

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2023

WEDNESDAY, MAY 25, 2022

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 2:00 p.m., in room SR-192, Dirksen Senate Office Building, Hon. Jeanne Shaheen (Chair) presiding.

Present: Senators Shaheen, Leahy, Moran, Collins, Graham, Boozman, Moore Capito, Kennedy, Hagerty, and Braun.

FEDERAL BUREAU OF INVESTIGATION

OPENING STATEMENT OF SENATOR JEANNE SHAHEEN

Senator SHAHEEN. The Subcommittee on Commerce, Justice, Science, and Related Agencies, will now come to order.

Good afternoon, everyone. Welcome to today's hearing, to review the President's fiscal year 2023 funding request for the Federal Bureau of Investigation.

Our witness today is FBI Director, Christopher Wray. Director Wray it is very nice to have you before the Committee again.

I must admit, however, that I rewrote my opening statement for today's hearing, based on the tragic events in Texas. But I want to begin by recognizing the more than 36,000 employees of the FBI who protect our country from violent criminals, terrorists, and others who would mean us great harm. And I want to thank everyone at the FBI for their dedication and service to the country.

The FBI remains on standby to jump into action to assist their State, local, and Tribal partners with investigating criminal activity. And the most recent example of this was assisting in the horrific aftermath of the shooting at Robb Elementary School in Uvalde, Texas, yesterday, a shooting that has so far claimed 21 lives, 19 of them children.

As a mother and grandmother I can only—really I can't begin to imagine the pain that these families are going through. I want to thank the FBI for sending the agents in and other key staff so quickly, to what I know has been a very difficult crime scene.

I understand that the FBI has also made Victim Specialists available as part of the response, and I hope they are able to remain in this community as long as they are needed. And if this Committee can provide resources to help make that happen, please let us know.

I know that we don't know yet what motivated this killer. I do know that several of our colleagues have already called for better mental health screening, from enforcing laws that keep guns out of the hands of felons, and for hardening schools.

I would agree with all of those recommendations, but I also think Congress needs to act to strengthen background checks, and to stop allowing the sale of weapons of war.

As, my colleague, Senator Murphy rightly pointed out yesterday, mental illness is not unique to the United States, but the devastating rate of gun violence is. We can't accept this status quo, the lives of Americans, of our children depend on Congress being willing to enact meaningful policies to address the scope of this crisis and to keep people safe.

Weapons of war enable mass shootings like the one at Robb Elementary, where we don't know the motive. And others like the shooting at Tops market, where we know the motive all too well. People who are simply going about their everyday lives, whether it is attending religious services in Pittsburgh, in Charleston, shopping at Walmart in El Paso, dancing at a night club in Orlando, or getting groceries in Buffalo. They were all murdered by individuals motivated by hate.

The FBI's budget request of \$10.8 billion includes additional resources for combating domestic terrorism, and mass violence. We have discussed this topic before here, in this Committee, yet again, and again, we have witnessed White supremacist targeting others based on their gender, sexual orientation, or faith.

Now, we are fortunate that technological progress has given us advances in medicine, science, and manufacturing, as well as improving the ease of how we can communicate with others. But unfortunately, new technologies have also allowed the rapid spread of hate, conspiracy theories, and disinformation to wider audience, and they have allowed those with extremist views to find a community. I hesitate to call it a "community", because I think of community as something positive. To find others who share those extremist views.

While we should be able to freely express our ideas, it should not come at the expense of someone's life or wellbeing. We clearly need to find better solutions and actions to stem future violence, and I know that the FBI will be part of those solutions.

Just as the FBI rapidly responds to crisis situations, I believe Congress needs to also find a way to more quickly and appropriately respond to the issue of mass violence, including those committed with firearms and domestic terrorism.

I am certainly ready to work on common-sense legislation that I think the majority of Americans can support, and I am sure that many of my colleagues on this Committee who will join me as well.

So, Director Wray, I look forward to your testimony, and to the discussion today.

With that, I would like to recognize the CJS Subcommittee Vice Chair, Senator Moran, for his opening remarks.

OPENING STATEMENT OF SENATOR JERRY MORAN

Senator MORAN. Chairman Shaheen, thank you very much, thank you for convening this hearing.

Director Wray, welcome back to the subcommittee.

I, too, before considering the budget request, would like to make a brief word on yesterday's senseless act of violence that stole the lives of nineteen children and two teachers.

My wife and I have had this conversation. It is heartbreaking. The murder of these innocent children is horrific. In a small town, tight-knit community like Uvalde, it is the size of a town I grew up in, I know there will not be a single member of the community who is not touched by this tragedy.

Director Wray, I am confident that you will bring the full investigative powers of the FBI to bear, in determining the motives, the warnings, and how, and why. I am also confident there will be an introspection, examining whether all laws, NICS Section policies were properly followed, and we await your findings.

The FBI is requesting \$10.7 billion for salaries and expenses in 2023. That amount is 605 million, or 6 percent above the fiscal year 2022 enacted. But as we have demonstrated in Texas, and in Buffalo, and nearly every city across the country violent crime, including murders, assault and robberies is on the rise.

I can give this Committee statistics, percentages on the rise of crime, but no one here, especially after yesterday's tragic shooting, doubts that violent crime is a growing problem in our country. We have also seen a dramatic increase in violent attacks on law enforcement officers.

This is a matter that I know, you, Director Wray, care about deeply. I have seen it in your conversations, I have heard it in your testimony. I experience it on our telephone all yesterday, and I appreciate your efforts, your care, and concern, and your efforts to raise awareness about the violent crime occurring across our country.

While I note the Bureau is working to keep us safe here at home, we also face ever-evolving threats from foreign adversaries as well. I recognize your job is really endless, you know, there is never enough that can be done. You have repeatedly warned that nothing presents a broader, more severe threat to our ideas, our innovation, and our economic security than the Chinese Government.

I understand that as of January of this year, the FBI is investigating more than 2,000 cases of Chinese Government trying to steal our information in technology, and the FBI is opening a new counterintelligence case every 12 hours.

I am interested to learn about the FBI's efforts to address cyber crime, and ransomware. The Bureau made transformational changes after 9/11, and these changes help keep our nation safe from acts of terrorism.

Today, changes of a similar magnitude may be needed to combat cyber threats, including threats from both criminal organizations, and state actors.

I appreciated your comments to the students of the University of Kansas when we were there together this past March, where you emphasized how important it will be for them to bring their talents to the frontline of the cybersecurity workforce.

Director Wray, I look forward to hearing today about the Bureau's budget, your budget request. And I hope to be able to help you and the FBI address all of the challenges that we face in this

country, related to law enforcement. The challenges are tremendous, the ones that we saw, reminded of again yesterday, are at the forefront, that the world is a dangerous place, every place we turn.

I welcome you to the Subcommittee, and I look forward to a somber and sober discussion of the circumstances we find ourselves in.

Senator SHAHEEN. Thank you, Senator Moran. At this time the Chair of the Full Appropriations Committee, Senator Leahy would like to make a statement.

OPENING STATEMENT OF SENATOR PATRICK LEAHY

Senator LEAHY. Thank you, Chair Shaheen, and Vice Chair Moran for your comments.

Director Wray, we have known each other for a number of years, and I will just tell you some of my concerns. Twenty-one victims; that is 21 families waking up this morning with broken hearts. Those of us who have had, whether we have had children or not, but those who have had children and grandchildren, we think 19 children, murdered.

Gun violence is an epidemic. It can't be ignored, it can't be overstated, it can't be hidden behind the guise of an unassailable Second Amendment argument.

And I don't want to politicize or overreact, I am just, I am angry, I am extremely angry that 19 more children, and two adults who were fighting to protect them have been murdered, murdered. Murdered!

I am angry that today too many in Congress are just willing to accept these mass shootings as another breaking news story, as just another part of our daily lives. Oh, we are praying for the victims. Of course we are praying for the victims, but what the hell are we doing to stop further victims?

I have owned firearms responsibly my entire life. I support a strong Second Amendment. I spent 8 years in law enforcement, but simple common sense and what should be our shared humanity, compel us to not simply quietly acknowledge the crisis. We all know that it is a crisis, but we need to do something about it.

Nearly 10 years ago, a murderer took the lives of 26 people, including 20 children, at Sandy Hook. I led the Senate Judiciary Committee's action to advance legislation to help address the epidemic of gun violence. And over 2 years ago, as then Vice Chairman of the Appropriations Committee, I worked to break through the years long refusal to provide the CDC and the NIH with resources to simply study the roots of gun violence.

The gun lobby had blocked those resources for years, even just having a study of gun violence, but now we need more! And we have got to stop saying, well, next week, next month, next year, we have to do it now. How many more people will die before this country says, enough is enough? I will say it today. It is enough.

So Director Wray, thank you for being here today, as the Director of the Federal Bureau of Investigation you have a critically important job. You have to protect our country from threats of terrorism, and crimes, both foreign and domestic, and, while you are doing it, you have to uphold the rights and values that make this a great democracy.

I don't envy that task. I respect that task, but the heinous mass shooting in Buffalo, New York, earlier this month is a stark reminder that domestic terrorism is still very much present in the United States. It is also a somber reminder that the majority of domestic terrorism perpetrated against innocent Americans is driven by those espousing white supremacists and racist ideologies.

Now, that is not a controversial statement, it is a simple fact. And that is what makes this moment so dangerous. When facts are distorted into untruths, and parroted by those with a pulpit to do so, we tread dangerously far from the core tenets of our democracy.

If we can't clearly and unequivocally condemn the actions of white supremacists, or simply acknowledge the January 6, 2021, attack on our Capitol for what it was, an insurrection, we fan the flames of hatred and violence, and we allow them to grow. It is alarming to me. It should be to every American. It is in my State of Vermont, whether you are Republicans, or Democrats, Independents, it is alarming.

But I will also further highlight the importance of the work of the dedicated men and women of the Bureau, and your leadership there, Director Wray. Each year this Appropriations Committee wrestles with how best to dedicate valuable taxpayer dollars. Next week I am going to have binders about this thick at my home in Vermont where it is nice and quiet, reading through all these budget requests. But in exchange, of course, for the money, we said we expect the FBI to confront forcefully, head on, the threat of domestic terrorism. We expect you to faithfully and fully adhere to the rule of law to investigate whatever crime is committed, to work with the Department of Justice and State and local law enforcement to hold the perpetrators of any crime accountable.

I stand ready to support you. But I also want you to respond when we have questions, either Republicans or Democrats, on this Committee.

So I can say a lot more. I won't. I would rather hear the Director, Chair Shaheen. But thank you for the courtesy.

Senator SHAHEEN. Thank you, Senator Leahy.

Director Wray, the floor is yours.

STATEMENT OF HON. CHRISTOPHER WRAY, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Mr. WRAY. Well, thank you. Good afternoon, Chair Shaheen, Ranking Member Moran, Chair Leahy, Members of the Subcommittee.

I know, of course, that we are here to talk about the FBI's budget, but like all of you, I want to begin with what is on everybody's hearts and minds.

Yesterday we got the news that we all dread, including those of us in law enforcement, we do this work for the victims, both the actual victims, and the victims we are trying to prevent from being victims, and there is no category of victims that more motivates the men and women of law enforcement, including the men and women of the FBI, than children.

And parents got calls yesterday that are too devastating to even fathom, and a community, really a whole Nation, was shaken by another horrific mass shooting, this time, once again, at an elemen-

tary school, full of young kids just days, days away from finishing their school year, and my heart goes out to the families of the victims, and to the entire community of Uvalde.

I know that you are experiencing unimaginable pain and trauma, and the entire FBI family feels your heartbreak and stands with you.

There will certainly be more that we are going to learn about this heinous attack in the days ahead, and I know the American people, and especially the people of Uvalde, are looking for answers. I do want to acknowledge the heroism of all law enforcement who responded immediately to the scene.

For our part, the FBI will continue to work around the clock with the Texas Department of Public Safety and the Uvalde Police Department, and our other State, local, and Federal partners, to assist in any way we can. We are dedicating the full resources of the FBI San Antonio Field Office, and a whole host of other FBI divisions to helping the Texas DPS, and the Uvalde Police, who have the lead in the investigation.

On top of that we are devoting significant national resources, including investigative and analytical resources, in evidence response, and laboratory personnel, Victim Services professionals to assist the families of the victims, crisis management and behavioral analysis units.

So bottom line, we are absolutely heartbroken about yesterday's tragic events, and committed to doing our part to support our partners in the investigation and the community of Uvalde, as we begin to try to move forward.

Of course the range of criminal cyber and counterintelligence threats we face as a Nation has never been greater, or more diverse, and the demands and expectations placed on the FBI have never been higher.

And before I take your questions, I want to spend just a few minutes talking about the FBI's efforts in some of those areas, namely, our efforts to combat terrorism both domestic and international, and our efforts to help tackle the rise in violent crime.

Unfortunately this tragedy, as well as the recent tragedy in Buffalo, and way too many before, reinforce what we in the FBI have been so concerned about for so long, and that is the threat of lone actors who look to attack regular, everyday people going about their regular, everyday lives. And in fact it is that threat that we continue to be most concerned about here in the homeland.

