

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS FOR 2015

HEARINGS BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS HOUSE OF REPRESENTATIVES ONE HUNDRED THIRTEENTH CONGRESS SECOND SESSION

SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

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JOHN ABNEY CULBERSON, Texas

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NOTE: Under Committee Rules, Mr. Rogers, as Chairman of the Full Committee, and Mrs. Lowey, as Ranking Member of the Full Committee, are authorized to sit as Members of all Subcommittees.

MIKE RINGLER, JEFF ASHFORD, LESLIE ALBRIGHT,

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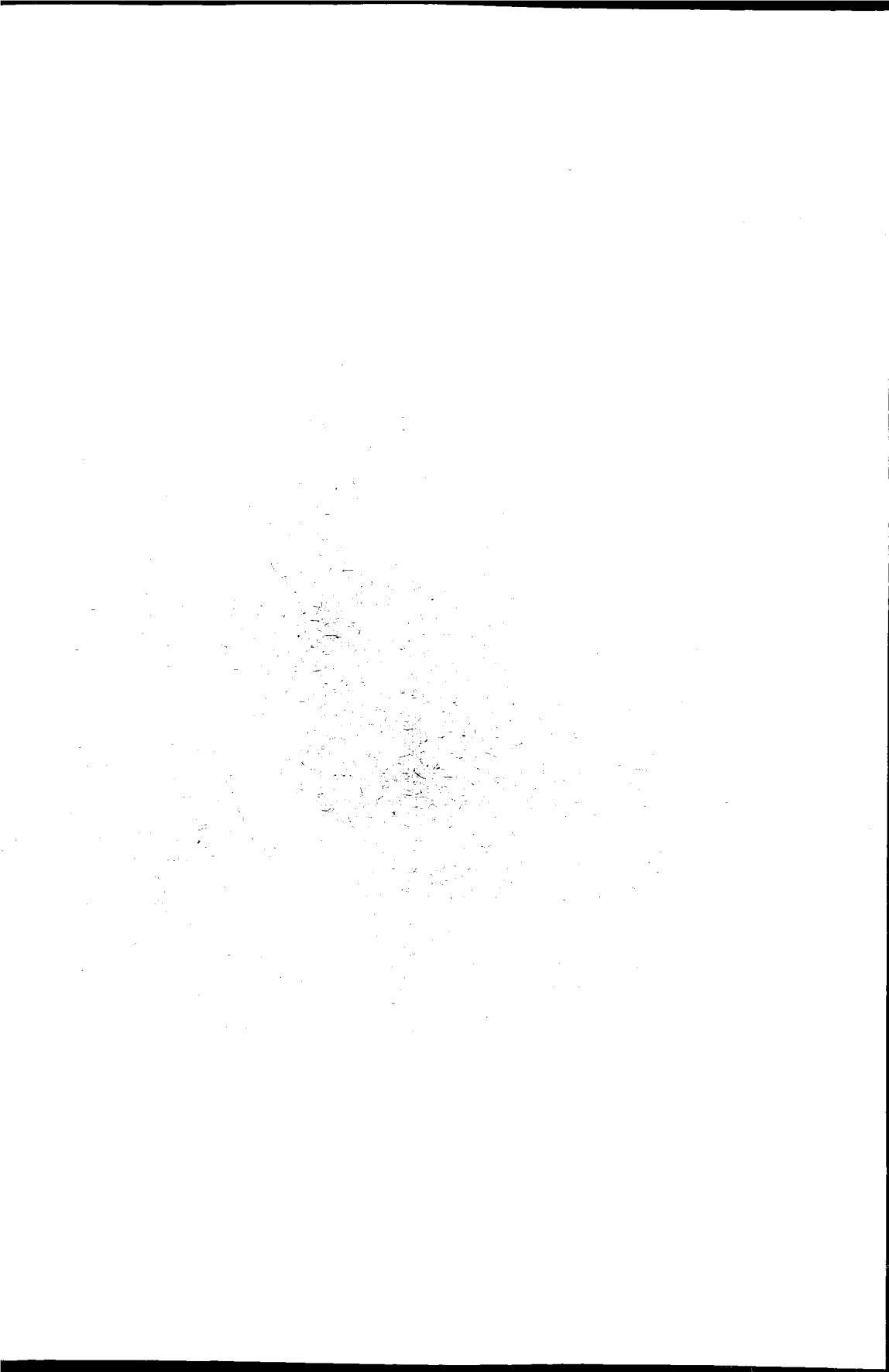
PART 2A

DEPARTMENT OF JUSTICE

Justification of the Budget Estimates



Printed for the use of the Committee on Appropriations



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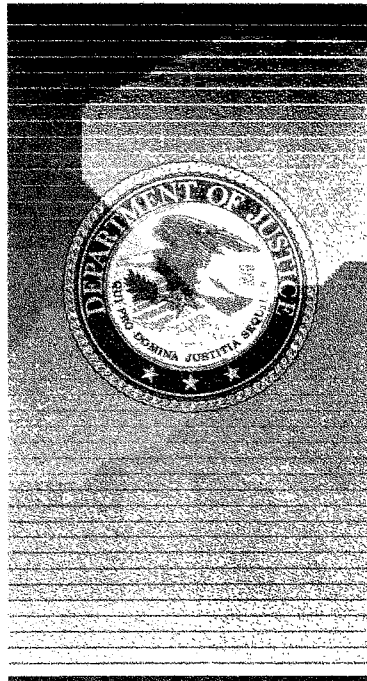
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BUDGET AND PERFORMANCE SUMMARY

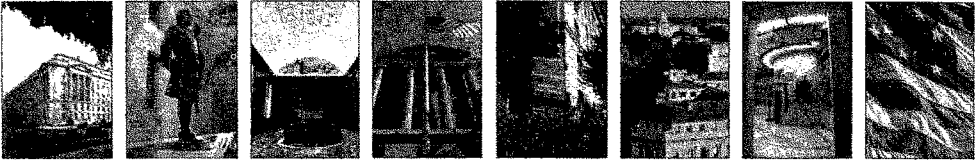
FISCAL YEAR 2015



U.S. DEPARTMENT OF JUSTICE
WWW.JUSTICE.GOV

DEPARTMENT OVERVIEW

www.justice.gov



HISTORY AND ENABLING LEGISLATION

The Department of Justice, often referred to as the largest law office in the world, began in 1789 with a staff of two: the Attorney General and a clerk. The Judiciary Act of 1789 created the Office of the Attorney General, providing for the appointment of "a person, learned in the law, to act as attorney-general for the United States." By 1870, the duties of the Office of the Attorney General had expanded so much that Congress adopted "An Act to establish the Department of Justice." As its head, the Attorney General is the chief litigator and the chief law enforcement officer of the United States.

MISSION

The Department of Justice serves to enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.

STRATEGIC GOALS

- GOAL I:** Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law
- GOAL II:** Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law
- GOAL III:** Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal, and International Levels

LOCATION

The Department is headquartered in Washington, DC, at the Robert F. Kennedy Building, occupying a city block bounded by 9th and 10th Streets and Pennsylvania and Constitution Avenues, NW. The Department also has field offices in all states and territories and maintains offices in over 100 countries worldwide.

COMPONENT ORGANIZATIONS

Attorney General
Deputy Attorney General
Associate Attorney General
Antitrust Division (ATR)
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
Bureau of Prisons (BOP)
Civil Division (CIV)
Civil Rights Division (CRT)
Community Oriented Policing Services (COPS)
Community Relations Service (CRS)
Criminal Division (CRM)
Drug Enforcement Administration (DEA)
Environment & Natural Resources Division (ENRD)

Executive Office for Immigration Review (EOIR)
Executive Office for Organized Crime Drug Enforcement Task Forces (OCDETF)
Executive Office for U.S. Attorneys (EOUSA)
Executive Office for U.S. Trustees (UST)
Federal Bureau of Investigation (FBI)
Foreign Claims Settlement Commission (FCSC)
INTERPOL Washington (IPOL)
Justice Management Division (JMD)
National Security Division (NSD)
Office of Information Policy (OIP)
Office of Legal Counsel (OLC)
Office of Legal Policy (OLP)
Office of Legislative Affairs (OLA)
Office of the Inspector General (OIG)

Office of the Pardon Attorney (OPA)
Office of Justice Programs (OJP)
Office of Professional Responsibility (OPR)
Office of Public Affairs
Office of the Solicitor General (OSG)
Office of Tribal Justice (OTJ)
Office on Violence Against Women (OVW)
Professional Responsibility Advisory Office (PRAO)
Tax Division (TAX)
U.S. Attorneys (USAO)
U.S. Marshals Service (USMS)
U.S. Parole Commission (USPC)

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I. Summary of Request and Performance

U.S. DEPARTMENT OF JUSTICE OVERVIEW

Organization: Led by the Attorney General, the Department of Justice (DOJ or the Department) is comprised of approximately 40 components that have a broad array of national security, law enforcement, and criminal justice system responsibilities. DOJ prosecutes federal law offenders and represents the U.S. Government in court; its attorneys represent the rights and interests of the American people and enforce federal criminal and civil laws, including antitrust, civil rights, environmental, and tax laws; its Immigration Judges ensure justice for immigrants in removal proceedings; its special agents investigate organized and violent crime, illegal drugs, gun and explosives violations; its deputy marshals protect the federal judiciary, apprehend fugitives and transport persons in federal custody; and its correctional officers confine convicted federal offenders. DOJ also provides grants and training to state, local, and tribal law enforcement partners and brings together national security, counterterrorism, counterintelligence, and foreign intelligence surveillance operations under a single authority.

Thomas Jefferson wrote, "The most sacred of the duties of government [is] to do equal and impartial justice to all its citizens." This sacred duty to fulfill the promise of justice for all remains the guiding ideal for the men and women of the Department in carrying out their mission:

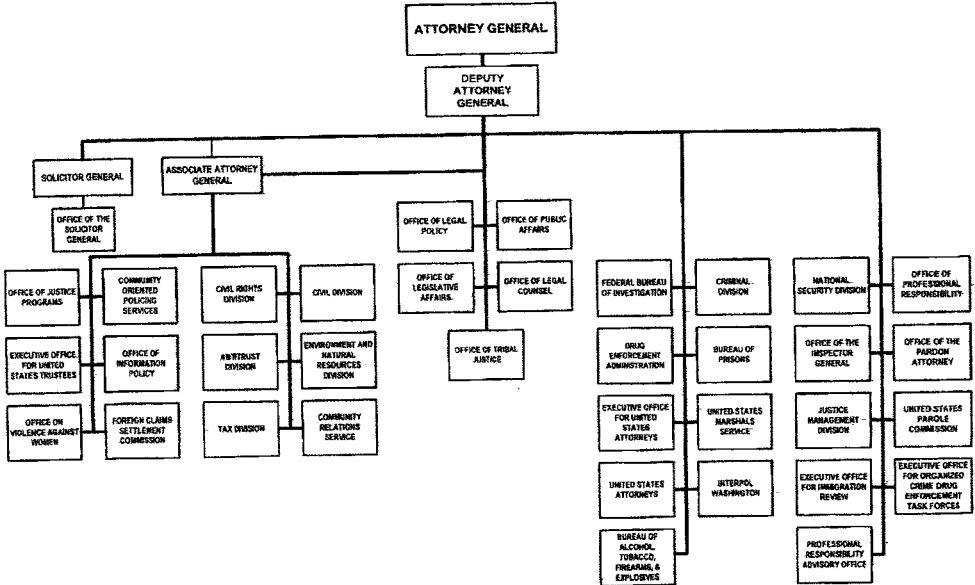
"To enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans."

Statutory Authority: The Judiciary Act of 1789, ch. 20, sec. 35, 1 Stat. 73, 92-93 (1789) created the Office of the Attorney General. In 1870, after the post-Civil War increase in the amount of litigation involving the United States necessitated the very expensive retention of a large number of private attorneys to handle the workload, a concerned Congress passed the Act to Establish the Department of Justice, ch. 150, 16 Stat. 162 (1870) setting it up as "an executive department of the government of the United States" with the Attorney General as its head. The Act gave DOJ control over all criminal prosecutions and civil suits in which the United States had an interest. In addition, the Act gave the Attorney General and the Department control over federal law enforcement, establishing the Attorney General as the chief law enforcement officer of the Federal Government. Finally, to assist the Attorney General, the Act created the Office of the Solicitor General.

The Act is the foundation upon which DOJ still rests. However, the structure of the Department has changed and expanded over the years, with the addition of the Deputy Attorney General and the Associate Attorney General, as well as the formation of the components. Unchanged is the steadily increasing workload of the Department. It has become the world's largest law office and the central agency for enforcement of federal laws.

Organization Chart:

U.S. DEPARTMENT OF JUSTICE



Approved by

ERIC H. HOLDER, JR.
Attorney General

Date: 11/26/12

More information may be found at: www.justice.gov/agencies/index-list.html



U.S. Department of Justice

FY 2015 Budget Request At A Glance Discretionary Budget Authority

FY 2014 Enacted:	\$27.3 billion (116,208 positions)
FY 2015 Budget Request:	\$27.4 billion (116,788 positions)
Change from FY 2014 Enacted:	0.4% (580 positions)

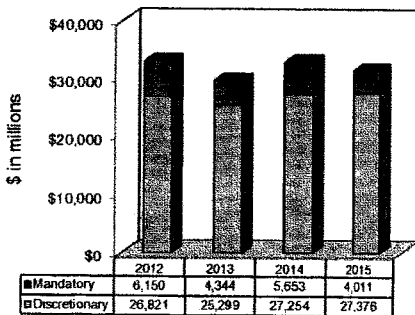
Resources:

The DOJ FY 2015 Budget totals \$27.4 billion in discretionary budget authority, which is 0.4% above the FY 2014 Enacted level. The FY 2015 DOJ Budget delineated by category is: law enforcement (48%); litigation (12%); prisons and detention (31%); administration/technology/other (1%); and grants (8%). In addition, DOJ estimates receiving \$4.3 billion in mandatory budget authority in FY 2015.

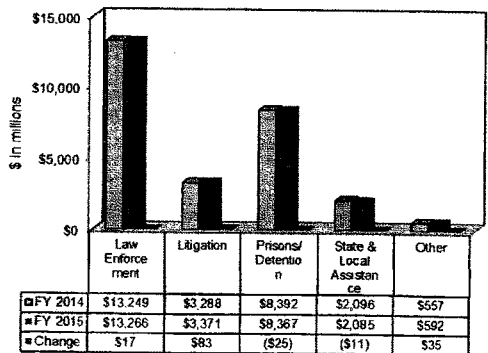
Personnel:

DOJ's FY 2015 request includes 116,788 positions (direct only), which is an increase of 580 positions over the FY 2014 Enacted level. This staffing level is comprised of: Agents (23,788 or 20%); Attorneys (9,915 or 8%); Correctional Officers (20,911 or 18%); Intelligence Analysts (4,232 or 4%); and Other (56,932 or 50%). "Other" captures administrative, clerical, analysts, information technology (IT) specialists, legal services, and security specialists.

Funding (FY 2012 – 2015)



Budget by Category



FY 2015 BUDGET SUMMARY

The Department's FY 2015 Discretionary Budget request totals \$27.4 billion, including \$25.3 billion for federal programs and \$2.1 billion for state, local, and tribal assistance programs. The FY 2015 Budget maintains a strong commitment to the Attorney General's four core priorities: safeguarding national security/counterterrorism, reducing violent crime, prosecuting financial fraud, and protecting vulnerable populations.

The Department recognizes the need for fiscal constraint, and we have focused our resources on priority initiatives. We have proven we can do more with less – as evidenced by our national security and law enforcement achievements, our significant collections (\$8 billion in civil and criminal payments in FY 2013, not including Assets Forfeiture Fund receipts), and our continued ability to demonstrate a significant return on investment. However, between January 2011 and December 2013, the Department declined by more than 4,000 staff due to sequestration and managed hiring efforts, but was able to protect critical components like the Bureau of Prisons (BOP) against hiring reductions. To sustain and augment past successes, we must return to hiring in all areas. Building on the funds provided in the FY 2014 Consolidated Appropriations Act, the FY 2015 Budget provides additional resources that are vital to thwart sophisticated adversaries, protect our citizens from gun crime and other violence, and maintain safe operations throughout the federal prison system.

The FY 2015 Budget recognizes the multi-faceted nature of the Department's work and outlines spending priorities for critical mission areas, including the Attorney General's *Smart on Crime* and the President's gun safety initiatives. Key increases totaling \$109 million are proposed for federal programs, in addition to critical targeted investments to sustain on-going efforts. The request also provides strong support for our state, local, and tribal partners. Consistent with the Department's efforts to be fiscally responsible, the new investments are partially balanced with proposed offsets and rescissions totaling over \$690 million for federal programs.

We must safeguard our communities and continue to be both tough and smart on crime. The Department's FY 2015 Budget builds on the great work being done across the country to reduce violent crime and reform our criminal justice system. The Department's goal is to hone a federal system that more efficiently and effectively deters crime and reduces recidivism, and that is also consistent with the Nation's commitment to treating all Americans as equal under the law. Indigent defense, juvenile justice programs, justice reinvestment programs, and surges to combat violent crime illustrate a few areas of FY 2015 Budget investment that support the *Smart on Crime* initiative.

Funding Highlights:

- **Discretionary Authority** – Allows the Department to continue its trajectory back towards fiscal and operational health and provides a net increase of \$122 million over the FY 2014 Enacted level.
- **Current Services** – Prioritizes adequate funding to cover the Department's current operations by investing \$812 million in adjustments to "keep the lights on," pay staff, and fill essential position vacancies.
- **National Security** – Invests a total of \$4.0 billion in direct funding, plus approximately \$378 million in reimbursable resources, to maintain critical counterterrorism and counterespionage programs and sustain intelligence gathering and surveillance capabilities. The FY 2015 Budget proposes enhancements totaling \$15 million to support the Department's efforts in these areas.
- **Gun Safety** – Supports the Administration's plans to reduce gun violence by investing a total of \$1.1 billion in federal and grant programs, which includes \$182 million in support of the "Now is the Time" initiative.

	(\$000)
2014 Enacted	\$27,254,526
Technical and Base Adjustments	+811,524
2015 Current Services	\$28,066,050
Federal Program Increases:	+109,217
<i>National and Cyber Security</i>	+17,580
<i>Legal Activities</i>	+54,311
<i>Prisons and Detention</i>	+31,791
<i>Other DOJ Priorities</i>	+5,535
Federal Program Offsets and Balance Rescissions:	-690,516
<i>Subtotal, Federal Programs Net Change:</i>	-581,299
Grant Programs Net Change:	-108,500
2015 DOJ REQUEST	\$27,376,251

- **Improve the Way Federal Dollars are Spent** – Invests a total of \$173 million to support the Attorney General's *Smart on Crime* initiative, which is intended to promote fundamental reforms to the criminal justice system that will ensure the fair enforcement of federal laws, improve public safety, and reduce recidivism by successfully preparing inmates for their re-entry into society. The FY 2015 Budget also requests an additional \$2 million to develop new multidisciplinary program evaluation and policy analysis capability within the Department, which will strengthen the analysis of potential policy options and help ensure federal dollars are spent effectually.
- **Cyber Security** – Invests a total of \$722 million, including \$3 million in federal program enhancements, to support efforts to combat and keep pace with increasingly sophisticated and rapidly evolving cyber threats.
- **Mutual Legal Assistance Treaty (MLAT) Process Reform** – Invests an additional \$24 million to centralize and enhance the Department's ability to more rapidly respond to the MLAT requests from foreign partners as well as address the current backlog of pending MLAT requests.
- **Civil Rights** – Invests a total of \$273 million to help meet the Nation's civil rights challenges. The FY 2015 Budget proposes enhancements of \$8 million to support the Department's enforcement of federal civil rights laws, including human trafficking, hate crimes, police misconduct, disability rights, and voting rights.
- **Enforce Immigration Laws** – Invests a total of \$2.9 billion to sustain the Department's substantial responsibilities in respect to immigration. The FY 2015 Budget requests enhancements totaling \$23 million. The Department requests 35 new Immigration Judge Teams and Board of Immigration Appeals (BIA) attorneys to process the increasing workload and improve the efficiency of the immigration program overall. In addition, the FY 2015 Budget supports improved immigration court proceedings for detained aliens and provides funding for counsel to vulnerable populations, such as unaccompanied alien children.
- **Prisons and Detention** – Requests a total of \$8.5 billion to maintain secure, controlled, criminal detention and prison facilities for federal prisoners and invests in programming to reduce recidivism. In addition, the FY 2015 Budget proposes to rescind \$122 million in prior year detention balances that are available due to a lower than projected detention population in FY 2013.
- **State, Local, and Tribal Law Enforcement Assistance** – Assists state, local, and tribal law enforcement programs with \$3 billion, including \$2.1 billion in discretionary budget authority and \$891 million in mandatory budget authority. The total request includes \$2.3 billion for the Office of Justice Programs (OJP); \$248 million for the Office of Community Oriented Policing Services (COPS); and \$410 million for the Office on Violence Against Women (OVW).
- **Opportunity, Growth, and Security Initiative** – The FY 2015 Budget meets the cap levels set by the Bipartisan Budget Act of 2013, but also proposes a fully paid for Initiative that would raise the FY 2015 discretionary cap government-wide. In addition to the Department's \$27.4 billion request, the FY 2015 Budget proposes additional discretionary investments for the Justice Department. The Opportunity, Growth, and Security Initiative includes targeted investments for state and local justice assistance grants, with additional resources for the Comprehensive School Safety Program, the COPS Hiring Program, and a new youth investment initiative that will incentivize state efforts to increase the availability of alternatives to incarceration, re-enroll youth back into school after confinement, and reduce ethnic and racial disparities in the juvenile justice system; funding for the BOP for infrastructure and personnel to continue the process of bringing on-line newly completed or acquired prisons and thereby reducing prison overcrowding; and funding for improved capacity for financial fraud enforcement at the Department, including hiring additional criminal prosecutors, civil litigators, investigators, and forensic accountants.

Discretionary Budget Authority (BA)

The table below displays the Department's FY 2013 Enacted (post-sequestration) level, FY 2014 Enacted level, and the FY 2015 request. The table shows the dollar and percent change between the FY 2014 Enacted level and FY 2015 request.

	Dollars in Millions				
	FY 2013 Enacted	FY 2014 Enacted	FY 2015 Request	Change FY 2015 over FY 2014	% Change FY 2015 over FY 2014
Federal Programs					
Law Enforcement Components	\$12,119	\$13,249	\$13,266	\$17	0.1%
Litigating Components	3,104	3,288	3,371	84	2.5%
Admin/Technology/Other	528	557	592	35	6.3%
Prisons and Detention	7,898	8,392	8,367	-25	-.03%
Subtotal, Federal Programs (BA)	\$23,650	\$25,486	\$25,597	\$111	0.4%
State and Local Grants	1,987	2,096	2,085	-11	-0.5%
Subtotal, Discretionary BA w/o Mandatory Savings	\$25,637	\$27,582	\$27,681	\$99	0.4%
Fees (Antitrust and U.S. Trustee Program)	-338	-327	-305	22	-6.8%
Subtotal, Discretionary BA with Fees and w/o Mandatory Savings	\$25,229	\$27,254	\$27,376	\$122	0.4%
Scorekeeping Credits ²	-9,947	-10,135	-10,719	-584	5.7
Total, Net Discretionary (BA)	\$15,352	\$17,120	\$16,657	-\$463	-2.7%

¹ The FY 2013 level includes two across the board rescissions (1.877 percent and 0.2 percent) and the sequester reduction of \$1.5 billion to discretionary budget authority. The FY 2013 level excludes the \$21 million provided in the FY 2013 Disaster Assistance Supplemental (P.L. 113-2).

² Scorekeeping, or "Mandatory Savings," reflects credits applied to DOJ's discretionary budget authority from the Crime Victims Fund (CVF) and the Assets Forfeiture Fund (AFF). For FY 2015, the CVF credit estimate is \$10.5 billion, an increase of \$1.3 billion from the FY 2014 level of \$9.4 billion, and the AFF credit estimate is \$193 million, which is \$109 million over the FY 2014 level. In addition, the Bipartisan Budget Act of 2013 (P.L. 113-67) permanently cancels \$693 million in AFF balances in FY 2014.

MAINTAIN CURRENT SERVICES

The FY 2015 request includes \$812 million in adjustments to "keep the lights on," pay staff, and fill essential position vacancies. The FY 2015 request includes the following changes from the FY 2014 level:

People +\$414 million

- \$98 million to cover the 1.0 percent government-wide civilian pay raise proposed to begin January 2015 for approximately 116,000 positions and \$31 million to annualize the FY 2014 pay raise
- \$200 million to cover the Federal Employees' Retirement System rate increase and \$24 million for other retirement related increases
- \$30 million to annualize positions added in FY 2014
- \$31 million for health insurance and other pay-related adjustments

Rent and Moves +\$103 million

- \$52 million for domestic rent and security increases; includes funding for rent rate increases in federal buildings due to the General Services Administration's new appraisal methodology
- \$51 million for moves resulting from lease expirations

Technical/Other Adjustments +172 million

- \$127 million for technical adjustments for the restoration of one-time rescissions enacted in FY 2014
- \$12 million for legacy radio operations and maintenance and for Spectrum Relocation operations and maintenance
- \$0.4 million for electronic case filing (Public Access to Court Electronic Records (PACER))
- \$11 million to convert certain General Administration reimbursable positions to direct positions and cover other base adjustments
- \$22 million for Antitrust and U.S. Trustee Program fee adjustments

Foreign Expenses +52 million

- \$10 million for increased costs of DOJ employees in U.S. embassies and consulates
- \$42 million for Capital Security Cost Sharing

Prisons and Detention +\$103 million

- \$72 million for marginal increases for prison operations, including inmate care, medical costs, food costs, and utilities to support the projected inmate population

- \$30 million for marginal increases in jail day costs in support of the average daily detention population

Non-Recurring Decreases -\$32 million

- -\$16 million Federal Bureau of Investigation (FBI) non-recurrence of prior year construction and equipment costs related to the Terrorist Explosive Device Analytical Center (TEDAC)
- -\$16 million FBI non-recurrence of non-personnel costs related to the FY 2014 enhancement for the National Instant Criminal Background Check System (NICS)

The key program funding requested in the Department's FY 2015 Budget is as follows:

NATIONAL SECURITY

Defending national security from both internal and external threats remains the Department's highest priority. National security threats are constantly evolving, requiring additional resources to adapt to those threats and address new critical areas. The FY 2015 Budget request provides a total of \$4.0 billion in direct funding, plus approximately \$378 million in reimbursable funding, to maintain critical counterterrorism, counterespionage, intelligence collection, and oversight programs, and sustain recent increases that support national security investigations.

The FBI uses intelligence and investigations to combat national security threats and protect and defend the United States against terrorism and foreign intelligence threats. In FY 2013, the FBI dedicated approximately 4,500 agents to investigate more than 18,000 national security cases. In FY 2015, a \$15 million program increase for salaries and expenses is requested to fund the cost for operations and maintenance of the FBI's new TEDAC facility at Redstone Arsenal in Huntsville, AL, which will become operational in late 2014. TEDAC provides direct support to U.S. Government efforts to prevent and mitigate Improvised Explosive Device attacks both in the United States and abroad. It has provided critical assistance to domestic and international cases, including the Boston Marathon bombing.

The National Security Division (NSD) is responsible for overseeing terrorism investigations and prosecutions; handling counterespionage cases and matters; and assisting the Attorney General and other senior Department and Executive Branch officials in ensuring that the national security-related investigations and activities of the United States are consistent with the Nation's laws, rules, and regulations, including those that protect privacy interests and civil

liberties. In coordination with the FBI, the Intelligence Community, and the U.S. Attorneys' Offices (USAOs), the NSD's primary operational functions are to prevent acts of terrorism and espionage inside the United States and to facilitate the collection of information regarding the activities of foreign powers and their agents.

In FY 2015, NSD will dedicate 383 positions (including 249 attorneys) to counterterrorism, counterespionage, and intelligence collection efforts, including efforts to combat cyber threats to our Nation's security.

GUN SAFETY

Gun violence has touched every state, county, city, and town in America, and addressing gun violence remains a high priority for the Department. To that end, after 7 years with no permanent director, the Department now has the first-ever Senate-confirmed Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to help lead the effort to address violent crime and enhance gun safety. The new ATF Director, in addition to other senior Department leaders, has worked with the Administration to formulate concrete, common-sense proposals for reducing gun violence and preventing future tragedies.

In 2013, the Administration proposed a range of legislative remedies – along with 23 executive actions – to address mass shootings and reduce gun violence. The Justice Department is working to implement a number of these actions and requests a total of \$1.1 billion in FY 2015 to address violent gun crimes, which includes \$182 million to support the President's "Now is the Time" initiative. Of the total \$1.1 billion, \$1.0 billion in federal law enforcement resources allows the Department to ensure those who are not eligible to purchase or possess guns are prevented from doing so, and \$147 million is to help state and local governments continue to implement the Administration's proposals for increasing firearms safety and supporting programs that help keep communities safe from mass casualty violence.

In support of enhancing gun safety, the Department has been working to strengthen the national background check system. For example, in January 2014, the Department proposed a rule to clarify the definition of persons prohibited from receiving, possessing, shipping, or transporting firearms for mental health reasons. Additionally, the Department is working to strengthen national background checks by addressing gaps in the federal and state records currently available in NICS. Incomplete or insufficient records significantly hinder the ability of NICS to quickly confirm whether a prospective purchaser is

prohibited from acquiring a firearm. In FY 2015, the Department requests a total of \$55 million in grant funding to further assist states in making more records available in NICS and improving the National Criminal History Improvement Program, and an increase of \$13 million for the FBI to maintain the substantial improvements made to NICS in FY 2014.

The Department is also taking a hard look at our federal laws and our enforcement priorities to ensure that we are doing everything possible at the federal level to keep firearms away from traffickers and other criminals. To support the enforcement of federal laws, the Department is requesting an increase of \$22 million for ATF, which will allow it to sustain and enhance the firearms enforcement and inspection efforts funded in FY 2014. Sustaining the Department's capabilities in this area and protecting recently enacted critical investments is of significant interest.

Beyond keeping guns out of the wrong hands, we also want to help those on the ground prevent and mitigate violent situations when they do occur. To this end, OJP, with the support of the FBI, will be providing a specialized training course for active shooter situations for law enforcement officers, first responders, and school officials. The Department is requesting a total of \$15 million to support this training and other officer safety initiatives. Further, to prevent future tragedies, the Department is also requesting \$75 million in grant funding to the Comprehensive School Safety Program, which was funded for the first time in FY 2014.

The Budget includes \$2 million for OJP to support the Administration's challenge to the private sector to develop innovative and cost-effective gun safety technology. The funding for this initiative will provide prizes for those technologies that are proven to be reliable and effective. This will be funded from OJP's 2 percent research set-aside.

CYBER SECURITY

Cybercrimes are becoming more common, more sophisticated, and more dangerous. Our adversaries increasingly use computers and the Internet to further their illicit activities. Terrorists seek to sabotage critical infrastructure; organized crime syndicates seek to defraud banks and corporations; and spies seek to steal defense and intelligence secrets and intellectual property. Each threatens our Nation's economy and security.

The Department has a unique and critical role in cyber security that emphasizes domestic mitigation of threat actors and involves countering the threat by investigating and prosecuting

intrusion cases, gathering intelligence in support of nation state attribution, and providing legal and policy support to other departments. The Department is also responsible for establishing effective internal network defense and serving as a model for other departments and agencies.

The Department is committed to carrying out its role consistent with the Administration's Executive Order on *Improving Critical Infrastructure Cybersecurity*, which emphasizes intelligence and information sharing as well as the preservation of privacy, data confidentiality, and civil liberties. One of the most important aspects of the Executive Order is its emphasis on improving government mechanisms for providing timely cyber threat information to the private sector so it may better protect and defend itself against cyber threats. Under the Executive Order, each federal department and agency is also required to develop and implement privacy and civil liberties safeguards in concert with its cyber security activities.

The Department's FY 2015 Budget provides a total of \$722 million to address computer intrusions and cybercrimes and defend the security of the Department's critical information networks. This request includes an increase of \$5 million to provide grants related to cyber crime and intellectual property enforcement and \$3 million for the Criminal Division to bolster prosecutorial efforts and its ability to investigate cybercrime.

For the FBI and NSD, the budget request continues the advances established in the FY 2014 Enacted appropriation, which provided resources to bolster prosecutorial efforts, enhance the technical capabilities of FBI investigative personnel, increase the number of cyber investigations, and improve cyber collection and analysis.

Lastly, the Department continues to maintain and strengthen its own cyber security environment to counter cyber threats, including insider threats, and to ensure its personnel have unimpeded access to the IT systems, networks, and data necessary to achieve their missions. The Department has made significant investments to implement network security best practices and upgrade technology. Our work in this area prepares us to fulfill our cyber security responsibilities during a cyber-event and establishes the Department as a model of effective and efficient network defense.

MUTUAL LEGAL ASSISTANCE TREATY PROCESS REFORM

Crime and the evidence of criminal activity transcend national boundaries, requiring the United States and its foreign partners to

cooperate in the provision of evidence and the extradition of persons. Mutual Legal Assistance Treaty (MLAT) requests are the formal way in which countries request assistance in obtaining evidence located in a foreign country for criminal investigations and proceedings located in another country. Delays and difficulties in obtaining evidence, especially internet records, through the MLAT process is increasingly becoming a source of frustration for many of our foreign partners.

Continued delays in producing this type of information for our foreign partners could result in significant and adverse consequences, including – but not limited to – reducing their compliance with U.S.-initiated MLAT requests and their cooperation with U.S. law enforcement agencies, thus hampering our ability to investigate crime and to prosecute criminals. These treaties are a critical tool in the investigation and prosecution of crime. Pursuant to the President's commitment, the Department is leading an effort to update, improve, and accelerate the handling of requests from foreign governments for evidence requested pursuant to MLATs.

Over the past decade the number of requests for assistance from foreign authorities handled by the Criminal Division's Office of International Affairs (OIA) has increased nearly 60 percent, and the number of requests for computer records has increased ten-fold. While the workload has increased dramatically, U.S. Government resources, including personnel and technology, have not kept pace with this increased demand. This MLAT reform is a cross-agency effort involving the Departments of Justice, State, and Commerce. Funds identified in the FY 2015 President's Budget for improvements to the MLAT program will be coordinated across these Departments and agencies as well as the commercial sector.

The Department's FY 2015 Budget requests an additional \$24 million for the Department to significantly increase personnel dedicated to reviewing and executing MLAT requests as well as technological enhancements to vastly improve the way requests are analyzed, categorized, and prioritized. With these additional resources, the Department will implement a robust centralized processing system, reduce backlog, and reduce its response time by half by the end of 2015 and respond to legally sufficient requests in a matter of weeks. Additionally, the resources will support training efforts for foreign partners to ensure they can meet U.S. evidentiary standards which will enable the Department to respond to their requests more quickly.

In his January 17 speech on the review of signals intelligence, the President stated that he "will devote the resources to centralize and improve

the process we use to handle foreign requests for legal assistance, keeping our high standards for privacy while helping foreign partners fight crime and terrorism." The requested funding will support the President's National Security Strategy, which recognizes the centrality of international mutual cooperation in criminal justice and counterterrorism matters, by building the "new framework for international cooperation." Moreover, the Department will be better able to keep pace with changing demographic and technological trends, keeping the U.S. safer and ensuring that justice is served both domestically and by our foreign partners.

CIVIL RIGHTS

The Department's mission is to uphold the civil and constitutional rights of all Americans, particularly the most vulnerable members of our society. Accomplishing this requires necessary resources both to investigate and to litigate. The Department's civil rights efforts include the Civil Rights Division, Community Relations Service (CRS), Criminal Division, FBI, INTERPOL-Washington, OJP, Office of the Inspector General, and the USAOs.

The Department maintains substantial responsibilities with respect to enforcing the Nation's civil rights laws and protecting vulnerable populations. The FY 2015 Budget will support the Department's vigorous enforcement of federal civil rights laws – including the areas of human trafficking, hate crimes, police misconduct, fair housing, fair lending, disability rights, and voting. As such, the DOJ FY 2015 Budget requests a total of \$273 million to help meet the Nation's civil rights challenges. The request includes an additional \$8 million in program increases for the Civil Rights Division and CRS.

For the Civil Rights Division, the FY 2015 Budget request includes \$7 million for programs that require further investment, such as human trafficking, hate crimes, voting rights enforcement, and enforcement of the Civil Rights for Institutionalized Persons Act. In addition, funds are requested to expand civil and criminal enforcement efforts in combating police misconduct.

For the CRS, the Budget includes an increase of \$257,000 to support an expansion in workload and responsibilities related to the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (HCPA). The HCPA has greatly expanded the CRS's mandate, requiring the CRS to help communities prevent and respond to violent hate crimes committed on the basis of gender, gender identity, sexual orientation, religion, and disability in addition to race, color, and national origin. The additional resources will

maximize the CRS's crisis response across the entire United States and enable it to fulfill both its original mandate and expanded mandate under the HCPA.

FINANCIAL FRAUD LAW ENFORCEMENT

The Department remains committed to investigating and punishing financial and mortgage fraud. Fraud harms the American people and the financial markets, and fraudulent misconduct may have contributed to the worst economic crisis in recent history. With its criminal and civil enforcement tools, the Department plays a crucial role in the ongoing efforts to hold wrongdoers accountable. Fraud cases are complex matters that can take years to investigate and prosecute. From FY 2009 to FY 2013, the Justice Department filed 15,900 financial fraud cases against 23,800 defendants including nearly 4,000 mortgage fraud defendants.

The FY 2015 Budget requests a total of \$681 million for economic fraud law enforcement. These resources are critical to supporting the Department's investigation and prosecution of the broad range of illegal conduct that falls under the definition of financial fraud, including securities and commodities fraud, investment scams, and mortgage foreclosure schemes. The resources will support the President's Financial Fraud Enforcement Task Force (FFETF) that, since its inception in FY 2010, has facilitated increased investigations and prosecutions of financial fraud relating to the financial crisis and economic recovery efforts. The resources will also support the continuing work of the Residential Mortgage-Backed Securities (RMBS) Working Group, a joint federal and state initiative created to strengthen current and future efforts to investigate and punish those responsible for misconduct contributing to the financial crisis through fraud in the origination and pooling of residential mortgages and the securitizing and sale of RMBS. The Working Group, which functions as part of the FFETF, is co-chaired by senior DOJ and Securities and Exchange Commission officials, along with the New York Attorney General.

The Opportunity, Growth, and Security Initiative proposes additional funding for the Department's critical economic fraud enforcement efforts focused on financial institutions and the mortgage industry. These resources would support additional civil litigators, criminal prosecutors, in-house investigators, forensic accountants, paralegals, and other support positions to expand the Department's capacity to investigate and punish allegations of financial and mortgage fraud.

ENFORCE IMMIGRATION LAWS

The Department maintains substantial responsibilities with respect to immigration, including enforcement, detention, judicial functions, administrative hearings, and litigation. The Department's Executive Office for Immigration Review (EOIR) maintains a nationwide presence overseeing the immigration court and appeals process. EOIR receives cases directly from the Department of Homeland Security (DHS) enforcement personnel. EOIR's immigration court caseload is increasing to unsustainable levels. Between FY 2009 and FY 2013, the caseload pending adjudication grew by 56 percent, from 229,000 to 358,000.

The FY 2015 Budget request includes \$23 million in new resources to support and advance EOIR's mission. Of this amount, \$17 million is requested for EOIR to support an additional 35 Immigration Judge Teams and 15 BIA attorneys to help adjudicate rising immigration court caseloads. Also included in this \$23 million enhancement is an additional \$3 million to expand EOIR's Legal Orientation Program, which improves immigration court proceedings for detained aliens by increasing their awareness of their rights and the overall process, and another \$3 million to allow EOIR to continue the development and expansion of its pilot program that provides counsel to vulnerable populations, such as unaccompanied alien children, for which initial funding was provided in FY 2014.

