



**Congressional  
Research Service**

Informing the legislative debate since 1914

---

# FY2016 Appropriations for the Department of Justice (DOJ)

**Nathan James, Coordinator**  
Analyst in Crime Policy

**Jerome P. Bjelopera**  
Specialist in Organized Crime and Terrorism

**Kristin Finklea**  
Specialist in Domestic Security

**William J. Krouse**  
Specialist in Domestic Security and Crime Policy

**Lisa N. Sacco**  
Analyst in Illicit Drugs and Crime Policy

April 15, 2015

**Congressional Research Service**

7-5700

[www.crs.gov](http://www.crs.gov)

R43985

## Summary

The mission of the Department of Justice (DOJ) is to “enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.” DOJ carries out its mission through the activities of agencies and bureaus such as the Federal Bureau of Investigation; the Drug Enforcement Administration; the U.S. Marshals Service; the Bureau of Alcohol, Tobacco, Firearms, and Explosives; the U.S. Attorneys Office; and the Bureau of Prisons.

This report provides an overview of the FY2015 appropriations and the Administration’s FY2016 budget request for DOJ’s appropriations accounts.

The Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235) provided a total of \$27.030 billion for DOJ for FY2015. The Administration requests \$29.289 billion for DOJ for FY2016, an increase of 8.4% (\$2.259 billion).

The Administration has put forth several budget proposals for DOJ for FY2016. While policymakers might have an interest in a wide variety of topics within the purview of DOJ’s responsibilities, the proposals discussed in this report are based on topics that either tend to be a perennial interest for policymakers or which have become topics of national significance due to recent events. Such topics might include the Bureau of Alcohol, Tobacco, Firearms, and Explosive’s efforts to combat firearm violence in the United States through its administrative and enforcement functions; DOJ’s efforts to combat cybercrime and ensure cybersecurity; grant funding for state and local law enforcement; federal marijuana enforcement efforts in light of state efforts to liberalize their marijuana policies; and federal efforts to combat violent extremism.

# Contents

Overview of DOJ’s Accounts .....	1
General Administration .....	1
General Administration .....	2
Administrative Review and Appeals (ARA) .....	2
Office of the Inspector General (OIG) .....	2
U.S. Parole Commission.....	2
Legal Activities.....	2
U.S. Marshals Service (USMS).....	3
National Security Division (NSD).....	3
Interagency Law Enforcement.....	3
Federal Bureau of Investigation (FBI).....	3
Drug Enforcement Administration (DEA) .....	4
Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) .....	4
Federal Prison System (Bureau of Prisons, BOP) .....	4
Office on Violence Against Women (OVW) .....	5
Office of Justice Programs (OJP) .....	5
Research, Evaluation, and Statistics.....	5
State and Local Law Enforcement Assistance.....	5
Juvenile Justice Programs .....	5
Public Safety Officers Benefits Program (PSOB).....	5
Community Oriented Policing Services (COPS).....	5
The Crime Victims Fund .....	6
FY2015 and FY2016 Appropriations for DOJ.....	6
Select Proposals from the Administration.....	8
Resources for the ATF’s Administrative and Enforcement Missions .....	8
Funding to Combat Cybercrime .....	10
The “Smart on Crime” Initiative .....	12
Immigration Case Backlogs.....	14
Countering Violent Extremism .....	14
Grants for State and Local Law Enforcement .....	16
Funding for Marijuana Enforcement .....	17

## Figures

Figure 1. Annual Net Increases in U.S. Civilian Gun Stock (1980-2011) .....	9
Figure 2. Estimated Firearms-Related Murders and Nonnegligent Homicides .....	10

## Tables

Table 1. DOJ Appropriations, FY2015 and FY2016 .....	6
Table A-1. Funding for OVW Programs, FY2015 and FY2016 .....	19
Table A-2. Funding for Research, Evaluation, and Statistics, FY2015 and FY2016.....	20

Table A-3. Funding for State and Local Law Enforcement Assistance Programs,  
FY2015 and FY2016 ..... 21

Table A-4. Funding for Juvenile Justice Programs, FY2015 and FY2016 ..... 24

Table A-5. Funding for Community Oriented Policing Services Programs,  
FY2015 and FY2016 ..... 25

## **Appendixes**

Appendix. DOJ Grant Programs ..... 19

## **Contacts**

Author Contact Information..... 26

The mission of the Department of Justice (DOJ) is to “enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.”<sup>1</sup>

DOJ provides legal advice and opinions, upon request, to the President and executive branch department heads. DOJ prosecutes individuals accused of violating federal laws and it represents the U.S. government in court. The department enforces federal criminal and civil laws, including antitrust, civil rights, environmental, and tax laws. DOJ, through agencies such as the Federal Bureau of Investigation (FBI); the Drug Enforcement Administration (DEA); and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), investigates organized and violent crime, illegal drugs, and gun and explosives violations. The department, through the U.S. Marshals Service (USMS), protects the federal judiciary, apprehends fugitives, and detains individuals who are not granted pretrial release. DOJ’s Bureau of Prisons (BOP) incarcerates individuals convicted of violating federal laws. The department also provides grants and training to state, local, and tribal law enforcement agencies.<sup>2</sup>

This report starts with an overview of DOJ’s appropriations accounts. Next, it provides information on FY2015 appropriations and the FY2016 budget request for DOJ. The report concludes with an overview of some of the Administration’s proposals in its FY2016 budget for DOJ.

## Overview of DOJ’s Accounts

Congress appropriates funding to support DOJ’s operations as a part of the annual Commerce, Justice, Science, and Related Agencies appropriations legislation.<sup>3</sup> This section provides a brief overview of DOJ’s accounts. **Table 1** provides data on the FY2015 appropriations and the FY2016 budget request for these accounts.

### General Administration

The General Administration account provides funds for salaries and expenses for the Attorney General’s office, the Inspector General’s office, and other programs designed to ensure that the collaborative efforts of DOJ agencies are coordinated to help represent the government and fight crime as efficiently as possible.

---

<sup>1</sup> U.S. Department of Justice, *About DOJ*, <http://www.justice.gov/about/about.html>.

<sup>2</sup> The **Appendix** provides a breakdown of appropriations for grant programs funded under the Office on Violence Against Women; Research, Evaluation, and Statistics; State and Local Law Enforcement Assistance; Juvenile Justice Programs; and Community Oriented Policing Services accounts.

<sup>3</sup> For more information on FY2015 and FY2016 appropriations for CJS, see CRS Report R43918, *Overview of FY2016 Appropriations for Commerce, Justice, Science, and Related Agencies (CJS)*, by Nathan James.

## **General Administration**

The General Administration account includes funding for salaries and expenses for DOJ administration as well as for Justice Information Sharing Technology. The account also funded the National Drug Intelligence Center (NDIC) prior to its closure.<sup>4</sup> In addition, this account funded Law Enforcement Wireless Communications before funding for related activities was shifted to the FBI.<sup>5</sup>

## **Administrative Review and Appeals (ARA)**

Administrative Review and Appeals (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 Department of Homeland Security's (DHS's) efforts. The EOIR handles these matters, and the OPA receives and reviews petitions for executive clemency.

## **Office of the Inspector General (OIG)**

The Office of the Inspector General (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.

## **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. The commission also sets the conditions of release for offenders under its jurisdiction and makes determinations about whether to return offenders who have violated the terms of their release to prison.

## **Legal Activities**

The Legal Activities account includes several subaccounts: General Legal Activities, U.S. Attorneys, the Antitrust Division, the Vaccine Injury Compensation Trust Fund, the U.S. Trustee System Fund, the Foreign Claims Settlement Commission, Fees and Expenses of Witnesses, and the Community Relations Service. Congress also establishes a limit on how much can be spent from the Assets Forfeiture Fund to cover certain expenses.

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, INTERPOL, and dispute resolution).

---

<sup>4</sup> Congress ceased funding for the NDIC after FY2012.

<sup>5</sup> Congress stopped providing funding for Law Enforcement Wireless Communications under the General Administration account after FY2012.

