

AMENDMENTS ADOPTED TO THE COMMERCE, JUSTICE,
SCIENCE APPROPRIATIONS BILL FOR FY 2019

Full Committee Markup
House Appropriations Committee
Thursday, May 17, 2018

CJS

Amend #1 offered

Adopted vv

AMENDMENT TO COMMERCE, JUSTICE, SCIENCE

APPROPRIATIONS BILL, 2019

OFFERED BY MR. CULBERSON OF TEXAS

In the report, under “National Telecommunications and Information Administration, Salaries and Expenses”, insert the following new paragraph:

1 *5G Strategy.*—The Committee recognizes the impor-
2 tance of a robust, efficient and secure 5G network. The
3 Committee encourages NTIA and other relevant agencies
4 to promote policies to spur innovation and the next gen-
5 eration secured communications network, including devel-
6 oping a comprehensive strategy to achieve 5G and beyond.

In the report, under “National Institute of Standards and Technology, Scientific and Technical Research and Services”, insert the following new paragraph:

7 *Internet of Things.*—The Committee recognizes the
8 importance of United States’ leadership in addressing se-
9 curity concerns for users and data within the Internet of
10 Things and appreciates NIST’s ongoing work in this area.
11 The Committee encourages NIST to continue strength-
12 ening its cybersecurity standard-setting efforts related to
13 the Internet of Things.

In the report, under “National Oceanic and Atmospheric Administration, Operations, Research, and Facilities”, before the paragraph titled “Oceanic and Atmospheric Research” insert the following paragraph:

1 *Offshore Wind Impacts.*—NOAA shall study the ef-
2 fects of offshore wind farm construction and operation on
3 marine mammals and fish, including the need for any miti-
4 gation measures. NOAA should work with other appro-
5 priate agencies when completing this research. NOAA
6 shall report to the Committee on this matter within two
7 years of enactment of this Act.

In the report, under “National Oceanic and Atmospheric Administration, Operations, Research, and Facilities”, strike the paragraph titled “Unmanned Surface Vehicles” and insert the following paragraph:

8 *Unmanned Surface Vehicles.*—The recommendation
9 includes no less than the enacted level for a competitive
10 data acquisition program that uses Unmanned Surface
11 Vehicles to augment NOAA’s observational suite.

In the report, under “General Administration, Salaries and Expenses”, after the paragraph titled “Third-party settlement payments”, insert the following paragraph:

1 *Opioids*.—The Committee supports the Department
2 of Justice’s (DOJ) efforts to curb and ultimately end the
3 opioid epidemic, including efforts that will lead to a reduc-
4 tion in prescription drug abuse, such as prevention pro-
5 grams, and will ensure victims are able to access the re-
6 sources they need to prevent further abuse. The Com-
7 mittee expects that to the extent that the DOJ partici-
8 pates in opioid litigation it will do so in a manner that
9 ensures potential settlement funds go primarily towards
10 victim recovery and drug abuse prevention programs.

In the report, under “General Administration, Sala-
ries and Expenses”, after the paragraph titled “Third-
party settlement payments”, insert the following para-
graph:

11 *Identity theft*.—The Committee remains highly con-
12 cerned about the issue of identity theft, and expects the
13 Department to increase significantly its investigation and
14 prosecution of such crimes through the additional enforce-
15 ment resources provided in this bill. The Committee di-
16 rects the Attorney General to submit a report not later
17 than 180 days after the date of enactment on the number
18 of prosecutions and convictions, by judicial district, during
19 fiscal years 2014–2018, for violations of 18 U.S.C.
20 1028(a) or 18 U.S.C. 1028A(a). The report should also
21 include analysis of trends in commission of such offenses,

1 and recommendations for improving deterrence and pre-
2 vention of identity theft.