The Civil Division's Office of Immigration Litigation (OIL) also plays a crucial role in upholding the enforcement actions of DHS and EOIR. OIL provides the government with the best possible defense in district court cases and challenges to removal orders filed in circuit courts by illegal aliens. The FY 2015 Budget maintains the current staffing levels for OIL.

PRISONS AND DETENTION

The FY 2015 Budget maintains secure, controlled detention and prison facilities and maintains investments in programs that reduce recidivism. To continue this commitment, the Department requests \$97 million above the FY 2014 Enacted level for prison and detention.

The FY 2015 Budget requests a total of \$8.5 billion for federal prisons and detention. Of this amount, \$6.9 billion is requested for the BOP and \$1.6 billion is for the Federal Prisoner Detention (FPD) appropriation. In addition, the FY 2015 Budget proposes to rescind \$122 million in prior year detention balances, which are available because the FY 2013 detention population was lower than projected.

The FY 2015 Budget's Opportunity, Growth, and Security Initiative also includes resources for the BOP for infrastructure and personnel to continue the process of bringing on-line newly completed or acquired prisons and thereby reduce prison overcrowding.

The Budget request includes funding to support the Attorney General's *Smart on Crime* initiative, which is intended to promote fundamental reforms to the criminal justice system that will ensure the fair enforcement of federal laws, improve public safety, and reduce recidivism by successfully preparing inmates for their re-entry into society. Included is \$29 million to sustain the investments made in FY 2014 for BOP's reentry programs including the Residential Drug Abuse Program, Residential Reentry Centers, and reentry-specific education programs. The FY 2015 Budget requests a total of \$660 million for BOP's reentry-related activities. These resources provide critical opportunities for inmates to successfully transition back into the community.

Further, \$32 million in program increases is requested for the U.S. Marshals Service (USMS) federal detention to pay for increases in the average daily detainee population.

STATE, LOCAL, AND TRIBAL ASSISTANCE

The Department continues to support its partnerships with state, local, and tribal entities. The FY 2015 Budget maintains those commitments to state, local, and tribal law enforcement partners without cutting the Department's federal operational role. Simultaneously, efficiencies are identified to ensure that federal resources are being targeted to the most effective grant programs. The FY 2015 discretionary and mandatory request for state, local, and tribal law enforcement assistance is \$3.0 billion.

The FY 2015 request for OJP totals \$2.3 billion, including \$1.5 billion for discretionary grant programs, \$891 million for mandatory grant programs, and a \$59 million rescission of prior year balances. It includes \$329 million in enhancements for an indigent defense initiative; an evaluation clearinghouse, HOPE Opportunity Probation with Enforcement nationwide program, and Second Chance. The request includes funding to establish Byrne Incentive Grants and Juvenile Justice Realignment Incentive Grants; these programs will provide supplementary awards to states and localities using base formula grant funds for evidence-based purposes. Offsets include programs that are less data driven or results oriented, such as the State Criminal Alien Assistance Program.

The FY 2015 request for COPS totals \$248 million. The COPS request includes \$274 million for grants, of which \$247 million is to continue the COPS Hiring Program. It includes \$70.5 million in enhancements for COPS Hiring and Tribal Law Enforcement. It also includes a rescission of prior year balances of \$26 million, which is reflected as an offsetting decrease to the total FY 2015 COPS request.

The FY 2015 request for OVW totals \$410 million, including \$423 million for grants and a \$12 million rescission of prior year balances. It includes \$9 million for the Legal Assistance to Victims Program, Campus Violence, Grants to Support Families in the Justice System, and the Transitional Housing Program. The request for OVW continues the Administration's strong commitment to providing federal leadership in developing the Nation's capacity to reduce violence against women through programs such as the Services, Training, Officers, and Prosecutors Program and Sexual Assault Services Program.

The FY 2015 base discretionary budget meets the cap levels set by the Bipartisan Budget Act of 2013. In addition, the FY 2015 Budget's Opportunity, Growth, and Security Initiative includes targeted investments for state and local justice assistance grants with additional investments for OJP, COPS, and OVW.

PUBLIC SAFETY IN INDIAN COUNTRY

The United States has a unique legal and political relationship with Indian tribes and Alaska Native communities as provided by the Constitution, treaties, court decisions, and federal statutes. The Department of Justice in particular has an important legal and moral responsibility to prosecute violent crime in Indian Country because under current law, in much of Indian Country, the Department alone has the authority to seek an appropriate sentence when a major crime has been committed. Federal investigation and prosecution of serious violent crime in Indian Country cannot be deferred to a local jurisdiction, and, therefore, federal law enforcement is both the first and only avenue of protection for the victims of these crimes.

The FY 2015 President's Budget requests \$395 million in total resources for public safety initiatives in Indian Country. Investments include significant and versatile grant funding for addressing a range of criminal justice issues and additional resources (\$530,000) for the Office of Tribal Justice (OTJ). OTJ is the primary point of contact in the Department for federally recognized tribes and advises the Department on legal and policy matters pertaining to Native Americans.

PROGRAM OFFSETS AND RESCISSIONS

The FY 2015 request also identifies savings to be achieved by trimming current operations – these savings will require difficult choices, but must be made in order to provide and maintain the necessary resources for the Justice functions that are so crucial to this country. The Budget also includes rescissions of prior year balances.

In total, \$1.2 billion in federal programs offsets and rescissions of balances are proposed, of which \$937 million are operational and administrative offsets across a range of components including: \$75 million for the Drug Enforcement Administration, \$158 million for BOP, \$180 million for the FBI, \$406 million for the OJP, \$30 million for the U.S. Attorneys, \$34 million for the USMS, and \$53 million distributed over the remaining DOJ components.

In addition, DOJ proposes \$273 million in rescissions of prior year balances (\$26 million for COPS, \$59 million for OJP, \$12 million for OVW, \$122 million in the USMS's FPD program, and \$54 million for the Working Capital Fund).

REQUIREMENTS REQUESTED IN OTHER FEDERAL AGENCY BUDGETS

Health Care Fraud (Department of Health and Human Services) – For FY 2015, the Department is requesting a total of \$309 million for reimbursable health care fraud resources, including both mandatory and discretionary Health Care Fraud and Abuse Control (HCFAC) program resources and mandatory FBI Health Insurance Portability and Accountability Act (HIPAA) resources. The request increases HCFAC discretionary resources for both criminal and civil health care fraud enforcement efforts, as well as mandatory HCFAC and HIPAA inflationary increases. The request represents an increase of \$96 million above FY 2014 and is a sound investment considering the average 3-year return on investment: \$8.10 for every \$1.00 spent on health care fraud enforcement (2013).

The Department's savings initiatives include:

PRESIDENT'S CAMPAIGN TO CUT WASTE

The Department has actively pursued savings and efficiencies in other areas consistent with the President's Campaign to Cut Waste, and will continue to do so in FY 2015. Since FY 2010, the Department has worked to limit and reduce spending on travel, publications, advisory contracts, supplies, employee IT devices, and executive fleet. The Department saved

\$462 million during FY 2013 as compared to FY 2010, which exceeds the Department's target of \$160 million. These savings result from extraordinary cost cutting efforts.

THE ATTORNEY GENERAL'S SAVE COUNCIL

The Attorney General's Advisory Council for Savings and Efficiencies (the SAVE Council) is responsible for developing and reviewing Department-wide savings and efficiency initiatives, as well as monitoring component progress to ensure positive results for cost savings, cost avoidance, and efficiencies. The Council provides a framework to identify and implement best practices for saving taxpayer money, realizing efficiencies, and monitoring savings progress. Representatives from selected components were appointed by the Attorney General to serve as members of the SAVE Council, and they have the lead responsibility to develop and report on the savings and efficiency initiatives.

The Department is committed to using its limited resources in the best ways possible for the benefit of the American people. The SAVE Council works to examine and implement ways to work smarter and leaner, focusing on mission essential expenditures, to maximize the taxpayer's "return on investment." From June 2010 through September 2013, the Department saved or avoided costs of over \$175 million through initiatives introduced and tracked through the SAVE Council. Initiatives include such actions as use of non-refundable airfares, use of the Internet instead of newspapers to publish administrative forfeiture notices, use of the Treasury Address Request program to reduce the time and resources required to obtain valid address information and locate debtors, and employees' use of personal computers rather than government-owned computers for telework.

This section outlines the Department's Performance Planning and discusses other recent initiatives to improve agency performance and increase accountability to stakeholders.

PERFORMANCE PLANNING AND REPORTING

The Government Performance and Results Act of 1993 (GPRA) and the GPRA Modernization Act of 2010 require government agencies to develop long-term Strategic Plans defining general goals and objectives for their programs, Annual Performance Plans (APPs) specifying measurable performance goals for all of the program activities in their Budgets, and Annual Performance Reports (APRs) showing progress toward the annual goals.

The Department recognizes that performance information is vital to making resource allocation decisions and should be an integral part of the budget process. The Department's new FY 2014-2018 Strategic Plan contains 3 high-level strategic goals and 30 long-term outcome performance goals that will be targeted, tracked, and reported in the combined APR/APP. DOJ has produced an FY 2013 APR/FY 2015 APP, which contains the Department-level performance measures with FY 2013 actuals and FY 2014 and 2015 targets. Find it at: <http://www.justice.gov/ag/annualreports/apr2013/TABLEofContents.htm>. For information pertaining to the long-term outcome performance goals in the Department's FY 2012-2016 Strategic Plan, see the DOJ FY 2013 Agency Financial Report: <http://www.justice.gov/ag/annualreports/afr2013/TABLEofContents.htm>. The Department's congressional Budget submission provides detailed component-specific APPs within individual component Budget submissions.

PRIORITY GOALS AND PERFORMANCE INFORMATION

The Department is committed to the Administration's performance management strategy to use performance information to lead, learn, and improve outcomes. As a key part of this strategy, the Administration directed agencies to identify a limited number of Priority Goals. A Priority Goal is a measurable commitment to a specific result that the agency will deliver for the American people. The Goals represent high priorities for both the Administration and the agency, have high relevance to the public, reflect the achievement of key agency missions, and will produce significant results over a 24 month period. The Priority Goals directly support the Department's Strategic Plan; however, they reflect a limited number of priorities, and do not fully reflect the entirety of the agency's strategic goals or mission. The Priority Goals are a subset of those used to regularly monitor and report performance.

In FY 2013, DOJ completed and closed out its four FY 2012-FY 2013 Priority Goals and created four new FY 2014-FY 2015 Priority Goals. Descriptions are below.

FY 2012-2013 Priority Goals

National Security – Better inform the Intelligence Community, thereby increasing the ability to protect Americans from terrorism or other threats to national security – both at home and abroad. By the end of FY 2013, the FBI will increase by 6 percent the number of counterterrorism intelligence products shared with the U.S. Intelligence Community, state and local law enforcement community partners, and foreign

government agencies.

Status – In FY 2013, the Department exceeded its annual target for the "Number of intelligence products shared with foreign government agencies" by 149 percent and decreased the "Average review time for responding to terrorism-related tips received from the American public" from the FY 2011 baseline of 1.83 minutes down to 1.14 minutes. The Department exceeded its revised FY 2013 annual target for the "Number of intelligence products shared with the U.S. Intelligence Community and state and local law enforcement community partners" by 31 percent. The Department will continue to focus on increased intelligence sharing in the effort to combat the terrorist threat.

Violent Crime – Reduce Gang Violence. By September 30, 2013, in conjunction with state and local law enforcement agencies, "reduce the number of violent crimes attributed to gangs by achieving 5 percent increases on three key indicators:

- youths who exhibited a change in targeted behaviors as a result of participation in DOJ gang prevention program;
- coordination on gang investigations among federal, state, and local law enforcement resulting in gang arrests; and
- intelligence products produced in support of federal, state, and local investigations that are focused on gangs posing a significant threat to communities.

Status – The Department exceeded its FY 2013 annual target of 66 percent for "Percentage of program youth who exhibited a change in targeted behaviors while participating in DOJ prevention programs to reduce youth crime and violence (including gangs)" by attaining a change of 68 percent. "Intelligence products produced in support of federal, state, and local investigations that are focused on gangs posing a significant threat to communities" surpassed its target of 47 products with an actual of 132 products. The Department also exceeded its FY 2013 target for number of cases supported by the National Gang Targeting, Enforcement and Coordination Center: Operations Section Gangs by 116 percent (918 cases).

Financial Fraud – Protect the American people from financial and health care fraud. In order to efficiently and effectively address financial fraud and health care fraud, by the end of FY 2013, increase by 5 percent over FY 2011 levels, the number of investigations completed per DOJ attorney working on financial fraud and health care fraud cases.

Status – The Department achieved 94 percent of its FY 2013 annual target for its performance goal, "Increase the number of investigations completed per DOJ attorney working on financial fraud and health care fraud cases." The Department made progress over the 2-year period (FY 2012-2013) and attained 11.49 of the target of 12.21 investigations completed per DOJ attorney. Factors contributing to this slight shortfall include: the number of health care fraud and financial fraud cases reached all-time highs over the last several years, including the baseline year, FY 2011; the complexity of health care fraud and financial fraud cases continues to increase, and as complexity increases, attorneys must spend more time on these complex cases, thereby reducing the overall number of investigations completed. Despite narrowly missing the target, the Department has had massive success in prosecuting financial fraud in such cases as the JPMorgan case, where the Department, along with federal and state partners, came to a \$13 billion settlement with JPMorgan the largest settlement with a single entity in American history - to resolve federal and state civil claims arising out of the packaging, marketing, sale, and issuance of residential mortgage-backed securities by JPMorgan, Bear Stearns and Washington Mutual prior to January 1, 2009. The settlement represents another significant step toward holding accountable those banks which exploited the residential mortgage-backed securities market and harmed numerous individuals and entities in the process.

Vulnerable People – Protect those most in need of help - with special emphasis on child exploitation and civil rights. By September 30, 2013, working with state and local law enforcement agencies, protect potential victims from abuse and exploitation by achieving a 5 percent increase for three sets of key indicators:

- open investigations concerning:
 - ✓ non-compliant sex offenders
 - ✓ sexual exploitation of children
 - ✓ human trafficking
- matters/investigations resolved concerning:
 - ✓ sexual exploitation of children
 - ✓ human trafficking
- number of children depicted in child pornography that are identified by the FBI

Status –The Department exceeded the FY 2013 annual targets for "Open investigations concerning non-compliant sex offenders" by 47 percent; for "Open investigations concerning sexual exploitation of children" by 19 percent; for "Open investigations concerning human trafficking" by 11 percent; and for "Matters/investigations resolved concerning human trafficking" by 38 percent. One measure, "Matters/investigations resolved concerning

sexual exploitation of children," reached 99.8 percent of its FY 2013 target. The sixth measure, "Number of children depicted in child pornography that are identified by the FBI," reached 64 percent of its FY 2013 annual target. Slower progress on this measure could be due to a data lag. Also, fluctuations in timing can affect the actual percentage, e.g., a case or investigation in one quarter may lead to increased arrests or pictures identified in a future quarter.

FY 2014-2015 Priority Goals

The Department's FY 2014-2015 Priority Goals continue to focus on the same critical priority areas as the former FY 2012-2013 Priority Goals. These priority areas are still of critical concern to the Administration, the Department, and the American people. The Department will continue its attention and efforts to attain success in these areas.

National Security – Protect Americans from terrorism and other threats to national security, including cyber security threats.

By September 30, 2015, the Department of Justice will:

- Disrupt 125 terrorist threats and groups and disrupt and dismantle 200 cyber threat actors.

Violent Crime – Protect our communities by reducing gun violence using smart prevention and investigative strategies in order to prevent violent acts from occurring.

By September 30, 2015, the Department will:

- Increase the number of records submitted to the NICS Index by states and federal agencies by 10 percent;
- Increase the number of records entered into the National Integrated Ballistic Information Network (NIBIN) by 3 percent; and
- Increase the number of NIBIN "hits," that is, the linkage of two or more separate crime scene investigations, based upon comparisons of the markings made on fired ammunition recovered from crime scenes, by 3 percent.

Financial and Health Care Fraud – Reduce financial and health care fraud.

By September 30, 2015, the Department of Justice will:

- Reduce by 3 percent the number of financial and healthcare fraud investigations pending longer than 2 years to efficiently and effectively drive those investigations to resolution.

Vulnerable People – Protect vulnerable populations by increasing the number of

investigations and litigation matters concerning child exploitation, human trafficking, and non-compliant sex offenders; and by improving programs to prevent victimization, identify victims, and provide services.

By September 30, 2015, working with federal, state, local, and tribal partners, protect potential victims from abuse and exploitation through three sets of key indicators:

- Open investigations concerning non-compliant sex offenders (4 percent over average of FYs 2012, 2013), sexual exploitation of children (3 percent over average of FYs 2011, 2012, 2013), and human trafficking (2 percent over FY 2013);
- Open litigation matters concerning sexual exploitation of children and human trafficking (5 percent increase over a calculated, multi-year baseline); and
- Percent of children recovered within 72 hours of issuance of an AMBER alert (90 percent).

See <http://www.goals.performance.gov> for more information about the Priority Goals. To view the full set of performance information please visit: <http://www.justice.gov/02organizations/bpp.htm>.

Per the GPRA Modernization Act, 31 U.S.C. 1115(b)(10), requirement to address federal goals in the agency Strategic Plan and APP, please refer to www.Performance.gov for information on Federal Priority Goals and the agency's contributions to those goals, where applicable.

II. Summary Information by Appropriation

U. S. DEPARTMENT OF JUSTICE
SUMMARY OF BUDGET AUTHORITY BY APPROPRIATION
(Dollars in Thousands)

APPROPRIATION	FY 2013 ENACTED w/Sequester & Supplemental	FY 2014 ENACTED	FY 2015 REQUEST	CHANGE FROM 2014 to 2015	% CHANGE FY 2014 OVER FY 2015
GENERAL ADMINISTRATION	\$102,950	\$110,000	\$128,851	\$18,851	17.1%
JUSTICE INFORMATION SHARING TECHNOLOGY	32,733	25,842	25,842	0	0.0%
ADMINISTRATIVE REVIEW & APPEALS	291,679	315,000	351,072	36,072	11.5%
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW	285,279	308,200	343,154	34,954	11.3%
Transfer from Immigration Fees Account	3,800	4,000	4,000	0	0.0%
PARDON ATTORNEY	2,800	2,800	3,918	1,118	39.9%
OFFICE OF THE INSPECTOR GENERAL	79,966	86,400	88,577	2,177	2.5%
WORKING CAPITAL FUND (Rescissions)	-26,000	-30,000	-54,000	-24,000	80.0%
U.S. PAROLE COMMISSION	11,861	12,800	13,308	708	5.6%
NATIONAL SECURITY DIVISION	83,796	91,800	91,800	0	0.0%
GENERAL LEGAL ACTIVITIES	819,302	867,060	935,854	68,854	7.9%
SOLICITOR GENERAL	10,812	11,198	11,692	494	4.4%
TAX DIVISION	98,834	104,470	109,171	4,701	4.5%
CRIMINAL DIVISION	164,792	174,189	202,487	28,298	16.2%
CIVIL DIVISION	270,555	285,927	298,394	12,467	4.4%
ENVIRONMENT & NATURAL RESOURCES DIVISION	101,836	107,643	112,487	4,844	4.5%
LEGAL COUNSEL	6,783	7,400	7,742	342	4.6%
CIVIL RIGHTS DIVISION	136,341	144,173	161,881	17,708	12.3%
INTERPOL	29,349	32,000	32,000	0	0.0%
VACCINE INJURY COMPENSATION TRUST FUND	[7,833]	[7,833]	[7,833]	0	0.0%
ANTITRUST	158,338	160,400	162,246	1,846	1.2%
U.S. ATTORNEYS	1,830,251	1,944,000	1,955,327	11,327	0.6%
U.S. TRUSTEES	211,739	224,400	225,908	1,508	0.7%
FOREIGN CLAIMS SETTLEMENT COMMISSION	1,896	2,100	2,326	226	10.8%
U.S. MARSHALS SERVICE	2,855,578	2,727,800	2,668,107	-59,693	-2.2%
SALARIES & EXPENSES	1,112,069	1,185,000	1,185,000	0	0.0%
CONSTRUCTION	9,793	9,800	9,800	0	0.0%
FEDERAL PRISONER DETENTION	1,533,716	1,533,000	1,595,307	62,307	4.1%
Rescission of Prior Year Balances	0	0	-122,000	-122,000	-100.0%
COMMUNITY RELATIONS SERVICE	11,210	12,000	12,972	972	8.1%
ASSETS FORFEITURE FUND CURRENT BUDGET AUTHORITY	19,460	20,500	20,514	14	0.1%
INTERAGENCY CRIME & DRUG ENFORCEMENT	484,438	514,000	605,000	9,000	-1.8%
FEDERAL BUREAU OF INVESTIGATION	7,545,644	8,343,284	8,347,201	3,917	0.0%
SALARIES & EXPENSES	7,483,583	8,245,802	8,278,219	32,417	0.4%
Rescission of Prior Year Balances	-13,168	0	0	0	0.0%
CONSTRUCTION	75,229	97,482	68,982	-28,500	-29.2%
DRUG ENFORCEMENT ADMINISTRATION	1,907,274	2,018,000	2,018,000	0	0.0%
BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES	1,070,540	1,179,000	1,201,004	22,004	1.9%
SALARIES & EXPENSES	1,071,568	1,179,000	1,201,004	22,004	1.9%
ATF VCRP Rescission	-1,028	0	0	0	-100.0%
FEDERAL PRISON SYSTEM	8,378,904	8,859,000	8,894,000	35,000	0.5%
SALARIES & EXPENSES	6,349,248	6,769,000	6,804,000	35,000	0.5%
BUILDINGS & FACILITIES	95,358	90,000	90,000	0	0.0%
Rescission of Prior Year Balances	-64,700	0	0	0	-100.0%
FEDERAL PRISON INDUSTRIES (limitation on Administrative Expenses)	2,644	2,700	2,700	0	0.0%
COMMISSARY FUND	-5,660	[7,992]	0	0	0.0%
SUBTOTAL, DISCRETIONARY w/o State and Local	23,689,543	25,485,826	25,596,609	110,783	0.4%

U. S. DEPARTMENT OF JUSTICE
SUMMARY OF BUDGET AUTHORITY BY APPROPRIATION
(Dollars in Thousands)

APPROPRIATION	FY 2013 ENACTED w/Sequester & Supplemental	FY 2014 ENACTED	FY 2015 REQUEST	CHANGE FROM 2014 to 2015	% CHANGE FY 2014 OVER FY 2015
DISCRETIONARY GRANTS PROGRAMS	1,986,906	2,086,100	2,084,800	-11,300	-0.5%
OFFICE OF JUSTICE PROGRAMS	1,413,512	1,503,396	1,426,590	-76,806	-5.1%
JUSTICE ASSISTANCE	119,132	120,000	136,900	16,900	14.1%
OJP SALARIES AND EXPENSES	[170,114]	[187,332]	[191,907]	0	0.0%
JUVENILE JUSTICE PROGRAMS	260,950	254,500	299,400	44,900	17.6%
STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE	1,060,468	1,171,500	1,032,900	-138,600	-11.8%
PUBLIC SAFETY OFFICERS' BENEFITS	15,962	16,300	16,300	0	0.0%
OJP - wide rescissions	-43,000	-59,000	-59,000	0	0.0%
COMMUNITY POLICING (INCLUDES OJP PROGRAMS)	197,530	188,000	248,000	60,000	31.9%
COMMUNITY POLICING	209,730	214,000	274,000	60,000	28.0%
COPS SALARIES AND EXPENSES	[35,975]	[37,374]	[37,374]	0	0.0%
Rescission of Prior Year Balances	-12,200	-26,000	-26,000	0	0.0%
OFFICE ON VIOLENCE AGAINST WOMEN	375,864	404,890	410,309	5,500	1.4%
OFFICE OF VIOLENCE AGAINST WOMEN	387,864	417,000	422,500	5,500	1.3%
OVW SALARIES AND EXPENSES	[17,460]	[18,772]	[18,959]	0	0.0%
Rescission of Prior Year Balances	-12,000	-12,200	-12,200	0	0.0%
SUBTOTAL, DISCRETIONARY w/o Scorekeeping Credits	25,656,449	27,581,928	27,681,409	99,483	0.4%
FEE COLLECTIONS					0.0%
Offset from Antitrust Pre-Merger Filing Fee	-115,000	-103,000	-104,500	-1,500	1.5%
Offset from U.S. Trustee Fees and Interest on U.S. Securities	-223,258	-224,400	-200,658	23,742	-10.6%
SUBTOTAL, FEES COLLECTIONS	-338,258	-327,400	-305,158	22,242	-6.8%
SUBTOTAL, DISCRETIONARY w/ Fees	25,318,191	27,254,528	27,376,251	121,723	0.4%
SCOREKEEPING CREDITS					0.0%
CRIME VICTIMS FUND	-9,224,000	-9,358,000	-10,526,000	-1,168,000	12.5%
ASSETS FORFEITURE FUND	-722,697	-83,600	-193,000	-109,400	130.9%
ASSETS FORFEITURE FUND - Permanently Cancelled	0	-693,000	0	693,000	-100.0%
SUBTOTAL, SCOREKEEPING CREDITS	-9,946,697	-10,134,600	-10,719,000	-584,400	5.8%
TOTAL, DOJ DIRECT DISCRETIONARY BA	15,371,494	17,119,928	16,657,251	-462,675	-2.7%
MANDATORY AND OTHER ACCOUNTS:					-100.0%
FEES AND EXPENSES OF WITNESSES (MAND.)	256,230	250,560	270,000	19,440	7.8%
INDEPENDENT COUNSEL (PERMANENT INDEFINITE)	500	500	500	0	0.0%
RADIATION EXPOSURE COMPENSATION TRUST FUND (MAND.)	94,000	82,000	82,000	0	0.0%
PUBLIC SAFETY OFFICERS' DEATH BENEFITS (MAND.)	51,949	80,928	81,000	72	0.1%
ASSETS FORFEITURE FUND (PERMANENT BUDGET AUTHORITY)	1,790,386	3,212,546	1,337,078	-1,875,468	-58.4%
ANTITRUST PRE-MERGER FILING FEE COLLECTIONS	115,000	103,000	104,500	1,500	1.5%
U. S. TRUSTEES FEE COLLECTIONS	223,258	224,400	200,658	-23,742	-10.6%
CRIMINAL JUSTICE INFORMATION SERVICES (FBI)	433,000	433,000	433,000	0	0.0%
DIVERSION CONTROL FEE	334,852	335,287	368,680	31,393	9.4%
9/11 VICTIM COMPENSATION FUND	14,006	185,600	326,000	140,400	75.6%
CRIME VICTIMS FUND	730,000	745,000	810,000	65,000	8.7%
SUBTOTAL, MANDATORY AND OTHER ACCOUNTS	4,053,181	5,652,621	4,011,416	-1,641,405	-29.0%
TOTAL BA, DISCR & MANDATORY, DEPT. OF JUSTICE	19,424,675	22,772,747	20,668,667	-2,104,080	-9.2%
HEALTH CARE FRAUD REIMBURSEMENTS					-100.0%
HCFAC MANDATORY REIMBURSEMENT	58,158	57,756	142,169	84,413	146.2%
FBI-HEALTH CARE FRAUD - Mand	128,136	127,319	139,118	11,799	9.3%
HCFAC DISCRETIONARY REIMBURSEMENT	28,122	28,122	28,122	0	0.0%
SUBTOTAL, HEALTH FRAUD REIMBURSEMENTS	214,416	213,197	309,409	96,212	45.1%
TOTAL BA, DEPARTMENT OF JUSTICE, WITH OFFSET	19,639,091	22,985,944	20,978,076	-2,007,868	-8.7%

NOTES:

In accordance with the Budget Control Act of 2011 and the Office of Management and Budget's FY 2014 Sequestration Preview Report, the following mandatory accounts must take a 7.2 percent reduction for sequestration in FY 2014: September 11th Victims Compensation Fund (\$14.4 million), Fees and Expenses of Witnesses (\$19.4 million), Diversion Control Fee Account (\$25.6 million), Assets Forfeiture Fund (\$155.7 million of permanent, indefinite authority), and the Crime Victims Fund (\$823 million). In addition, the administrative fees for the following accounts must take a 7.2 percent reduction for sequestration in FY 2014: Public Safety Officer's Death Benefits (\$72,000) and the Commissary Fund (\$8.0 million).

U.S. DEPARTMENT OF JUSTICE
DOJ DIRECT DISCRETIONARY BUDGET AUTHORITY
FY 2015 SUMMARY OF CHANGES BY ORGANIZATION
(Dollars in Thousands)

	FY 2015 President's Budget				
	Pos.	Atty	Agents	Est. FTE	Amount
2014 Enacted with Scorekeeping and Fee Collections (for information)	116,185	9,666	44,690	115,204	17,119,926
2014 Enacted before Fee Collections	116,185	9,666	44,690	107,251	27,581,926
2014 Reimbursable FTE - Base				7,953	
2014 Enacted before Fee Collections, with Reimb FTE	116,185	9,666	44,690	115,204	27,581,926
2014 Fee Collections	0	0	0	0	-327,400
2014 Enacted, with Fee Collections and Reimb FTE	116,185	9,666	44,690	115,204	27,254,526
Technical Adjustments					
Adjust Fee Collections	0	0	0	0	22,242
DHS Immigration Fee Account	0	0	0	0	-4,000
Restoration of Rescission - COPS	0	0	0	0	26,000
Restoration of Rescission - OJP-Wide	0	0	0	0	59,000
Restoration of Rescission - OVV	0	0	0	0	12,200
Restoration of Rescission - WCF	0	0	0	0	30,000
Subtotal, Technical Adjustments	0	0	0	0	145,442
2014 Enacted with Technical, Fees Adjustments & Reimb FTE	116,185	9,666	44,690	115,204	27,399,968
Base Adjustments					
ATB Transfers - Non-GRANTS					
Transfers - DHS Immigration Fee	0	0	0	0	4,000
UFMS from JIST to WCF	-14	0	0	-7	0
Subtotal, ATB Transfers - Non-GRANTS	-14	0	0	-7	4,000
Pay & Benefits					
2015 Pay Raise	0	0	0	0	97,667
Annualization of 2014 Pay Raise	0	0	0	0	30,898
Annualization of 2014 Positions	0	0	0	9	0
Annualization of 2014 Program Increases	0	0	0	273	29,870
Base Pay Adjustment	6	6	0	6	1,176
Employees Compensation Fund	0	0	0	0	141
FERS Rate Increase	0	0	0	0	199,691
Health Insurance	0	0	0	0	30,469
Position/FTE Adjustment	0	0	0	103	0
Retirement	0	0	0	0	23,901
Subtotal, Pay & Benefits	6	6	0	391	413,813
Domestic Rent & Facilities					
Guard Service	0	0	0	0	2,571
Moves	0	0	0	0	51,455
GSA Rent	0	0	0	0	49,264
Subtotal, Domestic Rent & Facilities	0	0	0	0	103,290
Other Adjustments					
Base Adjustment to Convert Reimbursable Positions	61	48	0	48	10,190
Other Adjustments to Base	0	0	0	5	637
Electronic Case Filing (PACER) (USA and USTP)	0	0	0	0	400
Land Mobile Radio O&M	0	0	0	0	11,746
Subtotal, Other Adjustments	61	48	0	53	22,973
Foreign Expenses					
ICASS	0	0	0	0	5,395
Government Leased Quarters (GLQ)	0	0	0	0	2,694
Education Allowance	0	0	0	0	1,217

U.S. DEPARTMENT OF JUSTICE
DOJ DIRECT DISCRETIONARY BUDGET AUTHORITY
FY 2015 SUMMARY OF CHANGES BY ORGANIZATION
(Dollars in Thousands)

	FY 2015 President's Budget				
	Pos.	Atty	Agents	Est. FTE	Amount
Capital Security Cost Sharing	0	0	0	0	41,887
Living Quarters Allowance (LQA)	0	0	0	0	222
Subtotal, Foreign Expenses	0	0	0	0	51,415
Prison and Detention					
Jail Day Increase (FPD)	0	0	0	0	30,415
Medical Cost Adjustments (BOP)	0	0	0	0	34,921
Food Cost Adjustments (BOP)	0	0	0	0	14,394
Utility Costs Adjustments - BOP	0	0	0	0	23,022
Subtotal, Prison and Detention	0	0	0	0	102,752
Non-Personnel Related Decreases					
Non-Recrual of Non-Personnel	0	0	0	0	-32,161
Subtotal, Non-Personnel Related Decreases	0	0	0	0	-32,161
Subtotal, Base Adjustments	53	54	0	437	666,082
Subtotal, Technical and Base Adjustments	53	54	0	437	811,524
2015 Current Services w/o Reimbursable FTE	116,238	9,720	44,690	107,688	28,066,050
ATB Reimbursable FTE Changes					
ATB Reimbursable Position/FTE Adjustment	0	0	0	-106	0
Subtotal, ATB Reimbursable FTE Changes	0	0	0	-106	0
2015 Current Services with Reimbursable FTE	116,238	9,720	44,690	115,535	28,066,050
Program Changes					
General Administration					
Access to Justice	2	2	0	2	300
Office of Tribal Justice	3	3	0	3	530
Policy Analysis	8	0	0	8	1,700
Total, General Administration	13	5	0	13	2,530
Justice Information Sharing Technology					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-255
Total, Justice Information Sharing Technology	0	0	0	0	-255
Administrative Review & Appeals					
Executive Office for Immigration Review					
Immigration Judge Teams - Coordination with DHS Enforcement Initiatives	211	106	0	105	17,000
Legal Orientation Program	0	0	0	0	2,824
Pilot - Innovation Ideas	0	0	0	0	2,824
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-1,710
Total, Executive Office for Immigration Review	211	106	0	105	20,938
Office of Pardon Attorney					
Pardons and Commutations	7	8	0	4	800
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-85
Total, Office of Pardon Attorney	7	8	0	4	715
Total, Administrative Review & Appeals	218	114	0	109	21,653
Office of the Inspector General					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-3,153
Total, Office of the Inspector General	0	0	0	0	-3,153
National Security Division					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-5,905
Total, National Security Division	0	0	0	0	-5,905

U.S. DEPARTMENT OF JUSTICE
DOJ DIRECT DISCRETIONARY BUDGET AUTHORITY
FY 2015 SUMMARY OF CHANGES BY ORGANIZATION
(Dollars in Thousands)

	FY 2015 President's Budget				
	Pos.	Atty	Agents	Est. FTE	Amount
General Legal Activities					
Office of the Solicitor General					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-102
Total, Office of the Solicitor General	0	0	0	0	-102
Tax Division					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-353
Total, Tax Division	0	0	0	0	-353
Criminal Division					
Cyber Security	25	9	0	14	2,580
Intellectual Property Crime	11	7	0	6	2,205
Mutual Legal Assistance Treaty (MLAT) Reform	141	77	0	71	19,566
Total, Criminal Division	177	93	0	91	24,351
Civil Division					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-395
Total, Civil Division	0	0	0	0	-395
Environment & Natural Resources Division					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-6,478
Total, Environment & Natural Resources Division	0	0	0	0	-6,478
Civil Rights Division					
Civil Rights Enforcement	50	25	0	25	5,072
E-Verify	3	2	0	2	305
Police Misconduct Enforcement	20	9	0	10	1,928
Total, Civil Rights Division	73	36	0	37	7,305
INTERPOL Washington					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-268
Total, INTERPOL Washington	0	0	0	0	-268
Total, General Legal Activities	250	129	0	128	24,060
Antitrust Division					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-281
Total, Antitrust Division	0	0	0	0	-281
U.S. Attorneys					
Mutual Legal Assistance Treaty (MLAT) Reform	13	8	0	7	1,327
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-30,159
Smart on Crime	[103]	0	0	[52]	[15,000]
Total, U.S. Attorneys	13	8	0	7	-28,832
U.S. Trustees					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-3,002
Total, U.S. Trustees	0	0	0	0	-3,002
Foreign Claims Settlement Commission					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-118
Total, Foreign Claims Settlement Commission	0	0	0	0	-118
U.S. Marshals Service					
U.S. Marshals Service S&E					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-33,832
Total, U.S. Marshals Service S&E	0	0	0	0	-33,832
Federal Prisoner Detention					
Housing of USMS Detainees	0	0	0	0	31,791
Total, Federal Prisoner Detention	0	0	0	0	31,791
Total, U.S. Marshals Service	0	0	0	0	-2,041

U.S. DEPARTMENT OF JUSTICE
DOJ DIRECT DISCRETIONARY BUDGET AUTHORITY
FY 2015 SUMMARY OF CHANGES BY ORGANIZATION
(Dollars in Thousands)

	FY 2015 President's Budget				
	Pos.	Atty	Agents	Est. FTE	Amount
Community Relations Service					
Hate Crime Prevention and Response	4	0	0	2	257
Total, Community Relations Service	4	0	0	2	257
Interagency Crime & Drug Enforcement					
Interagency Crime & Drug Enforcement S&E					
Program Offset - Miscellaneous Program and Administrative Reductions	-[76]	0	-[53]	-[76]	-14,660
Total, Interagency Crime & Drug Enforcement S&E	-[76]	0	-[53]	-[76]	-14,660
Total, Interagency Crime & Drug Enforcement	-[76]	0	-[53]	-[76]	-14,660
Federal Bureau of Investigation					
FBI Salaries and Expenses					
Mutual Legal Assistance Treaty (MLAT) Reform	14	1	7	7	3,208
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-168,377
Terrorist Explosive Device Analytical Center	0	0	0	0	15,000
Total, FBI Salaries and Expenses	14	1	7	7	-160,169
FBI Construction					
Secure Work Environment	0	0	0	0	-12,000
Total, FBI Construction	0	0	0	0	-12,000
Total, Federal Bureau of Investigation	14	1	7	7	-162,169
Drug Enforcement Administration					
Drug Enforcement Administration - S&E					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-75,160
Total, Drug Enforcement Administration - S&E	0	0	0	0	-75,160
Total, Drug Enforcement Administration	0	0	0	0	-75,160
Federal Prison System					
FPS Salaries & Expenses					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-157,973
Total, FPS Salaries & Expenses	0	0	0	0	-157,973
FPS Buildings & Facilities					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-250
Total, FPS Buildings & Facilities	0	0	0	0	-250
Total, Federal Prison System	0	0	0	0	-158,223
Total, Discretionary w/o State and Local	512	257	7	266	-405,299
Discretionary Grant Programs					
Office of Justice Program					
Research Evaluation and Statistic Total					
Research Evaluation and Statistic (JA)					
Bureau of Justice Statistics (BJS)	0	0	0	0	10,400
Evaluation Clearinghouse	0	0	0	0	2,000
Forensic Sciences	0	0	0	0	2,000
National Institute of Justice (NIJ)	0	0	0	0	7,500
Program Offset - Regional Information Sharing System (RISS)	0	0	0	0	-5,000
Total, Research Evaluation and Statistic (JA)	0	0	0	0	16,900
Total, Research Evaluation and Statistic Total	0	0	0	0	16,900
Juvenile Justice Programs - Total					
Juvenile Justice Programs					
Community-Based Violence Prevention Initiatives	0	0	0	0	12,500
Competitive Grant for Girls in the Justice System	0	0	0	0	1,000
Indigent Defense Initiative - Improving Juvenile Ind. Defense	0	0	0	0	5,400
Juvenile Accountability Block Grant Program (JABG)	0	0	0	0	30,000

U.S. DEPARTMENT OF JUSTICE
DOJ DIRECT DISCRETIONARY BUDGET AUTHORITY
FY 2015 SUMMARY OF CHANGES BY ORGANIZATION
(Dollars in Thousands)