And while it is too soon to be commenting on the motivation behind yesterday's tragedy, and I don't want to get out ahead of Texas DPS which has the lead on that, as the horrific attack a little over a week ago in Buffalo shows, we have got to continue to stay laser focused on our efforts to counter violence motivated by hate and extremism.

Even on the international terrorism side we are seeing home-grown violent extremists, inspired by groups like ISIS, like al-Qaeda, acting alone or in small groups, and leaving fewer dots to connect, and less time in which to connect them, and countering fast-moving threats like these requires a team approach, so we have requested an enhancement not just for additional investigators but also support personnel to help us perform the important

outreach, and partnership building that is so essential to countering this threat.

The scourge of violent crime, of course, extends beyond mass shootings, and beyond crimes motivated by extremist ideology. In fact, rising violence is the number one concern I hear about from chiefs and sheriffs all across the country with whom I speak just about every week.

With those partners we are leading hundreds of task forces to get the worst of the worst off the streets. We are sharing intelligence to focus our collective efforts, and we are providing technical resources and expertise to bring more violent criminals to justice.

Last fiscal year those task forces focused on violent crime, made more than 17,000 arrests, seized more than 8,000 illegally possessed firearms, and dismantled nearly 300 gangs and criminal enterprises across the country. And that is all separate and apart, and in addition to all of our Joint Terrorism Task Force work on the counterterrorism side, domestic terrorism, international terrorism.

I should add that with this hearing falling 2 years to the day, after the murder of George Floyd, I do want to emphasize that we and our State and local partners are also focused on improving interactions between law enforcement and the communities we all serve, to ensure equal justice for all.

Of course these are just a few of the threats we are tackling. The FBI's budget request this year reflects the breadth, depth, and complexity of those threats. In addition to the things I have already mentioned each and every day our folks are also dealing with an ever-expanding array of threats on the cyber front from ransomware, and the theft of trade secrets, and personal information, to malign and influence campaigns, to intrusions targeting our critical infrastructure.

And that includes working with our private sector, government, and foreign partners to meet the danger from Russian cyber actors during this time of Russia's unprovoked aggression in the Ukraine.

We are also taking on the Chinese Government's broad-scale economic espionage campaign that targets our innovation, our ideas, our economic security. And today, as we mark the 40th National Missing Children's Day, it is important to highlight the work of our 400 FBI personnel and nearly 800 additional officers who serve on our Child Exploitation and Human Trafficking Task Forces, that we have dedicated to investigating crimes against children, and to identifying and locating child victims.

Our fellow citizens look to us to protect the United States from all those threats, and a whole bunch more, and I am proud to see the men and women of the FBI step up and rise to meet those challenges every day.

I would like to again thank this subcommittee for all the support you have provided the men and women of the FBI over the years.

And to the community of Uvalde, we will provide whatever resources we can, we will support you however we can, and we will stand with you in our thoughts, and our prayers.

And thank you. I am happy to take your questions.

[The statement follows:]

PREPARED STATEMENT OF CHRISTOPHER A. WRAY, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Good afternoon, Chairwoman Shaheen, Ranking Member Moran, and Members of the Subcommittee. Today, I appear before you on behalf of the men and women of the Federal Bureau of Investigation (“FBI”), who tackle some of the most complex threats every day with perseverance, professionalism, and integrity—sometimes at the greatest of costs. I am extremely proud of their service and commitment to the FBI’s mission and to ensuring the safety and security of communities throughout our nation. On their behalf, I would like to express my appreciation for the support you have given them in the past, ask for your continued support in the future, and pledge to be the best possible stewards of the resources you provide. I would like to begin by providing a brief overview of the President’s fiscal year 2023 budget request for the FBI, and then follow with a short discussion of key threats and challenges that we face, both as a nation and as an organization.

FISCAL YEAR 2023 BUDGET OVERVIEW

The fiscal year 2023 budget request proposes a total of \$10.8 billion in direct budget authority to carry out the FBI’s national security, intelligence, criminal law enforcement, and criminal justice services missions. The request includes a total of \$10.7 billion for Salaries and Expenses, which will support 36,945 positions (13,616 Special Agents, 3,287 Intelligence Analysts, and 20,042 professional staff), and \$61.9 million for Construction. The request includes eleven program enhancements totaling \$324.6 million. These enhancements are proposed to meet critical requirements and close gaps in operational capabilities, including \$52.0 million to enhance cyber investigative capabilities, \$48.8 million for additional personnel and tools to investigate and counter acts of mass violence and address threats to public safety, \$34.1 million to mitigate threats from foreign intelligence services, \$20.6 million to combat crime and corruption, \$17.8 million to address the increase in civil rights investigations, \$36.9 million to enhance the FBI’s cybersecurity posture and protect internal networks, \$25.0 million to address data analytics/technical tool development and technical surveillance, \$27.4 million to support infrastructure needs related to the use of Body Worn Cameras, \$39.4 million for operations and maintenance of FBI-owned facilities, and \$22.5 million to support the expansion of Federal jurisdiction for crimes committed on Tribal lands in response to the McGirt Supreme Court decision. When compared against the fiscal year 2022 President’s Budget, the fiscal year 2023 request level represents a total increase of \$527.8 million, all of which falls in the Salaries and Expenses account.

KEY THREATS AND CHALLENGES

Our nation continues to face a multitude of serious and evolving threats ranging from homegrown violent extremists to hostile foreign intelligence services and operatives, from sophisticated cyber-based attacks to Internet facilitated sexual exploitation of children, from violent gangs and criminal organizations to public corruption and corporate fraud. Keeping pace with these threats is a significant challenge for the FBI. As an organization, we must be able to stay current with constantly evolving technologies. Our adversaries—terrorists, foreign intelligence services, and criminals—take advantage of modern technology, including the Internet and social media, to facilitate illegal activities, recruit followers, encourage terrorist attacks and other illicit actions, to spread misinformation, and to disperse information on building improvised explosive devices and other means to attack the U.S. The breadth of these threats and challenges are as complex as any time in our history. And the consequences of not responding to and countering threats and challenges have never been greater.

The support of this Committee in helping the FBI do its part in thwarting these threats and facing these challenges is greatly appreciated. That support is allowing us to establish strong capabilities and capacities to assess threats, share intelligence, leverage key technologies, and—in some respects, most importantly—hire some of the best to serve as Special Agents, Intelligence Analysts, and professional staff. We have built, and are continuously enhancing, a workforce that possesses the skills and knowledge to deal with the complex threats and challenges we face today—and tomorrow. We are building a leadership cadre that views change and transformation as a positive tool for keeping the FBI focused on the key threats facing our nation.

Today’s FBI is a national security and law enforcement organization that uses, collects, and shares intelligence in everything we do. Each FBI employee understands that, to defeat the key threats facing our nation, we must constantly strive

to be more efficient and more effective. Just as our adversaries continue to evolve, so, too, must the FBI. We live in a time of acute and persistent terrorist and criminal threats to our national security, our economy, and indeed our communities. These diverse threats underscore the complexity and breadth of the FBI's mission: to protect the American people and uphold the Constitution of the United States.

NATIONAL SECURITY

Top Terrorism Threats

Preventing terrorist attacks, from any place, by any actor, remains the FBI's top priority. The nature of the threat posed by terrorism—both international terrorism (“IT”) and domestic terrorism (“DT”)—continues to evolve.

The greatest terrorism threat to our Homeland is posed by lone actors or small cells who typically radicalize online and look to attack soft targets with easily accessible weapons. We see these threats manifested within both Domestic Violent Extremists (“DVEs”) and Homegrown Violent Extremists (“HVEs”), two distinct threats, both of which are located primarily in the United States and typically radicalize and mobilize to violence on their own. Individuals who commit violent criminal acts in furtherance of social or political goals stemming from domestic influences—some of which include racial or ethnic bias, or anti-government or anti-authority sentiments—are described as DVEs, whereas HVEs are individuals who are inspired primarily by global jihad but are not receiving individualized direction from Foreign Terrorist Organizations (“FTOs”).

Domestic and Homegrown Violent Extremists are often motivated and inspired by a mix of socio-political, ideological, and personal grievances against their targets, and more recently have focused on accessible targets to include civilians, law enforcement and the military, symbols or members of the U.S. Government, houses of worship, retail locations, and mass public gatherings. Selecting these types of soft targets, in addition to the insular nature of their radicalization and mobilization to violence and limited discussions with others regarding their plans, increases the challenge faced by law enforcement to detect and disrupt the activities of lone actors before they occur.

The top threat we face from DVEs continues to be from those we categorize as Racially or Ethnically Motivated Violent Extremists (“RMVEs”), including those who advocate for the superiority of the white race, who were the primary source of lethal attacks perpetrated by DVEs in 2018 and 2019. It is important to note that we have also recently seen an increase in fatal DVE attacks perpetrated by Anti-Government or Anti-Authority Violent Extremists, specifically Militia Violent Extremists and Anarchist Violent Extremists. Anti-Government or Anti-Authority Violent Extremists were responsible for three of the four lethal DVE attacks in 2020. Also, in 2020, we saw the first lethal attack committed by an Anarchist Violent Extremist in over 20 years. These Anti-Government/Anti-Authority Violent Extremists have specifically targeted law enforcement and the military as well as institutions or members of the U.S. Government.

The number of FBI investigations of suspected domestic violent extremists has more than doubled since the spring of 2020. A few months ago, we marked the 1 year anniversary of the January 6 assault on the U.S. Capitol, which has led to unprecedented efforts by the Department of Justice, including the FBI, to investigate and hold accountable all who engaged in violence, destruction of property, and other criminal activity on that day. To date, the department has arrested and charged nearly 800 individuals who took part in the Capitol assault.

The FBI uses all tools available at its disposal to combat domestic terrorism. These efforts represent a critical part of the first-ever National Strategy for Countering Domestic Terrorism, which was released in June 2021, and which sets forth, for the first time, a comprehensive, whole of government policy to address the many facets of the domestic terrorism threat.

The FBI assesses HVEs are the greatest, most immediate international terrorism (“IT”) threat to the Homeland. As I have described, HVEs are people located and radicalized primarily in the United States, who are not receiving individualized direction from global jihad-inspired FTOs but are inspired largely by the Islamic State of Iraq and ash-Sham (“ISIS”) and al-Qa’ida to commit violence. An HVE’s lack of a direct connection with an FTO, ability to rapidly mobilize without detection, and use of encrypted communications pose significant challenges to our ability to proactively identify and disrupt it.

The FBI remains concerned that FTOs, such as ISIS and al-Qa’ida, intend to carry out or inspire large-scale attacks in the United States. Despite its loss of physical territory in Iraq and Syria, ISIS remains relentless in its campaign of violence against the United States and our partners—both here at home and overseas. To

this day, ISIS continues to aggressively promote its hate-fueled rhetoric and attract like-minded violent extremists with a willingness to conduct attacks against the United States and our interests abroad. ISIS' successful use of social media and messaging applications to attract individuals seeking a sense of belonging is of continued concern to us. Like other foreign terrorist groups, ISIS advocates for lone offender attacks in the United States and Western countries via videos and other English language propaganda that have, at times, specifically advocated for attacks against civilians, the military, law enforcement and intelligence community personnel.

Al-Qa'ida maintains its desire to both conduct and inspire large-scale, spectacular attacks. Because continued pressure has degraded some of the group's senior leadership, we assess that, in the near term, al-Qa'ida is more likely to continue to focus on cultivating its international affiliates and supporting small-scale, readily achievable attacks in regions such as East and West Africa. Over the past year, propaganda from al-Qa'ida leaders continued to seek to inspire individuals to conduct their own attacks in the United States and other Western nations.

Iran and its global proxies and partners, including Iraqi Shia militant groups, continue to attack and plot against the United States and our allies throughout the Middle East in response to U.S. pressure. Iran's Islamic Revolutionary Guard Corps-Qods Force ("IRGC-QF") continues to provide support to militant resistance groups and terrorist organizations. Iran also continues to support Lebanese Hizballah and other terrorist groups. Lebanese Hizballah has sent operatives to build terrorist infrastructures worldwide. The arrests of individuals in the United States allegedly linked to Lebanese Hizballah's main overseas terrorist arm, and their intelligence collection and procurement efforts, demonstrate Lebanese Hizballah's interest in long-term contingency planning activities here in the Homeland. Lebanese Hizballah Secretary-General Hasan Nasrallah also has threatened retaliation for the death of IRGC-QF Commander Qassem Soleimani.

As an organization, we continually adapt and rely heavily on the strength of our Federal, State, local, Tribal, territorial, and international partnerships to combat all terrorist threats to the United States and our interests. To that end, we use all available lawful investigative techniques and methods to combat these threats while continuing to collect, analyze, and share intelligence concerning the threat posed by violent extremists, in all their forms, who desire to harm Americans and U.S. interests. We will continue to share information and encourage the sharing of information among our numerous partners via our Joint Terrorism Task Forces across the country, and our Legal Attaché offices around the world. The fiscal year 2023 Request includes an additional 208 positions (including 55 Special Agents, 18 Intelligence Analysts, and 135 professional staff) and \$48.8 million to counter terrorism and the increasing acts of domestic terrorism, including acts of mass violence and threats to public safety, occurring across the United States.

