



Department of Justice

STATEMENT OF

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DEPUTY ATTORNEY GENERAL**

BEFORE THE

**APPROPRIATIONS SUBCOMMITTEE ON COMMERCE, JUSTICE,
SCIENCE, AND RELATED AGENCIES
UNITED STATES SENATE**

FOR A HEARING ON

**THE FISCAL YEAR 2018
DEPARTMENT OF JUSTICE BUDGET REQUEST**

PRESENTED

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**Statement of Deputy Attorney General Rod J. Rosenstein
Before the Subcommittee on
Commerce, Justice, Science, and Related Agencies
Committee on Appropriations
United States Senate
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Good morning, Chairman Shelby, Ranking Member Shaheen, and other Members of the Subcommittee. I am honored to appear before you today to present the President's Fiscal Year (FY) 2018 budget for the Department of Justice. The Department looks forward to building on our successes and continuing progress on the most pressing issues affecting our communities and our citizens.

Let me start by thanking you for your strong support for the Department in the recently completed FY 2017 bill. The President's FY 2018 budget requests \$27.7 billion in discretionary authority for the Department of Justice, including \$25.8 billion for federal programs and \$1.9 billion for state, local, and tribal assistance programs. The Department's FY 2018 budget proposal aims to support federal law enforcement priorities and the criminal justice needs of our state, local and tribal law enforcement partners. The request advances the safety and security of the American people, because without safety there can be no prosperity. In this regard, this budget includes increases in funding to confront terrorism, pursue cybercriminals, reduce violent crime, tackle the nation's opioid epidemic, and combat illegal immigration.

The key Department funding priorities include:

- **Ensuring the security of the country and safety of the American people.** The budget allocates an additional \$98.5 million to enhance our abilities to combat terrorism, espionage, and cybersecurity threats through the investigation, apprehension, and prosecution of foreign and domestic perpetrators.
- **Combatting violent crime and the opioid epidemic.** The budget will support efforts at the Department's law enforcement agencies by providing an increase of \$198.5 million to target the worst of the worst criminal organizations and drug traffickers by addressing the violent crime and opioid epidemics that are ravaging our nation. Of particular note, this budget will provide for 230 new Assistant United States Attorneys to address violent crime across the country.
- **Combatting illegal entry and unlawful presence in the United States.** The budget provides a much-needed increase of nearly \$75 million for the hiring of 75 additional immigration judges and associated support staff at the Executive Office for Immigration Review (EOIR) to bolster its efforts to more efficiently adjudicate removal proceedings. Further, it enhances border security and immigration enforcement by providing 70 additional border enforcement prosecutors and 40 deputy U.S. Marshals for the apprehension, transportation, and prosecution of criminal aliens.
- **Promoting partnerships with state, local, and tribal entities.** The budget provides \$5.1 billion in discretionary and mandatory funding for state, local, and tribal law enforcement assistance to maintain our commitments to our partners without reducing our federal

operational role. These programs focus on ensuring the implementation of critical training that protects the lives of state and local law enforcement personnel. In addition, the Crime Victims Fund mandatory appropriations provide \$3.0 billion in funding.

- **Reprioritizing and reshaping resources for a smaller, more efficient Department.**

In line with the President’s Executive Order on a “Comprehensive Plan for Reorganizing the Executive Branch,” this budget request focuses on funding increases in priority initiatives that secure the safety and prosperity of the American people.

Ensuring the Security of the Country and Safety of the American People

National security remains the Department’s highest priority. The Department will always maintain its commitment and responsibility to safeguard American citizens and defend the homeland while maintaining our Constitutional principles. Threats are constantly evolving, requiring additional investments to mitigate those threats in innovative ways. Terrorists seek to sabotage critical infrastructure; organized crime syndicates seek to defraud individuals, governments, banks and corporations; and spies seek to steal defense and intelligence secrets and intellectual property. All endanger our nation’s economy and security.

The FY 2018 budget will support the Department’s ability to respond to these evolving threats by reprioritizing \$98.5 million that will provide program increases for the areas of (1) combatting domestic and foreign terrorism; (2) intelligence collection and analysis; (3) cybercrime; and (4) investigative and law enforcement technology.

Today’s domestic and foreign terrorist threats are complex, and require the Federal Bureau of Investigation (FBI) to make adjustments in methods and capabilities while maintaining and improving procedures that are working well. Accordingly, the budget request will provide \$8.2 million to conduct physical surveillance on high priority targets.

