

COMMITTEE ON THE JUDICIARY
AUTHORIZATION AND OVERSIGHT PLAN FOR THE 115TH CONGRESS

February 15, 2017

In accordance with Rule X of the House of Representatives, the Committee on the Judiciary is responsible for determining whether the laws and programs within its jurisdiction are implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, eliminated, or enhanced. Accordingly, in the 115th Congress the Committee will review all laws and programs within its jurisdiction to assess their application, administration, execution, and effectiveness. The Committee will also review the organization and operation of Federal agencies and entities within its jurisdiction for the administration and execution of laws and programs within its jurisdiction.

The Committee will review the mission and operations of all agencies and programs within its jurisdiction as it prepares to reauthorize the components of the Departments of Justice and Homeland Security and other agencies as appropriate. In doing so, the Committee will identify wasteful, inefficient, or duplicative programs that should be streamlined or eliminated, as well as those that could be enhanced. Through such oversight, the Committee seeks to determine how these agencies and entities can achieve more impactful and effective programs with an eye toward improving the efficiency and effectiveness of Federal programs and agencies. The Committee also seeks to eliminate fraud, abuse, and mismanagement. As a result of this oversight, the Committee anticipates streamlining and eliminating spending on agencies and programs within its jurisdiction, if appropriate.

This document outlines the current plans of the Committee on the Judiciary for authorization and oversight activities in the 115th Congress. Part I includes a description of programs and agencies the Committee intends to reauthorize in the 115th Congress and notes which such programs and agencies received funding in fiscal year 2016 despite having lapsed authorizations. Part II includes oversight to be conducted by the Committee to help determine whether to authorize certain programs and agencies or eliminate them.

PART I

The following programs and agencies will be considered for reauthorization in the 115th Congress. Programs or agencies designated with an asterisk received funding during fiscal year 2016 despite having no current authorization for appropriation.

ADMINISTRATIVE OFFICE OF THE COURTS

EXTENSION OF TEMPORARY OFFICE OF BANKRUPTCY JUDGES IN CERTAIN JUDICIAL DISTRICTS

The volume of bankruptcy cases commenced in the U.S. continues to grow as individuals and businesses attempt to cope with the effects of the recent recession... The lapse date for these temporary judgeships is May 25, 2017.

AUTHORITY TO REDACT CERTAIN LIMITED INFORMATION FROM FINANCIAL DISCLOSURE REPORTS

The Judiciary seeks continued authority for judges and judicial employees to redact certain limited information from their financial disclosure reports in order to protect their safety and the safety of their families pursuant to the Ethics in Government Act (5 U.S.C. app. Sec. (b)(3)(A)-(E)). The current authority expires December 31, 2017.

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION*

General Administration (GA) supports the Attorney General and the Department of Justice's senior policy level officials in managing Department resources and developing policies for legal, law enforcement, and criminal justice activities. GA consists of four decision units: Department Leadership, Intergovernmental Relations and External Affairs, Executive Support and Professional Responsibility, and the Justice Management Division.

The Department Leadership decision unit includes the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Privacy and Civil Liberties, Rule of Law, and Access to Justice. Intergovernmental Relations and External Affairs includes the Offices of Public Affairs, Legislative Affairs, and Tribal Justice. Executive Support and Professional Responsibility includes the Offices of Legal Policy, Professional Responsibility, Information Policy, and the Professional Responsibility Advisory Office. Finally, the Justice Management Division provides advice to senior DOJ officials and develops departmental policies in the areas of management and administration, ensures compliance by DOJ components with departmental and other federal policies and regulations, and provides a full range of management and administration support services.

Justice Information Sharing Technology*

Justice Information Sharing Technology (JIST) programs fund DOJ's enterprise investments in information technology (IT). As a centralized fund under the control of the Department of Justice Chief Information Officer (DOJ CIO), it ensures that investments in IT systems, cyber security, and information sharing technology are well planned and aligned with the Department's overall IT strategy and enterprise architecture.

Administrative Review and Appeals*

The Executive Office for Immigration Review (EOIR) contains the corps of Immigration Judges, the Board of Immigration Appeals, and the Office of the Chief Administrative Hearing Officer. EOIR presides over administrative immigration hearings such as benefits adjudications, removal, bond, and employer sanctions proceedings. Timely and fair adjudication of cases in immigration courts is an essential part of effective immigration enforcement as well as benefits adjudications. Funding for EOIR personnel and programs must keep pace with other immigration enforcement activities in order for the entire immigration enforcement system to function properly.

Office of the Inspector General*

The Office of the Inspector General (OIG) is an independent office within the Department of Justice that is charged with investigating allegations of fraud, waste, abuse, and misconduct by DOJ employees, contractors, and grantees and promoting economy and efficiency in DOJ operations.

GENERAL LEGAL ACTIVITIES

Office of the Solicitor General*

The Office of the Solicitor General supervises and processes all appellate matters and represents the U.S. and federal agencies in the Supreme Court.

Tax Division*

The Tax Division represents the U.S. in virtually all litigation arising under the internal revenue laws. This work includes both a civil component as well as assistance to U.S. Attorneys in prosecuting criminal tax violations. In addition, the Division's attorneys lend their financial crimes expertise to the enforcement of other laws with financial aspects.

Criminal Division*

The Criminal Division is responsible for supervising the application of all federal criminal laws except those specifically assigned to other divisions. Its mission is to identify and respond to critical and emerging national and international criminal threats, and to lead the enforcement, regulatory, and intelligence communities in a coordinated, nationwide response to

reduce those threats. The Division provides expert guidance and advice to U.S. Attorneys and other federal, state, and local prosecutors and investigative agencies, as well as foreign criminal justice systems. It also oversees the use of the most sophisticated investigative tools available to federal law enforcement, including all federal electronic surveillance requests in criminal cases, and secures the return of fugitives and other assistance from foreign countries.