Cyber

Over the past 2 years, nation-state and criminal cyber actors took advantage of people and networks made more vulnerable by the sudden shift of our personal and professional lives online due to the COVID-19 pandemic, targeting those searching for personal protective equipment, worried about stimulus checks, and conducting vaccine research.

Throughout these last 2 years, the FBI has seen a wider-than-ever range of cyber actors threaten Americans' safety, security, and confidence in our digitally connected world. But these threats will not disappear when the pandemic ends. Cyber-criminal syndicates and nation-states keep innovating ways to compromise our networks and maximize the reach and impact of their operations, such as by selling malware as a service or by targeting vendors as a way to access scores of victims by hacking just one provider.

These criminals and nation-states believe that they can compromise our networks, steal our property, and hold our critical infrastructure at risk without incurring any risk themselves. In the last few years, we have seen—and have publicly called out—China, North Korea, and Russia for using cyber operations to target U.S. COVID-19 vaccines and research. We have seen the far-reaching disruptive impact a serious supply-chain compromise can have through the SolarWinds intrusions, conducted by the Russian SVR. We have seen China working to obtain controlled defense technology and developing the ability to use cyber means to complement any future real-world conflict. We have seen Iran use cyber means to try to sow divisions and undermine our elections, targeting voters before elections and threatening election officials after. As these adversaries become more sophisticated, we are increasingly concerned about our ability to detect and warn about specific cyber operations against

U.S. organizations. One of the most worrisome facets is their focus on compromising U.S. critical infrastructure, especially during a crisis.

What makes things more difficult is that there is no bright line where nation-state activity ends and cybercriminal activity begins. Some cybercriminals contract or sell services to nation-states; some nation-state actors moonlight as cybercriminals to fund personal activities; and nation-states are increasingly using tools typically used by criminal actors, like ransomware.

So, as dangerous as nation-states are, we do not have the luxury of focusing on them alone. In the past year, we also have seen cybercriminals target hospitals, medical centers, and educational institutions for theft or ransomware. Such incidents affecting medical centers have led to the interruption of computer networks and systems that put patients' lives at an increased risk at a time when America faces its most dire public health crisis in generations. And we have seen criminal groups targeting critical infrastructure for ransom, causing massive disruption to our daily lives.

We are also seeing dark web vendors who sell capabilities in exchange for cryptocurrency increase the difficulty of stopping what would once have been less dangerous offenders. What were once unsophisticated criminals now have the tools to paralyze entire hospitals, police departments, and businesses with ransomware. It is not that individual hackers alone have necessarily become much more sophisticated, but—unlike previously—they are able to rent sophisticated capabilities.

We must make it harder and more painful for hackers and criminals to do what they are doing. The FBI, using its role as the lead Federal agency with law enforcement and intelligence responsibilities, works seamlessly with domestic and international partners to defend their networks, attribute malicious activity, sanction bad behavior, and take the fight to our adversaries overseas. We must impose consequences on cyber adversaries and use our collective law enforcement and intelligence capabilities to do so through joint and enabled operations sequenced for maximum impact. And we must continue to work with the Department of State and other key agencies to ensure that our foreign partners are able and willing to cooperate in our efforts to bring the perpetrators of cybercrime to justice.

An example of this approach is the international seizure in April 2022 of Hydra Market—the world's largest and longest-running darknet market. Hydra was an online criminal marketplace that enabled users in mainly Russian-speaking countries to buy and sell illicit goods and services, including illegal drugs, stolen financial information, fraudulent identification documents, and money laundering and mixing services, anonymously and outside the reach of law enforcement. Transactions on Hydra were conducted in cryptocurrency and Hydra's operators charged a commission for every transaction conducted on Hydra. In 2021, Hydra accounted for an estimated 80 percent of all darknet market-related cryptocurrency transactions, and since 2015, the marketplace has received approximately \$5.2 billion in cryptocurrency. The seizure of the Hydra servers and cryptocurrency wallets containing \$25 million worth of bitcoin was made in Germany by the German Federal Criminal Police (the Bundeskriminalamt), in coordination with the FBI and our other Federal partners in the Drug Enforcement Administration, the Internal Revenue Service, U.S. Postal Inspection Service, and Homeland Security Investigations. The FBI used sophisticated techniques, our unique legal authorities, and, most importantly, our worldwide partnerships to significantly disrupt this illegal marketplace.

Last year, cybersecurity companies including Microsoft disclosed that hackers were using previously unknown vulnerabilities related to Microsoft Exchange software to access email servers that companies physically keep on their premises rather than in the cloud. These "zero day" vulnerabilities allowed the actors to potentially exploit victim networks, engaging in activities such as grabbing login credentials, installing malicious programs to send commands to the victim network, and stealing emails in bulk. The FBI issued a joint advisory in partnership with the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency ("CISA") to give network defenders the technical information they needed to mitigate the vulnerability. However, while many infected system owners successfully removed the web shells, others were not able to do so. That left many systems vulnerable to adversaries who could continue to steal information, encrypt data for ransom, or potentially even execute a destructive attack. In response, through a court-authorized operation in partnership with the private sector, we were able to copy and remove malicious web shells from hundreds of vulnerable computers in the U.S. running Microsoft Exchange Server software. This is another example of how the FBI used its unique authorities, in this case, court-issued legal process, and its partnerships with the private sector to have tangible, real-world impact on the problem.

We took over 1,100 actions against cyber adversaries last year, including arrests, criminal charges, convictions, dismantlements, and disruptions, and enabled many more actions through our dedicated partnerships with the private sector, foreign partners, and at the Federal, State, and local entities. We also provided thousands of individualized threat warnings and disseminated more than 100 public threat advisories by way of Joint Cybersecurity Advisories, FBI Liaison Alert System (“FLASH”) reports, Private Industry Notifications (“PINs”), and Public Service Announcements (“PSAs”)—many of which were jointly authored with other U.S. agencies and international partners.

We have been putting a lot of energy and resources into all of those partnerships, especially with the private sector. We are working hard to push important threat information to network defenders, but we have also been making it as easy as possible for the private sector to share important information with us. For example, we are emphasizing to the private sector how we keep our presence unobtrusive in the wake of a breach; how we protect information that companies, and universities share with us. We are also committed to providing useful feedback and improving coordination with our government partners so that we are speaking with one voice. But we need the private sector to do its part, too. We need the private sector to come forward to warn us—and warn us quickly—when they see malicious cyber activity. We also need the private sector to work with us when we warn them that they are being targeted. The recent examples of significant cyber incidents—SolarWinds, HAFNIUM, the pipeline incident—only emphasize what I have been saying for a long time: The Government cannot protect against cyber threats on its own. We need a whole-of-society approach that matches the scope of the danger. There is really no other option for defending a country where nearly all of our critical infrastructure, personal data, intellectual property, and network infrastructure sits in private hands.

In summary, the FBI is engaged in a myriad of efforts to combat cyber threats, from improving threat identification and information sharing inside and outside of the government to developing and retaining new talent, to examining the way we operate to disrupt and defeat these threats. We take all potential threats to public and private sector systems seriously and will continue to investigate and hold accountable those who pose a threat in cyberspace. The fiscal year 2023 Request includes an additional 137 positions (including 38 Special Agents, 15 Intelligence Analysts, and 84 Professional Staff) and \$52.0 million to enhance cyber information-sharing abilities and increase cyber tools and capacities. The Request also includes 9 positions and \$36.9 million to help protect internal FBI networks.

Foreign Influence

Our nation is confronting multifaceted foreign threats seeking to both influence our national policies and public opinion, and cause harm to our national dialogue and debate. The FBI and our interagency partners remain concerned about, and focused on, foreign malign influence operations—which include subversive, undeclared, coercive, and criminal actions used by foreign governments in their attempts to sway U.S. voters’ preferences and perspectives, shift U.S. policies, increase discord in the United States, and undermine the American people’s confidence in our democratic institutions and processes.

Foreign malign influence is not a new problem, but the interconnectedness of the modern world, combined with the anonymity of the Internet, have changed the nature of the threat and how the FBI and its partners must address it. Foreign malign influence operations have taken many forms and used many tactics over the years. Most widely reported these days are attempts by adversaries—hoping to reach a wide swath of Americans covertly from outside the United States—to amplify existing stories on social media in an attempt to discredit U.S. individuals and institutions.

The FBI is the lead Federal agency responsible for investigating foreign malign influence threats. Several years ago, we established the Foreign Influence Task Force (“FITF”) to identify and counteract foreign malign influence operations targeting the United States. The FITF is led by the Counterintelligence Division and is comprised of agents, analysts, and professional staff from the Counterintelligence, Cyber, Counterterrorism, and Criminal Investigative Divisions. It is specifically charged with identifying and combating foreign malign influence operations targeting democratic institutions and values inside the United States. In all instances, the FITF strives to protect democratic institutions; develop a common operating picture; raise adversaries’ costs; and reduce their overall asymmetric advantage.

The FITF brings the FBI’s national security and traditional criminal investigative expertise under one umbrella to prevent foreign influence in our elections. This better enables us to frame the threat, to identify connections across programs, to ag-

gressively investigate as appropriate, and—importantly—to be more agile. Coordinating closely with our partners and leveraging relationships we have developed in the technology sector, we had several instances where we were able to quickly relay threat indicators that those companies used to take swift action, blocking budding abuse of their platforms.

Following the 2018 midterm elections, we reviewed the threat and the effectiveness of our coordination and outreach. As a result of this review, we further expanded the scope of the FITF. Previously, our efforts to combat malign foreign influence focused solely on the threat posed by Russia. Utilizing lessons learned since 2018, the FITF widened its aperture to confront malign foreign operations of China, Iran, and other global adversaries. To address this expanding focus and wider set of adversaries and influence efforts, we have also added resources to maintain permanent “surge” capability on election and foreign influence threats.

These additional resources were also devoted to working with U.S. Government partners on two documents regarding the U.S. Government’s analysis of foreign efforts to influence or interfere with the 2020 Election. The main takeaway from both reports is there is no evidence— not through intelligence collection on the foreign actors themselves, not through physical security and cybersecurity monitoring of voting systems across the country, not through post- election audits, and not through any other means—that a foreign government or other actors compromised election infrastructure to manipulate election results.

The FBI will continue to investigate this threat leading up to the fiscal year 2022 mid-term election and will not stop working with our partners to impose costs on adversaries who have or are seeking to influence or interfere in our elections.

In addition, the domestic CI environment is more complex than ever, posing a continuous threat to U.S. national security and its economy by targeting strategic technologies, industries, sectors, and critical infrastructures. Historically, asymmetric CI threats involved foreign intelligence service officers seeking U.S. Government and U.S. Intelligence Community information. The FBI has observed foreign adversaries employing a wide range of nontraditional collection techniques, including the use of human collectors not affiliated with intelligence services, foreign investment in critical U.S. sectors, and infiltration of U.S. supply chains. The FBI continues to adjust its CI priorities and posture to address the evolving and multifaceted threat.

The fiscal year 2023 request includes an additional 88 positions (including 14 Special Agents, 35 Intelligence Analysts, and 39 Professional Staff) and \$34.1 million to help combat the threats posed by foreign, and potentially hostile, intelligence services and other foreign government actors.

CRIMINAL THREATS

We face many criminal threats, from complex white-collar fraud in the financial, healthcare, and housing sectors to transnational and regional organized criminal enterprises to violent crime and public corruption. Criminal organizations—domestic and international—and individual criminal activity represent a significant threat to our security and safety in communities across the Nation.

Violent Crime

Violent crimes and gang activities exact a high toll on individuals and communities. Many of today’s gangs are sophisticated and well organized and use violence to control neighborhoods, and boost their illegal money-making activities, which include robbery, drug and gun trafficking, fraud, extortion, and prostitution rings. These gangs do not limit their illegal activities to single jurisdictions or communities. The FBI is able to work across such lines, which is vital to the fight against violent crime in big cities and small towns across the Nation. Every day, FBI special agents work in partnership with Federal, State, local, and Tribal officers and deputies on joint task forces and individual investigations.

Like the FBI’s work combatting gangs, the FBI also investigates the most serious crimes in Indian Country—such as murder, child sexual and physical abuse, violent assaults, drug trafficking, public corruption, financial crimes, and Indian gaming violations. As you are aware, there are almost 600 federally recognized American Indian Tribes in the United States, and the FBI has Federal law enforcement responsibility on nearly 200 Indian reservations. This Federal jurisdiction is shared concurrently with the Bureau of Indian Affairs (“BIA”), Office of Justice Services; the FBI works very closely with BIA and other Federal, State, and Tribal partners across the United States on crimes in Indian Country.

Over the past year, the FBI’s work in Indian Country increased significantly due to the July 9, 2020, Supreme Court ruling in *McGirt v. Oklahoma*, which determined that the territorial boundaries of the Muscogee Creek Nation (“MCN”) would

fall under Federal Indian Country jurisdiction, expanding the FBI's responsibility for investigating felony offenses committed by or victimizing a Tribal member. The principles of the *McGirt* decision also apply to the status of the Cherokee, Chickasaw, Choctaw, Seminole, and Quapaw Tribal territories in Oklahoma. Combined, all six reservation territories encompass approximately 32,000 square miles, or 45 percent of the state of Oklahoma. The total population within the combined borders is roughly 1.9 million, of which approximately 420,000 are enrolled Tribal members.

