

Hearing Transcript

House Judiciary Committee Holds Hearing on DOJ Management and Budget

Tuesday, March 21, 2017

GOODLATTE:

Good afternoon. The Judiciary Committee will come to order and without objection the chair's authorized to declare recesses of the committee at any time.

We welcome everyone to this morning's hearing on Examining Systemic Management and Fiscal Challenges within the Department of Justice. I'll begin by recognizing myself for an opening statement.

The Department of Justice is comprised of approximately 40 components, which together encompass a broad array of national security, law enforcement and criminal justice responsibilities.

Its mission, to enforce the law and defend the interests of the United States according to the law, to ensure public safety against threats foreign and domestic, to provide federal leadership in preventing and controlling crime, to seek just punishment for those guilty of unlawful behavior and to ensure fair and impartial administration of justice for all Americans.

That confirms the sacred duties entrusted to it by the American people. The Department of Justice's growing workload presents challenges for a congress increasingly constrained by the contraction of discretionary budget authority.

With each passing year, the rapid growth of mandatory outlays, driven by entitlement programs, squeezes resources available for critical federal operations, many of which are anything but optional.

Under the current CR, the DOJ's discretionary budget is approximately \$29 billion. It supports more than 117,000 positions, 8 percent of those are attorneys

Twenty percent are agents, 18 percent are correctional officers, 4 percent intelligence analysts and the remaining 50 percent includes other analysts, technology specialists and security professionals.

Operationally, law enforcement activities make up nearly half of DOJ's efforts, with prisons and detention representing 30 percent of its work and litigation 12 percent.

Despite its vital mission and the ever-evolving nature of threats to the United States, the Department of Justice has undergone a -- has not undergone a reauthorization since 2005.

As a result, nearly all of the agency's authorizations for appropriations expired in 2009. Today's hearing is an opportunity for the committee to conduct an initial review of DOJ to set the stage for more targeted hearings that will be the basis of a DOJ reauthorization project.

The Government Accountability Office and DOJ's Office of Inspector General are two very valuable resources for the Judiciary Committee, which takes its oversight responsibilities very seriously.

The audits and evaluations these two organizations undertake can be Congress' best and sometimes only true measure of how well a federal program or agency is operating.

In recent years the OIG has exposed or substantiated incidences of misconduct among federal employees, rooted out and overseen the recovery of millions of dollars in improperly expended grant funding and identified numerous costly inefficiencies.

Meanwhile, GAO investigations have targeted the mismanagement of federal resources, detected agency failures to comply with federal laws and identified multiple opportunities for reducing duplication and overlap of federal programs.

It is for these reasons that I am pleased to welcome our two witnesses to the Judiciary Committee today. The Honorable Michael Horowitz is the Inspector General for the United States Department of Justice.

Since 2012, Mr. Horowitz has overseen a nationwide workforce of more than 450 special agents, auditors, inspectors, attorneys and support staff whose mission is to detect and deter waste, fraud and abuse, and misconduct in DOJ programs and personnel and to promote economy and efficiency in department operations.

Since 2015 Director Horowitz has simultaneously served as chair of the Council of the Inspectors General on Integrity and Efficiency.

Diana Maurer has -- Maurer has been a director in the U.S. Government Accountability Office's Homeland Security and Justice team since 2009.

And currently leads GAO's work reviewing justice and law enforcement issues. Director Maurer's recent work includes reports and testimonies on the federal prison system, the Secret Service, Department of Justice grant programs, the FBI's use of facial recognition technology and audio-video policies at the Supreme Court.

Director Maurer has testified several times before congressional committees on national drug control policy, FBI whistleblower protection, DHS management and nuclear smuggling, among other issues.

Director Maurer's career began with the GAO back in 1990 at GAO's regional field office in Detroit. I look forward to hearing from both of you so that the committee may learn how

Congress can best respond to the challenges you spotlight and work to achieve greater efficiency and accountability at the Department of Justice.

Your meticulous efforts on behalf of all Americans concerned about how our tax dollars are being spent are greatly appreciated and I encourage you to keep up the fine work.

It's now my pleasure to recognize the ranking member of the committee, the gentleman from Michigan, Mr. Conyers, for his opening statement.

CONYERS:

Thank you, Chairman Goodlatte. I join you in welcoming Inspector General Horowitz and Detroiters Diana Maurer as witnesses today.

I understand, Chairman Goodlatte, that you have framed this hearing around the management and fiscal challenges at the Department of Justice.

Like our witness and like our witnesses from the Government Accountability Office and the Office of Inspector General, I believe that meaningful oversight of the Department of Justice requires us all to be good stewards of taxpayer funds.

There are many areas we can pursue, including the disproportionate amount of the department's budget that is consumed by present spending.

In addition, the Inspector General has issued a report specifying serious problems with privately operated prisons, which do not maintain the same level of safety and security as Bureau of Prisons' facilities, and which do not provide an adequate level of rehabilitative services.

These are troubling issues that many of my colleagues, including the gentlewoman from Texas, Sheila Jackson Lee and I, have focused on over the years.

However, given the roles our witnesses play in more pressing developments at the Department of Justice, I would also like to focus my time today on a few more discreet issues.

First, on the topic of fiscal management, I wonder if our witnesses can speak to the budget priorities of the Trump Administration. I hope that -- that you're -- you will feel free and able to do that.

This committee has oversight of the United States Secret Service, an agency that provides protection to the president every time he travels to New York or Florida for the weekend and to his family, as they travel the world to advance the interests of the Trump organization.

It seems to me that the GAO is the right organization to evaluate the cost of that protection to the taxpayer and to place that cost in the context of a proposed budget that makes deep cuts to a number of important programs.

Secondly, on February 17, 2017, my colleague Mr. Jeffries and I wrote a letter, which was joined by many of my colleagues to you, Mr. Inspector General.

And in that letter we asked your office to investigate two matters -- one, whether the Trump Administration has engaged in any improper effort to intimidate or threaten whistleblowers.

And secondly, whether Attorney General Sessions has a conflict of interest that requires his recusal from any matter involving contact between Russian officials and the Trump campaign. I hope that you'll discuss both those matters.

Let me be clear, I do not condone the leaks of classified information to the press. But the president has gone out of his way to intimidate virtually any individual hoping to expose misconduct in the Trump Administration, including, but not limited to, random searches of personal cell phones and general harassment via Twitter.

I know that the Inspector General agrees that whistleblowers are key to identifying waste, fraud and abuse, and I hope his office is looking into the matter.

And finally, on March 16, 2017, I again wrote to the Inspector General, this time asking about improper contacts between the White House and the Department of Justice.

We know that the White House chief of staff has called the director and deputy director of the FBI asking them to comment publicly to knock down reports he did not like.

We also know that President Trump placed a phone call to Preet Bharara, former U.S. Attorney for the Southern District of New York, the day before the administration summarily fired all 46 sitting U.S. attorneys.

And we know that these calls are in direct violation of standing guidance at the Department of Justice prohibiting contact between its investigators and the White House except in extraordinary circumstances.

To their credit, none of these officials complied with pressure from the White House. Knowing the department's rules about such contacts, Mr. Bharara did not even take the call.

Nevertheless, I fear that the White House has ignored this important policy and that further investigation by the Inspector General is warranted. And so I look forward to our discussion on these matters and others today. And I thank the chairman and I yield back.

GOODLATTE:

The chair thanks the gentleman and would advise the committee that we have about 7 minutes remaining in this vote.

There are three votes in this series and the hearing will resume immediately following the votes. And I apologize to our witnesses for this delay, but it's unavoidable. Thank you.

(RECESS)

GOODLATTE:

The committee will reconvene. When the committee recessed we were completing opening statements by the chairman and ranking member. Without objection, all the members' opening statements were made a part of the record. And we welcome our distinguished witnesses and if you'd please rise, we'll begin by swearing you in.

Do you and each of you solemnly swear that the testimony that you are about to give shall be the truth, the whole truth and nothing but the truth, so help you God. Thank you very much, you may be seated. Let the record show that the witnesses answered in the affirmative.

Your written statement will be entered into the record in its entirety and we ask you summarize your testimony in five minutes. And you see the timing light in front of you on the table.

When it switches from green to yellow you'll have one minute to conclude your testimony. And when the light turns red, it signals your five minutes have expired. And Inspector General Horowitz, we'll start with you. Welcome.

HOROWITZ:

Thank you. Thank you, Mr. Chairman, Ranking Member Cummins --Member Conyers -- I'm sorry -- and members of the committee. Thank you for inviting me to testify today and thank you for your steadfast support for our oversight work and the strong bipartisan support last year for the I.G. Empowerment Act, which passed in December.

In our most recent Top Management Challenges Report, we identified nine major management and fiscal challenges for the department. First, safe guarding national security and ensuring privacy and civil liberties protections. Next, enhancing cyber security in an era of increasing threats.

Three, managing an overcrowded federal prison system in an era of limited budgets and continuing security concerns. Next, strengthening the relationships between law enforcement and local communities through partnership and oversight. Next, helping to address violent crime through effective management of department anti-violence programs.

Next, ensuring effective management and oversight of law enforcement and prompting public trust. Next, monitoring department contracts and grants. Then, managing human capital and promoting diversity with a workforce increasingly eligible to retire. And finally, using performance based management to improve department programs.

In these tight budget times, it is particularly important the department ensure it is using every dollar of tax payer funds in the most effective and efficient way possible. Each year our audits, reviews and investigations result in our identifying wasteful spending, questioning costs, and recovering tens of millions of dollars.