In the report, under “General Administration, Office of Inspector General”, after the paragraph titled “Profiling”, insert the following paragraph:

3 The Committee has heard concerns that the FBI’s
4 Domestic Terrorism program may be conducting surveil-
5 lance on U.S. citizens lawfully exercising their 1st Amend-
6 ment rights, based on their race. The Committee directs
7 the OIG to review the FBI’s Domestic Terrorism program
8 including an assessment of how the FBI ensures that re-
9 sources are allocated based on threats such as the number
10 of fatalities and injuries caused by the groups or individ-
11 uals represented in the FBI’s various domestic terrorism
12 programs.

In the report, under “Legal Activities, Salaries and Expenses, General Legal Activities”, insert the following new paragraph:

13 *Website Accessibility.*—The Committee expects the
14 Department to clarify standards for website accessibility
15 requirements pursuant to the Americans with Disabilities
16 Act in fiscal year 2019. The Committee recognizes the
17 confusion caused by a lack of uniform website accessibility
18 standards. The lack of clear requirements disadvantages

1 small businesses that provide essential services for our
2 communities.

In the report, under “Federal Prison System, Salaries and Expenses”, strike the paragraph titled “Augmentation”, insert the following paragraph:

3 *Augmentation.*—Overcrowding remains a serious
4 threat to officer safety, particularly at high and medium
5 security facilities. To meet staffing needs, the BOP has
6 used a process called augmentation, whereby a non-cus-
7 tody employee is assigned custody responsibilities. The
8 Committee directs the BOP to curtail its overreliance on
9 augmentation and instead hire additional full-time correc-
10 tional staff before continuing to augment existing staff.
11 BOP is further directed to submit quarterly reports on
12 the inmate-to-correctional officer ratio at each facility,
13 using OPM’s definition of a corrections officer, broken out
14 by security level and shift.

In the report, under “Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs”, after the paragraph titled “Puerto Rico”, insert the following paragraph:

15 *Safe visitation and exchange.*—The Committee en-
16 courages the Office on Violence Against Women to con-
17 sider proposals that help growing communities adapt their

1 court-based programs to support safe visitation and ex-
2 change and related services, with a focus on communities
3 that are outgrowing their existing facilities and consid-
4 ering new alternatives to address population growth.

In the report, under “Office of Justice Programs,
Research, Evaluation and Statistics”, before the para-
graph titled “Prison Rape Elimination Act (PREA)”, in-
sert the following paragraph:

5 *School safety research.*—The Committee directs the
6 National Institute of Justice and the Bureau of Justice
7 Statistics to examine the current role of School Resource
8 Offices (SROs) in schools, and provide recommendations
9 on how SROs can better serve the needs of the students.
10 This report should include, but is not limited to, an exam-
11 ination of the roles and duties of SROs in schools and
12 SRO’s effects on student outcomes and school safety,
13 crime rates, and an examination of the instances of dis-
14 ciplinary actions including demographic characteristics of
15 the student, and the details and severity of the infraction.
16 The Committee directs the Department to submit this re-
17 port not later than 180 days after enactment of this Act,
18 and to include the Department’s plan for disseminating
19 this information to the public and relevant government en-
20 tities.

In the report, under “Office of Justice Programs, State and Local Law Enforcement Assistance”, before the paragraph titled “Prison Rape Elimination Act (PREA)”, insert the following paragraph:

1 *Extreme Risk Protection Orders (ERPO)*.—The Com-
2 mittee notes that these flexible funds can be used by law
3 enforcement agencies, states and localities, and other eligi-
4 ble grantees to implement and administer ERPO or simi-
5 lar laws, which have been enacted in several states and
6 authorize law enforcement officers, medical and mental
7 health professionals, school officials, family members, or
8 household members to obtain court orders for the tem-
9 porary removal of firearms from persons shown, by clear
10 and convincing evidence and with front-end due process,
11 to be a threat to themselves or others.