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.

## **U.S. Marshals Service (USMS)**

The U.S. Marshals Service (USMS) is responsible for the protection of the federal judicial process, including protecting judges, attorneys, witnesses, and jurors. In addition, the USMS provides physical security in courthouses, safeguards witnesses, transports prisoners from court proceedings, apprehends fugitives, executes warrants and court orders, and seizes forfeited property.<sup>6</sup>

## **National Security Division (NSD)**

The National Security Division (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, 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 to ensure that criminal intelligence information is shared, as appropriate.

## **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. The federal agencies from DOJ that participate in OCDETF are the DEA, the FBI, the ATF, the USMS, the Tax and Criminal Divisions of DOJ, and the U.S. Attorneys. Other agencies participating in OCDETF are Immigration and Customs Enforcement and the U.S. Coast Guard from the Department of Homeland Security, and the Treasury Office of Enforcement and Internal Revenue Service from the Department of the Treasury. Moreover, state and local law enforcement agencies participate in approximately 90% of all OCDETF investigations.

## **Federal Bureau of Investigation (FBI)**

The Federal Bureau of Investigation (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

---

<sup>6</sup> Under the Consolidated and Further Continuing Appropriations Act (P.L. 113-6), Congress eliminated funding for the Office of the Federal Detention Trustee account and instead provided funding for a Federal Prisoner Detention account under the USMS. Funding under this account will be used to cover the costs associated with the care of federal detainees.

territorial law enforcement agencies and partners. Since the September 11, 2001 (9/11), terrorist attacks, the FBI has reorganized and reprioritized its efforts to focus on preventing terrorism and related criminal activities.

## **Drug Enforcement Administration (DEA)**

The Drug Enforcement Administration (DEA) is the only single-mission federal agency tasked with enforcing the nation's controlled substance laws in order to reduce the availability and abuse of illicit drugs and the diversion of licit drugs for illicit purposes. The DEA's enforcement efforts include the disruption and dismantling of drug trafficking and money laundering organizations through drug interdiction and seizures of illicit revenues and assets derived from these organizations. The DEA continues to face evolving challenges in limiting the supply of illicit drugs as well as reducing drug trafficking from Mexico across the Southwest border into the United States. The agency plays a key role in the Administration's Southwest Border Initiative to counter drug-related border violence, focusing on the convergent threats of illegal drugs, drug-related violence, and terrorism in the region. The DEA also has an active role in the Administration's Prescription Drug Abuse Prevention Plan, targeting improper prescribing practices and promoting proper disposal of unused prescription drugs.

## **Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)**

The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) enforces federal criminal law related to the manufacture, importation, and distribution of alcohol, tobacco, firearms, and explosives. The ATF works 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.

## **Federal Prison System (Bureau of Prisons, BOP)**

The Bureau of Prisons (BOP) was established in 1930 to house federal inmates, professionalize the prison service, and ensure consistent and centralized administration of the federal prison system. The mission of the BOP is to protect society by confining offenders in prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities for inmates so that they can become productive citizens after they are released. The BOP currently operates 121 correctional facilities across the country.<sup>7</sup> It also contracts with Residential Re-entry Centers (RRCs; i.e., halfway houses) to provide assistance to inmates nearing release. RRCs provide inmates with a structured and supervised environment along with employment counseling, job placement services, financial management assistance, and other programs and services.

---

<sup>7</sup> U.S. Department of Justice, Bureau of Prisons, *About the Bureau of Prisons, Federal Prisons*, [http://www.bop.gov/about/facilities/federal\\_prisons.jsp](http://www.bop.gov/about/facilities/federal_prisons.jsp).

## **Office on Violence Against Women (OVW)**

The Office on Violence Against Women (OVW) was established 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.

## **Office of Justice Programs (OJP)**

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.

## **Research, Evaluation, and Statistics**

The Research, Evaluation, and Statistics account (formerly the Justice Assistance account) funds the operations of the Bureau of Justice Statistics and the National Institute of Justice, among other things.

## **State and Local Law Enforcement Assistance**

The State and Local Law Enforcement Assistance account includes funding for a variety of grant programs to improve the functioning of state, local, and tribal criminal justice systems. Some examples of programs that have traditionally been funded under this account include the Edward Byrne Memorial Justice Assistance Grant (JAG) program, the Drug Courts program, the State Criminal Alien Assistance Program (SCAAP), and DNA backlog reduction grants.

## **Juvenile Justice Programs**

The Juvenile Justice Programs account includes funding for grant programs to reduce juvenile delinquency and help state, local, and tribal governments improve the functioning of their juvenile justice systems.

## **Public Safety Officers Benefits Program (PSOB)**

The Public Safety Officers Benefits (PSOB) program provides three different types of benefits to public safety officers and their survivors: death, disability, and education. The PSOB program is intended to assist in the recruitment and retention of law enforcement officers, firefighters, and first responders.

## **Community Oriented Policing Services (COPS)**

The 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.

## The Crime Victims Fund

The Crime Victims Fund (CVF) was established by the Victims of Crime Act of 1984 (P.L. 98-473, VOCA). It is administered by the Office for Victims of Crime (OVC), and provides funding to the states and territories for victim compensation and assistance programs. This account does not receive appropriations but instead is largely funded by criminal fines, forfeited bail bonds, penalties, and special assessments that are collected by U.S. Attorneys' Offices, U.S. courts, and the BOP.<sup>8</sup>

## FY2015 and FY2016 Appropriations for DOJ

The Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235) provided a total of \$27.030 billion for DOJ for FY2015. The Administration requests \$29.289 billion for DOJ for FY2016, an increase of 8.4% (\$2.259 billion).

**Table I. DOJ Appropriations, FY2015 and FY2016**

Budget authority in millions of dollars

Account	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Passed	FY2016 Enacted
General Administration	573.0	735.0			
General Administration	(137.3)	(156.9)			
Salaries and Expenses	(111.5)	(119.4)			
Justice Information Sharing Technology	(25.8)	(37.4)			
Administrative Review and Appeals	(347.1)	(484.4)			
Office of the Inspector General	(88.6)	(93.7)			
U.S. Parole Commission	13.3	13.5			
Legal Activities	3,220.2	3,513.5			
General legal activities	(885.0)	(1,037.4)			
United States Attorneys	(1,960.0)	(2,032.2)			
Antitrust Division (direct appropriation) <sup>a</sup>	(62.2)	(61.5)			
U.S. Trustee Program <sup>b</sup>	(225.9)	(228.1)			
Offsetting Fee Receipts (U.S. Trustee Program)	(-225.9)	(-162.4)			
Foreign Claims Settlement Commission	(2.3)	(2.4)			
Fees and Expenses of Witnesses	(270.0)	(270.0)			

<sup>8</sup> U.S. Department of Justice, Office for Victims of Crime, *About OVC, Crime Victims Fund*, <http://www.ojp.usdoj.gov/ovc/about/victimsfund.html>.

Account	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Passed	FY2016 Enacted
Community Relations Service	(12.3)	(14.4)			
Assets Forfeiture Fund	(20.5)	(20.5)			
Vaccine Injury Compensation Trust Fund	(7.8)	(9.4)			
United States Marshals Service	1,700.1	2,700.0			
Salaries and Expenses	(1,195.0)	(1,230.6)			
Construction	(9.8)	(15.0)			
Federal Prisoner Detention	(495.3) <sup>c</sup>	(1,454.4)			
National Security Division	93.0	96.6			
Interagency Law Enforcement	507.2	519.3			
Federal Bureau of Investigation	8,436.6	8,483.6			
Salaries and Expenses	(8,326.6)	(8,414.6)			
Construction	(110.0)	(69.0)			
Drug Enforcement Administration	2,033.3	2,091.6			
Bureau of Alcohol, Tobacco, Firearms and Explosives	1,201.0	1,261.2			
Federal Prison System	6,923.7	7,347.4			
Salaries and Expenses	(6,815.0)	(7,204.2)			
Construction	(106.0)	(140.6)			
Limitation on Administrative Expenses, Federal Prison Industries	(2.7)	(2.7)			
Office on Violence Against Women	430.0	473.5			
Office of Justice Programs	1,690.8	1,749.9			
Research, Evaluation, and Statistics	(111.0)	(151.9)			
State and Local Law Enforcement Assistance	(1,241.0)	(1,142.3)			
Juvenile Justice Programs	(251.5)	(339.4)			
Public Safety Officers Benefits	(87.3)	(116.3)			
Community Oriented Policing Services	208.0	303.5			
Crime Victims Fund (CVF)	2,361.0	1,000.0			
Offsetting Receipts (CVF)	-2,361.0	-1,000.0			
<b>Total</b>	<b>27,030.2<sup>d</sup></b>	<b>29,288.6<sup>e</sup></b>			

**Source:** The FY2015-enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 11, 2014, *Congressional Record* (pp. H9342-H9363). The FY2016-requested amounts were taken from the budget justifications for the Department of Justice.