For example, this past year, we reported on the DEA's and the Defense Department's wasteful spending of nearly \$90 million on a plane that never flew any of the missions for which it was intended.

We also identified over \$100 million in healthcare spending the DOP could save each year by reimbursing outside healthcare providers at no more than the Medicare rate. The recommendations we've made over the years have led to significant improvements in department operations.

The department must take prompt action to implement our open recommendations in a timely manner. The department also needs to ensure its strong support for whistleblowers. I've seen firsthand how whistleblowers have exposed waste and fraud, and brought to light wrongdoing.

Unfortunately, I've also seen incidences of retaliation against whistleblowers. Whistleblowers perform an invaluable public service when they come forward with evidence of waste, fraud, abuse and mismanagement, and they should never face reprisal for doing so.

My office will continue to do what we can to assist whistleblowers, address claims of whistleblower retaliation, and education department employees on the importance of whistleblowing and on whistleblower rights. The department must do the same.

Finally, let me mention one other challenge facing the department and that is promoting public trust involving the oversight of its prosecutors. Several commentators and judges, including Judge Kozinski of the 9th Circuit, have questioned whether there is sufficient independent oversight of prosecutors.

While OIG -- while the OIG investigates alleged misconduct by department law enforcement agents, under the Inspector General Act alleged misconduct by department attorneys when acting in their capacity as lawyers is instead handled by the department's Office of Professional Responsibility, an office that lacks the OIG statutory independence and does not provide the same level of transparency.

The OIG has long questioned this differing a treatment of lawyers. We continue to believe that public trust would be enhanced by giving our office the same authority that every other federal inspector general has to investigate allocations of misconduct by any agency employee, including lawyers.

Thank you. I look forward to working with this committee on these challenges and I'd be pleased to answer any questions the committee may have.

GOODLATTE:

Thank you, General Horowitz. Director Maurer, welcome.

MAURER:

Thank you. Good afternoon, Chairman Goodlatte, Ranking Member Conyers, other members and staff. I'm pleased to be here today to discuss the findings from our recent work conducted at the Department of -- the Department of Justice. DOJ's law enforcement, nation security and criminal justice missions are vital to the nation.

And like other departments, DOJ faces a challenging budget environment. Given this reality, it is especially important for the department to run its programs and activities in the most effective and efficient manner.

My statement for the record today summarizes the finding from 18 GAO reports that collectively provide 65 recommendations to help DOJ better manage its resources and enhance its programs. Our work highlights four themes for the committee to keep in mind as you oversee the department.

First, implementing GAO's recommendations helps DOJ. In recent years, we've experienced some resistance, particularly in our recommendations related to law enforcement. Specifically, DOJ disagreed with or failed to take action on 12 of our 28 recommendations related to law enforcement, while only fully implementing five.

DOJ has been more responsive to our recommendations on the care and custody of federal prisoners and inmates fully implementing seven of 17, while actions are underway on eight of the others. DOJ has shown the most progress in the grant area, fully implementing 15 of our 17 recommendations.

Many of these were designed to help DOJ assess results and reduce the risk of duplication across the more than 200 grant programs it implements annually. DOJ largely did what we asked them to do and they've seen the benefits. For example, we recently reported good coordination of DOJ and HHS grants to combat human trafficking.

A second theme is that DOJ often needs to develop a better understanding of whether its efforts are succeeding. The Smart on Crime Initiative has a series of measures to track progress but in many cases we found they were confusing or lacked measurable targets.

The FBI's use of facial recognition technology disregards a key measure of accuracy potentially limiting its ability to support investigations and unnecessarily involving innocent people.

The Bureau of Prisons has increased its use of halfway houses and home confinement but does not track the information it needs to help measure the outcomes of these alternatives to incarceration.

A third theme from our work is that DOJ can improve the transparency of its programs and operations. Of course, the department has valid reasons for protecting ongoing investigations or prosecutorial strategy from disclosure.

But we found incidences where DOJ should have been more transparent. For example, we found that the ATF aggregated specific kinds of information about the purchasers of firearms in violation of an appropriation act restriction.

DOJ has still not issued a required report related to that finding to the president, the congress and the GAO. DEA needs to do more to address our recommendations that a better informed distributors of controlled substances about DEA guidance and resources.

DOJ can also do a better job, more clearly explain how it collects and plans to use the proceeds from billions of dollars in fines, fees and penalties it collects annually. DOJ and the FBI have also not responded to the recommendations we made two years ago to improve the handling of FBI whistleblower complaints.

Finally, DOJ can do a better job bridging the gaps between similar or related programs. For example, the department currently finances two databases, which collect information on missing persons but continues to refuse to explore options for sharing information between those systems.

In conclusion, Mr. Chairman, we want DOJ to work well. We want the department to get the most from the \$29 billion, you, the congress appropriated for its use this year. And I know that's something the department is committed to as well.

By implementing our recommendations, having a better handle on whether programs are working, being more transparent where it can and better bridging the gaps between related programs, DOJ can become more effective and efficient. Mr. Chairman, thank you for the opportunity to testify today. I look forward to your questions.

GOODLATTE:

Thank you very much. We will now proceed under the five minute rule with questions. I'll begin by recognizing myself.

General Horowitz, the Executive Office for Immigration Revenue will be playing a large role in the implementation of new presidential directives, especially as the attorney general has been directed to immediately assign immigration judges to detention facilities. And we have heard that the directive is to ensure that no courtroom in a detained facility is ever closed.

So my first question to you is, does the Executive Office for Immigration Revenue have a sufficient number of immigration judges available to staff every detention facility?

HOROWITZ:

Mr. Chairman, while we haven't done recent work on that figure, when we did do -- on the issue. When we did do some work back in 2012, in our report we found a number of pretty significant challenges facing the executive office in how to handle cases, how long it took, whether they in fact had enough judges and that's going to be a challenge I think for EOIR going forward.

GOODLATTE:

What implications would a shortage of immigration judges have on the already growing backlog of non-detained immigration cases pending nationwide.

HOROWITZ:

It has several different impacts. One is, obviously, it takes longer for a detainee, whether they're in custody or not in custody to get before a judge so their case can be resolved. And in any instance, justice delayed is not something we want to see happen. So you have that delay.

You have increased costs, if they're being detained to DHS, which has to house detainee who are incarcerated. And you then end up in a situation where the longer someone is in the country, whether in jail or not, it becomes more challenging to collect evidence, gather information and reach a resolution.

GOODLATTE:

Director Maurer, each of the president's executive orders on border security and immigration enforcement mandate that the attorney general devote appropriate resources to quote, "establish prosecution guidelines to ensure that federal prosecutors accord a high priority to prosecutions of offenses having a nexus to the Southern border."

At present does each U.S. Attorney's office have the necessary resources to prioritize criminal immigration prosecutions?

MAURER:

Certainly the -- one of the primary challenges facing any U.S. Attorney or any prosecutor from that -- from that perspective is determining where to apply their scarce resources for -- for investigations and prosecutions.

We've not done our own independent work to assess the adequacy of the resources that are available to U.S. Attorneys but changing in priorities like these does potentially present a -- present a challenge to them. Although it's not one that they're -- it's one that they're very used to having to handle.

GOODLATTE:

Thank you. Inspector Horowitz, the, a House Judiciary Committee investigation found that the Department of Justice engaged in a practice of structuring settlements with financial institutions and others in a manner that required the institutions to make donations to third-party, non-victim groups.

Can you contrast the level of DOJ oversight that takes place with respect to DOJ grant awardees and the recipients of mandatory donations from DOJ settlements?

HOROWITZ:

Certainly for grant oversight, that's something that each grant making agency within the department does. They're responsible for direct oversight and of course we're there to oversee their oversight efforts, as well as, how the grant recipient handled the money.

For settlements, we generally don't have a role in oversight because those are settlements reached by private, by the parties. The payments are made often times pursuant to a monitorship, but -- and so the oversight is often outsourced to a third-party monitor to watch over that. So it's a completely different regime in terms of oversight.

GOODLATTE:

And -- and much less oversight with regard to these settlements, is it not?

HOROWITZ:

Well, certainly it's not the kind of oversight that the congress has set up that we do. And so I don't know specifically what's done, but it's certainly not the same kind of oversight that we're doing.

GOODLATTE:

One of the DOJ's mandatory donation settlement explicitly provided that quote, "The parties understand and agree that neither will monitor the use of the contribution by the recipient," end quote. Does this concern you from an oversight perspective?

HOROWITZ:

I don't have direct knowledge of that but anytime someone writes an agreement that there won't be monitoring or oversight that concerns me.

GOODLATTE:

And would that be the case with an ordinary government grant?

HOROWITZ:

That would not be the case.

GOODLATTE:

That would not be something that ...

HOROWITZ:

... Absolutely not.

GOODLATTE:

... government agencies would do or you would condone?

HOROWITZ:

I can assure you, we would be all over that if there was an effort to do it on the grant side.

GOODLATTE:

So are these payments really then simply grants with no oversight?

HOROWITZ:

Well, they're -- I -- I'm not sure whether you can call them grants, frankly. But if they're being done with those kind of provisions, there's -- there seems to be with no oversight.

GOODLATTE:

And would it be appropriate for the Department of Justice lawyers to draft mandatory donation provisions in a way that makes conservative leaning legal aid groups ineligible or vice versa?

HOROWITZ:

I would be concerned by a provision that did either, that conditioned grants on political positions.

GOODLATTE:

What discipline would be appropriate if DOJ lawyers purposely drafted mandatory donation terms to keep conservative leaning legal aid groups from benefiting?