In addition to other initiatives, the Criminal Division uses its resources to prosecute the most significant financial crimes, including mortgage fraud, corporate fraud, and sophisticated investment fraud; coordinate multi-district financial crime cases; and assist U.S. Attorneys' Offices in financial crime cases with significant money laundering and asset forfeiture components.

Civil Division*

The Civil Division represents the United States, its departments and agencies, Members of Congress, Cabinet officers, and other federal employees in litigation in federal and state courts. Each year, it successfully defends the United States against billions of dollars in unmeritorious claims. In its affirmative litigation, the Division brings suits on behalf of the United States, primarily to recoup money lost through fraud, loan defaults, and the abuse of federal funds. As a result of the work of the Civil Division, hundreds of millions of dollars are returned to the Treasury, Medicare, and other programs annually.

Environment and Natural Resources Division*

The Environment and Natural Resources Division (ENRD) enforces the Nation's civil and criminal environmental laws; defends environmental challenges to federal laws and actions; and performs a variety of other important legal activities related to the environment and our nation's natural resources. ENRD's responsibilities include litigating disputes under the Clean Air Act, the Clean Water Act, the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund), the Endangered Species Act, and other federal environmental statutes; defending against environmental challenges to federal programs and activities; representing the United States in matters concerning the protection, use, and development of national natural resources and public lands; and litigating on behalf of individual Indians and Indian tribes.

Civil Rights Division*

The Civil Rights Division is responsible for enforcing federal statutes that guarantee the civil rights of all Americans and prohibit discrimination on the basis of race, sex, disability, religion, and national origin. The Division enforces federal laws that protect Americans' civil rights and freedom from discrimination in education, employment, credit, housing, certain federally funded and conducted programs, and voting.

The Division has eleven sections: Appellate, Coordination and Compliance, Criminal, Disability Rights, Educational Opportunities, Employment Litigation, Housing and Civil Enforcement, Office of Special Counsel for Immigration Related Unfair Employment Practices, Special Litigation, Policy and Strategy, and Voting.

INTERPOL Washington*

INTERPOL Washington facilitates cooperation and information sharing among police agencies in different countries. It is the link between more than 18,000 federal, state, and local law enforcement authorities and the 187 other member countries for INTERPOL-related matters. The main goals of INTERPOL Washington are facilitating international law enforcement cooperation; transmitting information of a criminal justice, humanitarian or other law enforcement related nature between law enforcement agencies; responding to law enforcement requests; coordinating and integrating information for investigations of an international nature, and identifying patterns and trends in criminal activities. INTERPOL Washington also actively screens all inbound international flights for passports that are reported as lost or stolen to INTERPOL and generates over 200 hits monthly that require human analysis.

ANTITRUST DIVISION*

The mission of the Antitrust Division is to promote economic competition through enforcing and providing guidance on antitrust laws and principles. In addition to enforcing the antitrust laws, the Antitrust Division also acts as an advocate for competition, seeking to promote competition in sectors of the economy that are or may be subject to government regulation.

EXECUTIVE OFFICE FOR U.S. ATTORNEYS*

There are 94 U.S. Attorneys located throughout the United States, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands. The U.S. Attorneys who lead each office are the chief law enforcement representatives of the Attorney General. Each enforces federal criminal law, handles most of the civil litigation in which the United States is involved, and initiates proceedings for the collection of fines, penalties, and forfeitures owed to the United States.

FOREIGN CLAIMS SETTLEMENT COMMISSION*

The Foreign Claims Settlement Commission of the United States (FCSC) is a quasi-judicial, independent agency within the Department of Justice which adjudicates claims of U.S. nationals against foreign governments, under specific jurisdiction conferred by Congress, pursuant to international claims settlement agreements, or at the request of the Secretary of State.

FEES AND EXPENSES OF WITNESSES*

The mission of the Fees and Expenses of Witnesses (FEW) appropriation is to provide funding for all fees and expenses associated with the provision of testimony on behalf of the Federal Government. Funding is also provided to pay for private and foreign counsel. The FEW appropriation is centrally managed by the Justice Management Division's Budget Staff, and funds are allocated to the General Legal Activities and the Executive Office for U.S. Attorneys for administration of expert witnesses that provide technical or scientific testimony and are compensated based on negotiations with the respective federal government attorney.

COMMUNITY RELATIONS SERVICE*

The Community Relations Service's mission is to assist state and local governments, private and public organizations, community groups and law enforcement in quelling conflicts and tensions arising from differences of race, color, and national origin. The Community Relations Service is also authorized to work with state and local governments and groups to restore community stability and harmony while preventing, resolving, and responding to alleged violent hate crimes.

ASSETS FORFEITURE FUND*

The Assets Forfeiture Fund (AFF) was established pursuant to the Comprehensive Crime Control Act of 1984. The U.S. Marshals Service (USMS) administers the program by managing and disposing of properties seized by and forfeited to federal law enforcement agencies and U.S. Attorneys nationwide, and the Attorney General is authorized to use the AFF to pay necessary expenses associated with forfeitures. The Fund may also be used to finance certain general investigative expenses, as those enumerated in 28 U.S.C. § 524(c).

