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Fiscal Year 2019 Appropriations

The fiscal year (FY) 2019 Consolidated Appropriations bill was signed into law on February 15, 2019, and provides discretionary funding for nine federal departments and dozens of agencies including the Departments of Justice and Homeland Security. The bill funds these departments through the end of the fiscal year, September 30, 2019. The bill funding the Department of Defense, which includes some counter-narcotics programs was signed into law on September of 2018. The justice and homeland security grants fared well by receiving slight increases over the FY 2018 levels, except the core Byrne JAG formula program received a slight decrease.

H.J. Res. 31		
Passed House	Signed into Law	
2/14/19	2/14/19	2/15/19
Passed Senate		
Department of Justice Department of Homeland Security Executive Office of the President (ONDCP)		

H.R. 6157		
Passed House	Signed into Law	
9/26/18	9/18/18	9/28/18
Passed Senate		
Department of Defense		

Overall Key Policy Riders & Statements

Restriction on Changes/Reprogramming of Program Funding - SEC. 739. None of the funds made available in this or any other appropriations Act may be used to increase, eliminate, or reduce funding for a program, project, or activity as proposed in the President's budget request for a fiscal year until such proposed change is subsequently enacted in an appropriation Act, or unless such change is made pursuant to the reprogramming or transfer provisions of this or any other appropriations Act. (NOTE: This provision restricts the Administration from eliminating, defunding, or moving a program/agency unless explicitly authorized.)

Disclosure of Digital Information - SEC. 626. None of the funds made available in this Act may be used by a governmental entity to require the disclosure by a provider of electronic communication service to the public or remote computing service of the contents of a wire or electronic communication that is in electronic storage with the provider (as such terms are defined in sections 2510 and 2711 of title 18, United States Code) in a manner that violates the Fourth Amendment to the Constitution of the United States.

Links to Bill Documents:

- [Omnibus Bill Text](#)
- [Omnibus Conf. Report](#)
- [DOD Bill Text](#)
- [DOD Conference Report](#)

Links to Other Documents:

- [FY 2019 WH Budget Summary](#)
- [FY 2018 Homeland Grant Allocations](#)
- [FY 2018 Omnibus](#)



Excluded Authorizations & Provisions

- During negotiations on the Consolidated Appropriations bill, there was some discussion to include measures that were up for reauthorization. Ultimately, these measures were not included in the final bill. These measures include reauthorization of the Violence Against Women Act (funding for the program was included), two-year intelligence authorization, additional disaster aid, extension of expired tax breaks, and backpay for government contractors affected by the government shutdown.

***Note:** Chart items in red & right justified are carveouts under a larger program. The amount listed in red is drawn from the pro-program funding above it in black.

Justice Programs Funding

The FY 2019 Consolidated Appropriations Act funds the Department of Justice at \$30.9 billion, \$638.1 million above FY 2018 levels. The bill allocates \$3.02 billion for state and local law enforcement and crime prevention grant programs. The bill includes a \$5.5 million increase for the Violence Against Women account, a \$3.5 million increase for the State Criminal Alien Assistance Program, and \$423.5 million for Byrne Justice Assistance Grants. Additionally, the bill includes a \$347 million for state and local law enforcement grants and programs to address the opioid abuse epidemic. The FY 2019 bill also provides \$25 million for the bulletproof vest program, 101 million for the STOP School violence Act grant, and \$12 million for VALOR. The bill also includes \$178 million for several programs to address sexual assault kits and DNA backlogs.

Key Policy Riders & Statements

Industrial Hemp - SEC. 536. None of the funds made available by this Act may be used in contravention of section 7606 (“Legitimacy of Industrial Hemp Research”) of the Agricultural Act of 2014 (Public Law 113–79) by the Department of Justice or the Drug Enforcement Administration.

Medical Marijuana Rider - Sec. 537. Prohibits the Department of Justice from preventing certain *States from implementing State laws regarding the use of medical marijuana. (*Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, or Puerto Rico)

Community Oriented Policing Services				
Program	FY 2017 Enacted	FY 2018 Enacted	FY 2019 WH Budget Request	FY 2019 Enacted
COPS Hiring Grants	\$194,500,000	\$225,500,000	(See SLLEA)	\$228,500,000
Tribal Resources Grant Program	(*See Note Below)	(\$30,000,000)	(See SLLEA)	(\$27,000,000)
Tribal Access Program				(\$3,000,000)
Community Policing Development/Training and Technical Assistance	(\$5,000,000)	(\$10,000,000)	(See SLLEA)	(\$6,500,000)
Collaborative Reform Model	(\$10,000,000)		(See SLLEA)	



