



CONSORTIUM *of* SOCIAL SCIENCE ASSOCIATIONS

Analysis of the House FY 2020 Commerce, Justice, Science, and Related Agencies Appropriations Bill | May 22, 2019

On May 22, the House Appropriations Committee [approved](#) its fiscal year (FY) 2020 Commerce, Justice, Science, and Related Agencies (CJS) Appropriations Bill; the CJS Subcommittee advanced the bill on May 17. This bill contains annual funding proposals for the National Science Foundation (NSF), Department of Justice (DOJ), and Census Bureau, among other federal departments and agencies. Overall, the House bill is favorable to agencies important to the COSSA community, with increases proposed across the bill's jurisdiction.

At a Glance...

- The House CJS bill includes **\$8.6 billion for the National Science Foundation** in FY 2020, which, if appropriated, would be a significant increase of more than \$561 million or 7 percent over FY 2019.
- The House bill would provide the **National Institute of Justice (NIJ) and the Bureau of Justice Statistics (BJS) with \$37 million and \$43 million**, respectively. This would represent flat funding for NIJ and BJS compared to their FY 2019 funding levels.
- The House's proposal would provide the **Census Bureau with a total of \$8.45 billion** for FY 2020, which is \$2.3 billion above the amount requested by the Administration and in line with the amount sought by the Census stakeholder community.

The next step for the bill is consideration by the full House. However, as [previously reported](#), Congress must first act to raise discretionary spending caps if the increases included in the CJS bill are to be realized in FY 2020. Budget negotiations between the White House and Congressional leaders continue at the time of this writing, making it too early to speculate how or when the FY 2020 appropriations process will be resolved. Until a budget deal is struck, the House will continue to make as much progress as it can on the FY 2020 spending bills before summer recess begins in August.

Stay tuned to [COSSA's coverage](#) for developments.

Summarized below are the House Appropriations Committee's proposals for the National Science Foundation, National Institute of Justice, Bureau of Justice Statistics, and Census Bureau.

The bill, Committee's full report, and webcast of the markup can be found [here](#).

National Science Foundation

The House CJS bill includes \$8.6 billion for NSF in FY 2020, which, if appropriated, would be a significant increase of more than \$561 million or 7 percent over FY 2019. The House mark is also 22 percent over the President's request for NSF. In the report accompanying the House bill, the Committee reaffirms its

commitment to basic research and existing NSF research activities. This comes at a time when NSF continues to prioritize funding to its [10 Big Ideas](#). The report states:

“The Committee supports basic research in fundamental science areas and expects that as NSF uses the 10 Big Ideas as a focusing tool, the funding for the fundamental scientific disciplines will be maintained. Within amounts provided, NSF shall allocate no less than fiscal year 2019 levels to support its existing scientific research... [emphasis added]”

This language ensures that existing research activities (e.g. NSF’s core programs) do not become a bank for investments in the Big Ideas initiatives.

The House bill includes \$7.1 billion for the Research and Related Activities account, which funds NSF’s six research directorates and integrative activities. This would represent a 9 percent increase over current year funding, further underscoring the Committee’s support for basic research. Additionally, the Education and Human Resources (EHR) directorate would see an increase of 4.4 percent.

In a show of growing appreciation for the social and behavioral sciences within the Congress, the House bill includes the following report language:

“Social, Behavioral, and Economic (SBE) Sciences. —The Committee supports SBE and recognizes the fundamental importance of its research for advancing our understanding of human behavior and its application to a wide range of human systems, including public health, national defense and security, education and learning, and the integration of human and machine. SBE funds over half of our nation’s university-based social and behavioral science research but remains the smallest of NSF directorates. The Committee believes this research provides an evidence-based understanding of the human condition, resulting in more-informed policymaking and better-informed spending on a full range of national issues. The recommendation includes no less than the fiscal year 2019 level for SBE [emphasis added].”

The language is intended to ensure that SBE funding continues to keep pace with increases provided by the Congress in recent years.

Other notable passages urge NSF to prioritize “the ethical and safe development of artificial intelligence” and to “improve the understanding of scientific collaboration and how scientists work together.”