The Asset Forfeiture Fund, first and foremost, is used to pay victims of specific crimes for which the proceeds were subject to forfeiture. After those costs, the Department of Justice (DOJ) uses the funds to pay for the management costs associated with disposing and forfeiting property. Finally, the Fund is used to fund law enforcement at the state and local level who assist with federal law enforcement priorities. The Fund is also vital to ensuring that state and local law enforcement continue to participate in the numerous joint task forces established by the Federal government.

U.S. MARSHALS SERVICE*

The U.S. Marshals Service (USMS) administers the Asset Forfeiture Program of the Justice Department; conducts investigations involving escaped federal prisoners, unregistered sex offenders, and other fugitives; ensures safety at Federal judicial proceedings; assumes custody of individuals arrested by all federal agencies; houses and transports prisoners; and manages the Witness Security Program.

NATIONAL SECURITY DIVISION*

The National Security Division (NSD) was first authorized by Congress in the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177). The NSD consists of the elements of DOJ (other than the Federal Bureau of Investigation) engaged primarily in support of the intelligence and intelligence-related activities of the Federal government, including: (1) the Assistant Attorney General for National Security, (2) the Office of Intelligence Policy and Review, (3) the counterterrorism section, (4) the counterespionage section, and (5) any other offices designated by the Attorney General.

ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES (OCDETF) PROGRAM*

The OCDETF program is a centerpiece of DOJ's intra- and inter- agency drug enforcement strategy. It coordinates and channels all elements of federal law enforcement – including components of

the Department of Homeland Security (DHS) and the Department of the Treasury – in its efforts against the most powerful and dangerous national and transnational criminal organizations engaged in drug trafficking and money laundering, and those organizations primarily responsible for the nation’s illegal drug supply.

FEDERAL BUREAU OF INVESTIGATION*

The Federal Bureau of Investigation (FBI) is the Nation’s largest federal law enforcement agency, charged with investigating terrorism, cybercrimes, public corruption, white-collar crime, organized crime, civil rights violations, and other federal offenses. The FBI is also the primary federal domestic counter-terrorism and counter-intelligence agency.

DRUG ENFORCEMENT ADMINISTRATION*

The Drug Enforcement Administration (DEA) is the lead federal agency tasked with reducing the illicit supply and abuse of narcotics and drugs through drug interdiction and seizing of illicit revenues and assets from drug trafficking organizations.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES*

The mission of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) is to reduce violent crime, prevent terrorism, and protect the United States through enforcing laws and regulating the firearms and explosives industries. ATF plays an important role in addressing the gaps in information available to the National Instant Criminal Background Check System (NICS) regarding mental health adjudications, commitments and other prohibiting backgrounds.

FEDERAL PRISON SYSTEM*

The Federal Bureau of Prisons (BOP) is responsible for the custody and care of federal offenders in prisons and community-based facilities. BOP is currently responsible for housing approximately 196,000 federal offenders, which includes sentenced inmates as well as persons awaiting trial and/or sentencing.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE ACTIVITIES*

DOJ’s three State and Local Law Enforcement Assistance components administer billions of dollars’ worth of federal grants every year. The Committee will review each office and the programs it administers in order to authorize programs and activities, or adjust authority, as necessary.

Created in 1994, the Office on Violence Against Women (OVW) provides federal leadership in developing the nation’s capacity to reduce violence against women and to administer and strengthen services to victims of domestic violence, dating violence, sexual assault, and stalking. The Office of Community Oriented Policing Services (COPS Office), which was created in 1994, is responsible for advancing the practice of community policing by the nation’s state, local, territorial, and tribal law enforcement agencies through information and grant resources.

Finally, the Office of Justice Programs (OJP), which was established in 1984, oversees the majority of grant resources at DOJ. It works in partnership with the justice community to identify crime-related challenges confronting the justice system and to provide information, training, coordination, and strategies and approaches for addressing such challenges. OJP is comprised of five bureaus: the Bureau of Justice Assistance (BJA), the National Institute of Justice (NIJ), the Office of Juvenile Justice and Delinquency Prevention, the Bureau of Justice Statistics (BJS), and the Office of Victims of Crime (OVC). OJP works in partnership with the justice community to identify crime-related challenges confronting the justice system and to provide information, training, coordination, and strategies and approaches for addressing such challenges. OJP administers grant funding in the areas of Research, Evaluation and Statistics; Juvenile Justice Programs; and State and Local Law Enforcement Assistance.

DEPARTMENT OF HOMELAND SECURITY

U.S. CITIZENSHIP AND IMMIGRATION SERVICE

U.S. Citizenship and Immigration Services (USCIS) oversees lawful immigration to the United States. USCIS is funded primarily by immigration and naturalization benefit fees charged to applicants and petitioners.

E-Verify Pilot Program

Section 401 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 authorizes the Department of Homeland Security (DHS) to “conduct 3 pilot programs of employment eligibility confirmation” including the E-Verify program, which allows employers to electronically check the employment eligibility of potential employees. Section 401(b) of that Act, as amended, currently provides that “[u]nless the Congress otherwise provides, the Secretary of Homeland Security shall terminate a pilot program on April 28, 2017.”

EB-5 Regional Center Program

The EB-5 Regional Center Program was established in Section 610 of P.L. 102-395, and reserves certain immigrant investor visas for those who invest in certain targeted employment areas. Section 610(b), as amended, provides that 3,000 visas shall be annually set aside for the EB-5 Regional Center Program until April 28, 2017.

Conrad 30 Waiver Program

Section 220 of the Immigration and Nationality Technical Corrections Act of 1994 established the Conrad 30 Waiver Program for J-1 visa holders, which describes individuals that have come to the United States to receive graduate medical education or training. Under this program, a limited number of J-1 visitors may receive a waiver of the 2-year residency requirement that would normally apply before such individuals could seek an immigrant visa, permanent residence, or a non-immigrant work visa. Section 220(c), as amended, provides that an individual must have received a J-1 visa before April 28, 2017, in order to be eligible for such waiver.