Program	FY 2017 Enacted	FY 2018 Enacted	FY 2019 WH Budget Request	FY 2019 Enacted
Regional Information Sharing Activities	(\$35,000,000)	(\$36,000,000)	(See SLLEA)	(\$37,000,000)
Police Act	(\$7,500,000)	(See below)		(See below)
Law Enforcement Mental Health & Wellness Act				(\$2,000,000)
COPS minus carveouts	\$137,000,000	\$149,500,000	(See SLLEA)	\$153,000,000
Transfer to DEA for Methamphetamine Lab Clean-ups	\$10,000,000			
Anti-Methamphetamine Task Forces	\$7,000,000	\$8,000,000		\$8,000,000
Anti-Heroin Task Forces	\$10,000,000	\$32,000,000		\$32,000,000
Police Act	(See Above)	\$10,000,000		\$10,000,000
STOP School Violence Act				\$25,000,000

State & Local Law Enforcement Assistance				
Program	FY 2017 Enacted	FY 2018 Enacted	FY 2019 WH Budget Request	FY 2019 Enacted
Byrne Memorial Justice Assistance Grants	\$403,000,000	\$415,500,000	\$332,500,000	\$423,500,000
VALOR Initiative	(\$7,500,000)	(\$10,000,000)	(\$15,000,000)	(\$12,000,000)
Domestic Radicalization Research	(See Other - NIJ)	(See Other - NIJ)	(\$4,000,000)	(See Other - NIJ)
Smart Policing	(\$5,000,000)	(\$5,000,000)	(See Below)	(\$7,500,000)
Smart Prosecution	(\$2,500,000)	(\$2,500,000)		(\$8,000,000)
National Missing and Unidentified Person System	(\$2,400,000)	(\$2,400,000)	(\$2,400,000)	(\$2,400,000)
Improved Police Responses to the Mentally Ill	(\$2,500,000)	(\$2,500,000)		(\$2,500,000)
Violent Gang and Gun Crime Reduction (PSN)	(\$6,500,000)	(\$20,000,000)	(See PSN)	(\$20,000,000)
John R. Justice Grant Program	(\$2,000,000)	(\$2,000,000)	\$0	(\$2,000,000)
Capital Litigation and Wrongful Conviction Review	(\$2,500,000)	(See below)		(\$5,000,000)
Prison Rape Prevention and Prosecution	(\$10,500,000)	(\$15,500,000)	(See Below)	(\$15,500,000)
Pre-inauguration presidential security	(\$27,000,000)	---		----
Body worn camera partnership initiative	(See Com Trust)	(See Com Trust)	(\$22,500,000)	(See Com. Trust)
Bulletproof Vests Partnerships	(See below)	(See below)	(\$22,500,000)	(See below)
Improving Juvenile Indigent Defense	(See JJP)	(See JJP)	(See JJP)	(\$2,000,000)
Emergency Law Enforcement Assistance		(\$16,000,000)		(\$2,000,000)
Technical and Related Assistance for Violent Crime			(\$5,000,000)	
Managed Access Systems				(\$2,000,000)
Kevin & Avonte's Law				(\$2,000,000)
Regional Law Enforcement Technology Initiative				(\$3,000,000)
Community Based Violence Prevention				(\$8,000,000)
Byrne JAG minus carveouts	\$334,600,000	\$339,600,000	\$261,100,000	\$329,600,000
State Criminal Alien Assistance Program	\$210,000,000	\$240,000,000	\$0	\$243,500,000
Victims of Trafficking Grants	\$45,000,000	\$77,000,000	\$45,000,000	\$85,000,000
Drug Courts	(See Opioid Init)	(See Opioid Init)	\$43,000,000	(See Opioid Init)
Mentally Ill Offender Act	(See Opioid Init)	(See Opioid Init)	\$10,000,000	(See Opioid Init)
Residential Substance Abuse Treatment	(See Opioid Init)	(See Opioid Init)	\$12,000,000	(See Opioid Init)