In the report, under “Office of Justice Programs, State and Local Law Enforcement Assistance”, before the paragraph titled “Project Safe Neighborhoods Grant Program”, insert the following paragraph:

12 The Committee also encourages the Attorney General
13 to prioritize NARIP grants to states whose implementa-
14 tion plan includes an effort to identify domestic violence
15 abusers and others disqualified under section 922 of title
16 18, United States Code, who are ineligible to possess fire-

1 arms under law and which will use a larger proportion
2 of these grants for that purpose.

In the report, under “Office of Justice Programs,
State and Local Law Enforcement Assistance”, after the
paragraph titled “Active shooter response”, insert the fol-
lowing paragraph:

3 *Datacasting.*—The Committee is aware of a recent
4 datacasting pilot program and is encouraged by the novel
5 application of existing technology to provide both new
6 communications capacity for law enforcement as well as
7 redundancy to existing networks. The Committee encour-
8 ages the Department of Justice, through the Community
9 Oriented Policing Services program, to consider proposals
10 that would further expand the technology with a focus on
11 projects that create statewide networks.

In the bill, on page 18, line 17, reduce the dollar
amount by \$11,500,000.

In the bill, on page 23, line 19, reduce the dollar
amount by \$11,500,000.

In the bill, on page 46, line 23, increase the dollar
amount by \$10,000,000.

In the bill, on page 50, line 15, increase the dollar
amount by \$10,000,000.

In the bill, on page 54, line 18, increase the dollar amount by \$8,000,000.

In the report, under “Office of Justice Programs, Juvenile Justice Programs”, in the paragraph titled “Missing and exploited children programs”, strike “no” through “level” and insert “\$37,500,000”.

In the bill, on page 55, line 4, replace the period with “; and”, and insert the following subsection:

1 (5) \$5,000,000 for the Tribal Youth Program.

In the report, adjust the tables for “General Administration, Salaries and Expenses”, “Office of Justice Programs, State and Local Law Enforcement Assistance”, and “Office of Justice Programs, Juvenile Justice Programs” accordingly.

In the report, under “National Aeronautics and Space Administration, Science”, in the paragraph titled “Public-private partnerships”, strike “a lunar landing vehicle with the ability to deliver 1,000 to 10,000 pounds” and insert “lunar landing vehicles with the ability to deliver various amounts”.

In the report, under “National Aeronautics and Space Administration, Science”, after the paragraph titled “Earth Science Decadal”, insert the following:

1 *Climate Monitoring System.*—Within the funds pro-
2 vided for Earth Science, not less than \$10,000,000 shall
3 be for a Climate Monitoring program, including competi-
4 tive grants to help develop the capabilities necessary for
5 monitoring, reporting, and verification of biogeochemical
6 processes to better understand the major factors driving
7 short and long term climate change.

In the report, under “National Science Foundation,
Research and Related Activities”, after the paragraph ti-
tled “Established Program to Stimulate Competitive Re-
search (EPSCoR)”, insert the following paragraph:

8 *Marine research.*—The recommendation maintains
9 current funding levels for existing marine research facili-
10 ties and directs NSF to accept new proposals from the
11 academic research community for research supported by
12 these facilities. The Committee further directs NSF to de-
13 velop a plan, in coordination with the academic research
14 community, to ensure the science community’s continued
15 access to capabilities comparable to those currently pro-
16 vided by existing NSF marine research facilities.

In the bill, on page 94, after line 18, insert the fol-
lowing new subsection:

17 (d) The amounts rescinded in subsections (a) and (b)
18 shall not be from amounts that were designated by the

1 Congress as an emergency or disaster relief requirement
2 pursuant to the concurrent resolution on the budget or
3 the Balanced Budget and Emergency Deficit Control Act
4 of 1985.



Amend # 4 offered

Valadao

adopted v.v.