Non-minister Special Immigrant Religious Worker Program

Section 101(a)(27)(C) of the Immigration and Nationality Act (INA) is sometimes referred to as the non-minister special immigrant religious worker program. The INA defines a “special immigrant” to include certain immigrants, and such immigrants’ spouses and children, who are affiliated with a religious denomination. For such individuals who are not entering the United States to carry on the vocation of a minister, the individual must seek entry before April 28, 2017.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

Immigration and Customs Enforcement (ICE) is the largest investigative arm of DHS. Comprised of several components from the former Immigration and Naturalization Service (INS) and the U.S. Customs Service, the agency combines the investigative, detention and removal, and intelligence functions of the former INS with the investigative and intelligence functions of the former Customs Service. ICE’s mission is to promote homeland security and public safety through the criminal and civil enforcement of federal laws governing immigration, customs, and trade.

U.S. CUSTOMS AND BORDER PROTECTION

U.S. Customs and Border Protection (CBP) has extended a zone of security beyond U.S. physical borders. Aspects of CBP under the jurisdiction of the House Judiciary Committee include CBP’s non-border immigration enforcement functions, intellectual property enforcement functions, the Entry/Exit Transformation Office (EXT) and the Arrival and Departure Information System (ADIS), and the visa waiver program.

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

The Office of Biometric Identity Management (OBIM) (formerly United States Visitor and Immigrant Status Indicator Technology, or US-VISIT) supports DHS's responsibility to protect the nation by providing biometric identification services that help federal, state, and local government decision makers accurately identify the people they encounter and determine whether those people pose a risk to the U.S. OBIM supplies the technology for collecting and storing biometric data, provides analysis, updates its watchlist, and ensures the integrity of the data. The Committee has long supported sufficient funding to meet the entry-exit requirements mandated first by Congress in 1996 in order to identify who is entering and exiting the U.S. and how long they stay in the country. OBIM is part of the National Protection and Programs Directorate.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

The Federal Law Enforcement Training Centers (FLETC) provides training to law enforcement professionals to help them fulfill their responsibilities safely and proficiently. FLETC’s mission is to train all those who protect the homeland, and therefore, its training audience also includes state, local, and tribal departments throughout the U.S. Additionally, FLETC’s impact extends outside our Nation’s borders through international training and capacity-building activities.

U.S. SECRET SERVICE

The Secret Service is tasked with dual law enforcement missions: protection of national and visiting foreign leaders and conducting criminal investigations. Criminal investigation activities encompass financial crimes, bank fraud, mortgage fraud, identity theft, counterfeiting, and computer fraud. Secret Service protection extends to the President, Vice President, and their families, among others.

DEPARTMENT OF HEALTH & HUMAN SERVICES

OFFICE OF REFUGEE RESETTLEMENT (HHS)*

The Office of Refugee Resettlement (ORR) within the Department of Health and Human Services (HHS) provides assistance and services to refugees, asylees, unaccompanied alien minors, victims of human trafficking, and certain Amerasian, Iraqi, Afghan, Cuban, and Haitian immigrants. ORR assists these populations by providing a range of services, including cash and medical assistance, housing assistance, and economic and social integration services.

OFFICE OF MANAGEMENT & BUDGET

U.S. OFFICE OF THE INTELLECTUAL PROPERTY ENFORCEMENT COORDINATOR (US-IPEC)*

Intellectual property theft presents a substantial threat and imposes significant harm, including major economic damage, to the U.S. To address this problem, the Committee authorized, through the Prioritizing Resources and Organization for Intellectual Property (PRO-IP) Act of 2008 (P.L. 110-403), the creation of an Intellectual Property Enforcement Coordinator (IPEC) within the Executive Office of the President. The IPEC chairs an interagency intellectual property enforcement advisory committee, coordinates the development of the Joint Strategic Plan against counterfeiting and infringement and provides other assistance in the coordination of intellectual property enforcement efforts.

OFFICE OF INFORMATION AND REGULATORY AFFAIRS*

The Office of Information and Regulatory Affairs (OIRA) implements executive regulatory oversight activities under Executive Order 12866 (Regulatory Planning and Review), Executive Order 13563 (Improving Regulation and Regulatory Review), among other authorities; reviews collections of information from the public; provides guidance concerning the acquisition, use and management of Federal information resources; and, coordinates policy direction on Federal statistical activities.

FEDERAL TRADE COMMISSION

BUREAU OF COMPETITION*

The Federal Trade Commission's Bureau of Competition shares jurisdiction to enforce the nation's antitrust laws with the Antitrust Division of DOJ.

OTHER ENTITIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES*

The Administrative Conference of the United States (ACUS) is an independent, nonpartisan agency that was created to analyze the federal administrative law process and to provide Congress, the President, the Judicial Conference of the United States, and federal agencies with recommendations and guidance.

COMMISSION ON CIVIL RIGHTS*

The Commission on Civil Rights was established by the Civil Rights Act of 1957 (P.L. 85-315), to serve as a bipartisan, fact-finding agency to investigate and report on the status of civil rights, and inform the development of national civil rights policy.