	FY 2019 Enacted	FY 2020 Request	FY 2020 House	House vs. FY 2019	House vs. Request
National Science Foundation	8075.0	7066.0	8636.1	6.9%	22.2%
Research and Related Activities	6520.0	5663.0	7106.3	9.0%	25.5%
Education and Human Resources	910.0	823.5	950.0	4.4%	15.4%
Major Research Equipment and Facilities Construction	295.7	223.2	223.2	-24.5%	0.0%
Agency Operations and Award Management	328.5	336.9	336.9	2.6%	0.0%
National Science Board	4.4	4.1	4.4	0.0%	6.6%
Office of the Inspector General	15.4	15.4	15.4	0.0%	0.0%

National Institute of Justice and Bureau of Justice Statistics

The House bill would provide the National Institute of Justice (NIJ) and the Bureau of Justice Statistics (BJS) with \$37 million and \$43 million, respectively. This would represent flat funding for NIJ and BJS compared to their FY 2019 funding levels. The report accompanying the bill includes some notable language. NIJ is encouraged to increase funding for research on human trafficking, support comprehensive research on opioid fatalities, provide a report to the committee on cybercrime against individuals, and encourage forensic science education through partnerships. The Committee's report encourages BJS to develop data collection processes to accurately count deaths and injuries from police pursuit and high-risk vehicles, collect information about individuals held in pretrial detention, and urges BJS to collect demographic data on the processing of misdemeanor arrests in a select number of large metropolitan jurisdictions.

	FY 2019 Enacted	FY 2020 Request	FY 2020 House	House vs. FY 2019	House vs. Request
Bureau of Justice Statistics	43.0	48.0	43.0	0.0%	-10.4%
National Institute of Justice	37.0	46.5	37.0	0.0%	-20.4%

Census Bureau

The House's proposal would provide the Census Bureau with a total of \$8.45 billion for FY 2020, the year of the decennial census, which is \$2.3 billion above the amount requested by the Administration and in line with the [amount sought by the Census stakeholder community](#) (including COSSA). The bill would provide \$275 million to the Bureau's Current Surveys and Programs, a \$5 million increase compared to FY 2019. The Periodic Censuses and Programs account, which includes the 2020 Census and the American Community Survey, would receive a total of \$8.175 billion.

The bill includes \$7.5 billion to complete preparation for and conduct the 2020 Census, \$2.2 billion more than the Administration requested. The Administration's request had also factored in about \$1 billion in unspent funds appropriated in previous fiscal years that could be used for the 2020 Census. The House committee rejects this approach, including language in the committee report that states:

"The Administration's assumption that approximately \$1.02 billion of this funding will remain available to offset fiscal year 2020 costs is disingenuous and appears to rely on the assumption that Congress will supplement its budget needs when it becomes evident the President's request is inadequate. The Committee does not intend to put the 2020 Census at risk during the most critical year of its operation."

The report directs the Bureau to put half of its proposed carryover funds back into the base budget for 2020 response operations and IT. It further restores funding to the Secretarial Contingency fund established in FY 2018 to "address emergent concerns quickly and without additional congressional action."

The appropriations bill includes a section prohibiting the Bureau from using funds appropriated in any fiscal year to include questions on the 2020 Census that were "not included in the 2018 End-to-End Census Test in Providence County, Rhode Island," which would prevent the 2020 Census from including a citizenship question. Unlike language in a committee report, which is intended as guidance accompanying the bill, this language within the bill text itself would be legally binding if it were included in the final

enacted legislation. However, should the Supreme Court allow the inclusion of the citizenship question (in a decision expected sometime in June), the Census Bureau may begin to make irreversible preparations for the 2020 Census that include the citizenship question (such as printing questionnaires and mailings) well before Congress finalizes its FY 2020 spending for the Census Bureau. It is unclear how the Census Bureau could respond should the final FY 2020 CJS bill prohibit the citizenship question after the Bureau has begun its final preparations. However, given that the Senate and White House have supported including the question, this scenario is unlikely.

During the bill’s markup by the full Appropriations Committee on May 22, an amendment to remove this language introduced by Rep. John Rutherford (R-FL) was defeated.

In a departure from previous fiscal years, the House’s committee report includes \$218 million for the American Community Survey (ACS) (normally the amount is not specified). This amount is a \$6.6 million increase from FY 2019 and the same as the amount requested in the Administration’s budget request. In addition, the report includes language affirming the importance of the ACS and drops previously reoccurring language that had called it “burdensome.”

The committee report also includes language instructing the Census Bureau to include all U.S. citizens—including those in Puerto Rico and other offshore jurisdictions—in its statistics and population estimates and to study the feasibility of expanding data collection on the LGBT population.

	FY 2019 Enacted	FY 2020 Request	FY 2020 House	House vs. FY 2019	House vs. Request
Bureau of the Census	3821.4	6149.4	8450.0	121.1%	37.4%
Current Surveys and Programs	270.0	264.0	275.0	1.9%	4.2%
Periodic Censuses and Programs	3551.4	5885.4	8175.0	130.2%	38.9%

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