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Fiscal Year 2017 Omnibus Appropriations Act

The fiscal year (FY) 2017 Omnibus Appropriations bill provides discretionary funding for the federal government for the current fiscal year. The bill includes full Appropriations legislation and funding for the remaining 11 annual Appropriations bills through the end of the fiscal year, September 30, 2017. This bill includes increased funding for defense programs, and additional money for border security. Most of the Justice and Homeland Security grant programs remained level funding in the omnibus bill. Additionally, while there was a slight increase of Byrne JAG funding, there were additional carveouts within the program.

Justice Programs Funding

The FY 2017 Omnibus Appropriations Act funds the Department of Justice at \$29 billion, \$143 million below FY 2016 levels. The bill allocates \$2.4 billion for state and local law enforcement and crime prevention grant programs. The bill includes \$481.5 million for the Violence Against Women account, \$403 million for Byrne Justice Assistance Grants, and \$210 million for the State Criminal Alien Assistance Program. Additionally, the bill includes \$103 million for programs to address the opioid abuse epidemic. The FY 2017 bill also provides \$22.5 million for the bulletproof vest program, and \$15 million for VALOR and the Police Act.

Key Policy Riders / Statements

Asset Forfeiture Fund - As the Committees were alarmed by the Department's unexpected suspension of reimbursements to States and localities in fiscal year 2016, the Department shall make all approved equitable sharing distribution payments in a timely fashion and not suspend the program. The Department shall notify the Committees on Appropriations through the quarterly reporting process described under General Administration of any change to its proposed distributions of funds within the AFF.

Medical Marijuana Rider - Prohibits the Department of Justice from preventing certain States from implementing State laws regarding the use of medical marijuana.

Community Oriented Policing Services			
Program	FY 2015 Enacted	FY 2016 Enacted	FY 2017 Omnibus
COPS Hiring Grants	\$180,000,000	\$187,000,000	\$194,500,000
Tribal Resources Grant Program	(\$33,000,000)	(\$30,000,000)	(See Note Below)
Community Policing Development/Training and Technical Assistance	(\$7,500,000)	(\$10,000,000)	(\$5,000,000)
Collaborative Reform Model	(\$5,000,000)	(\$10,000,000)	(\$10,000,000)
Regional Information Sharing Activities			(\$35,000,000)
Police Act			(\$7,500,000)

Program	FY 2015 Enacted	FY 2016 Enacted	FY 2017 Omnibus
Transfer to DEA for Methamphetamine Lab Cleanups	\$7,000,000	\$11,000,000	\$10,000,000
Anti-Methamphetamine Task Forces	\$7,000,000	\$7,000,000	\$7,000,000
Anti-Heroin Task Forces	\$7,000,000	\$7,000,000	\$10,000,000
Regional gang task forces	\$7,000,000	-	-