This drastic increase in FBI jurisdiction poses significant and long-term operational and public safety risks given the challenges associated with the increased number of violent criminal cases now under Federal jurisdiction within Oklahoma's Indian Country territory. Since this decision, the FBI's Oklahoma City Field Office ("OC") has seen a drastic increase in the total number of Indian Country investigations and now has the FBI's largest investigative responsibility. Since the Federal court ruling in the *McGirt* case, the FBI's Oklahoma City field office, which previously investigated approximately 50 criminal cases a year involving Native Americans, has managed thousands of Indian Country cases, prioritizing cases involving the most violent offenders who pose the most serious risk to the public.

To effectively conduct these investigations, the FBI has conducted temporary duty ("TDY") rotations of Special Agents, Intelligence Analysts, Victim Specialists and other professional staff to the Muskogee and Tulsa RAs, the offices most impacted by the decision. The FBI has also expanded State, local, and Tribal participation on task forces to assist with response and investigative efforts. The U.S. Attorney's Offices in the Eastern District of Oklahoma and the Northern District of Oklahoma also increased their staffing. To support the U.S. Attorney's effective prosecution of these crimes, the FBI must have the capability to sustain an enhanced presence in FBI OC. As such, the fiscal year 2023 request includes an additional 76 positions (including 45 Special Agents, 1 Intelligence Analyst, and 30 professional staff) and \$22.5 million to support the surge in personnel. In addition, the fiscal year 2023 Request includes 15 positions (including 10 Special Agents and 5 professional staff) and \$5.3 million to investigate violence against women, specifically missing or murdered indigenous persons in the U.S. The Request also includes \$27.4 million to fulfill the Department of Justice's policy and launch a Body Worn Cameras program for FBI Special Agents across all FBI field offices.

Transnational Organized Crime ("TOC")

More than a decade ago, organized crime was characterized by hierarchical organizations, or families, that exerted influence over criminal activities in neighborhoods, cities, or States. But organized crime has changed dramatically. Today, international criminal enterprises run multi-national, multi-billion-dollar schemes from start to finish. Modern-day criminal enterprises are flat, fluid networks with global reach. While still engaged in many of the "traditional" organized crime activities of loan-sharking, extortion, and murder, modern criminal enterprises are targeting stock market fraud and manipulation, cyber-facilitated bank fraud and embezzlement, drug trafficking, identity theft, human trafficking, money laundering, alien smuggling, public corruption, weapons trafficking, extortion, kidnapping, and other illegal activities. TOC networks exploit legitimate institutions for critical financial and business services that enable the storage or transfer of illicit proceeds. Preventing and combating transnational organized crime demands a concentrated effort by the FBI and Federal, State, local, Tribal, and international partners.

While the FBI continues to share intelligence about criminal groups with our partners and combines resources and expertise to gain a full understanding of each group, the threat of transnational crime remains a significant and growing threat to national and international security with implications for public safety, public health, democratic institutions, and economic stability across the globe. TOC groups increasingly exploit jurisdictional boundaries to conduct their criminal activities overseas. Furthermore, they are expanding their use of emerging technology to traffic illicit drugs and contraband across international borders and into the U.S. To combat these efforts, the FBI's fiscal year 2023 Request includes an additional 3 Special Agent positions and \$5.5 million.

Crimes Against Children and Human Trafficking

It is unthinkable, but every year, thousands of children become victims of crimes, whether it is through kidnappings, violent attacks, sexual abuse, human trafficking, or online predators. The FBI is uniquely positioned to provide a rapid, proactive, and comprehensive response; identify, locate, and recover child victims; and strengthen relationships between the FBI and Federal, State, local, Tribal, and international law enforcement partners to identify, prioritize, investigate, and deter individuals and criminal networks from exploiting children.

But the FBI's ability to learn about and investigate child sexual exploitation is being threatened by the spread of lawless spaces online. For example, currently, there are at least 30 child pornography sites operating openly and notoriously on the Darknet, including the Tor network. Some of these child pornography sites are exclusively dedicated to the sexual abuse of infants and toddlers. The sites often expand rapidly, with one site obtaining 200,000 new members within its first four weeks of operation.

The FBI has several programs in place to arrest child predators and to recover missing and endangered children. To this end, the FBI funds or participates in a variety of endeavors, including our Innocence Lost National Initiative, Innocent Images National Initiative, Operation Cross Country, Child Abduction Rapid Deployment Teams, Victim Services, 80 Child Exploitation Task Forces, 53 International Violent Crimes Against Children Task Force Officers, as well as numerous community outreach programs to educate parents and children about safety measures they can follow.

The FBI combats this pernicious crime problem through investigations such as Operation Pacifier, which targeted the administrators and users of a highly sophisticated, Tor-based global enterprise dedicated to the sexual exploitation of children. This multi-year operation has led to the arrest of over 348 individuals based in the United States, the prosecution of 25 American child pornography producers and 51 American hands-on abusers, the rescue or identification of 55 American children, the arrest of 548 international individuals, and the identification or rescue of 296 children abroad.

Child Abduction Rapid Deployment Teams are ready response teams stationed across the country to quickly respond to abductions. Investigators bring to this issue the full array of forensic tools such as DNA analysis, trace evidence, impression evidence, and digital forensics. Through improved communications, law enforcement also has the ability to quickly share information with partners throughout the world, and these outreach programs play an integral role in prevention.

In addition to programs to combat child exploitation, the FBI also focuses efforts to stop human trafficking—a modern form of slavery. The majority of human trafficking victims recovered during FBI investigations are United States citizens, but traffickers are opportunists who will exploit any victim with a vulnerability. Victims of human trafficking are subjected to forced labor or sex trafficking, and the FBI is working hard with its partners to combat both forms.

The FBI works collaboratively with law enforcement partners to investigate and arrest human traffickers through Human Trafficking Task Forces nationwide. We take a victim-centered, trauma-informed approach to investigating these cases and strive to ensure the needs of victims are fully addressed at all stages. To accomplish this, the FBI works in conjunction with other law enforcement agencies and victim specialists on the local, State, Tribal, and Federal levels, as well as with a variety of vetted non-governmental organizations. Even after the arrest and conviction of human traffickers, the FBI often continues to work with partner agencies and organizations to assist victims in moving beyond their exploitation.

The FBI commends the committee's dedication to these efforts and appreciates the resources provided to combat these horrific acts. The fiscal year 2023 Request includes an additional 4 positions (2 Special Agents and 2 professional staff) and \$6.1 million to develop sophisticated tools to combat technology that allows child sex offenders to operate on the Dark Web, shielded from law enforcement action.

Civil Rights

The FBI remains dedicated to protecting the cherished freedoms of all Americans. Civil rights crimes are among the most egregious violations of Federal law—they include color of law violations, hate crimes, Freedom of Access to Clinic Entrances ("FACE") Act violations, and voter suppression. These crimes cause long-term, enduring damage to communities and economic infrastructure, compromise law enforcement and judicial system capabilities, and provoke widespread fear and trauma. We also support the work and cases of our local and State partners, as needed.

The investigation of hate crimes is the number one priority within the FBI's civil rights program due to the devastating effect these types of crimes can have not just on the victims and their families, but also on entire communities. A hate crime is a criminal offense against a person or property motivated in whole or in part by the individual's bias against a race, religion, disability, ethnic/national origin, sexual orientation, gender, or gender identity. While the First Amendment to the Constitution allows for the free expression of both offensive and hateful speech, this protection does not extend to criminal acts, even those done to express an idea or belief. The First Amendment also does not protect someone who issues a true threat to inflict physical harm on individuals or groups, or who intentionally solicits others to

commit unlawful acts of violence on his or her behalf. The FBI remains dedicated to investigating these types of crimes. In fact, the number of FBI hate crime investigations increased 63 percent between fiscal year 2019 and fiscal year 2020.

Beyond investigative work, the FBI recognizes proper and thorough handling of civil rights crimes does not begin the moment they are reported—it begins before they occur, with a solid and trusting relationship between the community and law enforcement. Each FBI field office will be taking specific actions to combat civil rights crimes in their area of responsibility (“AOR”) to encourage systemic change. These actions include identifying appropriate partner agencies and local groups to develop outreach relationships at all levels, especially those that will spark institutional change; increasing civil rights-focused working groups and task forces with State, local, private, public, and non-profit partners; and providing increased training for State and local agencies and community groups centered on color of law investigations and hate crimes statutes to provide education about civil rights violations, promote increased reporting of hate crimes, and rebuild community trust in law enforcement.

Furthermore, we are focused on working with our State and local partners to collectively do a better job of tracking and reporting hate crime and color of law violations to fully understand what is happening in our communities and how to stop it. Our ability to address significant national issues, such as the use of force and officer-involved shootings and jurisdictional increases in violent crime, depends on fuller statistical understanding of the underlying facts and circumstances. Some jurisdictions fail to report hate crime statistics, while others claim there are no hate crimes in their community—a fact that would be welcome, if true. We are dedicated to working vigorously with our State and local counterparts in every jurisdiction to better track and report hate crimes, in an accurate, timely, and publicly transparent manner.

The fiscal year 2023 request includes an additional 92 positions (including 33 Special Agents and 59 professional staff) and \$17.8 million to effectively address the recent increase in civil rights violations and proactively mitigate future incidents before they occur.

KEY CROSS-CUTTING CAPABILITIES AND CAPACITIES

Data Analytics and Technical Tools

As criminal and terrorist threats become more diverse and dangerous, the role of technology becomes increasingly important to our efforts. We are using technology to improve the way we collect, analyze, and share information. We have seen significant improvement in capabilities and capacities over the past decade; but keeping pace with technology remains a key concern for the future.

The volume of data collected during investigations continues to rapidly expand. For example, in the case of the 2017 Las Vegas shooting, the FBI recovered one petabyte of data. Insufficient network bandwidth and tools necessitated the need for 260 FBI personnel to work over 10 days to manually review 21,500 hours of video footage. These bandwidth and data challenges are not limited to major cases or large offices. It is not uncommon for FBI investigations to generate more than one terabyte of data per day, an amount that could normally take two days to transit FBI networks at current bandwidth levels. As a result, the FBI has made dedicated efforts to upgrade and transform its information technology platforms to meet the demands of current and future investigations. We have upgraded hundreds of circuits and have been able to significantly reduce the time it takes to send large data files. To keep pace in an era where investigations and analysis will increasingly be conducted at the petabyte scale, the FBI needs to continue to build networks that can move bulk data, modernize investigative data analysis, and reduce reliance on stand-alone, ad-hoc systems.

In fiscal year 2019, this Committee was instrumental in helping the FBI begin an IT modernization effort that included investing in network infrastructure, core data management for advanced analytics, and cybersecurity. Through this initiative, we have made significant progress in reducing current IT limitations hindering operational capacity and diminishing substantial security risks. However, more must be done.

FBI special agents and intelligence analysts need the best technological tools available to be responsive to the advanced and evolving threats that face our nation. Enterprise information technology must be designed so that it provides information to operational employees rather than forcing employees to conform to the tools available. IT equipment must be reliable and accessible, thus decreasing the time between information collection and dissemination. Therefore, the fiscal year 2023 Request includes an additional \$17 million to ensure the FBI is sufficiently investing

in its enterprise infrastructure to access, manage, transport, protect, and evaluate information to ensure mission-essential intelligence is reaching FBI investigators and key partners in sufficient time to comprehensively and strategically address threats.

CONCLUSION

Finally, the strength of any organization is its people. The threats we face as a nation have never been greater or more diverse and the expectations placed on the FBI have never been higher. Our fellow citizens look to the FBI to protect the United States from all of those threats, and the men and women of the FBI continue to meet and exceed those expectations, every day. I want to thank them for their dedicated service.

Chair Shaheen, Ranking Member Moran, and Members of the Subcommittee, thank you for the opportunity to testify today. I am happy to answer any questions you might have.

Senator SHAHEEN. Thank you very much, Director.

Let me just announce at the beginning that we will have 5-minute questioning rounds. I will call on people in order of arrival, and all of the questioners will be in person, we will not have anyone on WebEx.

I will begin the questions. And I know it is very recent, but are there any updates that you can give us from Uvalde for what we have found out about the shooter's motivation? I know the reports have been that he acted alone, as you pointed out, but is there any other information that you can share with this Committee?

Mr. WRAY. There is really, unfortunately, it is such a fluid situation right now, and I do really want to respect the fact that the Texas DPS has the lead on the investigation, so I don't want to get out in front of them right now. My experience teaches me that in these incidents the facts change as we understand them, often quite rapidly in the first few days.

So with respect, there is not much I can add right now, beyond what has already been reported in the press.

Senator SHAHEEN. You said in your testimony that one of the biggest threats is—and concerns is the threat of lone actors who attack people they don't know indiscriminately. Do we have—are there statistics over the years that show that there is been an increasing percentage of those kinds of crimes? And do we have any idea, any research into what is motivating those kinds of lone individuals?

