



Department of Justice

STATEMENT OF

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ATTORNEY GENERAL**

**BEFORE THE
U.S. HOUSE OF REPRESENTATIVES
APPROPRIATIONS SUBCOMMITTEE ON COMMERCE, JUSTICE,
SCIENCE, AND RELATED AGENCIES**

**FOR A HEARING ON
THE FISCAL YEAR 2019
DEPARTMENT OF JUSTICE BUDGET REQUEST**

PRESENTED

**APRIL 26, 2018
10:30am**

Good afternoon, Chairman Culberson, Ranking Member Serrano and other distinguished Members of the Subcommittee. I am honored to appear before you today to present the President's Fiscal Year (FY) 2019 budget for the Department of Justice.

Let me start by thanking you for your strong support for the Department in the recently completed FY 2018 Omnibus Appropriations bill. President Trump's FY 2019 Budget proposal totals \$28 billion for the Department of Justice to support federal law enforcement and the criminal justice priorities of our state, local, and tribal law enforcement partners. The request represents a comprehensive investment in the Justice mission and includes increases in funding to help us reduce violent crime, enforce the nation's immigration laws, combat the opioid epidemic, and continue our priority commitment to national security.

The Department of Justice is facing a severe challenge. We must confront rising violent crime and surging homicide rates. Illicit drug production and supplies are up worldwide. Illicit drug prices are low, supplies are high, and purity is at record levels. This is true for the core dangerous drugs: fentanyl, heroin, methamphetamine, and cocaine. In addition, the nation is beginning to make reductions in opioid prescriptions, and we must have further significant reductions in manufacturing and prescribing highly addictive opioids.

Our DOJ team, along with our federal, state, and local partners, have high motivation and determination. We have been redeploying our resources this past year to focus directly on these problems. Let me say clearly, Mr. Chairman, you and this committee have been strongly supportive. We are determined to use every new dollar you have worked to provide us to achieve the maximum benefit in our efforts against these deadly drugs.

The President has ordered us to support state and local law enforcement, dismantle transnational organized crime, and reduce crime. For the last year, we have aggressively carried out that agenda and have already seen notable successes that benefit the American people.

The key Department funding priorities include:

- **Combating Violent Crime.** The budget allocates an additional \$109.2 million to support the President's initiatives to reduce violent crime by targeting the worst of the worst transnational criminal organizations, violent gangs, and drug traffickers ravaging our nation. A smart and sustained effort of this kind with our state and local partners will produce good results.
- **Drug Enforcement and the Opioid Crisis.** The budget requests \$295 million to combat the opioid epidemic that is destroying lives and whole communities. It will allow us to target the drug trafficking organizations, the drug companies, pharmacists, and pharmacies that are moving too many prescription drugs into America.
- **Enforcing Immigration Laws.** This budget requests an additional \$65.9 million to maintain the efficacy and efficiency of immigration enforcement and adjudication programs and processes. Of note, this budget requests 75 new immigration judges (IJs) and support staff. Our goal is to responsibly end the lawlessness in our system and offer a lawful system that works to advance the national interest.
- **State, Local, and Tribal Assistance.** The budget provides \$3.9 billion in discretionary and mandatory funding for state, local, and tribal law enforcement assistance, who

comprise 85% of all law enforcement officers in America. Critical programs aimed at protecting the life and safety of state and local law enforcement personnel, including the Public Safety Partnership Program and the Project Safe Neighborhood Program, demonstrate our continuing commitment to supporting state, local and tribal law enforcement.

- **Reprioritizing and reshaping resources for a more efficient Department.** In line with the President’s Executive Order on a “Comprehensive Plan for Reorganizing the Executive Branch,” we are committed to establishing a leaner federal government that reduces both bureaucracy and costs to the American taxpayer. The Department is proposing a number of initiatives to achieve savings, to reduce the size of government, and maximize agency performance.

Combating Violent Crime

Protecting the American people from violent crime is a top priority for the Department of Justice. Unfortunately, in recent years, crime has been on the rise in too many places across the country. FBI statistics show that, in 2015 and 2016, the United States experienced the largest increases in violent crime in a quarter-century.¹ Over those two years, violent crime increased by nearly 7%. Robberies, assaults, and rapes all increased, and homicide increased by a shocking 20%.