HOROWITZ:

Well, I'll focus on either way. But obviously we would -- you would want to look at what the -- what provisions were in place that regulated that kind of conduct. It goes back somewhat to my opening statement, which is that would go presumably to the Office of Professional Responsibility not to the OIG for review.

But certainly, if prosecutors were conditioning dollars on political positions that would seem to be in -- in -- in violation of department policies and regulations.

GOODLATTE:

Thank you very much. My time has expired. The chair recognizes the gentleman from New York, Mr. Nadler for five minutes.

NADLER:

Thank you, Mr. Chairman. Mr. -- Mr. Inspector Horowitz -- Inspector -- Inspector General Horowitz, I suppose. On February 17th, along with Mr. Jeffries and several other members of this committee along with the ranking member, Mr. Conyers, I wrote to ask you to investigate whether the Trump administration -- it's a quote.

"Whether the Trump administration has engaged in any improper effort to intimate or threaten whistleblowers under your jurisdiction or others who are seeking to expose misconduct by Trump administration officials."

Does your office plan to look into this matter? Is the conduct of the Trump administration so far with respect to this disloyal in quotes "staff" give you cause for concern?

HOROWITZ:

So we are reviewing Congressman Cummins and Congressman Jeffries' letter and considering what, if any actions taken will be responding to that. I can -- what I can do is assure you and all the members of the committee that, as I said in my opening statement, we take whistle blowing seriously.

And if we get reports of efforts to silence or intimidate whistleblowers we will certainly consider how to respond to that action. But we are looking at -- at the request ...

NADLER:

The answer is, you're looking into it.

HOROWITZ:

Yes.

NADLER:

OK. Thank you. Last Friday, a number of us wrote to you again and asked you to investigate reports of several improper conduct -- I'm sorry -- contact between the White House and the Department of Justice.

Every Attorney General since the Carter Administration has had -- has had guidance in place to limit contact between independent investigators and the political leadership of the administration.

It seems that both President Trump and his chief of staff have ignored this guidance. Can you -- can I count on your office to look into this matter?

HOROWITZ:

So we just got the letter as you indicated, congressman on Friday. And we are looking at it. I obviously was aware from news reports of the allegations and we will get back to you on that.

And -- and assess whether there is something for us to do. Keep in mind -- and this is important to the discussion -- the Inspector General's Office, my office does not have oversight authority over the executive office of the president or White House entities.

So our oversight there would be as to any contacts by the FBI or other organizations from that side of the contact.

NADLER:

Well, you have jurisdiction over contacts to the FBI?

HOROWITZ:

We would not have authority -- and this has played it -- itself out in prior reviews of ours in both the -- in administrations of both parties, which is our ability to get information from White House entities in reviews we've done, fast and furious -- other reviews has been denied.

Because of -- our jurisdiction would be over the DOJ employees. That doesn't mean we can't look at what the contacts were from the point of view of the FBI. But I just want to note, because we don't have authority over that side.

(CROSSTALK)

NADLER:

Does the fact that these -- does the fact that these conversations have taken place give you cause for concern?

HOROWITZ:

An allegation that there was communication inconsistent with department policies would be a cause of concern, congressman.

NADLER:

Well these aren't allegations. These are undenied. I mean I ...

HOROWITZ:

Well I -- I -- I say that because I haven't ...

NADLER:

OK.

HOROWITZ:

... reviewed them. I've read the press reports about them. And ...

NADLER:

OK. To change the subject, your office has issued a number of reports about the department's use of privately operated contract prisons to confine federal inmates.

I note that in August of last year, you found that quote, "In most key areas, contract prisons incurred more safety and security incidents" unquote, than comparable institutions run directly by the Bureau of Prisons.

I think it's also fair to say that contract prisons have been rather lax, shall we say in medical -- in the medical area. I'm concerned about indications from Attorney General Sessions that the department will continue to rely on these private facilities.

Can you summarize your work in this area so far, and give us some reasons why the department might need to take corrective action?

HOROWITZ:

Certainly. So we issued as -- as you noted, the report last year about our oversight of how the B - - of -- of -- of how the BOP was overseeing contract facilities.

Looked to various measures, identified several and concluded that when you looked at those measures, contract prisons -- the track record of contract prisons was worse than the track record of the BOP.

It compared unfavorably in the measures we looked at using the data the BOP has provided ...

(CROSSTALK)

NADLER:

Did you look at medical outcomes and medical treatment, too?

HOROWITZ:

And in addition, specifically as to medical issues, we identified concerns there as well, including -- and I was going to mention several of the audits and contract audits we have done of specific private prisons where we've identified concerns and cost overcharges.

The Reeves County review that we did a few years ago comes to mind where we identified about \$4 million that the government collected in charges that should not have occurred.

We have an ongoing audit of the use by the Marshals Service of the Leavenworth facility. And in those we have looked at staffing issues, as well as outcomes and have found areas in the Reeves report for example in particular of areas of concern.

NADLER:

You found that in medical outcomes, there was considerable difference?

HOROWITZ:

Well what we found was the staffing of medical positions were not consistent with what the contracts required. And so, I'm thinking of the Adams County work that we did last year, the contract audit that we issued and the Reeves County audit that we issued before that.

NADLER:

My last question, very briefly is, you found that they weren't providing enough -- excuse me -- you weren't -- they weren't providing as many medical staff members as the contract called for?

HOROWITZ:

Correct.

NADLER:

Have they therefore been required to disgorge some of their money back to the federal government?

HOROWITZ:

And, that's part of the \$4 million recovery that BOP gathered from our -- as a result of our audit. And it's certainly one of the recommendations that we've put forward, is not just to worry about collecting the back pay, but fixing the problem.

NADLER:

And -- and have you noted differences in medical outcomes because of this?

HOROWITZ:

We did not go to that point, congressman, as part of the audit.

NADLER:

Don't you think that, that's a rather important point to go to?

HOROWITZ:

It -- it -- it is, although I -- I will say from our standpoint is, we considered it. It would be challenging for us to look at a case file of an outcome.

We'd then have to look at a -- get a different medical opinion, and consider whether you could essentially determine the outcome might have been different had there been different medical treatment.

And that from our standpoint would have been a challenge. I don't have doctors, for example, on my staff.

NADLER:

OK. Thank you very much. My time is expired.

GOODLATTE:

Thank you. The chair recognizes Congressman Biggs from Arizona for five minutes. You want to -- correct?

BIGGS:

Thank you Mr. Chairman. Director, in an audit or an assessment that you -- the GAO performed with regard to VOCA grants in April 2015, it was determined that grantees were spending less than 20 percent on average of each grant they received during the original 12- month project period.

And I'm wondering if you can tell us what -- why that was? What -- what steps are being taken to make sure that the grantees are distributing the money appropriately?

MAURER:

Sure, absolutely. As a general proposition, it was taking the Department of Justice a long time to work through its own processes of getting the money from the congress through its own system and out to the grantees. That was -- that was a big part of the problem.

We made recommendations in our report that DOJ evaluate its administrative processes and figure out ways to streamline them so the grantees had more time to implement the grants.

They're in the process of implementing those recommendations but haven't done so fully.

BIGGS:

And you said -- they haven't done so yet?

MAURER:

They have not done -- not fully, no.

BIGGS:

Are they in the process of doing it?

MAURER:

They are in the process, yes.

BIGGS:

OK. How much -- how much longer before they complete that process?

MAURER:

Hopefully, as soon as possible, but that's really on them.

BIGGS:

OK, thank you. And -- and Inspector General, a 2015 OIG report concluded that an assistant U.S. attorney mishandled sensitive but unclassified information by transmitting it to a personal email account. Was that attorney disciplined?

HOROWITZ:

It's my understanding that, that attorney was disciplined. Although, I know we don't handle the discipline.

BIGGS:

Right.

HOROWITZ:

We send it to the component for them to decide the discipline.

BIGGS:

But what is the appropriate discipline for breaching of access?

(CROSSTALK)

HOROWITZ:

Well frankly, one of the issues we've found over the years is that the department handles discipline differently depending on the -- depending on components.

And it's a recommendation we've made in the past about trying to get more consistent tables in place or other policies in place. And so, I think obviously in every circumstance it would depend on a variety of factors.

But it's obviously a area of concern that, that attorney, or any attorney would act in that manner.

BIGGS:

And back to you director. OK. Drug court programs, one of the central elements of federal efforts to address opioid addiction.

And the DOJ through the Bureau of Justice Assistance maintains a drug court grant program in HHS through the Substance Abuse and Mental Health Services Administration maintains another.

Can you comment on the existence of any overlap between those two programs, their respective differences and the respective success rates, or who's measuring those rates?

MAURER:

Sure, several years ago we issued a report on the DOJ's side of the drug courts program. And we found that generally speaking, there -- they seemed to have a positive impact in terms of reducing the amount of drug use, as well as, I think positive impacts on recidivism.

We've not look specifically at the coordination between HHS and DOJ in their respective programs. I would note, in the way that its laid out, it should be happening.

They say that they have a common coordination structure. But we have not looked at that independently.

BIGGS:

Have you thought about looking at that? I mean I'm just to give us the ability to know what's going on.

(CROSSTALK)

MAURER:

I think it's a valid issue for oversight. But we would need a -- a request from congress to conduct that work.

BIGGS:

OK. Great, thank you. The Byrne -- the Byrne JAG - I guess that's -- is a grant program that provides states, tribes, and local governments with funding for law enforcement, prosecution, et cetera.

To what degree -- and this is for each of you, if you'd each take a -- a moment to respond to this. To what degree can efficiencies be achieved by reducing the number of programs that duplicate allowable uses under the Byrne JAG?

