], the requirements of section 6(c)(3) of such Act.</p>
212	No	<p>Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12109(a)) shall not apply to amounts made available by this or any other Act.</p>

<sup>3</sup> Updates language to add the set-aside for tribal assistance programs included in the FY 2020 President's Budget.

<sup>4</sup> Deletes language that is no longer required after passage of the First Step Act of 2018 (P.L. 115-391).

Section Number	New? Yes/No	Language
213	No	None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.
214	Amended <sup>5</sup>	Discretionary funds that are made available in this Act for the Office of Justice Programs may be used to participate in Performance Partnership Pilots authorized under [section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, section 525 of division H of Public Law 114–113, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal years 2019 and 2020] <u>such authorities as have been enacted for Performance Partnership Pilots in appropriations acts in prior fiscal years and the current fiscal year.</u>
215	Amended <sup>6</sup>	In this fiscal year and each fiscal year thereafter, amounts credited to and made available in the Department of Justice Working Capital Fund as an offsetting collection pursuant to section 11013 of Public Law 107–273 shall be so credited and available [only to the extent and in such amounts as provided in advance in appropriations Acts: Provided, That notwithstanding 31 U.S.C. 3302 or any other statute affecting the crediting of collections, the Attorney General may credit, as a discretionary offsetting collection, to the Department of Justice Working Capital Fund, for fiscal year 2020 and thereafter, up to three percent of all amounts collected pursuant to civil debt collection litigation activities of the Department of Justice; and such amounts so credited in fiscal year 2020 and thereafter shall remain available until expended, and shall be subject to the terms and conditions of that fund: Provided further, That any such amounts from the fund that the Attorney General determines are necessary to pay, first, for the costs of processing and tracking civil and criminal debt collection litigation activities, and thereafter for financial systems and for debt-collection-related personnel, administrative, and litigation expenses, in fiscal year 2020 and thereafter, shall be transferred to other appropriations accounts in the Department of Justice for paying the costs of such activities, and shall be in addition to any amounts otherwise made available for such purposes in those appropriations accounts: Provided further, That such transfer authority is in addition to any other transfer authority provided by law: Provided further, That any transfer of funds pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section] <u>as provided in that section.</u>

<sup>5</sup> Amended for clarity and to avoid having to update the citations each year.

<sup>6</sup> Amended to return the Department to the three percent fund authorities and limitations that applied prior to fiscal year 2020.

Section Number	New? Yes/No	Language
216	No	Section 1930(a)(6)(B) of title 28, United States Code, shall be applied for this fiscal year and next fiscal year by substituting "\$300,000,000" for "\$200,000,000".
217	Yes <sup>7</sup>	<u>Section 527 of title 28, United States Code, is amended in the third sentence by inserting ": (1)" before "the Department" and by inserting "; and (2) Federally recognized tribes for supplies, materials, and services related to access to federal law enforcement databases;" after "and services".</u>
218	Yes <sup>8</sup>	<u>Of the unobligated balances available in the Working Capital Fund, \$75,000,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.</u>
219	Yes <sup>9</sup>	<u>Of the unobligated balances available from prior year appropriations to the Office of Justice Programs, including such balances transferred by this Act to an account administered by such Office, \$85,000,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.</u>
220	Yes <sup>10</sup>	<u>Of the unobligated balances available from prior year appropriations to the Office on Violence Against Women, \$10,000,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.</u>
221	Yes <sup>11</sup>	<u>Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended as follows— (a) In subsection (a), by replacing "any government entity or official" with "any government law enforcement entity or official" and by striking all that follows after "from" and inserting a colon, followed by the following new paragraphs—</u>

<sup>7</sup> The FY 2021 proposal provides an additional mechanism for tribes to access critical national crime information databases.

<sup>8</sup> The FY 2021 proposal cancels \$75,000,000 from unobligated balances in the Working Capital Fund.