In 2017, the Department made some great strides, including the launch of the enhanced Project Safe Neighborhoods (PSN) initiative, which brings together all levels of law enforcement and the communities they serve to develop effective, locally based strategies to reduce violent crime. Led by our 94 United States Attorney’s Offices, PSN task forces are hitting the streets across America to apprehend and bring violent criminals to justice. I am asking Congress for additional PSN funding for Fiscal Year 2019, totaling \$140 million, because I believe nothing will be more effective at reducing violent crime.

Under this program, I am asking a great deal of our United States Attorneys. I am empowering them and holding them accountable for results. To put them in the best position to impact and reduce violent crime, I have directed the re-allocation of resources and will be enlisting and deploying 300 additional violent crime prosecutors across the United States this year. So far, the Department has brought cases against the greatest number of violent criminals in at least 25 years—since the Department began tracking a “violent crime” category. Although preliminary numbers for 2017 show a decrease, violent crime rates are still excessively high.²

The FY 2019 budget also requests \$109.2 million in program enhancements to reduce violent crime and combat transnational criminal organizations. These resources will enable the Department to dismantle the worst criminal organizations, target the most violent offenders, and protect the public. This includes increased funding for the Bureau of Alcohol, Tobacco, Firearms and Explosives’ (ATF) National Integrated Ballistic Information Network (NIBIN) in order to centralize the correlation process that enables ballistic identification services for law

¹ U.S. Dep’t of Justice, Fed. Bureau of Investigation, *Crime in the United States, 2016*: Table 1 & n.6, <https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016/tables/table-1>; for data years prior to 1995, see U.S. Dep’t of Justice, Fed. Bureau of Investigation, *UCR Data Tool*, <https://www.ucrdatatool.gov/index.cfm>.

² Press Release: Fed. Bureau of Investigation, FBI Releases Preliminary Semiannual Crime Statistics for 2017, (Jan. 23, 2018), <https://www.fbi.gov/news/pressrel/press-releases/fbi-releases-preliminary-semiannual-crime-statistics-for-2017>.

enforcement partners in a more accurate, efficient and streamlined manner. Further, it supports expediting ATF's processing of National Firearms Act (NFA) applications, which will allow for technical advancements to ensure the most accurate and timely firearms registrations to support the enforcement of the NFA and provide certifications in support of criminal trials. Finally, it will provide ATF additional resources to provide assistance to cities with surging firearms violence by augmenting and enhancing ATF's regional Crime Gun Intelligence Centers.

It will also provide funding to the Organized Crime and Drug Enforcement Task Forces (OCDETF) with \$4.6 million for the establishment of a Co-Located Strike Force to target those transnational criminal organizations that pose the greatest threat to our national security and the safety of American citizens. The Criminal Division (CRM) is also requesting \$13 million for Mutual Legal Assistance (MLAT) Reform. This critical funding will support 37 attorneys and 35 paralegals who support prosecutors domestically and abroad by navigating foreign laws, treaties, and other requirements, to secure the return of fugitives to face justice and to obtain the evidence needed to convict them. The Office of International Affairs (OIA) often seek evidence needed to thwart terrorist plots or seek the removal of violent criminals hiding in America's cities. Finally, the U.S. Marshals Service, the oldest American federal law enforcement agency tasked with apprehending dangerous and wanted fugitives, is seeking \$7.3 million for the development and implementation of a comprehensive information technology (IT) integration project called the "Capture Initiative." This will consolidate operational data and improve business and mission capabilities at the headquarters and in the field, while ensuring their data is protected from cybersecurity risks.

Drug Enforcement and the Opioid Crisis

The United States is in the midst of the deadliest drug epidemic in American history. According to the Centers for Disease Control and Prevention (CDC), more than 63,600 Americans died from drug overdoses in 2016, a 21% increase from the previous year.³ Over 42,200, or approximately two-thirds, of these overdose deaths were caused by heroin, fentanyl, and prescription opioids. The President declared this scourge a National Public Health Emergency in October 2017, and the Department remains committed to doing its part to protect the American people from the impact of drugs and drug-related crime nationwide.

The FY 2019 budget requests \$295 million in program enhancements and transfers for the Drug Enforcement Administration (DEA) to combat the opioid crisis and bolster drug enforcement efforts. These resources will enable the Department to target those drug trafficking organizations most responsible for the opioid epidemic and drug-related violence in our communities, as well as ensure the life and safety of first responders who are on the front lines protecting the American people.