**Notes:** Amounts may not add to totals due to rounding. Amounts do not include any rescissions of unobligated balances, nor do they reflect any scorekeeping adjustments. Amounts in parenthesis are subaccounts.

a. Part of the annual appropriation for the Antitrust Division is offset by pre-merger filing fee collections.

- b. The U.S. Trustee Program has historically been fully funded by the U.S. Trustee System Fund, which consists primarily of fees paid by parties and businesses invoking bankruptcy protection.
- c. This amount does not include a required transfer of \$1.1 billion in unobligated balances from the Assets Forfeiture Fund to the U.S. Marshals Federal Prisoner Detention account.
- d. This amount does not include \$671.7 million in rescissions of prior-year unobligated balances.
- e. This amount does not include a proposed \$563.5 million in rescissions of prior-year unobligated balances.

## Select Proposals from the Administration

This section of the report provides an overview of some of the Administration's proposals in its FY2016 budget for DOJ. While policymakers might have an interest in a wide variety of topics within the purview of DOJ's responsibilities, the proposals discussed in this section are based on topics that either tend to be a perennial interest for policymakers or which have become topics of national significance due to recent events.

### Resources for the ATF's Administrative and Enforcement Missions

The ATF is the lead federal law enforcement agency charged with administering and enforcing federal laws related to firearms and explosives commerce.<sup>9</sup> The ATF is also responsible for investigating arson cases with a federal nexus, and criminal cases involving the diversion of alcohol and tobacco from legal channels of commerce.<sup>10</sup>

The ATF's FY2016 budget justification asserts that the agency does not have enough resources to monitor the firearms industry, or conduct routine firearms traces for other law enforcement agencies. The ATF has maintained that it cannot meet its goal of inspecting every federal firearms license (FFL) for compliance on a three-year cycle. The Administration, moreover, has maintained that the ATF has been hamstrung by appropriations limitations, an increase in the number of FFLs, and a surge in firearms-related commerce. For FY2014, for example, ATF reported that it could only conduct 10,000 FFL compliance inspections, a 24% decrease from the previous year, and covering only 7% of the FFL population.

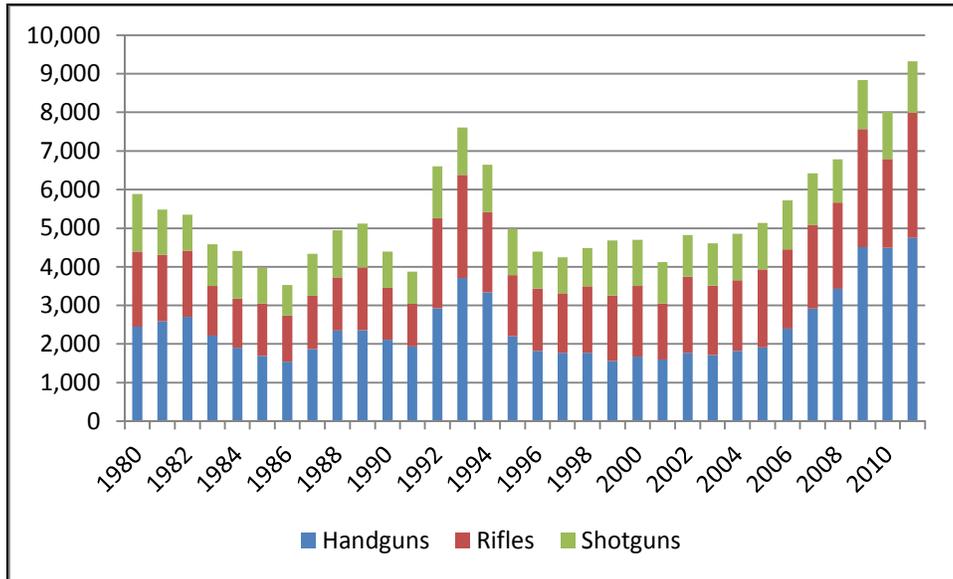
**Figure 1** illustrates the net increase in the annual civilian gun stock. Total stock has fluctuated over the past 32 years but has generally increased from a little less than 5 million in 2003 to over 9 million in 2011. Annual increases in the civilian gun stock could be viewed as one possible measure for the ATF's correspondingly increasing responsibilities to monitor the gun industry and commerce.

---

<sup>9</sup> The ATF was originally established as a separate bureau in the Department of the Treasury in 1972 by Treasury Department Order No. 120-1. As part of the Homeland Security Act, Congress transferred the ATF's enforcement and regulatory functions for firearms and explosives to DOJ from the Department of the Treasury, adding "explosives" to the ATF's title. See P.L. 107-296, 116 Stat. 2135, November 25, 2002, §1111 (effective January 24, 2003).

<sup>10</sup> The regulatory aspects of alcohol and tobacco commerce are the domain of the Tax and Trade Bureau (TTB), which encompasses former components of the ATF that remained at Treasury when other components of the ATF described above were transferred to DOJ on January 24, 2003, under P.L. 107-296.

**Figure I. Annual Net Increases in U.S. Civilian Gun Stock (1980-2011)**



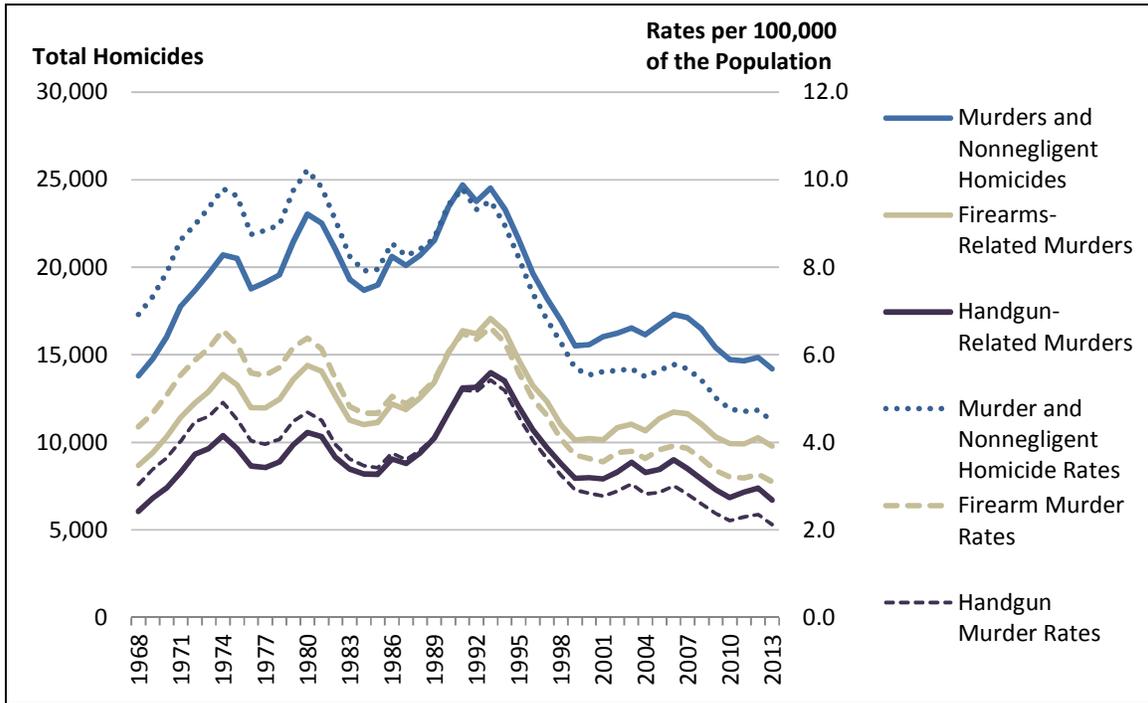
**Source:** Bureau of Alcohol, Tobacco, Firearms, and Explosives publications: *Commerce in Firearms in the United States* (February 2000), *Firearms Commerce Reports, 2012*, and *Annual Firearms Manufacturing and Exportation Report, 2013*.