State & Local Law Enforcement Assistance			
Program	FY 2015 Enacted	FY 2016 Enacted	FY 2017 Omnibus
Byrne Memorial Justice Assistance Grants	\$376,000,000	\$476,000,000	\$403,000,000
VALOR Initiative	(\$15,000,000)	(\$15,000,000)	(\$7,500,000)
Domestic Radicalization Research	(\$4,000,000)	(\$4,000,000)	-
Convention security		(\$100,000,000)	\$0
Smart Policing	(\$5,000,000)	(\$5,000,000)	(\$5,000,000)
Smart Prosecution	(\$2,500,000)	(\$2,500,000)	(\$2,500,000)
Firearms Safety Materials and Gun Locks	(\$3,000,000)	\$0	\$0
Missing Alzheimer's Patients Grants	(\$750,000)	\$0	\$0
National Missing and Unidentified Person System	-	(\$2,400,000)	(\$2,400,000)
Improved Police Responses to the Mentally Ill			(\$2,500,000)
Violent Gang and Gun Crime Reduction			(\$6,500,000)
John R. Justice Grant Program			(\$2,000,000)
Capital Litigation and Wrongful Conviction Review			(\$2,500,000)
Prison Rape Prevention and Prosecution			(\$10,500,000)
Pre-inauguration presidential security			(\$27,000,000)
State Criminal Alien Assistance Program	\$185,000,000	\$210,000,000	\$210,000,000
Victims of Trafficking Grants	\$42,250,000	\$45,000,000	\$45,000,000
Drug Courts	\$41,000,000	\$42,000,000	(See Opioid Init)
Mentally Ill Offender Act	\$8,500,000	\$10,000,000	(See Opioid Init)
Residential Substance Abuse Treatment	\$10,000,000	\$12,000,000	(See Opioid Init)
Capital Litigation and Wrongful Conviction Review	\$2,000,000	\$2,500,000	(See Byrne)
Economic, High-tech, White Collar and Cybercrime Prevention	\$13,000,000	\$13,000,000	\$13,000,000
Intellectual Property Enforcement Program	(\$2,500,000)	(\$2,500,000)	(\$2,500,000)
Cybercrime Prosecutor Pilot Program			(\$1,000,000)
John R. Justice Grant Program	\$2,000,000	\$2,000,000	(See Byrne)
Adam Walsh Act Implementation	\$20,000,000	\$20,000,000	\$20,000,000
Children Exposed to Violence Initiative	\$8,000,000	\$8,000,000	
Bulletproof Vests Partnerships	\$22,250,000	\$22,500,000	\$22,500,000
Transfer to NIST/OLES	(\$1,500,000)	(\$1,500,000)	\$1,500,000
National Sex Offender Public Website	\$1,000,000	\$1,000,000	\$1,000,000
Violent Gang and Gun Crime Reduction	\$5,000,000	\$6,500,000	(See Byrne)

Program	FY 2015 Enacted	FY 2016 Enacted	FY 2017 Omnibus
National Instant Criminal Background Check System (NICS) Initiative	\$73,000,000	\$73,000,000	\$73,000,000
NICS Act Record Improvement Program	(\$25,000,000)	(\$25,000,000)	(\$25,000,000)
Paul Coverdell Forensic Science	\$12,000,000	\$13,500,000	\$13,000,000
DNA Initiative	\$125,000,000	\$125,000,000	\$125,000,000
Debbie Smith DNA Backlog Grants	(\$117,000,000)	(\$117,000,000)	(\$117,000,000)
Kirk Bloodsworth Post-Conviction DNA Testing Grants	(\$4,000,000)	(\$4,000,000)	(\$4,000,000)
Sexual Assault Forensic Exam Program Grants	(\$4,000,000)	(\$4,000,000)	(\$4,000,000)
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog	\$41,000,000	\$45,000,000	\$45,000,000
CASA—Special Advocates	\$6,000,000	\$9,000,000	\$9,000,000
Tribal Assistance	\$30,000,000	\$30,000,000	(See Note Below)
Second Chance Act/Offender Reentry	\$68,000,000	\$68,000,000	\$68,000,000
Smart Probation	(\$6,000,000)	(\$6,000,000)	(\$6,000,000)
Children of Incarcerated Parents Demo Grants	(\$5,000,000)	(\$5,000,000)	(\$5,000,000)
Pay for Success	(\$7,500,000)	(\$7,500,000)	(\$7,500,000)
Project HOPE Opportunity Probation with Enforcement	\$4,000,000	(\$4,000,000)	(\$4,000,000)
Veterans Treatment Courts	\$5,000,000	\$6,000,000	(See Opioid Init)
Prescription Drug Monitoring	\$11,000,000	\$13,000,000	(See Opioid Init)
Prison Rape Prevention and Prosecution	\$13,000,000	\$10,500,000	(See Byrne)
Campus Public Safety	\$2,000,000	-	\$0
Vision 21	\$12,500,000	-	\$0
Comprehensive School Safety Initiative	\$75,000,000	\$75,000,000	\$50,000,000
Community Trust Initiative		\$70,000,000	\$65,000,000
Body worn camera partnership initiative		(\$22,500,000)	(\$22,500,000)
Justice Reinvestment Initiative	\$27,500,000	(\$27,500,000)	(\$25,000,000)
Research and Statistics on Community Trust		(\$5,000,000)	
Byrne Criminal Justice Innovation Program	(\$10,500,000)	(\$15,000,000)	(\$17,500,000)
Opioid Initiative			\$103,000,000.00
Drug Courts			(\$17,500,000)
Veterans Treatment Courts			(\$7,000,000)
Residential Substance Abuse Treatment			(\$14,000,000)
Prescription Drug Monitoring			(\$14,000,000)
Mentally Ill Offender Act			(\$12,000,000)
Other Comprehensive Addiction and Recovery Act activities			(\$13,000,000)

