



# Department of Justice

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**STATEMENT FOR THE RECORD OF**

**ERIC H. HOLDER, JR.  
ATTORNEY GENERAL**

**BEFORE THE**

**COMMITTEE ON THE JUDICIARY  
U.S. HOUSE OF REPRESENTATIVES**

**ENTITLED**

**“OVERSIGHT OF THE U.S. DEPARTMENT OF JUSTICE”**

**PRESENTED**

**JUNE 7, 2012**

**Statement of  
Eric H. Holder, Jr.  
Attorney General  
U.S. Department of Justice**

**Committee on the Judiciary  
U.S. House of Representatives**

**“Oversight of the U.S. Department of Justice”  
June 7, 2012**

Good morning, Chairman Smith, Ranking Member Conyers, and distinguished members of the Committee. Thank you for the opportunity to appear before you today – and for your continued support of the Justice Department, and the goals that we share. I appreciate the chance to discuss some of the key accomplishments that have distinguished the Department’s work throughout this Administration – and to outline our plans to build upon this record of achievement.

In particular, I am proud of the work that’s been done – by the Department’s 116,000 employees, as well as our government and law enforcement partners worldwide – to help fulfill the promises that I made before this Committee more than three years ago. Shortly after I became Attorney General, I pledged to strengthen the Department’s efforts to protect the American people from terrorism and other national security threats; and to ensure that every decision – and every investigation and prosecution – would be guided by the facts and the law. I also reaffirmed my commitment to move aggressively to prevent and combat violent crime and financial fraud, to seek justice for victims, to protect the most vulnerable among us, to safeguard the environment, and to uphold the civil rights of *all* citizens.

In each of these areas, the Department has made tremendous – and, in many cases, historic – progress. Nowhere is this more evident than in our national security efforts. In the last three years, the Department has secured convictions against scores of dangerous terrorists. We’ve identified – and stopped – multiple plots by foreign terrorist groups, as well as homegrown extremists. And we’ve strengthened essential surveillance and intelligence-gathering capabilities.

Just last month, we secured our seventh conviction in one of the most serious terrorism cases our nation has faced since 9/11: an al-Qaeda-sponsored plot to conduct coordinated suicide bomb attacks in the New York subway system. And roughly two weeks ago, we attained a guilty verdict in the case of a former member of the U.S. Army who intended to bomb U.S. soldiers at a restaurant in Killeen, Texas. On the same day, another Texas man was sentenced to 20 years in prison for attempting to become part of al-Qaeda in the Arabian Peninsula.

In addition to our national security successes, the Department has made meaningful, measurable strides in protecting Americans from violent crime. Through innovative programs

such as our Defending Childhood Initiative and National Forum on Youth Violence Prevention, we've developed comprehensive, collaborative approaches to addressing the causes and remedying the consequences of violence among, and directed toward, our nation's young people. By forging and strengthening partnerships between our United States Attorneys' Offices and federal, state, local, tribal, and international law enforcement officials, we're combating gun-, gang-, and drug-fueled violence more effectively than ever before – and nationwide, the steady decline of violent crime rates reflect this fact. Alongside key law enforcement allies – and our counterparts in Mexico and other countries – we've orchestrated a series of coordinated strikes against violent drug cartels, arresting thousands of cartel members and seizing billions of dollars in assets. We're also implementing strategic, desperately-needed plans to address the shocking rates of violence that plague American Indian and Alaska Native women throughout tribal communities. And we're using every resource and tool at our disposal – including the power of research and scientific analysis – to protect our nation's law enforcement community, which – in recent years – has seen an unfortunate, and unacceptable, rise in line-of-duty deaths.

Many of you have worked to raise awareness about the tragic fact that violence against law enforcement officers is approaching the highest level we've seen in nearly two decades. As Attorney General – and as the brother of a retired police officer – I am proud that the Department has responded to this recent crisis with resolve and robust action. Just last week, I met with the Major Cities Police Chiefs Association at its summer meeting to discuss the ways we've developed and implemented a host of important programs, such as the landmark VALOR Initiative, which is providing our law enforcement partners with the latest in training, tools, and resources – as well as the Bulletproof Vest Partnership Program, which has helped more than 13,000 jurisdictions purchase lifesaving bullet- and stab-resistant equipment – in order to help protect those who risk their lives to keep us safe.

Put simply, our commitment to officer safety has never been stronger. And – as recent achievements prove – the same can be said of our resolve to protect American consumers.

Since the start of this Administration, the Justice Department has signaled an unwavering commitment to preventing and combating a wide range of financial and health-care fraud crimes. We've taken bold steps to address the contributing factors and consequences of the recent economic crisis. And this work is paying dividends.