Program	FY 2017 Enacted	FY 2018 Enacted	FY 2019 WH Budget Request	FY 2019 Enacted
Capital Litigation and Wrongful Conviction Review	(See Byrne)	\$3,000,000		(See Byrne)
Economic, High-tech, White Collar and Cybercrime Prevention	\$13,000,000	\$14,000,000	\$11,000,000	\$14,000,000
Intellectual Property Enforcement Program	(\$2,500,000)	(\$2,500,000)		(\$2,500,000)
Cybercrime Prosecutor Pilot Program	(\$1,000,000)	(\$1,000,000)		
Digital Investigation Education Program		(\$1,000,000)		(\$2,000,000)
Adam Walsh Act Implementation	\$20,000,000	\$20,000,000	\$20,000,000	\$20,000,000
Children Exposed to Violence Initiative	---		\$8,000,000	
Bulletproof Vests Partnerships	\$22,500,000	\$22,500,000	(See Byrne)	\$25,000,000
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	\$1,000,000
Project Safe Neighborhoods (PSN) Block Grants	(See Byrne)	(See Byrne)	\$70,000,000	(See Byrne)
National Instant Criminal Background Check System (NICS) Initiative	\$73,000,000	\$75,000,000	\$61,000,000	\$75,000,000
NICS Act Record Improvement Program	(\$25,000,000)	(\$25,000,000)		(\$25,000,000)
Paul Coverdell Forensic Science	\$13,000,000	\$30,000,000	\$10,000,000	\$30,000,000
National Missing and Unidentified Person System	(See Below)	(See Below)	(See Below)	(See Below)
DNA Initiative	\$125,000,000	\$130,000,000	\$105,000,000	\$130,000,000
Debbie Smith DNA Backlog Grants	(\$117,000,000)	(\$120,000,000)	(\$97,000,000)	(\$120,000,000)
Kirk Bloodsworth Post-Conviction DNA Testing Grants	(\$4,000,000)	(\$6,000,000)	(\$4,000,000)	(\$6,000,000)
Sexual Assault Forensic Exam Program Grants	(\$4,000,000)	(\$4,000,000)	(\$4,000,000)	(\$4,000,000)
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog	\$45,000,000	\$47,500,000	\$45,000,000	\$48,000,000
CASA—Special Advocates	\$9,000,000	\$12,000,000	\$9,000,000	\$12,000,000
Tribal Assistance	(*See Note Below)	\$35,000,000		\$37,500,000
Second Chance Act/Offender Reentry	\$68,000,000	\$85,000,000	\$48,000,000	\$87,500,000
Smart Probation	(\$6,000,000)	(\$6,000,000)	(\$6,000,000)	(\$6,000,000)
Children of Incarcerated Parents Demo Grants	(\$5,000,000)	(\$5,000,000)	(\$5,000,000)	(\$5,000,000)
Pay for Success	(\$7,500,000)	(\$7,500,000)	(\$7,500,000)	(\$7,500,000)
Pay for Success (Permanent Supportive Housing Model)		(\$5,000,000)		(\$5,000,000)
Project HOPE Opportunity Probation with Enforcement	(\$4,000,000)	(\$4,000,000)		(\$4,000,000)
Veterans Treatment Courts	(See Opioid Init)	(See Opioid Init)	\$6,000,000	(See Opioid Init)
Prescription Drug Monitoring	(See Opioid Init)	(See Opioid Init)	\$12,000,000	(See Opioid Init)
Prison Rape Prevention and Prosecution	(See Byrne)	(See Byrne)	\$15,500,000	(See Byrne)
Comprehensive School Safety Initiative (STOP School Violence Act)	\$50,000,000	\$75,000,000	\$0	\$75,000,000
Comprehensive Opioid Abuse Grant Program	(See Opioid Init)	(See Opioid Init)	\$20,000,000	(See Opioid Init)



Program	FY 2017 Enacted	FY 2018 Enacted	FY 2019 WH Budget Request	FY 2019 Enacted
Community Trust Initiative	\$65,000,000	\$65,000,000		\$66,500,000
Body worn camera partnership initiative	(\$22,500,000)	(\$22,500,000)	(See Byrne)	(\$22,500,000)
Justice Reinvestment Initiative	(\$25,000,000)	(\$25,000,000)	\$0	(\$27,000,000)
Byrne Criminal Justice Innovation Program	(\$17,500,000)	(\$17,500,000)	\$0	(\$17,000,000)
Opioid Initiative	\$103,000,000	\$330,000,000		\$347,000,000
Drug Courts	(\$17,500,000)	(\$75,000,000)	(See Above)	(\$77,000,000)
Veterans Treatment Courts	(\$7,000,000)	(\$20,000,000)	(See Above)	(\$22,000,000)
Residential Substance Abuse Treatment	(\$14,000,000)	(\$30,000,000)	(See Above)	(\$30,000,000)
Prescription Drug Monitoring	(\$14,000,000)	(\$30,000,000)	(See Above)	(\$30,000,000)
Mentally Ill Offender Act	(\$12,000,000)	(\$30,000,000)	(See Above)	(\$31,000,000)
Comprehensive Opioid Abuse Program (COAP)	(\$13,000,000)	(\$145,000,000)	(See Opioid Grant)	(\$157,000,000)
Keep Young Athletes Safe Act of 2018				\$2,500,000
COPS Hiring Grants	(See COPS)	(See COPS)	\$99,000,000	(See COPS)
Smart Policing	(See Byrne)	(See Byrne)	(\$5,000,000)	(See Byrne)
Regional Information Sharing Activities	(See COPS)	(See COPS)	(\$10,000,000)	(See COPS)
Tribal Resources Grant Program	(See COPS)	(See COPS)	(\$10,000,000)	(See COPS)
Community Policing Development/Training and Technical Assistance	(See COPS)	(See COPS)	(\$5,000,000)	(See COPS)
Collaborative Reform Model	(See COPS)		(\$5,000,000)	
COPS minus carveouts	(See COPS)	(See COPS)	\$64,000,000	(See COPS)

