

March 6, 1980

STATEMENT OF THE ATTORNEY GENERAL
BENJAMIN R. CIVILETTI
BEFORE THE HOUSE SUBCOMMITTEE ON APPROPRIATIONS FOR
THE DEPARTMENTS OF STATE, JUSTICE AND COMMERCE,
THE JUDICIARY AND RELATED AGENCIES

Mr. Chairman and Members of the Subcommittee:

I am pleased to appear before this Subcommittee today in support of the 1981 budget request for the Department of Justice.

The total 1981 request of approximately 2.7 billion dollars and 55,679 positions is an increase of 172 million dollars and a decrease of 1,238 positions from the anticipated current year levels.

Our budget request for 1981 reflects the three principal themes we considered in its development. First, our request represents the President's policy of holding in check Federal Government spending to assist in the fight against inflation. Second, we will continue our efforts to focus funding in our law enforcement bureaus on National priorities that cannot be dealt with at the local level, with consequent flexibility in these bureaus in programs which can effectively be handled at the State and local levels. This approach is becoming more feasible because local authorities today are better equipped, partly as a result of past Federal assistance programs.

Finally, the budget request reflects our policy of establishing priorities and making hard tradeoff decisions between programs. While our request represents a net decrease in positions, we have increased resources for our highest priority programs.

The priorities contained in our 1981 plan are consistent with the major initiatives of recent years. In the law enforcement and criminal prosecution areas, we propose to apply additional resources to fight organized and white-collar crime, to conduct foreign counterintelligence operations, to address fraud against the Government, and to combat high-level narcotics trafficking. While applying more resources to these areas of national concern, we will continue to encourage State and local governments to assume responsibility for crimes that are local in nature and for which there is concurrent jurisdiction. In the corrections area, a declining Federal prison population permits us to proceed with the plan to phase out large antiquated penitentiaries. Civil litigation responsibilities will continue to demand more effective use of our resources if we are to service our client agencies adequately and strengthen the lead role assigned to the Justice Department in the conduct of Federal litigative activities.

In the coming weeks, Department officials will appear before you to answer specific questions you may have on programs under their direction. At this time, I would like to briefly highlight our total resource request in support of our program plans for 1981.

LITIGATION

Our request for the Department's General Legal Activities is modest and represents an increase of 2.6 million dollars and 38 positions over the current level. Requested staff increases are concentrated on expanding the efforts of our economic crime units, increasing our investigation and prosecution of criminal civil rights violations, and improving our coordination and review of Title VI program.

To improve our management of existing litigation resources, a top management priority of mine, we are requesting funds to develop or improve existing automated litigation management and support systems. I feel strongly that we can more efficiently use current resources by utilizing these management techniques and a member of my immediate staff is coordinating the Department's efforts in this area.

Our request also reflects a 4 million dollar decrease due to the discontinuance of the State Antitrust Grant program, which was begun in 1977. By the end of 1980, 25 million dollars will have been provided to State governments to develop antitrust activities. We believe that this initiative has served its purpose in providing seed money and that it is now appropriate for the Federal Government to end its financial assistance.

For the U.S. Attorneys, we are requesting an increase of 33 positions. This includes a transfer of 11 positions from the Associate Attorney General's office for the Legal Education Institute, 4 positions for the Attorney General's Advocacy Institute, which is actively conducting a program to improve attorney training; and 18 positions related to automated information systems. The request also includes 4.5 million dollars to bring the total of on-board U.S. Attorney employment closer to the current authorized position level.

LAW ENFORCEMENT

The direction which is provided to our law enforcement activities is the principal factor which focuses the rest of our Federal criminal justice system activities. For 1981, my highest national law enforcement priorities continue to be foreign counterintelligence activities, organized crime, white collar crime and public corruption, and narcotics trafficking. In the FBI,

we are requesting increases of more than 200 positions to be used in these priority programs. These increases are more than offset by decreases in lower priority and more efficient field programs, such as the fugitive program, and in State and local assistance programs, primarily fingerprint identification. It is important to note that the net reduction of 432 positions in the FBI does not include special agents. We have been planning for sometime to reduce 300 of these positions as a part of the automation of the fingerprint program. In addition, 208 other fingerprint identification positions will be converted to part-time employees. This accounts for a 508 full-time position reduction in the FBI.