Mr. WRAY. So on the first part, on the statistical side, I don't know that I could quote you statistics right here, but I can definitely tell you that we at the FBI, and I know I, from my first few months as FBI Director, have been highlighting this threat, the lone actors, or effectively lone actors using readily accessible weapons, attacking what is often referred to as soft targets, which are essentially, as I said in my opening, regular, everyday people wherever they are doing their lives.

As to what motivates them, that is all over the map. I mean it is everything from the racially motivated violent extremists, to different sorts of anarchists, and militia violent extremists, to home-grown violent extremists, which is a term we use to sort of distinguish people who are here already in the U.S. but who are inspired by foreign terrorist organizations, like ISIS, like al-Qaeda.

And then increasingly we are seeing people with this kind of weird, hodgepodge blend of ideologies. The old-school world of kind

of people with some purity of radical ideology then turning to violence is often giving way to people who have kind of a jumble of mixed up ideas. And you know, we have seen cases where somebody, 1 month is saying they are an ISIS supporter, and then the next month they say they are a white supremacist.

We had a case in Minneapolis where a bunch of guys that described themselves as Boogaloo Boys, then ended up deciding to provide material support to Hamas.

I look at the El Paso shooter in the Walmart there, and if you look at his so-called manifesto, it is all over the place. So we are having more and more challenges trying to unpack what are often sort of incoherent belief systems, combined with kind of personal grievances.

Senator SHAHEEN. And there is no doubt, as you pointed out, that violent crime is increasing. I see that in my Home State of New Hampshire, and it seems like over the last couple of years it has been a reaction to COVID, to the opioid epidemic, to factors obviously, the availability of weapons is another factor. Are there other things that we are thinking have happened over the last couple of years that have really contributed to the violent crime that we are seeing today?

Mr. WRAY. Well I would agree with the first, the several that you listed, I would add to that that we are seeing, for a variety of reasons, in some places way too many of repeat offenders, or dangerous offenders ending up back out on the street, certain prosecution practices or sentences that don't adequately keep somebody behind bars when they really need to be.

And I would say that a lot of police departments in this country, if you talk to most chiefs and sheriffs, which I as I said, I am doing just about every week, most of them are really struggling with recruiting and retention, and that certainly doesn't help. So we need to support the men and women of law enforcement because that is who stands between us and the violent criminal element.

Senator SHAHEEN. Thank you. Senator Moran.

Senator MORAN. Chairman, thank you.

Director Wray, this subcommittee has invested hundreds of millions of dollars in Stop School Violence Act since its enactment in 2018. As you would know these programs support school resource officers, hardening of our schools, anonymous reporting hotlines, threat assessment programs, and training for school personnel.

Your team at the FBI has some of the best minds in the world when it comes to emergency situations. Have you heard from your experts? What have you heard from your experts about the most effective ways to prevent and respond to these terrible events?

Mr. WRAY. So I think what I would say is, we are doing a number of things on this front to try to help harden, if you will, and I hate the fact that we even have to talk about hardening our schools, but it is a reality that they have become targets. So we, in addition to all of our investigative work, our bread and butter, you know, the cases we are bringing of different sorts, violent crime, terrorism crime, gang crime, et cetera, we provide all sorts of support through training, and capacity building.

So we have trained I think something like 110,000 different law enforcement officers on active shooter response, we have put out a

whole bunch of different PSAs, and instructional videos, to schools, to school resource officers, to school administrators, to houses of worship, to communities, as well as to law enforcement, to help them better defend. And there is a host of information in there.

In addition to that we are, obviously, providing forensic support through our lab, we are doing shooting incident reconstruction, I mentioned in my opening statement. In Uvalde we have Evidence Response. That is often one of the things that we are quickly asked to provide by our State and local partners. But that is of course after the fact. And what we are trying to do is figure out how to better get in front of it.

Senator MORAN. We would welcome your advice and suggestions. Last year in this room you and I spoke at least briefly about counterintelligence threats along the southern border. Two weeks earlier I had the opportunity to question the Attorney General about the cartels' activities there.

The purpose of those questions a year ago were to address what I had learned on my visits to McClelland, Texas, that last year, just previous to those hearings, which is while immigration dominates the conversation about the southern border, there are also grave national security threats there.

This was confirmed just yesterday when an FBI search warrant unsealed in Ohio, revealed that an assassination plot against former President George W. Bush included plans to smuggle assassins into the United States from Mexico.

According to press reports the suspect, an ISIS operative was recording—was recorded claiming to have just smuggled two individuals associated with Hezbollah, into the United States.

Yesterday's events compel me to start again on this topic that we discussed last year: What is the FBI's assessment of our national security threats along our border, southern border in particular, but borders generally? And what can you tell us in this setting about the number of known or suspected terrorists, or special interest aliens who have crossed into the United States from Mexico?

Mr. WRAY. Well, certainly border security is a major, major challenge that cuts across a whole host of the programs that we serve, and the national security piece of it that you are highlighting is one part of it. Obviously, I am very proud of the work that our folks did on the Ohio case that you mentioned. We obviously worked closely with Secret Service on that to coordinate that, to make sure that it was all done in a way that prevented any true threat from coming to fruition.

Certainly any porous point of entry is a potential vulnerability that bad actors, of all sorts, including national security threats, can seek to exploit. And I have been down to all of our field offices that have border crossings as part of their area of responsibility, I have had CBP folks show me around so I can see firsthand what they are dealing with, and they have a heck of a challenge on their hands.

And we, through our Joint Terrorism Task Forces, in particular, work very closely with our DHS partners to try to bring the counterterrorism dimension to the threat. I think that is probably all I would be able to say about it in an open hearing, but certainly you are right to be focused on it as an issue of concern.

Senator MORAN. Perhaps we will have the chance to have a closed session as well.

Chair, thank you.

Senator SHAHEEN. Thank you Senator Moran. Senator Kennedy.

Senator KENNEDY. Mr. Director, I remember when you were nominated and confirmed, boy, was I glad to see you. I believe then and I believe now that you are not a politician, I think your predecessor was. And he and others did immeasurable damage to one of the most important institutions in American Government.

Because I believe, as you do, that in addition to the DEA, the FBI is probably the premiere law enforcement agency in all of human history, and it should be above politics. For the record who is Michael Sussman?

Mr. WRAY. Well, Michael Sussman is a lawyer who is currently involved in a trial by the Durham Special Counsel Team.

Senator KENNEDY. His law firm, Perkins Coie, was counsel to Secretary Hillary Clinton's campaign, right?

Mr. WRAY. Senator, I am mindful, as I think you would expect me to be, that the case is currently in the middle of trial.

Senator KENNEDY. I know—

Mr. WRAY. And I am—well we have agents, and I have assigned agents to work on the Durham Team. I want to be really, really careful about not getting into a discussion about a case that is currently in front of a very independent and strong-willed Federal judge, and a jury right now, so.

Senator KENNEDY. Well, Mr. Sussman was counsel to Secretary Clinton's campaign, and we also know that he was the source of the information provided to the FBI that the Trump campaign had a back channel communication to Russia, which we now know wasn't true.

Is it true that Michael Sussman, a partner at Perkins Coie, counsel to the Hillary Clinton campaign, and the source of this information about the allegations regarding the Trump campaign; is it true that he had a special—he had a badge that gave—an FBI headquarters badge that gave him special privileges in entering the FBI Building?

Senator KENNEDY. Well, Senator, what I would say to you is much in keeping with the gracious comments you made at the beginning about my commitment to trying to make sure I do this job the right way, that includes making sure that with a case that is currently in the middle of trial and an investigation being run by Mr. Durham, that we are actively helping him with, I just—I don't think I can really get into a discussion of those topics at the moment.

Senator KENNEDY. When the FBI opened the file, to investigate Mr. Sussman's allegations; is it true that the FBI concealed Mr. Sussman's identity?

Mr. WRAY. Again, I completely understand your interest in the question, and then I respect it, and I am just hope you will respect the fact that because I have got agents working with Mr. Durham on the case, and they are in the middle of trial right now I just don't think I can get into a discussion of that here.

Senator KENNEDY. When the FBI opened its file to investigate the allegations that Mr. Sussman, on behalf of the Clinton cam-

paigned made, now known to be untrue, about these back channel communications between the Trump campaign and Russia. When the FBI opened the file is it true that the file said the source of this information was not Mr. Sussman but the Department of Justice?

Mr. WRAY. Again, the same response. These are the very kinds of questions that are being litigated in front of the jury and Judge Cooper, right now.

Senator SHAHEEN. Senator Kennedy, I would just urge you to follow a separate line of questioning, as Director Wray has said he is not going to answer questions——

Senator KENNEDY. I appreciate that, Madam Chair.

Senator SHAHEEN [continuing]. Relative to this case that is being litigated.

Senator KENNEDY. I appreciate that Madam Chair, and, you know, how much I respect you. I want my time back by the way.

Senator SHAHEEN. You can have those 3 seconds that I have.

Senator KENNEDY. No. You talked for about 10 seconds.

Senator SHAHEEN. I am happy to give you those 10 seconds.

Senator KENNEDY. Thank you, Madam Chair. And I appreciate your help with my questions, but I can handle it myself.

Chris, at some point you are going to have to address this. And I understand you don't want to address it in the middle of a prosecution, but there are millions of Americans that look at this and think, I am not saying they are correct, that the FBI has become a political organization. And at some point you are going to have to address that.

The institution is just too important, and some of my colleagues may not want to talk about this, but we are going to have to talk about it at some point.

Mr. WRAY. Well, so first off, I totally appreciate your concern about our institution. And I will tell you that what I can speak to now is that I have implemented all sorts of reforms that I have spoken about quite publicly, over 40-plus corrective measures that deal with a lot of the same issues that are at the heart of the underlying investigation.

I completely turned over the entire leadership team in the FBI. We have taken disciplinary action where we could, but we have also been in close cooperation and coordination with Mr. Durham, who is the special counsel, and I think that is the best thing I can do to help address the concerns you are talking about.

As to the FBI's reputation, I will tell you, having been to all 56 of our field offices, now almost all of them twice. Having been New Orleans just earlier this month, and Baton Rouge just shortly before that, that what I find in talking to Americans out in the field, law enforcement partners, business leaders, community leaders, victims, prosecutors, families, is a widespread, even resounding appreciation, and respect for the men and women of the FBI.

And you will be, I hope, relieved to know that in Louisiana over the last 3 years, the last 2½ years, the number of people in Louisiana applying to be special agents of the FBI has doubled what it was in the first few years when I took over. And so I think that speaks very well of the good citizens of Louisiana and their appreciation and view of the FBI's credibility again——

Senator KENNEDY. And I thank you for coming, Chris. And I thank you for all the hard work you have done, but I am going to stand by my comments. I think at the right time you are going to have to address this. And assure the American people.

Senator SHAHEEN. Senator Hagerty.

Senator KENNEDY. That the rot is gone. Thank you. Thanks for being here, Chris.

Senator HAGERTY. Thank you, Chair Shaheen.

And Director Wray, it is good to see you here again. I would like to turn my comments to something very disturbing that is happening right now with respect to the Supreme Court justices, and what we have seen in recent weeks are protests at the homes of Supreme Court justices and their families, something that I think that should be completely out of bounds. It also may be illegal.

Federal law prohibits protesting at the residence of a judge with the intent of influencing the judge, and many of the protesters are doing just that. Protesting outside judges' homes, attempting to intimidate them, I think, and to changing their ruling on the Dobbs case.

So Director Wray, is the FBI in any way investigating these protesters as a potential crime?

Mr. WRAY. So I don't want to get into any particular predicated assessment or investigation that we may have ongoing right now. I will say that we are working very closely with the U.S. Marshals, who, as you may know, are now providing round-the-clock security at the justices homes, and with the Supreme Court Marshal and Supreme Court Police, together, they have responsibility for protection of the judges themselves and their facilities.

But I will tell you this, my view, and my instructions to the FBI are: That there is a right way and a wrong way in our system, and under the Constitution, to express what you are upset about, and who you are upset with. And violence and threats of violence, no matter what you are upset about, or who you are upset with, is not the way to go.

Senator HAGERTY. I couldn't agree with you more.

Mr. WRAY. We will pursue all lawful and predicated investigations we can to ensure that.

Senator HAGERTY. The U.S. Supreme Court Police recently reported, I am going to use their quote, "A significant increase in violent threats", to your concern, against Supreme Court justices and the Supreme Court building. And as FBI Director it sounds, and I just want you to confirm, that you have received information that the Supreme Court's members are facing elevated threats that do warrant increased security, intelligence, and intelligence resources.

Mr. WRAY. As I have said, we are in close contact with them, receiving tips and leads, and things like that from them, and without, again, weighing in on what in the way of assessments and investigations we have open. But my charge to our people is that we are going to aggressively pursue violence and threats of violence against public officials, including against judges.

Senator HAGERTY. I appreciate that, Director Wray, and I think I share your concerns, and I think that many on our Committee I am working here on our side to make certain that, along with the extra help that the U.S. Marshals are providing right now, that if

there is any shortfall in monetary resources needed, particularly in the very near term, to make certain that the justices and their families are properly protected, that we address that, because heaven forbid, these threats turn into, or manifest themselves into the violence, that I think concerns us both.