	FY 2015 President's Budget				
	Pos.	Atty	Agents	Est. FTE	Amount
Juvenile Justice Realignment Incentive Grants	0	0	0	0	10,000
National Forum on Youth Violence Prevention	0	0	0	0	3,000
Program Offset - Part B: Formula Grants	0	0	0	0	-5,500
Program Offset - Victims of Child Abuse	0	0	0	0	-8,000
Program Offset - Youth Mentoring	0	0	0	0	-30,500
Title V: Local Delinquency Prevention Incentive Grants	0	0	0	0	27,000
Total, Juvenile Justice Programs	0	0	0	0	44,900
Total, Juvenile Justice Programs - Total	0	0	0	0	44,900
State and Local Law Enforcement Assistance - Total					
State and Local Law Enforcement Assistance					
Byrne Competitive Grants	0	0	0	0	1,500
Byrne Criminal Justice Innovation Program	0	0	0	0	19,000
Byrne Incentive Grants	0	0	0	0	15,000
Children Exposed to Violence	0	0	0	0	15,000
Civil Legal Aid - Competitive Grant	0	0	0	0	5,000
Community Teams to Reduce SAK Backlog	0	0	0	0	35,000
Consolidated Cyber&Econ Crime/Intell. Property Enforcement	0	0	0	0	5,000
Indigent Defense Initiative - Answering Gideon's Call	0	0	0	0	5,400
Justice Reinvestment Initiative	0	0	0	0	2,500
NICS Improvement Act	0	0	0	0	5,000
Problem Solving Justice	0	0	0	0	44,000
Procedural Justice - Building Community Trust	0	0	0	0	9,000
Program Offset - Bulletproof Vest Partnership	0	0	0	0	-22,500
Program Offset - Coverdell Forensic Science Grants	0	0	0	0	-12,000
Program Offset - DNA Initiative	0	0	0	0	-25,000
Program Offset - Drug Court Program	0	0	0	0	-40,500
Program Offset - Indian Assistance	0	0	0	0	-30,000
Program Offset - John R. Justice Student Loan Repayment Program	0	0	0	0	-2,000
Program Offset - Mentally Ill Offender Act	0	0	0	0	-8,250
Program Offset - Missing Alzheimer's Program	0	0	0	0	-750
Program Offset - National Center for Public Safety	0	0	0	0	-2,000
Program Offset - National Criminal History Improvement Program (NCHIP)	0	0	0	0	-8,500
Program Offset - Prison Rape Prevention	0	0	0	0	-2,000
Program Offset - S&L Gun Crime Prosec. Assist/Gun Violence Reduction	0	0	0	0	-3,500
Program Offset - State Criminal Alien Assistance Program (SCAAP)	0	0	0	0	-180,000
Program Offset - Veteran Treatment Courts	0	0	0	0	-4,000
Program Offset - Victims of Trafficking	0	0	0	0	-3,750
Program Offset - Vision 21	0	0	0	0	-12,500
Project Hope Opportunity Probation w/Enforcement (HOPE)	0	0	0	0	6,000
Residential Substance Abuse Treatment (Improving Re-entry)	0	0	0	0	4,000
Second Chance/Prisoner Re-entry	0	0	0	0	47,250
Total, State and Local Law Enforcement Assistance	0	0	0	0	-138,600
Total, State and Local Law Enforcement Assistance - Total	0	0	0	0	-138,600
OJP - Salaries and Expenses					
Management and Administrative Programs	15	0	0	8	0
Total, OJP - Salaries and Expenses	15	0	0	8	0
Total, Office of Justice Program	15	0	0	8	-76,800
Community Policing Total					
Community Policing					
COPS Hiring Program	0	0	0	0	67,000
Program Offset - Anti-Methamphetamine Task Forces	0	0	0	0	-7,500
Program Offset - DEA Methamphetamine Enforcement & Cleanup	0	0	0	0	-3,000
Tribal Law Enforcement	0	0	0	0	3,500
Total, Community Policing	0	0	0	0	60,000
Total, Community Policing Total	0	0	0	0	60,000

U.S. DEPARTMENT OF JUSTICE
DOJ DIRECT DISCRETIONARY BUDGET AUTHORITY
FY 2015 SUMMARY OF CHANGES BY ORGANIZATION
(Dollars in Thousands)

	FY 2015 President's Budget				
	Pos.	Atty	Agents	Est. FTE	Amount
Office on Violence Against Women - Total					
Office on Violence Against Women					
Campus Violence	0	0	0	0	2,000
Grants to Support Families in the Justice System	0	0	0	0	1,000
Legal Assistance Program	0	0	0	0	5,500
Program Offset - Research and Eval. Violence Against Women (NIJ)	0	0	0	0	-250
Program Offset - Rural Dom. Violence and Child Abuse Enforcement Assistance	0	0	0	0	-3,000
Transitional Housing	0	0	0	0	-250
Total, Office on Violence Against Women	0	0	0	0	5,500
Total, Office on Violence Against Women - Total	0	0	0	0	5,500
Total, Discretionary Grant Programs	15	0	0	8	-11,300
Total, Discretionary Budget Authority	527	257	7	274	-416,599
Total, DOJ Direct Discretionary Budget Authority	527	257	7	274	-416,599
Rescission					
Rescission - WCF	0	0	0	0	-54,000
Rescission - FPD	0	0	0	0	-122,000
Rescission - OJP - Undistributed	0	0	0	0	-59,000
Rescission - COPS	0	0	0	0	-26,000
Rescission - QVW	0	0	0	0	-12,200
Subtotal, Rescission	0	0	0	0	-273,200
Total Program Changes, DISCRETIONARY BUDGET AUTHORITY	527	257	7	274	-689,799
2015 Total DISCRETIONARY BUDGET AUTHORITY	116,765	9,977	44,697	107,962	27,376,251
2015 Reimbursable FTE	0	0	0	7,847	0
2015 DISCRETIONARY AUTHORITY with Reimbursable FTE	116,765	9,977	44,697	115,809	27,376,251
Change 2015 from 2014 Enacted with Fee Collections	580	311	7	605	121,725
Percent Change 2015 from 2014 Enacted with Fee Collections					0.44%
Scorekeeping Credits					
Crime Victim Fund	0	0	0	0	-10,526,000
Asset Forfeiture Fund	0	0	0	0	-193,000
Total, Discretionary Credits	0	0	0	0	-10,719,000
2015 DISCRETIONARY AUTHORITY w/ SCOREKEEPING, with Reimbursable FTE	116,765	9,977	44,697	115,809	16,657,251
Change 2015 from 2014 Enacted with Scorekeeping	580	311	7	605	-462,675
Percent Change 2015 from 2014 Enacted with Scorekeeping					-2.70%

**U.S. DEPARTMENT OF JUSTICE
STATE, LOCAL AND TRIBAL LAW ENFORCEMENT ASSISTANCE
(Dollars in Thousands)**

	FY 2013 ENACTED	FY 2014 ENACTED	FY 2015 REQUEST	FY 2015 REQUEST Versus FY 2014 ENACTED
OFFICE OF JUSTICE PROGRAMS				
<u>Justice Assistance/Research, Evaluation, and Statistics:</u>				
National Institute of Justice (NIJ)	40,336	40,000	47,500	7,500
Indigent Defense Initiative -- Social Science Research	0	0	[3,000]	[3,000]
Civil Legal Aid Research	0	0	[2,700]	[2,700]
DNA/Forensic Transfer to NIST/OLEs	[4,896]	0	0	0
Bureau of Justice Statistics (BJS)	45,026	45,000	55,400	10,400
Indigent Defense Initiative-- National Survey of Public Defenders	0	0	[1,000]	[1,000]
Indigent Defense Initiative -- National Public Defenders Reporting Program	0	0	[1,500]	[1,500]
National Crime Victimization Survey	[24,389]	0	0	0
Redesign work for the NCVS	[9,380]	0	0	0
Forensic Sciences	0	4,000	6,000	2,000
NIST	0	[3,000]	[3,000]	0
Regional Information Sharing System (RISS)	32,832	30,000	25,000	-5,000
Evaluation Clearinghouse	938	1,000	3,000	2,000
TOTAL, JUSTICE ASSISTANCE	119,132	120,000	136,900	16,900
<u>State and Local Law Enforcement:</u>				
State Criminal Alien Assistance Program (SCAAP)	237,123	180,000	0	-180,000
Adam Walsh Act Implementation	18,598	20,000	20,000	0
Byrne Competitive Grants	17,666	13,500	15,000	1,500
Justice Assistance Grants (JAG)	364,907	376,000	376,000	0
NIJ for Domestic Radicalization	[3,720]	[4,000]	0	[-4,000]
Comprehensive Criminal Justice Reform and Recidivism Reduction	[5,579]	0	0	0
State and Local Antiterrorism Training (SLATT)	[1,860]	[1,000]	[2,000]	[1,000]
State and Local Assistance Help Desk and Diagnostic Center	[3,720]	[1,000]	[2,000]	[1,000]
VALOR Initiative	[4,849]	[15,000]	[15,000]	0
Puerto Rico Plebiscite	0	[2,500]	0	[-2,500]
Smart Policing	0	[5,000]	[10,000]	[5,000]
Smart Prosecution	0	[2,500]	[5,000]	[2,500]
Bulletproof Vest Partnership/ Under JAG in 2015	0	0	[22,500]	[22,500]
Byrne Incentive Grants	0	0	15,000	15,000
Justice Reinvestment Initiative	0	27,500	30,000	2,500
Task Force on Federal Corrections	0	[1,000]	0	[-1,000]
Residential Substance Abuse Treatment (Improving Reentry)	11,624	10,000	14,000	4,000
Indigent Defense Initiative -- Answering Gideon's Call	0	0	5,400	5,400
Civil Legal Aid - Competitive Grant (In Consult w/ATJ)	0	0	5,000	5,000
Procedural Justice - Building Community Trust	0	0	9,000	9,000
Problem Solving Justice	0	0	44,000	44,000
Drug Court Program	38,126	40,500	0	-40,500
Mentally Ill Offender Act	8,369	8,250	0	-8,250
Victims of Trafficking	12,554	14,250	10,500	-3,750
Vision 21	0	12,500	0	-12,500
Prescription Drug Monitoring Program	6,509	7,000	7,000	0
Prison Rape Prevention and Prosecution Program	11,624	12,500	10,500	-2,000
Capital Litigation Improvement Grant Program	2,790	2,000	2,000	0
National Sex Offender Public Website	930	1,000	1,000	0
Project Hope Opportunity Probation with Enforcement (HOPE)	0	4,000	10,000	6,000
Bulletproof Vest Partnership/ Under JAG in 2015	19,993	22,500	0	-22,500
NIST/OLEs	[1,469]	[1,500]	0	[-1,500]
National Criminal History Improvement Prog (NCHIP)	5,579	58,500	50,000	-8,500
NICS Improvement Act	11,159	[12,000]	5,000	5,000
Court-Appointed Special Advocate	5,579	6,000	6,000	0
DNA Initiative	116,237	125,000	100,000	-25,000
Rape Kit Backlog	0	0	[20,000]	[20,000]
DNA Analysis and Capacity Enhancement Program	[108,798]	[117,000]	0	[-117,000]
Kirk Bloodsworth Post Conviction DNA Testing Program	[3,720]	[4,000]	0	[-4,000]
Sexual Assault Forensic Exam Program Grants	[3,720]	[4,000]	0	[-4,000]
Community Teams to Reduce the Sexual Assault Kit (SAK) Backlog	0	0	35,000	35,000
Coverdell Forensic Science Grants	11,159	12,000	0	-12,000

**U.S DEPARTMENT OF JUSTICE
STATE, LOCAL AND TRIBAL LAW ENFORCEMENT ASSISTANCE
(Dollars in Thousands)**

	FY 2013 ENACTED	FY 2014 ENACTED	FY 2015 REQUEST	FY 2015 REQUEST Versus FY 2014 ENACTED
Violent Gang and Gun Crime Reduction	4,649	8,500	5,000	-3,500
Second Chance/Prisoner Reentry	63,930	67,750	115,000	47,250
Smart Probation	[4,649]	[6,000]	[10,000]	[4,000]
COIP Demonstration Grants	0	[2,000]	[5,000]	[3,000]
Pay for Success	0	[7,500]	[30,000]	[22,500]
Pay for Success (Permanent Supportive Housing Model)	0	[5,000]	[10,000]	[5,000]
Veterans Treatment Courts	3,720	4,000	0	-4,000
Emergency Federal Law Enforcement Assistance	3,255	0	0	0
National Center for Public Safety	2,557	2,000	0	-2,000
Missing Alzheimer's Program	930	750	0	-750
Economic, High-Tech, Cybercrime Prevention	8,389	10,000	15,000	5,000
Intellectual Property Enforcement Program	0	0	[2,500]	[2,500]
Defending Childhood/Children Exposed to Violence	12,089	8,000	23,000	15,000
Comprehensive School Safety	0	75,000	75,000	0
Byrne Criminal Justice Innovation Program	16,738	10,500	29,500	19,000
Indian Assistance	35,336	30,000	0	-30,000
John R. Justice Student Loan Repayment Program	3,720	2,000	0	-2,000
Border Prosecution Initiatives	4,649	0	0	0
TOTAL, STATE AND LOCAL LAW ENFORCEMENT ASSIST.	1,060,468	1,171,500	1,032,900	-138,600
Juvenile Justice and Safety Programs:				
Part B. Formula Grants	41,080	55,500	50,000	-5,500
Juvenile Accountability Block Grant Prog (JABG)	0	[10,000]	0	[-10,000]
Emergency Planning	[467]	[500]	0	[-500]
Youth Mentoring	84,027	88,500	58,000	-30,500
Title V: Local Delinquency Prevention Incentive Grants	18,673	15,000	42,000	27,000
Tribal Youth Program	[9,336]	[5,000]	0	[-5,000]
Gang Prevention	[4,668]	[2,500]	0	[-2,500]
Juvenile Justice and Education Collaboration Assistance (JUECA)/School Climate		[5,000]	[10,000]	[5,000]
Enforcing Underage Drinking Laws	[4,668]	[2,500]	0	[-2,500]
Victims of Child Abuse -Improving the Investig. & Prosec. Of Child Abuse (APRI)	17,739	19,000	11,000	-8,000
Juvenile Accountability Block Grant Prog (JABG)	23,341	0	30,000	30,000
Indigent Defense Initiative -- Improving Juvenile Indigent Defense		0	5,400	5,400
Community-Based Violence Prevention Initiatives	10,270	5,500	18,000	12,500
National Forum on Youth Violence Prevention	1,867	1,000	4,000	3,000
Missing and Exploited Children's Program (MECP)	62,553	67,000	67,000	0
Child Abuse Training for Judicial Personnel	1,400	1,500	1,500	0
Juvenile Justice Realignment Incentive Grants	0	0	10,000	10,000
Competitive Grant for Girls in the Justice System	0	1,000	2,000	1,000
Children of Incarcerated Parents Web Portal	0	500	500	0
TOTAL, JUVENILE JUSTICE PROGRAMS	260,950	254,600	299,400	44,900
TOTAL, PUBLIC SAFETY OFFICERS DISCRETIONARY PROG	15,962	16,300	16,300	0
Public Safety Officers Death, Disability and Educations Programs: (which equals PSOB mandatory approp)	61,949	80,928	61,000	72
Crime Victims Fund (Obligation Limitation)	730,000	745,000	810,000	65,000
Cap			[755,000]	[10,000]
Vision 21			[25,000]	[25,000]
Vision 21 -- Tribal Victims of Violence Grants			[20,000]	[20,000]
Domestic Trafficking Victims Grants			[10,000]	[10,000]
TOTAL, OJP DISCRETIONARY GRANT PROGRAMS	1,456,513	1,582,300	1,485,500	-76,800
OJP Set-Aside for New Flexible Tribal Grant (7%)			[102,844]	[102,844]
OJP Set-Aside for Research and Eval. (2% in FYs 2013 and 2014; 3% in FY 2015)	[27,104]	[27,510]	[40,899]	[13,389]
Gun Safety Research	0	0	[2,000]	[2,000]
Federal Inmate Research and Evaluation (Transfer to BOP)	[1,300]	0	0	0
OJP - Management and Administration	[170,115]	[187,332]	[191,907]	[4,575]

**U.S. DEPARTMENT OF JUSTICE
STATE, LOCAL AND TRIBAL LAW ENFORCEMENT ASSISTANCE
(Dollars in Thousands)**

	FY 2013 ENACTED	FY 2014 ENACTED	FY 2015 REQUEST	FY 2015 REQUEST Versus FY 2014 ENACTED
TOTAL, OJP MANDATORY GRANT PROGRAMS	791,949	825,928	891,000	65,072
GRAND TOTAL, OJP	2,248,462	2,388,228	2,376,500	-11,728
<u>COPS APPROPRIATION</u>				
<u>Supporting Law Enforcement Activity:</u>				
Tribal Law Enforcement	18,808	16,500	20,000	3,500
COPS Hiring Program	178,681	180,000	247,000	67,000
Transfer to Tribal Resources Grant Program	[14,106]	[16,500]	[15,000]	[-1,500]
Collaborative Reform Model (Formerly Elevate)		[5,000]	[10,000]	[5,000]
Community Policing Development/Training and Technical Assistance	[9,405]	[7,500]	[15,000]	[7,500]
DEA Methamphetamine Enforcement and Cleanup	12,241	10,000	7,000	-3,000
Anti-Methamphetamine Task Forces		7,500	0	-7,500
COPS Set-Aside for Research and Evaluation – 3% of discr funds	0	0	[8,010]	[8,010]
COPS - Management and Administration	[35,975]	[37,374]	[37,374]	0
TOTAL, COPS APPROPRIATION	209,730	214,000	274,000	60,000
<u>Office on Violence Against Women (OVW)</u>				
<u>Violence Against Women Grants:</u>				
Grants to Combat Violence Against Women (STOP)	176,005	193,000	193,000	0
Research and Eval. Violence Against Women (NIJ)	3,259	3,250	3,000	-250
Transitional Housing	23,281	24,750	25,000	250
Consolidated Youth Oriented Program	9,312	10,000	10,000	0
Grants to Encourage Arrest Policies	48,562	50,000	50,000	0
Homicide Reduction Initiative	[3,725]	[4,000]	[4,000]	0
Rural Dom. Violence & Child Abuse Enforcement Asst.	33,990	36,000	33,000	-3,000
Legal Assistance Program	38,181	37,000	42,500	5,500
Grants to Support Families in the Justice System	14,434	15,000	16,000	1,000
Campus Violence	8,381	9,000	11,000	2,000
Disabilities Program	5,355	5,750	5,750	0
Elder Program	3,958	4,250	4,250	0
Sexual Assault Services	23,281	27,000	27,000	0
Indian Country - Sexual Assault Clearinghouse	466	500	500	0
National Resource Center on Workplace Responses	466	500	500	0
Research on Violence Against Indian Women	931	1,000	1,000	0
VAWA Tribal Government Grants Program	[31,588]	[35,485]	[35,675]	[210]
VAWA Tribal Coalitions Grants	[3,376]	[6,216]	[6,216]	0
OVW Set-Aside for Research and Evaluation – 3% of discr funds	0	0	[12,675]	[12,675]
OVW Management and Administration	[17,460]	[18,772]	[18,959]	[187]
TOTAL, OFFICE ON VIOLENCE AGAINST WOMEN	387,864	417,000	422,500	5,600
<u>RESCISSION OF BALANCES:</u>				
OFFICE OF JUSTICE PROGRAMS	-43,000	-59,000	-59,000	0
COPS OFFICE	-12,200	-26,000	-26,000	0
OFFICE ON VIOLENCE AGAINST WOMEN	-12,000	-12,200	-12,200	0
TOTAL OF RESCISSIONS	-67,200	-97,200	-97,200	0
GRAND TOTALS, INCLUDING RESCISSIONS:				
DISCRETIONARY, INCLUDING RESCISSIONS	1,886,907	2,096,100	2,084,800	-11,300
DISCRETION. & MANDAT., INCLUDING RESCISSIONS	2,778,856	2,922,028	2,975,900	53,772
GRAND TOTAL, EXCLUDING RESCISSIONS:				
DISCRETIONARY, NOT INCLUDING RESCISSIONS	2,054,107	2,193,300	2,182,000	-11,300
DISCRETION. & MANDAT., NOT INCLUDING RESCISSIONS	2,846,056	3,019,228	3,073,000	53,772



General Administration (GA)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$110.0 million (567 positions; 143 attorneys)
Current Services Adjustments:	+\$16.3 million
Program Changes:	+\$2.5 million
FY 2015 Budget Request:	\$128.9 million (646 positions; 201 attorneys)
Change From FY 2014 Enacted:	+\$18.9 million (+17.1%) (+79 positions; +58 attorneys)

Mission:

The primary mission of the GA appropriation is to support the Attorney General and DOJ senior policy level officials in managing Department resources and developing policies for legal, law enforcement, and criminal justice activities. GA also provides administrative support services to the legal divisions and policy guidance to all Department organizations. GA's mission supports every aspect of the DOJ strategic plan. Most GA offices have significant oversight responsibilities that shape DOJ policy and influence the way the Department works toward meeting each of its strategic goals.

Resources:

The FY 2015 budget request for GA totals \$128.9 million, which is a 17.1% increase over the FY 2014 Enacted. Much of the increase to GA (\$10.2 million) is for adjustments to base related to the centralization of funding for the Office of Information Policy (OIP) and the Professional Responsibility Advisory Office (PRAO).

In addition, base funding is also included to convert positions which were previously funded by other sources for the Office of Legislative Affairs (OLA) and the Public Affairs Office (PAO).

Organization:

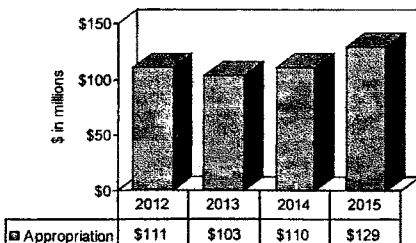
The GA appropriation includes the following: Attorney General, Deputy Attorney General, Associate Attorney General, Privacy and Civil Liberties, Rule of Law, Access to Justice, Public Affairs, Legislative Affairs, Tribal Justice, Information Policy, Legal Policy, Professional Responsibility, the Professional Responsibility Advisory Office, and the Justice Management Division (JMD). JMD provides advice to senior DOJ officials and develops departmental policies in the areas of management and administration; ensures compliance by DOJ components with departmental and other federal policies and regulations; and provides a full range of management and administration support services, including financial management operations and procurement services.

Personnel:

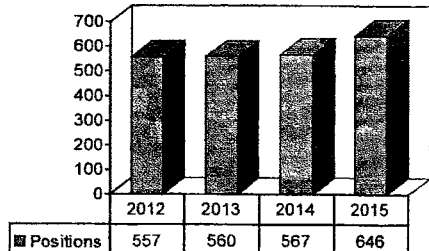
The GA's direct positions for FY 2015 total 646 positions. GA's FY 2015 request includes an increase of 79 positions over the FY 2014 Enacted of 567 positions.

The increase includes the following adjustments to base: 43 positions for OIP, 18 positions for PRAO, 3 positions for OLA and 2 positions for PAO. However, between January 2011 and December 2013, the number of GA's onboard staff declined by 100.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

The Department's leadership develops policies regarding the administration of justice in the United States, and directs and oversees the administration and operation of the Department's bureaus, offices, and divisions, to ensure DOJ's success in meeting its strategic goals. The Department's responsibilities and priorities continue to evolve and respond to current challenges. Whenever new tasks are undertaken by the Department, the Department's leadership and other supporting offices must develop the policies and oversee their implementation.

The Department has made great strides over the past few years in realigning functions within the GA appropriation in order to achieve efficiencies and increase effectiveness in the management of the Department. These realignments include: merging the Office of Dispute Resolution with the Office of Legal Policy, merging the Office of Intergovernmental and Public Liaison with the Office of Legislative Affairs, and moving the administration of the Office of Tribal Justice under the GA appropriation. These changes have resulted in streamlined operations and the elimination of overlapping duties in these areas going forward. The Department will continue to explore opportunities to share and maximize available resources within the GA appropriation in FY 2015.

The Department is also seeking to become as transparent as possible by centralizing funding for the Office of Information Policy and the Professional Responsibility Advisory Office. These offices were formerly paid for through component reimbursement agreements. Through the FY 2015 budget process, these important offices will be funded in the GA appropriation.

FY 2015 Program Changes:

Access to Justice: \$300,000 and 2 positions (2 attorneys)
To strengthen the important work already taking place in the Access to Justice Initiative; helping the justice system efficiently deliver outcomes that are fair and accessible to all, irrespective of wealth and status.

Policy Analysis: \$1.7 million and 8 positions

To create a policy analysis function within the Office of Legal Policy to analyze, on behalf of Department leadership, policy related to criminal and civil law enforcement and the criminal justice system, as well as other core Departmental missions such as civil rights enforcement; to identify problems and emerging trends; to analyze relevant data, such as federal caseload statistics; to develop policy options and recommendations; and to provide research support to Department policymakers.

Office of Tribal Justice: \$530,000 and 3 positions (3 attorneys)

The Tribal Law and Order Act of 2010 increased the responsibilities of the Office of Tribal Justice (OTJ) to include several new functions. This enhancement provides funding for additional attorneys as well as extraordinary travel, public notifications (Federal Register) and meeting coordination. OTJ serves 566 federally recognized tribes spread across 54 million acres of Indian Country. The FY 2014 President's Budget also included this request. The FY 2014 current services for this initiative are 5 positions (3 attorneys) and \$1.1 million.

General Administration
(Dollars in Thousands)

	General Administration		
	Pos	Est. FTE	Amount
2013 Appropriation	560	473	110,822
2013 Sequester Cut	0	0	-5,575
2013 Rescissions (1.877 % & 0.2%)	0	0	-2,297
2013 Enacted with Rescissions and Sequester	560	473	102,950
2014 Enacted	567	480	110,000
2015 Request	646	546	128,851
Change 2015 from 2014 Enacted	79	66	18,851
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	5	5	2,551
Domestic Rent & Facilities	0	0	3,580
Other Adjustments	61	48	10,190
Total Base Adjustments	66	53	16,321
2015 Current Services	633	533	126,321
Program Changes			
Increases:			
Access to Justice	2	2	300
Office of Tribal Justice	3	3	530
Policy Analysis	8	8	1,700
Subtotal, Program Increases:	13	13	2,530
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	13	13	2,530
2015 Request	646	546	128,851

General Administration
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Department Leadership	71	54	17,313	71	54	17,880
Intergovernmental Relations & External Affairs	50	42	9,393	55	47	10,834
Executive Support and Professional Responsibility	64	56	12,513	125	104	23,321
Justice Management Division	382	328	70,781	382	328	74,286
Total	567	480	110,000	633	533	126,321
Reimbursable FTE	0	68	0	0	29	0
Grand Total	567	548	110,000	633	562	126,321

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Department Leadership	2	2	300	73	56	18,180
Intergovernmental Relations & External Affairs	3	3	530	58	50	11,364
Executive Support and Professional Responsibility	8	8	1,700	133	112	25,021
Justice Management Division	0	0	0	382	328	74,286
Total	13	13	2,530	646	546	128,851
Reimbursable FTE	0	0	0	0	29	0
Grand Total	13	13	2,530	646	575	128,851



Justice Information Sharing Technology (JIST)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$25.8 million (59 positions)
Current Services Adjustments:	+\$255,000
Program Changes:	-\$255,000
FY 2015 Budget Request:	\$25.8 million (45 positions)
Change From FY 2014 Enacted:	+\$0 (-14 positions)

Mission:

The JIST account provides information technology (IT) resources so that the Department's Chief Information Officer (CIO) may effectively coordinate enterprise-wide IT investments and ensure that infrastructure enhancements are well-planned and aligned with the Department's overall IT strategy and enterprise architecture. JIST funds the following programs in FY 2015: IT Transformation and Cyber Security, Public Key Infrastructure, Unified Financial Management System (UFMS), and the Law Enforcement Information Sharing Program.

Resources:

The FY 2015 budget request for JIST totals \$25.8 million, which is the same as the FY 2014 enacted level.

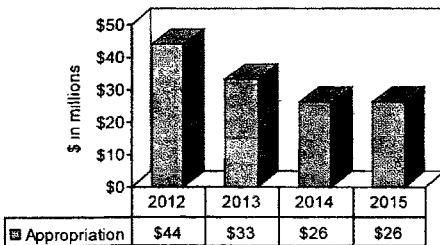
Organization:

The CIO manages the programs funded under the JIST appropriation. The CIO is part of the Justice Management Division and reports to the Assistant Attorney General for Administration. The CIO's Policy and Planning Staff, funded under the JIST appropriation, supports the Department's Investment Review Board that oversees Department IT investments and conducts periodic reviews of the Department's high profile, high cost, or high risk IT investments.

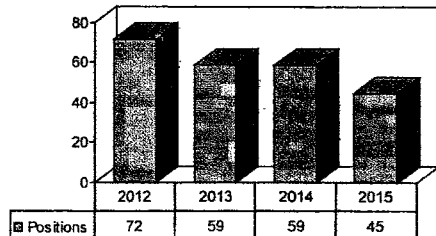
Personnel:

The JIST's direct positions for FY 2015 total 45 positions. JIST's FY 2015 request includes a decrease of -14 positions from FY 2014 Enacted, which reflects the transfer of UFMS positions out of the JIST account and into the Working Capital Fund (WCF).

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

The JIST appropriation supports the Department's mission by providing the IT infrastructure and security environments necessary to conduct legal, investigative, and administrative functions. JIST funding provides investments in enterprise IT infrastructure, cyber security, public key infrastructure, information sharing technology, and system development projects across the Department.

During FY 2015, the CIO will focus on advancing initiatives to transform IT enterprise infrastructure and cyber security. The JIST IT Transformation and Cyber Security Program is a multiyear commitment that directly supports the Federal CIO's 25 Point Plan to Reform Federal IT Management and the Portfolio Stat (PSTAT) process. Work on this program began in FY 2012 and will continue into FY 2015. This program consists of the following projects:

1. Email Consolidation: Departmental email consolidation is a multi-year effort that began in FY 2012 with the consolidation of small email systems and the planning activities for a Department-wide email system. The goal of this project is to reduce the number of departmental non-classified email systems from over 20 to 8 by the end of FY 2014. In addition, new and enhanced collaboration functionality will be introduced to participating components in FY 2015. The Department is continuing to evaluate and analyze non-classified email systems to minimize costs. In FY 2015, DOJ plans to consolidate additional components into an enterprise email solution.

2. Data Center Consolidation: The goals of this project are to optimize and standardize IT infrastructure to improve operational efficiencies and agility; reduce the energy and real property footprint of DOJ's data center facilities; optimize the use of IT staff and labor resources supporting DOJ missions; and enhance DOJ's IT security posture. These goals will be achieved by reducing the number of DOJ data centers to three core data centers; leveraging cloud and commodity IT services; and migrating data processing to these locations and services with appropriate service agreements. DOJ has identified two Federal Bureau of Investigation (FBI) owned data centers and one Drug Enforcement Administration (DEA) leased data center as facilities that will serve as DOJ Core Enterprise Facilities (CEF). The Department has closed 50 data centers since 2010, and plans to close 11 additional data centers in FY 2014.

3. Cyber Security: The primary focus of this project is the prevention and detection of insider threats and advanced cyber threats. The Department will continue to develop and implement enterprise trusted infrastructure and architecture to provide secure and resilient systems and networks that ensure the confidentiality, integrity, and availability of data.

4. Mobility and Remote Access: The Department will continue to implement an enterprise infrastructure in FY 2015 to improve efficiency by enabling a mobile workforce and telework. Key enhancements for FY 2015 include expanding the mobile management platform for the latest Apple and Google Android devices, supporting mobile data loss prevention initiatives, expanding support for mobile collaboration tools, and creating a common mobile application platform as part of the "DOJ App Store." For remote access, the key activity for FY 2015 will focus on

Personal Identity Verification support for remote access users.

5. Desktops: The short-term goal of this project is to implement strategic sourcing for desktops. This includes establishing strategy, funding models, policy, and evaluations of architectures and solutions. Funding in FY 2015 will be used to design and implement an enterprise virtual desktop pilot.

As was the case in 2014, the FY 2015 JIST budget includes language to provide the Department's CIO with additional transfer authority for reinvestment in DOJ enterprise-wide IT initiatives (up to \$35.4 million) in order to set-aside a portion of IT funding to create a reinvestment pool. This pool will provide funding for smart IT investments, and will allow the Department's CIO to pool purchasing power across the entire organization to drive down costs and improve service for Department-wide initiatives. The strategy strikes the right balance between empowering the component CIOs, while at the same time giving the Department CIO central authority over Enterprise IT investments.

FY 2015 Program Changes:

Program Offset Miscellaneous Program and Administrative Reductions: -\$255,000 and 0 positions
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Justice Information Sharing Technology
(Dollars in Thousands)

	Justice Information Sharing Technology		
	Pos	Est. FTE	Amount
2013 Appropriation	59	52	33,426
2013 Rescissions (1.877 % & 0.2%)	0	0	-693
2013 Enacted with Rescissions and Sequester	59	52	32,733
2014 Enacted	59	52	25,842
2015 Request	45	45	25,842
Change 2015 from 2014 Enacted	-14	-7	0
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
ATB Transfers	-14	-7	0
Pay & Benefits	0	0	228
Domestic Rent & Facilities	0	0	27
Total Base Adjustments	-14	-7	255
2015 Current Services	45	45	26,097
Program Changes			
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-255
Subtotal, Program Decreases	0	0	-255
Total Program Changes	0	0	-255
2015 Request	45	45	25,842

Justice Information Sharing Technology
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Justice Information Sharing Technology	59	52	25,842	45	45	26,097
Total	59	52	25,842	45	45	26,097
Reimbursable FTE	0	0	0	0	0	0
Grand Total	59	52	25,842	45	45	26,097

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Justice Information Sharing Technology	0	0	-255	45	45	25,842
Total	0	0	-255	45	45	25,842
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-255	45	45	25,842



Administrative Review and Appeals Executive Office for Immigration Review (EOIR)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$312.2 million (1,582 positions; 530 attorneys)
Current Services Adjustments:	+\$14.0 million
Program Changes:	+\$20.9 million
FY 2015 Budget Request:	\$347.2 million (1,793 positions; 583 attorneys)
Change From FY 2014 Enacted:	+\$35.0 million (+11.2%) (+211 positions; +53 attorneys)

Mission:

The mission of EOIR is to adjudicate immigration cases in a careful and timely manner, including cases involving detained aliens, criminal aliens, and aliens seeking asylum as a form of relief from removal, while ensuring the standards of due process and fair treatment for all. The Board of Immigration Appeals' mission is to provide timely guidance and interpretation of immigration law.

Organization:

EOIR was created on January 9, 1983, through an internal Department of Justice (DOJ) reorganization that combined the Board of Immigration Appeals (BIA) with the Immigration Judge function. Besides establishing EOIR as a separate component within DOJ, this reorganization made the Immigration Courts independent of the agency charged with enforcement of federal immigration laws. The Office of the Chief Administrative Hearing Officer was added in 1987. EOIR is headed by a Director, appointed by the Attorney General, who oversees 59 Immigration Courts nationwide, as well as BIA and the headquarters organization located in Falls Church, VA.

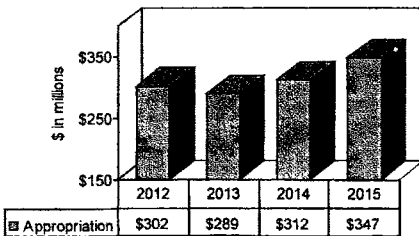
Resources:

The FY 2015 budget request for EOIR totals \$347.2 million, which is an 11.2% increase over the FY 2014 Enacted. The FY 2015 request includes an annual \$4 million transfer from the DHS Immigration Fee-Account to EOIR.

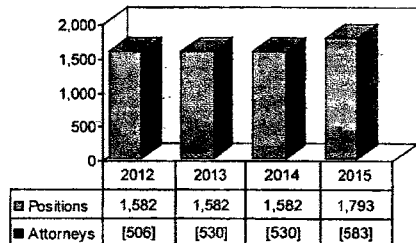
Personnel:

EOIR's direct positions for FY 2015 total 1,793 positions. EOIR's FY 2015 request includes an increase of 211 positions over the FY 2014 Enacted of 1,582 positions. However, between January 2011 and December 2013, the number of EOIR's onboard staff declined by 166 (16 attorneys).

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

EOIR represents the Department's front-line presence in the application of immigration law. Cases are received on-site, across the Nation, directly from Department of Homeland Security (DHS) enforcement personnel. As such, the coordination of resource allocation between EOIR and DHS is critical.

EOIR strategies are two-fold. First, on a continuing basis, EOIR's Office of the Chief Immigration Judge monitors caseload volume, trends, and geographic concentration and adjusts resource allocations accordingly (modifying local dockets, adjusting detail assignments, and permanently reassigning judge and staff positions from lower to higher volume courts). This also includes the expansion of the use of video teleconferencing to hear cases from remote locations. This strategy involves close national and local coordination with DHS immigration enforcement personnel.

EOIR's second strategy involves coordinating initiatives and program increases with DHS. Within DHS, Immigration and Customs Enforcement and Customs and Border Protection bring the majority of immigration enforcement programs that generate immigration caseload.

EOIR has to plan and coordinate with DHS. The number of cases pending adjudication has continued to increase, from approximately 229,000 at the end of FY 2009 to nearly 358,000 by the end of the first quarter of FY 2014. This represents a 56% increase in matters pending adjudication. Additionally, BIA received over 33,000 appeals in FY 2013 (having exceeded 30,000 receipts a year for the past five years), which is an extremely large volume for an appellate body.

DHS enforcement efforts will likely generate a high level of immigration court case receipts well into the future. . . . As a result, the FY 2015 request includes a program increase of \$17 million for EOIR to add 35 new Immigration Judge teams, allowing it to better coordinate with DHS enforcement efforts and adjudicate more cases annually.

The FY 2015 budget proposes substantive changes to the FY 2014 enacted appropriation language for EOIR. Additional detail is provided about substantive and technical language changes in Section III and EOIR's Congressional Justification.

FY 2015 Program Changes:

Legal Orientation Program: \$2.8 million and 0 positions

This increase will expand the successful Legal Orientation Program and improve efficiencies in immigration court proceedings for detained aliens by increasing their awareness of their rights and the overall process. Evaluation reports have shown that LOP participants complete their immigration court cases in detention on an average of 12 days faster than detainees who do not participate in an LOP. The requested increase will respond to elevated demand at existing sites and add 12 additional sites to the 31 sites expected to be operating by the end of FY 2014, 29 of which are in detention settings. The FY 2015 current services for this program are \$7.2 million.

Immigration Judge Teams - Coordination with DHS Enforcement Initiatives: \$17.0 million and 211 positions (53 attorneys)

This increase will enable EOIR to add 35 new Immigration Judge Teams to help adjudicate rising caseloads resulting from DHS enforcement efforts. An IJ team consists of an Immigration Judge, Language Specialist, Legal Technician, Clerk and Law Clerk, as well as a BIA Attorney and Paralegal for every other team. EOIR currently has 249 IJ teams on-board. The addition of 35 new IJ teams in FY 2015 will bring the IJ total to 284. FY 2015 current services for this program are 1,582 positions (530 attorneys) and \$326.2 million.

Pilot - Innovation Ideas: \$2.8 million and 0 positions

This additional funding will enable EOIR to continue the development and expansion of its pilot program to provide counsel to vulnerable populations, such as unaccompanied alien children, thus increasing efficiencies within the immigration courts. FY 2015 current services for this program are \$3 million.

