

**Statement of the Honorable John Conyers, Jr. for the Forum Examining the
Impact of Government Shutdown and Sequestration
on the Provision of Justice**

**Tuesday, October 8, 2013, at 2:00 PM
2237 Rayburn House Office Building**

As we meet today, we are staring at both a financial and legal abyss resulting from the overlapping effects of an arbitrary budget sequester, a needless government shutdown, and a looming financial default. All of these actions can and should have been avoided.

The sequester could have been avoided with a commonsense long-term budget agreement – including taxes paid by the very wealthiest among us. The shutdown could be ended in a matter of hours if the Speaker would simply allow an up or down vote on a clean continuing resolution. And, as the president has repeatedly reminded us, the full faith and credit of the United States has no business being used as a political negotiating tool.

The financial impact of these events on the Department of Justice and the federal courts is grave and growing each and every day: The Department's funding was reduced last year by more than \$1.6 billion, which has hindered their efforts to combat violent crime, to fund critical grant programs like Community Oriented Policing Services and Violence Against Women, to pursue financial fraud, and to prevent terrorism. The FBI has been particularly hard hit – new agents are no longer being trained, investigations are not being opened on a timely basis, and criminal cases are being closed prematurely. We're even told that agents are not being reimbursed for putting gas in their cars.

The federal judicial system is being forced to curtail various programs that supervise individuals in the community awaiting trial and that monitor those who have served their time and subsequently are released from prison on parole. Because the Department of Labor is unable to accept or process various applications, high-tech companies cannot get engineers through the H-1B program, farmers cannot get needed farmworkers through the H-2A program, and other seasonal employers are blocked from obtaining H-2B workers.

Beyond these obvious impacts on funding and caseload, the sequester and shutdown are having an even more insidious effect on some of our nation's most sacred legal obligations: It is shocking irony that 50 years after the Supreme Court's landmark

decision in *Gideon v. Wainwright* – guaranteeing indigent criminal defendants the right to counsel – our nation is shirking this core constitutional commitment.

Last fiscal year the public defenders program incurred a 10% cut in needed funding resulting in over 17,000 furlough days. This year will be even worse, meaning there could be more wrongful convictions and greater expenses in the long term as appeals and retrials are processed.

At the same time, the needless shutdown is eviscerating our commitment to civil rights, with over 70% of the Justice Department's Civil Rights Division staff on furlough. That means the laws that protect the right to vote, protect access to fair housing, and prevent discrimination against the disabled are going largely unenforced.

We celebrated the 50th Anniversary of Dr. King's "I Have a Dream" speech this summer, but unfortunately there are some among us who are ignoring Dr. King's basic teachings of fairness and equality by allowing this fiscal impasse to continue. I believe our courts, as a co-equal branch of government and the crown jewel of our system of checks and balances, deserve better.

Indigent defendants did nothing to create this crisis, yet they are at risk of having their constitutional rights violated each and every day that this manufactured political crisis is allowed to fester.

The victims of rape and abuse may know little of the Tea Party and political ultimatums, but they are being victimized yet again by the mindless sequester and shutdown.

Today's forum is a vivid reminder that sequestration, shutdown, and default are not mere political games, but involve real people, with real costs. Some of the nation's leading experts on these critical issues are here to share their thoughts. I very much look forward to hearing from them.