**AMENDMENT TO COMMERCE, JUSTICE, SCIENCE
APPROPRIATIONS BILL
OFFERED BY MR. VALADAO OF CALIFORNIA**

At the end of the bill (before the spending reduction account), insert the following:

1 SEC. ____ . None of the funds made available by this
2 Act may be used by the Department of Commerce to pre-
3 pare, finalize, implement, or enforce recommendations,
4 conditions, or prescriptions, or reserve authority related
5 thereto, pursuant to authorities provided to the Depart-
6 ment of Commerce under sections 10 and 18 of the Fed-
7 eral Power Act (16 U.S.C. 803, 811) as related to the
8 Don Pedro (P-2299-082) and La Grange (P-14581-002)
9 hydroelectric projects along the Tuolumne River, Cali-
10 fornia.



Amend #9 offered

Joyce

adopted v. v.

**AMENDMENT TO COMMERCE, JUSTICE, SCIENCE
APPROPRIATIONS BILL**

**OFFERED BY MR. JOYCE OF OHIO, MR. YOUNG OF
IOWA, MR. THOMAS J. ROONEY OF FLORIDA,
AND MR. TAYLOR OF VIRGINIA**

At the end of the bill (before the spending reduction account), insert the following:

1 SEC. _____. None of the funds made available in
2 this Act to the Department of Justice may be used, with
3 respect to any of the States of Alabama, Alaska, Arizona,
4 Arkansas, California, Colorado, Connecticut, Delaware,
5 Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Ken-
6 tucky, Louisiana, Maine, Maryland, Massachusetts, Michi-
7 gan, Minnesota, Mississippi, Missouri, Montana, Nevada,
8 New Hampshire, New Jersey, New Mexico, New York,
9 North Carolina, North Dakota, Ohio, Oklahoma, Oregon,
10 Pennsylvania, Rhode Island, South Carolina, Tennessee,
11 Texas, Utah, Vermont, Virginia, Washington, West Vir-
12 ginia, Wisconsin, and Wyoming, or with respect to the
13 District of Columbia, Puerto Rico, or Guam, to prevent
14 any of them from implementing their own laws that au-

2.

1 thorize the use, distribution, possession, or cultivation of

2 medical marijuana.



Amend #11 offered

McCollum

adopted V.V.

**AMENDMENT TO COMMERCE, JUSTICE, SCIENCE
APPROPRIATIONS BILL
OFFERED BY MS. MCCOLLUM OF MINNESOTA**

Page 85, line 6, insert before the period at the end the following: “: *Provided*, That notwithstanding section 1402(d) of such Act, of the amounts available from the Fund for obligation, 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”.



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Order #15 offered

Ruppertsberger #2

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adopted V.V.

**AMENDMENT TO COMMERCE, JUSTICE, SCIENCE
 APPROPRIATIONS BILL
 OFFERED BY MR. RUPPERSBERGER OF
 MARYLAND**

At the end of the bill (before the spending reduction account), insert the following:

1 SEC. _____. None of the funds made available by
 2 this Act may be used in contravention of the "Order Acti-
 3 vating Suspended Denial Order Relating to Zhongxing
 4 Telecommunications Equipment Corporation and ZTE
 5 Kangxun Telecommunications Ltd." (83 Fed. Reg.
 6 17644) published on April 23, 2018, by the Bureau of
 7 Industry and Security.

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Amend # 19 offered

*Ruppersberger #3
Aderholt*

Adopted V.V.

AMENDMENT TO COMMERCE, JUSTICE, SCIENCE

APPROPRIATIONS BILL

OFFERED BY MR. RUPPERSBERGER OF

MARYLAND *and Mr. Aderholt of Alabama*

Page 48, line 5, insert before the semicolon at the end the following: “, \$2,000,000 is for grants to States and units of local government to deploy managed access systems to combat contraband cell phone use in prisons”.



Amendment 20 offered

Harris
Admitted VV

An amendment offered by Congressman Harris to the Commerce, Justice and Science Appropriations Bill:

At the appropriate place in the report insert:

The committee urges the drug enforcement administration to expeditiously process any pending applications for authorization to produce marijuana exclusively for use in medical research.