I would like to turn to another issue now, and that is at our southern border. Specifically the case of a Colombian national named, Isnardo Garcia-Amado, who recently crossed our southern border and who was flagged by the FBI Terrorist Screening Center. He was released by Border Patrol agents into the United States on April the 18.

Then on April the 21, 3 days after his release, the FBI alerted the Department of Homeland Security that this man was on the terrorist watch list. You would think that DHS would have then immediately arrested this person, yet, despite knowing that a suspected terrorist had been released in the United States, the leadership of the Department of Homeland Security didn't even authorize ICE to arrest him until two weeks later. He was in Florida by that time.

So this Colombian national was caught by DHS, and then released into the United States before the FBI determined that he is on the terrorist watch list. Is that your understanding as well?

Mr. WRAY. I will confess, Senator, that I am not sure I am familiar with this specific case. It has a vague ring of familiarity from something I got briefed on, but I think I would have to circle back to you, which I am happy to do.

Senator HAGERTY. I would appreciate that. You can see my concern though. And I guess my broader question is, in your view, if this were to happen does that jeopardize American safety to catch and release border crosses before the FBI has had the opportunity to make that determination, as to whether or not they are terrorists?

Mr. WRAY. Well, certainly I think we need to have close lash up between FBI agents on the Joint Terrorism Task Forces, especially in the border States, with their DHS counterparts, who have a very tough job. Those folks, CBP folks down on the line there that I have met with, and they usually have people designated on our task forces which is designed, in part, to prevent some of the slippage that might—

Senator HAGERTY. Now, I would say the slippage is a great concern. And even further concerning is DHS taking 2 weeks, after receiving information from the FBI, to actually notify to arrest a person. I mean does that concern you as well; is a slippage that could, again, endanger American safety?

Mr. WRAY. Well, I certainly understand the concern. I think I would need to kind of drill in further on the facts to make sure I have got the full context.

Senator HAGERTY. Okay. I would appreciate that. And also when you come back to me if you could let me know how many border crossers have been apprehended, that are on the national terrorist list. I am deeply concerned about this.

When I went to the border myself, a couple of—about 6 weeks ago, I was informed that 157 different nationalities have been apprehended at our southern border in the past year. That is a deep,

deep national security concern, and I would very much appreciate your following up with me in terms of, what is known, and also if you have any estimates on what is not known, because I think that is an even greater concern, are those people that are coming here using the border, as Senator Moran talked about, for some very nefarious purposes. Thank you.

Thank you, Madam Chair.

Senator SHAHEEN. Thank you, Senator Hagerty.

Senator Capito.

Senator MOORE CAPITO. Thank you, Madam Chair. And thank you, Director, for being with us today. We are going to be asked to consider legislation, I believe, tomorrow, regarding domestic terrorism, and much of your statement, written statement was devoted to the topic of domestic terrorism. The DOJ has a unit dedicated to anti-domestic terrorism efforts presently, and you testified last year that your agency has significantly boosted resources directed towards these initiatives.

Can you elaborate on the FBI's existing initiatives on domestic violence or domestic terrorism prevention and investigation? And how you are already working with existing agencies and departments? And I would say that one of the fears that I would have with this legislation before us, is that we are creating more stovepipes of information that, in reality, could slow the flow of information, and accuracy of that. So I would like to hear your comments on that, please.

Mr. WRAY. Well, I would probably decline to weigh in on the legislation itself, as is our usual practice.

Senator MOORE CAPITO. I figured that. Okay.

Mr. WRAY. But as to—you are right, that we are doing a whole lot on domestic terrorism already. We have, I think, over the last few years, and this really started, I would say in summer of 2019, and kind of, has just continued since then.

We have, I think, more than doubled our domestic terrorism caseload, we have—I think we are now up to about 2,700 domestic terrorism investigations they cover the waterfront of different types. We have also created a Domestic Terrorism-Hate Crimes Fusion Cell to bring both those kinds of expertise together. We have had some very significant plots disrupted using those efforts, we have our Joint Terrorism Task Forces in all 56 field offices.

Senator MOORE CAPITO. Right.

Mr. WRAY. That is about 4,400, or so, investigators, they are working on it. But I will also say, in our budget request before the subcommittee, we are asking for more resources for domestic terrorism. That is separate apart from any legislative effort, just in our fiscal year 2023 request.

Senator MOORE CAPITO. Where would you say those extra dollars, which parts of your investigative domestic terrorism arm would you see need to be increased, budgetarily? Or is it just an overall?

Mr. WRAY. Well, I would say it is two things. It is investigators and tools, technical tools, you know, increasingly in the domestic terrorism space, much like in other criminal arenas, the terrorists are reverting to use of technology that makes it harder and harder to connect the dots. And so that is a part of it.

But the other thing is we have, in the short run, had to sort of surge resources to handle that domestic terrorism caseload, and as I mentioned in my opening statement, I do not think we are in a position where any of these other threats, the traditional violent crime threat that I hear about from chiefs and sheriffs all the time, the international terrorism threat, that has absolutely not gone away.

Senator MOORE CAPITO. Right.

Mr. WRAY. That had slightly abated during COVID, the foreign terrorist threat, but especially in the wake of the withdrawal in Afghanistan, I think we, the FBI, are going to have a bigger and bigger role on the foreign terrorist threat.

So partly, our budget request is designed to make sure that the sort of duct tape approach that we have been using for the last 18 months to 2 years, is not the way we have to continue going forward. So we can have a longer standing commitment to the domestic terrorism load.

Senator MOORE CAPITO. So a more robust and wider reach.

Mr. WRAY. Right.

Senator MOORE CAPITO. And that soon you are taking from something else to—

Mr. WRAY. Correct.

Senator MOORE CAPITO [continuing]. To put that into your—I am curious to know. I think the American public would like to know. I have no idea what the answer to this question is, I don't—I think I know. The tragedy in Texas, what role does the FBI play in this? Or do you play a role in this?

Mr. WRAY. So we are in a support role, we are—so Texas DPS, the Texas State Law Enforcement Agency, which is a terrific partner of ours; and the Uvalde Police Department, they have the lead, we are in support role. Now, our support takes all sorts of forms so we have investigative resources, analytical resources, we have lab personnel doing evidence response.

Senator MOORE CAPITO. Right; mm-hmm.

Director Wray: We have other kinds of forensic response, we have Victim Services professionals, as I mentioned to the Chair, who are helping the families of the victims. We have crisis management teams, behavioral analysis teams, so we have a whole host of things down there, but we—and so while it is a formidable footprint and engine, it is, at the end of the day, in support of our great State and local partners.

Senator MOORE CAPITO. Right. Well, thank you for that, and thank you for those agents that are working in that support. This is very difficult I am sure, for them as well.

And I would just like to add just very briefly the local offices that that I hear from my Charleston, West Virginia folks, I just want to thank them, and you, because they are very tied to us. I am sure all of us have heard from our local offices in this time of sort of uneasiness, and I just really appreciate the efforts at which they go to, to include me, and my family, and others that might be in precarious situation from time to time. So please extend my great gratitude for that.

Mr. WRAY. Thank you.

Senator MOORE CAPITO. Thank you.

Senator SHAHEEN. Thank you, Senator Capito.

I am going to turn the gavel over to Senator Collins, to ask her questions while I go vote, and either Senator Moran or I will be back shortly.

Senator COLLINS. Thank you very much, Madam Chair. You know how much I like having the gavel.

[Laughter.]

Senator COLLINS. Director Wray, thank you first of all for being here today. Your agency is so important in so many areas, and so many ways. All of us are clearly horrified by the vicious killings that occurred yesterday.

And I want to ask you about one approach that has been taken, and get your judgment about it. The State of Maine is among some States that have enacted statutes that we call either a red- or yellow-flag law.

And the law in Maine which was developed in consultation with a wide range of groups; essentially allows the court to have the police temporarily confiscate firearms from someone who is deemed to be a danger to either him or herself, or to others.

Importantly, the Maine law includes due process rights, and a medical assessment. So it can't be just some neighbor's opinion, or even a family member's opinion, there has to be a medical assessment as well. And that is to ensure that the concerns are well founded, and that Second Amendment rights for law-abiding citizens are protected.

In your experience, how successful have these relatively new red-flag and yellow-flag laws been?

Mr. WRAY. It is a very good question. I would say, I am not sure that I have seen any kind of rigorous assessment, overall, of the effectiveness of the so-called red-flag laws. There are other names for it, as you alluded to. I know that DOJ has recently published a model statute for States to consider.

I think what I could say to you is that it has been our experience that with a whole wide variety of shooter situations, whether it is a terrorist type situation, or more traditional violent criminal situation, most of the time you see that there was someone who knew the person, or came into contact with the person, who saw some change in behavior that alarmed them. And in the situations where law enforcement has been successful at preventing an attack it is almost always thanks to somebody like that coming forward.

And whether it is done through a protective order of the sort—a protection order of the sort, you are describing, or whether it is just because they contacted law enforcement, and law enforcement was able to act, that is the key. And the ones that haven't been prevented an awful lot of the time, it turns out there was somebody who maybe didn't know to contact law enforcement, or was afraid to contact law enforcement, for one reason or another.

And you hear all the time the saying, "If you see something, say something." And most people when they hear that, they picture the unattended backpack, you know, in the greyhound bus terminal, or something. But what we really need right now in this country is, if you see something about somebody, people to say something.

And if they do, whether it is through statutes like the one in Maine, or through some other mechanism, that can be quite effec-

tive, and certainly, if more States were to adopt these laws we would, on our end, through NICS and NCIC have to, you know, make arrangements to be able to then have that information in the relevant databases to be able to help prevent them from getting their hands on a weapon. But certainly it is something we could look at.

Senator COLLINS. Thank you. Another proposal that I have long supported would strengthen Federal law by making it easier for prosecutors to go after gun traffickers and straw purchasers. And let me describe what I have seen and heard about in the State of Maine from law enforcement officers. Gangs and drug dealers target addicts who have clean records, so they then ask them to purchase guns for them, and they swap heroin or other drugs for the guns. These guns are then used to commit horrific crimes in our communities.

Often, far from Maine, there was a gang in Connecticut that was known for coming to Maine enlisting addicts to buy guns for them, because the addicts had clean records and could pass the background check. So this Congress, I once again joined my colleague, Senator Leahy, in reintroducing the Stop Illegal Trafficking in Firearms Act, and we would create a new criminal offense for straw purchasing.

Right now, it is essentially treated as a paperwork violation, a slap on the wrist. Instead, we would make these crimes punishable by time behind bars.

What is your opinion of closing that straw purchase, or loophole that allows for criminal gangs to access guns when they could not buy them themselves, because of their own criminal records?

Mr. WRAY. Well, I think I would have to study the legislation more closely to give you a more informed assessment of that. I will tell you that even back to when I was a line prosecutor I used to prosecute a lot of these same straw purchaser cases and typically, as you say, they are prosecuted as false statements cases, you know, when somebody essentially lies on the 4473 Form.

And just as you say, what you see over and overall, is violent gang members who enlist people who are down on their luck, for one reason or another, either they are, as you say, they are addicts, or they are financially in distress and so that the money that comes with it, when they get paid to be the straw purchaser, they take advantage of people who are down their luck that way.

I think there might be a difference in the culpability level for the straw purchaser, versus the gang member who enlists them, and that is when we—when I tried those cases, and prosecuted those cases, that was sort of the approach we took.

But I think you are right to be focused on the straw purchaser issue as an important ingredient to preventing guns from getting in the hands of people who are, after all, prohibited under existing law from having them.

Senator COLLINS. Right. I actually feel bad for many of the straw purchasers, because they frequently have serious substance abuse problems, and they are being manipulated, and used by these gang members. But that—that is a real problem.

Let me follow up on the drug issue, and as we know America has set a terrible new record in the number of drug overdoses in the

past year. It is 104,000 Americans died of drug overdoses. In Maine, an estimated 636 people died of drug overdoses in 2021. That is a 23 percent increase from the previous year. But what, to me, is even—or equally chilling, is the fact that that is actually only a small portion of the number of overdoses.

The number of overdoses in Maine that we know about was nearly 9,000. Fortunately, the rest of them were saved. I talked to Attorney General Garland about this issue, and he pointed out that the FBI, along with other DOJ components, is playing an important role in fighting the large-scale drug trafficking organizations that are bringing drugs into this country.

I am concerned about what is happening at the southern border, based on my discussion with Border Control agents. Has the government's inability to secure the southern border led to more drugs entering the United States?

Mr. WRAY. Well, certainly the influx of drugs across the southern border is a very important fuel, not just to addiction in this country, but to violence in this country; and that is one of the parts that the FBI plays a pretty big role in. You have transnational criminal organizations in Mexico enlisting the help of gangs, and other organizations here in the U.S., to distribute the drugs, and there is violence over turf, over distribution routes, et cetera.

I know that when I have been down to the border and talked to the CBP folks there, and to our field offices that have responsibility in that area, the quantity of the seizures that they routinely are engaged in make the seizures in other parts of the country look really quite small by comparison. I mean it is just another day in the life for a lot of them. And so it is striking.

And I think you are correct that the overdose death statistic or the overdose statistic itself, in some ways underestimates the scope of the problem, in part, because Narcan, happily, has become so much more widely available, but that, in turn, ends up almost masking the problem.