**Notes:** Does not include certain pistol grip firearms, starter guns, and firearms frames and receivers, which generally fall under a category labeled “miscellaneous” by the ATF.

For FY2015 the ATF reports that it has allocated \$1.014 billion (84.4%) of its \$1.201 billion appropriation under its “law enforcement operations” budget decision unit. The ATF proposes allocating a similar percentage (84.4%) for FY2016 for this budget decision unit. This means that less than 16% of ATF-appropriated funding would be allocated for its other budget decision unit, “investigative support services,” which would fund other arguably mission-critical activities, including FFL compliance inspections and firearms traces.

In its FY2016 budget justifications, the ATF cited incidents of murder (and nonnegligent homicide), robbery, and aggravated assault committed with a firearm in calendar year 2012. As **Figure 2** shows, about two-thirds of murders were committed with firearms from 1968 to 2013. About half of those murders were committed with handguns. Murders—committed with or without firearms—declined in the 1990s, fluctuated somewhat in the 2000s, but continued to decrease from 2007 to 2013. While the overall number of homicides was higher from 1999 through 2013 than in 1968, the rate per 100,000 of the population was lower for those years than in 1968.

**Figure 2. Estimated Firearms-Related Murders and Nonnegligent Homicides**



Source: Federal Bureau of Investigation, *Uniform Crime Reports*.

While the ATF has traditionally allocated a greater share of its resources toward its enforcement mission over its regulatory (administrative) mission, the emphasis on enforcement over administration might have been exacerbated by the ATF’s transfer from the Department of the Treasury to DOJ.

## Funding to Combat Cybercrime

For over three decades, Congress has been concerned about cybercrime and its related threats.<sup>11</sup> Today, these concerns often arise in a larger discussion surrounding the federal government’s role in ensuring cybersecurity. Specifically, there is interest in ensuring the federal government has the tools and capabilities to combat modern-day crimes—particularly crimes with cyber components—while safeguarding privacy rights.<sup>12</sup>

While a number of departments and agencies are involved in ensuring cybersecurity and thwarting cyber threats, DOJ has a particularly prominent role in countering cybercrime. Combatting cybercriminals is an issue that cuts across DOJ’s investigative, intelligence, prosecutorial, and technological components. Not only must DOJ protect its own critical information systems from cyber intrusions, but the department must also be poised to investigate

<sup>11</sup> The original version of the Computer Fraud and Abuse Act was passed as part of the Comprehensive Crime Control Act of 1984 (P.L. 98-473). Prior to this, hearings were held over several Congresses. For more information on cybercrime, see CRS Report R42547, *Cybercrime: Conceptual Issues for Congress and U.S. Law Enforcement*, by Kristin Finklea and Catherine A. Theohary.

<sup>12</sup> See, for example, U.S. Congress, Senate Committee on the Judiciary, *Privacy in the Digital Age: Preventing Data Breaches and Combating Cybercrime*, 113<sup>th</sup> Cong., 2<sup>nd</sup> sess., February 4, 2014.

and prosecute modern-day cybercriminals. The President's FY2016 budget request for DOJ has prioritized cybersecurity and includes about \$26.8 million in proposed cybersecurity increases.

In bolstering DOJ's cybersecurity infrastructure, the President's FY2016 budget request includes an additional \$4.1 million in non-personnel costs for the information technology (IT) Transformation and Cybersecurity Program. With respect to cybersecurity, this money is specifically requested to acquire technology that will better enable the department to detect advanced persistent threats and insider threats.<sup>13</sup> Some may question how the federal government—including DOJ—may enhance its systems and networks to keep pace with, or even stay ahead of, criminals.

Within DOJ, the FBI is the lead agency investigating cybercrime and related criminal activities. Specifically, the FBI is involved in “investigating [computer and network] intrusions to determine criminal, terrorist, and nation-state actor identities, and engaging in activities which reduce or neutralize these threats.”<sup>14</sup> Efforts include a Cyber Division at FBI headquarters, cyber squads operating around the country, cyber action teams that can be rapidly deployed around the world, and computer crimes task forces combining federal, state, and local partners.<sup>15</sup> Through the Next Generation Cyber Initiative, the FBI is focusing its cyber investigations on examining intrusions, hiring employees with specific technology expertise, and enhancing collaboration at the National Cyber Investigative Joint Task Force.<sup>16</sup> The President's FY2016 budget request includes an additional \$10.3 million in non-personnel costs to support the Next Generation Cyber Initiative. Within this initiative, the Administration proposes that the requested funding increase would improve cyber investigations as well as cyber data collection and analysis.<sup>17</sup>

With respect to prosecuting cybercrime, the U.S. Attorneys and the Criminal Division at DOJ are both centrally involved. In enforcing federal criminal laws, the Criminal Division—namely through its Computer Crimes and Intellectual Property Section, which as of December 2014 includes a dedicated Cybersecurity Unit—has developed several Strategic Initiatives to Address Cyber Threats. These include training investigators and attorneys on cybercrime and digital evidence, increasing DOJ's digital forensics capacity, enhancing DOJ's cyberthreat expertise, improving information sharing efforts with the private sector, expanding relationships with foreign law enforcement partners, and enhancing cyberpolicy development.<sup>18</sup> The Administration is proposing to expand these initiatives by \$6.1 million and 54 positions over the existing \$27.9 million and 118 positions.<sup>19</sup> The U.S. Attorneys, particularly through the Computer Hacking and Intellectual Property (CHIP) attorneys and National Security Cyber Specialists (NSCS) Network, prosecute cyber threats. As the number, scope, and complexity of cybercrime cases has grown,

<sup>13</sup> U.S. Department of Justice, *FY2016 Performance Budget, Congressional Justification, Justice Information Sharing Technology*, pp. 18-19.

<sup>14</sup> U.S. Department of Justice, *FY2016 Performance Budget, Congressional Justification, Federal Bureau of Investigation*, p. 1-5.

<sup>15</sup> Federal Bureau of Investigation, *Computer Intrusions*, <http://www.fbi.gov/about-us/investigate/cyber/computer-intrusions>.

<sup>16</sup> Federal Bureau of Investigation, “Robert Anderson, Jr., Executive Assistant Director, Criminal, Cyber, Response, and Services Branch, Statement Before the Senate Committee on Homeland Security and Governmental Affairs,” press release, September 10, 2014.

<sup>17</sup> U.S. Department of Justice, *FY2016 Performance Budget, Congressional Justification, Federal Bureau of Investigation*, pp. 5-1 – 5-6.

<sup>18</sup> U.S. Department of Justice, *FY2016 Performance Budget, Congressional Justification, Criminal Division*, p. 43.

<sup>19</sup> U.S. Department of Justice, *FY2016 Budget Request: National Security*, p. 3.