Program Offset - Miscellaneous Program and Administrative Reductions: -\$1.7 million and 0 positions

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Executive Office for Immigration Review
(Dollars in Thousands)

	Executive Office for Immigration Review		
	Pos	Est. FTE	Amount
2013 Appropriation	1,582	1,355	310,643
2013 Rescissions (1.877 % & 0.2%)	0	0	-6,358
2013 Sequester Cut	0	0	-15,206
2013 Enacted with Rescissions and Sequester	1,582	1,355	289,079
2014 Enacted	1,582	1,355	312,200
2015 Request	1,793	1,460	347,154
Change 2015 from 2014 Enacted	211	105	34,954
Technical Adjustments			
DHS Immigration Fee Account	0	0	-4,000
Total Technical Adjustments	0	0	-4,000
Base Adjustments			
ATB Transfers	0	0	4,000
Pay & Benefits	0	0	4,021
Domestic Rent & Facilities	0	0	9,995
Total Base Adjustments	0	0	18,016
2015 Current Services	1,582	1,355	326,216
Program Changes			
Increases:			
Immigration Judge Teams - Coordination with DHS Enforcement Initiatives	211	105	17,000
Legal Orientation Program	0	0	2,824
Pilot - Innovation Ideas	0	0	2,824
Subtotal, Program Increases	211	105	22,648
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-1,710
Subtotal, Program Decreases	0	0	-1,710
Total Program Changes	211	105	20,938
2015 Request	1,793	1,460	347,154

Executive Office for Immigration Review
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Executive Office for Immigration Review	1,582	1,355	312,200	1,582	1,355	326,216
Total	1,582	1,355	312,200	1,582	1,355	326,216
Reimbursable FTE	0	0	0	0	0	0
Grand Total	1,582	1,355	312,200	1,582	1,355	326,216

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Executive Office for Immigration Review	211	105	20,938	1,793	1,460	347,154
Total	211	105	20,938	1,793	1,460	347,154
Reimbursable FTE	0	0	0	0	0	0
Grand Total	211	105	20,938	1,793	1,460	347,154



Administrative Review and Appeals Office of Pardon Attorney (OPA)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$2.8 million (15 positions; 7 attorneys)
Current Services Adjustments:	+\$403,000
Program Changes:	+\$715,000
FY 2015 Budget Request:	\$3.9 million (22 positions; 11 attorneys)
Change From FY 2014 Enacted:	+\$1.1 million (+39.9%) (+7 positions; +4 attorneys)

Mission:

The Office of the Pardon Attorney, in consultation with the Attorney General or his designee, assists the President in the exercise of his executive clemency power as authorized under Article II, Section 2, of the Constitution. Under the Constitution, the President's clemency power extends only to federal criminal offenses. All requests for executive clemency for federal offenses are directed to the Pardon Attorney for investigation and review. The Pardon Attorney prepares the Department's recommendation to the President for final disposition of each application. Executive clemency may take several forms including pardon, commutation of sentence, remission of fine or restitution, and reprieve.

Resources:

The FY 2015 budget request for OPA totals \$3.9 million, which is a 39.9% increase over the FY 2014 Enacted. The budget requests an enhancement of \$800,000 to increase capacity and respond to growing workload.

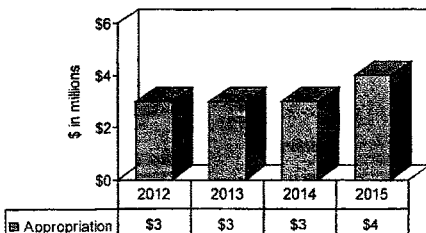
Organization:

OPA is headed by the Pardon Attorney who is appointed by the Attorney General. The Office is located in Washington, DC.

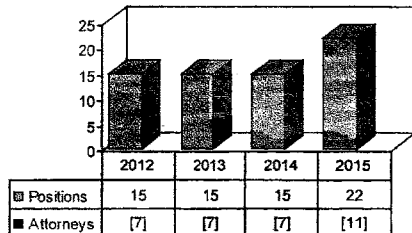
Personnel:

OPA's direct positions for FY 2015 total 22 positions. OPA's FY 2015 request includes an increase of 7 positions over the FY 2014 Enacted of 15 positions. The office's staffing level in FY 2014 remains the same as it was in the mid-1990s, when OPA's annual new case filings were approximately one-quarter to one-third the number of cases the office now receives in a fiscal year.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

In FY 2015, OPA will continue its sole mission to assist the President in the exercise of the clemency power. Additionally, OPA will continue to respond to inquiries concerning clemency petitions and the clemency process from applicants, their representatives, members of the public, members of Congress, and various federal, state, and local officials and agencies; prepare all necessary documents to effect the President's decision to grant clemency; and notify each clemency applicant of the President's decision concerning his/her clemency request. OPA will also provide general advice to the White House concerning clemency procedures and the historical background of clemency matters.

Starting in FY 2008, the number of applications for executive clemency submitted to the Office of the Pardon Attorney for processing grew to exceed 2,000 petitions annually, a historically high volume. This trend of approximately 2,000 annual filings has continued. In all, between FY 2008 and FY 2013, OPA received more than 13,600 clemency petitions for processing. In FY 2012, OPA received 383 pardon applications and 1,547 commutation applications for a total of 1,930 new petitions. In FY 2013, OPA received 303 pardon applications and 2,370 commutation applications, for a total of 2,673 petitions, a new all-time record for clemency applications filed in a single fiscal year and a 38% increase in the total number of new petitions over FY 2012.

The Department is renewing its focus on clemency matters and is looking to use its clemency authority to reduce the costs of incarcerating low- or no-risk inmates in the federal prison population. OPA's FY 2015 request includes an enhancement of \$800,000 to hire 7 new positions (including 4 attorneys) to help address its increasing workload and pending case backlog.

FY 2015 Program Changes:

Pardons and Commutations: \$800,000 and 7 positions (4 attorneys)

For additional support to achieve OPA's mission of advising and assisting the President in the exercise of his executive clemency power. These additional resources will help OPA address the growing number of pardon and commutation applications received and reviewed annually. FY 2015 current services for this initiative are 15 positions (7 attorneys) and \$3.2 million.

Program Offset Miscellaneous Program and Administrative Reductions: -\$85,000 and 0 positions

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Office of Pardon Attorney
(Dollars in Thousands)

	Office of Pardon Attorney		
	Pos	Est. FTE	Amount
2013 Appropriation	15	14	2,795
2013 Rescissions (1.877 % & 0.2%)	0	0	-58
2013 Sequester Cut	0	0	-137
2013 Enacted with Rescissions and Sequester	15	14	2,600
2014 Enacted	15	14	2,800
2015 Request	22	18	3,918
Change 2015 from 2014 Enacted	7	4	1,118
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	41
Domestic Rent & Facilities	0	0	362
Total Base Adjustments	0	0	403
2015 Current Services	15	14	3,203
Program Changes			
Increases:			
Pardons and Commutations	7	4	800
Subtotal, Program Increases	7	4	800
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-85
Subtotal, Program Decreases	0	0	-85
Total Program Changes	7	4	715
2015 Request	22	18	3,918

Office of Pardon Attorney
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Office of the Pardon Attorney	15	14	2,800	15	14	3,203
Total	15	14	2,800	15	14	3,203
Reimbursable FTE	0	0	0	0	0	0
Grand Total	15	14	2,800	15	14	3,203

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Office of the Pardon Attorney	7	4	715	22	18	3,918
Total	7	4	715	22	18	3,918
Reimbursable FTE	0	0	0	0	0	0
Grand Total	7	4	715	22	18	3,918



Office of the Inspector General (OIG)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$86.4 million (474 positions; 30 attorneys; 139 agents)
Current Services Adjustments:	+\$5.3 million
Program Changes:	-\$3.2 million
FY 2015 Budget Request:	\$88.6 million (474 positions; 30 attorneys; 139 agents)
Change From FY 2014 Enacted:	+\$2.2 million (+2.5%)

Mission:

The mission of the OIG is to investigate allegations of fraud, waste, abuse, and misconduct by Department employees, contractors, and grantees, and to promote economy and efficiency in Department operations. The OIG is an independent entity within the Department that reports to both the Attorney General and Congress on issues that affect the Department's personnel or operations.

Resources:

The FY 2015 budget request for OIG totals \$88.6 million, which is a 2.5% increase over the FY 2014 Enacted.

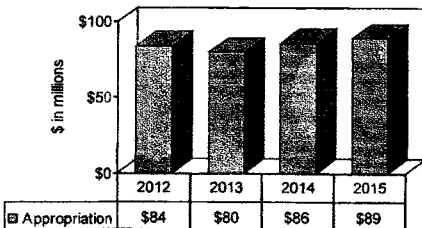
Organization:

The OIG consists of the Inspector General, the Deputy Inspector General, the Office of the General Counsel, and five components each headed by an Assistant Inspector General. The 5 OIG components are: the Audit Division, the Investigations Division, the Evaluation and Inspections Division, the Oversight and Review Division, and the Management and Planning Division. The OIG operates Audit and Investigations field offices in 15 cities throughout the Nation.

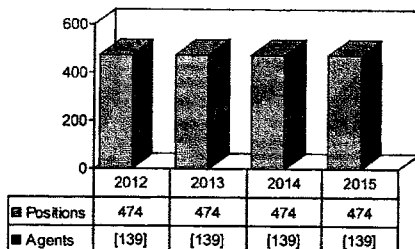
Personnel:

The OIG's direct positions for FY 2015 total 474 positions and is the same as FY 2014 Enacted. However, between January 2011 and December 2013, the number of OIG's onboard staff declined by 45.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

The OIG is committed to assuring the Attorney General, Congress and the taxpayers that the substantial funding provided to support the Department and its infrastructure investments are used efficiently, effectively, and for their intended purposes.

The OIG has jurisdiction over all complaints of misconduct against Department employees in the Federal Bureau of Investigation (FBI), Drug Enforcement Administration (DEA), Federal Bureau of Prisons (BOP), U.S. Marshals Service (USMS), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), U.S. Attorneys' Offices (USAO), Office of Justice Programs (OJP), and other Offices, Boards and Divisions.

In FY 2015, the OIG will investigate alleged violations of criminal and civil law, regulations, and ethical standards arising from the conduct of Department employees in their numerous and diverse activities. The OIG will also audit and inspect Department programs and assist management in promoting integrity, economy, efficiency, and efficacy. The OIG also plans to fully meet its responsibilities to oversee the Department's critical counterterrorism, information technology, cybercrime, detention, incarceration, law enforcement, and grant-related activities.

The FY 2015 budget proposes substantive changes to the FY 2014 enacted appropriation language for OIG. Additional detail is provided about substantive and technical language changes in Section III and OIG's Congressional Justification.

FY 2015 Program Changes:

Program Offset Miscellaneous Program and Administrative Reductions: -\$3.2 million and 0 positions

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Office of the Inspector General
(Dollars in Thousands)

	Office of the Inspector General		
	Pos	Est. FTE	Amount
2013 Appropriation	474	419	85,985
2013 Rescissions (1.877 % & 0.2%)	0	0	-1,783
2013 Sequester Cut	0	0	-4,236
2013 Enacted with Rescissions and Sequester	474	419	79,966
2014 Enacted	474	419	86,400
2015 Request	474	419	88,577
Change 2015 from 2014 Enacted	0	0	2,177
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	1,660
Domestic Rent & Facilities	0	0	3,670
Total Base Adjustments	0	0	5,330
2015 Current Services	474	419	91,730
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-3,153
Subtotal, Program Decreases	0	0	-3,153
Total Program Changes	0	0	-3,153
2015 Request	474	419	88,577

Office of the Inspector General
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
OIG Audits, Inspections, Investigations, and Reviews	474	419	86,400	474	419	91,730
Total	474	419	86,400	474	419	91,730
Reimbursable FTE	0	21	0	0	21	0
Grand Total	474	440	86,400	474	440	91,730

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
OIG Audits, Inspections, Investigations, and Reviews	0	0	-3,153	474	419	88,577
Total	0	0	-3,153	474	419	88,577
Reimbursable FTE	0	0	0	0	21	0
Grand Total	0	0	-3,153	474	440	88,577



U.S. Parole Commission (USPC)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$12.6 million (85 positions; 7 attorneys)
Current Services Adjustments:	+\$708,000
Program Changes:	+\$0
FY 2015 Budget Request:	\$13.3 million (85 positions; 7 attorneys)
Change From FY 2014 Enacted:	+\$708,000 (+5.6%)

Mission:

The mission of the U.S. Parole Commission (USPC) is to promote public safety and strive for justice and fairness in the exercise of its authority to release and supervise offenders under its jurisdiction. USPC has jurisdiction over federal offenders who committed offenses before November 1, 1987; all District of Columbia offenders; Uniform Code of Military Justice offenders who are in the custody of the Bureau of Prisons; Transfer Treaty cases (United States citizens convicted in foreign countries, who have elected to serve their sentence in this country); and State probationers and Parolees in the Federal Witness Protection Program. USPC renders decisions on National Appeals Board cases and decides action on supervision, parole, or return to custody cases under its jurisdiction. Unless reauthorized, USPC will sunset on November 1, 2018.

Resources:

The FY 2015 budget request for USPC totals \$13.3 million, which is a 5.6% increase over the FY 2014 Enacted.

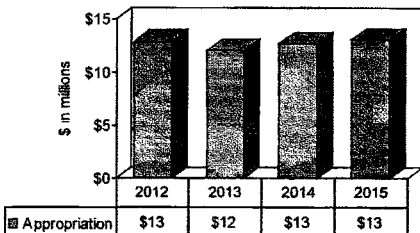
Organization:

USPC is managed by the USPC Chairman who, along with four other commissioners, is appointed by the President with the advice of the Senate. All USPC offices and staff are located in the District of Columbia. The staff carries out the USPC's operations and support functions.

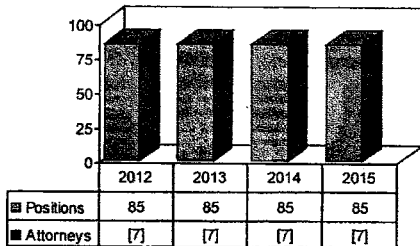
Personnel:

The USPC's direct positions for FY 2015 total 85 positions and is the same as FY 2014 Enacted. However, between January 2011 and December 2013, the number of USPC's onboard staff declined by 14 (2 attorneys and 12 support staff).

Funding (FY 2012 - 2015)



Personnel (FY 2012 - FY 2015)



FY 2015 Strategy:

In meeting its statutory requirements, USPC continues to face challenges that are complex and evolving. The major task before USPC is to take immediate action on violent offenders, while reducing recidivism rates for low-risk, non-violent offenders by implementing new revocation guidelines and establishing alternatives to re-incarceration. USPC policies and program strategies that are key to reducing recidivism rates include: appearance notices to encourage an offender under supervision in the community to appear at a revocation hearing; reprimand sanctions hearings to confront an offender to address non-compliant behavior and to make a commitment to make positive behavioral changes, thus complying with the conditions of release; drug treatment centers to address an offender's drug abuse problem, thereby reducing the chance of returning to prison; and mental health hearing dockets to increase the treatment engagement of mentally ill offenders to reduce their risk level in the community.

The FY 2015 strategy maintains the Commission's focus on returning low-risk non-violent offenders to parole or supervised release rather than prison when possible. However, USPC will continue to issue warrants for those that willfully violate the conditions of their release and for those with the most egregious behavior (typically tied to violence, child abuse, sex offenses, etc.). This approach keeps communities safe while returning low-risk offenders back to the community in a timely and cost efficient manner.

USPC currently projects a total prisoner and parolee population, including District of Columbia (D.C.) supervised releases, of 20,600 in FY 2015. The federal population is projected to be 3,600 and includes 1,200 federal prisoners and other offenders such as witness security, foreign treaty and military justice offenders, and 2,400 parolees. The D.C. population under USPC's jurisdiction is projected to be about 17,000, and includes 8,000 prisoners and 9,000 parolees and supervised releases.

The USPC is supportive of the Attorney General's "Smart on Crime" initiative. The FY 2015 budget will allow the USPC to fully fund its positions in case services, case operations, and research, thereby supporting initiatives dealing with alternatives to re-incarceration for low-risk offenders.

These alternatives would include increasing the number of offenders referred to the Secured Residential Treatment Program and the Residential Substance Abuse Treatment Program in D.C. Other alternatives include expanding the Reprimand Sanction Hearings Program to increase the number of offenders referred to the USPC for violating the administrative conditions of their release. Frequent and early intervention by the USPC through the Reprimand Sanction Hearing process has improved offender compliance in the community and reduced the need for re-incarceration. Furthermore, the expansion of the mental health dockets will increase the treatment engagement of mentally ill offenders to reduce their risk in the community, and reduce the cost of re-incarceration.

The USPC would also expand its Short-Term Intervention for Success (SIS) pilot program which is designed to provide for shorter periods of imprisonment for technical violators in exchange for potentially longer periods of incarceration. The pilot has lowered the re-arrest rates for those participating and has ultimately reduced overall prison costs.

FY 2015 Program Changes:

The budget request includes funds for current services for USPC. No program changes are requested.

U.S. Parole Commission
(Dollars in Thousands)

	U.S. Parole Commission		
	Pos	Est. FTE	Amount
2013 Appropriation	85	70	12,772
2013 Rescissions (1.877 % & 0.2%)	0	0	-265
2013 Sequester Cut	0	0	-646
2013 Enacted with Rescissions and Sequester	85	70	11,861
2014 Enacted	85	70	12,600
2015 Request	85	75	13,308
Change 2015 from 2014 Enacted	0	5	708
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	206
Domestic Rent & Facilities	0	0	29
Other Adjustments	0	5	473
Total Base Adjustments	0	5	708
2015 Current Services	85	75	13,308
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	0	0	0
2015 Request	85	75	13,308

U.S. Parole Commission
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
United States Parole Commission	85	70	12,600	85	75	13,308
Total	85	70	12,600	85	75	13,308
Reimbursable FTE	0	0	0	0	0	0
Grand Total	85	70	12,600	85	75	13,308

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
United States Parole Commission	0	0	0	85	75	13,308
Total	0	0	0	85	75	13,308
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	0	85	75	13,308



National Security Division (NSD)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$91.8 million (383 positions; 249 attorneys)
Current Services Adjustments:	+\$5.9 million
Program Changes:	-\$5.9 million
FY 2015 Budget Request:	\$91.8 million (383 positions; 249 attorneys)
Change From FY 2014 Enacted:	+\$0

Mission:

The National Security Division (NSD) is responsible for combating terrorism and other threats to the national security—the Department of Justice's highest priority. The NSD consolidates within a single Division, the Department's primary national security elements outside of the Federal Bureau of Investigation. This organizational structure strengthens the effectiveness of the Department's national security efforts by ensuring greater coordination and unity of purpose between prosecutors, law enforcement agencies, intelligence attorneys, and the Intelligence Community.

Resources:

The FY 2015 budget request for NSD totals \$91.8 million, which is the same as FY 2014 Enacted.

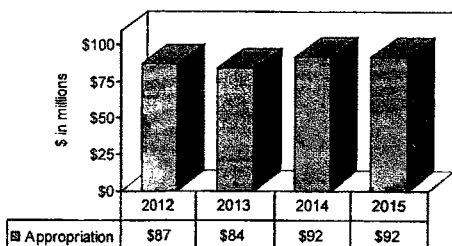
Organization:

NSD is headed by an Assistant Attorney General (AAG), who is appointed by the President and confirmed by the Senate. The AAG oversees a Division that is organized into the Office of Intelligence (Operations, Oversight and Litigation Sections); Counterterrorism and Counterespionage Sections; Law and Policy Office; Office of Justice for Victims of Overseas Terrorism; and an Executive Office.

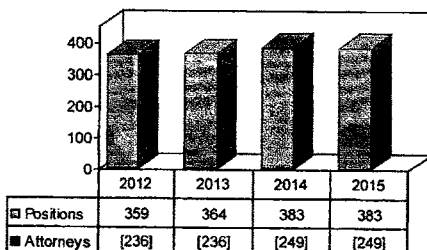
Personnel:

NSD's direct positions for FY 2015 total 383 positions and is the same as FY 2014 Enacted.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

In FY 2015, the National Security Division (NSD) will continue to fulfill its responsibilities in the areas of Intelligence Operations, Oversight, and Litigation; Counterterrorism; Counterespionage; and Counterproliferation; Foreign Investment Review; Law and Policy Advice; and Victims of Terrorism Outreach.

In addition, NSD engaged in a comprehensive strategic assessment of the Division's current operations and future requirements. As a result of that assessment, NSD has outlined four areas of new or renewed focus that will guide its operations in FY 2015 and the coming years. They are:

- Combating cyber threats to the national security and protecting national security assets;
- Enhancing NSD's intelligence programs and expanding its intelligence oversight function;
- Continuing to bring an all-tools, integrated approach to NSD's work, while also adapting to address the changing face of terrorism; and
- Reinvigorating NSD's development into a mature Division, capable of keeping pace with its national security partners and outpacing the threats the nation faces.

All of NSD's FY 2015 budget request map to these strategic goals and priorities and will ensure that NSD remains best positioned to fulfill the Department's top priority mission in the face of increasing challenges and a growing and evolving threat.

FY 2015 Program Changes:

Program Offset - Miscellaneous Program and Administrative Reductions: -\$5.9 million and 0 positions
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

National Security Division
(Dollars in Thousands)

	National Security Division		
	Pos	Est. FTE	Amount
2013 Appropriation	364	312	90,039
2013 Rescissions (1.877 % & 0.2%)	0	0	-1,866
2013 Sequester Cut	0	0	-4,377
2013 Enacted with Rescissions and Sequester	364	312	83,796
2014 Enacted	383	336	91,800
2015 Request	383	345	91,800
Change 2015 from 2014 Enacted	0	9	0
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	9	1,107
Domestic Rent & Facilities	0	0	4,798
Total Base Adjustments	0	9	5,905
2015 Current Services	383	345	97,705
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-5,905
Subtotal, Program Decreases	0	0	-5,905
Total Program Changes	0	0	-5,905
2015 Request	383	345	91,800

National Security Division
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
National Security	383	336	91,800	383	345	97,705
Total	383	336	91,800	383	345	97,705
Reimbursable FTE	0	0	0	0	0	0
Grand Total	383	336	91,800	383	345	97,705

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
National Security	0	0	-5,905	383	345	91,800
Total	0	0	-5,905	383	345	91,800
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-5,905	383	345	91,800



GENERAL LEGAL ACTIVITIES Office of the Solicitor General (OSG)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$11.2 million (50 positions; 22 attorneys)
Current Services Adjustments:	+\$596,000
Program Changes:	-\$102,000
FY 2015 Budget Request:	\$11.7 million (51 positions; 23 attorneys)
Change From FY 2014 Enacted:	+\$494,000 (+4.4%) (+1 position; +1 attorney)

Mission:

The mission of the Office of the Solicitor General (OSG) is to conduct all litigation on behalf of the United States and its agencies in the Supreme Court of the United States, to approve decisions to appeal and seek further review in cases involving the United States in the lower federal courts, and to supervise the handling of litigation in the federal appellate courts.

Resources:

The FY 2015 budget request for OSG totals \$11.7 million, which is a 4.4% increase over the FY 2014 Enacted.

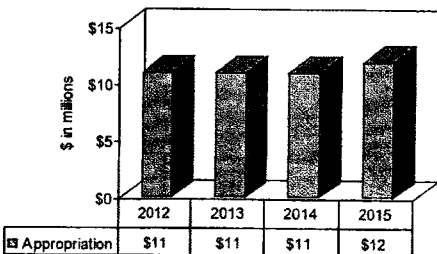
Organization:

OSG is headed by the Solicitor General, who is appointed by the President and confirmed by the Senate. Within the attorney staff, 17 career staff attorneys work with three career Deputy Solicitors General, the Principal Deputy Solicitor General, and the Solicitor General to prepare oral arguments, Supreme Court briefs, and other related legal materials. The 28 support positions are organized into three sections that include Administration, Case Management and Research and Publications.

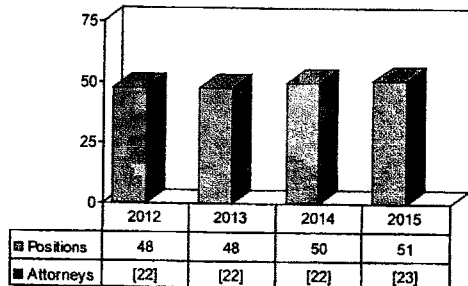
Personnel:

The OSG's direct positions for FY 2015 total 51 positions. OSG's FY 2015 request includes an increase of 1 position over the FY 2014 Enacted of 50 positions.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

The Office of the Solicitor General (OSG) is required to handle all appropriate Supreme Court cases and requests for appeal, amicus, or intervention authorization. In the vast majority of cases filed in the Supreme Court in which the United States is a party, a petition is filed by an adverse party and the United States responds in some way, either by filing a brief or (after reviewing the case) waiving its right to do so. Additionally, the Supreme Court formally requests the Solicitor General to express the views of the United States on whether the Court should grant certiorari in cases in which the United States is not a party. The number of cases in which the Solicitor General petitions the Supreme Court for review, acquiesces in a petition for a writ of certiorari filed by an adverse party, or participates as an intervener or as amicus curiae is governed exclusively by the Solicitor General's determination that it is in the best interest of the United States to take such action. Further, such activity may vary widely from year to year.

FY 2015 Program Changes:

Program Offset - Miscellaneous Program and Administrative Reductions: -\$102,000 and 0 positions
 Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Office of the Solicitor General
(Dollars in Thousands)

	Office of the Solicitor General		
	Pos	Est. FTE	Amount
2013 Appropriation	54	48	11,584
2013 Rescissions (1.877 % & 0.2%)	0	0	-229
2013 Sequester Cut	0	0	-543
2013 Enacted with Rescissions and Sequester	54	48	10,812
2014 Enacted	50	55	11,198
2015 Request	51	56	11,692
Change 2015 from 2014 Enacted	1	1	494
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	1	1	394
Domestic Rent & Facilities	0	0	202
Total Base Adjustments	1	1	596
2015 Current Services	51	56	11,794
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-102
Subtotal, Program Decreases	0	0	-102
Total Program Changes	0	0	-102
2015 Request	51	56	11,692

Office of the Solicitor General
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Federal Appellate Activity	50	55	11,198	51	56	11,794
Total	50	55	11,198	51	56	11,794
Reimbursable FTE	0	0	0	0	0	0
Grand Total	50	55	11,198	51	56	11,794

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Federal Appellate Activity	0	0	-102	51	56	11,692
Total	0	0	-102	51	56	11,692
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-102	51	56	11,692



GENERAL LEGAL ACTIVITIES Tax Division (TAX)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$104.5 million (639 positions; 377 attorneys)
Current Services Adjustments:	+\$5.1 million
Program Changes:	-\$353,000
FY 2015 Budget Request:	\$109.2 million (639 positions; 377 attorneys)
Change From FY 2014 Enacted:	+\$4.7 million (+4.5%)

Mission:

The Tax Division's mission is to enforce the nation's tax laws fully, fairly, and consistently, through both criminal and civil litigation, in order to promote voluntary compliance with the tax laws, maintain public confidence in the integrity of the tax system, and promote the sound development of the law.

Organization:

The Tax Division is headed by an Assistant Attorney General (AAG), who is appointed by the President and confirmed by the Senate. Four Deputy Assistant Attorneys General (DAAG) help manage the Division. All of the Division's offices are located in Washington, D.C., except the Southwestern Civil Trial Section, which is located in Dallas, Texas. Attorneys travel domestically and internationally for litigation activities.

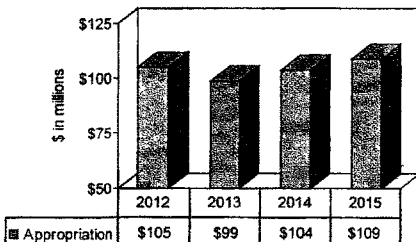
Resources:

The FY 2015 budget request for TAX totals \$109.2 million, which is a 4.5% increase over the FY 2014 Enacted.

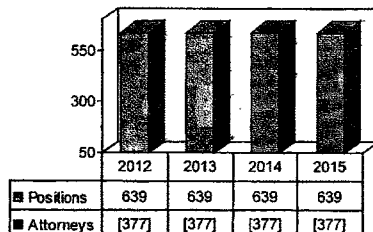
Personnel:

The TAX's direct positions for FY 2015 total 639 positions and is the same as FY 2014 Enacted. However, between January 2011 and December 2013, the number of TAX's onboard staff declined by 108 (44 attorneys).

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

The Tax Division will continue to play a significant role in the government's efforts to enforce the tax laws fully and fairly, in both the civil and criminal arena, and to combat abuse of the Nation's internal revenue laws. The Division's litigation furthers the Administration's goal of reducing the Tax Gap, and also represents a significant return on investment, as the sums collected and refunds saved by the Division consistently exceed its annual appropriation. Taking into account the tax dollars collected and the tax refunds not paid as a result of litigation, the Division has returned \$14 for each dollar invested. In addition, the Division's strategy of publicizing its litigation accomplishments has a deterrent effect on would-be tax offenders, while also strengthening the Nation's voluntary compliance system by assuring law-abiding taxpayers that those who attempt to shirk their lawful responsibilities will be held accountable.

The Division's criminal enforcement strategy is to ensure strong, consistent and uniform prosecution of the criminal tax laws to punish offenders, deter future violations, and reassure honest taxpayers that they will not bear an undue share of the federal tax burden. For FY 2015, the Tax Division will continue its efforts in several high-priority criminal enforcement areas, including:

- **Stolen Identity Refund Fraud (SIRF)**, in which criminals file for tax refunds using stolen identities. This crime costs the Government billions of dollars and affects tens of thousands of citizens.
- **Offshore Tax Evasion**, which remains one of the Tax Division's top litigation priorities. Non-compliance with U.S. tax laws through the use of secret offshore bank accounts, technically sophisticated financial instruments, and use of the Internet to quickly transfer money around the world remains a major source of noncompliance.
- **Tax Defiers**, who simply refuse to pay taxes. Tax Defiers often are linked to groups that espouse violent actions against the Government and some of its citizens.
- **Financial Fraud** cases, in which tax charges have long been used to prosecute complex fraud. Prosecution of mortgage fraud, securities fraud, and other financial fraud is often strengthened by the addition of tax charges.

The Tax Division's primary civil strategy is to defend against federal tax cases filed by taxpayers, and to file tax enforcement and collection cases in the federal courts. By targeting the particularly acute tax enforcement problems that threaten the nationwide administration of the tax system, the Division ensures that the tax laws are properly enforced. The Tax Division also defends the Federal Treasury against tax refund claims arising from complex and abusive corporate and individual tax shelters that are estimated to cost the Treasury billions of dollars annually. The Division also brings suits to stop tax scam promoters and unscrupulous preparers, to collect unpaid taxes, and to allow the IRS to obtain information needed for tax enforcement.

FY 2015 Program Changes:

Program Offset **Miscellaneous Program and Administrative Reductions:** -\$353,000 and 0 positions
 Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Tax Division
(Dollars in Thousands)

	Tax Division		
	Pos	Est. FTE	Amount
2013 Appropriation	639	496	106,276
2013 Rescissions (1.877 % & 0.2%)	0	0	-2,203
2013 Sequester Cut	0	0	-5,239
2013 Enacted with Rescissions and Sequester	639	496	98,834
2014 Enacted	639	534	104,470
2015 Request	639	534	109,171
Change 2015 from 2014 Enacted	0	0	4,701
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	1,695
Domestic Rent & Facilities	0	0	3,359
Total Base Adjustments	0	0	5,054
2015 Current Services	639	534	109,524
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-353
Subtotal, Program Decreases	0	0	-353
Total Program Changes	0	0	-353
2015 Request	639	534	109,171

Tax Division
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
General Tax Matters	639	534	104,470	639	534	109,524
Total	639	534	104,470	639	534	109,524
Reimbursable FTE	0	0	0	0	0	0
Grand Total	639	534	104,470	639	534	109,524

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
General Tax Matters	0	0	-353	639	534	109,171
Total	0	0	-353	639	534	109,171
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-353	639	534	109,171



Criminal Division (CRM)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$174.2 million (750 positions; 439 attorneys)
Current Services Adjustments:	+\$3.9 million
Program Changes:	+\$24.4 million
FY 2015 Budget Request:	\$202.5 million (927 positions; 532 attorneys)
Change From FY 2014 Enacted:	+\$28.3 million (+16.2%) (+177 positions; +93 attorneys)

Mission:

The mission of the Criminal Division is to develop, enforce, and supervise the application of all federal criminal laws (except those specifically assigned to other divisions). The Division performs four key program activities to fulfill its mission, through which it provides leadership and coordination in the Department's efforts to meet its strategic goals: litigating cases (e.g.; multi-jurisdictional and international cases); providing expert guidance and legal advice (to the Attorney General, foreign counterparts, federal, state, and local law enforcement agencies, and U.S. Attorneys' Offices); reviewing and implementing law enforcement activities (e.g. Title III wiretaps, attorney fee forfeitures, correspondent banking subpoenas, and foreign legal frameworks); and fostering and maintaining global partnerships.

Resources:

The FY 2015 budget request for CRM totals \$202.5 million, which is a 16.2% increase over the FY 2014 Enacted. The request includes enhancements for Mutual Legal Assistance Treaty (MLAT) reform, Cyber Security, and Combatting Intellectual Property Crime.

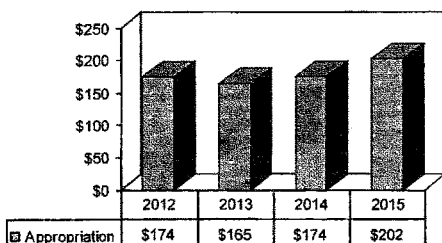
Organization:

The Division is headed by an Assistant Attorney General (AAG), who is appointed by the President and confirmed by the Senate. The AAG supervises the enforcement of federal criminal laws and policy for the Department of Justice, and supervises criminal prosecutions by the Division's almost 500 prosecutors on a broad range of matters including public corruption, corporate fraud, procurement fraud, computer crime, intellectual property crime, international organized crime, gang crime, narcotics offenses, money laundering offenses, child sexual exploitation, and human rights violations. Through the Division's extensive international operations via its reimbursable programs with the State Department and other agencies, CRM also has more than 100 direct and reimbursable staff in foreign offices.

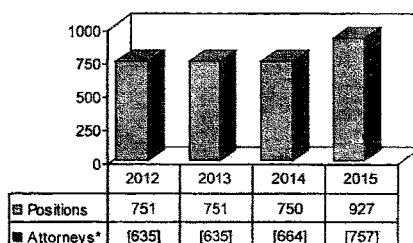
Personnel:

The CRM's direct positions for FY 2015 total 927 positions. CRM's FY 2015 request includes an increase of 177 positions over the FY 2014 Enacted of 750 positions. In addition, 225 attorneys are provided on a reimbursable basis, for a total of 757 attorneys. Of the total direct positions for FY 2014, 14 are located in foreign offices. However, between January 2011 and December 2013, the number of CRM's onboard staff declined by 61 (16 attorneys).

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



* Includes reimbursable attorneys.

FY 2015 Strategy:

CRM has substantial prosecutorial expertise in a broad array of federal criminal subject matters, as well as formidable legal expertise and critical Department-wide operational resources. The Division plays a substantial role in helping the Department accomplish its mission by working to prevent terrorism; promote the nation's security consistent with the rule of law; prevent crime; protect the rights of the American people; and enforce federal law. Additionally, the Division plays the central role in the Department for maintaining global partnerships to further support the Department's mission and goals.

In working toward achieving the mission of the Department, the Division has identified several priority areas to ensure that the country's most critical justice needs, on both the national and transnational fronts, are effectively addressed, including:

- ensuring trust and confidence in government institutions;
- ensuring the stability and security of domestic and global markets;
- disrupting and dismantling criminal organizations;
- protecting children and vindicating human rights;
- promoting the rule of law internationally;
- supporting national security.

The Administration and the Department of Justice remain committed to keeping pace with the ever growing and evolving cyber threat. The threats to our nation's invaluable proprietary and personal information are increasing. Studies have shown that the number of intrusions continues to increase, and the cost of cybercrime to American businesses and citizens likewise continues to mount. The Division's prosecutors work with the Computer Hacking and Intellectual Property (CHIP) network and investigative agencies to identify and address threat actors. With our expertise in both data breaches and computer misuse cases and complex intellectual property cases, Division's prosecutors enhance the Department's ability to deter, investigate, and punish the theft of sensitive electronic information.

FY 2015 Program Changes:

Mutual Legal Assistance Treaty (MLAT) Reform: \$19.6 million and 141 positions (77 attorneys)

These resources will support the Department's efforts to centralize and improve the process for handling foreign requests for legal assistance. This includes the personnel and technological resources required to enable a robust centralized system, reduce backlog, and improve MLAT response time. FY 2015 current services for this initiative are 90 positions (61 attorneys) and \$20.0 million.

Cyber Security: \$2.6 million and 25 positions (9 attorneys)

This request will allow the Criminal Division to combat the growing and evolving cyber threat. The additional resources will increase the Division's capability in four key areas: cybercrime investigations and prosecutions; advice and advocating legal tools and authorities; international cooperation and outreach; and forensic support. Current services for this initiative are 122 positions (79 attorneys) and \$29.1 million.

Intellectual Property Crime: \$2.2 million and 11 positions (7 attorneys)

This request supports the Criminal Division in combating international piracy of intellectual property (IP). Industry loses hundreds of billions of dollars each year due to the counterfeiting and global trade of illegitimate goods. IP theft also reduces the incentive for innovation and creativity within the US economy. The request is for eleven additional positions, including two International Computer Hacking and Intellectual Property (ICHIP) coordinators (formerly known as Intellectual Property Law Enforcement Coordinators or IPLECs), who will be cross-designated as DOJ Attachés. These positions will allow the Department to more quickly address IP threats when they are first noticed and stop them abroad more readily. Current services for this initiative are 22 positions (18 attorneys, including 1 current IPLEC/Attaché) and \$5.2 million.

FY 2015 Opportunity, Growth, and Security Initiative:

The FY 2015 base discretionary budget meets the cap levels set by the Bipartisan Budget Act of 2013. In addition, the FY 2015 Budget's Opportunity, Growth, and Security Initiative includes increased capacity for financial fraud enforcement at the Department, including hiring additional criminal prosecutors, civil litigators, investigators, and forensic accountants.

Criminal Division
(Dollars in Thousands)

	Criminal Division		
	Pos	Est. FTE	Amount
2013 Appropriation	751	669	177,202
2013 Rescissions (1.877 % & 0.2%)	0	0	-3,674
2013 Sequester Cut	0	0	-8,736
2013 Enacted with Rescissions and Sequester	751	669	164,792
2014 Enacted	750	674	174,189
2015 Request	927	765	202,487
Change 2015 from 2014 Enacted	177	91	28,298
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	2,704
Domestic Rent & Facilities	0	0	1,243
Total Base Adjustments	0	0	3,947
2015 Current Services	750	674	178,136
Program Changes			
Increases:			
Cyber Security	25	14	2,580
Intellectual Property Crime	11	6	2,205
Mutual Legal Assistance Treaty (MLAT) Reform	141	71	19,566
Subtotal, Program Increases	177	91	24,351
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	177	91	24,351
2015 Request	927	765	202,487

Criminal Division
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Enforcing Federal Criminal Laws	750	674	174,189	750	674	178,136
Total	750	674	174,189	750	674	178,136
Reimbursable FTE	0	297	0	0	297	0
Grand Total	750	971	174,189	750	971	178,136

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Enforcing Federal Criminal Laws	177	91	24,351	927	765	202,487
Total	177	91	24,351	927	765	202,487
Reimbursable FTE	0	0	0	0	297	0
Grand Total	177	91	24,351	927	1,062	202,487



GENERAL LEGAL ACTIVITIES Civil Division (CIV)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$285.9 million (1,425 positions; 1,025 attorneys)
Current Services Adjustments:	+\$12.9 million
Program Changes:	-\$395,000
FY 2015 Budget Request:	\$298.4 million (1,425 positions; 1,025 attorneys)
Change From FY 2014 Enacted:	+\$12.5 million (+4.4%)

Mission:

The Civil Division represents the legal interests of the United States, safeguards taxpayer dollars, and protects the health, safety, and economic security of the American people. Each year CIV represents some 200 client agencies in approximately 50,000 lawsuits. Most of these cases are suits against the United States in which CIV not only defends the Government's statutes, policies, and vital national interests, but also saves billions of taxpayer dollars. In FY 2013 alone, CIV defended against suits in which over \$100 billion was at issue. In addition, CIV recovers billions of dollars for taxpayers through its affirmative litigation, such as its enforcement of federal consumer protection laws and its record-setting efforts under the False Claims Act, including cases targeting health care fraud, financial fraud, and fraud against the military. In FY 2013, CIV, working with U.S. Attorneys, recovered over \$4.1 billion in affirmative matters. Finally, CIV protects the health and safety of Americans by defending cases related to national security and by enforcing protections for the safety of food and medicines.