Senator COLLINS. Exactly.

Mr. WRAY. So the effectiveness of first response, which is a good thing, is actually maybe misleading some into thinking that the problem is not as bad as it really is. And it is really an epidemic.

Senator COLLINS. And finally just a quick question. You were talking about domestic terrorism with Senator Capito. Would you agree that the sources of domestic terrorism include groups and ideologies on the left, on the right, from overseas, such as ISIS? In other words, there is not just one ideological source of domestic terrorism; is there?

Mr. WRAY. Certainly, when we look at domestic terrorism, we focus on the violence, and the violence—and we are sort of ideology agnostic, if you will. And the terrorism, the domestic terrorism threat we see covers the waterfront from people—we don't use terms like "left" and "right", but we see the racially motivated violent extremists, we see militia violence, and anarchist violence, we see people with this kind of salad bar of ideologies that don't fit into any category.

And then of course on the—we tend to bucket it under the international terrorism side, the ISIS-inspired folks who are here, they are not sent here by ISIS, but they are here, and they are

radicalized online. That is a huge category, and the plot that we disrupted, that was talked about earlier, involving the attempt to kill former President Bush is a good example of that threat.

So I think—I understand the focus on ideology, but for us the focus has to be on the violence to make sure that we are not getting—we are not missing something in that regard.

Senator COLLINS. And that is where it should be. Thank you very much.

Senator SHAHEEN. Thank you, Senator Collins. Senator Braun.

Senator BRAUN. Thank you Madam Chair.

I can't remember the last time we have had the chance to speak, but good to have you back again.

I want to go back to, and I think I asked Mr. Garland—or you know, somebody else this question, but when you go back to 2020, the summer of it, there was a lot of crime in our cities, and of course what I have been hearing mostly about, and it would be the arrests that we made associated with January 6.

So can you give me some kind of accounting in terms of all the various incidents that occurred across our big cities that had, you know, the crime in the streets, where I think we actually ended up with more people killed, you know, lots of downtown businesses, you know, burned and damaged.

Have we been as diligent there, as we have on the January 6 issue, and just give me a general accounting where I know that we have arrested over 700 individuals associated with it. What have we accomplished from what was, you know, something maybe even broader in scope in terms of damage and lives lost?

Mr. WRAY. So I don't have exact numbers for you here, but what I will tell you is that the violence amid all this—amidst all the civil unrest over the summer of 2020, we used all 56 of our field offices, we used our Joint Terrorism Task Forces, and all 56 of our field offices there were hundreds of investigations, hundreds of arrests.

Now, I should pause on that last part, because often there is as you know, no domestic terrorism offense, Federal domestic terrorism offense, so a lot of times what we on our Joint Terrorism Task Forces, which have State and local officers assigned to them, part of the reason for that is that sometimes the most effective charge is a State charge.

So a lot of times the Federal investigations from some of the activity over the summer resulted ultimately in some State charge, but we had any number of cases involving Molotov cocktails, you know, burning and firebombing, you know, police cars, things like that, and we continue—they don't get a lot of attention in the press—but we continue to develop cases and bring charges still from some of the activity back then. So we have not taken our foot off the gas on those cases.

Senator BRAUN. You know, I didn't know if you have that information. I would like to know with a little more specificity, and get back to the office later, in terms of what that kind of comparison would be in terms of arrests, and convictions, based on January 6, versus the whole spectrum of what occurred back in the summer of 2020, if you would.

Mr. WRAY. I will see what we can get you on that.

Senator BRAUN. Okay.

Mr. WRAY. Thank you.

Senator BRAUN. You know, tragically we have had another shooting occur. I am interested in that mental health component. I am interested in whether it is racially motivated, whether it is just somebody that is out to create havoc, like just occurred. What are we doing that takes information that in many cases is broadcast, as aggressively as being in a manifesto?

Maybe not that direct, but your—we pick up always after the fact that there has been some telegraphing of what might happen. So are we doing what you think needs to be done to kind of figure out what might occur when we find out after the fact that there has generally been information out there from as obvious as a manifesto, to maybe a lot of indications that this could happen? Are you happy with what law enforcement is doing across the board, especially the FBI?

Mr. WRAY. Well, I am very proud of the hard work of the men and women of law enforcement, not just the FBI, but our State and local partners, who bear the primary burden for a lot of what you are talking about. I will say that there is no shortage of hateful information out there, on the Internet, in social media in different forms, and we, the FBI, don't just go out and kind of monitor social media sort of passively looking for stuff, we rely on proper predication, and then pursue it.

So what that really gets back to, is the exchange that I had with Senator Collins, about the importance of having the public come forward. You know, I use the saying that used to be applied in a different context, "if you see something say something". What we need, what law enforcement needs, is the public, neighbors, school teachers, relatives, friends, classmates, whoever, the people who are likely to see somebody's behavior online, and see it change from just being somebody just blowing off steam to taking a bit of a turn.

And that is often the same person who would know: This person has not only just taken a really dark turn, but this person I know, you know, this member of the public, has weapons in his or her home.

Senator BRAUN. Yes.

Director Wray: And calling law enforcement. And when that happens, that is when we are most effective. And we need to try to encourage more and more of that, which is why our NTOC, our public access line, if you will, gets millions of tips a year, and we are frantically trying to push those out, when we get them before—

Senator BRAUN. I think whatever observation tools you use, whatever algorithms might be in place but, it seems it is kind of disappointing that so often we hear that that might have—that was there, and we just needed to do a better job of ferreting it out.

May I have just another few seconds for a quick question?

Senator SHAHEEN. Go ahead.

Senator BRAUN. I was on a School Board for 10 years. I could not get in my school as a School Board member because we had a security system in place that had to allow you in. And I think we had a resource officer there in Texas at that school. What is the FBI's viewpoint on taking soft targets, like a school, to where seemingly

we rotate into a tragedy too often, to where having that in place? Why don't we have more of it?

And we had this in place in Indiana in my own school district back 10 to 12 years ago? Why aren't we doing more there?

Mr. WRAY. Well I think that a lot of those are judgments by individual school systems, and School Boards that may be based on resources, other things. I do know that we, on the FBI side, have tried to help heighten the awareness of things that they can do to better harden the schools. We have put out PSAs, videos about—to better harden the school environment.

There is a lot of thinking that has improved in law enforcement and security over the last 10 or 15 years, about the best way to protect an otherwise soft target, like a school. And so we are really trying to get the word out so that they can—they have the information they need to take some of those actions. And so as to why an individual school may or may not have chosen a particular security measure; that probably depends on the school system.

Senator BRAUN. Thank you.

Mr. WRAY. Thank you.

Senator SHAHEEN. Thank you, Senator Braun. Senator Graham.

Senator GRAHAM. Thank you, Director, very much for coming. The budget request is how much percent over last year?

Mr. WRAY. I don't have the percentage for you right now. I know that we didn't get quite what we had hoped for last year—

Senator GRAHAM. Ms. Chair, what is that number? Do we know? Madam Chair?

Senator SHAHEEN. 6 percent.

Senator GRAHAM. Okay. Plus inflation, too high, more than six percent; I think so.

Mr. WRAY. Yes, think so.

Senator GRAHAM. So what I want the American people to know, is that the budget request for the FBI is below inflation. Do you agree with that?

Mr. WRAY. I am sorry? I couldn't hear you very well.

Senator GRAHAM. The budget request for the FBI is below inflation.

Mr. WRAY. It sounds like it.

Senator GRAHAM. Yes. After listening to you, and everything you say is a legitimate concern, you have a lot to do. Do you think the Committee should look at increasing your budget?

Mr. WRAY. Well, first let me say, I appreciate the question.

Senator GRAHAM. And it is not a hard question.

Mr. WRAY. I would say that any additional resources the Committee would see fit to send our way I can absolutely assure you and the rest of the subcommittee they will be put to good use.

Senator GRAHAM. Okay, great. I want to ask you to comment on ongoing investigation, but apparently there was an effort, some plot maybe to kill President Bush 43. Have you read about it? Are you familiar with it?

Mr. WRAY. I am familiar with it.

Senator GRAHAM. Okay. Let us just make this comment. Is it fair to say that al-Qaeda and ISIS still exist?

Mr. WRAY. Absolutely.

Senator GRAHAM. Is it fair to say there are people thinking every day about how to get into America to kill a bunch of us from those organizations?

Mr. WRAY. Yes.

Senator GRAHAM. And the FBI is integral in stopping those plots before they start?

Mr. WRAY. Yes.

Senator GRAHAM. So would you say that after Afghanistan the threat to the homeland has gone up or down?

Mr. WRAY. Well, let me say this about the threat. We are concerned, very concerned about what the threat landscape looks like in the wake of the withdrawal of Afghanistan for a number of reasons. One, we are concerned about the loss of sources and collection over there which means—

Senator GRAHAM. There are no FBI agents in Afghanistan?

Mr. WRAY. Not anymore.

Senator GRAHAM. Yes.

Mr. WRAY. Or at least not that I can—

Senator GRAHAM. Yes, of course.

Director WRAY [continuing]. I am allowed, or not, for their safety and—so we are concerned about less source coverage, over time. And I think Director Burns has testified, you know, just as a matter of fact, that we will lose collection of—

Senator GRAHAM. Just put a fine point on it, because I don't have much time. Our withdrawal has made us a lot less aware of the threat coming from Afghanistan than before we withdrew. That is fair statement, right?

Mr. WRAY. I think so, yes.

Senator GRAHAM. And it is a fair statement that al-Qaeda and ISIS still are present in Afghanistan, and maybe their influence is growing?

Mr. WRAY. Are certainly present, and I think we are concerned about them growing.

Senator GRAHAM. Yes?

Mr. WRAY. Yes.

Senator GRAHAM. Okay. So let us look at domestic terrorism. Is there any law that you need, that you don't have, when it comes to investigating domestic terrorism?

Mr. WRAY. Well, we always welcome more tools in the toolbox, but we, I think, have been very effective with the tools that we do have.

Senator GRAHAM. Okay.

Mr. WRAY. Not just Federal charges, but as I said to Senator Braun, using State charges when appropriate. We have gotten creative in using hate crime charges, and things like that, as well. What we really need are more resources more than anything else.

Senator GRAHAM. Okay. Well, count me in for more resources to help you deal with this threat as well as other threats. Gun control, do you know of any system—apparently the fact pattern is as, we understand it now, that the person in Texas who did this horrible thing had no criminal record. How would the system deal with somebody who has never been charged with a crime, never even investigated for a crime, went out and bought a gun, what kind of law would stop that?

Mr. WRAY. Well, we don't know all the facts yet, as far as that—

Senator GRAHAM. Yes. But let us just assume that fact there.

Mr. WRAY [continuing]. but these are, depending on the individual, there are other prohibitors in 922 besides the Felon—

Senator GRAHAM. Here is the point. If there is something we can do to deal with this particular situation that we are not doing, can you get back with us?

Mr. WRAY. I would be happy to work with the Committee.

Senator GRAHAM. Okay, great.

Mr. WRAY. I think that there is just no one, simple, single answer to that all.

Senator GRAHAM. Yes. Okay. Well, I am open-minded to ideas. So finally, from the FBI's point of view, you have been following the Sussman trial, I would assume?

Mr. WRAY. Yes.

Senator GRAHAM. Okay. Well, he is in trial. But let me just ask you this question. A lot of Americans are concerned with the fact that a campaign lawyer for the Clinton campaign could go to the FBI, and provide information to the FBI that led to an investigation of the opposite party. And it seems to not have held much water.

Can you understand why people would be concerned about that?

Mr. WRAY. I certainly understand why people are concerned.

Senator GRAHAM. And the Horowitz Review, of the Crossfire Hurricane. You are familiar with his findings, the Inspector General.

Mr. WRAY. Yes.

Senator GRAHAM. This is your chance to tell the American people that you are going to make sure that never happens again, and you are dedicated to making sure that, for whatever reason, there are no more Carter Pages investigations that seem to have gotten completely off the rails?

Mr. WRAY. So I will I will put the Sussman case to the side for the moment, because I don't to comment on a case—

Senator GRAHAM. Okay. Sure.

Mr. WRAY [continuing]. That is in front of the jury right now. But let me say this. The conduct that is described in the Inspector General's Report, I consider to be utterly unacceptable, and also unrepresentative of the FBI that I see every day. And my firm instructions to our people, are that we need to make sure that that never happens again. And we have implemented over 40 corrective measures that go directly to the things that are described in that report.

We have made changes of the entire leadership team in the FBI. And the FBI that I see today, in 2022, is very different from what is described in that report.

Senator GRAHAM. Thank you.

Senator SHAHEEN. Thank you, Senator Graham.

I have another round of questions. I assume you do as well Senator Moran.

Senator MORAN. I do; right.

Senator SHAHEEN. I want to talk about something that we talked—discussed a little bit on the phone this week, and that is

the whole Task Force KleptoCapture, and what we might do to address, not just Russian officials and oligarchs, circumvention of sanctions, and export restrictions, but also what needs to happen to address the ability of transnational crime organizations, corrupt officials in places like Russia, from being able to park their money in our financial system in the United States, and the West? And what we need to do to prevent that?