MAURER:

There is that potential. Obviously, that -- that's a political decision, because grant programs by and large stem from laws that congress has -- has enacted, and president's signed.

We have found examples where it -- it may help eliminate some of those administrative barriers. It definitely places an additional challenge on the Department of Justice when there are allowable uses under JAG, as well as in a parallel program.

For example, we issued a report on a Bulletproof Vest Partnership Act program a few years ago. They had requirements for house, state, and locals -- or, how local and law enforcement received that grant money that was different from the requirements under Byrne JAG.

And requires some additional steps for DOJ to put some commonality across those requirements. So, it's not necessarily a bad thing to have parallel programs. It just puts additional burden on DOJ to administer them appropriately.

BIGGS:

So -- so I guess, director, any -- any advice on how we can -- if you're running two parallel -- if you're running parallel programs and they sometimes complement, sometimes perhaps conflict just a little bit, any -- any suggestions on how we streamline that and make it easier to use?

MAURER:

I think the real challenge falls back on the department, itself. It's incumbent upon them to manage the -- the array of grant programs that the congress has established for the department to use.

Certainly transparency is part of that. Certainly enhanced coordination and collaboration within DOJ is part of that. And that's backed by oversight from the congress, the I.G, and the GAO.

BIGGS:

Inspector General?

HOROWITZ:

It's -- I -- I would echo what the director said. I think one of the challenges we face -- I know we regularly discuss with GAO, some of the challenges they face in looking at grant programs, which is, are they overlapping?

Are they duplicative or are they filling different gaps? And that is a challenge because there isn't as great a transparency as there should be.

Our hope is the Data Act allows greater transparency over time. I think it will to some extent. The I.G. Empowerment Act includes an exemption from the Computer Matching Act.

We're hoping that within the I.G. community we can have some of the tools the GAOs had for several years to try and look at data more broadly.

But frankly, our hope is that the agency we -- and the grant making components we oversee collect more data and make it more transparent.

Because that allows not only for our oversight but for -- better Congressional oversight, better oversight by all the stakeholders out there who want to see the money going in the right place, and not in duplicative ways.

BIGGS:

And Congress might need to act to ...

HOROWITZ:

Correct.

BIGGS:

... facilitate that?

HOROWITZ:

That's right.

BIGGS:

OK. Thank you, Mr. Chairman.

GOODLATTE:

Thank you. The chair recognizes Ms. Lofgren from California for five minutes.

LOFGREN:

Thank you, and I think this a worthwhile hearing. I'm interested, Director Maurer, in your written testimony, you state that the Department of Justice and the FBI had failed to do proper testing of the FBI's new facial recognition technology, particularly as it related to error rates.

And the Department of Justice disagreed with that finding. Basically, as I understood it their answer was that since basically false positives were possible because there was a ranking only. And that didn't make any sense to me.

And in fact, as we looked at it, NIST, which is the gold standard of technology, actually looked at this very issue in 2014, and did a report studying commercial face -- facial recognition, including, the technology Morpho, which is the vendor used by the FBI.

And NIST, their report said that the false positive is absolutely a necessary part of determining the system accuracy. They found that in a database of 1.6 million photos, Morpho's system failed to rank the correct individual as the best match 9.1 percent of the time. I mean, that's pretty significant.

But even more serious, they failed to place the correct individual with the -- within even the top 50, 7.1 percent of the time. So this is a system that you rely on to your detriment.

It -- it also found -- this also found that the error rate increases as the database size increases. And so if we add all of the photos that the FBI has access to -- it doesn't mean they are using all of them at this point -- that's 440 million photos.

And the error rate would be, I would guess, I'm extrapolating -- unacceptably high. So I have several concerns about this.

First, that the FBI apparently has no idea that the people it's being pointed to may not in fact be the people that should be identified. They apparently don't have the technological knowhow to understand this error rate issue.

And I guess the other question I have, is why the FBI that -- I mean they do some things very well. Technology is not one of the things they're known to be the very best at.

Why they wouldn't reach out to the group that is the best when it comes to standard setting and technology like NIST to get some help on this? Can you answer those questions?

MAURER:

Sure. Well, first off as a general proposition, we have absolutely agree with your overall concern about the FBI's approach to accuracy in its use of facial recognition technology, which is the reason we highlighted it in our report.

And you're also correct that we agree that it's important for the FBI to consider the false positive rate in assessing the accuracy of its systems.

One, because NIST as you also correctly pointed out, says it's a best practice for the use of -- of facial recognition technology.

We think that would enhance the FBI's ability to take advantage of what's a potentially very useful tool for carrying out its law enforcement mission.

In addition to that, by not adequately testing for false positives, the FBI makes it more likely that they're going to unintentionally bring innocent people into investigative leads.

That has very real world implications for people who may be approached by the FBI at home or at their place of work. We were frankly quite concerned about the FBI and the -- the DOJ's response to our report.

And we hope that they reconsider their position on accuracy in the FBI's use of facial recognition technology.

LOFGREN:

Just to follow up on that -- thank you for that answer. I understand that a couple of years ago the FBI also ran a pilot program using photographs, and the Department of State passport photos of Americans, which is a huge number.

And if you extrapolate the false positives on that, you're right, innocent people will be fingered. But all -- people who are of concern are going to be missed.

So I guess the question is, are you -- are you intending to do further work with the DOJ and FBI on it, or is that really up to the congress to push them a little bit on this?

MAURER:

Absolutely at a minimum we will continue to follow up on the status of our recommendations. We made six in that report. They only agreed fully with one. We're going to keep hounding them on the other five until they take action.

But if we want to do additional, detailed work on this we would require a new request from -- from congress.

LOFGREN:

All right, well that's something I think maybe the committee ought to look at it. I don't think that would be -- there'd be a division along partisan lines on -- on that topic.

Just a further question on -- which I didn't see in the report, maybe I missed it. There are alternative methods for identifying technologically, in addition to fingerprints and facial recognition in terms of iris scans and the like that are now being used in -- at entry points, and the like.

Is the FBI really number 1, set up to use that data? And have we looked at the reliability of that data as compared to facial recognition?

MAURER:

We know that, generally speaking the FBI's pursuing other uses of personal identifiable information to help support their -- their mission.

We've not looked in specifically at those kinds of technologies. That could be something that could be part of future work.

LOFGREN:

Thank you, Mr. Chairman.

GOODLATTE:

Thank you. The chair recognizes Mr. Collins from Georgia for five minutes.

COLLINS:

Thank you, Mr. Chairman. I don't have a lot here, but I do want to explore something that is concerning. The I.G. -- there's been an investigation going on that is looking into examinations regarding asset seizures and forfeitures -- civil asset forfeiture from 2007 to 2014.

Mainly it revolved around gun stores and the - of the like dealing with the IRS and -- and others. I have a constituent, this Clyde Armory. This has been something that's been discussed a great deal in the Ways and Means Committee. We've been looking into this.

But there was something that I -- I wanted to -- just to, Mrs. Maurer -- I wanted to just with you a little bit about this.

Because it was initiated by the IRS, but it was litigated by the US Attorney's Office. And I know there's this situation going on.

And, when Mr. Koskinen testified before Ways and Means last congress about the IRS basically extorting the small business owner, they stated this. They said, "The IRS did not do that. The negotiations on settlement once it goes to court are in the realm of the Justice Department U.S. Attorney."

OK. Just some quick questions here. Is -- can you provide me an update on this investigation and its scope, and when are you anticipating completing it?

HOROWITZ:

That, if I'm -- if I understand which one it is, congressman, and I'm not sure ...

COLLINS:

This is exemption regarding asset seizure and forfeiture activities from fiscal year 2007 to fiscal year 2014.

HOROWITZ:

I -- we have an asset seizure review going on, but it's not focused specifically on firearms. It's focused more on DEA action.

COLLINS:

Well, in -- in general. OK. But it -- but it would it catch firearms? The -- would it catch other assets, forfeitures, or just simply drugs?

HOROWITZ:

Mostly what -- what -- what we found was most of the seizures that are going on in the department are on the DEA side, and we were mostly looking at dollars and ...

COLLINS:

Well this is -- this is dollars as well. I mean, we had a gentleman who owned a store. IRS, along with the background came in, seized assets. He ended up getting -- basically he got extorted for half the money ...

HOROWITZ:

Right.

COLLINS:

... on something that was -- you know -- and -- and at the -- at the end of the day was not there. So if it's not there, I think it's something we need to look into.

HOROWITZ:

And -- and I -- I anticipate us getting that report out in the next couple weeks, by the way.

COLLINS:

OK. Let me -- let me jump to that. When DOJ -- in your investigation maybe it the DA or others -- when DOJ litigates on behalf of other agencies, who is ultimately responsible for the decisions made at litigation?

HOROWITZ:

I'll speak generally from my experience having been a prosecutor ...

COLLINS:

Right.

HOROWITZ:

... many years ago, which is ultimately it's to litigating authority at DOJ that makes the final decisions on what happens in the courtroom, including resolution of the matters in the courtroom. That was my experience.

COLLINS:

How -- how much do you think DOJ actually -- I mean, getting these sort -- and one of the concerns it seems like also, is they get to DOJ before the -- and before it actually gets to DOJ for prosecution, there is a lot of concern, concerning IRS agents in particular and others in their discretion.

And how they are using that discretion with seizure authority and others. Is there -- is there ever a ceding of discretion to another agency by DOJ to say, look you -- you -- we're -- we're not going to do this except for when it gets to the -- to the court phase.

Or is there a collaboration beforehand with the court?