Organization:

The CIV Assistant Attorney General is appointed by the President and confirmed by the Senate. CIV is composed of six litigating branches and an administrative office. The Commercial Litigation Branch defends claims associated with Government transactions and recovers money owed to Medicare, the military, Government programs, and the U.S. treasury. The Federal Programs Branch defends the constitutionality and legality of federal statutes, regulations, policies and programs. The Office of Immigration Litigation represents the United States in immigration matters, such as removal actions and denaturalization proceedings. The Torts Branch defends the United States in suits for monetary damages alleging negligent or wrongful acts and administers statutory compensation programs. The Appellate Staff represents the United States in civil cases in the federal courts of appeal. The Consumer Protection Branch brings civil and criminal actions to protect consumers and protect the public's health and safety. A core CIV function is to vigorously defend and enforce laws governing the financial sector and expose fraud that has hurt millions of Americans.

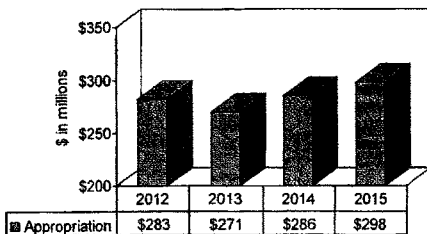
Resources:

The FY 2015 budget request for CIV totals \$298.4 million, which is a 4.4% increase over the FY 2014 Enacted.

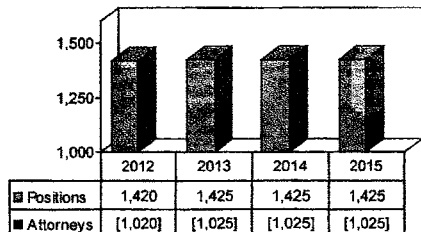
Personnel:

CIV's direct positions for FY 2015 total 1,425 and is the same as FY 2014 Enacted. However, between January 2011 and December 2013, CIV declined by 265 staff (127 attorneys and 138 support staff).

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

The Civil Division will continue to represent the legal interests of the United States, safeguard taxpayer dollars, and protect the health, safety and economic security of the American people. The vast majority of CIV's work (approximately 90%) is defensive litigation: legal challenges to federal activities, as well as tort, contract and other suits against the United States seeking monetary damages or injunctive relief. These suits reflect the diversity of government activities: CIV defends the constitutionality of federal statutes and programs, protects the confidentiality of national security information, defends the government's immigration program, safeguards government programs when challenged, represents government officials and servicemembers when they are sued, and protects the government's fiscal resources by contesting civil lawsuits that allege wrongdoing by the federal government and, in the process, seek to collect billions of dollars. For example, CIV is defending a series of lawsuits related to the Federal Government's bailout of failing financial entities AIG, Fannie Mae, and Freddie Mac during the 2008 financial crisis. The AIG shareholders seek over \$40 billion and the Fannie and Freddie shareholders seek \$63.8 billion.

In its affirmative litigation, CIV generates billions of dollars for the United States. Since January 2009, CIV, working with the U.S. Attorneys, has recovered well over \$20 billion for the Federal Government in health care fraud, financial fraud, and other affirmative civil and criminal cases. CIV has played a leading role in these top Administration and Department priorities. CIV is leading the suit against Standard and Poor's Ratings Services for its role in the ratings given to the financial instruments that were at the center of the 2008 economic crisis, and it has led or been a key participant in investigations of major Wall Street financial institutions for their roles in residential mortgage backed securities offerings.

These cases are complex, require teams of dedicated attorneys and support staff, necessitate extensive technology resources to assist in the billions of pages of discovery materials, and require attorneys to develop novel legal arguments.

CIV strives to protect its two most important resources – its dedicated and highly-skilled workforce and its litigation support services. To preserve its staffing and access to information technology, CIV has cut travel substantially, delayed vital information technology investments, reduced litigation consultant services, cut off overtime heat and air conditioning, eliminated awards, cancelled publications, and curtailed expenditures on supplies. Additionally, CIV's participation on the Financial Fraud Enforcement Task Force, including as co-chair of three of its working groups, enables attorneys to utilize shared resources to better pursue fraud cases.

FY 2015 Program Changes:

Program Offset - Miscellaneous Program and Administrative Reductions: - \$395,000 and 0 positions
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, State Department charges, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

FY 2015 Opportunity, Growth, and Security Initiative: The FY 2015 base discretionary budget meets the cap levels set by the Bipartisan Budget Act of 2013. In addition, the FY 2015 Budget's Opportunity, Growth, and Security Initiative includes funding for improved capacity for financial fraud enforcement at the Department, including hiring additional civil litigators, investigators, and forensic accountants.

Civil Division
(Dollars in Thousands)

	Civil Division		
	Pos	Est. FTE	Amount
2013 Appropriation	1,425	1,154	290,929
2013 Sequester Cut	0	0	-14,342
2013 Rescissions (1.877 % & 0.2%)	0	0	-6,032
2013 Enacted with Rescissions and Sequester	1,425	1,154	270,555
2014 Enacted	1,425	1,189	285,927
2015 Request	1,425	1,189	298,394
Change 2015 from 2014 Enacted	0	0	12,467
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	4,181
Domestic Rent & Facilities	0	0	8,721
Foreign Expenses	0	0	-40
Total Base Adjustments	0	0	12,862
2015 Current Services	1,425	1,189	298,789
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-395
Subtotal, Program Decreases	0	0	-395
Total Program Changes	0	0	-395
2015 Request	1,425	1,189	298,394

Civil Division
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Legal Representation	1,425	1,189	285,927	1,425	1,189	298,789
Total	1,425	1,189	285,927	1,425	1,189	298,789
Reimbursable FTE	0	155	0	0	155	0
Grand Total	1,425	1,344	285,927	1,425	1,344	298,789

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Legal Representation	0	0	-395	1,425	1,189	298,394
Total	0	0	-395	1,425	1,189	298,394
Reimbursable FTE	0	0	0	0	155	0
Grand Total	0	0	-395	1,425	1,344	298,394



GENERAL LEGAL ACTIVITIES

Environment & Natural Resources Division (ENRD)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$107.6 million (537 positions; 370 attorneys)
Current Services Adjustments:	+\$11.3 million
Program Changes:	-\$6.5 million
FY 2015 Budget Request:	\$112.5 million (537 positions; 370 attorneys)
Change From FY 2014 Enacted:	+\$4.8 million (+4.5%)

Mission:

The Environment and Natural Resources Division's (ENRD) mission is to enforce civil and criminal environmental laws and programs protecting the public and environment of the United States and to defend suits challenging environmental programs and activities. ENRD oversees all federal environmental and natural resources litigation arising under more than 150 federal statutes. These statutes include the Clean Air Act; Clean Water Act; Comprehensive Environmental Response, Compensation and Liability Act (Superfund law); Endangered Species Act; National Environmental Policy Act; and many others. The Division's work entails bringing civil and criminal enforcement actions to stop polluters and recover clean-up costs, defending federal agencies in their administration of federal programs including management of federal lands and other natural resources, defending federal regulatory agencies that issue environmental regulations, resolving disputes related to Indian tribes and their lands, and acquiring real property by eminent domain for congressionally authorized purposes.

Resources:

The FY 2015 budget request for ENRD totals \$112.5 million, which is a 4.5% increase over the FY 2014 Enacted.

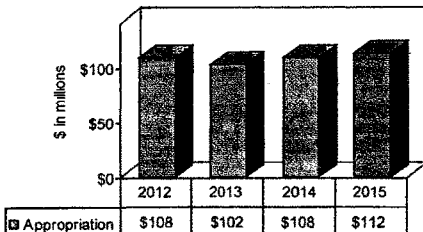
Organization:

ENRD is headed by an Assistant Attorney General (AAG), who is appointed by the President and confirmed by the Senate. The AAG is assisted by five Deputy Assistant Attorneys General. The AAG oversees a Division that is organized into nine practice areas dedicated to the enforcement of the nation's civil and criminal environmental laws and programs as well as the defense of the United States in matters concerning stewardship of the nation's natural resources and public lands. With several small field locations across the United States, the Division is the nation's environmental lawyer, and the largest environmental law firm in the country.

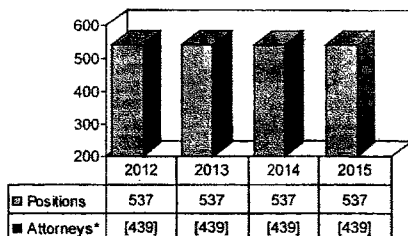
Personnel:

ENRD's direct positions for FY 2015 total 537 positions and is the same as FY 2014 Enacted. However, between January 2011 and December 2013, the number of ENRD's onboard staff declined by 65.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



* Includes Reimbursable Attorneys.

FY 2015 Strategy:

ENRD handles both civil and criminal litigation concerning the defense and enforcement of environmental laws and regulations. The Division serves as the nation's environmental litigator and represents many federal agencies including the Environmental Protection Agency, Department of the Interior, Department of Defense, Department of Agriculture, and Department of Homeland Security.

As the nation's chief environmental litigator, ENRD strives to obtain full compliance with environmental and conservation statutes. To this end, ENRD seeks to redress past violations that have harmed the environment, establish credible deterrence against future violations, recoup federal funds spent to abate environmental contamination, and obtain funds to restore or replace natural resources damaged through oil spills or the release of other hazardous substances. ENRD ensures illegal emissions are eliminated, hazardous wastes are cleaned up, and drinking water is safe. ENRD's actions, in conjunction with the work of its client agencies, enhance the quality of the environment in the United States and the health and safety of its citizens.

After three years of litigation against BP and other companies responsible for the Deepwater Horizon/Macondo Well disaster, that among other things, spilled millions of barrels of oil into the Gulf of Mexico, ENRD continues to work closely with an array of federal agencies and with Gulf States to secure civil penalties under the Clean Water Act and natural resource damages under the Oil Pollution Act. Billions of dollars are at stake for the U.S. to address natural resource damages, and to provide environmental improvements and economic redevelopment in the Gulf States region under the RESTORE Act provision of the Clean Water Act. After having tried the first phase of the case (liability and cause of disaster) in Spring 2013 and the second phase (quantification of oil discharged into the Gulf) in October 2013, the outcome of the two initial phases are with the district court for decision. Meanwhile other parts of the multi-district litigation continue, including litigation over prior, private party settlements with BP. Discovery and case development pose unprecedented litigation requirements upon ENRD with deposition-taking measured by the hundreds and document production in the neighborhood of 100 million pages (all in Phases 1 & 2). DOJ has so far secured over \$1 billion in civil penalties through settlements with MOEX and Transocean, as well as far-reaching injunctive relief that should make Transocean's deepwater drilling safer in the Gulf of Mexico. While DOJ expects this expensive litigation to continue for some years, there are good prospects for recovering civil penalties and damages amounting to additional billions of dollars.

FY 2015 Program Changes:

Program Offset - Miscellaneous Program and Administrative Reductions: -\$6.5 million and 0 positions
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Environment & Natural Resources Division
(Dollars in Thousands)

	Environment & Natural Resources Division		
	Pos	Est. FTE	Amount
2013 Appropriation	537	526	109,504
2013 Rescissions (1.877 % & 0.2%)	0	0	-2,270
2013 Sequester Cut	0	0	-5,398
2013 Enacted with Rescissions and Sequester	537	526	101,836
2014 Enacted	537	526	107,643
2015 Request	537	526	112,487
Change 2015 from 2014 Enacted	0	0	4,844
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	1,853
Domestic Rent & Facilities	0	0	9,469
Total Base Adjustments	0	0	11,322
2015 Current Services	537	526	118,965
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-6,478
Subtotal, Program Decreases	0	0	-6,478
Total Program Changes	0	0	-6,478
2015 Request	537	526	112,487

Environment & Natural Resources Division
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Environment and Natural Resources	537	526	107,643	537	526	118,965
Total	537	526	107,643	537	526	118,965
Reimbursable FTE	0	115	0	0	115	0
Grand Total	537	641	107,643	537	641	118,965

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Environment and Natural Resources	0	0	-6,478	537	526	112,487
Total	0	0	-6,478	537	526	112,487
Reimbursable FTE	0	0	0	0	115	0
Grand Total	0	0	-6,478	537	641	112,487



GENERAL LEGAL ACTIVITIES Office of Legal Counsel (OLC)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$7.4 million (33 positions; 27 attorneys)
Current Services Adjustments:	+\$342,000
Program Changes:	+\$0
FY 2015 Budget Request:	\$7.7 million (33 positions; 27 attorneys)
Change From FY 2014 Enacted:	+\$342,000 (+4.6%)

Mission:

The mission of OLC is to assist the Attorney General in his functions as legal advisor to the President and all of the Executive Branch agencies. The Office drafts legal opinions on behalf of the Attorney General and provides written opinions and oral advice in response to requests from the Counsel to President, the various agencies of the Executive Branch, and offices within the Department. Such requests may involve legal issues about which two or more agencies are in disagreement. OLC is also responsible for providing legal advice to the Executive Branch on constitutional questions and reviewing pending legislation for constitutionality. OLC reviews all Executive Orders and Attorney General Orders for form and legality.

Resources:

The FY 2015 budget request for OLC totals \$7.7 million, which is a 4.6% increase over the FY 2014 Enacted.

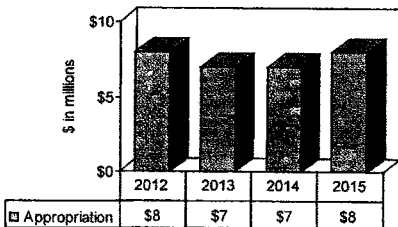
Organization:

OLC is headed by an Assistant Attorney General (AAG) who is appointed by the President and confirmed by the Senate. Additionally, the AAG is supported by a Principal Deputy Assistant Attorney General and an additional attorney staff of 25 located in Washington, DC. In FY 2012, several executive office functions were merged with the Office of the Solicitor General (OSG).

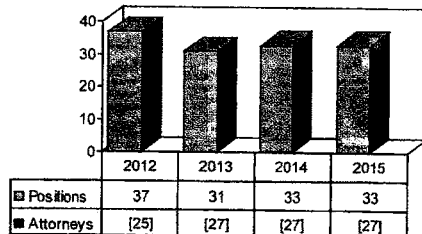
Personnel:

The OLC's direct positions for FY 2015 total 33 positions and is the same as FY 2014 Enacted. However, between January 2011 and December 2013, the number of OLC's onboard staff declined by 6.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

OLC's mission remains highly critical and urgent as the Department continues to confront national security and intelligence challenges and advises the myriad of agencies involved in responding to the economic crisis.

OLC is involved in reviewing legislation on a wide variety of important Administration initiatives and in reviewing the large number of Executive Orders and Presidential memoranda that are used to carry out Executive Branch policies. OLC has already published 44 of its formal opinions issued in this Administration. These opinions cover constitutional and statutory questions from a wide range of fields, including national security, criminal law, civil rights, fiscal law, and appointment and removal authorities. OLC thus gives critical advice on how the Executive Branch organizes itself and carries out its missions.

OLC's challenges are of an internal and external nature. OLC does not initiate its workload nor does it have control over the volume of work. The work results from requests for opinions and legal advice from the Counsel to the President, general counsels of OMB and other Executive Office of the President components, general counsels of Executive Branch departments and agencies, the National Security Council Legal Advisor, and the Attorney General and other Department of Justice officials. Because OLC is a relatively small component, OLC has little flexibility in responding to unexpected surges in workload, such as those created by national security matters, the financial crisis, or new legislative initiatives.

FY 2015 Program Changes:

The budget request includes funds for current services for OLC. No program changes are requested.

Office of Legal Counsel
(Dollars in Thousands)

	Office of Legal Counsel		
	Pos	Est. FTE	Amount
2013 Appropriation	31	25	7,337
2013 Rescissions (1.877 % & 0.2%)	0	0	-164
2013 Sequester Cut	0	0	-390
2013 Enacted with Rescissions and Sequester	31	25	6,783
2014 Enacted	33	27	7,400
2015 Request	33	27	7,742
Change 2015 from 2014 Enacted	0	0	342
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	135
Domestic Rent & Facilities	0	0	207
Total Base Adjustments	0	0	342
2015 Current Services	33	27	7,742
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	0	0	0
2015 Request	33	27	7,742

Office of Legal Counsel
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Office of Legal Counsel	33	27	7,400	33	27	7,742
Total	33	27	7,400	33	27	7,742
Reimbursable FTE	0	0	0	0	0	0
Grand Total	33	27	7,400	33	27	7,742

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Office of Legal Counsel	0	0	0	33	27	7,742
Total	0	0	0	33	27	7,742
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	0	33	27	7,742



GENERAL LEGAL ACTIVITIES Civil Rights Division (CRT)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$144.2 million (714 positions; 383 attorneys)
Current Services Adjustments:	+\$10.4 million
Program Changes:	+\$7.3 million
FY 2015 Budget Request:	\$161.9 million (787 positions; 419 attorneys)
Change From FY 2014 Enacted:	+\$17.7 million (+12.3%) (+73 positions; +36 attorneys)

Mission:

CRT has three significant goals: (1) to fulfill the promise of basic civil rights protections through effective and vigorous enforcement of the law; (2) to deter and remedy discriminatory and illegal conduct through the successful prosecution of these federal laws; and (3) to promote voluntary compliance and civil rights protection through a variety of educational, technical assistance, and outreach programs.

Resources:

The FY 2015 budget request for CRT totals \$161.9 million, which is a 12.3% increase over the FY 2014 Enacted. The request includes enhancements for additional Civil Rights Enforcement, E-Verify, and Combatting Police Misconduct.

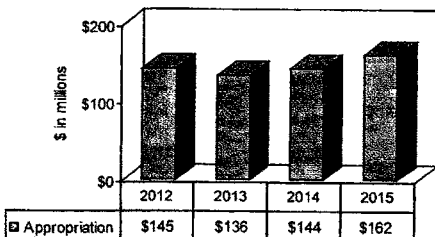
Organization:

The Civil Rights Division is headed by the Assistant Attorney General for Civil Rights (AAG), who is appointed by the President and confirmed by the Senate. The AAG is assisted by five Deputy Assistant Attorneys General. The Office of the Assistant Attorney General establishes policy and provides executive direction and control over the enforcement actions and the administrative management activities. All CRT employees are stationed in Washington, DC, but travel to other parts of the country for litigation activities and outreach events.

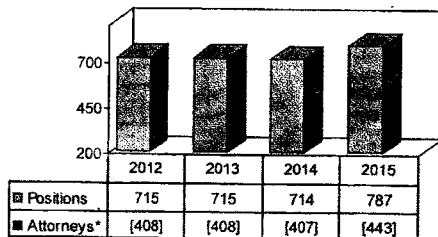
Personnel:

CRT's direct positions for FY 2015 total 787 positions. CRT's FY 2015 request includes an increase of 73 positions over the FY 2014 Enacted of 714 positions. However, between January 2011 and December 2013, the number of CRT's onboard staff declined by 164.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



* Includes Reimbursable Attorneys.

FY 2015 Strategy:

In FY 2015, CRT is committed to upholding the civil and constitutional rights of all Americans, including some of the most vulnerable members of society. The Division will continue to vigorously enforce civil rights laws to ensure equal treatment and equal justice under the law, reflecting the country's highest ideals and aspirations. CRT will be prepared to address and confront both long-standing civil rights issues and emerging civil rights challenges. CRT intends to achieve its objective by fairly and evenhandedly enforcing each of the laws within the scope of its responsibility.

The Division will focus its enforcement efforts through: ensuring that hate crimes are aggressively investigated and prosecuted under the Matthew Shepard Byrd, Jr. Hate Crimes Prevention Act; facilitating increased investigations and prosecutions of fair lending and financial fraud related to the financial crisis and economic recovery efforts through continued coordination and cooperation with federal, state and local authorities; and enforcing the Civil Rights for Institutionalized Persons Act to ensure the tens of thousands of institutionalized persons who were living in dire and often life-threatening conditions now receive adequate care and services.

The Division will continue to combat human trafficking through a comprehensive enforcement approach focused on all forms of involuntary servitude; protect the public's trust in law enforcement by vigorously investigating and prosecuting police misconduct; monitor elections and review redistricting plans to prevent prohibited election practices; and further protect voter rights through enforcement of the Help America Vote Act and the Overseas Citizens Absentee Voting Act.

CRT will advance its innovative approach to administering the Americans with Disabilities Act (ADA) to include continuance of the successful Project Civic Access initiative, which helps to bring entire cities, counties and towns into compliance with the ADA and ensure new facilities are constructed in compliance with ADA standards for accessible design; and assist states in fulfilling their obligations under the Supreme Court's *Olmstead* decision, which requires that people with disabilities receive state services and treatment in the most integrated setting appropriate to their needs. CRT will work to increase efforts to eradicate employment discrimination through pattern or practice discrimination cases, many of which have the potential to bring about systemic reforms that both remedy and prevent discrimination.

In addition to all of these efforts, the Division recognizes that outreach is critical to fulfilling its goals of deterrence and voluntary compliance. The Division's work – to uphold the civil and constitutional rights of individuals who have experienced unlawful discrimination in core aspects of their lives – requires engagement. As those charged with enforcing the nation's civil rights laws, the Division must consider outreach as one of the critical tools to educate people and communities about their rights; to deter discriminatory conduct; to inform our enforcement efforts; and to shape the remedies pursued. Through this comprehensive approach, the work of the Division will ultimately result in relief to more people and expand the reach of fundamental civil rights protections to all Americans.

The FY 2015 budget proposes substantive changes to the

FY 2014 enacted appropriation language for CRT. Additional detail is provided about substantive and technical language changes in Section III and CRT's Congressional Justification.

FY 2015 Program Changes:

Civil Rights Enforcement: \$5.1 million and 50 positions (25 attorneys)

The Department is requesting additional resources of 50 positions (25 attorneys) and \$5.1 million to strengthen civil rights enforcement efforts that the Attorney General has identified as part of his Vulnerable People Priority Goal and for other programs that require renewed emphasis. The requested increase would benefit all programmatic areas and specifically enable CRT to increase its efforts against civil rights violations associated with human trafficking, hate crimes, voting rights enforcement, and enforcement of the Civil Rights of Institutionalized Persons Act (CRIPA). In addition, CRT would be able to expand opportunities for people with disabilities, and broaden overall protections for equal education, equal housing, and equal employment. These are areas that the Attorney General has determined warrant specific attention and has identified as part of his Vulnerable People Priority Goal. The current services for this initiative are 714 positions (383 attorneys) and \$154.6 million.

E-Verify: \$305,000 and 3 positions (2 attorneys)

CRT's Office of Special Counsel will expand its capacity to assist with resolving complaints associated with immigration and employment authorization status queries run through the E-Verify process. This funding will support the implementation of an E-Verify post-Final Nonconfirmation (FNC) administrative review process to be deployed by U.S. Citizenship and Immigration Services (USCIS) in concert with interagency stakeholders. The current services for this initiative are 11 positions (7 attorneys) and \$1.3 million.

Police Misconduct Enforcement: \$1.9 million and 20 positions (9 attorneys)

The Department is requesting additional resources of 20 positions (9 attorneys) and \$1.9 million to expand CRT's efforts in combating police misconduct. Criminal prosecutions will focus on the conduct of individuals and they address the most egregious incidents of police misconduct. Civil pattern or practice investigations will focus on systemic problems within police departments and unlawful conduct. Additionally, CRT will initiate Title VII litigation against police departments where there is reason to believe that a "pattern or practice" of discrimination exists. CRT will use its enhanced resources to take a multi-faceted approach in combating police misconduct. CRT will use its law enforcement arsenal to ensure police officers, and police departments as a whole, are carrying out their missions lawfully. The current services for this initiative are 71 positions (52 attorneys) and \$12.2 million.

FY 2015 Opportunity, Growth, and Security Initiative:

The FY 2015 base discretionary budget meets the cap levels set by the Bipartisan Budget Act of 2013. In addition, the FY 2015 Budget's Opportunity, Growth, and Security Initiative includes targeted investments for improved capacity for financial fraud enforcement at the Department, including hiring additional criminal prosecutors, civil litigators, investigators, and forensic accountants.

Civil Rights Division
(Dollars in Thousands)

	Civil Rights Division		
	Pos	Est. FTE	Amount
2013 Appropriation	715	607	146,608
2013 Rescissions (1.877 % & 0.2%)	0	0	-3,040
2013 Sequester Cut	0	0	-7,227
2013 Enacted with Rescissions and Sequester	715	607	136,341
2014 Enacted	714	606	144,173
2015 Request	787	643	161,881
Change 2015 from 2014 Enacted	73	37	17,708
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	2,035
Domestic Rent & Facilities	0	0	8,368
Total Base Adjustments	0	0	10,403
2015 Current Services	714	606	154,576
Program Changes			
Increases:			
Civil Rights Enforcement	50	25	5,072
E-Verify	3	2	305
Police Misconduct Enforcement	20	10	1,928
Subtotal, Program Increases	73	37	7,305
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	73	37	7,305
2015 Request	787	643	161,881

Civil Rights Division
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Civil Rights Enforcements	714	606	144,173	714	606	154,576
Total	714	606	144,173	714	606	154,576
Reimbursable FTE	0	29	0	0	29	0
Grand Total	714	635	144,173	714	635	154,576

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Civil Rights Enforcements	73	37	7,305	787	643	161,881
Total	73	37	7,305	787	643	161,881
Reimbursable FTE	0	0	0	0	29	0
Grand Total	73	37	7,305	787	672	161,881



GENERAL LEGAL ACTIVITIES INTERPOL Washington (IPOL)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$32.0 million (77 positions; 2 attorneys)
Current Services Adjustments:	+\$268,000
Program Changes:	-\$268,000
FY 2015 Budget Request:	\$32.0 million (77 positions; 2 attorneys)
Change From FY 2014 Enacted:	+\$0

Mission:

The mission of INTERPOL Washington, the United States National Central Bureau, is to advance the law enforcement interests of the United States as the official representative to the International Criminal Police Organization (INTERPOL); to serve as the nexus for sharing criminal justice, humanitarian, and public safety information between our nation's law enforcement community and its foreign counterparts, and to facilitate transnational investigative efforts that enhance the safety and security of our nation.

Resources:

The FY 2015 budget request for IPOL totals \$32.0 million, which is the same as 2014 Enacted.

During its session held in October 2013, the INTERPOL General Assembly (IGA) adopted an updated dues contribution scale. This new scale results in the United States' annual contribution percentage increasing from 17.4 percent in 2014 to 19.4 percent by 2017. Presently, over 40 percent of INTERPOL Washington's budget is used for dues payments to IGA.

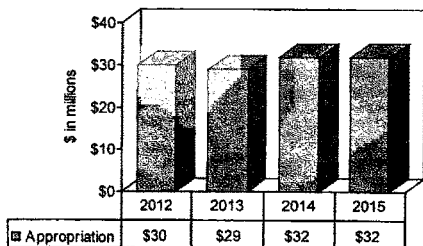
Organization:

INTERPOL Washington is a component of the Department of Justice, and is co-managed by DOJ and the Department of Homeland Security pursuant to a memorandum of understanding between the Departments. Agents, including the INTERPOL Washington Director and Deputy Director, are detailed to INTERPOL Washington. INTERPOL Washington operates 24 hours a day, 7 days a week, 365 days a year supporting more than 18,000 domestic law enforcement agencies and their foreign counterparts. Agents can be detailed from federal, state, local, and tribal law enforcement agencies for specified terms. Agents at INTERPOL Washington are assigned to work in divisions dedicated to specific investigative areas including counterterrorism, drugs, economic crime, human trafficking, fugitives, and violent crime.

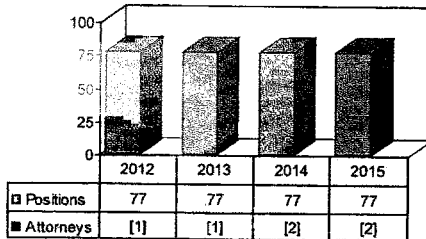
Personnel:

INTERPOL Washington's direct positions for FY 2015 total 77 positions and is the same as FY 2014 Enacted. However, between January 2011 and December 2013, the number of INTERPOL Washington's onboard staff declined by 6.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

The increase in transnational crime and the risks associated with international terrorism have resulted in a greater need for global law enforcement cooperation and access to international law enforcement information. INTERPOL Washington provides the necessary communications network, framework for police cooperation, and essential tools and services that lead to timely investigative results for our nation's law enforcement authorities and their international counterparts engaged in the fight against transnational crime and terrorism.

Facilitate Global Law Enforcement Communications

INTERPOL Washington provides federal, state, local, and tribal law enforcement officials with the ability to exchange information with the other 189 member countries of INTERPOL through a secure network known as I-27/77. This system facilitates police-to-police interaction on all types of investigative matters ranging from simple criminal history checks to the sharing of vital criminal intelligence and investigative leads targeting transnational organized crime groups. It also provides an international communications network for processing humanitarian assistance requests involving suicide prevention, death notifications, and health and welfare checks on U.S. citizens overseas or foreign nationals in the U.S.

Assist Transnational Investigative Efforts

In addition to facilitating police communications, INTERPOL administers a system of international "lookouts" or advisory notices to share information with its 190 member countries. These notices and diffusions provide, among other things, critical information on individuals wanted for serious crimes, possible threats, and missing persons.

INTERPOL Washington also performs an array of activities that directly support domestic and foreign law enforcement. These activities typically involve the handling of both incoming and outgoing requests for assistance in criminal investigations. In addition, INTERPOL Washington receives and responds to many incoming and outgoing requests relating to suspects and applicants for licenses and employment with a public safety and security nexus. INTERPOL Washington enhances access to international law enforcement investigative assistance, data, and criminal intelligence. Even for U.S. law enforcement agencies with a well-developed international criminal investigative presence, INTERPOL Washington's services are complementary, not competitive or duplicative.

Increase and Enhance Access to Law Enforcement Information

INTERPOL Washington is committed to facilitating the sharing of international law enforcement information throughout the United States. Our capability to support this mission is intrinsically linked to technology, interoperability and automation. In 2013 over 280 million checks were conducted through INTERPOL Washington by domestic law enforcement agencies. This query activity represents a 32% increase over 2011 and a 7% gain over 2012. Through extensive INTERPOL expansion initiatives within the United States, over 84% of all states now have the ability to directly check INTERPOL databases. Automating

INTERPOL checks is the single most effective method for aggressively identifying and apprehending subjects that have committed transnational crimes. INTERPOL Washington will continue to extend and automate national access to these INTERPOL systems as well as improve and simplify our abilities to communicate securely with various law enforcement agencies through mobility platforms and Internet connected devices. INTERPOL Washington's on-going information sharing approach focuses on gaining efficiencies by reusing and enhancing existing capabilities and technologies to further strengthen our national security.

The FY 2015 budget proposes substantive changes to the FY 2014 enacted appropriation language for IPOL. Additional detail is provided about substantive and technical language changes in Section III and IPOL's Congressional Justification.

FY 2015 Program Changes:

Program Offset Miscellaneous Program and Administrative Reductions: -\$268,000 and 0 positions

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

INTERPOL Washington
(Dollars in Thousands)

	INTERPOL Washington		
	Pos	Est. FTE	Amount
2013 Appropriation	77	69	31,559
2013 Rescissions (1.877 % & 0.2%)	0	0	-654
2013 Sequester Cut	0	0	-1,556
2013 Enacted with Rescissions and Sequester	77	69	29,349
2014 Enacted	77	69	32,000
2015 Request	77	69	32,000
Change 2015 from 2014 Enacted	0	0	0
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	189
Domestic Rent & Facilities	0	0	79
Total Base Adjustments	0	0	268
2015 Current Services	77	69	32,268
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-268
Subtotal, Program Decreases	0	0	-268
Total Program Changes	0	0	-268
2015 Request	77	69	32,000

INTERPOL Washington
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
INTERPOL Washington	77	69	32,000	77	69	32,268
Total	77	69	32,000	77	69	32,268
Reimbursable FTE	0	0	0	0	0	0
Grand Total	77	69	32,000	77	69	32,268

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
INTERPOL Washington	0	0	-268	77	69	32,000
Total	0	0	-268	77	69	32,000
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-268	77	69	32,000

U.S. DEPARTMENT OF JUSTICE
GENERAL LEGAL ACTIVITIES
FY 2015 SUMMARY OF CHANGES BY ORGANIZATION
(Dollars in Thousands)

	FY 2015 President's Budget				
	Pos.	Atty	Agents	Est. FTE	Amount
2014 Enacted	4,225	2,645	0	3,680	867,000
2014 Reimbursable FTE - Base				596	
2014 Enacted with Reimb FTE	4,225	2,645	0	4,276	867,000
Base Adjustments					
Pay & Benefits					
2015 Pay Raise	0	0	0	0	3,934
Annualization of 2014 Pay Raise	0	0	0	0	1,402
Base Pay Adjustment	1	1	0	1	200
Employees Compensation Fund	0	0	0	0	13
FERS Rate Increase	0	0	0	0	5,867
Health Insurance	0	0	0	0	843
Retirement	0	0	0	0	927
Subtotal, Pay & Benefits	1	1	0	1	13,186
Domestic Rent & Facilities					
GSA Rent	0	0	0	0	5,479
Moves	0	0	0	0	26,086
Guard Service	0	0	0	0	83
Subtotal, Domestic Rent & Facilities	0	0	0	0	31,648
Foreign Expenses					
ICASS	0	0	0	0	184
Government Leased Quarters (GLQ)	0	0	0	0	313
Education Allowance	0	0	0	0	47
Capital Security Cost Sharing	0	0	0	0	-584
Subtotal, Foreign Expenses	0	0	0	0	-40
Subtotal, Base Adjustments	1	1	0	1	44,794
2015 Current Services w/o Reimbursable FTE	4,226	2,646	0	3,681	911,794
2015 Current Services with Reimbursable FTE	4,226	2,646	0	4,277	911,794
Program Changes					
General Legal Activities					
Office of the Solicitor General					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-102
Total, Office of the Solicitor General	0	0	0	0	-102
Tax Division					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-353
Total, Tax Division	0	0	0	0	-353
Criminal Division					
Cyber Security	25	9	0	14	2,580
Intellectual Property Crime	11	7	0	6	2,205
Mutual Legal Assistance Treaty (MLAT) Reform	141	77	0	71	19,566
Total, Criminal Division	177	93	0	91	24,351

U.S. DEPARTMENT OF JUSTICE
GENERAL LEGAL ACTIVITIES
FY 2015 SUMMARY OF CHANGES BY ORGANIZATION
(Dollars in Thousands)

	FY 2015 President's Budget				
	Pos.	Atty	Agents	Est. FTE	Amount
Civil Division					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-395
Total, Civil Division	0	0	0	0	-395
Environment & Natural Resources Division					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-6,478
Total, Environment & Natural Resources Division	0	0	0	0	-6,478
Civil Rights Division					
Civil Rights Enforcement	50	25	0	25	5,072
E-Verify	3	2	0	2	305
Police Misconduct Enforcement	20	9	0	10	1,928
Total, Civil Rights Division	73	36	0	37	7,305
INTERPOL Washington					
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	0	0	-268
Total, INTERPOL Washington	0	0	0	0	-268
Total, General Legal Activities	250	129	0	128	24,060
Total Program Changes, DISCRETIONARY BUDGET AUTHORITY	250	129	0	128	24,060
2015 Total DISCRETIONARY BUDGET AUTHORITY	4,476	2,775	0	3,809	935,854
2015 Reimbursable FTE	0	0	0	596	0
2015 DISCRETIONARY AUTHORITY with Reimbursable FTE	4,476	2,775	0	4,405	935,854



Antitrust Division (ATR)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$160.4 million (830 positions; 380 attorneys)
Current Services Adjustments:	+\$2.1 million
Program Changes:	-\$281,000
FY 2015 Budget Request:	\$162.2 million (830 positions; 380 attorneys)
Change From FY 2014 Enacted:	+\$1.8 million (+1.2%)

Mission:

The mission of the Antitrust Division is to promote economic competition through enforcing and providing guidance on antitrust laws and principles.

Organization:

The Antitrust Division is headed by an Assistant Attorney General (AAG), who is appointed by the President and confirmed by the Senate. The AAG is currently assisted by five Deputy Assistant Attorneys General, including career and non-career employees. ATR has three field offices that primarily handle criminal matters and serve as liaisons to the U.S. Attorneys, state attorneys general, and other law enforcement agencies.

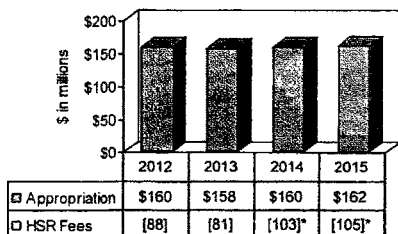
Resources:

The FY 2015 budget request for ATR totals \$162.2 million, which is a 1.2% increase over the FY 2014 Enacted. Typically, over fifty percent of ATR's funding is derived from Hart-Scott-Rodino (HSR) premerger filing fees paid by companies planning to merge. HSR fee collections of \$209 million are expected for FY 2015. The filing fee revenue is divided evenly between the Antitrust Division and the Federal Trade Commission.

Personnel:

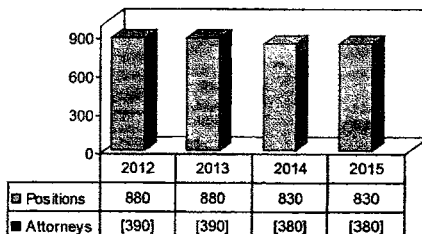
ATR's direct positions for FY 2015 total 830 positions and is the same as FY 2014 Enacted. However, between January 2011 and December 2013, the number of ATR's onboard staff declined by 188.

Funding (FY 2012 - 2015)



* FY 2014 and FY 2015 HSR fees are estimated.

Personnel (FY 2012 - 2015)



FY 2015 Strategy:

ATR will continue its efforts in essential areas in American and, increasingly, global markets to ensure that American consumers and businesses are left with a vibrant and appropriately competitive marketplace.

Together with pre-merger filing fees, ATR's on-going history of obtaining criminal fines consistently brings in significantly more funds to the Treasury than the Division expends each fiscal year. From FY 2009 through FY 2013, the Division obtained just over \$4.2 billion in criminal fines against antitrust violators, which was deposited into the Department's Crime Victims Fund. Since FY 2000, the Division has obtained close to \$7.5 billion in criminal fines and \$1.2 billion in pre-merger filing fees.

Areas in which ATR continues to focus its efforts include financial fraud and related investigations in the foreign currency exchange market, municipal bond market and real estate foreclosure auctions; intellectual property; transportation systems, including domestic and international airline alliances, automobile parts manufacturing, and ocean shipping; and technology-related industries including telecommunications, hardware manufacturing and software applications. These areas and initiatives are in addition to review of business combinations and alliances proposed by American companies.