Juvenile Justice Programs				
Program	FY 2017 Enacted	FY 2018 Enacted	FY 2019 WH Budget Request	FY 2019 Enacted
Part B - State Formula Grants	\$55,000,000	\$60,000,000	\$58,000,000	\$60,000,000
Emergency Planning - Juvenile Detention Facilities	(\$500,000)	(\$500,000)	(\$500,000)	(\$500,000)
Youth Mentoring Grants	\$80,000,000	\$94,000,000	\$58,000,000	\$95,000,000
Title V - Delinquency Prevention Incentive Grants	\$14,500,000	\$27,500,000	\$17,000,000	\$24,500,000
Tribal Youth	(*See Note Below)	(\$5,000,000)		(\$5,000,000)
Gang & Youth Violence Education & Prevention	(\$4,000,000)	(\$4,000,000)	(\$5,000,000)	
Community-Based Violence Prevention Initiatives	(\$8,000,000)	(\$8,000,000)		
Children of Incarcerated Parents Web Portal	(\$500,000)	(\$500,000)	(\$500,000)	(\$500,000)
Girls in the Justice System	(\$2,000,000)	(\$2,000,000)	(\$2,000,000)	(\$2,000,000)
Opioid Affected Youth Initiative		(\$8,000,000)		(\$9,000,000)
Children Exposed to Violence				(\$8,000,000)
Victims of Child Abuse Programs	\$21,000,000	\$21,000,000	\$20,000,000	\$22,500,000
Missing & Exploited Children Programs	\$72,500,000	\$76,000,000	\$72,000,000	\$82,000,000
Training for Judicial Personnel	\$2,000,000	\$2,000,000	\$2,000,000	\$3,000,000
Improving Juvenile Indigent Defense	\$2,000,000	\$2,000,000	\$2,500,000	(See Byrne)
* 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				
Agency/Program	FY 2017 Enacted	FY 2018 Enacted	FY 2019 WH Budget Request	FY 2019 Enacted
Regional Information Sharing Activities	(See COPS)	(See COPS)	(See SLLEA)	(See COPS)
Bureau of Justice Statistics	\$45,500,000	\$48,000,000	\$41,000,000	\$43,000,000
NCS-X Implementation Program	(\$5,000,000)	(\$5,000,000)		(\$5,000,000)
National Institute of Justice	\$39,500,000	\$42,000,000	\$36,000,000	\$37,000,000
Domestic Radicalization Research	(\$4,000,000)	(\$4,000,000)		(\$4,000,000)
Research on School Safety				(\$1,000,000)
Juvenile Online Victimization Survey				(\$1,000,000)
National Center for Reformative Justice				(\$3,000,000)
Federal Bureau of Investigation	\$8,767,201,000	\$9,030,202,000	\$8,872,080,000	\$9,192,137,000
Drug Enforcement Administration	\$2,485,638,000	\$2,609,900,000	\$2,187,459,000	\$2,267,000,000
High Intensity Drug Trafficking Areas Program	(See ONDCP)	(See ONDCP)	\$254,000,000	(See ONDCP)
US Marshals Service	\$1,249,040,000	\$1,311,492,000	\$1,270,371,000	\$1,358,000,000
Alcohol, Tobacco, Firearms & Explosives	\$1,258,600,000	\$1,293,776,000	\$1,316,678,000	\$1,316,678,000

Homeland Security Programs Funding

The FY 2019 Omnibus Appropriations bill funds the Department of Homeland Security at \$49.4 billion, an increase of \$1.7 billion above the FY 2018 enacted level. Funding for grant programs will increase by providing \$525 million for the State Homeland Security Grant program, and \$640 million for the Urban Area Security Initiative. This legislation includes a \$942 million increase for CBP, to support its agents, officers, infrastructure, equipment, and technology needs. Additionally, it includes a \$5.1 million increase for TSA, and a \$511.8 million increase for ICE.