OFFICE OF GOVERNMENT ETHICS*

The Office of Government Ethics (OGE) is responsible for providing the overall direction of executive branch policies designed to prevent conflicts of interest and to ensure high ethical standards. In partnership with executive branch agencies and departments, OGE develops ethics training courses and other educational materials for government employees, conducts on-site reviews of existing ethics programs, and provides advice and guidance on the Standards of Ethical Conduct for Employees of the Executive Branch.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD*

The Privacy and Civil Liberties Oversight Board (PCLOB) is an independent agency within the executive branch established by the Implementing Recommendations of the 9/11 Commission Act to analyze and review actions the executive branch takes to protect the U.S. from terrorism, ensuring that the need for such actions is balanced with the need to protect privacy and civil liberties, and to ensure that liberty concerns are appropriately considered in the development and implementation of laws, regulations, and policies related to efforts to protect the Nation against terrorism. The continued role of the Board includes the review of various government surveillance programs and the related activities of the Intelligence Community.

STATE JUSTICE INSTITUTE*

The State Justice Institute was established by federal law in 1984 to award grants to improve the quality of justice in State courts, facilitate better coordination between State and Federal courts, and foster innovative, efficient solutions to common issues faced by all courts.

U.S. PATENT AND TRADEMARK OFFICE

FEE SETTING AUTHORITY

The authority of the Under Secretary of Commerce for Intellectual Property and Director of the U.S. Patent and Trademark Office (Director) to set or adjust any fee to recover the aggregate estimated costs to the Office for processing, activities, services, and materials relating to patents terminates on September 16, 2018.

PART II

The Committee's oversight and investigative activities will be coordinated between the Full Committee and the Subcommittees in order to facilitate comprehensive and strategic oversight of the programs and agencies within its jurisdiction. Oversight activities will include hearings, briefings, correspondence, reports, public statements and site visits.

FULL COMMITTEE

U.S. Department of Justice. In conjunction with the Subcommittees, the Committee will conduct oversight of the U.S. Department of Justice, including all Department components and agencies.

Budget Oversight and Management Performance. The Committee will conduct oversight and identify U.S. Department of Justice grant programs that should be streamlined or eliminated, as well as those that could be enhanced. The Committee will also conduct oversight of all agencies and programs within its jurisdiction to uncover waste, fraud, or abuse and to identify programs that are inefficient, duplicative, or outdated, or that are more appropriately administered by State or local governments. The Committee will also consider the extent to which federally funded or administered agencies and activities can more efficiently handle certain tasks on a national level and whether they save, reduce, or render more effective State or local government expenditures or activities. In addition, the Committee will consider whether any federal programs within its jurisdiction should be enhanced, concomitant with cuts to or the elimination of less effective programs.

Protecting Congress' Constitutional Powers: The committee will conduct oversight to examine the separation of powers between the branches of government and to consider ways to restore and reestablish the powers and authorities granted to Congress in Article I of the Constitution.

The U.S. Copyright Office: The Committee will continue to conduct oversight of the Copyright Office as it completes its transition to a digital environment. Oversight will include review of its recordation system, public access to its registration records, and the process by which the Register of Copyrights should be selected.

Copyright Law and Policy: The Committee will examine the provisions of the Copyright Act to ensure it addresses the challenges faced by copyright owners, users, and consumers in the digital environment.

Office of the U.S. Intellectual Property Enforcement Coordinator (IPEC): The Committee will examine how the IPEC is functioning and whether it has the authority and resources necessary for it to be effective. To the extent this involves non-copyright-related intellectual property issues, this will be coordinated closely with the Subcommittee on the Courts, Intellectual Property, and the Internet Subcommittee.

Intellectual Property Enforcement Agencies: The Committee will review the intellectual property enforcement efforts of the Department of Homeland Security's U.S. Customs and Border Protection division and the Department of Justice. To the extent this involves non-copyright-related intellectual property issues, these will be primarily handled by the Subcommittee on Courts, Intellectual Property, and the Internet.

SUBCOMMITTEE ON CRIME, TERRORISM, HOMELAND SECURITY & INVESTIGATIONS

U.S. Department of Justice: The Subcommittee will conduct oversight of the law enforcement agencies of the U.S. Department of Justice.

A. The Federal Bureau of Investigation (FBI): The Subcommittee will conduct oversight of the FBI. In addition to its traditional criminal investigatory jurisdiction, the Subcommittee will also conduct oversight of the FBI's counter-terrorism and counter-intelligence authorities.

B. Drug Enforcement Administration (DEA): The Subcommittee will review the operations of the DEA, including domestic and international drug enforcement, money laundering and narco-terrorism investigations.

C. Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF): The Subcommittee will review the mission and operations of the ATF, including federal firearms enforcement, explosives investigations, and tobacco and alcohol trafficking operations.

D. U.S. Marshals Service (USMS)/Office of the Federal Detention Trustee (OFDT): The Subcommittee will review the mission and operations of the USMS, including fugitive apprehensions, court and witness security, and its responsibilities under the Sex Offender Registration and Notification Act (SORNA). The Subcommittee will also conduct oversight on the operations of OFDT.

E. The Federal Bureau of Prisons (BOP): The Subcommittee will review the mission and operation of the federal prison system, including prisoner rehabilitation, reentry programs, and management of a growing offender population.

F. Federal Prison Industries, Inc.: The Subcommittee will also conduct oversight of the Federal Prison Industries (FPI), a government corporation that employs offenders incarcerated in federal prisons and provides job training opportunities to prisoners by producing goods and services for federal agencies.

Criminal Division: The Subcommittee will conduct oversight of the Justice Department's Criminal Division.

National Security Division: The Subcommittee will conduct oversight of the Justice Department's National Security Division.

Office of Justice Programs (OJP): The Subcommittee will review the mission and operations of OJP and its component organizations and the administration of law enforcement assistance grants in order to identify programs that should be streamlined or eliminated, and those that could be enhanced.