In FY 2017, Congress funded the establishment of six heroin enforcement teams, comprised of DEA Special Agents and state and local task force officers. These teams have already begun to combat the trafficking in heroin, fentanyl analogues and the violence associated

³ Hedegaard H, Warner M, Miniño A. Drug Overdose Deaths in the United States, 1999-2016. NCHS Data Brief, no 294. Hyattsville, MD: National Center for Health Statistics. 2017. Available from: <https://www.cdc.gov/nchs/data/databriefs/db294.pdf>.

with drug trafficking that is ravaging our communities. DEA continues to aggressively pursue enforcement actions against international and domestic drug trafficking organizations, and in FY 2019 we are seeking \$31.2 million to fund an additional eight new heroin enforcement groups to be deployed to DEA Field Divisions that have identified heroin as the first or second greatest threat to their area. The funding will also increase the number of DEA Special Agents at Field Divisions to target the Mexican Transnational Criminal Organizations (TCOs) that pose the greatest drug threat to the United States.

Further, the FY 2019 request also supports \$9.7 million for DEA to expand its Fentanyl Signature Profiling Program (FSPP) as it works to link fentanyl seizures to international and domestic trafficking networks responsible for fueling the opioid crisis. It would also provide funding for DEA's drug identification technology and personal protective equipment for agents in the field to minimize exposure to deadly opioids during enforcement actions and allow DEA to convert the El Salvador Formally Vetted Unit to a Sensitive Investigative Unit (SIU).

Finally, the President's Budget proposes to permanently transfer \$254 million to DEA from the Office of National Drug Control Policy (ONDCP) for facilitating coordination of the High Intensity Drug Trafficking Areas (HIDTA) Program along with other drug enforcement assets. Transferring the HIDTA grants to DEA will enable us to focus on combating drug trafficking in areas where the threat is the greatest and where there is a coordinated law enforcement presence.

Enforce Immigration Laws

We are a strong, prosperous, and orderly nation and such a nation must have a lawful system of immigration. Let no one contend that we reject immigration and want to "wall off America" from all lawful immigration. We admit 1.1 million immigrants lawfully to permanent legal status—green card status—every year, the highest numbers in the world. Indeed, at this unprecedented rate we will soon have the largest percentage of non-native born in our nation's history with the percentage continuing to rise every year thereafter. Thus, the good and decent people of this country are right to insist that this country should end the illegality, create a rational immigration flow, and protect the nation from criminal aliens. It cannot be that someone who illegally crosses the border and two days later arrives in Sacramento, Dubuque, Louisville, or Central Islip is home free—never to be removed.

It cannot be the policy of a great nation to reward those who unlawfully enter its country with legal status, Social Security, welfare, food stamps, and work permits. Meanwhile those who engage in this process lawfully and patiently and wait their turn are disadvantaged. Our citizens, want our government to think about their needs and to consider their interests. They have dreams too. Immigration law is the province of the federal government. This Administration and this Justice Department are determined to make it work fairly and effectively for the people.

The FY 2019 President's Budget strengthens the Nation's security through stronger enforcement of the Nation's immigration laws. The Department is requesting \$65.9 million in immigration-related program enhancements for FY 2019, which will enhance border security and immigration enforcement. These investments will also improve our ability to conduct

immigration hearings to help combat illegal immigration to the United States by expanding capacity, improving efficiency, and removing impediments to the timely administration of justice. This budget supports the Department's efforts, along with our partners at the Department of Homeland Security, to fix our immigration system.

The Executive Office of Immigration Review (EOIR) oversees the Nation's immigration courts and the Board of Immigrant Appeals. At the beginning of FY 2018, there were nearly 650,000 cases pending nationwide, a 25 percent increase from FY 2016 and by far the largest pending caseload before the agency, marking the eleventh consecutive year of increased backlogs. To maintain efficacy and efficiency of immigration enforcement and adjudication programs, the Department's request includes \$39.8 million for 75 new immigration judges (IJs) and support staff. Further, \$25 million is included in this request for EOIR to modernize its wholly paper-based case-related system to provide for electronic submission of all case-related information, establish Record of Proceedings (eROP), establish electronic case adjudicatory aids for IJs, improve its case management processes and end-to-end workflow, and eventually transition to a paperless courtroom.

State, Local, and Tribal Assistance

Federal law enforcement officers constitute only 15% of the total number of law enforcement officers nationwide; therefore, 85% of the officer support relies upon strong partnership with state and local law enforcement. The Department supports its partners in state and local law enforcement, who have critical intelligence about violent crime in their communities, and whose actions are crucial in the fight against violent crime and the opioid epidemic. The FY 2019 Budget continues its commitment to state, local and tribal law enforcement by investing approximately \$3.9 billion in discretionary and mandatory funding in programs to assist them. Funding has been prioritized to meet the most pressing law enforcement concerns – violent crime and opioid abuse – and to help the victims of crime.