DOJ is requesting \$6.1 million and 60 positions (over the existing \$11.9 million and 68 positions) to help enhance cybercrime prosecutions.<sup>20</sup>

As cybercrime threats impact not only public safety but also national security, DOJ's National Security Division (NSD) is involved in "the full range of U.S. cyber and cybersecurity efforts, including cyber threat prevention, detection, investigation, and prosecutions, cybersecurity program development and oversight, cybersecurity vulnerability management, and cyber policy development. To keep pace with the unique challenges of this evolving threat, NSD will need to recruit, hire, and train additional cyber specialists."<sup>21</sup> As such, for FY2016 the Administration requests an expansion of \$1.7 million and 12 positions over the existing \$2.7 million and 19 positions.<sup>22</sup>

## The "Smart on Crime" Initiative

Crime in the United States, especially violent crime, is at a historic low. The FBI reported that the violent crime rate for 2013 was 368 violent crimes per 100,000 people, which is approximately half of what the rate was at its peak in 1991.<sup>23</sup> The violent crime rate in 2013 was the lowest it had been since 1969. However, at the end of 2013 there were over 2.2 million people incarcerated in the United States, which included nearly 1.6 million prison inmates and another 730,000 people incarcerated in local jails.<sup>24</sup> In comparison, at the end of 1990 there were approximately 740,000 prison inmates and 405,000 people incarcerated in jails.<sup>25</sup> Research suggests that although incarceration did contribute to lower violent crime rates in the 1990s (one estimate is that increased incarceration was responsible for approximately 5% of the drop in crime in the 1990s), there are declining marginal returns associated with ever-increasing levels of incarceration.<sup>26</sup>

There is a growing sense that the United States can no longer afford to rely solely on incarceration as a means to public safety. Spending on corrections is straining public budgets. The Justice Center at the Council of State Governments notes that state spending on corrections increased from \$12 billion in 1988 to \$53 billion in 2012.<sup>27</sup> Funding for the Bureau of Prisons

<sup>20</sup> Ibid. See also U.S. Department of Justice, *FY2016 Performance Budget, Congressional Justification, United States Attorneys*, p. 54.

<sup>21</sup> U.S. Department of Justice, *FY2016 Performance Budget, Congressional Justification, National Security Division*, p. 41.

<sup>22</sup> U.S. Department of Justice, *FY2016 Budget Request: National Security*, p. 4.

<sup>23</sup> Violent crime rates for the years 1960-2012 can be found in University at Albany, School of Criminal Justice, Hindelang Criminal Justice Research Center, *Sourcebook of Criminal Justice Statistics (online)*, Table 3.106.2012. The violent crime rate for 2013 can be found in Federal Bureau of Investigation, *Crime in the United States, 2013*, Table 1.

<sup>24</sup> Lauren E. Glaze and Danielle Kaoble, *Correctional Populations in the United States, 2013*, U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, NCJ 248479, Washington, DC, December 2014, p. 2, <http://www.bjs.gov/content/pub/pdf/cpus13.pdf>.

<sup>25</sup> University at Albany, School of Criminal Justice, Hindelang Criminal Justice Research Center, *Sourcebook of Criminal Justice Statistics (online)*, Table 6.1.2011.

<sup>26</sup> For a discussion of what contributed to decreasing crime rates in the 1990s see Inimai M. Chettiar, "The Many Causes of America's Decline in Crime," *The Atlantic*, February 11, 2015, <http://www.theatlantic.com/features/archive/2015/02/the-many-causes-of-americas-decline-in-crime/385364/>. For a discussion on the marginal returns of increasing incarceration rates, see Anne Morrison Piehl and Bert Useem, "Prisons," in *Crime and Public Policy*, ed. Joan Petersilia and James Q. Wilson, 2<sup>nd</sup> ed. (New York: Oxford University Press, 2011), p. 542.

<sup>27</sup> Council of State Governments, Justice Center, *About Justice Reinvestment*, <http://csgjusticecenter.org/jr/about/>.

(BOP) accounted for approximately 25% of the total FY2015 appropriation for DOJ.<sup>28</sup> In addition to the financial cost of operating prisons, there is a social cost associated with increasing levels of incarceration. More people, especially black males, are having problems finding work because they have criminal histories; more children are growing up in homes where their father is incarcerated; and some neighborhoods in urban areas have to cope with the effects of a growing number of returning ex-offenders.<sup>29</sup>

### DOJ's "Smart on Crime" Initiative

In early 2013, at the direction of Attorney General Holder, DOJ conducted a review of the criminal justice system in order to promote the fair and effective enforcement of federal laws. As part of its review, DOJ studied all phases of the criminal justice system, including charging, sentencing, incarceration, and re-entry, to identify the practices that are successful at deterring crime and protecting the public. According to DOJ, the initiative focuses on using its resources for its important law enforcement priorities, addressing disparate impacts in the criminal justice system, and changing DOJ's response to low-level, nonviolent offenses. The initiative also seeks to bolster re-entry and rehabilitation programs to reduce recidivism.

The Administration requests \$247 million in program increases for the "Smart on Crime" initiative, which includes some of the following proposed increases:

- \$10 million to fund Prevention and Re-entry Coordinators in each U.S. Attorneys office. Each coordinator would work on prevention and re-entry efforts for the district.
- \$15 million for the U.S. Attorneys to expand diversion and re-entry efforts for each district.
- \$146 million for the BOP to expand re-entry and recidivism-reducing programs, including programs to strengthen family bonds, expand vocational training and the employer bonding program, and hire more mental health staff.
- \$2 million for the Office of the Pardon Attorney to hire additional staff to help review applications for clemency received from certain low-level, nonviolent offenders seeking to have their sentences reduced under the Administration's clemency initiative.<sup>30</sup>

Also, the Administration requests an additional \$52 million (for a total of \$120 million) for grants to state, local, and tribal governments under the Second Chance Act. Grants authorized under the act provide funding for employment assistance, substance abuse treatment, housing, family programming, mentoring, victims support, and other services that can help reduce recidivism.

<sup>28</sup> For FY2015, Congress appropriated \$27.030 billion for DOJ, of which \$6.924 billion was for BOP. See CRS Report R43509, *Commerce, Justice, Science, and Related Agencies: FY2015 Appropriations*, coordinated by Nathan James, Jennifer D. Williams, and John F. Sargent Jr.

<sup>29</sup> For a discussion of the issues related to incarceration and offender reentry, see Jeremy Travis, *But They All Come Back: Facing the Challenges of Prisoner Reentry* (Washington, DC: Urban Institute Press, 2005).

<sup>30</sup> For more on the Administration's clemency initiative, including the criteria for applying for a sentence commutation under the initiative, see <http://www.justice.gov/opa/pr/announcing-new-clemency-initiative-deputy-attorney-general-james-m-cole-details-broad-new>.

## Immigration Case Backlogs

The Attorney General is responsible for the review and adjudication of immigration cases in coordination with the Department of Homeland Security's (DHS's) efforts. The Executive Office of Immigration Review (EOIR) conducts immigration court proceedings, appellate reviews, and administrative hearings on behalf of DOJ. The EOIR's mission is to "provide the timely and uniform interpretation and application of immigration law, ensuring due process and fair treatment for all parties involved."<sup>31</sup> The EOIR operates 58 immigration courts across the country.<sup>32</sup>

The EOIR is facing a backlog of immigration cases due to increased enforcement efforts by DHS and a decrease in the number of immigration judges. DOJ notes that the EOIR's workload is largely dictated by cases brought by DHS seeking the removal of undocumented aliens from the United States.<sup>33</sup> DOJ notes that DHS enforcement efforts spiked last summer when a high volume of families and unaccompanied children were identified along the Southwest border, which resulted in an increase in the EOIR's caseload. DOJ reports that the number of cases pending adjudication rose from 262,681 at the end of FY2010 to 418,861 at the end of FY2014, a nearly 60% increase in five fiscal years.<sup>34</sup> The backlog of immigration cases can also be attributed to the decreasing number of immigration judges. DOJ reports that there were 237 immigration judges as of January 2015, down from a high of 272 by mid-December 2010.<sup>35</sup>

For FY2016, the Administration requests a \$124 million increase for the EOIR to help work through immigration case backlogs. This includes \$50 million for legal representation for children, \$60 million for immigration judge teams, and \$10 million to expand the Legal Orientation Program.<sup>36</sup>

## Countering Violent Extremism

Recent "lone wolf" terrorist attacks in France and Denmark and concerns about the rise of the Islamic State might generate concerns amongst policymakers about radicalized individuals conducting a similar attack in the United States. According to the Administration, one of DOJ's highest priorities is protecting U.S. citizens from both domestic and foreign terrorism.<sup>37</sup> The Administration argues that national security threats are "constantly evolving, requiring additional investments to adapt to those threats in innovative ways."<sup>38</sup>

---

<sup>31</sup> U.S. Department of Justice, *FY2016 Congressional Budget Submission, Administrative Review and Appeals*, p. 2.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid., p. 15.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid., p. 14.