HOROWITZ:

Frankly, it often depends on the relationships and how close the working relationships are. You will find occasions where cross agency work between civil or criminal prosecutors and a component outside the department is close.

And other times you'll find they're not having a history of -- of closeness.

COLLINS:

Well I would love to see this. And -- and civil access, like I said, for something, this actually bridges both something republican and democrat, is a bipartisan -- you know, very much of a concern.

And it seems to me that there's been way too much latitude, especially in the IRS around -- on business that seems to be politically motivating -- gun shops, other things.

You know, in -- and not even getting into the choke point issues on some other things that they were doing. But this is an issue that is concerning because here was a legitimate business that does a lot of cash influx.

But it was the assumption, is you're guilty. Prove you're innocent. And it's -- it's the IRS using authority that is tenuous at best.

And then having DOJ back it up into the arena of judgements and other things. So I mean, I think -- I'm interested to see what this report is.

But if it really doesn't hit on some of the others besides DEA activities, if we're not getting into IRS, then I would almost say that we need to look into both sides as -- I mean, there's -- there's legislation already moving on this.

So I was just wanting to get some clarification, 'cause, like, for Mr. Clyde, in my position, is -- I mean, here's a man who was basically extorted by the federal government for money in which he did nothing wrong, at the end of the day, had to go back and get.

So I think these are the issues that we need to continue to follow up on.

HOROWITZ:

And completely understand the concern, and as DOJ I.G., I have authority over the Ford DOJ law enforcement components -- IRS obviously not being one of them. So it ...

COLLINS:

Well when it comes to DOJ, that's the concern I have. There seems to be a ceding of authority from DOJ. We'll take whatever you give us. We're not really concerned.

And we just sort of enforce whatever you're asking us to enforce. That is at least the perception, that you're the strong arm of the extortions theme that's going on. OK. With that Mr. Chairman, I yield back.

M. JOHNSON:

Thank you, Mr. Collins. The Chair will now recognize the gentlewoman from Texas, Ms. Jackson Lee for five minutes.

JACKSON LEE:

Let me thank both of you for your service. I think, Mr. Horowitz, you've been before this committee before, and I want to reintroduce myself to Ms. Maurer.

And thank you for the work. You're often before our committees, and we -- we appreciate it very much. I have a series of questions.

And I -- I want to lay the groundwork by indicating my interest in oversight over a series of executive orders that have been rendered since the administration of the 45th president.

This has come about because of the implementation part of those orders. So let me first start, Mr. Horowitz, we have been discussing, and there'll be a letter coming.

But let me just ask the question. As you know, there have been newspaper reports that there was undue influence on a memo, both constructed by the Homeland Security Department and the Department of Justice as a basis of the Muslim ban. Are you aware of those reports?

HOROWITZ:

I've certainly seen news reports in that regard.

JACKSON LEE:

And so would the Inspector General be investigating that undue influence? Or what would legitimately provoke you to do so?

HOROWITZ:

So with regard to any actions by DHS or discussions in DHS. And while ...

JACKSON LEE:

No. This is Department of Justice -- Department of Justice.

HOROWITZ:

In terms of the Department of Justice ...

JACKSON LEE:

The memo was both constructed by the DOJ and then Homeland Security.

HOROWITZ:

I just wanted to make clear ...

JACKSON LEE:

Yes.

HOROWITZ:

... on the DHS side (inaudible) ...

JACKSON LEE:

No, I'm very clear of that.

HOROWITZ:

Right. With regard to any actions by attorneys, one of the things we've talked about for years is the fact that we don't have authority over the decision making by attorneys acting in their capacity as attorneys.

That would be within the province of the Office of Professional Responsibility. So I -- I don't know of whether anything is under review there or not, and whether they've even gotten a referral or an allegation before them.

But anything that would come our way that would regard conduct by an attorney acting as an attorney in that capacity, we would have to look whether under the IG Act we even have jurisdiction to consider it ...

JACKSON LEE:

So the idea would be, what was the undue influence to construct the document in the way it was constructed?

Whether there was sufficient evidence or information that would warrant that kind. So that's sort of a technical aspect. So I would -- I would then commend you to look at it and determine your jurisdiction.

But to determine whether in the implementation, something went awry with undue influence that generated that resume that -- excuse me -- that memo that generated that -- that particular order.

Let me quickly go to Ms. Maurer. It has been reported that Eric Trump's recent business trip to Uruguay cost taxpayers nearly \$100 thousand in hotel bills alone.

It has also been reported that providing security for the first lady to maintain a residency in New York City costs nearly double the amount it takes to fund the entire National Endowment for the Arts, a program that the president has proposed we eliminate in the name of budget priorities.

Ms. Maurer, does the GEO plan any work in this area? What do you plan to study? And when will you release your results?

MAURER:

Yes, we have received some requests from different parts of the congress to look at different aspects of that issue.

For example, House Homeland of Security Committee has asked us to look at Secret Service's travel costs during the presidential campaign.

We also have a request that we recently received from the House -- or from Senate Judiciary and Senate Homeland Security to look at the issue of the costs incurred by -- for Secret Service protection of the president's children when they're traveling overseas to address -- to directly address that (inaudible)...

JACKSON LEE:

So will you look at those issues?

MAURER:

We will definitely look at the -- the costs incurred by the Secret Service and report out on those at some time later. So ...

JACKSON LEE:

All right.

MAURER:

We have not yet started that work, so we can't really ...

JACKSON LEE:

Thank you.

MAURER:

... give you timeframes.

JACKSON LEE:

Mr. Horowitz, let me give you two questions if you would answer. Under the executive -- or immigration executive order, ICE officers have been given undue responsibilities or authority.

They've sort of enhanced their authority. And there's been representation that ICE officers have found themselves on church grounds and in -- in courthouses.

All is technically against the law. And have made decisions on issues that have, in essence, violated due process or ignored various petitions. Number one, the question is whether or not you'll be looking at that implementation from ICE officers' perspective.

And second, you may know the case of Daniel Chung, who was forced to drink his own urine after he was left in a cell for five days without food or water, and lost 15 pounds -- college student.

This was done at a DEA raid of a house in 2012. We know that you have released a report. My question is, has the DA followed these recommendations?

Has the DA implemented a recordkeeping method to track detainee movements, because they forgot he was in the cell? Have they increased video monitoring of cell areas?

Have they implemented training regarding the operation of the holding cell area? And what has the DEA done to ensure its agents do not initiate improper investigations, and instead report incidents to the Office of Professional Responsibility?

So if you could answer the ICE ...

HOROWITZ:

Yeah.

JACKSON LEE:

... the new ICE, seemingly expand of their responsibilities, and then the question about the DEA.

HOROWITZ:

So on the ICE issue, it -- unless they interacted with any of the DOJ components, I'd have to contact and refer that to my colleague at DHS OIG, because he has authority over ICE.

So I -- I can follow up and ask him what he's, you know ...

JACKSON LEE:

But we have authority over internal enforcement, which is ICE's work.

HOROWITZ:

Right. But that -- ICE being part of Department of Homeland Security at this point would -- I'd have no jurisdictional authority to look at that under the I.G. Act.

So the -- the DHS I.G. has authority over ICE, and I will relay to him your concern.

JACKSON LEE:

You wouldn't have dual authority?

HOROWITZ:

I'm -- no, we do not actually.

JACKSON LEE:

All right.

HOROWITZ:

And -- and that's a ...

JACKSON LEE:

Did you finish the other ...

HOROWITZ:

... reasonable concern ...

JACKSON LEE:

Then go to the other with the DEA, please?

HOROWITZ:

On the second one, I appreciate your following up on that. Let me get the current status to you. I -- those -- these changes have occurred because I know you've followed up on these issues since they occurred in 2012.

Other members have followed up, and let me get right back to you on that. That's -- I agree with you, was a terrible situation. Should not have happened. There needs to be reformed and I -- I know you've taken the lead on that. So I appreciate it.

JACKSON LEE:

Thank you very much. I yield back. Thank you for your service. Thanks.

M. JOHNSON:

Thank you. And the -- the chair recognizes the gentleman from Texas, Mr. Gomert for five minutes.

GOMERT:

Thank you, Mr. Chair. I appreciate the witnesses being here. I want to ask, Inspector General, with regard to the activity of the Civil Rights Division of the Justice Department, it's been considered rather historic.

And I was noting the one Texas federal judge was so shocked by the Texas -- or I'm sorry, by the Federal Civil Rights Division attorney's repeated lies, that he ordered a blistering five-part remedy that would supervise ethics training for hundreds of justice lawyers.

But he noted in his 132 -- or he noted in his opinion, the 132 ethical violations DOJ has admitted just in the past four years. Pretty staggering.

And when that's taken into consideration with the allegations that DOJ used settlements to wrench funds from defendants that it pursued to go to friends.

In fact, one indication was there's -- that the American taxpayer had been robbed, in this article of at least \$3 billion where DOJ directed settlement funds to go to reported nonprofits.

Have you looked at that at all? How much money DOJ has spent pursuing litigation that resulted in money going to nongovernment nonprofits?

HOROWITZ:

We have not taken a review of the -- the costs involved and the settlements that resulted and how it was spent. I know that is -- been an area of concern for the members of this committee, as well as the Appropriations Committee and something we can take under advisement.

GOMERT:

Because in Texas -- I'd looked at Texas law before that indicates that in Texas, if someone uses their official capacity as an attorney for the state of Texas to get someone to -- to pay money to a third party, to anyone in return for official action like dismissing a lawsuit, then that would be a - a felony, a crime.

And yet it appears to be something that happened with great regularity at the United States Department of Justice in the last eight years, where routinely defendants were pursued, and were ultimately coerced.