Key Policy Riders & Statements

Reorganization Restrictions - Section 513. The bill continues a provision that precludes DHS from using funds in this Act to carry out reorganization authority. This prohibition is not intended to prevent the Department from carrying out routine or small reallocations of personnel or functions within components, subject to section 503 of this Act. This section prevents large-scale reorganization of the Department, which should be acted on legislatively by the relevant congressional committees of jurisdiction. Any DHS proposal to reorganize components that is included as part of a budget request will be considered by the Committees.

National ID - Section 514. The conference agreement continues a provision prohibiting funds for planning, testing, piloting, or developing a national identification card.

Pregnant Detainees - Section 533. The conference agreement includes a provision prohibiting the use of funds to use restraints on pregnant detainees in DHS custody except in certain circumstances.

Interoperability - Provides \$1,000,000 to support FEMA's ongoing efforts to deploy the Interoperable Gateway System throughout the continental U.S. and the Caribbean, as described in House Report 115-948 (goal of providing a single communications platform to ensure the continuity of communications in the event of a natural disaster or other catastrophic event).



Homeland Security Programs				
Program	FY 2017 Enacted	FY 2018 Enacted	FY 2019 WH Budget Request	FY 2019 Enacted
State Homeland Security Grant Program	\$467,000,000	\$507,000,000	\$349,362,000	\$525,000,000
Operation Stonegarden	(\$55,000,000)	(\$85,000,000)		(\$90,000,000)
Nonprofit Security Grants				(\$10,000,000)
Urban Area Security Initiative	\$605,000,000	\$630,000,000	\$448,844,000	\$640,000,000
Nonprofit Security Grants	(\$25,000,000)	(\$50,000,000)		(\$50,000,000)
Port Security Grants	\$100,000,000	\$100,000,000	\$36,358,000	\$100,000,000
Public Transportation Security/Railroad Security	\$100,000,000	\$100,000,000	\$36,358,000	\$100,000,000
Competitive Preparedness Grant Program			\$522,000,000	----
*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 2017 Enacted	FY 2018 Enacted	FY 2019 WH Budget Request	FY 2019 Enacted
Customs and Border Protection	\$11,175,449,000	\$11,485,164,000	\$12,119,643,000	\$12,179,729,000
Immigration & Customs Enforcement	\$6,405,440,000	\$6,993,975,000	\$7,972,099,000	\$7,542,153,000
Transportation Security Administration	\$7,105,047,000	\$7,207,851,000	\$7,075,950,000	\$7,410,079,000
United States Secret Service	\$1,879,463,000	\$1,915,794,000	\$2,084,308,000	\$2,148,528,000
Cybersecurity & Infrastructure Security Agency (formerly National Protection and Programs Directorate)	\$1,372,268,000	\$1,482,165,000	\$1,470,340,000	\$1,345,802,000

ONDCP Programs Funding

The FY 2019 Appropriations bill provides \$417 million for the Office of Drug Control Policy, with \$280 million for the High Intensity Drug Trafficking Areas (HIDTA) Program, and \$118.3 million for other federal drug control programs. The bill continues to reinforce the importance of HIDTA and other drug control programs with level funding for HIDTA and slight increases for other programs.

Office of National Drug Control Policy				
Program	FY 2017 Enacted	FY 2018 Enacted	FY 2019 WH Budget Request	FY 2019 Enacted
High Intensity Drug Trafficking Areas Program	\$254,000,000	\$280,000,000	(Moved to DEA)	\$280,000,000
Drug Free Communities Program	\$97,000,000	\$99,000,000	(Moved to HHS)	\$100,000,000
Training	(\$2,000,000)	(\$2,000,000)		(\$2,000,000)
Drug Court Training and Technical Assistance	\$2,000,000	\$2,000,000		\$2,000,000
Discretionary Grants under PL 109-469, Sec 1105	\$1,250,000	\$1,250,000		\$1,250,000



DOD Drug Interdiction & Counter-Drug Activities Programs Funding

DOD Drug Interdiction & Counter-Drug Activities				
Program	FY 2017 Enacted	FY 2018 Enacted	FY 2019 WH Budget Request	FY 2019 Enacted
Counter-Narcotic Support	\$626,087,000	\$552,648,000	\$669,000,000	\$517,171,000
Drug Demand Reduction Program	\$118,713,000	\$120,813,000	\$118,000,000	\$121,900,000
National Guard Counter-Drug Program	\$234,000,000	\$236,353,000		\$217,178,000
National Guard Counter-Drug Schools	\$20,000,000	\$25,000,000		\$25,276,000



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