

# United States Senate

WASHINGTON, DC 20510

November 5, 2024

The Honorable Michael E. Horowitz  
Inspector General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530

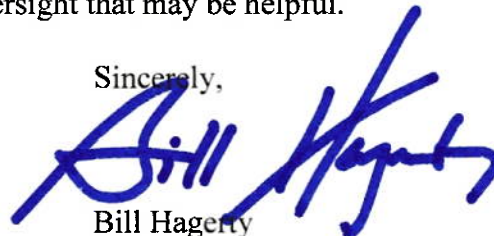
Dear Inspector General Horowitz:

As we move into a presidential transition period, I wrote to Attorney General Merrick Garland on November 4, 2024, to: (1) remind him of his statutory transfer-of-funds-authority and change-of-program requirements under the *Further Consolidated Appropriations Act, 2024* (Public Law 118-47), which were extended by the *Continuing Appropriations and Extensions Act, 2025* (Public Law 118-83), and which will continue to apply with the same force during the transition; and (2) reiterate that compliance with these requirements must be a priority for the outgoing administration, given the criminal and administrative consequences of failing to do so. (See attachment.)

I therefore request that, after January 20, 2025, your Office of the Inspector General submit a report to Congress to assess the extent to which the Department of Justice complied with these requirements under appropriations laws, including all instances in which the Department failed to comply.

As the Biden Administration works to transfer the power and authorities of the President of the United States and the Executive Branch in a timely, transparent, and lawful manner, adherence to these legal obligations is imperative. Please let me know if I can provide any additional information, assistance, or oversight that may be helpful.

Sincerely,



Bill Hagerty  
United States Senator

**CHATTANOOGA**  
JOEL W. SOLOMON  
FEDERAL BUILDING  
900 GEORGIA AVENUE  
SUITE 260  
CHATTANOOGA, TN 37402  
(423) 752-5337

**COOKEVILLE**  
L. CLURE MORTON  
FEDERAL BUILDING  
9 E BROAD ST  
3RD FL., SUITE 327  
COOKEVILLE, TN 38503  
(931) 400-7080

**JACKSON**  
ED JONES  
FEDERAL BUILDING  
111 S HIGHLAND AVE  
SUITE 216  
JACKSON, TN 38301  
(731) 234-9358

**KNOXVILLE**  
HOWARD H. BAKER, JR.  
U.S. COURTHOUSE  
800 MARKET STREET  
SUITE 112  
KNOXVILLE, TN 37902  
(865) 545-4253

**MEMPHIS**  
ODELL HORTON  
FEDERAL BUILDING  
167 NORTH MAIN STREET  
SUITE 1068  
MEMPHIS, TN 38103  
(901) 544-4224

**NASHVILLE**  
FRED D. THOMPSON  
FEDERAL BUILDING  
719 CHURCH STREET  
SUITE 2150  
NASHVILLE, TN 37203  
(615) 736-5129

**TRI-CITIES**  
TRI-CITIES REGIONAL  
AIRPORT  
2525 HIGHWAY 75  
SUITE 101  
BLOUNTVILLE, TN 37617  
(423) 325-6240

# United States Senate

WASHINGTON, DC 20510

November 4, 2024

The Honorable Merrick Garland  
Attorney General of the United States  
950 Pennsylvania Avenue NW  
Washington, D.C., 20530

Dear Attorney General Garland:

As we move into a presidential transition period, I write today to remind you of your statutory transfer-of-funds-authority and change-of-program requirements under the *Consolidated Appropriations Act, 2024* (Public Law 118-42), which will continue to apply with the same force during the transition. Compliance with these requirements must be a priority for the outgoing administration, given the criminal and administrative consequences of failing to do so.

As you know, the federal government is currently operating on a continuing resolution, the *Continuing Appropriations and Extensions Act, 2025* (Public Law 118-83), which extends the requirements of Public Law 118-42 through December 20, 2024. The appropriations acts in Public Law 118-42 contain numerous limitations on transferring funds or altering programs or activities, including but not limited to Section 205 of Division C, which details very specific instructions and limitations regarding transfers of funds between agencies and accounts not otherwise permitted by applicable appropriations laws, and Section 505 of Division C, which contains very specific notification requirements should you or the Department make any changes to programs, projects, or activities or engage in any reprogramming of funds.

Federal law requires compliance with these requirements. The *Antideficiency Act*, 31 U.S.C. §§ 1341 and 1517, prohibits federal employees from obligating or expending federal funds in violation of appropriations laws. Federal employees who violate the *Antideficiency Act* are subject to both administrative and criminal sanctions, including suspension from duty without pay, removal from office, and fines, imprisonment, or both.

As the Biden Administration works to transfer the power and authorities of the President of the United States and the Executive Branch in a timely, transparent, and lawful manner, adherence to these legal obligations is imperative. Please let me know if I can provide any additional information, assistance, or oversight that may be helpful.

Sincerely,



Bill Hagerty  
United States Senator

CHATTANOOGA  
JOEL W. SOLOMON  
FEDERAL BUILDING  
900 GEORGIA AVENUE  
SUITE 260  
CHATTANOOGA, TN 37402  
(423) 752-5337

COOKEVILLE  
L. CLURE MORTON  
FEDERAL BUILDING  
9 E BROAD ST  
3RD FL., SUITE 327  
COOKEVILLE, TN 38503  
(931) 400-7080

JACKSON  
ED JONES  
FEDERAL BUILDING  
111 S HIGHLAND AVE  
SUITE 216  
JACKSON, TN 38301  
(731) 234-9358

KNOXVILLE  
HOWARD H. BAKER, JR.  
U.S. COURTHOUSE  
800 MARKET STREET  
SUITE 112  
KNOXVILLE, TN 37902  
(865) 545-4253

MEMPHIS  
ODELL HORTON  
FEDERAL BUILDING  
167 NORTH MAIN STREET  
SUITE 1068  
MEMPHIS, TN 38103  
(901) 544-4224

NASHVILLE  
FRED D. THOMPSON  
FEDERAL BUILDING  
719 CHURCH STREET  
SUITE 2150  
NASHVILLE, TN 37203  
(615) 736-5129

TRI-CITIES  
TRI-CITIES REGIONAL  
AIRPORT  
2525 HIGHWAY 75  
SUITE 101  
BLOUNTVILLE, TN 37617  
(423) 325-6240

cc: **The Honorable Patty Murray, Chair, Committee on Appropriations, United States Senate**  
**The Honorable Susan Collins, Vice Chair, Committee on Appropriations, United States Senate**  
**The Honorable Tom Cole, Chairman, Committee on Appropriations, United States House of Representatives**  
**The Honorable Rosa DeLauro, Ranking Member, Committee on Appropriations, United States House of Representatives**  
**The Honorable Shalanda D. Young, Director, Office of Management and Budget**  
**The Honorable Gene L. Dodaro, Comptroller General of the United States**