The Department has developed a proactive, intelligence-based strategy to predict, detect, and deter those who wish to harm the American people and the national interest. The FBI will devote \$19.7 million to address the threats posed by foreign and insider operations.

Cybercrimes are becoming more common, more sophisticated, and more dangerous. Our adversaries increasingly use computers and the Internet to advance their illicit activities. The Department has a unique and critical role in cyber security that emphasizes countering and mitigating cyber threats by investigating, prosecuting, and providing legal and policy support for intrusion and cybercrime cases. The Department’s FY 2018 budget provides \$41.5 million to enhance the technical capabilities of FBI investigative personnel, increase the number of cyber investigations, and improve cyber collection. Intrusions of private sector and government networks over recent years have highlighted the increasing capabilities of these cyber actors. Safeguarding information networks that hold personal and private data is a top priority. The Department is using every tool at its disposal to work proactively, respond swiftly, and adapt constantly to this threat.

The Department of Justice must continue to take a leading role in enhancing the capabilities of the law enforcement and national security communities. This budget request will provide \$21.6

million in funding to counter the “Going Dark” threat. The seriousness of this threat cannot be overstated. “Going Dark” refers to law enforcement’s increasing inability to lawfully access, collect, and intercept real-time communications and stored data, even with a warrant, due to fundamental shifts in communications services and technologies. This phenomenon is severely impairing our ability to conduct investigations and bring criminals to justice. The FBI will use this funding to develop and acquire tools for electronic device analysis, cryptanalytic capability, and forensic tools. The Department’s role has been to collect, house, analyze, and share critical data among our federal, state, local, and tribal partners. The FY 2018 budget supports the operations and maintenance of the Biometrics Technology Center, operated collaboratively between the FBI and Department of Defense, with a \$7.4 million investment.

Combatting Violent Crime and the Opioid Epidemic

Violent crime and drug abuse are increasingly commonplace throughout our country. While today’s overall crime rates are near historic lows, recent trends indicate that those levels are at risk. Updated FBI statistics show that from 2014 to 2015, violent crime has increased more than 3%, which is the largest one-year increase in the last 24 years. The murder rate has increased 10%, the largest increase since 1968. Compounding this issue is the opioid and illegal drug epidemic. Heroin overdose deaths have more than tripled from 2010 to 2014, while illegal drugs flood across our borders into cities and towns, bringing violence and tragedy with them. Protecting the people of this country from violent crime is a high calling of the men and women of the Department of Justice. Today, it has become more important than ever.

Consistent with the President’s Executive Orders, the FY 2018 budget requests \$198.5 million to (1) reduce violent crime; (2) combat the prescription drug and opioid epidemic; and (3) target Transnational Criminal Organizations. These resources will enable the Department to target and dismantle the worst criminal organizations and drug traffickers that are bringing violence, death, and destruction to our communities. The Department of Justice utilizes a comprehensive set of programs that leverage law enforcement operations, prosecutorial action, and support for state and local governments to combat the violent offenders in our communities.

The Department’s approach to combatting violent crime includes a request for \$50 million that will go to support ballistics tracing, expedite National Firearms Act applications, address the high volume of criminal background checks, and replace body armor and radios for deputy U.S. Marshals. The National Integrated Ballistic Information Network (NIBIN) will be supported with \$6.5 million that will provide additional office space, crime gun intelligence, training for state and local partners, and equipment needed for operations. We request \$19 million to support a multi-agency Violent and Gun-Related Crime Reduction Task Force. This will enhance investigative capabilities and prosecutorial capacity. The task force will strategically focus on the hardest hit urban areas by using innovative methods to track and apprehend individuals, organizations, and gangs and is composed of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Drug Enforcement Administration (DEA), FBI, United States Marshal Service (USMS), and the United States Attorneys. Funding will bolster investigative capacity, apprehension efforts, and grants to state and local partners.

The budget request includes an increase of \$40.4 million, for a total of \$625.2 million, in Departmental resources directed to combatting the prescription drug and heroin epidemic. The Department will take a two-pronged approach to tackling this scourge. First, this funding will support the investigation and prosecution of criminals that are bringing the illicit drugs into our communities. Second, we will leverage our relationships with medical providers, educators, and community leaders to increase awareness, education, and treatment. This request also funds the DEA's Diversion Control Program. These resources will increase regulatory and investigative capacity under the Controlled Substances Act.