<sup>9</sup> Cancels an amount of unobligated balances from prior-year appropriations for OJP (e.g., RES, SLLEA, JJDP) and Community Oriented Policing Services.

<sup>10</sup> The FY 2021 proposal cancels an amount of unobligated balances from prior-year appropriations for Office on Violence Against Women.

<sup>11</sup> The Department of Homeland Security (DHS) and DOJ are requesting an amendment to 8 U.S.C. 1373 to: 1) expand the scope to prevent State and local government officials from prohibiting or restricting any government law enforcement entity or official from complying with a lawful civil immigration detainer request; and 2) authorize DHS and DOJ to condition certain grants and cooperative agreements on requirements that recipients agree to cooperate with specific Federal immigration enforcement activities and requests.

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

Section Number	New? Yes/No	Language
		<p><u>address, or contact information, of any individual in custody or suspected of a violation of law, with any other Federal, State, or local government law enforcement entity, provided that such information is relevant to the enforcement of the immigration laws as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)); "(3) not prohibit or restrict any entity, official, or employee from collecting, inquiring into, or verifying information, including information related to the nationality, citizenship, immigration status, removability, scheduled release date and time, home address, work address, or contact information, of any individual in custody, provided that such information is relevant to the enforcement of the immigration laws as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)), and will maintain any such information it may collect, during the period of performance of a grant or cooperative agreement conditioned under this subsection; and "(4) comply with any lawful request made by the Department of Homeland Security pursuant to its authorities under section 236, 241, or 287 of the Immigration and Nationality Act (8 U.S.C. 1226, 1231, 1357), including any request to maintain custody of the alien for a period not to exceed 48 hours in order to permit assumption of custody by the Department pursuant to a detainer for, or provide reasonable notification prior to the release of, any individual." (e) In the section heading, by replacing "IMMIGRATION AND NATURALIZATION SERVICE" with "DEPARTMENT OF HOMELAND SECURITY". (f) The Secretary of Homeland Security or the Attorney General may require States and political subdivisions of States that apply for Federal grants or cooperative agreements from the Department of Homeland Security or the Department of Justice to include a certification that they will comply with subsection (d) in their applications for award. The Secretary or the Attorney General may prescribe the form of the certification for the Federal grants and cooperative agreements awarded by their respective Departments. (g) The Secretary of Homeland Security and the Attorney General may enforce the provisions of this section through any lawful means, including by seeking injunctive or other relief from a court of competent jurisdiction. (h) SEVERABILITY.—The provisions of this section are severable. If any provision of this section, or any application thereof, is found unconstitutional, that finding shall not affect any provision or application of this section not so adjudicated.</u></p>
222	Yes <sup>12</sup>	<p><u>Section 1825 of title 28, United States Code, is amended: (a) in subsections (a) and (b) by striking "United States marshal for the district" each place it appears and inserting "Attorney General"; and (b) in subsection (c) by striking "United States marshal" and inserting "Attorney General".</u></p>

<sup>12</sup> The request proposes to move the responsibility to pay witness fees from the U.S. Marshals Service to the Attorney General will streamline the fact witness payment process and alleviate duplication of effort, minimizing delays in getting the payments to the witnesses.

Section Number	New? Yes/No	Language
223	Yes <sup>13</sup>	<u>Section 151 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101–246; 5 U.S.C. 5928 note), is amended by:</u> <u>(a) striking "or" after "Drug Enforcement Administration" and inserting ", the"; and</u> <u>(b) inserting after "Federal Bureau of Investigation": ", or the United States Marshals Service".</u>

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<sup>13</sup> The request proposes to expand danger pay authorities to include any USMS employee engaged in, or in active support of, law enforcement activities outside the United States.