We are also confronting the state and local jurisdictions that have undertaken to undo our immigration laws through so-called "sanctuary policies." Such policies undermine the moral authority of law and undermine the safety of the jurisdictions that adopt them. Police are forced to release criminal aliens back into the community—no matter what their crimes. Think about that: Police may be forced to release pedophiles, rapists, murderers, drug dealers, and arsonists back into the communities where they had no right to be in the first place. They should—according to law and common sense—be processed and deported. These policies hinder the work of federal law enforcement; they are contrary to the rule of law, and they have serious consequences.

Sanctuary jurisdictions feign outrage when they lose federal funds as a direct result of actions which contradict federal law. Some have even decided to go to court so that they can keep receiving taxpayer-funded grants while continuing to impede federal immigration enforcement. We intend to fight this resolutely. We cannot continue giving federal grants to cities that actively undermine the safety of federal law officers and intentionally frustrate efforts to reduce crime in their own cities. These jurisdictions that knowingly, willfully, and purposefully release criminal aliens back into their communities are sacrificing the lives and

safety of American citizens in the pursuit of an extreme open borders policy. It is extreme, because if a jurisdiction will not deport someone who enters illegally and then commits another crime, then who will they deport?

This is not just a bad policy; it is a direct challenge to the laws of the United States. It places the lives of our fine law enforcement officers at risk ; I cannot and will not accept this increased risk because certain elected officials want to make a statement. Our duty is to protect public safety and protect taxpayer dollars and I plan to fulfill those duties.

Restructuring Initiatives

The Administration is committed to establishing a leaner, more productive federal government that reduces both, bureaucracy and costs to the American taxpayer. Since 2017, the Department of Justice has undertaken efforts to refocus resources and return our efforts to our core mission. To support the President's Executive Order on reorganizing the Executive Branch, the Department of Justice has begun taking steps to streamline and improve its good stewardship of taxpayers' dollars. As part of the FY 2019 President's Budget, the Department is proposing a number of initiatives to achieve savings, to reduce the size of government, and maximize agency performance. Highlights of the restructuring initiatives include:

- The Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) responsibilities related to alcohol and tobacco enforcement will transfer to the Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau. ATF will retain its current enforcement responsibilities for firearms and explosives, while re-focusing their resources on violent crime. As part of that, ATF will pursue a workforce refresh effort, leveraging attrition from its retirement-eligible workforce to reinvigorate a cadre of Special Agents and Investigators to work on ATF's violent crime initiatives.
- The Bureau of Prisons (BOP) will shift to historical inmate-to-staff ratios. It will also close two Regional Offices and two stand-alone minimum-security prison camps, which is anticipated to achieve over \$122 million in savings.
- Beginning in FY 2018, the Department will merge administrative support and certain grant management staff for the three Department grant offices. These grants benefit our state and local partners who are on the front lines fighting crime and battling the opioid crisis. The Department plans to build one grants management system to streamline the grants process. As part of this effort in FY 2019, the Department will consolidate the Office of Community Oriented Policing (COPS) into the Bureau of Justice Assistance at the Office of Justice Programs (OJP).
- The budget also proposes to transfer the Community Relations Service (CRS) to the Civil Rights Division, who will then be able to perform its community mediation work in a more centralized manner and at a greater savings to the taxpayer.
- Finally as previously noted, the HIDTA grant program will transfer from ONDCP to DEA. This change will eliminate redundancies within federal organizations by

reallocating this program, which supports states and communities fighting the scourge of illegal drugs, into the same agency leading the enforcement efforts in those communities.

Conclusion

Chairman Culberson, Ranking Member Serrano and Members of the Subcommittee, it is my pleasure to highlight our efforts to be good stewards of the resources and authorities bestowed on us as we strengthen the Department's ability to ensure safety, equality, and justice for all Americans. As Attorney General, I am committed to making the Department of Justice run as efficiently and effectively as possible, without adding to the burden of the American taxpayer. I thank you for your past support of the Department's financial needs, and for the opportunity to present our FY 2019 budget request. I look forward to working with you through the upcoming fiscal year to ensure that the Department of Justice remains on solid financial footing and can accomplish its multiple and varied missions effectively.