The Department will target the most notorious violent criminals, gangs, and drug trafficking rings. The FY 2018 request includes \$5.8 million for ODCETF, \$6.8 million for FBI, and \$6.5 million for DEA—all to confront, disrupt, and dismantle transnational organized crime. Also included is \$18.8 million not financed by adding money to the Department budget, but by redirecting current resources and reprioritizing Department missions to support the hiring of 230 new Assistant United States Attorneys to combat all types of violent crime through comprehensive prosecution and prevention efforts.

Combatting illegal entry and unlawful presence in the United States

The President's FY 2018 budget places a priority on enhancing border security and improving enforcement of immigration laws. The backlog of immigration cases, as well as the upward trend in transnational crime, present crucial threats that must be addressed. The budget request of \$144.9 million will allow the Department to secure our borders with the full weight of both the immigration courts and federal law enforcement to preserve America's national security.

The efforts of the Department of Homeland Security (DHS) to increase immigration enforcement have resulted in an 87% increase in the number of cases brought before our immigration courts. The requested resources will allow the Department's Executive Office for Immigration Review (EOIR) to respond by providing 75 new immigration judges and associated support staff to efficiently and effectively adjudicate these cases. To support the efforts of DHS and EOIR, the U.S. Attorneys offices will add 70 additional border enforcement prosecutors and the Civil Division's Office of Immigration Litigation (OIL) will add 20 additional positions to defend the federal government's immigration enforcement efforts.

Transnational gangs and international cartels flood our country with drugs and leave death and violence in their wake. Criminal aliens and document forgers undermine our system of lawful immigration. The President's Executive Orders on Border Security, on Transnational Criminal Organizations, and on Public Safety are our guideposts. We will execute a strategy that secures the border; apprehends and prosecutes criminal aliens who threaten our public safety; combats gangs; and dismantles and destroys the cartels.

Promoting Partnerships with State, Local, and Tribal Entities

The FY 2018 budget maintains the Department's commitments to state, local, and tribal law enforcement partners without reducing the Department's federal operational role. This

funding will ensure greater safety for law enforcement personnel and the citizens they serve. The FY 2018 discretionary and mandatory request for state, local, and tribal law enforcement assistance is \$5.1 billion.

The FY 2018 request for the Office of Justice Programs (OJP) is \$4.4 billion, including \$1.3 billion for discretionary grant programs and \$3.1 billion for mandatory programs. The budget includes \$70 million for a new, Project Safe Neighborhood (PSN) Block Grant program, which will build on the work of the Department's ongoing PSN initiative to create safer neighborhoods through sustained reductions in gang violence and gun crime.

The FY 2018 request for the Office of Community Oriented Policing Services (COPS) totals \$218 million, which includes \$207 million for the COPS Hiring Program of which \$30 million is dedicated for tribal law enforcement. The Office on Violence Against Women (OVW) FY 2018 request totals \$480 million, and includes \$215 million for the STOP program, which provides critical funds to states to support their responses to violence against women. Another \$35 million of the request will support the Sexual Assault Services Program, dedicated to direct intervention and related assistance for victims of sexual assault.

Reprioritizing and Reshaping Resources for a Smaller, More Efficient Department

In executing the President's Executive Order on a "Comprehensive Plan for Reorganizing the Executive Branch," the Department of Justice is dedicated to good stewardship of taxpayer dollars. As an example, the Department's FY 2018 request dedicates \$274.7 million, an increase of \$24.9 million, to support our work against civil and criminal health care fraud. The most recent projections show that the three-year average return on investment on health care fraud funding for the Department and HHS is \$5 to every \$1 invested. This is the type of stewardship that protects the vulnerable and provides significant returns to the American people.

I am honored to submit the President's FY 2018 budget request. This request funds the Department's priorities and will result in a more cost-effective Department. As Deputy Attorney General, I am committed to making the Department of Justice run as efficiently as possible, without adding to the burden on the American taxpayer.

Conclusion

Chairman Shelby, Ranking Member Shaheen, 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 public safety and equal justice for all Americans. I thank you for your past support of the Department's financial needs, and for the opportunity to present our FY 2018 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.