



Department of Justice

STATEMENT OF

**MERRICK B. GARLAND
ATTORNEY GENERAL**

BEFORE THE

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

AT A HEARING ENTITLED

**“A REVIEW OF THE PRESIDENT’S FISCAL YEAR 2024 FUNDING REQUEST
FOR THE U.S. DEPARTMENT OF JUSTICE”**

PRESENTED

MARCH 28, 2023

**STATEMENT OF
MERRICK B. GARLAND
ATTORNEY GENERAL**

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

**AT A HEARING ENTITLED
“A REVIEW OF THE PRESIDENT’S FISCAL YEAR 2024 FUNDING REQUEST
FOR THE U.S. DEPARTMENT OF JUSTICE”**

**PRESENTED
MARCH 28, 2023**

Good afternoon, Chair Shaheen, Ranking Member Moran, and distinguished Members of the Subcommittee. I appreciate the opportunity to appear before you today to discuss the President’s Fiscal Year (FY) 2024 funding request for the United States Department of Justice.

The responsibilities of the Justice Department are broad in scope. Every day, we work to keep our country safe from all threats, foreign and domestic. We work to protect the civil rights of everyone in our country. And every day, in everything that we do, the Justice Department adheres to and upholds the rule of law that is the foundation of our system of government.

I am proud of the work the 115,000 employees of the Justice Department have done on each of those fronts since I last appeared before you.

First, we have continued to uphold the rule of law by adhering to and strengthening the norms that ensure the Justice Department’s independence and integrity. Those norms include treating like cases alike, applying the law in a way that strictly adheres to the Constitution, and as much as possible, speaking through our work and our filings in court so as not to jeopardize the viability of our investigations and the civil liberties of our citizens. We have worked to defend the rule of law from threats here at home. For example, in 2022, the Department charged more defendants in cases involving threats against those who serve the public than in any year in at least the last five. And we have worked to defend the rule of law from threats abroad. Since the start of Russia’s full-scale invasion of Ukraine, the Department has investigated war crimes, seized assets worth hundreds of millions of dollars, executed arrests, and prosecuted individuals for sanctions violations.

Second, we have used every resource at our disposal to help protect the safety of our communities. We have continued to work to counter the foreign-based threats from nation-states, terrorist groups, radicalized individuals, and cyber criminals that seek to undermine our democratic and economic institutions. And we have continued to work to counter persistent domestic-based threats – domestic violent extremist acts aimed at sowing fear; violent crime and

gun violence that undermine our communities' trust in the rule of law; drug trafficking and drug poisonings that shatter communities; and corporate crime and fraud that threaten our economic institutions. And we have done this work in partnership with communities across the country. For example, last year the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and its partners removed tens of thousands of guns used in crimes off our streets, while the Drug Enforcement Administration (DEA) and its partners seized a quantity of fentanyl-laced pills and powder that could kill every single American.

Third, we have continued to advance the Justice Department's founding purpose to protect civil rights. The Department's Civil Rights Division has been at the forefront of our efforts to protect the right to vote; prevent and prosecute hate crimes; ensure constitutional policing; build trust between law enforcement and the communities they serve; enforce federal statutes prohibiting discrimination in all its forms; and expand access to justice, including for veterans, servicemembers, and military families. Now more than ever, protecting civil rights is not only the obligation of the Civil Rights Division, but also the responsibility of every Justice Department employee, every single day. Today, the entire Department is part of our effort to vigorously protect and advance civil rights. For example, after launching an initiative to further coordinate and strengthen the Department's efforts to combat redlining, our prosecutors secured the largest settlement in Department history for neighborhoods of color facing lending discrimination. And last year, the Justice Department took action in federal court to address the long-standing failures of the public drinking water system in Jackson, Mississippi.

To continue and build on this work in these and other critical areas of focus in FY 2024, the Justice Department requests a total of \$39.7 billion in discretionary resources. Our funding priorities are set forth as follows.

