



# **Department of Justice**

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**STATEMENT OF**

**ERIC H. HOLDER JR.  
UNITED STATES ATTORNEY GENERAL**

**BEFORE THE**

**COMMITTEE ON THE JUDICIARY  
UNITED STATES SENATE**

**FOR A HEARING**

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

**PRESENTED ON**

**MARCH 6, 2013**

**Testimony of Attorney General Eric H. Holder, Jr.  
before the U.S. Senate Committee on the Judiciary  
Wednesday, March 6, 2013  
Washington, D.C.**

Chairman Leahy, Ranking Member Grassley, and distinguished members of the Committee: thank you for inviting me to appear before you today to discuss the important work of the Department of Justice. I appreciate this opportunity to provide an overview of the Department's recent achievements, and the remarkable accomplishments that my colleagues – the 116,000 dedicated men and women who serve in Justice Department offices around the world – have made possible. I look forward to working with you to realize the goals and priorities we share – and to explore strategies for taking our critical efforts to a new level.

I'm proud to report that the Department has made tremendous progress in combating violent crime, battling financial fraud, upholding the civil rights of all, safeguarding the most vulnerable members of society, and protecting the American people from terrorism and other national security threats. We've worked to forge and strengthen essential partnerships – with international allies, as well as federal, state, local, and tribal law enforcement leaders – that are enabling us to carry out the Department's missions more efficiently, and effectively, than ever before. And we are firmly committed to engaging with members of the public – and members of this Committee – to build on the progress that's been achieved, and to continue making a positive difference on behalf of the American people whom we're privileged to serve.

Particularly since last December's horrific tragedy in Newtown, Connecticut, the urgency of our public safety efforts has come into sharp focus. And the need to take decisive action to confront the epidemic of gun violence that touches every community in this country – and steals too many promising futures every day – has become increasingly clear. In response, earlier this year, I joined with Vice President Biden and a number of my fellow Cabinet members to develop common-sense recommendations to reduce gun violence, keep deadly weapons out of the hands of those prohibited from having them, and make our neighborhoods and schools more secure. In January, President Obama announced a comprehensive plan that includes a series of 23 executive actions that the Justice Department and other agencies are working to implement, and a range of common-sense legislative proposals.

This morning, I'm pleased to join the President, the Vice President, and countless Americans in calling on Congress to enact legislation addressing gun violence – including measures to require universal background checks, impose tough penalties on gun traffickers, protect law enforcement officers by addressing armor-piercing ammunition, ban high-capacity magazines and military-style assault weapons, and eliminate misguided restrictions that require federal agents to allow the importation of dangerous weapons simply because of their age. I'm

also pleased to echo the President's call for the Senate to confirm Todd Jones as Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives – a critical Justice Department component that's been without a Senate-confirmed leader for six years.

I recognize that many of you have been working for some time to build a constructive, national dialogue on the need to take such steps to reduce gun violence. I am eager to join you in continuing this discussion today. And I am confident that, with the leadership of the dedicated public servants in this room, we can work together to bridge longstanding divides and achieve the results that everyone in this country, and especially our young people, deserve.

Of course, in addition to the Administration's efforts to reduce gun violence, my Justice Department colleagues and I remain focused on a broad range of programs and initiatives designed to prevent gun-, gang-, and drug-fueled violence in all its forms; to implement innovative strategies for becoming both smarter *and* tougher on crime; and to move both aggressively and fairly in our vigorous enforcement of federal laws.

Thanks to the outstanding work of countless Department employees and law enforcement partners over the past four years, these efforts have yielded extraordinary results. And nowhere is this clearer than in our work to protect America's national security. Since 2009, the Department has brought cases – and secured convictions – against numerous terrorists. We have identified and disrupted multiple plots by foreign terrorist groups as well as homegrown extremists. And we've worked to combat emerging national security threats, such as cyber intrusions and cyber attacks directed against our systems and infrastructure by nation states and non-state actors, including terrorist groups. Last summer, the Department created the National Security Cyber Specialists network to spearhead these efforts. The network is comprised of prosecutors and other cyber specialists across the country who will work closely with the FBI and other partners to investigate malicious cyber activity, seek any necessary cooperation, and, where appropriate, bring criminal prosecutions as part of our government-wide effort to deter and disrupt cyber threats to our national security.