If you'll give millions to this -- our favorite nonprofit here, there on, then we'll dismiss the case and we'll have a settlement.

So I -- that's why I was curious. I'd never seen if there'd been such an Inspector General report or investigation into this area.

Because clearly, if something is worth pursuing by the U.S. Department of Justice, you would think it would be on behalf of the taxpayers.

And would result in at least acquiring enough money to pay their own attorney's fees, rather than getting it -- using taxpayer funds to pursue defendants so they can fund their favorite nonprofits. Has anyone made such a request for an investigation?

HOROWITZ:

I don't recall us receiving a request or one of the private litigants sending us specific facts laying out the concerns.

I will say, if we did get such a request, if it focused on the conduct of the lawyers and reaching the settlement at the department, that will take me back to what I had mentioned earlier, which is, the first thing we'd have to do is look to see if we had jurisdiction even over those actions.

We might, depending upon the facts, but we might not, depending upon the facts because of the limitation on our authority in the IG Act. And whether we'd have to refer that allegation to the Office of Professional Responsibility.

GOMERT:

And if you did not have jurisdiction, then who would?

HOROWITZ:

It would then go to the Office of Professional Responsibility, which is a component of the department, created by the department. It's director is appointed by the Attorney General ...

GOMERT:

Yeah, right.

HOROWITZ:

... and can be removed by the Attorney General.

GOMERT:

Do you know if anybody with the -- that office, has looked into the 132 ethical violations the DOJ admitted in a four year period?

HOROWITZ:

I do not know.

GOMERT:

All right, I see my time's expired. Thank you very much.

M. JOHNSON:

Thank you. And the -- the chair would recognize Mr. Johnson of Georgia for five minutes.

H. JOHNSON:

Thank you, Mr. Chairman. Mr. Horowitz, May 11th will mark the fourth anniversary of a deadly joint drug interdiction operation by DEA agents and Honduran security forces in which four innocent indigenous people were killed, and three others were wounded.

And it's been at least three years since the DOJ and the State Department began conducting a joint review of this incident.

What I'd like to ask you is you've been investigating the -- these three incidents actually, where DEA agents were supposed to only be acting as advisors but yet people were shot and killed -- innocent people shot and killed.

Can you give us a status report on your initial findings on this investigation? And when can the public expect to see the results of this investigation?

HOROWITZ:

I wouldn't get into yet what we've found, because the report is about to be released. We have been waiting for many, many weeks now to get final classification and other markings from the department and its components so that we'd know what we can release publicly.

Because we want to make sure we can let the public see what has occurred, in addition the members who obviously can get all of the information. So I am hoping that, that can be released in the very near term.

I will say the other thing is -- as I think you may know, it held us up for a little bit of time is this review got caught up in the DEA several years ago refusing to provide us with timely access to information.

And so for about a year, we were trying to get certain records that we were not being given. That has moved on, and so we were able to finally complete the review at -- towards the end of last year.

H. JOHNSON:

You were able to get those records?

HOROWITZ:

We finally were able to get those records. That's where the I.G. Impairment Act was so important to -- to have our components understand where -- where congress -- what congress expected.

I -- I think you will see a very full report about what occurred there, and information that I think will answer a number of very important questions you and other members have raised.

H. JOHNSON:

Has the legal framework -- framework regarding access to information by the Inspector General's offices impacted the ability of your agencies to conduct reviews?

HOROWITZ:

It has until about a year or so ago when finally, we got complete and full cooperation starting from FBI and D.A. But it delayed the Honduras review -- or it impacted the Honduras review.

It impacted our review of sexual misconduct and harassment by the four law enforcement components. DEA and FBI held up records.

It affected our materials witness warrant review. It -- it -- it impacted our national security letters review. I could go on and on, on the reviews it impacted.

And I am pleased to report that with the IG Empowerment Act going through, I think in my instance, I'm hoping those days are behind us.

H. JOHNSON:

Thank you. Last year, the New Orleans Advocate reported on the federal case against two DEA agents. The investigation of the DEA's New Orleans office revealed improper conduct within a multiagency drug taskforce.

A member of that taskforce faces nine counts including drug trafficking, falsifying seizure reports, and robbery. Another member operated as a DES -- DEA taskforce officer despite not having the required security clearance.

He was allowed -- excuse me. He was allowed to access DEA workspace and transport seized drugs. Does the Inspector General or the general -- Government Accountability Office plan to investigate misconduct within multiagency drug taskforces?

HOROWITZ:

So on that issue, as you noted, we have -- we were involved in that case -- or are involved in that case. That's public given the public filings to date.

And I can assure you we are investigating that aggressively. We're working that with the FBI and the DEA. And we will pursue all of the information we have gathered in that matter.

But I can't go into obviously the details of any investigation. But it is public that we are investigating.

H. JOHNSON:

Any idea of when that investigation will conclude?

HOROWITZ:

I wouldn't even begin to suggest. Having been a prosecutor myself in my earlier career, it really depends what the information shows and where the evidence takes us.

And we'll obviously want to pursue every lead because as you noted, these are serious allegations. And some of them are now public through the charging documents that have been filed.

H. JOHNSON:

Thank you. Mr. Chairman, I yield back.

M. JOHNSON:

Thank you. And the chair now recognizes Mr. Chaffetz of Utah for five minutes.

CHAFFETZ:

Thank you. Thank you for -- both for being here. Mr. Horowitz, I want to talk to you about the Bureau of Prisons and the reentry program that's brought up here.

You were going to -- I think at our request, conduct a review of halfway houses. Do we -- is there any sense of an update as to the timing of that -- something you can share with us?

HOROWITZ:

So we did it -- we released a review at -- at -- towards the end of last year as you know. BOP spends over \$300 billion -- \$300 million a year on halfway houses.

And we looked at that issue and we were concerned with how it is managing its halfway houses. These are an opportunity, given the wide variety of halfway houses out there across the country

for BOP to look at which ones are operating in -- in the most effective way, whether they've got strong reentry programs.

And what we basically found was, that there wasn't meaningful, in our view, efforts to analyze which ones were doing well and which ones weren't.

In addition -- and I know GEO's done work on this as well -- we found that the people in the greatest need of halfway houses were not necessarily getting there.

Because people who were low risk at recidivists, like some white- collared defenders, were actually being placed in halfway houses, rather than in home confinement, thereby using up important bed space.

And some studies have suggested that, that actually is more harmful than helpful, because those individuals ...

CHAFFETZ:

Right.

HOROWITZ:

... then get put in place ...

CHAFFETZ:

Right.

HOROWITZ:

... were violent criminals. And so you have this odd use of limited bed space by the BOP, and something we were very concerned about.

CHAFFETZ:

Now, so when we talk about the \$400 million for its reentry programs, is the halfway houses part of that \$400 million? Do either of you know?

HOROWITZ:

I'm sorry. So the halfway house program is considered one of the reentry programs.

CHAFFETZ:

So that's one of them.

HOROWITZ:

And I think it is fair to say and -- and the director can -- can tell me otherwise, but I think it's by far the biggest amount of dollars involved.

CHAFFETZ:

Do you have anything you want to, Director, add to that?

MAURER:

Yeah, absolutely. The work that we did looking at alternatives to incarceration echoes the findings that the Inspector General mentioned about alternatives, such as halfway houses and home confinement ...

CHAFFETZ:

There's no real metrics that they put into place. I mean, we ...

MAURER:

No.

CHAFFETZ:

... selfishly, I did introduce a bill that deals with reentry, that we have a choice in this country to make them better criminals or we can actually look at the -- the key metrics that will reduce the rate of recidivism.

But if the Bureau of Prisons isn't implementing some key findings, things that have been done at this states about work programs and religious services, and not getting in fights and, you know, all these things that ...

MAURER:

Right.

CHAFFETZ:

... states have learned. But you don't seem them doing much of anything in that, do you?

MAURER:

Well, on -- to give them some credit, they have established a Reentry Division that's focused on better outcomes for their inmate populations, so they're better prepared for entering back into society.

But they don't have measures of how well some of those ...

CHAFFETZ:

Yeah.

MAURER:

... key programs work. It's hard to know whether they're succeeding.

CHAFFETZ:

Can we -- I want to jump to the GAO report here. I've got just a minute. The ATF -- it says, to carry out its enforcement responsibility, ATF maintains 25 firearm-related databases, 16 of which contain firearms purchaser information from the FFLs. Why do we have so many databases?

MAURER:

That's a great question.

CHAFFETZ:

It scares me if you don't know the answer there because -- not because you're not good at what you're doing, just -- they probably don't know why they have 25 either, right? It's -- it's ...

MAURER:

Well, it's ...

CHAFFETZ:

... why did they get there? And what are they -- are they doing anything to address it?

MAURER:

They have explanations for all 16. We didn't do an independent assessment of whether they needed 16, or 12, or 35.

Generally speaking, the ATF has to balance the need to conduct criminal investigations that involve firearms with legal requirement that they not have a consolidated single database for firearm purchaser information.

So, another way of framing that is, they are required by law not to have a single database where all this information is stored.

So, if they did, it would be in violation of appropriation act restrictions that Congress has passed over the years. In fact, that was one of our findings of our report, was that, in some specific instances, they were inappropriately consolidating information on purchases of firearms and violating the act.

CHAFFETZ:

All right, that's interesting. We'll -- we'll have to go back and -- and ...

MAURER:

OK.

CHAFFETZ:

... and explore what the history of that is. Lastly, I just wanted to talk about the FBI whistleblowers. We did pass -- I think it was in fact, the last bill that we passed in the last Congress, was a bill of mine, the -- the -- the FBI whistleblower retaliation.