The budget request for the DEA includes a net personnel increase of 18 positions. In DEA, we will continue to concentrate on the disruption of organized trafficking in the most dangerous drugs. Another important increase for DEA is one million dollars to begin development of a voice privacy communication system. There is little doubt that the lives of DEA agents and DEA's enforcement mission are being jeopardized by the interception of operational radio communications.

The request for the U.S. Marshals Service includes modest increases for both the witness security program and for the execution of Federal fugitive warrants. While there is a 370 position decrease reflected for court security, this will not result in any actual reduction of security services. This decrease represents the decision to have the Department continue to reimburse the General Services Administration for judicial security guard services in lieu of the Marshals Service establishing its own separate program. Finally, our budget reflects continued support for legislation to shift the

function of service of private process from the Marshals to the private sector, except for the service of process for indigents.

Increases are included within the Immigration and Naturalization Service request to reduce waiting time for adjudications benefits, address the additional workload resulting from increased numbers of Indochinese refugees, and complete the rehabilitation of the Port Isabel, Texas, Service Processing Center. While actual on-board Border Patrol staff will remain at or exceed current levels, the budget does request a modest reduction in authorized positions. This reflects Administration policy that until the Select Commission on Immigration and Refugee Policy issues its report, which should assist in developing agreement on statutory changes to remove the incentives for illegal immigration, large budget increases for border enforcement personnel would be premature. Management practices within INS are a subject of considerable concern and have received significant attention. I want to assure you that these issues are receiving my personal attention and that we are moving forward on a major management review of INS by the President's Management Improvement Council.

CORRECTIONS

The Federal prison population has been declining recently for several reasons, primarily the increased use of halfway houses. Because of recent prisoner reclassification efforts, which indicate that fewer prisoners must be sent to maximum security prisons, as well as the declining prisoner population, the budget reflects the closing or phase-down of three antiquated penitentiaries--a long standing objective. New resources are requested for the activation and expansion of previously approved institutions.

To insure the human care and custody of offenders, modest staff increases are also requested for inmate services such as medical care, vocational training, and drug aftercare programs. These increases are more than offset by the reductions in staff for the three large, antiquated penitentiaries at McNeil Island, Leavenworth, and Atlanta.

STATE AND LOCAL ASSISTANCE

As you are aware, we are moving forward on the implementation of the Justice System Improvement Act of 1979. I believe that more major improvements in our assistance programs will be achieved under the new legislation. Significant reductions in paperwork, more direct control over assistance funds by local governments, and a new approach for national priority grants in support of proven programs are some of the more significant improvements we plan to realize.

Over the past several years there have been major reductions in the LEAA program, ranging from a high point in 1975 of 887 million dollars to the 1980 level of 486 million dollars--almost a 50% reduction. It is my belief that the time has come to provide a realistic increase for this program. State and local governments have developed relevant programs for the use of Federal funds and technical skills have been developed in the criminal justice community so that innovative programs have a better chance of succeeding. Consequently, in 1981, we are requesting approximately 571 million dollars for the Office of Justice Assistance, Research and Statistics,

an increase of 84 million dollars over the 1980 level. The higher funding level will be principally directed to Part D Formula grants, which focuses additional assistance in areas with the most severe crime problems. We plan to increase the Crime Prevention Program, a major component of which is the urban anti-crime initiative to maximize the involvement of local public officials in efforts to combat crime. Funding for programs associated with the Juvenile Justice Act would be at the level of 100 million dollars, emphasizing the priority accorded these efforts by both the Administration and the Congress.

OTHER REQUIREMENTS

In conclusion, the budget proposes small personnel increases in key staff offices in the Department. Included in these items are modest staff increases to support essential activities in my immediate office, the Office of Professional Responsibility, and the Office of Information Law and Policy as well as for the critical library support services and EEO program efforts conducted by our Justice Management Division. A decrease of five million dollars from the current level affects the State and Local Drug Grant Program for which funds were appropriated on a one-time basis in 1980.

This concludes my statement Mr. Chairman. I have a more detailed addendum to my opening remarks which with your permission I offer to be entered in the record. I shall be pleased to answer any questions you or the members of the Subcommittee may wish to ask.