Beyond this work, the Department has taken significant steps to ensure robust enforcement of antitrust laws, protect the environment, crack down on tax fraud schemes, and address a range of financial and health care fraud crimes. And this work is paying dividends. In cooperation with the Department of Health and Human Services and others, over the last fiscal year alone, we secured a record \$4.2 billion in recoveries related to health care fraud and abuse – bringing the total recovered under this Administration to nearly \$15 billion. As a result of our commitment to achieve justice on behalf of the victims of the 2010 *Deepwater Horizon* oil spill – one of the worst environmental disasters in history – in January we secured a guilty plea and a record \$4 billion in criminal fines and penalties from BP; and in February, the court approved a settlement requiring Transocean to pay \$1.4 billion in fines and penalties, including a civil

penalty of \$1 billion – the largest civil penalty awarded in an environmental case. Last year, MOEX agreed to pay \$90 million in civil penalties and to provide for acquisition of projects to restore natural resources impacted by the oil spill. On February 25, we commenced trial of our civil claims against BP and others. And through the President’s Financial Fraud Enforcement Task Force – which I’ve been honored to chair since its creation in 2009 – we’re working closely with federal, state, and local authorities to take our fight against fraud targeting consumers, investors, and homeowners to new heights.

In fact, over the last three fiscal years – thanks to the work of Task Force leaders and partners – we have filed nearly 10,000 financial fraud cases against nearly 15,000 defendants – including more than 2,900 mortgage fraud defendants. Just last month, the Department filed a civil suit against the credit rating agency Standard & Poor’s (S&P) – seeking at least \$5 billion in damages for alleged conduct that goes to the heart of the recent economic crisis.

But all of this is only the beginning. In addition to our work to cut down on fraud, we’re striving to boost the capacity of our law enforcement allies; to target federal resources to the areas where they’re most needed; and to provide access to the tools, training, and lifesaving equipment that officers need to do their jobs as safely and effectively as possible. We’re providing unprecedented levels of support to the brave men and women who risk their lives to keep us safe. And we’re working closely with them to promote the highest standards of integrity across every agency, department, and sheriff’s office.

This commitment – to integrity and equal justice under law – has also driven the Department’s Civil Rights Division in its efforts to address bias, intimidation, and discrimination – from America’s housing and lending markets, to our schools, workplaces, border areas, and voting booths. Since 2009, the Division has filed more criminal civil rights cases than ever before – including record numbers of human trafficking and police misconduct cases. We’ve led national efforts to implement protections like the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act – which significantly improved our ability to achieve justice on behalf of Americans who are targeted because of their gender, sexual orientation, gender identity, or disability. We are fighting to preserve the principles of equality, opportunity, and justice that have always shaped our nation’s past – and must continue to determine our future.

In the days ahead, as Congress considers ways to make fair and effective changes to America’s immigration system, these same principles must guide efforts to strengthen our borders while remaining true to our history as a nation of immigrants. These principles will continue to inform the Justice Department’s actions, as we fairly adjudicate immigration cases, enforce existing laws, and hold accountable employers who knowingly hire undocumented workers, engage in illegal and discriminatory business practices, and exploit the system in ways that undermine competitiveness and the well-being of those who seek refuge on our shores.

This morning, as we look toward the future of these efforts, my colleagues and I stand ready to work with leaders from both parties to help achieve lasting reform; to strengthen our ability to keep everyone in this country – and especially our young people – safe; and to move forward in protecting the American people and achieving the priorities we share. But I must note that our ability to complete this work – and continue building upon the progress I’ve just outlined – will be severely hampered unless Congress adopts a balanced deficit reduction plan and ending the untenable reductions that last week set in motion a move to cut over \$1.6 billion from the Department’s budget in just seven months’ time.

As we speak, these cuts are already having a significant negative impact not just on Department employees, but on programs that could directly impact the safety of Americans across the country. Important law enforcement and litigation programs are being disrupted. Our capacity – to respond to crimes, investigate wrongdoing, and hold criminals accountable – has been reduced. And, despite our best efforts to limit the impact of sequestration, unless Congress quickly passes a balanced deficit reduction plan, the effects of these cuts – on our entire justice system and on the American people – may be profound.

I urge Congressional leaders to act swiftly to restore the funding that the Department needs to fulfill its critical mission and keep everyone in this country safe. And I would be happy to answer any questions you may have.