And I want to start with the fact that we provided the FBI with over \$43 million in supplemental funding for the KLEPTO—for the Task Force KleptoCapture, as part of the 2022 Omnibus. Can you talk a little bit about how you are using that funding, and what else we ought to be thinking about, as we are looking at how we address the ability of criminals to use our financial system for their own benefit?

Mr. WRAY. Well, first let me say that those who have been profiting from corruption in Russia, and treating the world like it is their playground, by evading sanctions, are people we are coming after. I am working closely with partners, not just across the Federal government, but also with a whole host of foreign partners.

And obviously the new KleptoCapture Task Force is an integral, really at the heart of that effort. And we have had some success already in freezing bank accounts, luxury yachts, artwork, things like that, sometimes that is through enabling—the FBI provides information to a foreign partner, and they are able to take action to seize or freeze, and sometimes it is through us using our own authorities.

We are also going after, and this is important, and it goes to something I think that you and I talked about on the phone, it goes to not just the—say, the oligarchs, the sanctioned individuals themselves, but to the whole ecosystem or infrastructure that they rely on, the people that they may have on their payroll, the people that, otherwise, enable them to engage in the corruption, and the sanctions evasion. And that is an important part of it.

As to the funds, the \$43 million that you referred to, for which we are very grateful, we are using that in a variety of ways. Yes, some of it is of course going to our cyber efforts, and our counter-intelligence efforts, related to the Russia, Ukraine, conflict, but we are using it part for our agents and personnel on the KleptoCapture Task Force, as well as—and this is an important piece—our pursuit of the crypto currency, because that is a an important ingredient for a lot of the bad actors here, many of whom think that they can hide behind the anonymization that exists with virtual currency.

And they are not as clever as they think they are; but we have to continue to evolve our own technologies and tradecraft to be able to go after them, and we have made some very significant seizures of cryptocurrency lately, working with the Department of Justice. And that is going to be an important, increasingly, important part of this going forward.

Senator SHAHEEN. So what has been the biggest obstacle in trying to address activity, particularly with respect to Russia, and the war in Ukraine, and those sanctions?

Mr. WRAY. I think I would say that the biggest challenge that we face is a lot of these folks are pretty savvy about relying on

opaque other foreign jurisdictions. And so there are ways in which, by taking advantage of some of those other systems, they are able to make it more challenging for us to follow the money, and get after the money.

Not necessarily impossible. And there is a role here for diplomacy, State Department, Treasury Department, others, in engaging with some of those foreign partners to work better with us, to help make sure that we have clamped down on the system.

Senator SHAHEEN. Any particular entities that you would like to name?

Mr. WRAY. I think the State Department would probably appreciate it if I didn't name specific countries in an open hearing, but.

Senator SHAHEEN. Although you pointed out we are cooperating with the international community, and I have heard from some of—some officials that there are entities that may be part of other countries that—where countries have cracked down in-country, but those entities where they still have significant interest may not have provided the same kind of crackdown. Is that—I mean I am being pretty opaque here in the way I am describing it, but.

Mr. WRAY. Right, no, “opaque” is the right word, both for the way we have to talk about it, but also what is in some of these countries. I will say there have been quite a number of countries where we have gotten more cooperation than we might have, you know, in years past. So I don't want to make it sound too bleak. We have had a number of partners that have taken, for them, more aggressive action than we would historically have seen. And that is, I think, a measure of the international community being so appalled by what Russia is up to in the Ukraine.

Senator SHAHEEN. Thank you. Senator Moran.

Senator MORAN. Chair, thank you.

Let me talk again about the surging increase in violent crime. I believe that two of the most effective ways to address violent crime are through surging FBI resources to the most affected communities, through Joint Federal Local Task Force, such as Safe Streets Task Forces.

You and I heard the commentary from law enforcement, local and State law enforcement when we were together in March in Kansas, I understand that as of May, I think it is early May, the FBI surged resources in six field offices, and it secured significant arrests, and firearm seizures from violent criminals.

Director Wray, is the FBI considering additional resource surges over the coming year, or expanding its existing task force network.

Mr. WRAY. So on the surges, I think what you are referring to is a new team that I created about 6 months, or so, ago, which is called Our Violent Crime Rapid Deployment Teams, and what that does is we have been sending it to particularly hard hit hot spots or cities, at the embrace or request of the of the—both the FBI field office and our local partners, to assist.

And we have had very good luck in the six, or so, cities where we have done that. I know in Buffalo for example, you know, several months ago we had about a 50 percent decrease in homicides during the surge. In Milwaukee I think we had a pretty significant decrease.

But that is by its very nature, somewhat temporary. We can't send those teams to just be there sort of in perpetuity, so part of what we are trying to do is both achieve a short-term, dramatic reduction by listening closely to the locals as to what they most need, but then also trying to put in place things that will have a more sustained, durable impact that will outlive the team's deployment.

We expect to continue that model, to keep sending that team to different places, but ultimately, as you and I, I think, discussed recently, this is a problem, "this" the violent crime problem, that dominates every discussion I have with chiefs and sheriffs all the time. You know, had a five—our last nationwide data is a 5 percent increase in the violent crime rate, which doesn't sound like much, maybe to some Americans, until you stop and think: So that means 67,000 people, "victims" of violent crime, would not have been a victim the year before. And the homicide rate went up 30 percent, which is, I think the highest in like 50 years, increase.

So any resources, the committee—this subcommittee would be able to send us on the violent crime problem, could immediately be put to very effective use. And there will be a lot of State and local partners who would be very grateful as well, because one of the things we are really trying to do all across the country, is lean in to see where we can take cases federally to get some of the worst of the worst, and to dismantle some of the most significant gangs, and keep them off the streets for a much longer period of time.

Senator MORAN. Director, let me explore just a minute longer the idea of surging, and the point you make I think is a good one. Certainly anyone whose life is saved, or property is not stolen because of a surge, that is a valuable thing, but what we need is longer term results from that surge.

So is there something that happens structurally? I mean first of all I would say is we are getting more guns out of the hands of people who are not entitled to have guns, I assume, in that surge; and we are putting more criminals, who are likely to commit violent crimes, to be incarcerated; those ought to have some longer lasting effect rather than just the amount of time that your additional resources are in the community?

Mr. WRAY. You are exactly right. That there are two key concepts here, partnership and intelligence; partnership meaning, it has got to be a team effort, it has got to be, how do we put the FBI's two together with the State local law enforcement partners, and ATF, and DEA, and Marshals. Put one agency's two, with another agency's two, and have it equal more than four, right; how to get a synergy where the whole is greater than the sum of the parts.

So partnership is key, and then the second piece, intelligence, is when you hear "intelligence", really what you should take away from that, what Americans should just take away from that is, that is better understanding the problem in order to prioritize going after the thing that is really driving the violent crime, in order to have a longer lasting impact.

So that might mean identifying particular gangs that are wreaking havoc on a neighborhood. It could mean a particular neighborhood that is disproportionately being fought over by two gangs. It could be any number of things, but if you get good intelligence, and

then the partnership acts based on that intelligence with a strategy, that is how you get an impact that lasts longer, for example.

Senator MORAN. I would be interested in knowing, Director, if there is—any characteristics about the communities that have the most significant increases in violent crime, the most prevalent violent crime? When you focus your efforts on a particular community, what is the common denominator among those communities? And then perhaps we can try to deal with the underlying reason that a community is experiencing that increase.

Mr. WRAY. You know, violent crime is, by its nature, unfortunately, a little bit different everywhere. And that is why we really have to take not a one-size-fits-all. And so what I mean by that is, in one community it might be a particular neighborhood gang that has just run amuck. And if you really drill down you may find that the homicide rate is being disproportionately driven by that one gang's activity.

In another community there could be a rampage of commercial robberies, or carjackings, and that is what is really driving it. In another place it could be a particular neighborhood, or particular corridor on a highway that is part of a drug trafficking route. In another place it could be, and this is something we are seeing in a lot of places, too many repeat, dangerous offenders who are either out on bail, or who have been not serving very long sentences.

And the only thing more frustrating to law enforcement than having to arrest somebody who should be behind bars; is having to arrest the same person over, and over, and over, again.

Senator MORAN. That is a good point for—that is something that can that can be pursued. That is a concrete path that could be advanced.

Let me—I told Senator Shaheen one more question, I meant one more topic. And in September of last year you testified before the Senate Judiciary Committee that the FBI's failure for its mishandling of the Larry Nassar investigation was quote, "Inexcusable." "It never should have happened, and we are doing everything in our power to make sure it never happens again."

To that end you testified that the FBI had begun implementing all four recommendations from the Inspector General's Report. Could you please provide me with an update on where those—where that implementation of those recommendations stand?

Mr. WRAY. I would be happy to provide it to you in writing, maybe afterwards, if that would be helpful.

Senator MORAN. Okay.

Mr. WRAY. I mean—for the most part I think we have implemented all of them quite a while ago, and certainly we took disciplinary action against the one agent who was still with the FBI, you know, once we—once we learned what had happened.

And I just—it is hard for me to explain to you how angry and upset I was when I learned what the FBI did and failed to do back in 2015. But I am determined to make it right now that I am here, and we are going to make sure that everybody in the FBI learns the lessons from that, just a tragic experience.

Senator MORAN. I appreciate that. Senator Blumenthal, and I, and our subcommittee in the in the Commerce Committee spent a year-and-a-half exploring, investigating, and providing rec-

commendations for legislation that became law. And we have had—we share that frustration, that anger, about how everyone who should have done something, didn't do it well, or didn't do anything.

And again as you, I think, would agree, we would expect the FBI to be among the most—purest in their willingness, desire, and capabilities to respond to somebody in need. So it is a terribly sad circumstance, and we await the Department of Justice making some decisions about what to do, if anything, in regard to those individuals.

Mr. WRAY. And just to be clear, on that part, you know, we don't—that is really between the Inspector General and the Department of Justice for that.

Senator MORAN. All right. I wasn't suggesting it. It is a question I asked the Attorney General.

Director Wray: Yes.

Senator MORAN. But I wanted to highlight it for his, perhaps, when he reviews your testimony, he will know that he has been questioned, once again about this topic.

Thank you, Chair.

Senator SHAHEEN. Well, thank you very much for raising that issue.

And Director Wray, if you do send the response to Senator Moran, I hope Senator Moran; you will share it with the Members of the Committee.

Senator MORAN. I will do so.

Senator SHAHEEN. Because I know there are a lot of people on the Committee who are concerned about it.

Your final exchange for that issue, raised a question for me, because you were talking about the Federal crimes that you are investigating. And as we know, the top law enforcement official in our States when it comes to Federal crimes are, U.S. attorneys, and I have been very troubled by the delay in getting U.S. attorneys in place across this country.

And I just wondered if you could speak to what happens if we don't have somebody in that role? If we have somebody who is just acting? Or that that the U.S. Attorney has not been officially put in place to take charge of those investigations, and what kind of challenges that presents, as you are trying to bring a case before court?

Mr. WRAY. Well, what I—I want to be a little bit careful here. What I would say is the acting U.S. attorneys around the country, in my experience, are some of the most dedicated, most seasoned, most capable prosecutors, Federal prosecutors that that are out there. And I know a number of them personally, and have enormous respect for them.

Having said that, it is helpful to a U.S. Attorney's Office, and to the law enforcement community to have a Senate-confirmed, presidentially appointed U.S. Attorney, because at least in some districts that is what is required for important initiatives to be pursued.

For sometimes, you know, important personnel changes to be made in an office, having served in a U.S. Attorney's Office, and having been assistant attorney general, dealing with all the U.S.

attorneys, you know, in my previous time in government, I know that there is a level of ability to take action on certain kinds of things, that I think it is a little bit easier, certainly, for a permanent U.S. Attorney.

But I also want to be very clear that I think the acting U.S. attorneys that are out there, are doing a terrific job, and they are working really well with our field offices.

Senator SHAHEEN. I appreciate that, and I appreciate the importance of reinforcing the job that those acting U.S. attorneys are doing. But I would just argue that at this time when we are facing a lot of challenges with respect to increased criminal activity that having the top decision maker in those offices is really critical.

And we need to urge the administration to move those people if they haven't been nominated, and Members of the Senate to approve them so that we can get people in place. So that we have got everybody on the ground that we need in order to address the challenges that we are facing when it comes to crime.

Senator MORAN. And may I make this bipartisan, please?

Senator SHAHEEN. Please do.

Senator MORAN. I will join the Chair in making the request of the administration. And I suppose the Senate, should they be nominated, act expeditiously to get us our U.S. attorneys which are absent in many places including my home State.

Senator SHAHEEN. Yes. Thank you. Thank you very much, Director Wray.

ADDITIONAL COMMITTEE QUESTIONS

Senator SHAHEEN. If there are no further questions this afternoon, Senators may submit additional questions for the official hearing record. We request the FBI's responses in 30 days.

And the subcommittee stands in recess subject to the call of the Chair. Thank you.

And with that, the subcommittee stands in recess.

SUBCOMMITTEE RECESS

[Whereupon, at 4:00 p.m., Wednesday, May 25, the subcommittee was recessed, to reconvene subject to the call of the Chair.]