Juvenile Justice Programs			
Program	FY 2015 Enacted	FY 2016 Enacted	FY 2017 Omnibus
Part B - State Formula Grants	\$55,500,000	\$58,000,000	\$55,000,000
Emergency Planning - Juvenile Detention Facilities	(\$500,000)	(\$500,000)	(\$500,000)
Youth Mentoring Grants	\$90,000,000	\$90,000,000	\$80,000,000
Title V - Delinquency Prevention Incentive Grants	\$15,000,000	\$17,500,000	\$14,500,000
Tribal Youth	(\$5,000,000)	(\$10,000,000)	(See Note Below)
Gang & Youth Violence Education & Prevention	(\$3,000,000)	(\$5,000,000)	(\$4,000,000)
Community-Based Violence Prevention Initiatives	(\$6,000,000)	----	(\$8,000,000)
National Forum on Youth Violence Prevention	(\$1,000,000)	----	----
Children of Incarcerated Parents Web Portal	----	(\$500,000)	(\$500,000)
Girls in the Justice System	----	(\$2,000,000)	(\$2,000,000)
Victims of Child Abuse Programs	\$19,000,000	\$20,000,000	\$21,000,000
Community-Based Violence Prevention Initiatives	----	\$8,000,000	(See Title V)
Missing & Exploited Children Programs	\$68,000,000	\$72,160,000	\$72,500,000
Training for Judicial Personnel	\$1,500,000	\$2,000,000	\$2,000,000
Children of Incarcerated Parents Web Portal	\$500,000	----	(See Title V)
Girls in the Justice System	\$2,000,000	----	(See Title V)
Improving Juvenile Indigent Defense	----	\$2,500,000	\$2,000,000

* In lieu of providing base funding for Tribal Assistance, Tribal Youth, and Tribal Resources Grant Program, permits up to 7 percent of certain grant and reimbursement program funds made available to the Office of Justice Programs and Community Oriented Policing Services programs to be used for tribal criminal justice assistance.

Other Items			
Program	FY 2015 Enacted	FY 2016 Enacted	FY 2017 Omnibus
Regional Information Sharing Activities	\$30,000,000	\$35,000,000	(See COPS)
Federal Bureau of Investigation	\$8,394,000,000	\$8,497,860,000	\$8,767,201,000
Drug Enforcement Administration	\$2,405,200,000	\$2,451,514,000	\$2,485,638,000
Diversion Control Program		(\$371,514,000)	(\$382,662,000)
US Marshals Service	\$1,195,000,000	\$1,230,581,000	\$1,249,040,000
Alcohol, Tobacco, Firearms & Explosives	\$1,201,000,000	\$1,240,000,000	\$1,258,600,000

Homeland Security Programs Funding

The FY 2017 Omnibus Appropriations bill funds the Department of Homeland Security at \$42.4 billion, an increase of \$1.45 billion above the FY 2016 enacted level. Funding for grant programs will remain level funded under the Omnibus bill. This legislation includes a \$137 million increase for CBP, to support its agents, officers, equipment, and technology needs. Additionally, it includes a \$331 million increase for TSA, which will provide funding for additional TSA personnel to staff checkpoints to mitigate wait times, an additional 50 canine teams to allow for more throughput of expedited passengers, and investments in future checkpoint technology.