Keeping Our Country Safe

Congress has provided critical resources for the Department to strengthen its national security and law enforcement capacities, to focus our efforts on disrupting threats to our country, and to build deeper and even more effective partnerships, both here at home and around the world. To continue these efforts, the Department's FY 2024 budget requests more than \$21.3 billion to sustain and expand the capacities of our law enforcement components and U.S. Attorneys' Offices to help keep our country safe. This funding includes:

- **\$11.3 billion** for the Federal Bureau of Investigation (FBI) to carry out its complex mission, including keeping our country safe from a multitude of serious and evolving threats – ranging from terrorism, espionage, and cyber threats; to violent crime; to the proliferation and potential use of weapons of mass destruction;
- **\$2.9 billion** for the United States Attorneys' Offices, including resources to prioritize the prosecution of violent crime;

- **\$2.7 billion** for the DEA, to combat drug cartels and the flow of deadly drugs into our communities (in addition to the \$621.7 million dedicated to DEA’s diversion control efforts);
- **\$1.9 billion** for the U.S. Marshals Service (USMS), to assist local law enforcement in apprehending violent fugitives from our neighborhoods, and to protect our nation’s judges and courts;
- **\$1.9 billion** for ATF, to expand multijurisdictional gun trafficking strike forces with additional personnel and support the National Integrated Ballistic Information Network (NIBIN) and the National Tracing Center.
- **\$256.7 million** for the Criminal Division to prosecute violations of federal criminal law including cybercrime, drug trafficking, child exploitation, and gun-related violent crime; and
- **\$144.8 million** for the National Security Division to enhance its ability to pursue national security threats, including the threats posed by terrorism, cybercrime, and hostile nation-states.

Today, I would like to highlight four significant areas of the Justice Department’s focus on keeping our country safe: protecting national security; reducing violent crime and gun violence; disrupting drug trafficking networks and preventing overdose deaths; and protecting Americans from economic harm.

Protecting National Security

The Justice Department is committed to combating the wide range of complex and evolving threats facing the United States – while protecting civil rights and civil liberties. The Department’s FY 2024 budget request includes nearly \$7.7 billion for national security programs across the Department to further these efforts. This includes \$1.6 billion to sustain our whole-of-Department commitment to countering foreign and domestic terrorism. These resources will support the counterterrorism work of our 94 U.S. Attorney’s Offices; our law enforcement components, including the FBI; our grant-making offices; and our litigating divisions, including the National Security Division, the Civil Rights Division, and the Criminal Division.

In addition to sustaining and strengthening our counterterrorism efforts, the Department’s FY 2024 budget also requests investments in our efforts to investigate, prosecute, and otherwise disrupt the threats posed by hostile nations – specifically the governments of the People’s Republic of China, Russia, Iran, and North Korea. To address these threats, the Justice Department is bringing prosecutions against foreign agents attempting to undermine the rule of law in the United States, enforcing violations of economic sanctions and export controls, and combating transnational repression. In addition, nation-states are increasingly using cyber operations to steal our intellectual property, target critical infrastructure, compromise our networks and supply chains, and cause significant economic harm. To meet the increasing and evolving cybercrime threat posed by nation-states and criminal groups, the Justice Department’s

FY 2024 budget request includes nearly \$1.4 billion to investigate, prosecute, and fight cybercrime and strengthen the Department's cybersecurity and cyber-resilience. The Department's FY 2024 budget also maintains critical resources for the Criminal and the National Security Divisions, as well as the FBI and our United States Attorneys' Offices, to pursue complex intellectual property crime investigations around the world.