Last year alone, the Department's Consumer Protection Branch – working with U.S. Attorneys' Offices across the country – attained a 95 percent conviction rate; secured more than \$900 million in criminal and civil fines, restitution, and penalties; and obtained sentences totaling more than 130 years of confinement against more than 30 individuals. In cooperation with the Department of Housing and Urban Development and a bipartisan group of 49 state attorneys general, we achieved a \$25 billion settlement with five of the nation's top mortgage servicers – the largest joint federal-state settlement in history. Through the efforts of the President's Financial Fraud Enforcement Task Force – which was launched in 2009 – we've obtained prison sentences of up to 60 years in a variety of fraud cases – including multimillion-dollar Ponzi schemes and the largest hedge-fund insider-trading case in U.S. history. We've established two new Working Groups to enhance civil and criminal enforcement of consumer fraud and to bring federal and state authorities together in investigating and prosecuting

misconduct by financial institutions in the origination, securitization and servicing of mortgages that contributed to our financial crisis. And we've continued to make tremendous gains in our work to combat health-care fraud.

In fact, over the last fiscal year – in cooperation with the Department of Health and Human Services and other partners, and by utilizing authorities provided under the False Claims Act and other essential statutes – we recovered nearly \$4.1 billion in cases involving fraud on federal health-care programs. That's the highest amount ever recovered in a single year. And for every dollar we've spent combating health-care fraud, we've returned an average of *seven* dollars to the U.S. Treasury, the Medicare Trust Funds, and others.

The Department also has taken crucial steps forward in protecting the most vulnerable members of society – and ensuring the civil rights of all citizens. Over the past three years, our Civil Rights Division has filed more criminal civil rights cases than ever before – including record numbers of human trafficking cases – in an effort to ensure that – in our workplaces and military bases; in our housing and lending markets; in our schools and places of worship; in our immigrant communities and our voting booths – the rights of *all* Americans are protected.

In addition, we're working to strengthen the rule of law both across the country and beyond our borders – establishing the global alliances necessary to combat transnational organized crime as outlined in the President's strategy. This includes combating intellectual and financial property crimes, child pornography rings, organized criminal networks, and criminal facilitation of terrorist activities. And we've partnered effectively with Members of Congress to advance important changes in policy and legislation – from landmark hate crimes prevention legislation to the reduction of the unjust and unfair crack/powder cocaine sentencing disparity.

This work goes on today in our efforts to help ensure the reauthorization of the Violence Against Women Act – a critical law that has transformed our nation's response to crimes against women, and enhanced our ability to achieve justice for victims while holding offenders accountable. It goes on in our strong support for the renewal of essential authorities such as those included in the Foreign Intelligence Surveillance Act Amendments of 2008. And it endures in our determination to build upon the extraordinary accomplishments that have defined the past three years; to take our fight against terrorism, crime, fraud, and other threats to a new level; and to join with members of this Committee in advancing the mission that remains our common cause – and making good on our nation's founding promise of equal justice under law.

I am proud of these and the Department's many other achievements, and I hope to spend most of our time today discussing how we are working to build on this progress. However, I would like to briefly address the ongoing investigations into ATF gun trafficking operations along the Southwest Border.

As a result of concerns raised by ATF agents we now know of several Arizona-based investigations that occurred under this administration and the previous one where inappropriate tactics were used in an attempt to stem the flow of illegal guns across the Southwest Border. Although these law enforcement operations – which include Wide Receiver, Medrano, Hernandez, Fast and Furious, and others – were focused on the laudable goal of dismantling

illegal gun trafficking networks, they were flawed in both concept and execution. I share your concerns about how these operations were developed and implemented. That's why – just as Congressional leaders have called for answers – I asked the Department's Inspector General to conduct a comprehensive investigation as well.

I also put in place new leadership at ATF, which has taken steps – including the implementation of stricter oversight procedures for all significant investigations – to prohibit the flawed tactics employed in these operations. Many of the key enhancements implemented by the Department are set out in the Deputy Attorney General's letter to the Committee dated January 27, 2012. Even since the date of that letter, however, we have continued to refine the Title III process. For example, our Office of Enforcement Operations now requires that, before it even accepts a request for a wiretap intercept from a United States Attorney's Office, a supervisor in the relevant United States Attorney's Office must personally approve that request.

I would be remiss if I did not point out that the ATF agents who testified before Congress also have asked that law enforcement be provided with the tools it needs to effectively combat gun trafficking on the Southwest Border. And I want to reiterate my commitment to working with Congressional leaders to meet the needs of our law enforcement partners – and to help address serious national security challenges on our borders.

Finally, I want to make clear that we welcome the recent engagement of Congressional leadership in the Department's continued efforts to satisfy the legitimate goals of Congressional oversight while, at the same time, preserving the integrity and independence of the Department's ongoing criminal investigations and prosecutions. Leadership's recent letter represented a promising step toward reaching a resolution, as it accomplished two things: first, it narrowed the universe of documents still in dispute between the Justice Department and the House Oversight Committee; second, it identified the specific questions that remain of concern to Leadership. We are confident that the constructive discussions that have occurred since this letter will result in a mutually acceptable resolution.

In all of these efforts, I am grateful for your continued support. I look forward to working with each one of you. And I would be happy to answer any questions you may have.