But you conclude by saying DOJ -- the Department of Justice concurred with this recommendations, but -- but as of March, 2017, has not provided documentation of actions taken to address them.

So, are they on a trajectory to actually do what the law now requires them to do? Or are they -- I mean, is -- is this the natural time progression that it takes? Or, are they kind of ignoring this whistleblower protection that's supposed to be in place?

MAURER:

Well, certainly the congress passing a law and have the president sign it into law was -- was a major step in bringing the FBI's whistleblower protections on par with the rest of the government's.

That was a tremendous accomplishment. I honestly don't know why the Department of Justice has not responded to our recommendations.

It's of concern to us. We issued our report two years ago. From our perspective, the implementation of those recommendations are not dependent on that piece of legislation. So, we're waiting to hear back from them on that.

CHAFFETZ:

And this, the inspector general, do you have any ...

(CROSSTALK)

HOROWITZ:

You know, congressman, it is very concerning that there isn't swifter action to address these issues, for the reasons that you sponsored and others supported and got through that whistleblower bill.

There was an order issued by President Obama on PPD19, as you know, that required the department and all the agencies in there, to take action within 180 days. And the department missed that deadline by many, many, many, many months.

And it's something that the department needs to do a better job of. The whistleblower issues, as we both have talked about and I know as you have talked about, in -- in the work you've done, they are the lifeblood of the oversight work that we do.

They are good, ordinary people who are coming forth and reporting on waste, fraud, abuse, misconduct. They're our eyes and ears. And they need to be seen and heard and be -- and never be afraid that they're going to be retaliated against.

CHAFFETZ:

Thank you. Thank you, chairman.

M. JOHNSON:

Thank you. And the Chair now recognizes Mr. Jeffries of New York for five minutes.

JEFFRIES:

Thank you, Mr. Chairman. And I want to thank the distinguished witnesses for your presence here today and of course, for your service to this country.

Inspector General Horowitz, you're familiar, of course, with the Second Chance Reauthorization Act, is that right?

HOROWITZ:

I am.

JEFFRIES:

And I believe this act says that the Bureau of Prisons, under the direction of the attorney general, shall establish a prerelease planning set of procedures to help prisoners apply for federal and state benefit upon release, including Social Security cards, subject to any limitations in the law.

Is that right?

HOROWITZ:

That's right.

JEFFRIES:

And the act also says that the BOP director shall assist prisoners in a -- obtaining identification, which could include, beyond the Social Security card, a driver's license or some other form of official photo identification, birth certificate, prior to release. Is that right?

HOROWITZ:

Yes, sir.

JEFFRIES:

And in connection with this statute, the Social Security Administration and the BOP, I think, are operating under a memorandum of understanding. Is that right?

HOROWITZ:

That's my understanding, yes.

JEFFRIES:

Have you had an opportunity to review how that memorandum of understanding is functioning in practice, in terms of implementation of these statutory mandates?

HOROWITZ:

We looked broadly at what -- how the BOP was working, in term -- with other agencies. At Social Security, where we found they did have the agreement and it was, as we understood, a working relationship, but we looked at others, where areas like for veterans, having -- they did not have a similar MOU with the VA.

And other, similar types of government agencies that could help reintegrate individuals, with the support they need to get into the communities that they had not taken those basic steps and something we were concerned about.

We were concerned more broadly, also, about how they were preparing inmates for release.

JEFFRIES:

And did you make a set of recommendations in terms of how the BOP could more successfully work with other federal government agencies, in terms of facilitating reentry?

HOROWITZ:

We did, and I would have to follow up and find out precisely where they are now, but that was, in fact, one of them.

JEFFRIES:

OK. Now, do you recall how many inmates on an annualized basis have requested help securing a Social Security card?

HOROWITZ:

I --I don't recall as I sit here. I can certainly get that number for you.

JEFFRIES:

And do you have a sense of what the success rate may be, in terms of a percentage?

HOROWITZ:

Our -- our understanding was that the MOU was working well. I -- I don't have a number here, that I could tell you what it was, but it -- it informed our decision on and looking at why -- why there wasn't similar agreements in place with VA and others.

JEFFRIES:

So, from the standpoint of securing additional forms of identification beyond the Social Security card, your concern is that in the absence of an MOU or in the absence of any evidence that there are similar working relationships that the BOP is not doing as much as they potentially could be doing, in these other identification areas?

HOROWITZ:

Correct. And there's a support network in -- out there or the basics that people could get, whether it's Medicare, Medicaid, veteran's benefits. If you're a veteran coming out of a -- of a facility.

Others that we found the BOP was not doing a good job informing inmates of and then helping them gather their -- the benefits that they were entitled to, which also would help protect the communities, because you want inmates to successfully reintegrate into society.

That should reduce recidivism rates. And so, there's a -- that's a benefit all around.

JEFFRIES:

Am I correct that, this past November, the DOJ announced that it will begin paying for every federal inmate to obtain a birth certificate and/or a state-issued identification card before they arrive at a residential re-entry center?

HOROWITZ:

I recall reading that. I don't know that, specifically, congressman, as I sit here.

JEFFRIES:

OK. Director Maurer, are you familiar at all with this program?

MAURER:

I'm not familiar with the specifics of that program. It echoes the broad brush that -- while BOP -- BOP's made some great strides on the re-entry front, there's -- there's a lot more they still need to do.

JEFFRIES:

OK. Thank you. I yield back.

M. JOHNSON:

Thank you. And last but not least, the chair recognizes my learned colleague, Ms. Jayapal from Washington.

JAYAPAL:

Thank you so much, Mr. Chairman. Thank you so much, inspector general and director for your service and for your work.

I want to go back, Inspector General Horowitz, to the medical care issues and say that I'm just deeply concerned about the reports that have been coming out around the issues of medical care within the private prisons in the BOP system.

And last year, The Nation magazine obtained records for 103 out of 137 people who have died in -- in BOP private prisons. Only 77 of them provided enough information to actually look at the individual cases.

But the conclusions, even from those -- those reports were damning -- 38 deaths that involved inadequate medical care and inadequate medical care likely contributed to 25 premature deaths.

And there are a number of cases along these lines, but one was a 41-year-old named Nestor Garay, who was at a private BOP facility at -- operated by the GEO Group in Texas.

And I mention his case in particular, because his cellmates yelled for help for 30 minutes after he suffered a massive stroke and because the doctor did not -- was not on -- on site, he -- he lived 45 minutes away.

And ultimately, it was almost six hours before he went to a hospital and -- and died. So, your office has conducted several audits on this.

You've mentioned it in your statement. My question to you is, what specific improvements have you actually seen and -- and required from BOP around medical care?

HOROWITZ:

So, what we've seen are the reports back on whether the steps they've taken are sufficient to meet our recommendations and to close them.

I'd have to go back and get specifics on what's, if any, still remaining open on -- on them. I believe there are some that are still open in some of those audits.

We have not, though, gone back at this point -- everything is fairly recent in terms of our work -- to do any follow-up work on- site, because, obviously, that would be a further way to assess it. But the first step is seeing if they've actually implemented.

I'd add that the burden's also on the BOP, because as you know, from our -- our oversight report of what the BOP is doing, in any of the work that we do, really the first line oversight is by the component who's spending the money.

They're primarily the responsible -- we've -- I've got 450 people to oversee 112,000 department employees. I've got a \$93 million budget to oversee a \$28 billion budget.

So, we can't be the BOP only -- only the BOP's oversight on these. But we do make sure, through our follow-up, through our follow-up questions, through interacting -- their interactions and

seeing their interactions -- interactions with congress and members, whether they are in fact making the reforms that we think are critical.

JAYAPAL:

One of the issues is around -- and your report mentions many times that, you know, the management of costs for the -- for the prisons. But one of my concerns is that one of the ways to cut costs is by cutting services.

And so, do your recommendations include things like having on- site medical professionals and not cutting costs in specific areas that would actually cause death and -- and -- and fewer outcomes -- better outcomes for our people that are in there?

HOROWITZ:

Yeah. In both our contract prison report, but also actually as to our BOP oversight for its own institutions, we've consistently expressed concern as to whether there is sufficient medical care in the contract prison situation based on the contracts the BOP has written.

At the BOP institutions based on their own policies and the staffing challenges they've faced that we've heard from when we were on the ground at facilities and making sure that, that appropriate care is being given to inmates.

That's a constitutional requirement, if you are responsible for an inmate, you've got to give them appropriate medical care, making sure that's present.

What our cost-related concerns have been is, interestingly enough, we've found that BOP, alone among the federal government is actually paying, in many instances, multiples of the Medicare reimbursement rates to care for outside prisoners.

So doctors who are treating inmates are actually getting reimbursed potentially at rates higher than the Medicare rate, and therefore, higher than the rates for treatment of veterans, military families, detainees, Native Americans through the Indian Health Service, all of whom are limited to the Medicare.

JAYAPAL:

That was one of my questions. I noticed in your report that there was a workgroup that was supposed to be established around that. Has there been any progress made on that?

HOROWITZ:

We have not received the report yet of the further progress. I can assure you, we are going to continue to follow that.

That's \$100 million plus cost savings potential for the Justice Department. And there -- in our view, there is no reason that the same reimbursement rate laws that apply to the Veterans Administration, the Defense Department, Homeland Security, the FBI and the Marshall Service, by the way, within the Justice Department --

(CROSSTALK)

JAYAPAL:

That's right. Well, I urge -- I urge that follow-up and I know my time is over. I'll just say that having an MD on-site is the -- the penalties for this are actually lower than the cost of paying the doctor's salary.

