



Department of Justice

STATEMENT

OF

WILLIAM P. BARR
ATTORNEY GENERAL

BEFORE

THE

COMMITTEE ON THE JUDICIARY

UNITED STATES SENATE

CONCERNING

DEPARTMENT OF JUSTICE AUTHORIZATION
FOR FISCAL YEAR 1993

ON

JUNE 30, 1992

TESTIMONY FOR THE SENATE JUDICIARY COMMITTEE
ATTORNEY GENERAL WILLIAM P. BARR
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Thank you, Mr. Chairman.

It has been seven months now since I appeared before this distinguished Committee during my confirmation hearings. I appreciate the courtesy and support I have received from you, Mr. Chairman, and Senator Thurmond, and from the other members of this Committee.

As you will recall, Mr. Chairman, during my confirmation hearings -- in response to a question from Senator Thurmond -- I laid out my top priorities for the Department of Justice during my tenure as Attorney General.

I noted that in one sense it is somewhat misleading to talk about priorities at the Department because there is such a wide range of issues that we must continually address. I also explained that my general priority was to foster and build upon the professionalism and integrity of the Department itself.

In addition to these general comments, I listed four main areas of concern. The first was the fight against violent crime, and closely related to that was the continuation of the vigorous prosecution of the war on drugs. Third was aggressive enforcement of civil-rights laws. And the fourth priority was effective prosecution of financial fraud and white-collar crime. I also stated my commitment to strengthening INS and maintaining the integrity of our immigration laws.

Today, I would like to offer a very brief summary of some of

our initiatives over the last seven months in pursuit of these goals, as well as some of our accomplishments so far.

The Department has carried out several major initiatives designed to fight violent crime. Although the problem of violent crime is primarily the responsibility of state and local law enforcement, aggressive federal involvement is a vital part of this struggle. Longstanding priorities in federal law enforcement, such as organized crime, must be maintained, as our decade-long string of successes against LCN leaders including John Gotti clearly reveals. But I believe very strongly that the federal government must "lean in" as much as possible to make a substantial impact against violent crime and we must exercise leadership for all of law enforcement. To this end we have increasingly targeted gangs, felons who use firearms, and violent drug-trafficking organizations.

We have found that tough federal firearms statutes, drug statutes and RICO statutes can greatly help local law enforcement to combat violent street gangs. The remarkable success in Philadelphia with our pilot Violent Traffickers Project and "F.A.S.T." initiative (Federal Alternative to State Trials) -- 38 gangs wiped out; 600 federal convictions -- convinced me to expand this strategy of federal and local cooperation. The changing world situation allowed me to shift 300 FBI agents from foreign counter-intelligence to work on violent-gang squads and anti-gang task forces with agents from BATF. The FBI agents have been assigned to 39 cities across the country to augment the work of the 1,600 FBI

agents already assigned to violent crime. This represents one of the largest re-allocations of resources in FBI history. The Bureau is also working jointly with BATF in setting up a new National Gang Analysis Center. I also shifted 25 DEA agents from Washington headquarters to drug-related homicide task forces in the field. Furthermore, in the wake of the L.A. riots, I recently assigned 50 FBI agents to violent gang squads in California. Finally, I have added 150 new INS criminal investigators to focus on criminal aliens involved in violent street gangs.

With these stepped-up resources and rapidly growing cooperation between federal and state prosecutors (we recently concluded the first national conference for federal and state prosecutors on anti-gang enforcement), we should see a steady stream of results. The dozens of arrests on Sunday of a violent street gang in Detroit are an excellent example of where our new efforts are heading.

In our crackdown on felons who use firearms, we have continued our "Project Triggerlock," which began in April of 1991. This initiative targets repeat offenders who use or carry guns. We confiscate their weapons, and put the chronic offenders behind bars under stiff federal mandatory sentences. Under "Triggerlock," the average sentence received by an Armed Career Criminal is eighteen years. As of May 1, nearly 7,000 defendants have been charged with federal firearms violations. Our conviction rate is running at 96%.

From February through April, the United States Marshals

Service conducted one of the most successful criminal manhunts in the history of federal law enforcement: Operation Gunsmoke. Working closely with federal, state and local law enforcement agencies, the U.S. Marshals focused on violent repeat offenders who used firearms. They tracked down and arrested over 3,300 violent fugitives in 14 cities across the nation. Many were convicted murderers, and many were armed at the time of arrest.

As you know, Mr. Chairman, the presence of these repeat violent criminals on the streets is largely due to the lack of adequate prison space on the state level. The reality of "revolving door" justice undermines any serious fight against violent crime. More violent criminals on the street inevitably means more crime. That is why the President and Congress have made increased federal prison capacity a top priority. In the last three years, as part of its \$2.8 billion expansion program, the Bureau of Prisons has activated nearly 17,000 additional beds. In the next five years, this program will create space for 42,000 additional inmates.

Also in April of this year, we sponsored a national summit for federal, state and local corrections officials specifically to examine the problem of prison capacity and the effective handling of violent offenders.

Finally, Mr. Chairman, with regard to federal leadership in the fight against violent crime, we have been closely examining the various criminal justice systems to identify the most effective penalties and procedures. In the very near future, we plan to

release a comprehensive Violent Crime Report detailing what needs to be done at all levels of government to combat violent crime.

Because the serious problem of drug abuse in this country is inseparable from violent crime, our attack on violent crime has had a major impact on drug trafficking. Our ongoing offensive against violent street gangs engaged in the drug trade has completely eradicated entire gangs in cities such as Philadelphia, Chicago, Boston, Detroit and Washington, D.C. In prosecuting the war on drugs, we have fought successfully against these violent traffickers. Furthermore, the conviction of General Manuel Noriega demonstrates that no drug kingpin is above the law. Laws passed by Congress in the 1980's have given us a law enforcement infrastructure that continues to yield thousands of arrests and record seizures of drugs, money, assets and processing facilities.