FY 2015 Program Changes:

Program Offset Miscellaneous Program and Administrative Reductions: -\$281,000 and 0 positions
 Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Antitrust Division
(Dollars in Thousands)

	Antitrust Division		
	Pos	Est. FTE	Amount
2013 Appropriation	[880]	654	162,170
2013 Sequester Cut	0	0	-2,153
2013 Rescissions (1.877 % & 0.2%)	0	0	-1,679
2013 Enacted with Rescissions and Sequester	[880]	654	158,338
2014 Enacted	[830]	654	160,400
2015 Request	[830]	654	162,246
Change 2015 from 2014 Enacted	0	0	1,846
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	2,127
Total Base Adjustments	0	0	2,127
2015 Current Services	[830]	654	162,527
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-281
Subtotal, Program Decreases	0	0	-281
Total Program Changes	0	0	-281
2015 Request	[830]	654	162,246

Antitrust Division
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Antitrust Division	830	654	160,400	830	654	162,527
Total	830	654	160,400	830	654	162,527
Reimbursable FTE	0	0	0	0	0	0
Grand Total	830	654	160,400	830	654	162,527

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Antitrust Division	0	0	-281	830	654	162,246
Total	0	0	-281	830	654	162,246
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-281	830	654	162,246



U.S. Attorneys (USA)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$1,944.0 million (10,624 positions; 5,446 attorneys; 20 agents)
Current Services Adjustments:	+\$40.2 million
Program Changes:	-\$28.8 million
FY 2015 Budget Request:	\$1,955.3 million (10,637 positions; 5,454 attorneys; 20 agents)
Change From FY 2014 Enacted:	+\$11.3 million (+0.6%) (+13 positions; +8 attorneys)

Mission:

The United States Attorneys serve as the Nation's principal litigators under the direction of the Attorney General. Their offices bring criminal prosecutions, pursue civil penalties, defend federal programs and guard the financial interests of the United States in court. They also provide advice and counsel to the Attorney General and senior policy leadership through the Attorney General's Advisory Committee (AGAC) and its various subcommittees. The Executive Office for U.S. Attorneys provides the USAs with general executive assistance and direction, policy development, administrative management direction and oversight, operational support, training and coordination with other components of the Department and other federal agencies.

Resources:

The FY 2015 budget request for USA totals \$1,955 million, which is a 0.6% increase over the FY 2014 Enacted.

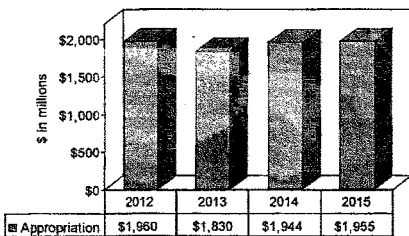
Organization:

There are 93 U.S. Attorneys located throughout the 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, and the Northern Mariana Islands. U.S. Attorneys are appointed by, and serve at the discretion of, the President, with the advice and consent of the Senate. One U.S. Attorney is assigned to each of the judicial districts, with the exception of Guam and the Northern Mariana Islands where a single U.S. Attorney serves both districts. Each U.S. Attorney is the chief federal law enforcement officer of the U.S. within his or her particular jurisdiction. The Executive Office for U.S. Attorneys was created on April 6, 1953, by Attorney General Order 8-53, to provide for close liaison between the Department of Justice in Washington, DC, and the 93 U.S. Attorneys.

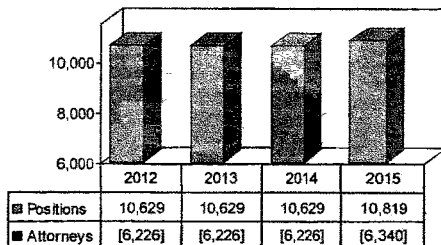
Personnel:

The USA's direct positions for FY 2015 total 10,637 positions. USA's FY 2015 request includes an increase of 13 positions over the FY 2014 Enacted of 10,624 positions. However, between January 2011 and December 2013, the number of U.S. Attorneys' onboard staff declined by 1,328 (309 attorneys).

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



* Includes reimbursable attorneys

FY 2015 Strategy:

In FY 2015, the United States Attorneys will continue to investigate and prosecute the diverse workload of criminal cases brought by the Federal Government and will continue to initiate and defend civil actions to assert and protect the interests of the United States.

The diverse criminal and civil workload includes cases in international and domestic terrorism; child exploitation and obscenity; firearms and violent crime; gangs and organized crime; complex and multi-jurisdictional fraud – including health care, identity theft, public corruption, bank and investment frauds; environmental crimes – including oil spill related frauds; drug enforcement; and human trafficking. Additionally in FY 2015, the United States Attorneys will continue to focus criminal prosecutorial resources on financial crimes, including mortgage and corporate fraud, southwest border enforcement, and Indian Country prosecution efforts. Further, the United States Attorneys will continue collection efforts of both criminal and civil debt. In FY 2013, the United States Attorneys collected a total of \$9.1 billion.

Caseload for financial fraud is expected to remain heavy in FY 2015 due to the troubled mortgage industry, as well as investment schemes and securities fraud uncovered by a declining market. Because of their complexity, these cases can take years to investigate and prosecute. The Department is committed to investigating and prosecuting financial fraud and holding accountable those who contributed to the financial crisis. The Department is an active member of the Financial Fraud Enforcement Task Force (FFETF).

A critical facet of the FFETF is the Residential Mortgage-Backed Securities Working Group (RMBS), which is investigating misconduct in the creation, sale and packaging of residential mortgage-backed securities, the failure of which contributed significantly to the housing market collapse. Most recently, on November 19, 2013, the Department entered into a settlement with JPMorgan – the largest settlement with a single entity in American history – to resolve federal and state civil claims arising out of the packaging, marketing, sale and issuance of residential mortgage-backed securities (RMBS) by JPMorgan, Bear Stearns and Washington Mutual prior to Jan. 1, 2009. As part of the settlement, JPMorgan acknowledged it made serious misrepresentations to the public – including the investing public – about numerous RMBS transactions. The resolution also requires JPMorgan to provide much needed relief to underwater homeowners and potential homebuyers, including those in distressed areas of the country.

The ongoing vigorous prosecution of serious financial fraud will provide deterrence to additional criminal activity and thereby assist the financial recovery program. Continued southwest border enforcement initiatives will require the efforts of United States Attorneys' Offices throughout the country to enforce immigration laws and combat and deter southwest border related crime. This is especially important with regard to investigations of cross border drug trafficking and gun violence. Indian Country prosecution efforts will continue to focus on curbing the rate of violent crime, and combating illegal drug distribution and manufacturing in Indian Country.

The FY 2015 budget proposes substantive changes to the FY 2014 enacted appropriation language for USA. Additional detail is provided about substantive and technical language changes in Section III and USA's Congressional Justification.

FY 2015 Program Changes:

Mutual Legal Assistance Treaty (MLAT) Reform: \$1.3 million and 13 positions (8 attorneys)

These resources will support the Department's efforts to centralize and improve the process for handling foreign requests for legal assistance, as promised in the President's Jan. 17, 2014 speech on signals intelligence. This includes the personnel and technological resources required to enable a robust centralized system, reduce backlog, and improve MLAT response time. FY 2015 current services for this initiative are \$0.0 million.

Program Offset - Miscellaneous Program and Administrative Reductions: -\$30.2 million and 0 positions

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Smart on Crime Initiative: [\$15 million and 103 positions]

The Attorney Generals' *Smart on Crime* Initiative promotes fundamental reforms to the criminal justice system that will improve public safety, save money, and ensure the fair enforcement of Federal laws. Within base funding, the U.S. Attorneys will dedicate resources towards *Smart on Crime* activities including prevention and reentry coordinators and to implement alternatives to incarceration such as the establishment of drug courts.

FY 2015 Opportunity, Growth, and Security Initiative: The FY 2015 base discretionary budget meets the cap levels set by the Bipartisan Budget Act of 2013. In addition, the FY 2015 Budget's Opportunity, Growth, and Security Initiative includes targeted investments in the U.S. Attorneys for improved capacity for financial fraud enforcement at the Department, including hiring additional criminal prosecutors, civil litigators, investigators, and forensic accountants.

U.S. Attorneys
(Dollars in Thousands)

	U.S. Attorneys		
	Pos	Est. FTE	Amount
2013 Appropriation	10,629	9,766	1,969,687
2013 Rescissions (1.877 % & 0.2%)	0	0	-40,836
2013 Sequester Cut	0	0	-98,600
2013 Enacted with Rescissions and Sequester	10,629	9,766	1,830,251
2014 Enacted	10,624	9,761	1,944,000
2015 Request	10,637	9,768	1,955,327
Change 2015 from 2014 Enacted	13	7	11,327
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	30,473
Domestic Rent & Facilities	0	0	9,686
Total Base Adjustments	0	0	40,159
2015 Current Services	10,624	9,761	1,984,159
Program Changes			
Increases:			
Mutual Legal Assistance Treaty (MLAT) Reform	13	7	1,327
Smart on Crime	[103]	[52]	[15,000]
Subtotal, Program Increases	13	7	1,327
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-30,159
Subtotal, Program Decreases	0	0	-30,159
Total Program Changes	13	7	-28,832
2015 Request	10,637	9,768	1,955,327

U.S. Attorneys
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Criminal Litigation	8,093	7,432	1,464,362	8,093	7,432	1,494,731
Civil Litigation	2,478	2,276	448,000	2,478	2,276	457,293
Legal Education	53	53	31,638	53	53	32,135
Total	10,624	9,761	1,944,000	10,624	9,761	1,984,159
Reimbursable FTE	0	1,559	0	0	1,559	0
Grand Total	10,624	11,320	1,944,000	10,624	11,320	1,984,159

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Criminal Litigation	12	6	-21,605	8,105	7,438	1,473,126
Civil Litigation	1	1	-6,853	2,479	2,277	450,440
Legal Education	0	0	-374	53	53	31,761
Total	13	7	-28,832	10,637	9,768	1,955,327
Reimbursable FTE	0	0	0	0	1,559	0
Grand Total	13	7	-28,832	10,637	11,327	1,955,327



U.S. Trustees (USTP)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$224.4 million (1,314 positions; 436 attorneys)
Current Services Adjustments:	+\$4.5 million
Program Changes:	-\$3.0 million
FY 2015 Budget Request:	\$225.9 million (1,314 positions; 436 attorneys)
Change From FY 2014 Enacted:	+\$1.5 million (+0.7%)

Mission:

USTP's mission is to promote the integrity and efficiency of the bankruptcy system for the benefit of all stakeholders – debtors, creditors, and the public.

Organization:

The USTP is managed by an Executive Office in Washington, DC, which is headed by a Director, a career appointee in the Senior Executive Service, who provides comprehensive policy and management direction to the U.S. Trustees and their staffs. The USTP operates in 88 judicial districts through a system of 21 regions, each region headed by a U.S. Trustee, and 92 district offices in 46 states. The USTP does not operate in the judicial districts of Alabama and North Carolina. U.S. Trustees are appointed by the Attorney General to five-year terms.

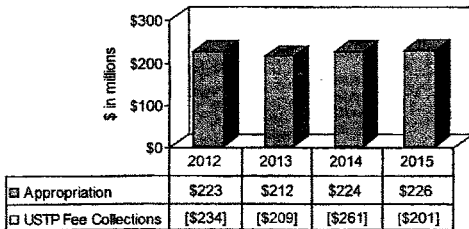
Resources:

The FY 2015 budget request for USTP totals \$225.9 million, which is a 0.7% increase over the FY 2014 Enacted.

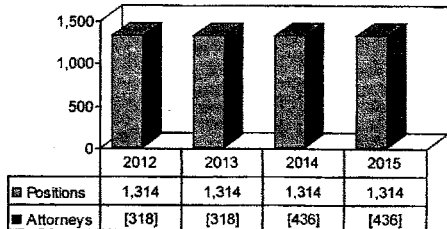
Personnel:

USTP's direct positions for FY 2015 total 1,314 positions and is the same as FY 2014 Enacted. However, between January 2011 and December 2013, the number of USTP's onboard staff declined by 117.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



• FY 2014 and FY 2015 Fee Collections are estimates. Beginning in FY 2014 there is an ongoing effort to reclassify the U.S. Trustees and Assistant U.S. Trustees to the Attorney series (905).

FY 2015 Strategy:

The United States Trustee Program ("USTP" or "Program") is a litigating component of the Department of Justice whose mission is to promote the integrity and efficiency of the nation's bankruptcy system for the benefit of all stakeholders – debtors, creditors, and the public. In FY 2015, the USTP projects one million bankruptcy filings. USTP operations are funded from offsetting collections deposited in the United States Trustee System Fund.

One of the basic principles of our nation's bankruptcy system is that the honest but unfortunate debtor deserves a fresh start. Those who prey upon debtors for their own financial gain undermine that basic principle. Thus, protecting consumer debtors and being able to quickly mobilize to address increasingly complex abuse of the bankruptcy system is an important objective of the Program's enforcement efforts.

By statute, the Program has standing to participate in every bankruptcy case filed within its jurisdiction. The Program oversees the administration of all bankruptcy cases filed by individual and business debtors in every federal judicial district except for those in Alabama and North Carolina. To ensure the integrity of the bankruptcy system, the Program employs a broad range of enforcement and oversight activities. These activities include conducting tens of thousands of civil enforcement actions each year; protecting consumer debtors from being victims of unscrupulous creditors, bankruptcy petition preparers or attorneys; providing oversight of chapter 11 cases; supervising private trustees who administer chapter 7, 12, and 13 bankruptcy cases; and participating in appeals to the district courts, circuit courts of appeals, and the U.S. Supreme Court.

The USTP has two main strategies: (1) to address fraud and abuse of the system by debtors, financial institutions and other creditors, and third parties such as attorneys and non-attorney petition preparers; and (2) to ensure accountability by management of chapter 11 corporate debtors by ensuring that entrenched management does not cut off the rights of other parties, by opposing insider bonuses that do not satisfy strict statutory standards, and by ensuring that attorneys and other professional firms adhere to statutory requirements pertaining to disclosure and conflicts of interest.

The USTP is instrumental in helping to combat mortgage fraud and creditor abuse activities that could otherwise result in significant adverse consequences to the nation's financial systems.

FY 2015 Program Changes:

Program Offset **Miscellaneous Program and Administrative Reductions:** -\$3.0 million and 0 positions
 Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

U.S. Trustees
(Dollars in Thousands)

	U.S. Trustees		
	Pos	Est. FTE	Amount
2013 Appropriation	[1,314]	1,169	223,258
2013 Rescissions (1.877 % & 0.2%)	0	0	-288
2013 Sequester Cut	0	0	-11,231
2013 Enacted with Rescissions and Sequester	[1,314]	1,169	211,739
2014 Enacted	[1,314]	1,174	224,400
2015 Request	[1,314]	1,174	225,908
Change 2015 from 2014 Enacted	0	0	1,508
Technical Adjustments	0	0	0
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	3,483
Domestic Rent & Facilities	0	0	627
Other Adjustments	0	0	400
Total Base Adjustments	0	0	4,510
2015 Current Services	[1,314]	1,174	228,910
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-3,002
Subtotal, Program Decreases	0	0	-3,002
Total Program Changes	0	0	-3,002
2015 Request	[1,314]	1,174	225,908

U.S. Trustees
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Administration of Cases	1,314	1,174	224,400	1,314	1,174	228,910
Total	1,314	1,174	224,400	1,314	1,174	228,910
Reimbursable FTE	0	0	0	0	0	0
Grand Total	1,314	1,174	224,400	1,314	1,174	228,910

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Administration of Cases	0	0	-3,002	1,314	1,174	225,908
Total	0	0	-3,002	1,314	1,174	225,908
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-3,002	1,314	1,174	225,908



Foreign Claims Settlement Commission (FCSC)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$2 1 million (11 positions; 4 attorneys)
Current Services Adjustments:	+\$344,000
Program Changes:	-\$118,000
FY 2015 Budget Request:	\$2.3 million (11 positions; 4 attorneys)
Change From FY 2014 Enacted:	+\$226,000 (+10.8%)

Mission:

The principal mission of the FCSC is to adjudicate claims of U.S. nationals against foreign governments, exercising jurisdiction conferred by the International Claims Settlement Act of 1949, as amended, and other authorizing legislation.

Resources:

The FY 2015 budget request for FCSC totals \$2.3 million, which is a 10.8% increase over the FY 2014 Enacted.

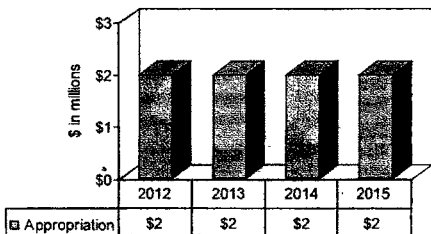
Organization:

The FCSC consists of a Chairman and two part-time Commissioners who are all appointed by the President and confirmed by the Senate.

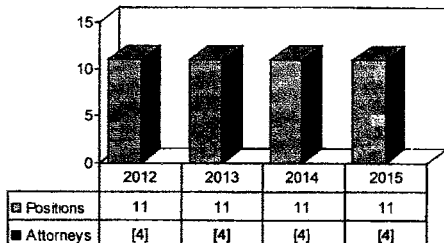
Personnel:

The FCSC's direct positions for FY 2015 total 11 positions and is the same as FY 2014 Enacted.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

In FY 2015, the Commission plans to continue its administration of the Libya Claims Program. This program resulted from the President's Executive Order 13477 dated October 31, 2008, implementing the U.S.-Libya Claims Settlement Agreement of August 14, 2008, as well as the Libyan Claims Resolution Act (LCRA), passed by Congress and signed into law on August 4, 2008. Pursuant to this Agreement and the LCRA, the government of Libya paid \$1.5 billion to the United States in order to provide immediate and fair compensation to U.S. nationals with terrorism-related claims against Libya.

In FY 2015, the Commission also plans to continue its administration of the Iraq Claims Program. On June 21, 2011, the Department of State issued a press release announcing a settlement with the Government of Iraq in the amount of \$400 million to provide compensation for American nationals who were prisoners of war, hostages, or human shields during the first Gulf War, and for U.S. servicemen who were injured in the 1987 attack on the USS Stark. On November 14, 2012, pursuant to its authority under 22 U.S.C. § 1623 (a)(1)(C), the Department of State referred a category of claims within the scope of the Iraq Claims Settlement Agreement to the Commission for adjudication and certification. The Commission is currently adjudicating claims under this referral.

Furthermore, the Commission will continue to have authority under the International Claims Settlement Act of 1949, as amended, and the 1995 United States-Albanian claims settlement agreement, to make awards in any additional claims against Albania that are filed. In addition, when appropriate, the Commission will continue to reopen and reconsider claims it had previously denied, taking into account the modification of the Albanian claims settlement agreement effected in 2006.

Additionally, the Commission will research and respond to requests for information concerning properties expropriated by the Castro regime in Cuba, in support of the Department of State's continuing implementation of Title IV of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (the "Helms-Burton Act"). The Commission continues to maintain and update a computerized database of some 13,000 records containing specific information on all of the claims adjudicated in its Cuban Claims Program. This database enables the Commission to respond more quickly and accurately to requests for information from the State Department and the general public.

Moreover, under the War Claims Act of 1948, as amended, the Commission will also continue to have authority to award compensation to any previously uncompensated American servicemen held as prisoners of war in Southeast Asia during the Vietnam conflict, or their survivors, for inadequate rations and inhumane treatment while in captivity.

In addition, the Commission will continue to furnish information contained in its records pertaining to the 45 completed international and war related claims programs it has conducted, as requested by claimants, their heirs, attorneys, researchers, and other members of the public. It will also provide to other U.S. agencies technical advice on their policy determinations, participate in preliminary planning and evaluation of pending claims legislation, and coordinate with Congressional committees considering legislation for adjudication of additional types of claims.

FY 2015 Program Changes:

Program Offset Miscellaneous Program and Administrative Reductions: -\$118,000 and 0 positions
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Foreign Claims Settlement Commission
(Dollars in Thousands)

	Foreign Claims Settlement Commission		
	Pos	Est. FTE	Amount
2013 Appropriation	11	8	2,000
2013 Rescissions (0.1 % & 0.032%)	0	0	-3
2013 Sequester Cut	0	0	-101
2013 Enacted with Rescissions and Sequester	11	8	1,896
2014 Enacted	11	8	2,100
2015 Request	11	8	2,326
Change 2015 from 2014 Enacted	0	0	226
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	44
Domestic Rent & Facilities	0	0	300
Total Base Adjustments	0	0	344
2015 Current Services	11	8	2,444
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-118
Subtotal, Program Decreases	0	0	-118
Total Program Changes	0	0	-118
2015 Request	11	8	2,326

Foreign Claims Settlement Commission
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Foreign Claims	11	8	2,100	11	8	2,444
Total	11	8	2,100	11	8	2,444
Reimbursable FTE	0	0	0	0	0	0
Grand Total	11	8	2,100	11	8	2,444

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Foreign Claims	0	0	-118	11	8	2,326
Total	0	0	-118	11	8	2,326
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-118	11	8	2,326



U.S. Marshals Service (USMS)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$2,728.0 million (5,571 positions; 19 attorneys; 4,134 DUSMs)
Current Services Adjustments:	+\$64.3 million
Program Changes:	-\$2.0 million
FY 2015 Budget Request:	\$2,790.0 million (5,571 positions; 19 attorneys; 4,134 DUSMs)
Change From FY 2014 Enacted:	+\$62.3 million (+2.3%)

Mission:

The mission of the United States Marshals Service (USMS) is to enforce federal laws and support virtually all elements of the federal justice system by providing for the security of federal court facilities and the safety of judges and other court personnel; apprehending fugitives; exercising custody of federal prisoners and providing for their security and transportation to detention facilities; executing federal court orders; managing and disposing of the assets seized and forfeited by federal law enforcement agencies; and assuring the safety of protected government witnesses and their families.

Resources:

The FY 2015 budget request for USMS totals \$2,790 million, which is a 2.3% increase over the FY 2014 Enacted. The request includes \$1,185 million for Salaries and Expenses (S&E), \$9.8 million for Construction and \$1,595 million for Federal Prisoner Detention (FPD). The FY 2015 budget also proposes to rescind \$122.0 million in prior year FPD balances.

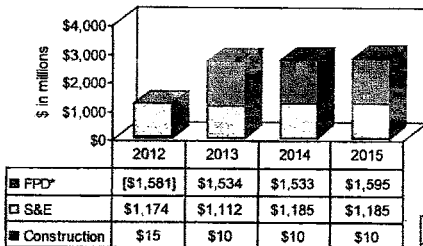
Organization:

The Director is appointed by the President and confirmed by the Senate. The USMS has over 400 offices, encompassing the 94 judicial districts and Headquarters. The USMS has 60 district-based task forces, seven Regional Fugitive Task Forces and three foreign field offices to investigate and apprehend violent fugitives. Operational missions are coordinated and led by the following six divisions: Judicial Security, Investigative Operations, Witness Security, Prisoner Operations, Tactical Operations, and the Justice Prisoner and Alien Transportation System (JPATS). JPATS is responsible for moving USMS detainees and BOP prisoners between judicial districts and correctional institutions via coordinated air and ground systems. The USMS also houses over 59,000 detainees on a daily basis in federal, state, local and private jails throughout the nation.

Personnel:

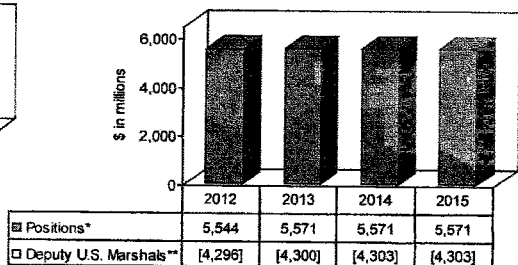
The USMS's direct positions for FY 2015 total 5,571 positions and is the same as FY 2014 Enacted. However, between January 2011 and December 2013, the number of USMS' onboard staff declined by 225 (144 DUSMs and 81 support staff).

Funding (FY 2012 - 2015)



* Before 2012, detention resources were appropriated under the Office of Federal Detention Trustee. Totals are gross of rescissions.

Personnel (FY 2012 - 2015)



* Includes 17 FPD positions in FY 2013 and FY 2014

** Includes reimbursable Deputy U.S. Marshals

FY 2015 Strategy:

The FY 2015 budget request provides the necessary resources to maintain USMS' core functions. The USMS ensures the functioning of the federal judicial process by protecting members of the judicial family (judges, attorneys and court personnel), providing physical security in courthouses, safeguarding witnesses, transporting and producing prisoners for court proceedings, executing court orders and arrest warrants, apprehending fugitives, and managing and disposing of seized property. In addition, the USMS provides important technical assistance to support critical law enforcement investigations. The FY 2015 request supports these missions by maintaining funding for priority areas, while promoting cost effectiveness.

Priority mission areas for FY 2015 include addressing violence along the Southwest Border, enforcing the Adam Walsh Child Protection and Safety Act, and ensuring that violent fugitives are located and apprehended. The USMS will also continue its traditional missions of providing judicial and courthouse security, managing the witness security program, and conducting detention operations. The FY 2015 request for Construction supports these missions by allowing the USMS to renovate and secure federal courthouse and other USMS facilities. These upgrades are essential for maintaining the security and safety of judicial officials, courtroom participants, the public, USMS personnel, and prisoners.

The Federal Prisoner Detention appropriation funds the housing, transportation, medical care, and medical guard services for federal detainees remanded to USMS custody. The FY 2015 request reflects the increased costs of the detention population. USMS will continue to target detention efficiencies, including potential improvements to the prisoner transportation system.

The FY 2015 budget proposes substantive changes to the FY 2014 enacted appropriation language for USMS FPD. Additional detail is provided about substantive and technical language changes in Section III and USMS FPD's Congressional Justification.

FY 2015 Program Changes:**Salaries & Expenses**

Program Offset Miscellaneous Program and Administrative Reductions: -\$33.8 million and 0 positions. Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, State Department charges, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Federal Prisoner Detention

Housing of USMS Detainees: \$31.8 million and 0 positions. Funds are requested to ensure that the USMS FPD is able to pay for the housing, medical, and transportation costs for the USMS detainee population. Detention funding requirements are determined using a population forecasting model that incorporates factors such as population, demographic trends, average processing time per type of case, and the authorized positions of federal law enforcement, U.S. Attorneys and U.S. District Court judges. The average daily detention population is projected to be 59,949 in FY 2015. FY 2015 current services level for this initiative is \$1,564 million.

Rescission: -\$122.0 million and 0 positions. The FY 2015 budget proposes to rescind \$122 million in prior year balances.

U.S. Marshals Service
(Dollars in Thousands)

	U.S. Marshals Service S&E			U.S. Marshals Service Construction			Federal Prisoner Detention			Total		
	Pos	Est. FTE	Amount	Pos	Est. FTE	Amount	Pos	Est. FTE	Amount	Pos	Est. FTE	Amount
2013 Appropriation	5,554	5,103	1,196,000	0	0	10,000	17	14	1,647,383	5,571	5,117	2,853,383
2013 Rescissions (1 877 % & 0.2%)	0	0	-24,796	0	0	-207	0	0	-34,154	0	0	-59,157
2013 Sequester Cut	0	0	-58,949	0	0	0	0	0	-79,513	0	0	-138,462
2013 Sequester - LEWC	0	0	-186	0	0	0	0	0	0	0	0	-186
2013 Enacted with Rescissions and Sequester	5,554	5,103	1,112,069	0	0	9,793	17	14	1,533,716	5,571	5,117	2,655,578
2014 Enacted	5,554	5,103	1,185,000	0	0	9,800	17	17	1,533,000	5,571	5,120	2,727,800
2015 Request	5,554	5,103	1,185,000	0	0	9,800	17	17	1,595,307	5,571	5,120	2,790,107
Change 2015 from 2014 Enacted	0	0	0	0	0	0	0	0	62,307	0	0	62,307
Technical Adjustments												
Total Technical Adjustments	0	0	0	0	0	0	0	0	0	0	0	0
Base Adjustments												
Pay & Benefits	0	0	22,729	0	0	0	0	0	101	0	0	22,830
Domestic Rent & Facilities	0	0	9,524	0	0	0	0	0	0	0	0	9,524
Other Adjustments	0	0	893	0	0	0	0	0	0	0	0	893
Foreign Expenses	0	0	686	0	0	0	0	0	0	0	0	686
Prison and Detention	0	0	0	0	0	0	0	0	30,415	0	0	30,415
Total Base Adjustments	0	0	33,832	0	0	0	0	0	30,516	0	0	64,348
2015 Current Services	5,554	5,103	1,218,832	0	0	9,800	17	17	1,563,516	5,571	5,120	2,792,148
Program Changes												
Increases:												
Housing of USMS Detainees	0	0	0	0	0	0	0	0	31,791	0	0	31,791
Subtotal, Program Increases	0	0	0	0	0	0	0	0	31,791	0	0	31,791
Decreases:												
Program Offset - Miscellaneous	0	0	-33,832	0	0	0	0	0	0	0	0	-33,832
Program and Administrative Reductions	0	0	-33,832	0	0	0	0	0	0	0	0	-33,832
Subtotal, Program Decreases	0	0	-33,832	0	0	0	0	0	0	0	0	-33,832
Total Program Changes	0	0	-33,832	0	0	0	0	0	31,791	0	0	-2,041
2015 Request	5,554	5,103	1,185,000	0	0	9,800	17	17	1,595,307	5,571	5,120	2,790,107
Rescission - FPD	0	0	0	0	0	0	0	0	-122,000	0	0	-122,000
2015 Request with Rescission	5,554	5,103	1,185,000	0	0	9,800	17	17	1,473,307	5,571	5,120	2,668,107
Change 2015 from 2014 Enacted with Rescissions	0	0	0	0	0	0	0	0	-59,693	0	0	-59,693

U.S. Marshals Service S&E

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Judicial and Court House Security	2,222	2,042	458,426	2,222	2,042	471,330
Fugitive Apprehension	1,744	1,602	399,353	1,744	1,602	410,166
Prisoner & Courthouse Security	1,204	1,106	251,555	1,204	1,106	258,547
Protection of Witnesses	207	190	35,399	207	190	36,602
Tactical Operations	177	163	40,267	177	163	42,187
Total	5,554	5,103	1,185,000	5,554	5,103	1,218,832
Reimbursable FTE	0	425	0	0	425	0
Grand Total	5,554	5,528	1,185,000	5,554	5,528	1,218,832

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Judicial and Court House Security	0	0	-13,533	2,222	2,042	457,797
Fugitive Apprehension	0	0	-10,624	1,744	1,602	399,542
Prisoner & Courthouse Security	0	0	-7,334	1,204	1,106	251,213
Protection of Witnesses	0	0	-1,263	207	190	35,339
Tactical Operations	0	0	-1,078	177	163	41,109
Total	0	0	-33,832	5,554	5,103	1,185,000
Reimbursable FTE	0	0	0	0	425	0
Grand Total	0	0	-33,832	5,554	5,528	1,185,000

U.S. Marshals Service Construction

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
USMS Construction	0	0	9,800	0	0	9,800
Total	0	0	9,800	0	0	9,800
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	9,800	0	0	9,800

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
USMS Construction	0	0	0	0	0	9,800
Total	0	0	0	0	0	9,800
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	0	0	0	9,800

Federal Prisoner Detention

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Federal Prisoner Detention	17	17	1,533,000	17	17	1,563,516
Total	17	17	1,533,000	17	17	1,563,516
Reimbursable FTE	0	0	0	0	0	0
Rescission of BalancesBalance Rescission	0	0	0	0	0	0
Grand Total	17	17	1,533,000	17	17	1,563,516

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Federal Prisoner Detention	0	0	31,791	17	17	1,595,307
Total	0	0	31,791	17	17	1,595,307
Reimbursable FTE	0	0	0	0	0	0
Rescission of BalancesBalance Rescission	0	0	-122,000	0	0	-122,000
Grand Total	0	0	-90,209	17	17	1,473,307



Community Relations Service (CRS)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$12.0 million (56 positions; 2 attorneys)
Current Services Adjustments:	+\$715,000
Program Changes:	+\$257,000
FY 2015 Budget Request:	\$13.0 million (60 positions; 2 attorneys)
Change From FY 2014 Enacted:	+\$972,000 (+8.1%) (+4 positions)

Mission:

Created by the Civil Rights Act of 1964, CRS serves as the Department's "peacemaker," dedicated to assisting state and local units of government, private and public organizations, and community groups to address community conflicts and tensions arising from differences of race, color, and national origin. CRS also helps communities develop the capacity to prevent and respond to alleged violent hate crimes on the basis of actual or perceived race, color, national origin, gender, gender identity, sexual orientation, religion, or disability. CRS facilitates the development of viable, mutual understandings and agreements as alternatives to coercion, violence, or litigation.

Organization:

CRS is headed by a Director, who is appointed by the President and confirmed by the Senate. CRS has 10 regional offices and 4 field offices across the United States.

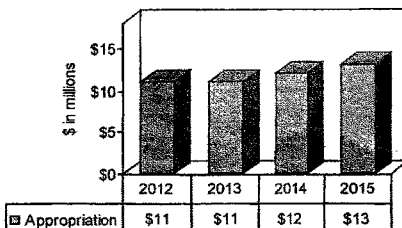
Resources:

The FY 2015 budget request for CRS totals \$13.0 million, which is an 8.1% increase over the FY 2014 Enacted.

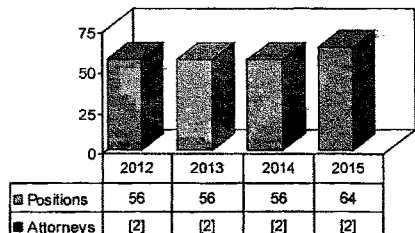
Personnel:

The CRS's direct positions for FY 2015 total 60 positions. CRS's FY 2015 request includes an increase of 4 positions over the FY 2014 Enacted of 56 positions.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

CRS serves as the Department's "peacemaker" for community conflicts and tensions arising from real or perceived discriminatory practices based on race, color, or national origin and helps communities prevent and respond to alleged violent hate crimes committed on the basis of actual or perceived race, color, national origin, gender, gender identity, sexual orientation, religion or disability. CRS provides specialized mediation and conciliation services to state, local and federal officials and communities throughout the United States. CRS' goal is to assist in resolving and preventing racial, ethnic and national origin community conflicts, violence, and civil disorder and to help communities prevent or recover from alleged violent hate crimes.

To carry out its mission, CRS has implemented several strategies, which are intended to effectively address the issues of discriminatory practices based on race, color, or national origin that impair the rights of people. CRS strategies also enable communities to develop the capacity to work with local government and law enforcement officials to prevent and respond more effectively to violent hate crimes. Examples of various CRS strategies and programs include: Law Enforcement Mediation Skills Program; Anti-Racial Profiling Program; Arab-Muslim, Sikh (AMS) Cultural Awareness Program; and City-Problem Identification and Resolution of Issues Together (City-SPIRIT) Program.

CRS must constantly reintroduce its services to community and local government leaders due to election turnover, term-limited positions, and a statutory mandate that prevents CRS from publicizing much of its work. Evolving community "flash points" increase the need to be knowledgeable and aware of the host of vulnerabilities that communities face. Obstacles to entry and the fluctuating nature of jurisdictional conflicts do not deter CRS from offering its services to communities in need. Through skillful conciliation and mediation, CRS' services can limit disruptions to community peace and stability. For any jurisdictional conflict, CRS stands ready to offer its conflict resolution services to communities across the United States.

FY 2015 Program Changes:

Hate Crime Prevention and Response: \$257,000 and 4 positions

This request supports additional staff for CRS to ensure that the capacity of law enforcement and community leaders to respond to and prevent violent hate crimes is not impaired. CRS' caseload associated with responding to alleged hate crimes on the basis of race, color, or national origin as well as on the basis of the newly added categories of gender, gender identity, sexual orientation, religion, or disability has dramatically increased. With the additional resources, CRS will be able to address increasing hate-related activity and bring law enforcement officials, advocacy groups, and individual community members to the table in a way that creates lasting stability and harmony and enables those communities to address future conflicts without outside assistance. Current services for this initiative are 4 positions and \$1.9 million.

Community Relations Service
(Dollars in Thousands)

	Community Relations Service		
	Pos	Est. FTE	Amount
2013 Appropriation	56	45	12,036
2013 Rescissions (1.877 % & 0.2%)	0	0	-250
2013 Sequester Cut	0	0	-576
2013 Enacted with Rescissions and Sequester	56	45	11,210
2014 Enacted	56	47	12,000
2015 Request	60	49	12,972
Change 2015 from 2014 Enacted	4	2	972
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	154
Domestic Rent & Facilities	0	0	411
Other Adjustments	0	0	150
Total Base Adjustments	0	0	715
2015 Current Services	56	47	12,715
Program Changes			
Increases:			
Hate Crime Prevention and Response	4	2	257
Subtotal, Program Increases	4	2	257
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	4	2	257
2015 Request	60	49	12,972

Community Relations Service
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Conflict Resolution and Violence Prevention - Program Operations	56	47	12,000	56	47	12,715
Total	56	47	12,000	56	47	12,715
Reimbursable FTE	0	0	0	0	0	0
Grand Total	56	47	12,000	56	47	12,715

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Conflict Resolution and Violence Prevention - Program Operations	4	2	257	60	49	12,972
Total	4	2	257	60	49	12,972
Reimbursable FTE	0	0	0	0	0	0
Grand Total	4	2	257	60	49	12,972



Asset Forfeiture Program (AFP)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$20.5 million (Discretionary Authority) \$3,213 million (23 positions) (Indefinite Authority)
Current Services Adjustments:	+\$14,000 (Discretionary Authority) +\$0 (Indefinite Authority)
Program Changes:	+\$0 (Discretionary Authority) -\$1,875 million (Indefinite Authority)
FY 2015 Budget Request:	\$20.5 million (Discretionary Authority) \$1,337 million (23 positions) (Indefinite Authority)
Change From FY 2014 Enacted:	+\$14,000 (+0.1%) (Discretionary Authority) -\$1,875 million (-58.4%) (Indefinite Authority)

Mission:

The Asset Forfeiture Program's (AFP) primary mission is to enforce Federal laws by using asset forfeiture consistently and strategically to disrupt and dismantle criminal enterprises, deprive wrongdoers of the proceeds and instruments of criminal activity, deter crime, and restore property to victims of crime while protecting individual rights. The AFP achieves this mission by providing Federal law enforcement agencies that participate in the program with the tools, policies, and funding to fight crime through forfeiture.

Organization:

The Asset Forfeiture Management Staff (AFMS) is in the Justice Management Division and is located in Washington, DC. AFMS manages all financial and budgetary aspects of the Assets Forfeiture Fund (AFF), along with information systems and nationwide forfeiture support contracts. Participating agencies of the AFP include the Criminal Division's Asset Forfeiture and Money Laundering Section, the Federal Bureau of Investigation, Drug Enforcement Administration, Bureau of Alcohol, Tobacco, Firearms, and Explosives, United States Marshals Service, United States Attorneys, and several other federal law enforcement agencies. Allocation recommendations are forwarded to the Office of the Deputy Attorney General by AFMS through the Justice Management Division.

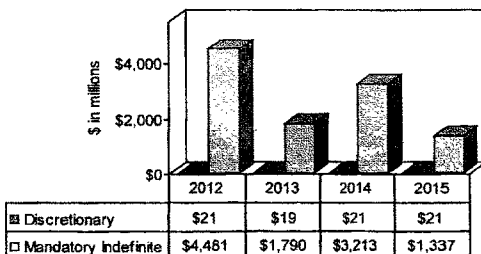
Resources:

All AFP funding is provided from forfeiture activities. \$20.5 million of these funds are scored as discretionary and may be used for non-forfeiture related activities. \$1,337 million is scored as mandatory and will be used to pay victims and third parties, share resources with state and local participants, and fund programs in support of the AFP. An additional \$193.0 million is proposed for permanent cancellation.

Personnel:

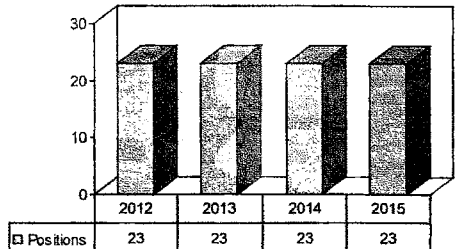
AFMS has 23 personnel funded through the AFP. An additional 420 government positions dedicated to forfeiture-related activities within other components are funded through the AFP.

Funding (FY 2012 - 2015)



The high FY 2012 and FY 2014 mandatory levels are due to receipts and obligations for one-time extraordinary cases.