Reducing Violent Crime and Gun Violence

The Justice Department is continuing to focus its efforts to confront the rise in violent crime that began in 2020. In May 2021, the Justice Department launched a comprehensive violent crime reduction strategy. As part of that strategy, all 94 of our United States Attorneys' Offices are working with their partners in state and local law enforcement to develop and implement district-specific, anti-violent crime policies. And the ATF, DEA, FBI, and USMS are partnering with state and local law enforcement agencies to embed agents, seize and trace guns used in crimes, disrupt violent drug trafficking, pursue fugitives, and provide other necessary support. Investments in both our U.S. Attorneys' Offices and our law enforcement agencies are needed to continue this essential work.

In addition, as part of our efforts to combat the scourge of gun violence, the Department's FY 2024 budget requests resources to continue to implement the Bipartisan Safer Communities Act (BSCA). In January 2023, the Eastern District of New York announced a seven-count indictment charging several individuals with allegedly conspiring to illegally traffic more than 50 firearms under new gun trafficking provisions of the BSCA. Our request seeks an additional \$114.2 million to continue our efforts to disrupt gun violence and implement the BSCA.

The Justice Department recognizes that our state, local, Tribal, and territorial law enforcement partners bear the brunt of keeping communities safe. And we are committed to doing everything in our power to provide our local law enforcement partners with the resources they need to do so.

The Department's request includes \$2.7 billion in discretionary and mandatory funding for the Office of Community Oriented Policing Services (COPS Office) Hiring Program in FY 2024 to enable law enforcement agencies across the country to hire more full-time law enforcement professionals, and a total of \$10.9 billion over five years in mandatory funding to support those efforts.

Our FY 2024 budget request reflects the Department's commitment to continuing to bring public safety resources to localities across the country that need it the most. To support critical longstanding Justice Department grant programs, including the Byrne Justice Assistance Grants and Project Safe Neighborhoods, a total of \$5.7 billion is requested in discretionary and mandatory funding for the Office of Justice Programs (OJP) in FY 2024. Those resources will also fund community violence intervention programs, as well as new programming that will provide state, local, Tribal, and territorial governments with additional resources to prevent crime, reduce gun violence, accelerate criminal justice system reform, and build the public trust

that is essential to public safety. They will also support the Department's VALOR Officer Safety and Wellness Initiative, which provides trainings, research, and guidance on preventing violence against law enforcement and supporting officer wellness.

To further build on our efforts to meet the crisis of gun violence, the Department requests \$884 million in additional mandatory funding for a new gun crime prevention fund in FY 2024, and a total of \$4.4 billion over five years. That fund will provide grants for states and localities to address gun violence at the local level, including by deploying task forces to combat violent crime and supporting state and local justice systems.

Our FY 2024 budget request also reflects the Justice Department's commitment to meeting the unique public safety challenges facing Tribal communities in partnership with those communities. To build on that work, the Department's FY 2024 funding request seeks \$683.4 million across our law enforcement agencies, U.S. Attorneys' Offices, and grantmaking components to address the crisis of Missing or Murdered Indigenous Persons and to support public safety initiatives in Indian Country.

The Department's FY 2024 budget recognizes the important role that our Office on Violence Against Women (OVW) plays in our efforts to reduce violent crime. The Department's FY 2024 funding request includes \$1 billion for OVW – an increase of \$300 million above the FY 2023 enacted level – to support longstanding VAWA and other OVW programs. That includes programs that provide critical resources to local, state, Tribal, and territorial partners across the country to fund police, prosecutors, courts, and victim services as well as homicide and domestic violence reduction initiatives.

In addition, the President's FY 2024 Budget seeks key resources to support crime victims and protect vulnerable communities. That includes funding to combat child abduction and exploitation, protect victims of violence and abuse, and reform juvenile justice systems.

And as part of our work to defend vulnerable communities and keep our country safe, the Department's FY 2024 budget requests \$10 million to support the work of Task Force Alpha and the Department's international human rights efforts. In June 2021, we established Joint Task Force Alpha in partnership with the Department of Homeland Security. The task force works within the United States and with our foreign partners in the Northern Triangle countries and Mexico to dismantle the most dangerous human smuggling and trafficking networks. Additional resources will allow us to build on our efforts to disrupt and dismantle deadly transnational human smuggling and trafficking groups.

