

**Chairman Richard Shelby Opening Statement  
Committee on Appropriations Subcommittee on Commerce, Justice, Science, and  
Related Agencies**

**Hearing to review to Review the Fiscal Year 2017 Budget Request  
for the U.S. Department of Justice**

**February 25, 2016**

*(As prepared for delivery)*

Madam Attorney General, welcome to the Commerce, Justice, and Science Appropriations Subcommittee hearing examining the Department of Justice's Fiscal Year 2017 budget request.

Today, this subcommittee will continue the important responsibility of reviewing spending at the Justice Department to ensure it has the necessary resources to carry out national security and law enforcement missions.

Last month, you testified before this subcommittee about a set of executive actions recently issued by the President regarding gun control.

At that time, I, along with other subcommittee members, expressed deep concerns about the constitutionality of key aspects of these executive actions.

However, the President's FY 2017 budget request for the Department of Justice – submitted a few weeks after that hearing – has paid no heed to these concerns.

The President proposes to increase spending at the Department of Justice by \$802 million in fiscal year 2017, for a new total of \$29.9 billion.

This includes \$66 million in additional funding for the Bureau of Alcohol, Tobacco, Firearms, and Explosives for 200 new positions – 80 special agents and 120 industry operations investigators.

I continue to have significant reservations about the potential abuses and harassment of law-abiding gun owners and purchasers that could result from bringing on these additional agents and investigators.

In addition, I expressed to you at our hearing in January my apprehension about the President's Clemency Initiative, given the numerous examples of sentences that have been commuted for criminals with firearms convictions.

You pledged to review this situation and get back to me on this troubling topic, and I'm still waiting for your response.

Yet, the Department's budget request for the Office of the Pardon Attorney includes \$2.8 million to increase staffing for pardon and commutation petition reviews.

I find it hard to believe that the President can spotlight his commitment to reducing gun violence in America when his Administration is granting clemency petitions for criminals convicted of gun crimes.

In another area, I note that spending at the Bureau of Prisons increases by \$238 million above the fiscal year 2016 level despite another projected reduction in our federal prisoner population, which continues to decline.

I hope you can shed some light on why our Prison budget continues to increase instead of demonstrating savings and cost reductions at a time with fewer federal prisoners.

When it comes to law enforcement activities, counterterrorism and cybersecurity remain top priorities of this subcommittee.

The massive recent cyber breach of the Office of Personnel Management's computer network compromised the personal information of approximately 25 million Americans.

That's an astounding number, and reminds us what's at stake if the federal government is not prepared to combat cyber threats – both offensively and defensively.

The Department requests an increase of \$121 million for combatting cyber threats, which includes \$85 million for the FBI, \$8 million for the DEA, and \$26 million for the Department's Justice Information Sharing Technology account.

Despite the noteworthy funding increases for cybersecurity, I am deeply troubled by proposed cuts to other national security activities.

Finally, when it comes to counterterrorism, I was dismayed by the President's announcement on Tuesday to close the Guantanamo Bay detention facility.

This announcement came on the same day that Spanish and Moroccan police arrested four terrorist recruiters that include a former Guantanamo detainee who once fought with militants in Afghanistan.

Current law prohibits the terrorists held at Guantanamo from being transferred onto U.S. soil, and I am left wondering what advice you could have possibly given the President that would make any such move arguably legal.

I will highlight more specific topics in my questions, and I look forward to your responses this morning.

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