Key Policy Riders / Statements

NPPD Cybersecurity: Within 120 days of the date of enactment of this Act, NPPD shall brief the Committees on the types of assistance, including technical and formal ongoing engagement, available to state and local governments, including LEAs, to protect their networks. The Department shall also work to including state and local LEAs in the National Cybersecurity Review.

Countering Violent Extremism: the FY16 Consolidated Appropriations Act provided \$50,000,000 available until September 30, 2017 for emergent threats from violent extremism and from complex, coordinated terrorist attacks, like the 2015 incident in Paris. Of this total \$10,000,000 was dedicated specially for countering violent extremism to explore ways to prevent radicalization and deter recruitment of vulnerable ppl who could be inspired to commit acts of terror. Although grant awards were announced in accordance with congressional intent on Jan 13,2017, Congress has learned the grants have so far been withheld from obligation. The Department is reminded of the requirements set forth in the Impoundment Control Act (ICA). If the Administration is withholding his budget authority from obligation – temporarily or permanently – it is required under the ICA to send a “special message” to congress and the comptroller general of the US that specifies why the funds are being withheld from obligation. Importantly, funds cannot be deferred for policy reasons. Given the current impasse and the currently available funds, no additional funds are provided for CVE grants in this Act. The Secretary is directed to fulfill congressional intent by releasing the FY16 funding without delay.

Homeland Security Programs			
Program	FY 2015 Enacted	FY 2016 Enacted	FY 2017 Omnibus
State Homeland Security Grant Program	\$402,000,000	\$467,000,000	\$467,000,000
Operation Stonegarden	(\$55,000,000)	(\$55,000,000)	(\$55,000,000)
Urban Area Security Initiative	\$587,000,000	\$600,000,000	\$605,000,000
Nonprofit Security Grants		(\$20,000,000)	(\$25,000,000)
Port Security Grants	\$100,000,000	\$100,000,000	\$100,000,000
Public Transportation Security/Railroad Security	\$100,000,000	\$100,000,000	\$100,000,000

*Allocation of 25% of a state’s combined State Homeland Security Program and UASI funds for Law Enforcement Terrorism Prevention activities remains a statutory requirement under the Implementing Recommendations of the 9/11 Commission Act of 2007.

Agency	FY 2015 Enacted	FY 2016 Enacted	FY 2017 Omnibus
Customs and Border Protection	\$10,698,582,000	\$11,048,249,000	\$11,174,253,000
Immigration & Customs Enforcement	\$5,958,756,000	\$5,832,041,000	\$6,168,532,000
Transportation Security Administration	\$4,834,236,000	\$7,440,096,000	\$7,105,047,000
United States Secret Service	\$1,615,860,000	\$1,933,545,000	\$1,821,451,000
National Protection and Programs Directorate	\$1,631,744,000	\$1,635,605,000	\$1,372,268,000

ONDCP Programs Funding

The FY 2017 Appropriations bill provides \$19,274,000 for the Office of Drug Control Policy, and \$254,000,000 for the High Intensity Drug Trafficking Areas (HIDTA) Program. The bill denies the President's proposed cuts of \$80 million to drug control efforts, including the HIDTA and Drug-Free Communities programs, and instead increases funding for these programs by \$9 million above the fiscal year 2016 enacted level.

Office of National Drug Control Policy			
Program	FY 2015 Enacted	FY 2016 Enacted	FY 2017 Omnibus
High Intensity Drug Trafficking Areas Program	\$245,000,000	\$250,000,000	\$254,000,000
Drug Free Communities Program	\$93,500,000	\$95,000,000	\$97,000,000
Training	\$2,000,000	(\$2,000,000)	(\$2,000,000)
Drug Court Training and Technical Assistance	\$1,400,000	\$2,000,000	\$2,000,000
Discretionary Grants under PL 109-469, Sec 1105	\$1,250,000	\$1,250,000	\$1,250,000



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