

Statement of

The Honorable Chuck Grassley

United States Senator
Iowa
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Prepared Statement of Senator Chuck Grassley of Iowa
Senate Committee on the Judiciary
Department of Justice Oversight Hearing
Attorney General Michael Mukasey
Wednesday, January 30, 2008

Chairman Leahy, thank you for calling this hearing today on Department of Justice oversight. It has only been three months since Attorney General Mukasey was last here for his confirmation hearings, but it is always good to hold oversight hearings and check in on the administration.

As a senior member of the Senate, I've always held great respect for the oversight function of Congress. The Constitution placed great power in the Legislative Branch and that is not limited to just writing laws. Instead, the Constitution requires that we ask tough questions of the Executive Branch. We need to make sure they are being faithful stewards of taxpayer dollars and that they are enforcing and implementing the laws as Congress intended. That said, I want to ask the Attorney General a number of questions today and follow-up on some responses he submitted following his confirmation hearing back in October.

One topic I'd like to discuss with the Attorney General is a letter he signed regarding the Federal Employee Protection Act (S.274). This bill provides some necessary revisions in the Whistleblower Protection Act and unanimously passed the Senate back in December. This legislation will ensure that whistleblowers are protected and not subject to retaliation. I have some concerns with the letter signed by the Attorney General and want to hear his rationale for raising objections to S.274.

Next, I have some follow-up questions related to oversight of the Federal Bureau of Investigation (FBI). These questions relate to the Counterterrorism Division of the FBI and allegations that have been made public by employees within the FBI. I also have questions regarding the FBI's use of "exigent letters" in relation to the investigation conducted by the Department of Justice Office of Inspector General on the FBI's use of National Security Letters. These questions are vitally important to ensuring that efforts to protect our homeland are accurate and in accordance with the law. I've been asking questions for some time and look forward to further dialogue and, more importantly, some answers on these matters.

I also would like to work with the Attorney General in the second session of the 110th Congress on two very important legislative initiatives, S.2041 the False Claims Act Correction Act of 2007, and S.473, the Combating Money Laundering and Terrorist Financing Act of 2007.

The False Claims Act Correction Act will clarify negative court interpretations of the False Claims Act which I amended in 1986. The FCA is the premier tool in the Government's toolbox for combating fraud. Since the 1986 amendments were signed into law by President Reagan, it has helped the government recover over \$20 billion that would otherwise be lost to fraud, waste, or abuse. However, 20 years later the law needs a few tweaks to deal with court decisions that run contrary to the spirit and intent of the 1986 amendments. I look forward to working with the Justice Department to ensure that the FCA will continue to work as intended for the next 20 years.

The Combat Money Laundering and Terrorist Financing Act is an important bill that will ensure that our laws are up to date in combating the laundering of terrorist and criminal proceeds. I've long believed that to effectively combat terrorists and criminal organizations, we need to hit them where it hurts, right in the pocketbook. However, as the fight against terrorism continues, we need to make sure that our laws against money laundering keep pace with technological advances, such as the use of prepaid debit cards. In fact, there are additional loopholes in the law that have been pointed out that I also intend to address in this legislation. This is a testament to the ever-evolving world of money laundering, and we need to ensure that our laws are not outpaced by the creativity and unrelenting nature of terrorist and criminals around the world.

I hope the Attorney General, and members of this Committee, will work with me on these two legislative initiatives in the near future.