Disrupting Drug Trafficking Networks and Preventing Overdose Deaths

The Justice Department is using every tool at our disposal to save lives and get fentanyl out of our communities. This includes dismantling the violent cartels that flood communities with poison and dedicating our resources to addressing the public health challenges of addiction and drug use. The Department's agents and prosecutors are working with state, local, Tribal, and

territorial partners to conduct investigations in communities across the country. In 2022, the DEA and its law enforcement partners seized more than 50.6 million fentanyl-laced, fake prescription pills. That is more than double the amount seized in 2021. The DEA has also seized more than 10,000 pounds of fentanyl powder. Together, these seizures represent more than 379 million potentially deadly doses of fentanyl. That much fentanyl could kill every single American.

To continue this essential work, the Department's FY 2024 budget requests critical resources to combat violent drug cartels and to stop the flow of deadly drugs into our communities.

This includes our request for:

- **\$3.3 billion** for DEA's investigations, counterdrug efforts across 241 domestic offices and 92 foreign offices in 69 countries around the world, and diversion control;
- **\$1.1 billion** for the USMS's efforts to capture drug trafficking fugitives;
- **\$202.7 million** for the FBI's counterdrug operations, including targeting fentanyl and opioid trafficking on the Dark Web;
- **\$550.5 million** for the Department's Organized Crime Drug Enforcement Task Forces (OCDETF) to combat transnational organized crime, money laundering, and major drug trafficking networks;
- **\$50.3 million** to support the Criminal Division's efforts to disrupt and dismantle drug trafficking networks; and
- **\$13.4 million** for the Civil Division's efforts to advance national chain pharmacy litigation and opioid related cases.

In addition to our enforcement efforts, we are committed to helping communities meet the public health challenges of addiction and substance abuse. For FY 2024, the Department is requesting more than \$646 million in grants to address the drug overdose epidemic, including to sustain the FY 2023 levels of the Comprehensive Opioid, Stimulant, and Substance Abuse Program, and to continue support for drug courts programs, the Justice and Mental Health Collaboration Program, the Veterans' Treatment Court Programs, and Prescription Drug Monitoring Programs.

Protecting Americans from Economic Harm

The Justice Department's FY 2024 budget request seeks significant investments in the Antitrust Division, Civil Division Consumer Protection Branch, our U.S. Attorneys' offices, the FBI, and the Criminal Division to promote economic competition and prevent the theft of

intellectual property; deter and prosecute corporate crime; protect the government against fraud; and combat corruption.

This includes:

- **\$324.8 million** for the Antitrust Division to help promote competition in the American economy and protect workers, consumers, and businesses alike;
- **\$770 million** to support our U.S. Attorneys' offices' efforts to bring cases combating economic crimes and fraud;
- **\$495 million** to support the FBI's work to investigate corporate crime, fraud, money laundering, intellectual property theft, and other economic crimes;
- **\$294 million** for the Civil Division's efforts to enforce laws that protect the health, safety, and financial security of American consumers;
- **\$277 million** for the United States Trustee Program, an important program devoted to protecting the interests of all stakeholders in the bankruptcy process by advocating for fair, equitable compliance with bankruptcy laws;
- **\$43 million** to support the Criminal Division's anti-fraud efforts and its investigations and prosecutions of complex economic crime; and
- **\$130 million** for the Department's Tax Division, to support its vital work of enforcing our tax laws fully, fairly, and consistently.

Beyond these resources, as part of the Pandemic Fraud Prevention and Enforcement proposal, the Administration requests \$300 million in mandatory funding to combat COVID fraud. In 2022, the Department established three COVID-19 fraud strike force teams. These teams have been highly effective and should be expanded to recover more stolen taxpayer dollars. One case alone, brought with the support of the COVID-19 Fraud Enforcement Task Force, recently seized and recovered \$286 million in stolen pandemic relief funds, and investigators have already identified several equally important cases. The Administration's request includes resources to add at least ten strike forces to target criminal syndicates and major fraudulent actors. These funds would triple our capacity and ensure that the Department has the necessary resources to prosecute the full range of pandemic fraud, bring to justice the most egregious and sophisticated offenders, and recover stolen funds for the American people.