<sup>36</sup> The Legal Orientation Program educates detained aliens about their rights and the overall immigration hearing process.

<sup>37</sup> U.S. Department of Justice, *National Security*, FY2016 Budget Fact Sheet, p. 1, [http://www.justice.gov/sites/default/files/jmd/pages/attachments/2015/01/30/1\\_national\\_security\\_fact\\_sheet.pdf](http://www.justice.gov/sites/default/files/jmd/pages/attachments/2015/01/30/1_national_security_fact_sheet.pdf).

<sup>38</sup> Ibid.

### What Is Countering Violent Extremism?

In August 2011, the Obama Administration announced its Countering Violent Extremism (CVE) strategy. It is designed to address the forces that influence some people living in the United States to acquire and hold radical or extremist beliefs that may eventually compel them to commit terrorism. This was the first such strategy for the federal government. Since the Al Qaeda attacks of September 11, 2001, the U.S. government has prosecuted hundreds of individuals on terrorism charges. Unlike the necessarily secretive law enforcement and intelligence efforts driving these investigations, the CVE strategy includes sizeable government activity within the open marketplace of ideas, where private citizens are free to weigh competing ideologies and engage in constitutionally protected speech and expression. The federal CVE strategy has revolved around (1) enhancing the federal government's engagement with local communities on issues tied to terrorism, (2) developing greater government and law enforcement expertise for preventing violent extremism, and (3) countering violent extremist propaganda.<sup>39</sup>

For FY2016, the Administration requests \$15 million in funding for grants and training and technical assistance to help state and local governments counter violent extremism (CVE). The Administration's request includes the following:

- \$6 million under the State and Local Law Enforcement Assistance account for a Countering Violent Extremism grant program that would provide funding to support flexible, locally developed, community-led CVE models. The proposed program would emphasize coordination with federal partners, knowledge building, and model development by requiring research, technical assistance, and program assessment.
- \$4 million under the Research, Evaluation, and Statistics account to conduct research to identify causes of violent extremism and related phenomena and advance evidence-based strategies for prevention and intervention.
- \$3 million under the Community Oriented Policing Services account to enhance the ability of law enforcement agencies to partner with local residents, community groups, and other stakeholders to combat CVE through community policing practices.
- \$2 million set-aside from the Edward Byrne Memorial Justice Assistance Grant program to provide training and technical assistance to state and local law enforcement in their CVE efforts.

However, the \$15 million represents only part of DOJ's effort in this area. Policymakers are left in the dark regarding the rest of DOJ's CVE expenditures—namely how much U.S. Attorneys (charged with leading federal CVE efforts) and the FBI (a significant federal CVE player) spend on the program.<sup>40</sup> Providing such granular insight may not be particularly important for the budgets of many DOJ programs. However, one can argue that an effective CVE program *transparently* operates in the public arena, and a detailed accounting of DOJ's CVE programs would help provide such transparency and facilitate congressional oversight. Additionally, some Muslim community leaders have been wary of DOJ's CVE efforts, in part because the department is also charged with intelligence gathering and pursuing terrorists.<sup>41</sup> Greater budgetary

<sup>39</sup> *Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States*, December 2011, <http://www.whitehouse.gov/sites/default/files/sip-final.pdf>.

<sup>40</sup> *Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States*, December 2011, <http://www.whitehouse.gov/sites/default/files/sip-final.pdf>.

<sup>41</sup> Paul McEnroe, "Twin Cities Muslim Leaders Challenge Federal Outreach Effort as Cloak for Spying," *Minneapolis Star Tribune*, February 17, 2015; Juliet Eilperin, "Trying to Counter Extremism at Home, U.S. Faces a Risk: Sowing (continued...)"

transparency may allay the fears that some community and advocacy groups have about CVE—that it is an effort to co-opt communities into the security process, providing tips, leads, sources, and informants rather than real engagement. Some maintain that this threatens to “securitize” a relationship intended as outreach within the marketplace of ideas.

## Grants for State and Local Law Enforcement

Some policymakers might believe that state and local governments, not the federal government, should be responsible for providing funding for police forces, and that it is not prudent to increase funding for law enforcement at a time when crime is decreasing and the federal government is facing annual deficits. Some policymakers might also believe that it would be short-sighted, in a tight budgetary environment, to scale back funding for DOJ agencies in order to support grants for state and local law enforcement. However, some policymakers might also believe that grants to state and local law enforcement might be a way to provide for the safety of U.S. citizens, since much of the country’s law enforcement services are provided by local law enforcement agencies.

Appropriations for two of DOJ’s most prominent grant programs to assist state and local law enforcement—the Edward Byrne Memorial Justice Assistance Grant (JAG) and the COPS hiring programs—have decreased in recent fiscal years. Appropriations for JAG decreased from a high of \$539 million in FY2009 to \$333 million in FY2015.<sup>42</sup> The Administration requests \$320 million for the JAG program for FY2016. Appropriations for the COPS program have decreased from \$298 million in FY2010 to \$135 million in FY2015.<sup>43</sup> The Administration requests \$210 million for the COPS hiring program for FY2016.

Some policymakers may be interested in providing grants to state and local governments to foster better police-community relations and enhance police accountability in light of recent civilian deaths at the hands of law enforcement officers in Ferguson, MO, and Staten Island, NY. As mentioned, the Administration requests \$210 million for the COPS hiring program. This program provides grants to state, local, and tribal law enforcement agencies to help them hire new officers to engage in community policing activities. The President’s budget also includes requests for

- \$5 million under the COPS account for incentive grants to promote diversity in law enforcement;
- \$20 million under the COPS account for the Collaborative Reform Initiative, which provides funding to technical assistance providers to help law enforcement agencies assess issues that affect their relationships with the communities they serve;

---

(...continued)

More Mistrust,” *Washington Post*, February 16, 2015.

<sup>42</sup> The FY2009 appropriation does not include the \$2 billion Congress appropriated for JAG under the American Recovery and Reinvestment Act of 2009 (P.L. 111-5). The appropriations for JAG exclude set-asides for other programs or purposes. For more information on annual set-asides from the JAG program, see CRS Report RS22416, *Edward Byrne Memorial Justice Assistance Grant (JAG) Program*, by Nathan James.

<sup>43</sup> Congress provided \$1 billion for the COPS hiring program under the American Recovery and Reinvestment Act of 2009 (P.L. 111-5). The FY2015 appropriation for the COPS hiring program excludes transfers to other programs. For more information on appropriations for the COPS hiring program, see CRS Report RL33308, *Community Oriented Policing Services (COPS): In Brief*, by Nathan James.

- \$30 million under the State and Local Law Enforcement Assistance account to help law enforcement agencies purchase, deploy, and maintain body-worn cameras (BWCs)<sup>44</sup> and \$10 million to study the effectiveness of BWCs and develop best practices for BWC programs; and
- \$20 million under the State and Local Law Enforcement Assistance account for grants to support efforts focused on enhancing procedural justice, reducing bias, and supporting racial reconciliation in the criminal and juvenile justice systems.

## Funding for Marijuana Enforcement

Over half of all states as well as the District of Columbia allow for medical use of marijuana. These states do so in various ways.<sup>45</sup> For example, while some states exempt qualified users of medical marijuana from state prosecution, others specifically authorize and regulate medical marijuana.<sup>46</sup> In 1996, California enacted a comprehensive law that allows patients to obtain and use marijuana for multiple medical purposes.<sup>47</sup> While some states have legalized medical marijuana in their respective jurisdictions, medical marijuana remains illegal under federal law.