Of course, it is the inner city that is hardest hit by drug trafficking. And that is one reason, Mr. Chairman, why our Weed and Seed initiative is so important. This year has seen a dramatic expansion of Weed and Seed. As you know, the Weed and Seed strategy is designed to revitalize communities by targeting high crime neighborhoods and housing developments with efforts to "weed out" violent criminals, illegal gang activity, drug trafficking and related violence, and then "seed" these formerly crime-saturated neighborhoods with comprehensive social and economic revitalization programs. Over the past four months, the pilot phase of Weed and Seed was expanded to sixteen additional demonstration sites. The response from community groups, the private sector, and state and

local officials has been overwhelmingly positive.

As you know, Mr. Chairman, the Administration is seeking \$500 million in FY 1993 for Weed and Seed. This request is tied to the passage of enterprise zone legislation which is vital to the economic growth of urban communities.

In the civil rights area, we have seen a record number of cases brought and defendants charged. From FY 1989 through FY 1991, the Department has prosecuted more racial violence cases than in the previous twelve years put together. Virtually all defendants charged have been convicted or have pled guilty. In response to the problem of police brutality, in the past three years, the Department has brought charges against 123 law enforcement officers alleging official misconduct and abuse.

With the amendment to the Fair Housing Act that became effective in 1989, the Department of Justice has been able to file almost ten times as many fair-housing lawsuits per year as were possible before 1989. While I was serving as Acting Attorney General, I announced plans to aggressively attack housing discrimination by employing the Department's own testers. That testing program is now underway, and has already borne fruit. Furthermore, we will soon announce the filing and simultaneous settling of a major lawsuit involving discrimination in public housing to remedy racial and national-origin discrimination.

I have also directed Assistant Attorney General John Dunne in the Civil Rights Division to study the complex problem of mortgage discrimination. Soon we will suggest specific changes to improve

racial and ethnic fairness in the mortgage underwriting process and, with the cooperation of the appropriate regulatory agencies, we will conduct more detailed investigations of specific lending institutions.

We have also sought to counter the disturbing rise in anti-Semitic activity, both in housing practices and in society at large. In the Airmont case, we are attempting to overthrow zoning laws allegedly designed to keep Orthodox Jews out of a community in New York. More recently, we convicted eight members of hate groups who desecrated a synagogue in Nashville, Tennessee. We have also convicted numerous "skinheads" for a variety of anti-Semitic crimes.

Mr. Chairman, with regard to my fourth priority of white-collar crime and fraud in financial institutions, we have continued to experience unprecedented success. Having over 1,600 FBI Special Agents and prosecuting attorneys dedicated to financial institution fraud, the Department has prosecuted more than 3,100 defendants in major financial institution fraud cases over the past 2 1/2 years. More than 1,000 of these defendants have been prosecuted in connection with major Savings and Loan cases, and more than three-fourths of those convicted have gone to jail.

In the BCCI matter, there have been a number of positive developments since my confirmation testimony. After our special task force returned a comprehensive indictment in December 1991, the Bank of Credit and Commerce International agreed to plead guilty to federal and state charges of conspiracy to commit

racketeering and fraud. BCCI agreed not only to forfeit all of its assets in the United States -- worth approximately \$550 million, making it the largest forfeiture in history -- but also to cooperate fully with ongoing investigations of individuals. On January 24, 1992, the Court accepted the guilty plea and ordered the \$550 million forfeiture. District Courts in both Washington and New York praised the intra-governmental cooperation and round-the-clock international negotiations -- led by Deputy Attorney General George Terwilliger -- that made the settlement possible. The British Courts recently granted U.S. investigators access to millions of pages of BCCI documents. Within the past week, the Department obtained the appointment of a trustee to help sell First American Bank and sever its ties to BCCI, and requested an additional forfeiture of \$100 million in frozen U.S. assets claimed by the Ruling Family of Abu Dahbi.

Another major focus in our fight against white collar crime is health care fraud. Evidence suggests that professional criminals in the health-care business are looting as much as 15% of Americans' \$800 billion health-care costs. In February, I announced the reassignment of 50 FBI agents from counter-intelligence work to investigations of health-care fraud. Less than an hour ago, I announced that FBI agents and other law enforcement officers are now making multiple arrests and seizing assets in more than 50 cities, as part of operation Goldpill, the nation's most extensive investigation of health care fraud to date.

Finally, let me mention what we have been doing in the area of

immigration. In order to effectively enforce and implement the nation's immigration laws, I have directed the Immigration and Naturalization Service to hire 300 new Border Patrol Officers. As of June 12, 241 trainees have been hired, and 71 officers are already trained and working on the border. I also ordered the hiring of 200 additional criminal investigators to combat illegal immigration and violent crime by criminal aliens, the creation of a National Criminal Alien Tracking Center, and the hiring of over 700 additional INS workers to improve services to legal immigrants and travelers. In addition, \$5 million from the Department's Asset Forfeiture Fund has been used to purchase new lighting, sensors, vehicles and other interdiction equipment. Last week in Los Angeles I announced a series of initiatives designed to facilitate the identification and deportation of criminal aliens.

Mr. Chairman, when I was sworn-in as Attorney General, I stated that it was an honor for me to work with the career employees at the Department who have always demonstrated in my experience the highest level of professionalism and devotion. My experience in the last seven months has clearly reaffirmed that view. I am proud of what the Department has accomplished and enthusiastic about the possibilities for the future. It remains my goal to leave the Department of Justice a more effective and more professional institution.

Once again, I would like to express my appreciation to the committee for its support.

Thank you for your courtesy and your time.