Protecting Civil Rights

Protecting civil rights was a founding purpose of the Department in 1870, and it remains our urgent charge today. The Department's FY 2024 budget requests significant investments to advance our essential work to protect voting rights, combat hate crimes, foster trust and

accountability in law enforcement, expand access to justice, reform the criminal justice system, defend federally protected reproductive rights, and advance environmental justice and tackle the climate crisis.

To protect and advance civil rights, our FY 2024 budget request includes:

- **\$251.6 million** for the Civil Rights Division – an increase of \$62 million or 32.5 percent above the FY 2023 enacted level – to expand its efforts to deter and prosecute hate crimes, safeguard fair elections, and combat discrimination;
- **\$127.6 million** to support the FBI’s work to investigate alleged violations of civil rights laws;
- **\$51.9 million** to support the U.S. Attorneys’ offices civil rights protection work;
- **\$28.1 million** for the Community Relations Service to provide facilitated dialogue, mediation, training, and conciliation services to communities in conflict; and
- **\$13.7 million** for the Office for Access to Justice to expand equal access to justice for all.

Protecting Voting Rights

The Justice Department remains committed to using our resources to vigorously protect voting rights with the enforcement powers we have. The Department has increased the number of enforcement attorneys in the Civil Rights Division to scrutinize new laws that curb voter access or discriminate against Black voters and other voters of color. The Department has filed lawsuits across the country to protect the right to vote. It has also filed statements of interest and amicus briefs in federal courts to weigh in on critical questions. The Justice Department stands ready to work with Congress to provide all necessary support to develop and advance federal legislation to protect voting rights—including legislation that would restore critical tools in this effort.

Combating Hate Crimes

The entire Justice Department is hard at work maximizing our collective tools to prevent, deter, investigate, and prosecute hate crimes, which have significantly increased in recent years. The Department is also working to improve hate crime reporting, which will in turn promote more effective prevention and prosecutions of these crimes. Last September, the Justice Department officially launched the United Against Hate program in U.S. Attorneys’ offices across the country. The program brings together community groups, federal hate crimes prosecutors, and law enforcement at every level. It seeks to strengthen coordination to combat hate crimes and hate incidents by helping individuals learn to identify, report, and prevent hate crimes. We have already launched the training in 39 offices, and it will be offered in all 94 by the end of this year. The Department’s FY 2024 funding request includes an increase of \$5 million

for OJP’s Jabara-Heyer NO HATE Act grants and an increase of \$13.2 million for the Civil Rights Division’s work to address hate crimes.

Fostering Trust and Accountability in Law Enforcement

The Justice Department is committed to fostering trust between law enforcement and the communities we serve. In June 2021, the Department’s federal law enforcement components were instructed to develop plans specific to their unique missions to expand the use of body-worn cameras. The Department’s FY 2024 budget requests \$89.2 million in new funding to strengthen trust and accountability in law enforcement by expanding, formalizing, and managing Body Worn Camera programs for the Department’s law enforcement agencies. In addition, the Department seeks \$28.1 million for the Community Relations Service to provide mediation and conciliation services to communities impacted by conflict.

Advancing Environmental Justice and Tackling the Climate Crisis

In May 2022, the Department established its first-ever Office of Environmental Justice (OEJ), which serves as a central hub for our efforts to advance our comprehensive environmental justice enforcement strategy. Through improved information sharing and coordination, that Office is helping Department components expand investigations and enforcement actions in overburdened and underserved communities suffering from harm caused by environmental crimes, pollution, and climate change.