Office on Violence Against Women (OVW): The Subcommittee will review the mission and operations of OVW and the administration of Violence Against Women Act (VAWA) grants.

Community Oriented Policing Services Office (COPS): The Subcommittee will review the mission and operations of COPS and the administration of community policing grants.

Federal Grants: The Subcommittee will conduct oversight on the receipt of federal grants by state and local jurisdictions found to be in violation of section 1373 of title 8, United States Code.

Executive Office of U.S. Attorneys (EOUSA): The Subcommittee will conduct oversight on the operations of EOUSA.

Office of the Pardon Attorney: The Subcommittee will conduct oversight of the Office of the Pardon Attorney.

U.S. Department of Homeland Security (DHS): The Subcommittee will conduct oversight of DHS law enforcement components, including the U.S. Secret Service, U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, the U.S. Coast Guard, and the Federal Air Marshals Service.

U.S. Sentencing Commission: The Subcommittee will review the mission and operations of the U.S. Sentencing Commission with particular attention to the role of the Commission following the Supreme Court's decision in *U.S. v. Booker*, 543 U.S. 220 (2005) and its progeny. The Subcommittee will also examine the extent to which federal courts are imposing sentences that diverge from those recommended by the sentencing guidelines.

National Security: The Subcommittee will review the use of Foreign Intelligence Surveillance Act (FISA) and U.S. PATRIOT Act authorities by Intelligence Community (IC) agencies, and the reauthorization of section 702 of FISA.

Terrorism: The Subcommittee will review the threat to our national security from terrorist activity including the recruitment and training or self-radicalization of home-grown terrorists. The Subcommittee will examine the adequacy of federal criminal laws that deter and punish terrorism.

GAO Report on DOJ Funding Sources: The Subcommittee will review the alternative sources of funding at DOJ, including fines, fees, and penalties, that make up approximately 15 percent of DOJ's budgetary resources.

Office of Juvenile Justice and Delinquency Prevention (OJJDP): The Subcommittee will review the mission and operations of OJJDP.

Criminal Division—Asset Forfeiture and Money Laundering Section: The Subcommittee will conduct oversight of the Asset Forfeiture and Money Laundering section of the Justice Department's Criminal Division.

Encryption and Handheld Electronic Devices: The Subcommittee will conduct oversight on both the benefits of strong encryption and concerns expressed by law enforcement that encryption hinders their efforts to investigate crime.

Crimes against Children: The Subcommittee will review laws and law enforcement tools designed to combat child exploitation, including reauthorization of the Adam Walsh Act, and the proliferation of child pornography on the Internet.

Protection of U.S. Citizens' Constitutional Rights: The Subcommittee, along with the Subcommittee on the Constitution and Civil Justice, will examine the adequacy of current protections for U.S. citizens' Constitutional rights vis-à-vis law enforcement and national security efforts.

Mens Rea: The Subcommittee will continue working to ensure federal criminal statutes have appropriate criminal intent, or *mens rea*, requirements. This will remain a significant part of the committee's effort to enact reform to the federal criminal justice system.

Forensics: The Subcommittee will continue working to ensure federal prosecutors, law enforcement, and the defense bar have the ability to fully investigate their cases, exclude innocent suspects, implicate the guilty, and achieve true justice at trial, through the Rapid DNA Act and other initiatives.

Policing Strategies: The Subcommittee, through the Committee's Policing Strategies Working Group, will continue working with state and local governments and groups to foster positive police-community relations, and ensure law enforcement has the tools it needs to do its job.

Electronic Communications Privacy Act: The Subcommittee expects to continue its work to update this decades-old statute in light of the digital revolution that has taken place since the statute's enactment.

International Data Issues: The subcommittee will continue to conduct oversight on the issue of law enforcement access to data stored overseas, including the needs of law enforcement, Americans' civil liberties, and pending litigation.

Cybersecurity: The Subcommittee will review the laws and law enforcement tools designed to combat and prevent cyber-attacks.

Firearms: The Subcommittee will continue to examine ways to reduce firearms-related violence, including examining current federal law and state compliance with requirements to post information to the NICS database.

Criminal Code: The Subcommittee will examine issues related to Criminal Code reform, including improving and streamlining Title 18 and whether all criminal statutes in the U.S. Code should be consolidated and/or listed in Title 18.

Over-criminalization: The Subcommittee will continue to examine ways to address the problem of over-criminalization and over-federalization.

Criminal Street Gangs: The Subcommittee may consider enforcement and prevention issues concerning criminal street gangs, and the issue of how gang affiliations may be broken to reduce the number of both street and prison gangs.

Crime Prevention: The Subcommittee may examine the extent to which federal policies and funding are adequate to support crime prevention strategies at the Federal, State, local, and tribal levels.

International and Domestic Human Trafficking: The Subcommittee will review law enforcement and other activities within its jurisdiction that address international and domestic trafficking in human beings, including reauthorization of the Trafficking Victims Protection Act.

SUBCOMMITTEE ON THE CONSTITUTION AND CIVIL JUSTICE

Protection of U.S. Citizens' Constitutional and Civil Rights: In general, the Subcommittee will examine the adequacy of current protections for U.S. citizens' constitutional and civil rights.

Civil Rights Division, U.S. Department of Justice: The Subcommittee will examine the enforcement record and priorities of the Civil Rights Division. The Subcommittee will focus on the Division's activities in the areas of education, employment, credit, fair housing, public accommodations, law enforcement practices, voting rights and the integrity of federal elections, and federally funded and conducted programs.