The federal Controlled Substances Act (CSA)<sup>48</sup> does not distinguish between the medical and recreational use of marijuana. Under the CSA, marijuana has “no currently accepted medical use in treatment in the United States,”<sup>49</sup> and states’ allowance of its use for medical purposes contrasts with the federal position. Federal law enforcement has investigated, arrested, and prosecuted individuals for medical marijuana-related offenses *regardless* of whether they are in compliance with state law; however, federal law enforcement emphasizes the investigation and prosecution of growers and dispensers over the individual users of medical marijuana.

In an effort to curtail federal interference with state medical marijuana laws, Congress enacted as part of the FY2015 Appropriations Act language that prohibits DOJ from using funds provided in the act to “prevent” 32 states and the District of Columbia from “implementing their own State laws that authorize the use, distribution, possession, or cultivation of medical marijuana.”<sup>50</sup> While media outlets and others have characterized this language as preventing DOJ from *enforcing* federal marijuana laws in states listed in the appropriations law, it remains unclear whether this

---

<sup>44</sup> Body-worn cameras are mobile cameras that allow law enforcement officers to record what they see and hear. They can be attached to a helmet, a pair of glasses, or an officer’s shirt or badge.

<sup>45</sup> National Conference of State Legislatures, State Medical Marijuana Laws, November 2014, <http://www.ncsl.org/issues-research/health/state-medical-marijuana-laws.aspx>.

<sup>46</sup> For a broader discussion of state medical marijuana laws, see CRS Report R42398, *Medical Marijuana: The Supremacy Clause, Federalism, and the Interplay Between State and Federal Laws*, by Todd Garvey.

<sup>47</sup> See CA Proposition 215, <http://vote96.sos.ca.gov/BP/215text.htm>.

<sup>48</sup> The CSA, enacted as Title II of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (P.L. 91-513), placed the control of select plants, drugs, and chemical substances under federal jurisdiction. Congress passed this legislation, in part, to replace previous federal drug laws with a single comprehensive statute. While federal agencies enforce drug laws under the CSA, all states and territories have their own statutory frameworks through which they enforce drug laws; however, the CSA places drug control under federal jurisdiction regardless of state laws. In other words, federal agencies may enforce the CSA in all states and territories. For more information about the CSA and drug enforcement in the United States, see CRS Report R43749, *Drug Enforcement in the United States: History, Policy, and Trends*, by Lisa N. Sacco.

<sup>49</sup> 21 U.S.C. §812(b)(1).

<sup>50</sup> P.L. 113-235, §538.

language will stop DOJ from prosecuting individuals who are in compliance with state law but violating federal law (the CSA).

The DEA is the primary federal agency responsible for enforcing the CSA. In the DEA's FY2016 Performance Budget Congressional Submission, the agency cites state allowance of the cultivation, distribution, possession, and use of marijuana for medical purposes as an obstacle in meeting its performance objectives in FY2016.<sup>51</sup> The FY2015 enacted appropriation for the DEA was \$2.94 billion, and in FY2016 the Administration requests \$3.01 billion. While it is difficult to decipher how much of the DEA budget is used toward marijuana enforcement, the agency's Domestic Cannabis Eradication/Suppression Program exclusively targets marijuana. This program is funded under the DEA's Domestic Enforcement account, which encompasses the majority of the DEA's investigative and support resources. The FY2015 enacted amount for the DEA's Domestic Enforcement account was \$1.59 billion, and the FY2016 budget request is \$1.61 billion.

---

<sup>51</sup> U.S. Department of Justice, Drug Enforcement Administration, *FY2016 Performance Budget Congressional Submission*, p. 30, [http://www.justice.gov/sites/default/files/jmd/pages/attachments/2015/02/01/25\\_drug\\_enforcement\\_administration\\_dea.pdf](http://www.justice.gov/sites/default/files/jmd/pages/attachments/2015/02/01/25_drug_enforcement_administration_dea.pdf).

## Appendix. DOJ Grant Programs

This appendix provides a breakdown of FY2015 appropriations and the FY2016 budget request for grant programs funded under the Office on Violence Against Women (OVW); Research, Evaluation, and Statistics; State and Local Law Enforcement Assistance; Juvenile Justice Programs; and Community Oriented Policing Services accounts.

**Table A-1. Funding for OVW Programs, FY2015 and FY2016**

Budget authority in millions of dollars

Program	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Passed	FY2016 Enacted
STOP Grants	\$195.0	\$193.0			
Research and Evaluation on Violence Against Women	3.0	3.0			
Transitional Housing Assistance	26.0	25.0			
Grants to Encourage Arrest Policies	50.0	50.0			
Homicide Reduction Initiative	(4.0)	(4.0)			
Rural Domestic Violence and Child Abuse Enforcement Assistance Grants	33.0	33.0			
Violence on College Campuses	12.0	26.0			
Improve Campus Response to Sexual Violence	—	(14.0)			
Civil Legal Assistance	42.5	52.5			
Sexual Assault Victims Services	30.0	27.0			
Elder Abuse Grant Program	4.5	4.3			
Education and Training for Disabled Female Victims	6.0	5.8			
Research on Violence Against Indian Women	1.0	1.0			
Consolidated Youth Oriented Program	10.0	10.0			
National Resource Center on Workplace Responses	0.5	0.5			
Indian Country Sexual Assault Clearinghouse	0.5	0.5			
Family Civil Justice Program	16.0	16.0			
VAWA 20/20 Initiative	—	21.0			

Program	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Passed	FY2016 Enacted
Tribal Special Domestic Violence Criminal Jurisdiction	—	5.0			
<b>Total: OVW</b>	<b>430.0</b>	<b>473.5</b>			

**Source:** The FY2015-enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 11, 2014, *Congressional Record* (pp. H9342-H9363). The FY2016-requested amounts were taken from the budget justifications for the Department of Justice.

**Note:** Amounts may not add to totals due to rounding.

**Table A-2. Funding for Research, Evaluation, and Statistics, FY2015 and FY2016**

Budget authority in millions of dollars

Program	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Passed	FY2016 Enacted
Bureau of Justice Statistics	\$41.0	\$61.4			
National Institute of Justice	36.0	52.5			
Regional Information Sharing System	30.0	25.0			
Evaluation Clearinghouse	—	3.0			
Forensic Science Improvement	4.0	6.0			
Domestic Radicalization Research	—	4.0			
<b>Total: Research, Evaluation, and Statistics</b>	<b>111.0</b>	<b>151.9</b>			

**Source:** The FY2015-enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 11, 2014, *Congressional Record* (pp. H9342-H9363). The FY2016-requested amounts were taken from the budget justifications for the Department of Justice.

**Note:** Amounts may not add to totals due to rounding.

**Table A-3. Funding for State and Local Law Enforcement Assistance Programs, FY2015 and FY2016**

Budget authority in millions of dollars

<b>Program</b>	<b>FY2015 Enacted</b>	<b>FY2016 Request</b>	<b>FY2016 House Passed</b>	<b>FY2016 Senate Passed</b>	<b>FY2016 Enacted</b>
Byrne Memorial Justice Assistance Grants (JAG)	\$376.0	\$388.0			
State and Local Intelligence Training	—	(2.0)			
Bulletproof Vests Grant Program	—	(22.5)			
State and Local Assistance Help Desk and Diagnostic Center	—	(2.0)			
VALOR Initiative	(15.0)	(15.0)			
Evidence-based Policing Initiative	(5.0)	(20.0)			
Prosecutorial Decision-making Initiative	(2.5)	(5.0)			
Training and Technical Assistance to Counter Domestic Violent Extremism	—	(2.0)			
Domestic Radicalization Research	(4.0)	—			
Juvenile Indigent Defense	(2.5)	—			
Grants for Firearms Safety Materials and Gun Locks	(3.0)	—			
Missing Alzheimer's Patient Grants	(0.8)	—			
Byrne Criminal Justice Innovation Program	(10.5)	—			
Byrne Incentive Grants	—	15.0			
Byrne Competitive Grants	—	15.0			
John R. Justice Grant Program	2.0	—			
Tribal Assistance	30.0	—			
State Criminal Alien Assistance Program	185.0	—			
Victims of Trafficking Grants	42.3	10.5			
Residential Substance Abuse Treatment	10.0	14.0			
Mentally Ill Offenders Act	8.5	14.0			
Drug Courts	41.0	36.0			