**Table 3**  
GENERAL PROVISIONS NOT CONTINUED IN FY 2020 – Title II

Section Included in the Consolidated Appropriations Act, 2020 (P.L. 115-99)	Explanation for Why General Provision is No Longer Necessary
<p>Sec. 208 None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of \$100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.</p>	<p>This language is no longer required due to the IT management controls included under the Federal IT Reform Act (FITARA) legislation, which provide for an inclusive governance process that enables effective planning, budgeting and execution for IT investments.</p>
<p>Sec. 211 Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.</p>	<p>This provision impinges on the ability of the Attorney General to manage Department of Justice resources.</p>
<p>Sec. 216 (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2020, except up to \$12,000,000 may be obligated for implementation of a unified Department of Justice financial management system.</p> <p>(b) Not to exceed \$30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2020, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.</p> <p>(c) Not to exceed \$10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2020, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.</p>	<p>This provision impinges on the ability of the Attorney General to manage Department of Justice resources.</p>

## FY 2021 TITLE V GENERAL PROVISIONS

### U.S. Department of Justice Comments

Table 4 displays substantive changes to Title V general provisions for the Department of Justice, using the FY 2020 enacted budget as the starting point. New language is *italicized and underlined*, and language proposed for deletion is [bracketed].

**Table 4**

#### FY 2021 PROPOSED TITLE V GENERAL PROVISIONS

<b>Section Number</b>	<b>LANGUAGE CHANGES</b>
501	[No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.]
504	None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year [2020] <u>2021</u> , or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project, or activity; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs, or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects, or activities in excess of [ <del>\$500,000</del> ] <u>\$1,000,000</u> or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project, or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects, or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.
507	[(a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.] [(b) The report described in subsection (a) shall be submitted within 30 days of the end of each quarter.] [(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting

Section Number	LANGUAGE CHANGES
	system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.】
507	None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products <i>in the United States</i> , [or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products,] except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.
510	[Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (34 U.S.C. 20101) in any fiscal year in excess of \$2,641,000,000 shall not be available for obligation until the following fiscal year: <i>Provided</i> , That notwithstanding section 1402(d) of such Act, of the amounts available from the Fund for obligation: (1) \$10,000,000 shall be transferred to the Department of Justice Office of Inspector General and remain available until expended for oversight and auditing purposes associated with this section; and (2) 5 percent shall be available to the Office for Victims of Crime for grants, consistent with the requirements of the Victims of Crime Act, to Indian tribes to improve services for victims of crime.】
512	[None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.]
513	<p>[(a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.]</p> <p>[(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—</p> <p>(1) any matter described in section 552(b) of title 5, United States Code; and</p> <p>(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.]</p> <p>[(c) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.]</p>

Section Number	LANGUAGE CHANGES
	<p>[(d) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.]</p>
521	<p>(a) Of the unobligated balances from prior year appropriations available to the Department of Commerce, the following funds are hereby cancelled[ rescinded], not later than September 30, 2021[2020], from the following accounts in the specified amounts–</p> <p>(1) "Economic Development Administration, Economic Development Assistance Programs", \$38,000,000[\$17,000,000]; [and]</p> <p>(2) "Bureau of the Census, Periodic Censuses and Programs", \$88,644,000; and ["National Oceanic and Atmospheric Administration, Fisheries Enforcement Asset Forfeiture Fund", \$5,000,000.]</p> <p>(3) "National Institute of Standards and Technology, Industrial Technology Services", \$20,000,000.</p> <p>[(b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2020, from the following accounts in the specified amounts–</p> <p>(1) "Working Capital Fund", \$107,000,000;</p> <p>(2) "Federal Bureau of Investigation, Salaries and Expenses", \$71,974,000 including from, but not limited to, fees collected to defray expenses for the automation of fingerprint identification and criminal justice information services and associated costs;</p> <p>(3) "Drug Enforcement Administration, Salaries and Expenses", \$10,000,000;</p> <p>(4) "State and Local Law Enforcement Activities, Office of Justice Programs", \$70,000,000; and</p> <p>(5) "State and Local Law Enforcement Activities, Community Oriented Policing Services", \$13,000,000.]</p> <p>[(c) Of the unobligated balances available to the National Aeronautics and Space Administration from prior year appropriations under the heading "Science", \$70,000,000 is hereby rescinded.]</p> <p>[(d) The Departments of Commerce and Justice and the National Aeronautics and Space Administration shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2020, specifying the amount of each rescission made pursuant to subsections (a), (b), and (c).]</p> <p>(e) The amounts cancelled[rescinded] in [subsections] subsection (a)[, (b), and (c)] shall not be from amounts that were designated by the Congress as an emergency or disaster relief requirement pursuant to the concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.</p> <p>(f) The amounts cancelled in subsection (a)(2) shall not be from amounts that were previously designated by the Congress for the 2020 Census pursuant to section 251(b)(2)(G) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</p>