Additional Areas of Departmental Focus

Administering a Just and Efficient Immigration Court System

The Department’s FY 2024 budget request includes more resources to apply the immigration laws justly and efficiently, while ensuring due process under the law. The Executive Office for Immigration Review (EOIR) needs additional resources to address the case backlog, which has been growing for more than a decade. To help reduce this backlog, for FY 2024, the Department requests \$1.46 billion – a 69.2 percent increase – to enable EOIR to hire nearly 1,000 new staff, including 150 new immigration judge teams. The FY 2024 budget request also seeks funds for EOIR’s Backlog Reduction Initiative, which, among other things, includes EOIR’s virtual court initiative.

Maintaining a Safe and Humane Correctional System

Administering safe and humane federal detention and prison systems is one of the Justice Department’s essential responsibilities. Last year, I announced the selection of Colette Peters as Director of the Federal Bureau of Prisons (BOP). Under her leadership, BOP is working to ensure the rehabilitation, health, and safety of incarcerated individuals; a safe and secure work environment for correctional staff; and transparency and accountability across federal detention facilities. The Department’s FY 2024 budget requests \$8.82 billion for BOP to ensure the health,

safety, and wellbeing of correctional staff and incarcerated individuals and to ensure transparency, accountability, and effective oversight of all federal prisons and detention centers.

The request includes funding to enable the BOP to optimize its hiring efforts, supporting up to 2,250 new staff from now through the end of FY 2024. It also includes \$109 million for new hiring and retention incentives.

The Department is also requesting \$409.5 million to fully implement the provisions of the First Step Act and increase programming to prepare individuals in federal prison for successful reentry. That includes funding for a continued partnership between the Justice Department and the Department of Labor to provide workforce development services to people in the federal prison system, both during their time in BOP facilities and after they are transferred to community placement.

In addition, the Department's FY 2024 budget requests \$2.13 billion for the USMS for federal prisoner detention.

Promoting Good Government

The Department's FY 2024 budget request includes funding that will help ensure the Department is both properly resourced in its various management functions and making efficient use of taxpayer dollars. The Department's FY 2024 budget requests \$212.5 million for the Department's Justice Operations, Management, and Accountability function, to ensure the Department's effective management and administration; \$161.6 million for the Department's Inspector General, to promote integrity, efficiency, and accountability within the Department; and \$193.6 million for Justice Information Sharing Technology, to ensure continued progress toward the Department's strategic goals by supporting agents, attorneys, analysts, and administrative staff in furtherance of our mission.

Ensuring Accountability for Russia's Invasion of Ukraine

The Justice Department has taken a series of actions to ensure accountability for Russia's unprovoked and unjust invasion of Ukraine. The Department launched Task Force KleptoCapture (TFKC) to further leverage our tools and authorities to combat efforts to evade or undermine U.S. sanctions and export controls. We also launched a War Crimes Accountability Team to centralize and strengthen the Department's ongoing work to hold accountable those who have committed war crimes and other atrocities in Ukraine.

Congress has passed important provisions that strengthen these efforts. In January 2023, the President signed into law the Justice for Victims of War Crimes Act, which enables the Department to prosecute war criminals present in the United States regardless of where the offense occurs. And on December 29, 2022, the President signed into law the Additional Ukraine Supplemental Appropriations Act of 2023. Among other things, that Act authorizes the Department to conduct certain transfers of forfeited Russian oligarch assets to the Department of

State to remediate the harms of Russia's invasion of Ukraine. In February 2023, I authorized the first transfer under this new authority.

The Department greatly appreciates the \$126.4 million in supplemental funding that Congress provided it last year, and we will redouble our efforts to hold accountable those who have committed war crimes and other atrocities, as well as those who try to circumvent U.S. sanctions and export controls.

I am extremely proud of the work the Department's employees have done to uphold the rule of law, to keep our country safe, and to protect civil rights. I respectfully ask for your support for the President's FY 2024 funding request so that we may continue and build upon that work.