Personnel (FY 2012 - 2015)



FY 2015 Strategy:

In FY 2015, the Department's forfeiture program will continue to play a critical and key role in disrupting and dismantling illegal enterprises, depriving criminals of the proceeds of illegal activity, deterring crime, and restoring property to victims.

Investigating and forfeiting criminal assets can be a long and complex process. The fight against money laundering combined with the law enforcement tool of asset forfeiture accomplishes many important goals by reducing and preventing crime such as border corruption, crimes against children, and mortgage fraud. The challenges facing law enforcement in today's environment are immense. The AFP provides investigators and prosecutors all the legal and regulatory tools necessary to keep up with, and ahead of, those who launder the proceeds of crime. To effectively combat criminal activity, law enforcement must have the means that are at least as sophisticated, if not more so, than the criminals. The strategic use of asset forfeiture can provide critical assistance for overcoming these demanding challenges and ensuring there is no safe haven for criminal proceeds.

The AFP is the primary source of funding to pay for state and local law enforcement officer participation in DOJ task forces. The AFP pays for overtime, vehicles, and other equipment of the state and local officers. Over 6,100 AFP-funded state and local law enforcement officers participate in DOJ task forces.

The AFP faces a number of challenges, internal and external. Among these is the increasing participation with foreign countries to investigate and repatriate illicit proceeds secreted overseas. While beneficial, these cases can be difficult to negotiate and often take a significant amount of time to finalize. Revenues are also difficult to predict, particularly when there are large forfeiture cases with non-recurring deposits. These unpredictable changes in revenues must be carefully considered prior to providing participating agencies with forfeiture budget authority, as the Fund is not allowed to operate at a deficit. In FY 2014, \$693.0 million was permanently cancelled and \$83.6 million was temporarily rescinded.

FY 2015 Program Changes:**Asset Forfeiture Program (Permanent Indefinite Authority)**

Adjustment to FY 2015 Estimate: -\$1,875 million and 0 positions

Current FY 2015 estimates for AFF mandatory expenses are \$1.9 billion lower than the FY 2014 level. This adjustment is due to anticipated receipts and obligations lower than current levels. Current levels include an anticipated \$1.7 billion in forfeiture proceeds from the U.S. government's settlement with JPMorgan Chase. The FY 2015 estimate for mandatory expenses is \$1.3 billion.

Rescission: -\$193.0 million and 0 positions

The FY 2015 Budget proposes a permanent cancellation of -\$193.0 million.

Asset Forfeiture Program
(Dollars in Thousands)

	Asset Forfeiture Program (Permanent Indefinite Authority)			Asset Forfeiture Program (Discretionary Authority)			Total		
	Pos	Est. FTE	Amount	Pos	Est. FTE	Amount	Pos	Est. FTE	Amount
2013 Appropriation	23	21	1,859,644	0	0	20,948	23	21	1,880,592
2013 Sequester Cut	0	0	-69,258	0	0	-1,054	0	0	-70,312
2013 Rescissions (1.877 % & 0.2%)	0	0	0	0	0	-41	0	0	-41
2013 CR 0.612% Increase	0	0	0	0	0	-393	0	0	-393
2013 Enacted with Rescissions, Sequester, and Supplemental	23	21	1,790,386	0	0	19,460	23	21	1,809,846
2014 Enacted	23	23	3,368,282	0	0	20,500	23	23	3,388,782
2014 Sequester Cut	0	0	-155,736	0	0	0	0	0	-155,736
2014 Enacted with Rescissions, Sequester, and Supplemental	0	0	3,212,546	0	0	20,500	0	0	3,233,046
2015 Request	23	23	1,337,078	0	0	20,514	23	23	1,357,592
Change 2015 from 2014 Enacted	0	0	-1,875,468	0	0	14	0	0	-1,875,454
Technical Adjustments	0	0	0	0	0	0	0	0	0
Total Technical Adjustments	0	0	0	0	0	0	0	0	0
Base Adjustments	0	0	0	0	0	14	0	0	14
Other Adjustments	0	0	0	0	0	14	0	0	14
Total Base Adjustments	0	0	0	0	0	14	0	0	14
2015 Current Services	23	23	3,212,546	0	0	20,514	23	23	3,233,060
Program Changes									
Increases:									
Subtotal, Program Increases	0	0	0	0	0	0	0	0	0
Decreases:									
Adjustment to FY 2015 Estimate	0	0	-1,875,468	0	0	0	0	0	-1,875,468
Subtotal, Program Decreases	0	0	-1,875,468	0	0	0	0	0	-1,875,468
Total Program Changes	0	0	-1,875,468	0	0	0	0	0	-1,875,468
2015 Request	23	23	1,337,078	0	0	20,514	23	23	1,357,592

Asset Forfeiture Program (Permanent Indefinite Authority)

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
AFF - Permanent, Indefinite Authority	23	23	3,212,546	23	23	3,212,546
Total	23	23	3,212,546	23	23	3,212,546
Reimbursable FTE	0	0	0	0	0	0
Grand Total	23	23	3,212,546	23	23	3,212,546

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
AFF - Permanent, Indefinite Authority	0	0	-1,875,468	23	23	1,337,078
Total	0	0	-1,875,468	23	23	1,337,078
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-1,875,468	23	23	1,337,078

Asset Forfeiture Program (Discretionary Authority)

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
AFF - Appropriated, Definite Authority	0	0	20,500	0	0	20,514
Total	0	0	20,500	0	0	20,514
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	20,500	0	0	20,514

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
AFF - Appropriated, Definite Authority	0	0	0	0	0	20,514
Total	0	0	0	0	0	20,514
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	0	0	0	20,514



Interagency Crime & Drug Enforcement (ICDE)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$514.0 million (3,127 positions; 573 attorneys; 1,502 agents)
Current Services Adjustments:	+\$5.7 million
Program Changes:	-\$14.7 million
FY 2015 Budget Request:	\$505.0 million (3,051 positions; 573 attorneys; 1,449 agents)
Change From FY 2014 Enacted:	-\$9.0 million (-1.8%) (-76 positions; -53 agents)

Mission:

The Interagency Crime and Drug Enforcement (ICDE) appropriation funds the Organized Crime and Drug Enforcement Task Forces (OCDETF) Program. The mission of OCDETF is to reduce the supply of illegal drugs in the United States and diminish the violence associated with the drug trade by dismantling and disrupting the most significant criminal organizations that traffic drugs and the financial infrastructure that supports them. OCDETF attacks the highest levels of organized crime, namely the transnational, national, and regional criminal organizations most responsible for the illegal drug supply in the United States and the diversion of licit drugs.

Organization:

The OCDETF Program is the centerpiece of the Department's counterdrug efforts. It operates nationwide and coordinates the drug enforcement efforts of ATF, Coast Guard, DEA, FBI, Immigration and Customs Enforcement, USMS, Internal Revenue Service, the 94 United States Attorneys' Offices, the Criminal Division, and other federal, state, local, tribal, and international law enforcement agencies. The Program is organized into nine regions, each with its own Advisory Council and its own Coordination Group. These groups set the policies and priorities for their regions and conduct the final review of cases that have been proposed for OCDETF designation. At the district level, there is a District Coordination Group which reviews cases proposed for OCDETF designation, ensures appropriate allocation of resources, and monitors case progress at the local level.

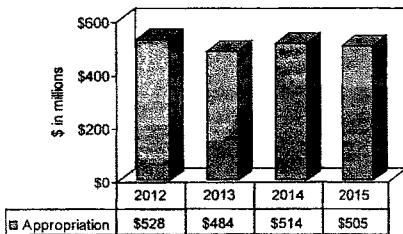
Resources:

The FY 2015 budget request for ICDE S&E totals \$505.0 million, which is a 1.8% decrease from the FY 2014 Enacted.

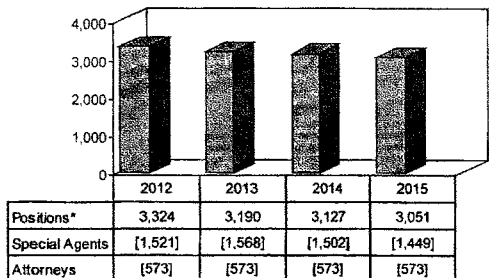
Personnel:

The ICDE S&E's positions for FY 2015 total 3,051 positions. ICDE S&E's FY 2015 request includes a decrease of -76 positions from the FY 2014 Enacted of 3,127 positions.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



*Includes direct and reimbursable positions

FY 2015 Strategy:

To fulfill its mission, the OCDETF program has identified a number of strategies to reduce the supply of illegal drugs in the United States.

Identify, disrupt, and dismantle Consolidated Priority Organization Targets (CPOITs): The OCDETF Program oversees the Attorney General's CPOT list. The CPOT list is comprised of the "Most Wanted" leaders of the drug trafficking and money laundering organizations believed to be primarily responsible for the nation's supply of illegal drugs. These targets are proposed by OCDETF's participating agencies, using their combined available intelligence.

Disrupt and dismantle Regional Priority Organization Targets (RPOTs): To succeed, OCDETF must identify the major organizations that operate at each and every level of the drug distribution chain, throughout the United States. Each of OCDETF's nine regions designates those drug trafficking and money laundering organizations within the region having the greatest impact upon the region's supply of illegal drugs.

Attack the financial infrastructure of drug organizations: In order to fully and completely dismantle a drug organization, law enforcement must destroy the organization's access to financial resources, thereby eliminating the organization's ability to reconstitute itself. The lynchpin in this approach is a coordinated attack that uses the asset forfeiture laws to strip targets of their illegally acquired profits no matter where those profits have been hidden.

Enhance law enforcement's ability to analyze data through the OCDETF Fusion Center: To enhance OCDETF's overall capacity to engage in intelligence-driven law enforcement, OCDETF created the OCDETF Fusion Center (OFC), a comprehensive data center containing all drug and related financial intelligence information from the seven OCDETF-member investigative agencies, the Financial Crimes Enforcement Network, and others. The OFC is designed to conduct analysis of drug and related financial data, create comprehensive intelligence pictures of targeted organizations – including those identified as CPOTs and RPOTs – and pass actionable leads through the multi-agency Special Operations Division (SOD) to OCDETF participants in the field. The OFC produces both tactical and strategic intelligence products for use in the field, drawing from law enforcement and intelligence data that has not been widely shared historically.

The Transnational Organized Crime (TOC) Strategy recognizes the OCDETF Program as an integral partner with the TOC Program. The TOC Strategy explicitly considers transnational organized crime a significant threat that is increasingly intertwined with high-level drug trafficking and terrorist groups. In partnership with the OCDETF Fusion Center (OFC) and the Special Operations Division (SOD) of the Drug Enforcement Administration, the Attorney General's Organized Crime Coordination Committee (AGOCC) established the International Organized Crime Intelligence and Operations Center (IOC-2) on May 29, 2009. The IOC-2 is a multi-agency intelligence center whose mission is to significantly disrupt and dismantle those international criminal organizations posing the greatest threat to the United States.

FY 2015 Program Changes:

Program Offset - Miscellaneous Program and Administrative Reductions: -\$14.7 million and -76 positions (-53 agents)

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Interagency Crime & Drug Enforcement S&E

(Dollars in Thousands)

	Interagency Crime & Drug Enforcement S&E		
	Pos	Est. FTE	Amount
2013 Appropriation	[3,190]	[3,137]	521,793
2013 Sequester Cut	0	0	-26,537
2013 Rescissions (1.877 % & 0.2 %)	0	0	-10,818
2013 Enacted with Rescissions and Sequester	[3,190]	[3,137]	484,438
2014 Enacted	[3,127]	[3,074]	514,000
2015 Request	[3,127]	[3,074]	505,000
Change 2015 from 2014 Enacted	0	0	-9,000
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	5,110
Domestic Rent & Facilities	0	0	550
Total Base Adjustments	0	0	5,660
2015 Current Services	[3,127]	[3,074]	519,660
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	[-76]	[-76]	-14,660
Subtotal, Program Decreases	[-76]	[-76]	-14,660
Total Program Changes	[-76]	[-76]	-14,660
2015 Request	[3,051]	[2,998]	505,000

Interagency Crime & Drug Enforcement S&E

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Investigations	2,077	2,076	364,114	2,077	2,076	367,976
Prosecutions	1,050	998	149,886	1,050	998	151,684
Total	3,127	3,074	514,000	3,127	3,074	519,660
Reimbursable FTE	0	0	0	0	0	0
Grand Total	3,127	3,074	514,000	3,127	3,074	519,660

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Investigations	-76	-76	-14,485	2,001	2,000	353,491
Prosecutions	0	0	-175	1,050	998	151,509
Total	-76	-76	-14,660	3,051	2,998	505,000
Reimbursable FTE	0	0	0	0	0	0
Grand Total	-76	-76	-14,660	3,051	2,998	505,000



Federal Bureau of Investigation (FBI)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$8,343.3 million (34,956 positions; 13,043 agents)
Current Services Adjustments:	+\$166.1 million
Program Changes:	-\$162.2 million
FY 2015 Budget Request:	\$8,347.2 million (34,970 positions; 13,050 agents)
Change From FY 2014 Enacted:	+\$3.9 million (+0.0%) (+14 positions; +7 agents)

Mission:

The mission of the FBI is to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership and criminal justice services to federal, state, municipal, and international agencies and partners.

Organization:

The FBI is headed by a Director who is appointed by the President and confirmed by the Senate. FBI Headquarters, located in Washington, DC, provides centralized operational, policy, and administrative support to FBI investigations. The FBI operates 56 field offices in major U.S. cities and over 360 resident agencies (RAs) throughout the country. RAs are satellite offices that allow the FBI to maintain a presence in and serve local communities. The FBI also operates over 60 Legal Attaché (Legat) offices and 20 sub-offices in 70 foreign countries around the world. Additionally, there are several specialized facilities and analytical centers within the FBI that are at various locations across the country, such as the Criminal Justice Information Services Division (CJIS) in Clarksburg, WV; the Terrorist Explosive Device Analytical Center (TEDAC) in Huntsville, AL; and the FBI Academy and Laboratory at Quantico, VA.

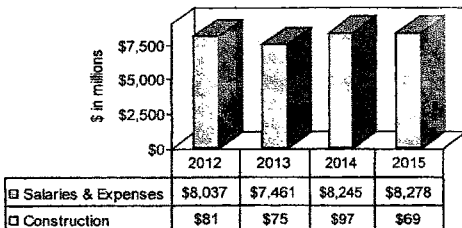
Resources:

The FY 2015 budget request for FBI totals \$8,347 million, which is a 0.05% increase over the FY 2014 Enacted. The request includes \$8,278 million for the Salaries and Expenses Appropriation and \$69.0 million for the Construction Appropriation.

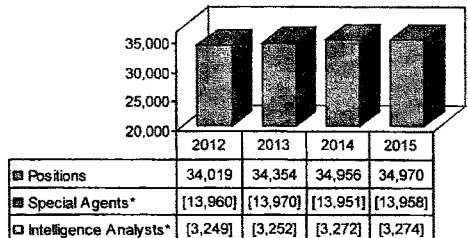
Personnel:

The FBI's direct positions for FY 2015 total 34,970 positions. FBI's FY 2015 request includes an increase of 14 positions over the FY 2014 Enacted of 34,956 positions. However, between January 2011 and December 2013, the number of FBI's onboard staff declined by 426.

Funding (FY 2013 - 2015)



Personnel (FY 2012 - 2015)



* Includes Reimbursable Positions

FY 2015 Strategy:

The FBI's budget strategy is based on the FBI's understanding of current and future national security and criminal investigative threats. From this understanding, the FBI has identified critical, enterprise-wide capabilities needed to perform its mission. This capabilities-based approach to planning the FBI's future resource requirements is necessary since it is not possible to project with certainty who will be the future adversary. Future capabilities are designed to enable the FBI to address the range of expected national security threats and crime problems regardless of who perpetrates the act.

To meet these threats and crime problems and operate successfully in a challenging external environment, the FBI works to integrate intelligence and law enforcement. As a member of the Intelligence Community, the FBI has placed an increased emphasis on threat-based, intelligence-driven investigations and operations, especially in the areas of counterterrorism and counterintelligence, and on internal and external information sharing. In addition, the FBI continues to form and maintain alliances with others in law enforcement, at home and abroad, as these relationships are essential.

The foundation of the FBI's budget strategy is supported by four objectives: (1) the application of a Strategy Management System (SMS) to FBI planning; (2) accelerated improvements in program management through intelligence-driven operations; (3) continuation of outyear planning; and (4) a directed growth strategy aligned to the FBI's most critical requirements.

The FY 2015 President's Budget request supports key enhancements to support the ongoing operations and maintenance of newly constructed analytical centers and to process foreign requests for legal assistance.

The FY 2015 budget proposes substantive changes to the FY 2014 enacted appropriation language for the FBI. Additional detail is provided about substantive and technical language changes in Section III and the FBI's Congressional Justification.

FY 2015 Program Changes:**Salaries and Expenses**

Mutual Legal Assistance Treaty (MLAT) Reform: \$3.2 million and 14 positions (7 agents)

These resources will support the Department's efforts to centralize and improve the process for handling foreign requests for legal assistance, as promised in the President's Jan. 17, 2014 speech. This includes the personnel and technological resources required to enable a robust centralized system, reduce backlog, and improve MLAT response time. There are no existing resources for this initiative.

Terrorist Explosive Device Analytical Center: \$15.0 million and 0 positions

The requested funding will support O&M costs for the new Terrorist Explosive Device Analytical Center (TEDAC) at Redstone Arsenal in Huntsville, Alabama. The new TEDAC facility is under construction and will be a dedicated forensic and technical laboratory to support intelligence reporting, exploitation, and analysis capabilities critical to counter-IED operations. The current services for current TEDAC activities are \$25.4 million. There are no existing resources for O&M of the Huntsville facility.

Program Offset Miscellaneous Program and

Administrative Reductions: -\$168.4 million and 0 positions
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, State Department charges, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Construction

Secure Work Environment: -\$12.0 million and 0 positions

This offset will reduce the FBI's funding for its Secure Compartmented Information Facilities (SCIFs). The current services for this item is \$79 million.

Federal Bureau of Investigation
(Dollars in Thousands)

	FBI Salaries and Expenses			FBI Construction			Total		
	Pos	Est. FTE	Amount	Pos	Est. FTE	Amount	Pos	Est. FTE	Amount
2013 Appropriation	34,354	32,628	8,185,007	0	0	80,982	34,354	32,628	8,265,989
2013 Rescissions (1.877 % & 0.2%)	0	0	-169,695	0	0	-1,679	0	0	-171,374
2013 Sequester Cut	0	0	-541,749	0	0	-4,074	0	0	-545,823
2013 Balance Rescission	0	0	-13,168	0	0	0	0	0	-13,168
2013 Supp. Appropriation - Hurricane Sandy Relief	0	0	10,020	0	0	0	0	0	10,020
2013 Enacted with Rescissions & Supplemental	34,354	32,628	7,470,415	0	0	75,229	34,354	32,628	7,545,644
2014 Enacted	34,956	32,957	8,245,802	0	0	97,482	34,956	32,957	8,343,284
2015 Request	34,970	33,237	8,278,219	0	0	68,982	34,970	33,237	8,347,201
Change 2015 from 2014 Enacted	14	280	32,417	0	0	-28,500	14	280	3,917
Technical Adjustments									
Total Technical Adjustments	0	0	0	0	0	0	0	0	0
Base Adjustments									
Pay & Benefits	0	273	159,610	0	0	0	0	273	159,610
Domestic Rent & Facilities	0	0	15,250	0	0	0	0	0	15,250
Other Adjustments	0	0	6,005	0	0	0	0	0	6,005
Foreign Expenses	0	0	17,382	0	0	0	0	0	17,382
Non-Personnel Related Decreases	0	0	-15,661	0	0	-16,500	0	0	-32,161
Total Base Adjustments	0	273	182,586	0	0	-16,500	0	273	166,086
2015 Current Services	34,956	33,230	8,428,388	0	0	80,982	34,956	33,230	8,509,370
Program Changes									
Increases:									
Mutual Legal Assistance Treaty (MLAT) Reform	14	7	3,208	0	0	0	14	7	3,208
Terrorist Explosive Device Analytical Center	0	0	15,000	0	0	0	0	0	15,000
Subtotal, Program Increases	14	7	18,208	0	0	0	14	7	18,208
Decreases:									
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-168,377	0	0	0	0	0	-168,377
Secure Work Environment	0	0	0	0	0	-12,000	0	0	-12,000
Subtotal, Program Decreases	0	0	-168,377	0	0	-12,000	0	0	-180,377
Total Program Changes	14	7	-150,169	0	0	-12,000	14	7	-162,169
2015 Request	34,970	33,237	8,278,219	0	0	68,982	34,970	33,237	8,347,201

FBI Salaries and Expenses

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Intelligence	7,093	6,712	1,608,611	7,093	6,726	1,685,064
Counterterrorism/Counterintelligence	13,126	12,370	3,356,825	13,126	12,436	3,421,734
Criminal Enterprises/Federal Crimes	12,489	11,899	2,790,845	12,489	11,948	2,853,178
Criminal Justice Services	2,248	1,976	489,721	2,248	2,120	468,412
Total	34,956	32,957	8,245,802	34,956	33,230	8,428,388
Reimbursable FTE	0	3,167	0	0	3,167	0
Grand Total	34,956	36,124	8,245,802	34,956	36,397	8,428,388

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Intelligence	4	2	-34,476	7,097	6,728	1,650,588
Counterterrorism/Counterintelligence	7	4	-65,282	13,133	12,440	3,356,452
Criminal Enterprises/Federal Crimes	3	1	-46,509	12,492	11,949	2,806,669
Criminal Justice Services	0	0	-3,902	2,248	2,120	464,510
Total	14	7	-150,169	34,970	33,237	8,278,219
Reimbursable FTE	0	0	0	0	3,167	0
Grand Total	14	7	-150,169	34,970	36,404	8,278,219

FBI Construction

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
FBI Construction	0	0	97,482	0	0	80,982
Total	0	0	97,482	0	0	80,982
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	97,482	0	0	80,982

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
FBI Construction	0	0	-12,000	0	0	68,982
Total	0	0	-12,000	0	0	68,982
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-12,000	0	0	68,982



Drug Enforcement Administration (DEA)

FY 2016 Budget Request At A Glance

FY 2014 Enacted:	\$2,018.0 million (8,197 positions; 72 attorneys; 3,958 agents)
Current Services Adjustments:	+\$75.2 million
Program Changes:	-\$75.2 million
FY 2015 Budget Request:	\$2,018.0 million (8,197 positions; 72 attorneys; 3,958 agents)
Change From FY 2014 Enacted:	+\$0

Mission:

DEA's mission is to enforce the controlled substances laws and regulations of the United States and bring to the criminal and civil justice system of the United States, or any other competent jurisdiction, those organizations and principal members of organizations involved in the growing, manufacture, or distribution of controlled substances appearing in or destined for illicit traffic in the United States; and to recommend and support non-enforcement programs aimed at reducing the availability of illicit controlled substances on the domestic and international markets.

Resources:

The FY 2015 budget request for DEA totals \$2,018 million, which is the same as FY 2014 Enacted. The FY 2015 request for the S&E account is \$2,018 million, which is the same as FY 2014 Enacted. In addition, the Diversion Control Fee Account (DCFA) request is \$366.7 million, a 2% increase over FY 2014.

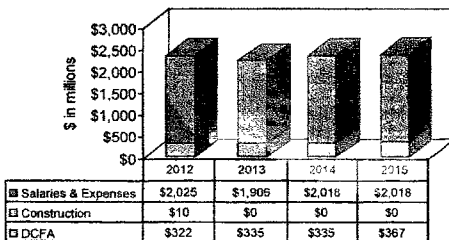
Organization:

DEA is headed by an Administrator and Deputy Administrator who are both appointed by the President with the advice and consent of the Senate. Currently, DEA operates 222 Domestic Offices, organized into 21 Domestic Field Divisions. DEA also operates 86 foreign offices in 67 countries.

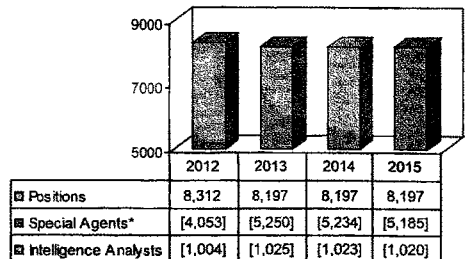
Personnel:

The DEA's direct positions for FY 2015 total 8,197 positions and is the same as FY 2014 Enacted. In FY 2015, DEA's S&E Account will also have 1,249 funded through reimbursable agreements. However, between January 2011 and December 2013, DEA's S&E Account on-board staffing levels (including reimbursable positions) decreased by nearly 800 (300 agents). During this same time period, the Diversion Control Fee Account onboard staffing levels increased by 215.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



* Includes Reimbursable SAs and IAs

FY 2015 Strategy:

DEA continues to prioritize its resources to disrupt and dismantle the "most wanted" drug trafficking and money laundering organizations believed to be primarily responsible for the nation's illicit drug supply. This includes the Consolidated Organizational Priority Targets (CPTOs) identified by DOJ, plus other Priority Target Organizations (PTOs) identified by DEA. DEA also places a high priority on its efforts to prevent drug proceeds from ending up in the hands of terrorist organizations.

Intelligence activities and information sharing will continue to play an important role in DEA's enforcement efforts in FY 2015; as will large scale, multi-agency enforcement operations. The Special Operations Division is the backbone of DEA's coordination efforts through its support of multi-jurisdiction, multi-nation, and multi-agency wire intercept investigations, which attack the command and control communications of drug trafficking organizations. Additionally, the El Paso Intelligence Center is a vital resource for federal, state, and local law enforcement.

DEA will continue to focus on the financial infrastructure of drug trafficking organizations. From FY 2005 through the end of FY 2013, DEA has denied drug traffickers a cumulative total of \$25 billion in revenue through the seizure of both assets and drugs, including \$3.5 billion in just FY 2013.

Internationally, DEA's cooperative partnerships with foreign nations help it to develop more self-sufficient and effective drug law enforcement programs within those partner nations. As part of this collaboration, DEA provides training to its foreign counterparts. DEA also works with foreign counterparts to stand up and train vetted units of foreign law enforcement officers with whom DEA works and shares information.

Although CPOTs and PTOs operate around the world, DEA has placed a special emphasis on Mexican drug trafficking organizations because they control the smuggling of drugs into the United States, as well as drug distribution in most U.S. cities. In addition to the significant drug trafficking threats in the Western Hemisphere, DEA is making efforts to address other international drug trafficking threats that affect U.S. interests. DEA is particularly concerned with emerging threats in Africa, which is used as a transshipment point by both South American and Southwest Asian organizations. DEA will also continue to assist the Government of Afghanistan to establish drug enforcement institutions and capabilities needed to enforce the rule of law; though continued operations in Afghanistan will depend on the availability of resources as the mission in Afghanistan transitions from military to civilian led.

DEA's Diversion Control Program (DCP) is tasked with preventing, detecting, and investigating the diversion of controlled substances and listed chemicals. Through the DCP, DEA regulates more than 1.54 million registrants, a population that grows at a rate of nearly three percent per year. DEA's Tactical Diversion Squads (TDS) are dedicated to investigating, disrupting, and dismantling individuals and organizations involved in drug diversion schemes. They combine the expertise of diversion investigators, special agents, and task force officers from various state and local law enforcement and regulatory agencies.

FY 2015 Program Changes:

Salaries & Expenses

Program Offset - Miscellaneous Program and Administrative Reductions: -\$75.2 million and 0 positions. Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, State Department charges, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Drug Enforcement Administration
(Dollars in Thousands)

	Drug Enforcement Administration - S&E			DEA-Diversion Control Fee			Total		
	Pos	Est. FTE	Amount	Pos	Est. FTE	Amount	Pos	Est. FTE	Amount
2013 Appropriation	8,197	6,826	2,050,904	[1,497]	1,362	351,937	8,197	8,188	2,402,841
2013 Sequester Cut	0	0	-101,416	0	0	-17,085	0	0	-118,501
2013 Rescissions (1.877 % & 0.2%)	0	0	-42,520	0	0	0	0	0	-42,520
Sequester Cut - LEWC	0	0	-694	0	0	0	0	0	-694
2013 Supp. Appropriation - Hurricane Sandy Relief	0	0	1,000	0	0	0	0	0	1,000
2013 Enacted with Rescissions, Sequester & Supplemental	8,197	6,826	1,907,274	[1,497]	1,362	334,852	8,197	8,188	2,242,126
2014 Enacted	8,197	6,566	2,018,000	[1,497]	1,454	360,917	8,197	8,020	2,378,917
2014 Sequester Cut	0	0	0	0	0	-25,630	0	0	-25,630
2014 Enacted with Rescissions, Sequester, and Supplemental	8,197	6,566	2,018,000	[1,497]	1,454	335,287	8,197	8,020	2,353,287
2015 Request	8,197	6,617	2,018,000	[1,497]	1,454	366,680	8,197	8,071	2,384,680
Change 2015 from 2014 Enacted	0	51	0	0	0	31,393	0	51	31,393
Technical Adjustments									
Total Technical Adjustments	0	0	0	0	0	0	0	0	0
Base Adjustments									
Pay & Benefits	0	51	31,192	0	0	4,358	0	51	35,550
Domestic Rent & Facilities	0	0	7,164	0	0	914	0	0	8,078
Other Adjustments	0	0	3,555	0	0	25,630	0	0	29,185
Foreign Expenses	0	0	33,249	0	0	491	0	0	33,740
Total Base Adjustments	0	51	75,160	0	0	31,393	0	51	106,553
2015 Current Services	8,197	6,617	2,093,160	[1,497]	1,454	366,680	8,197	8,071	2,459,840
Program Changes									
Increases:									
Subtotal, Program Increases	0	0	0	0	0	0	0	0	0
Decreases:									
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-75,160	0	0	0	0	0	-75,160
Subtotal, Program Decreases	0	0	-75,160	0	0	0	0	0	-75,160
Total Program Changes	0	0	-75,160	0	0	0	0	0	-75,160
2015 Request	8,197	6,617	2,018,000	[1,497]	1,454	366,680	8,197	8,071	2,384,680

Drug Enforcement Administration - S&E

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
International Enforcement	1,074	955	421,802	1,074	962	461,004
Domestic Enforcement	7,097	5,592	1,592,177	7,097	5,636	1,628,047
State and Local Assistance	26	19	4,021	26	19	4,109
Total	8,197	6,566	2,018,000	8,197	6,617	2,093,160
Reimbursable FTE	0	1,319	0	0	1,249	0
Grand Total	8,197	7,885	2,018,000	8,197	7,866	2,093,160

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
International Enforcement	0	0	-23,066	1,074	962	437,938
Domestic Enforcement	0	0	-51,888	7,097	5,636	1,576,159
State and Local Assistance	0	0	-206	26	19	3,903
Total	0	0	-75,160	8,197	6,617	2,018,000
Reimbursable FTE	0	0	0	0	1,249	0
Grand Total	0	0	-75,160	8,197	7,866	2,018,000

DEA-Diversion Control Fee

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
DEA - Diversion Control	1,497	1,454	335,287	1,497	1,454	366,680
Total	1,497	1,454	335,287	1,497	1,454	366,680
Reimbursable FTE	0	0	0	0	0	0
Grand Total	1,497	1,454	335,287	1,497	1,454	366,680

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
DEA - Diversion Control	0	0	0	1,497	1,454	366,680
Total	0	0	0	1,497	1,454	366,680
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	0	1,497	1,454	366,680



Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$1,179.0 million (5,101 positions; 81 attorneys; 2,485 agents)
Current Services Adjustments:	+\$22.0 million
Program Changes:	+\$0
FY 2015 Budget Request:	\$1,201.0 million (5,101 positions; 81 attorneys; 2,485 agents)
Change From FY 2014 Enacted:	+\$22.0 million (+1.9%)

Mission:

ATF is a diverse law enforcement agency that protects our communities from violent criminals, criminal organizations, the illegal use and trafficking of firearms, the illegal use and storage of explosives, acts of arson and bombings, acts of terrorism, and the illegal diversion of alcohol and tobacco products. ATF partners with communities, industries, law enforcement, and public safety agencies to safeguard the public through information sharing, training, research and use of technology.

Resources:

The FY 2015 budget request for ATF totals \$1,201 million, which is a 1.9% increase over the FY 2014 Enacted.

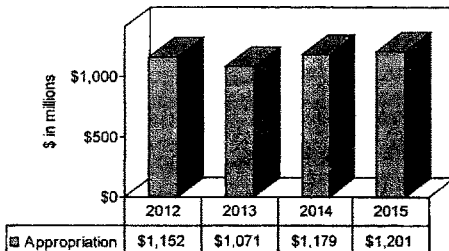
Organization:

The ATF Director is appointed by the President and confirmed by the Senate. During FY 2015, ATF will continue to operate a total of 25 Domestic Field Divisions, and will maintain a presence in 13 international offices in 8 countries.

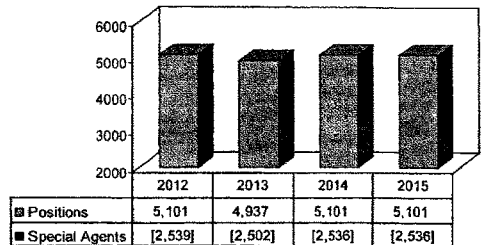
Personnel:

The ATF's direct positions for FY 2015 total 5,101 positions and is the same as FY 2014 Enacted. Between January 2011 and December 2013, the number of ATF's onboard staff declined by 472 staff (185 agents and over 290 industry operations investigators (IOIs)).

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



*Includes reimbursable Special Agents

FY 2015 Strategy:

ATF is dedicated to protecting the United States and its citizens from the illegal use of firearms and explosives in violent crime and acts of terrorism. In addition to investigating and preventing the illegal use of firearms and explosives, ATF promotes public safety by combating firearms trafficking, the improper use and storage of explosives, and the illegal diversion of alcohol and tobacco products. ATF is also the lead agency in investigations of arson and non-terrorism related bombings.

In line with the Attorney General's "Smart on Crime" Initiative, ATF has implemented the Frontline business model as part of a continuing effort to improve efficiency and implement standardization and accountability at every level ATF. The strategy includes comprehensive, intelligence-driven assessments in each of ATF's field divisions that define the significant violent crime problem(s) within each field division's area of responsibility, and proposes a plan of action to mitigate or eliminate these threats. The consolidated assessments define National priorities and guide resource decisions. The external component of Frontline is the Violent Crime Reduction Partnership (VCRP) – collaboration between ATF and its federal, state and local partners to effectively prioritize and maximize impact on violent crime.

ATF operates a variety of programs to address firearms violence, arson and explosives related crime, and tobacco and alcohol diversion activities. ATF's illegal firearms trafficking enforcement efforts focus on reducing violent crime by stemming the flow of firearms to violent criminals. ATF identifies, investigates and arrests individuals and organizations that illegally supply firearms to prohibited individuals. Also, ATF partners with other federal, state and local law enforcement agencies to target and dismantle the "worst of the worst" violent criminal organizations.

In order to facilitate these efforts, the FY 2015 request includes an additional \$22 million in base resources to sustain critical investments made in FY 2014 in firearms enforcement, investigations and inspection activities as well as tools such as the National Integrated Ballistics Information Network (NIBIN) in support of the "Now is the Time" initiative. These additional resources will allow ATF to continue to focus on implementing the President's agenda for stopping violent crime. In total, the FY 2015 President's Budget includes \$798.4 million in total funding to address gun safety initiatives.

The illegal trafficking of firearms, domestically and overseas, remains a high priority for ATF and, therefore, ATF continues to operate enforcement groups to address firearms trafficking and violent crime along every U.S. border, and the Caribbean. As part of the Department's overall anti-trafficking efforts, ATF works to stem the illegal trafficking of weapons across the borders and reduce the firearms-driven violence occurring domestically and internationally. eTrace, one of the tools used in these efforts is a critical component in assisting U.S. and Mexican authorities with vital intelligence on illegal trafficking of firearms to Mexico.

ATF has a long history of investigating fires and criminal bombings and maintains the experience and expertise to detect, prevent, protect against, and respond to, acts of arson and bombings. ATF's combination of Certified Fire Investigators (CFIs), accelerant detection canines, National Response Team (NRT), forensic auditors, and the Fire Research Laboratory (FRL) provides a comprehensive approach for investigating arson crimes. ATF also manages

the U.S. Bomb Data Center (USBDC), participates in Joint Terrorism Task Forces (JTTF) and supports the Terrorist Explosive Device Analytical Center (TEDAC). ATF's National Center for Explosives Training and Research (NCETR) consolidated ATF's explosives expertise, training and research at Redstone Arsenal, AL. The NCETR develops and enhances technical knowledge and partnerships across Federal, state and local law enforcement and public safety agencies.

FY 2015 Program Changes:

This budget proposal includes funding to sustain critical investments made in FY 2014 in firearms enforcement, investigations, and inspection activities.

Bureau of Alcohol, Tobacco, Firearms, and Explosives
(Dollars in Thousands)

	ATF Salaries & Expenses		
	Pos	Est. FTE	Amount
2013 Appropriation	4,937	4,654	1,153,345
2013 Sequester Cut	0	0	-57,964
2013 Rescissions (1.877 % & 0.2%)	0	0	-23,912
2013 Sequester - LEWC	0	0	-131
ATF VCRP Rescission	0	0	-1,028
2013 Supp. Appropriation - Hurricane Sandy Relief	0	0	230
2013 Enacted with Rescissions, Sequester, and Supplemental	4,937	4,654	1,070,540
2014 Enacted	5,101	4,728	1,179,000
2015 Request	5,101	4,728	1,201,004
Change 2015 from 2014 Enacted	0	0	22,004
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Pay & Benefits	0	0	18,566
Domestic Rent & Facilities	0	0	2,007
Other Adjustments	0	0	1,293
Foreign Expenses	0	0	138
Total Base Adjustments	0	0	22,004
2015 Current Services	5,101	4,728	1,201,004
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	0	0	0
2015 Request	5,101	4,728	1,201,004

ATF Salaries & Expenses
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Law Enforcement Operations	4,411	4,088	1,019,481	4,411	4,088	1,038,508
Investigative Support Services	690	640	159,519	690	640	162,496
Total	5,101	4,728	1,179,000	5,101	4,728	1,201,004
Reimbursable FTE	0	52	0	0	52	0
Grand Total	5,101	4,780	1,179,000	5,101	4,780	1,201,004

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Law Enforcement Operations	0	0	0	4,411	4,088	1,038,508
Investigative Support Services	0	0	0	690	640	162,496
Total	0	0	0	5,101	4,728	1,201,004
Reimbursable FTE	0	0	0	0	52	0
Grand Total	0	0	0	5,101	4,780	1,201,004



Federal Prison System Federal Bureau of Prisons (BOP)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$6,859.0 million (43,297 positions; 20,911 correctional officers)
Current Services Adjustments:	+\$193.2 million
Program Changes:	-\$158.2 million
FY 2015 Budget Request:	\$6,894.0 million (43,297 positions; 20,911 correctional officers)
Change From FY 2014 Enacted:	+\$35.0 million (+0.5%)

Mission:

The mission of the Federal Bureau of Prisons (BOP) is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

Resources:

The FY 2015 budget request for BOP totals \$6,894 million, which is a 0.5% increase over the FY 2014 Enacted. The request includes \$6,804 million for Salaries and Expenses Appropriation and \$90.0 million for Buildings and Facilities Appropriation.

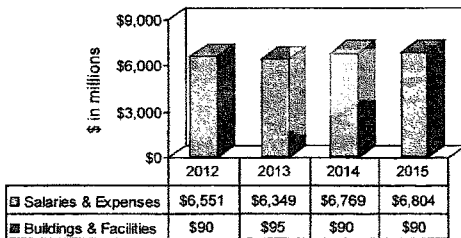
Organization:

BOP is led by a Director, a career public administrator appointed by the Attorney General. The bureau is managed from its Central Office located in Washington, DC. The Director, Deputy Director, Assistant Directors, and General Counsel provide administrative oversight to BOP offices and facilities. There are currently 119 prisons operating across the country.