Section Number	LANGUAGE CHANGES
524	<p>[The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and account-ability reports the following:</p> <p>(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.</p> <p>(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.</p> <p>(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.</p> <p>(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.]</p>
528	<p>The Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, the Commission on Civil Rights, the Equal Employment Opportunity Commission, the International Trade Commission, the Legal Services Corporation, the Marine Mammal Commission, the Offices of Science and Technology Policy and the United States Trade Representative, the National Space Council, and the State Justice Institute shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within [45] <u>60</u> ]days after the date of enactment of this Act.</p>
524	<p>The head of any executive branch department, agency, board, commission, or office funded by this Act shall require that all contracts within their purview that provide award fees link such fees to successful acquisition outcomes, specifying the terms of cost, schedule, and performance.</p>
525	<p><u>Section 601(d)(2) of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3211), is amended (1) by striking "(2) RELEASE." and inserting the following: "(2) RELEASE. "(A) IN GENERAL."; and (2) by adding at the end the following: "(B) REVOLVING LOAN FUND PROGRAM. "The Secretary may release, subject to terms and conditions the Secretary determines appropriate, the Federal Government's interest in connection with a grant under section 209(d) not less than 7 years after final disbursement of the grant, if "(i) the recipient has carried out the terms of the award in a satisfactory manner; " (ii) any proceeds realized from the release of the Federal Government's interest will be used for one or more activities that continue to carry out the economic development purposes of this Act; and "(iii) the recipient shall provide adequate assurance to the Secretary that at all times after release of the Federal Government's interest in connection with the grant, the recipient will be responsible for continued compliance with the requirements of section 602 in the same manner it was responsible prior to release of the Federal Government's interest and that the recipient's failure to comply shall result in the Secretary taking appropriate action."</u></p>
530	<p>[None of the funds made available by this Act may be used in contravention of section 7606 ("Legitimacy of Industrial Hemp Research") of the Agricultural Act of 2014 (Public Law 113–79) by the Department of Justice or the Drug Enforcement Administration.]</p>

Section Number	LANGUAGE CHANGES
531	<p>[None of the funds made available under this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, or with respect to the District of Columbia, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, or Puerto Rico, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.]</p> <p><b>EXPLANATION:</b> The Department continues to oppose this language.</p>
533	<p>[Of the amounts made available by this Act, not less than 10 percent of each total amount provided, respectively, for Public Works grants authorized by the Public Works and Economic Development Act of 1965 and grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722) shall be allocated for assistance in persistent poverty counties: Provided, That for purposes of this section, the term "persistent poverty counties" means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates, or any territory or possession of the United States.]</p> <p>[SEC. 534. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mo-hammed or any other detainee who—</p> <p>(1) is not a United States citizen or a member of the Armed Forces of the United States; and</p> <p>(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.]</p>
535	<p>[(a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.]</p> <p>[(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.]</p> <p>[(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—</p> <p>(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and</p> <p>(2) is—</p> <p>(A) in the custody or under the effective control of the Department of Defense; or</p> <p>(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.]</p>