Fiscal Responsibility: The Subcommittee will examine constitutional reforms to address government spending.

Federalism / Congressional Authority: The Subcommittee plans to examine the proper balance between the finite powers allocated to the federal government in the U.S. Constitution and the powers reserved to the states.

Exercise of Constitutional Authority: The Subcommittee will conduct oversight of the exercise of constitutional authority by the legislative, judicial, and executive branches.

Civil Justice: The Subcommittee will review the policies and practices of the civil justice system and consider whether reform is needed.

Community Relations Service: The Subcommittee will conduct oversight of the operations of the Community Relations Service.

Office of Government Ethics: The Subcommittee will consider the priorities and operation of the Office of Government Ethics.

Property Rights: The Subcommittee will consider whether there is a need to address existing protections for citizens' private property rights.

Religious Liberty: The Subcommittee will consider the federal role in the protection of Americans' rights under the Free Exercise and Establishment Clauses.

Free Speech: The Subcommittee will examine restraints on free speech, including efforts by some colleges and universities to limit protests, speeches, distribution of literature, petitions, and other expressive activities to "free speech zones."

Life Issues: The Subcommittee will examine the constitutionality and enforcement of federal and state statutes that relate to abortion.

War on Terrorism: The Subcommittee will consider constitutional issues associated with the War on Terrorism.

Detention of Suspected Terrorists: The Subcommittee will conduct oversight on matters related to the long-term detention of suspected terrorists, including the protection of the related constitutional rights of U.S. citizens.

United States Commission on Civil Rights: The Subcommittee will review the work of the Commission, its management, and its implementation.

The Judgment Fund: The Subcommittee will examine payments made from the Judgment Fund, its management, and how it is administered.

SUBCOMMITTEE ON IMMIGRATION AND BORDER SECURITY

Executive Orders signed by President Trump: The Subcommittee will conduct oversight of Executive Orders regarding immigration and border security signed by President Trump, including constitutional and policy issues.

U.S. Department of Homeland Security (DHS): The Subcommittee will conduct oversight of the components within DHS that are responsible for enforcing and ensuring the integrity of United States immigration laws, including ICE and U.S. Citizenship and Immigration Services (USCIS).

Immigrant Investor Program: The Subcommittee will conduct oversight of the immigrant investor program, including its adherence to the intent of Congress and the impact of new proposed regulations.

H-1B Nonimmigrant Visa Program: The Subcommittee will conduct oversight of the H-1B visa program, including on its effect on American workers and students.

H-2A/H-2B Nonimmigrant Visa Program: The Subcommittee will conduct oversight of the H-2A and H-2B visa programs, including on the quality and timeliness of processing by USCIS and the Department of Labor.

Detainers: The Subcommittee will conduct oversight on the constitutional and policy questions surrounding the issuance of ICE detainers.

Budgetary Resources: The Subcommittee expects to conduct oversight of the sufficiency of budgetary resources with regard to immigration functions at USCIS and ICE.

Legal Immigration: The Subcommittee expects to conduct oversight over our current legal immigration laws and programs, including whether relevant federal agencies are efficiently administering and enforcing these laws and programs, issues relating to backlogs, family reunification, whether excessive

regulations are stifling the use of these programs, the impact on U.S. citizens, comparisons with our global competitors, and related issues.

Illegal Immigration: The Subcommittee will conduct oversight of the causes and methods of illegal immigration and how to better prevent it in the future.

Refugee Program: The Subcommittee will conduct oversight of the refugee program.

Visa Security: The Subcommittee will conduct oversight of the sufficiency of the screening of visa applicants.

Fiscal Impacts of Immigration: The Subcommittee expects to conduct hearings on the fiscal effects of legal and illegal immigration, including their impact on the Social Security system and other federal programs.

Immigration Enforcement: The Subcommittee intends to examine the sufficiency of current immigration enforcement laws and programs, including whether relevant federal agencies' policies and enforcement records are sufficient and consistent with current federal statutes, the level of cooperation with other countries, the proper roles for the federal government, states and localities in enforcing our immigration laws, and the status of implementation of the congressionally-mandated exit tracking system.

Fraud: The Subcommittee expects to conduct hearings on fraud associated with petitions for visas and other immigration benefits, including allegations of fraud in the asylum and credible fear determination processes. The Subcommittee also intends to conduct oversight of identity fraud and identity theft in the immigration context.

Influx of Unaccompanied Alien Children and Family Units: The Subcommittee expects to conduct oversight of the Administration's handling of the influx of unaccompanied alien children and family units along our southern border and proposed legislative changes.

Criminal Issues: The Subcommittee expects to conduct hearings on the impact of crimes committed by immigrants, trends in gang violence among immigrant communities, and the sufficiency of efforts to remove violent criminals.

Executive Office for Immigration Review: The Subcommittee will conduct oversight of the Department of Justice's adjudication of immigration cases.

Federal Grants: The Subcommittee will conduct oversight on the receipt of federal grants by state and local jurisdictions found to be in violation of section 1373 of title 8, United States Code.

SUBCOMMITTEE ON COURTS, INTELLECTUAL PROPERTY, AND THE INTERNET

U.S. Patent and Trademark Office: The Subcommittee will conduct oversight of the USPTO, including the status of pending patent and trademark applications and developments with patent and trademark quality. The Subcommittee will also continue to exercise oversight to ensure that the USPTO has full access to the fees it collects from applicants and appropriately exercises its fee-setting authority.

U.S. Patent and Trademark Office and Implementation of the America Invents Act: The Subcommittee will conduct oversight of the U.S. Patent and Trademark Office's implementation of the America Invents Act, which contained numerous changes to our nation's patent system.