So it's a huge issue and I hope that you'll stay as vigilant as possible. Thank you, Mr. Chair. I yield back.

M. JOHNSON:

Thank you. And the chair recognizes Mr. Cicilline for five minutes.

CICILLINE:

Thank you, Mr. Chairman. And thank you to our witnesses. Mr. Horowitz, after the President of the United States repeatedly made and refused to withdraw unsubstantiated claims that President Obama ordered a wiretap of his phones, the Department of Justice and the FBI were pulled into an investigation of these baseless claims.

That investigation started on at least March 10, 2017, when the House Intelligence Committee asked DOJ for any documents to support the president's false allegations.

And then continued through March 17, 2017, when the Department of Justice submitted a report to the House and Senate intelligence committees in compliance with this request.

This DOG -- DOJ inquiry happened despite the fact that, during this time period, the White House put forward zero evidence to support this claim that Trump Tower had been wiretapped and both the House and the Senate intelligence committees publicly stated they -- no such evidence existed.

And so, my question is -- is -- if the inspector general's responsibility to investigate if department resources are wasted -- you particularly spoke about tight budget times -- would you consider an investigation into allegations that are demonstrably false to be a waste of resources.

And are you intending to investigate, or have you begun to investigate whether taxpayer resources were wasted to support the agency's investigation into President Trump's false allegation that President Obama wiretapped Trump Tower?

HOROWITZ:

First of all, on the substance, I -- I only know what I've read in the paper. I am not privy to the classified requests or information back, so ...

CICILLINE:

But -- but I mean, you're privy to the fact that these are claims that unsupported by the evidence. There was an investigation that was required by the Department of Justice, which I take it you would agree is a waste of resources in a time of constrained and limited resources.

Isn't that something that you would normally look into?

HOROWITZ:

Depending upon the issue, we obviously could look at what -- what the costs would be like of how long it took to gather the information or otherwise.

I obviously heard about and saw parts of yesterday's hearing. But we have not initiated any work in that regard and I'd have to consider frankly what our role, if any, should -- should be in something like that, given our limited resources.

CICILLINE:

Well, I -- I would encourage you, in -- in the discharge of your responsibilities to do that. I think we are being asked to make serious reductions in a number of different areas because of cost constraints.

And wasting time by one of the departments as a result of a patently false statement from the president seems to be -- should be something we understand and try to prevent in the future.

The second question I wanted to bring your attention to is, after a 27 year career with the Justice Department, Acting Attorney General Sally Yates was fired, just 10 days into the new Trump

Administration, reportedly for refusing to defend the president's now unconstitutional Muslim ban.

However, it subsequently came out that Sally Yates warned the incoming Trump Administration that Michael Flynn had discussed sanctions for -- during a conversation with the Russian Ambassador.

And then lied about to the vice president of the United States, and as a consequence may be compromised or the subject of some extortion.

Subsequently, U.S. Attorney Preet Bharara was one of the 46 federal prosecutors instructed to resign by the Trump Administration.

Two days before he was fired, the ethics watchdog group, CREW sent him a letter asking him to investigate whether President Trump's business interests violate the Emoluments Clause.

And it's also been reported that at the time he was fired, Mr. Bharara had been investigating HHS Secretary Tom Price for questionable stock trades.

And so my question is, does it violate Department of Justice protocol if an employee is fired due to the nature of an investigation in which they are engaged?

Can the president or the attorney general fire a DOJ official because they do not like the target of an investigation that, that official is undertaking?

And if you believe the DOJ employees were fired because of political considerations, would that be something your office would investigate?

HOROWITZ:

I don't know enough facts to -- to opine on the first two issues.

Clearly, as to the last, if there was evidence presented that a employee was fired to try and shut down an investigation or otherwise interfere with it, that would be obviously something serious and we would look at the predicated facts and consider what had occurred.

CICILLINE:

Well but based on what you already know, do you intend to review this, to determine if, in fact, that is the case?

HOROWITZ:

We would -- just generally speaking, we would require before we open an investigation some predicated facts on it, beyond and -- and I'm confident that if Mr. Bharara or former AG Yates thought that was an issue here, they would not be hesitant to reach out and report that kind of information to me.

I mean, I -- I -- it would depend on what we got -- what information we got and -- and what we were told and what witnesses were reporting to us and claiming to us.

CICILLINE:

And -- and finally, Mr. Horowitz, last Friday, House Democrats wrote to you and asked you to investigate reports of several improper contacts between the White House and the Department of Justice.

Every attorney general since the Carter Administration has had guidance in place to limit contact between independent investigators and the political leadership of the administration.

It seems that both President Trump and his chief of staff have ignored this guidance and can we count on your office to look into this matter?

And does the fact that these conversations have taken place give you cause and raise some concern with you?

HOROWITZ:

So, I did get the letter Friday, late in the day and we are looking at and considering it. I haven't made any decisions yet on how to proceed. That's something that we normally would consider before making any decisions on.

But obviously, if, you know, any instance where there is department policies that have been put at -- challenged, or put at risk, or action taken, that's something we would certainly consider. Thank you.

CICILLINE:

I thank you and thank you for the indulgence, Mr. Chairman. I yield back.

M. JOHNSON:

Thank you. We're almost done. Thank you both for being here. The chair recognizes myself for five minutes. In 2016, the DOJ OIG issued a report on the DOJ's National Security Division's enforcement and administration of the Foreign Agents Registration Act.

And the report concluded that there were much needed improvements to NSD's enforcement and administration of FARA, the Foreign Agents Registration Act.

Additionally, the report highlights that a number of recommendations have been repeatedly made -- this is a quote -- "Over the years, in reports by the government accountability office and its predecessor, the general accounting office and by the police interest organizations.

And that these recommendations should be seriously considered, if the purposes of FARA are to be fully realized."

So, my office has begun -- I've begun working to draft some legislation that will try to seek some common sense methods to improve transparency and oversight in foreign donations and influencing U.S. policymaking.

So the question I had today, I guess for both of you, is whether you'd be willing to commit to working with -- with my office to determine what some of those common sense efforts might be.

HOROWITZ:

Absolutely. This is an important area. I agree with you that there needs to be some reform in this area.

MAURER:

Obviously, I'd be happy to work with you as well and we would coordinate with our colleagues at the I.G. to make sure that our work is complementary with each other.

M. JOHNSON:

Thank you very much for that. In the 2016 report, you also state that the number of FARA registrants has fallen in recent years.

And I -- I was just curious what you would say the decline is -- is attributable to. Is it -- if -- if it's due to less to active involvement by foreign governments or issues due to a lack of comprehensive fair enforcement strategy? What -- what do you think about that?

HOROWITZ:

I -- I don't think we saw evidence that would -- -- would allow us to include the former. I think part of it was enforcement questions. Part of it was what appeared to be confusion over the scope of FARA versus the Lobbying Disclosure Act.

And which applied and under -- and where should be the registration occur. And the importance of the department making it clear to the public and to potential registrants when they needed to come forward and register.

M. JOHNSON:

Another line of questioning. The role of inspectors general involves keeping congress fully and currently informed about fraud and abuse within federal agencies and programs -- and we've discussed a lot of that today -- certainly includes complete and thorough investigations.

But we're -- we're aware that during the last administration efforts were taken to deny substantial access to requested information to review DOG and agency -- DOJ and agency corruption, waste, fraud and abuse. And it was based upon a Office of Legal Counsel legal opinion.

So the question is, where does that stand today? And have there been necessary actions taken to try to remedy that -- that problem?

HOROWITZ:

So, with regard to access, I think and it should be the case that the I.G. Empowerment Act resolved that, that congress made clear what I think all of us thought was already clear.

M. JOHNSON:

Right.

HOROWITZ:

You know, maybe if you say it twice, people listen and that we have access to records. I think GAO still has issues, frankly, on -- on some of these. I know we -- we compare notes on these questions, but we have not had an issue since that passed. Hopefully that resolves it.

We still think there are steps that could be taken to advance our ability to do oversight, like testimonial subpoena authority, something that was in the bill originally and was taken out -- in the bill passed by the House -- taken out in the last minute in the Senate bill.

And then, which was ultimately the bill passed by the House. We have been discussing with the chair of this committee and other committees that possibility.

And I would say, just generally speaking, in terms of oversight perhaps one of my biggest concerns is the budget issues -- not having a budget, into this fiscal year, not knowing where we're going next fiscal year.

We do -- we have a very strong return on investment. The total amount of money invested in our office, for example, is 0.33 percent of our department's budget.

So, we are an extraordinarily small -- not part of the department's budget. And that's, frankly, where our concern is on oversight going forward.

MAURER:

Just real quickly, in terms of GAO's access, two quick points. First, I want to thank the congress. One of the very first bills that this congress enacted was a bill that underscored GAO's statutory right to access to -- to conduct our works. That was much appreciated.

Secondly, we are dogged and persistent in pursuit of our oversight responsibilities. We -- we by-and-large get what we need to do the work that we do for the congress.

And so, sometimes there are delays at the Department of Justice -- at the Department of Justice, but we've been able to work through them.

M. JOHNSON:

So, there's no -- there's no current cases that -- where this has negatively impacted your ability to -- to conduct oversight of funds, then?

MAURER:

Nothing materially, no.

M. JOHNSON:

That's it. We -- we're grateful for your time today. This will conclude today's hearing and thanks to both of our witnesses for attending.

Without objection, all members will have five legislative days to submit additional written questions for the witnesses, or additional materials for the record. And this hearing is adjourned. Thank you.