<b>Program</b>	<b>FY2015 Enacted</b>	<b>FY2016 Request</b>	<b>FY2016 House Passed</b>	<b>FY2016 Senate Passed</b>	<b>FY2016 Enacted</b>
Veterans' Treatment Courts	5.0	4.0			
Prescription Drug Monitoring	11.0	9.0			
Prison Rape Prevention and Prosecution	13.0	10.5			
Capital Litigation/ Wrongful Conviction Review	2.0	2.0			
Missing Alzheimer's Patient Grants	— <sup>a</sup>	—			
Economic, High-tech and Cybercrime Prevention	13.0	15.0			
CASA-Special Advocates	6.0	6.0			
Second Chance Act	68.0	120.0			
Smart Probation	(6.0)	(10.0)			
Children of Incarcerated Parents Demonstration Grants	(5.0)	(10.0)			
Pay for Success	(7.5)	(30.0)			
Violent Gang and Gun Crime Reduction (Project Safe Neighborhoods)	5.0	5.0			
National Criminal History Improvement	73.0	50.0			
NICS Improvements	(25.0)	—			
NICS Improvements	—	5.0			
Paul Coverdell Forensic Science Grants	12.0	—			
Implementation of the Adam Walsh Act	20.0	20.0			
Programs for Children Exposed to Violence	8.0	23.0			
Byrne Criminal Justice Innovation Program	— <sup>a</sup>	29.5			
National Sex Offender Public Website	1.0	1.0			
Bulletproof Vests Grant Program	22.3	— <sup>b</sup>			
DNA Initiatives	125.0	105.0			
Debbie Smith DNA Backlog Grants	(117.0)	—			
Post-conviction DNA Testing Grants	(4.0)	—			

Program	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Passed	FY2016 Enacted
Sexual Assault Nurse Examiners	(4.0)	—			
Rape Kit Backlog Reduction	—	(20.0)			
Grants for Community Teams to Reduce the Sexual Assault Kit Backlog	41.0	41.0			
Campus Public Safety	2.0	—			
Justice Reinvestment Initiative	27.5	45.0			
HOPE Model Implementation Grants	4.0	10.0			
Vision 21	12.5	—			
Ensuring the Right to Counsel for All Individuals	—	5.4			
Competitive Grant Program to Incentivize Statewide Civil Legal Aid Planning	—	5.0			
Program to Promote Fairness in the Criminal Justice System	—	20.0			
Comprehensive School Safety Initiative	75.0	75.0			
Program to Counter Domestic Violent Extremism	—	6.0			
Grants to Purchase Body Worn Cameras	—	30.0			
Next Generation Identification Grants	—	5.0			
National Missing and Unidentified Persons System	—	2.4			
<b>Total: State and Local Law Enforcement</b>	<b>1,241.0</b>	<b>1,142.3</b>			

**Source:** The FY2015-enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 11, 2014, *Congressional Record* (pp. H9342-H9363). The FY2016-requested amounts were taken from the budget justifications for the Department of Justice.

**Note:** Amounts may not add to totals due to rounding.

- a. For FY2015, this program was funded through a set-aside from appropriations for the Edward Byrne Memorial Justice Assistance Grant program.
- b. The Administration proposes to fund this program through a set-aside from the Edward Byrne Memorial Justice Assistance Grant program.

**Table A-4. Funding for Juvenile Justice Programs, FY2015 and FY2016**

Budget authority in millions of dollars

<b>Program</b>	<b>FY2015 Enacted</b>	<b>FY2016 Request</b>	<b>FY2016 House Passed</b>	<b>FY2016 Senate Passed</b>	<b>FY2016 Enacted</b>
Part B—State Formula	\$55.5	\$70.0			
Emergency Planning— Juvenile Detention Facilities	(0.5)	—			
Youth Mentoring Grants	90.0	58.0			
Title V—Delinquency Prevention Grants	15.0	42.0			
Tribal Youth	(5.0)	—			
Gang Prevention	(3.0)	—			
Alcohol Use Prevention	—	—			
Juvenile Justice and Education Collaboration Assistance	—	(10.0)			
Community-based Violence Prevention Initiative	(6.0)	—			
National Forum on Youth Violence Prevention	(1.0)	—			
Investigation and Prosecution of Child Abuse Programs	19.0	11.0			
Juvenile Accountability Block Grants	—	30.0			
Smart on Juvenile Justice Initiative	—	30.0			
Community-based Violence Prevention Initiative	— <sup>a</sup>	18.0			
Child Abuse Training for Judicial Personnel	1.5	1.5			
Missing and Exploited Children Programs	68.0	67.0			
National Forum on Youth Violence Prevention	— <sup>a</sup>	4.0			
Competitive Grants Focusing on Girls in the Juvenile Justice System	2.0	2.0			
Children of Incarcerated Parents Web Portal	0.5	0.5			
Improving Juvenile Indigent Defense Program	—	5.4			
<b>Total: Juvenile Justice Programs</b>	<b>251.5</b>	<b>339.4</b>			

**Source:** The FY2015-enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 11, 2014, *Congressional Record* (pp. H9342-H9363). The FY2016-requested amounts were taken from the budget justifications for the Department of Justice.

**Note:** Amounts may not add to totals due to rounding.

- a. For FY2015, this program was funded through a set-aside from appropriations for the Title V—Delinquency Prevention Grants.

**Table A-5. Funding for Community Oriented Policing Services Programs, FY2015 and FY2016**

Budget authority in millions of dollars

Program	FY2015 Enacted	FY2016 Request	FY2016 House Passed	FY2016 Senate Passed	FY2016 Enacted
COPS Hiring Program	\$180.0	\$249.5			
Transfer to the Tribal Resources Grant Program	(33.0)	(15.0)			
Community Policing Development	(7.5)	(20.0)			
Training and Technical Assistance on the Collaborative Reform Model	(5.0)	—			
Incentive Grants to Diversify Law Enforcement	—	(5.0)			
Transfer to the Drug Enforcement Administration for Methamphetamine Lab Clean-up	7.0	11.0			
Tribal Resources Grant Program	— <sup>a</sup>	20.0			
Anti-methamphetamine Task Forces	7.0	—			
Anti-heroin Task Forces	7.0	—			
Regional Gang Task Forces	7.0	—			
Training and Technical Assistance on the Collaborative Reform Model	— <sup>a</sup>	20.0			
Countering Violent Extremism	—	3.0			
<b>Total: Community Oriented Policing Services</b>	<b>208.0</b>	<b>303.5</b>			

**Source:** The FY2015-enacted amounts were taken from the joint explanatory statement to accompany P.L. 113-235, printed in the December 11, 2014, *Congressional Record* (pp. H9342-H9363). The FY2016-requested amounts were taken from the budget justifications for the Department of Justice.

**Note:** Amounts may not add to totals due to rounding.

- a. For FY2015, this program was funded through a set-aside from appropriations for the COPS hiring program.

## **Author Contact Information**

Nathan James, Coordinator  
Analyst in Crime Policy  
njames@crs.loc.gov, 7-0264

Jerome P. Bjelopera  
Specialist in Organized Crime and Terrorism  
jbjelopera@crs.loc.gov, 7-0622

Kristin Finklea  
Specialist in Domestic Security  
kfinklea@crs.loc.gov, 7-6259

William J. Krouse  
Specialist in Domestic Security and Crime Policy  
wkrouse@crs.loc.gov, 7-2225

Lisa N. Sacco  
Analyst in Illicit Drugs and Crime Policy  
lsacco@crs.loc.gov, 7-7359