U.S. Patent and Trademark Office Global Intellectual Property Rights Attaché Program: The Subcommittee will conduct oversight on the Global Intellectual Property Rights Attaché program's efforts to promote high standards of IP protection and enforcement internationally for the benefit of U.S. stakeholders.

International Intellectual Property Laws: The Subcommittee will conduct oversight of the impact of international intellectual property laws, regulations, and policies upon American interests. In addition, the Subcommittee will conduct oversight of international trade agreements and their negotiations, especially as they relate to potential trademark issues. To the extent this involves copyright-related intellectual property issues, this will be coordinated closely with the Full Committee.

Federal Judiciary: The Subcommittee will conduct oversight of the federal judiciary, including judicial ethics and disclosure, the PACER system, and operation of the federal court system. In addition, the Subcommittee will examine the resources available to Article III courts, including judicial salaries and security for federal judges.

The Service of Judicial Process on Foreign Entities: The Subcommittee will examine the difficulty of serving judicial process on foreign entities in order to ensure that the rights of all U.S. citizens can be protected in an increasingly global economy.

Technology Issues: The Subcommittee will examine developments in technology and the Internet affecting public policy, including issues surrounding Internet governance.

Internet Corporation for Assigned Names and Numbers (ICANN): The Subcommittee will conduct oversight of ICANN, including the functions that the U.S. conveyed to the global multi-stakeholder community in 2016, and the impacts this system will have on intellectual property rights holders.

State Justice Institute: The State Justice Institute (SJI) provides matching grants to state courts that allow them to develop methods to work more efficiently and productively. The Subcommittee intends to review SJI operations.

SUBCOMMITTEE ON REGULATORY REFORM, COMMERCIAL AND ANTITRUST LAW
Administrative Process and Procedure: The Subcommittee will conduct oversight on the topic of regulatory reform in general, including examining specific regulations, as well as issues related to the Administrative Procedure Act, the Congressional Review Act, the Regulatory Flexibility Act, the Small Business Regulatory Enforcement Fairness Act, trends in regulatory citizen suits, regulatory litigation, judicial doctrines of deference to agency determinations, the overall costs and benefits of federal regulation in general and their impact on specific communities, regulatory budgeting, the extent to which agencies compete for policymaking primacy with the Legislative Branch, and the role that the Office of Information and Regulatory Affairs within the Office of Management and Budget plays in the

federal rulemaking process. In addition, the Subcommittee will examine regulatory litigation and enforcement.

Bankruptcy: The Subcommittee expects to conduct oversight of the Bankruptcy Code and bankruptcy system, including their responsiveness to the needs of financially troubled businesses, individuals and municipalities. The Subcommittee may conduct oversight of bankruptcy judgeship needs, asbestos trusts and U.S. Trustee fees.

State Taxation Affecting Interstate Commerce: The Subcommittee will conduct oversight of issues related to state taxation that affect interstate commerce, particularly with respect to appropriate nexus standards.

Agencies: The Subcommittee will conduct oversight of the Justice Department's Civil Division, Environment and Natural Resources Division, Antitrust Division, Tax Division, Executive Office for United States Trustees and U.S. Trustee Program, and Office of the Solicitor General and their respective budgets. It will also conduct oversight of the Department's compliance with the Freedom of Information Act and the Office of Management and Budget's Office of Information and Regulatory Affairs.

Administrative Conference of the United States: The Subcommittee expects to conduct oversight of the Administrative Conference of the United States.

Arbitration: The Subcommittee may conduct oversight of issues arising under the Federal Arbitration Act.

Legal Services Corporation: The Subcommittee will review the mission and operations of the Legal Services Corporation.

Interstate Compacts: The Subcommittee may conduct oversight to determine the extent of compliance with the constitutional process by which States seek Congressional approval of interstate compacts.

Divergence in U.S. Merger Review and Enforcement: The Subcommittee may examine disparities in the tools available to the Federal Trade Commission and the Department of Justice with regard to mergers and whether these disparities result in different substantive standards.

International Divergence in Antitrust Enforcement: The Subcommittee may conduct oversight of international competition laws.

Antitrust Exemptions: The Subcommittee may conduct oversight of industry antitrust exemptions to determine whether such exemptions continue to serve the public interest.

Net Neutrality: The Subcommittee may examine Federal Communications Commission (FCC) regulations regarding net neutrality and the role of antitrust laws in enforcing the principles of net neutrality.

Effects on Competition Caused by Government Participation in Markets as a Provider of Goods and Services: The Subcommittee may examine instances where government participates in a particular market and whether such participation impacts competition.

China and Antitrust Enforcement Policies: The Subcommittee may examine China's anti-competitive enforcement actions and how the antitrust enforcement agencies are coordinating with other federal government agencies and their Chinese counterparts regarding such enforcement efforts.

Section 5 of the Federal Trade Communications Act: The Subcommittee may examine the Federal Trade Commission's use of its authority under section 5 of the Federal Trade Communications Act.

Telecommunications Act of 1996: The Subcommittee may conduct a review of the Telecommunications Act of 1996.

Mergers: The Subcommittee will examine mergers on a case-by-case basis.

Consumer Financial Protection Bureau (CFPB): The Subcommittee may examine the CFPB, including with regard to its activities concerning arbitration.

Process Reforms for Congressional Review and Approval of Interstate Compacts: The Subcommittee may examine the process by which interstate compacts are approved by Congress.

Settlements Requiring Payments to Nongovernmental Entities: The Subcommittee will continue its oversight of Justice Department settlements requiring payments to non-victim third parties.