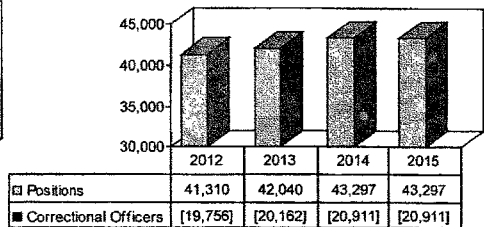
Personnel:

The BOP's direct positions for FY 2015 total 43,297 positions and is the same as FY 2014 Enacted.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

By the end of FY 2014, BOP will be responsible for the custody and care of more than 219,000 federal offenders, which include sentenced inmates as well as detained persons awaiting trial and/or sentencing. This figure is estimated to grow to over 222,000 by the end of FY 2015.

The BOP protects public safety by ensuring that federal offenders serve their sentences of imprisonment in facilities that are safe, humane, cost-efficient, and appropriately secure. Approximately 81 percent of federal offenders are confined in BOP-operated facilities, while the balance is confined in secure privately managed or community-based facilities and local jails. In addition, the BOP helps reduce the potential for future criminal activity by encouraging inmates to participate in a range of programs that have been proven to reduce recidivism.

The Salaries and Expenses (S&E) appropriation funds the obligatory costs associated with administering and operating the Federal Prison System. The FY2015 S&E budget is the minimum amount necessary to support the inmate population and assist in maintaining the safety of federal prisons for staff and inmates.

The Buildings and Facilities (B&F) appropriation supports the site, design, and construction of new correctional facilities, as well as the renovation and maintenance of existing institutions. For the B&F appropriation, the FY 2015 budget requests \$90 million.

FY 2015 Program Changes:**Salaries & Expenses****Program Offset - Miscellaneous Program and Administrative Reductions: -\$158.0 million and 0 positions**

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Buildings & Facilities**Program Offset - Miscellaneous Program and Administrative Reductions: -\$250,000 and 0 positions**

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

FY 2015 Budget's Opportunity, Growth, and Security Initiative:

The FY 2015 base discretionary budget meets the cap levels set by the Bipartisan Budget Act of 2013. In addition, the FY 2015 budget's Opportunity, Growth, and Security Initiative includes targeted investments for the Bureau of Prisons for infrastructure and personnel to continue the process of bringing on-line newly completed or acquired prisons and thereby reducing prison overcrowding.

Federal Prison System
(Dollars in Thousands)

	FPS Salaries & Expenses			FPS Buildings & Facilities			Total		
	Pos	Est. FTE	Amount	Pos	Est. FTE	Amount	Pos	Est. FTE	Amount
2013 Appropriation	41,780	35,896	6,820,217	260	109	90,000	42,040	36,005	6,910,217
2013 Sequester Cut	0	0	-141,400	0	0	-2,778	0	0	-144,178
2013 Rescissions (1.877 % & 0.2%)	0	0	-329,569	0	0	-1,866	0	0	-331,435
Balance Rescission	0	0	0	0	0	-64,700	0	0	-64,700
2013 Supp. Appropriation - Hurricane Sandy Relief	0	0	0	0	0	10,000	0	0	10,000
2013 Enacted with Rescissions, Sequester, and, Supplemental	41,780	35,896	6,349,248	260	109	30,656	42,040	36,005	6,379,904
2014 Enacted	43,058	37,172	6,769,000	239	109	90,000	43,297	37,281	6,859,000
2015 Request	43,058	37,172	6,804,000	239	109	90,000	43,297	37,281	6,894,000
Change 2015 from 2014 Enacted	0	0	35,000	0	0	0	0	0	35,000
Technical Adjustments									
Total Technical Adjustments	0	0	0	0	0	0	0	0	0
Base Adjustments									
Pay & Benefits	0	0	116,974	0	0	250	0	0	117,224
Domestic Rent & Facilities	0	0	3,662	0	0	0	0	0	3,662
Prison and Detention	0	0	72,337	0	0	0	0	0	72,337
Total Base Adjustments	0	0	192,973	0	0	250	0	0	193,223
2015 Current Services	43,058	37,172	6,961,973	239	109	90,250	43,297	37,281	7,052,223
Program Changes									
Decreases:									
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-157,973	0	0	-250	0	0	-158,223
Subtotal, Program Decreases	0	0	-157,973	0	0	-250	0	0	-158,223
Total Program Changes	0	0	-157,973	0	0	-250	0	0	-158,223
2015 Request	43,058	37,172	6,804,000	239	109	90,000	43,297	37,281	6,894,000

FPS Salaries & Expenses

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Inmate Care and Programs	15,674	12,727	2,525,039	15,674	12,727	2,619,661
Institution Security and Administration	25,738	23,191	2,966,364	25,738	23,191	3,055,745
Contract Confinement	413	247	1,074,808	413	247	1,075,733
Management and Administration - BOP	1,233	1,007	202,789	1,233	1,007	210,834
Total	43,058	37,172	6,769,000	43,058	37,172	6,961,973
Reimbursable FTE	0	0	0	0	0	0
Grand Total	43,058	37,172	6,769,000	43,058	37,172	6,961,973

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Inmate Care and Programs	0	0	-59,442	15,674	12,727	2,560,219
Institution Security and Administration	0	0	-69,337	25,738	23,191	2,986,408
Contract Confinement	0	0	-24,410	413	247	1,051,323
Management and Administration - BOP	0	0	-4,784	1,233	1,007	206,050
Total	0	0	-157,973	43,058	37,172	6,804,000
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-157,973	43,058	37,172	6,804,000

FPS Buildings & Facilities

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
BOP Construction	98	60	22,852	98	60	13,915
Modernization and Repair	141	49	67,148	141	49	76,335
Total	239	109	90,000	239	109	90,250
Reimbursable FTE	0	0	0	0	0	0
Grand Total	239	109	90,000	239	109	90,250

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
BOP Construction	0	0	-63	98	60	13,852
Modernization and Repair	0	0	-187	141	49	76,148
Total	0	0	-250	239	109	90,000
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-250	239	109	90,000



Office of Justice Programs (OJP)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$2,388.3 million (702 positions)
Program Changes:	-\$11.8 million
FY 2015 Budget Request:	\$2,376.5 million (717 positions)
Change From FY 2014 Enacted:	-\$11.8 million (-.5%) (+15 positions)

Mission:

The mission of OJP is to increase public safety and improve the fair administration of justice across America through innovative leadership and programs. OJP strives to make the nation's criminal and juvenile justice systems more responsive to the needs of state, local, and tribal governments and their citizens. It does this by partnering with federal, state, and local agencies, as well as national, community- and faith-based organizations, to develop, operate, and evaluate a wide range of criminal and juvenile justice programs.

Resources:

The FY 2015 budget request for OJP totals \$2,376.5 million, which is a 0.5% decrease below the FY 2014 Enacted. The FY 2015 budget also proposes to rescind \$59.0 million in prior year balances.

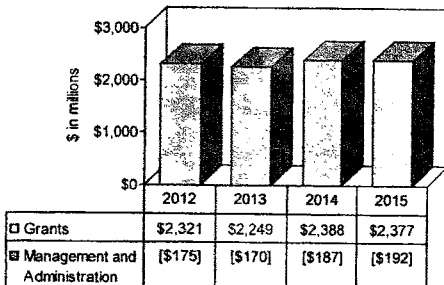
Organization:

OJP is headed by an Assistant Attorney General (AAG) who promotes coordination among OJP bureaus and offices. OJP has five component bureaus: the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Additionally, OJP has one program office, the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART). The AAG is appointed by the President and confirmed by the Senate. All other OJP bureau heads are presidentially appointed.

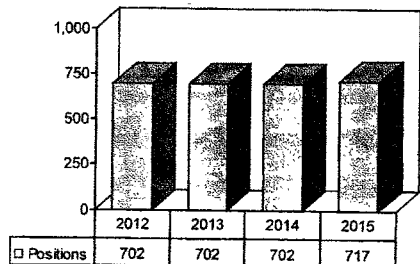
Personnel:

The OJP's direct positions for FY 2015 total 717 positions. OJP's FY 2015 request includes an increase of 15 positions over the FY 2014 Enacted of 702 positions. However, between January 2011 and December 2013, the number of OJP's onboard staff declined by 93 (5 attorneys).

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

Although OJP does not directly carry out law enforcement and justice activities, its role is to work in partnership with the justice community to identify and address the most pressing challenges confronting the justice system and provide high quality knowledge through innovative research and development.

OJP's top priorities include fighting violent crime, staying "smart on crime," reducing unnecessary confinement, preventing and treating youth violence, responding to the needs of victims, supporting tribal justice systems, and improving indigent defense.

Crime and the ability to respond effectively to it continue to be major challenges for many communities. OJP promotes multi-jurisdictional, multi-divisional, and multi-disciplinary programs and partnerships that increase the capacity of communities to prevent and control serious crime problems. The Byrne Justice Assistance Grants (JAG) and Byrne Criminal Justice Innovation Programs provide a flexible source of funding that helps state, local, and tribal governments address all forms of serious crime and promote evidence-based and "smart policing and prosecution" strategies. The Byrne JAG program also supports the VALOR Initiative, which provides multi-level training to promote a culture of safety within state, local, and tribal law enforcement agencies that will help to save officers' lives by better preparing them for the violent situations they may face in the line of duty. The National Criminal History Improvement Program provides resources to help states and territories improve the quality, timeliness, and immediate accessibility of criminal history and related records for use by federal, state, and local law enforcement.

OJP is promoting innovation and the adoption of evidence-based practices throughout the nation's criminal justice systems through the Justice Reinvestment Initiative and the Smart Policing, Smart Prosecution, and Smart Probation programs (funded under the Byrne JAG and Second Chance Act Programs, respectively). OJP is also supporting the development and widespread adoption of evidence-based programs through the work of the National Institute of Justice and Bureau of Justice Statistics, its CrimeSolutions.gov website, and the work of the National Commission on Forensic Science (supported by the Forensic Science Program created in FY 2014).

Repeat offenders who cycle in and out of the justice system commit a significant portion of all crime and drive up the cost of operating justice agencies. These offenders often have risk factors such as mental health problems and substance abuse, limited education and literacy, inadequate job skills, and a lack of positive support systems that, if addressed, reduce the likelihood of re-offending. OJP promotes the development and implementation of evidence-based prisoner reentry programs that improve outcomes for offenders and reduce unnecessary confinement, which imposes significant social and economic costs on the American public without improving public safety. In addition to the Second Chance Act program (which supports reentry program implementation at the state, local, and tribal levels), OJP is committed to testing and developing new evidence-based reentry strategies through the Project Hope Opportunity Probation with Enforcement (HOPE) Program and Problem Solving Justice Initiative, which supports the development and expansion of drug, mental health, and

other problem-solving courts. OJP is also requesting an increase in funding for the Justice Reinvestment Initiative to promote the integration of reentry and other essential criminal justice reforms into state, local, and tribal criminal justice systems.

OJP is working to prevent and reduce youth involvement in gangs by addressing specific risk and protective factors associated with the likelihood of delinquent behavior and the needs and desires that underlie the decision to join a gang. The recidivism rate among juveniles following release from secure or other residential placement remains alarmingly high. OJP strives to strengthen the capability and capacity of our juvenile justice system to confront these challenges through prevention and intervention. OJP is working closely with its state, local and tribal partners through programs such as the National Forum on Youth Violence Prevention and the Defending Childhood/Children Exposed to Violence Program to develop innovative solutions that meet the needs of the nation's communities.

Assisting victims of crime and improving the way the nation's criminal justice system responds to victims' needs is another top priority for OJP. Through the Crime Victims Fund, OJP supports 53 crime victim's compensation and services programs in every U.S. state, the District of Columbia, Puerto Rico, and the Virgin Islands, as well as over 4,500 victim assistance programs throughout the U.S. In FY 2015, OJP is requesting funding to continue implementing the Vision 21 strategy, which is a strategic plan that addresses the need for more victim-related data, research and program evaluation; holistic legal assistance for crime victims; resources for tribal victims; and capacity building to provide technology- and evidence-based training and technical assistance to help state, local, and tribal victims compensation and services programs meet the challenges of the 21st century.

FY 2015 Program Changes:

Research, Evaluation, and Statistics

Evaluation Clearinghouse

An increase of \$2.0 million for a total of \$3.0 million to expand OJP's CrimeSolutions.gov website, which consolidates rigorous research into a central, reliable, and credible resource to inform practitioners and policy makers about what works in criminal justice, juvenile justice, and crime victim services, and to help them integrate these findings into programmatic and policy decisions. The requested enhancement will be used for the review and incorporation of additional research, as well as the harmonization and integration of ratings of research from related clearinghouses. The site is a searchable online database of evidence-based programs covering a range of justice-related topics, including corrections, courts, crime prevention, substance abuse, juveniles, law enforcement, forensics, and victims. It includes information on more than 150 programs and assigns "evidence ratings" – effective, promising, or no effects -- to indicate whether the research proves that a program achieves its goals. The initiative's three goals are: improving the quantity and quality of evidence OJP generates; integrating evidence into program, practice and policy decisions within OJP and the field; and improving the translation of evidence into practice.

National Institute of Justice

An increase of \$7.5 million is requested for the National Institute of Justice (NIJ) for a total of \$47.5 million. Included within this total is \$3.0 million for social science research on indigent defense. The requested funds will support grants and agreements to build research knowledge and translate it into practice and policy to improve the justice system. NIJ's strategic plan for these funds centers on *translational research* to transform criminal justice practice and policy. NIJ's strategic plan for translational research has four essential components, each of which would be expanded with \$1.8 million of the enhancement requested: (1) generating knowledge; (2) building and sustaining the research infrastructure; (3) supporting the adoption of research evidence in practice and policy; and (4) innovative dissemination and communication. Together, they provide the means to reach the strategic goal of Translating Research into Policy and Practice (TRIPP). These four interlocking objectives build on NIJ's ongoing investments in social, physical, and forensic science and extend their impact by connecting the research more explicitly with effective criminal justice practice and policy. The remaining \$2.7 million will support civil legal aid research to help coordinate and improve research and data collection to provide legal professionals and policy makers with more timely and detailed data to improve the nation's civil legal assistance programs.

Bureau of Justice Statistics

An increase of \$10.4 million is requested for a total of \$55.4 million for the Bureau of Justice Statistics (BJS). Included within this total is \$1.0 million for a National Survey of Public Defenders and \$1.5 million for a National Public Defenders Reporting Program. BJS's national data collections play an important role in providing statistical evidence needed for criminal justice policy decision makers. In particular, these programs provide the critical data infrastructure supporting the Administration's commitment to focus on data-driven, evidence- and information-based, "smart on crime" approaches to reduce crime. Requested funding will also allow BJS to explore the feasibility of statistical collections in important topical priority areas, including, recidivism and reentry, prosecution and adjudication, criminal justice data improvements and victimization statistics.

Research, Evaluation, and Statistics Set-Aside

In addition to the above-mentioned resources, the FY 2015 request proposes a discretionary funding set-aside of up to 3% from OJP programs to augment Research, Evaluation and Statistics, an increase from the FY 2014 Enacted level of 2%. This set-aside provides NIJ and BJS an important source of funding for building and enhancing basic statistical systems to monitor the criminal justice system and for conducting research to identify best practices within that system. This set-aside is expected to provide funding to support, among other things, evaluation of adult drug court programs, as well as statistical data collection and analysis on a variety of topics and will provide \$2.0 million for a **Gun Safety Technology Initiative** that will encourage the development of innovative gun safety technology. The Gun Safety Technology Initiative supports the Administration's challenge to the private sector to develop innovative and cost-effective gun safety technology. The funding will provide prizes for those technologies that are proven to be reliable and effective.

Forensics Initiative

The FY 2015 budget request includes \$6.0 million for this initiative, an increase of \$2.0 million above the FY 2014 Enacted level. This program will strengthen and enhance the practice of forensic sciences. Included is \$3.0 million for the National Institute of Standards and Technology for measurement science and standards in support of forensic science as well as funding to support the Forensic Science Advisory Committee, chaired by the Attorney General and the Director of the National Institute of Standards and Technology.

State and Local Law Enforcement

Byrne Justice Assistance Grants (JAG): The budget request includes \$376.0 million for this program, which is equal to the FY 2014 Enacted level. The JAG Program provides states, localities and tribes with funding to support law enforcement, prosecution and courts, crime prevention, corrections, drug treatment and other important initiatives. Of this total, \$2.0 million will be used to continue the State and Local Antiterrorism Training Program, \$2.0 million will be used to fund the State and Local Assistance Help Desk and Diagnostic Center, \$15.0 million will be used to support the VALOR initiative, \$10.0 million will be used for Smart Policing Initiatives, \$5.0 million will fund Smart Prosecution Initiatives, and \$22.5 million will be used for the Bulletproof Vest Partnership.

The Preventing Violence Against Law Enforcement and Ensuring Officer Resilience and Survivability Initiative (VALOR) is designed to create alert, knowledgeable officers, as well as encourage supervisors and executives to focus on officer safety issues. Components of the program include data collection on specific safety issues, interviews with offenders and officers, assessment of threats, and case studies. This initiative also includes "after-action" reviews as a technical assistance service to law enforcement in the United States, as well as lessons learned and consultations. The goal of this initiative is reduced officer injuries and death, and OJP expects these efforts will reach thousands of front-line personnel, supervisors, and law enforcement executives. Funding for this program will include initiatives to help law enforcement address incidents of active shooters.

The Smart Policing Initiative assists in reducing and preventing crime and improving police-citizen communications and interactions. It will provide funding to local law enforcement agencies to develop effective and economical solutions to specific crime problems within their jurisdictions. Participating agencies and their research partners will identify crime issues through careful, rigorous analysis and develop strategies and tactics to resolve or mitigate the problem -- resulting in smarter policing and safer neighborhoods.

The Smart Prosecution initiative focuses on data-driven, evidence-based, risk-analytic decision tools and practices to enhance prosecutorial decision-making, especially for non-violent offenders.

Justice Reinvestment Initiative (JRI): The FY 2015 budget requests \$30.0 million for this program, an increase of \$2.5 million. Funding would support state and local policymakers efforts to design policies that deter prison and jail expenditures by developing state-specific, data-driven policies that save taxpayer dollars and direct some of those savings to strategies that can make communities safer and stronger. The initiative is a major investment in the

evidence-based Justice Reinvestment strategy, which will help OJP's state, local and tribal partners identify ways to improve the availability of services that can reduce offenders' risk for recidivism, such as housing, substance abuse treatment, employment training, and positive social and family support for offenders returning to communities. Expanding its investment in this program is an essential part of OJP's efforts to help state, local, and tribal justice systems adjust to the nation's current economic climate and find ways to improve public safety while controlling the growing cost of criminal justice programs, especially the costs associated with jail and prison populations. There is \$27.5 million in FY 2015 current services for this program.

Second Chance Act: An additional \$47.3 million is requested for this program, for a total of \$115.0 million. This program provides employment assistance, substance abuse treatment, housing, family programming, mentoring, victims support, and other services that can help reduce re-offending and violations of probation and parole. Of this amount, \$10.0 million will be used to improve probation and parole supervision efforts. A total of \$5.0 million is for Children of Incarcerated Parents demonstrations to enhance and maintain parental and family relationships for incarcerated parents as a reentry/recidivism reduction strategy. Up to \$30.0 million may be used for performance-based awards for Pay-for-Success projects, which engage social investors, the Federal government, and States or localities to collaboratively finance effective interventions. Of this amount, up to \$10.0 million will be for Pay For Success Programs implementing the Permanent Supportive Housing Model. There are \$67.8 million in FY 2015 current services for this program.

Residential Substance Abuse Treatment (RSAT): An additional \$4.0 million is requested for this program, for a total of \$14.0 million. The RSAT formula grant program is a federally recognized program that helps state, local and tribal governments develop residential and aftercare services to substance involved inmates that research shows need but do not receive services in specialized settings. RSAT grantees must foster partnerships between correctional staff and the treatment community to create programs in secure settings that help offenders overcome their substance abuse problems and prepare for reentry into society. In any given year, approximately 30,000 participants are provided specialized residential substance and aftercare services designed to help them become substance abuse- and crime- free, develop skills to obtain adequate employment, and lead productive lives in the community. By focusing on offenders involved in substance abuse in U.S. prisons and jails, states and tribal governments are able to achieve cost efficiency while simultaneously addressing the treatment needs of an important subpopulation of offenders who are found to drive most jurisdictions' recidivism rates. Therefore, an increase in RSAT funding would enable states and units of local and tribal government to expand much needed substance abuse treatment services to a subpopulation of offenders that need it most, thereby reducing the treatment gap for such individuals. There is \$10.0 million in FY 2015 current services for this program.

Indigent Defense/Answering Gideon's Call: The FY 2015 budget requests \$5.4 million for a new initiative, "Answering Gideon's Call", to support the objectives of the Department of Justice's (DOJ) Access to Justice (ATJ) efforts to assess and improve the quality of indigent defense services in the U.S. This program, administered by the

Bureau of Justice Assistance (BJA), will provide funding and other resources to encourage state and local criminal court culture change as it relates to indigent defense; ensuring that no person faces potential time in jail without first having the aid of a lawyer with the time, ability and resources to present an effective defense, as required by the United States Constitution. This initiative supports a comprehensive approach to providing all criminal defendants effective legal representation, changing the culture of ordinary injustice that is prevalent in the United States.

Problem-Solving Justice: The FY 2015 budget requests \$44.0 million for this new program that will consolidate two successful programs – the Drug Court and Mentally Ill Offender programs – and build on their accomplishments by expanding the use of problem-solving strategies at the state, local and tribal levels. This program will provide policy development, training, technical assistance, and grant funding for jurisdictions to develop a continuum of responses to crime problems and offenders (particularly drug involved and mentally ill offenders), informed by science, that appropriately address offender risks and needs.

Project HOPE: An additional \$6.0 million is requested for this program, for a total of \$10.0 million. This project is modeled after a successful court-based program initiated in 2004 called Project Hope Opportunity Probation with Enforcement (HOPE) program. The nationwide program identifies probationers with a high risk for re-offending, focusing on reducing drug use, new crimes, and incarceration. Offenders are deterred from using drugs and committing crimes by frequent and random drug tests, backed by swift and certain jail stays, along with treatment, when necessary. This funding will be used for replicating the use of "swift and certain" sanctions in probation at additional sites. There is \$4 million in FY 2015 current services for this program.

Defending Childhood/Children Exposed to Violence Initiative: An additional \$15.0 million is requested for this program, for a total of \$23.0 million to fund demonstration sites and provide training and technical assistance. This initiative builds on what has been learned from past and current activities, and will both advance effective practices at the state, local, and tribal levels and increase our knowledge and understanding of the issue, leading to better, more coordinated and comprehensive policy responses. There is \$8 million in FY 2015 current services for this program.

Byrne Criminal Justice Innovation (BCJI) Program: An additional \$19.0 million is requested for this program, for a total of \$29.5 million. These resources are used to target neighborhoods that produce a significant proportion of crime or type of crime within the larger community or jurisdiction. Research shows that while the United States is at a 30-year crime low, there are still jurisdictions where crime is increasing or chronically high. These communities often face many challenges— high poverty, unemployment and crime rates— while also having limited infrastructure, schools and resources to support residents' needs. BCJI is a community-based strategy that aims to prevent and control violent crime, drug abuse and gang activity in designated high crime neighborhoods by providing funding to support partnerships between law enforcement agencies and community-based organizations that balance targeted enforcement with prevention, intervention, and neighborhood restoration services. The program models place- and evidence-based collaborative strategies for

improving public safety, revitalizing neighborhoods, and forging partnerships with stakeholders at the federal, state, local, and tribal levels. By collaborating with the Departments of Housing and Urban Development and Education, BCJI will support strategies to comprehensively address these needs. There is \$10.5 million in FY 2015 current services for this program.

Cybercrime and Intellectual Property Enforcement Program: An additional \$5.0 million is requested for this program, for a total of \$15.0 million to provide grants, training, and technical assistance to support efforts to combat economic, high-technology, and internet crimes, including the intellectual property crimes of counterfeiting and piracy. The program would also support crime analysis, delivery of evidence-based crime fighting technology - including information sharing systems, software and hardware development, mobile communication solutions to support law enforcement, and re-entry offender case management systems - through grants, training, and technical assistance. There is \$10.0 million in FY 2015 current services for this program.

Civil Legal Aid: The FY 2015 budget requests \$5.0 million to develop and administer a new competitive grant program to incentivize statewide civil legal aid planning processes and system improvements supporting innovative efforts to improve and expand civil legal assistance services.

Procedural Justice: The FY 2015 budget requests \$9.0 million for a new program that will provide grants and technical assistance to state, local, and tribal courts and juvenile justice agencies to support innovative efforts to improve perceptions of fairness in the juvenile justice system and build community trust in these institutions.

Community Teams to Reduce the Sexual Assault Kits (SAK) Backlog: The FY 2015 budget requests \$35.0 million for a new grant program for communities to develop plans and identify the most critical needs to address sexual assault prevention, investigation, prosecution and services, including addressing their untested SAKs at law enforcement agencies or backlogged crime labs.

Byrne Incentive Grants: The FY 2015 budget requests \$15.0 million for a new program that will make supplemental incentive awards to state and local Byrne Justice Assistance Grant (JAG) Program grantees who choose to use a portion of their JAG funding to support strategies, activities, and interventions that have a strong evidence base, or are promising and will be coupled with rigorous evaluation to determine their effectiveness.

Byrne Competitive Grants: An additional \$1.5 million is requested for a total of \$15.0 million. This program supports the implementation of evidence-based and data-driven strategies on issues of national significance, as well as builds state, local, and tribal capacity for criminal justice planning and program development. The FY 2015 current services for this program is \$13.5 million.

Juvenile Justice

National Forum on Youth Violence Prevention: An additional \$3.0 million is requested for this program, for a total of \$4.0 million for this initiative. The Forum was created for participating localities to share challenges and promising strategies with each other and to explore how

federal agencies can better support local efforts to curb youth and gang violence. There is \$1.0 million in FY 2015 current services for this program.

Community-Based Violence Prevention Initiatives: An additional \$12.5 million is requested for this program, for a total \$18.0 million to fund programs that adopt a comprehensive public health approach that investigates the causes of youth violence and implements a community-based strategy to prevent youth violence by addressing both the symptoms and causes of neighborhood violence. There is \$5.5 million in FY 2015 current services for this program.

Delinquency Prevention Program: The Delinquency Prevention Program (commonly referred to as Title V) will receive a \$27.0 million increase for a total of \$42.0 million. Of this total, \$10.0 million will be used for the Juvenile Justice and Education Collaboration Assistance (JJECA) Program. Under JJECA, grants may be used to establish and implement community partnerships between schools, police, and the juvenile justice system. There is \$15.0 million in FY 2015 current services for the Delinquency Prevention Program.

Girls in the Juvenile Justice System: An additional \$1.0 million is requested for this program, for a total \$2.0 million that will provide competitive demonstration grants focusing on girls in the juvenile justice system through responses and strategies that consider gender and the special needs of girls. There is \$1.0 million in FY 2015 current services for this program.

Improving Juvenile Indigent Defense Program: The FY 2015 budget requests \$5.4 million for this new initiative, which supports the objectives of DOJ's ATJ Initiative to assess and improve the quality of indigent defense services in the U.S. This program will provide funding and other resources to develop effective, well-resourced model juvenile indigent defender offices; and develop and implement standards of practice and policy for the effective management of such offices. The program will also provide cost-effective and innovative training for the juvenile indigent defense bar and court-appointed counsel working on behalf of juvenile indigent defendants, particularly in rural, remote and underserved areas.

Juvenile Accountability Block Grant: The FY 2015 budget requests \$30.0 million to re-establish the Juvenile Accountability Block Grants (JABG) program, which funds block grants to states to support a variety of accountability-based programs. The basic premise underlying the JABG program is that both the juvenile offender and the juvenile justice system are held accountable. For the juvenile offender, accountability means an assurance of facing individualized consequences through which the juvenile offender is made aware of and held responsible for the loss, damage, or injury that the victim experiences.

Juvenile Justice Realignment Incentive Grants: The FY 2015 budget requests \$10.0 million for this new initiative, which will provide incentive grants to assist states that use Juvenile Accountability Block Grant (JABG) Program funds for evidence-based juvenile justice system realignment to foster better outcomes for system-involved youth, less costly use of incarceration, improved system accountability, and increased public safety.

Management and Administration

The request includes 10 positions to augment OJP's existing grantee oversight, and 5 positions are requested to implement the Indigent Defense Initiatives included in the request. A total of \$1.3 million is requested to pay for these staff.

Mandatory Programs

Crime Victims Fund: The FY 2015 budget requests an \$810.0 million obligation limitation for the Crime Victims Fund, which is \$65 million above the FY 2014 level. Included within this total are \$10.0 million to establish a program to help domestic trafficking victims, \$20.0 million for the Vision 21 strategy to assist tribal victims of crime, and \$25.0 million for further implementing Vision 21. Vision 21 will fund initiatives that will address the need for more victim-related data, research and program evaluation; holistic legal assistance for crime victims; resources for tribal victims; support of national hot lines, on-line, and other programs that serve American crime victims at the national and international level; and capacity building to provide technology- and evidence-based training and technical assistance.

Public Safety Officers' Program (PSOB): The FY 2015 budget includes \$81.0 million for the PSOB Death Benefits Program. The FY 2015 budget also requests \$16.3 million for the discretionary PSOB benefits programs, Disability Benefits and Educational Assistance Benefits.

Offsetting decreases are proposed in the OJP budget, including for the following programs: Regional Information Sharing System (\$5.0 million program reduction), Campus Public Safety (\$2.0 million program elimination), State Criminal Alien Assistance Program (SCAAP) (\$180.0 million program elimination), Drug Court Program (\$40.5 million program merge), Mentally Ill Offender Program (\$8.3 million program merge), Victims of Trafficking (\$3.8 million program reduction), Prison Rape Prevention and Prosecution Program (\$2.0 million program reduction), NICS/NCHIP Grants (\$3.5 million net program reduction between the two programs), DNA Initiative (\$25.0 million program reduction), Coverdell Grants (\$12.0 million program elimination), Veterans Treatment Courts (\$4.0 million program elimination), Missing Alzheimer's (\$750,000 program elimination), John R. Justice (\$2.0 million program elimination), Indian Assistance (\$30.0 million program elimination), Part B (\$5.5 million program reduction), Youth Mentoring (\$30.5 million reduction), and Improving the Investigation and Prosecution of Child Abuse (\$8.0 million program reduction), State and Local Gun Violence (\$3.5 million).

Indian Country Programs: The FY 2015 request proposes a 7 percent set-aside (for a total of \$102.9 million) to provide grant funds for Indian Country rather than funding specific programs.

Rescission: The budget proposes to cancel \$59.0 million in prior year balances.

FY 2015 Opportunity, Growth, and Security Initiative: The FY 2015 base discretionary budget meets the cap levels set by the Bipartisan Budget Act of 2013. In addition, the FY 2015 budget's Opportunity, Growth, and Security Initiative includes targeted investments for State and local justice assistance grants, with additional resources for the Comprehensive School Safety Program and a new youth investment initiative that will incentivize State efforts to increase the availability of alternatives to incarceration, re-enroll youth back into school after confinement, and reduce ethnic and racial disparities in the juvenile justice system.



Community Oriented Policing Services (COPS)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$214.0 million (188 positions)
Current Services Adjustments:	+\$0 million
Program Changes:	+\$60.0 million
FY 2015 Budget Request:	\$274.0 million (188 positions)
Change From FY 2014 Enacted:	+\$60.0 million (+28.0%) 0 Positions

Mission:

The mission of the COPS Office is to advance public safety through the practice of community policing. By addressing the root causes of criminal and disorderly behavior, rather than simply responding to crimes once they have been committed, community policing concentrates on preventing both crime and the atmosphere of fear it creates. Additionally, community policing encourages the use of operational strategies and the development of mutually beneficial relationships between law enforcement and the community. By earning the trust of the members of their communities and making those individuals stakeholders in their own safety, law enforcement can better understand and address the community's needs, and the factors that contribute to crime.

Resources:

The FY 2015 budget request for COPS totals \$274.0 million, which is a 28.0% increase over the FY 2014 Enacted. The FY 2015 budget also proposes to rescind \$26.0 million in prior year balances.

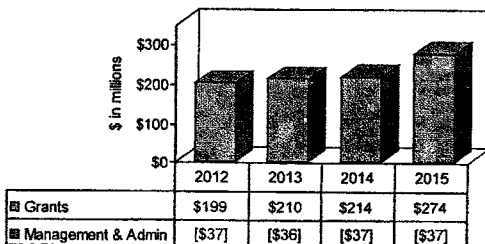
Organization:

The COPS Office is headed by a Director, who is appointed by the Attorney General. The COPS Office was established in 1994 to assist law enforcement agencies in enhancing public safety through the implementation of community policing strategies.

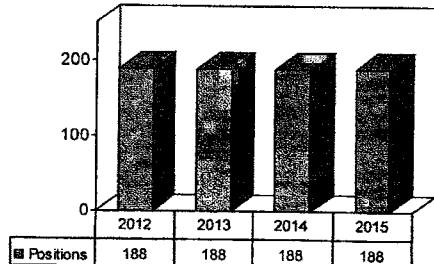
Personnel:

The COPS' direct positions for FY 2015 total 188 positions and is the same as FY 2014 Enacted. However, between January 2011 and December 2013, the number of COPS' onboard staff declined by 26 staff (2 attorneys).

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

Over the past decade, the programs and initiatives developed by the COPS Office have provided funding to more than 13,000 of the nation's 18,000 law enforcement agencies. Approximately 81% of the Nation's population is served by law enforcement agencies practicing community policing. To date the COPS Office has funded over 125,000 officers. With funding from the American Recovery and Reinvestment Act, the COPS Office ensured that over 6,000 additional law enforcement officer jobs were created or saved in law enforcement agencies across the country. The total number of officers that the COPS Office funded from FY 2009 through 2013 was more than 9,000 between its hiring programs and tribal law enforcement programs.

More than 700,000 law enforcement personnel and community members have been trained on community policing topics including crime control strategies, police ethics and integrity, terrorism prevention and preparedness, school safety, partnership building, problem-solving and crime analysis.

In FY 2015, the COPS Office will continue to fulfill its mission of advancing the practice of community policing by:

- Funding additional officers to address community policing challenges;
- Continuing to support innovative programs that respond directly to the emerging needs of state, local, and tribal law enforcement in order to shift law enforcement's focus to preventing, rather than reacting to crime and disorder within their communities;
- Developing state-of-the-art training and technical assistance to enhance law enforcement officers' problem-solving and community interaction skills;
- Promoting collaboration between law enforcement and community members to develop innovative initiatives to prevent crime;
- Providing responsive, cost-effective service delivery to the COPS Office's grantees to ensure success in advancing community policing strategies within their communities; and
- Supporting evidence-based community policing practices that have proven to be effective, can be easily replicated by a broad cross-section of law enforcement agencies, and are sustainable.

FY 2015 Program Changes:

COPS Hiring: An increase of \$67.0 million for a total of \$247 million for this program will be used to fund officers and thereby support the efforts of state, local, and tribal law enforcement agencies in meeting the challenge of keeping their communities safe. Within this amount, \$15.0 million will be dedicated specifically towards hiring of tribal law enforcement officers, \$15.0 million will be for community policing development activities, and \$10.0 million will support the COPS Collaborative Reform Model of technical assistance to assist law enforcement agencies with significant law enforcement-related issues. FY 2015 current services resources for this initiative are \$180.0 million.

Tribal Law Enforcement: An additional \$3.5 million for a total of \$20.0 million. FY 2015 current services are \$16.5 million.

DEA Methamphetamine Enforcement and Cleanup: \$7.0 is requested for this program. FY 2015 current services are \$10.0 million.

COPS Anti-Methamphetamine Task Force: The COPS Office requests to eliminate this program in FY 2015. The FY 2015 current services are \$7.5 million.

Research: The FY 2015 request continues the proposal to set-aside up to 3 percent of funds for research, evaluation and statistical purposes.

Rescission: The budget proposes to rescind \$26.0 million in prior year balances.

FY 2015 Opportunity, Growth, and Security Initiative: The FY 2015 base discretionary budget meets the cap levels set by the Bipartisan Budget Act of 2013. In addition, the FY 2015 Budget's Opportunity, Growth, and Security Initiative includes targeted investments for State and local justice assistance grants, with additional resources for the COPS Hiring Program.



Office on Violence Against Women (OVW)

FY 2014 Budget Request At A Glance

FY 2014 Enacted:	\$417 million (70 positions)
Current Services Adjustments:	+\$0 million
Program Changes:	+\$5.5 million
FY 2015 Budget Request:	\$422.5 million (70 positions)
Change From FY 2014 Enacted:	+\$5.5 million (+1.3%)

Mission:

The mission of the OVW is to provide federal leadership to reduce violence against women, and to support the administration of justice for and strengthen services to all victims of domestic violence, dating violence, sexual assault, and stalking. This is accomplished by developing and supporting the capacity of state, local, tribal, and non-profit entities involved in responding to violence against women.

Resources:

The FY 2015 budget request for OVW totals \$422.5 million, which is a 1.3% increase over the FY 2014 Enacted. The FY 2015 budget also proposes to rescind \$12.2 million in prior year balances.

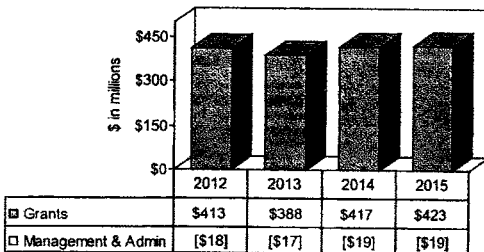
Organization:

OVW is headed by a Director, who is appointed by the President and confirmed by the Senate. The Director oversees the Grant Development and Management; Policy Communication, and Evaluation; Budget and Financial Management; and Administration Divisions; Legal Counsel; and Tribal Affairs.

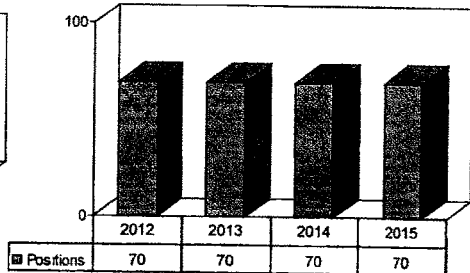
Personnel:

The OVW's direct positions for FY 2015 total 70 positions and is the same as FY 2014 Enacted. However, between January 2011 and September 2013, the number of OVW's onboard staff declined by 10 staff.

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

The OVV was created specifically to implement the Violence Against Women Act (VAWA) and subsequent legislation. OVV administers financial and technical assistance to communities around the country to facilitate the creation of programs, policies, and practices aimed at ending domestic violence, dating violence, sexual assault, and stalking.

In recognition of the severity of the crimes associated with domestic violence, sexual assault, and stalking, Congress passed the Violence Against Women Act of 1994 (VAWA 1994) as part of the Violent Crime Control and Law Enforcement Act of 1994. VAWA is a comprehensive legislative package designed to end violence against women and was reauthorized in 2000, 2005, and was again reauthorized in March 2013. The legislative history of VAWA indicates that Congress seeks to remedy the legacy of laws and social norms that serve to justify violence against women. Since the passage of VAWA, there has been a paradigm shift in how the issue of violence against women is addressed.

VAWA was designed to improve criminal justice responses to domestic violence, sexual assault, and stalking and to increase the availability of services for victims of these crimes. VAWA requires a coordinated community response to domestic violence, sexual assault, and stalking, encouraging jurisdictions to bring together players from diverse backgrounds to share information and to use their distinct roles to improve community responses to violence against women. These players include, but are not limited to: victim advocates, police officers, prosecutors, judges, probation and corrections officials, health care professionals, leaders within faith communities, and survivors of violence against women. The federal law takes a comprehensive approach to violence against women by combining tough new penalties to prosecute offenders while implementing programs to aid the victims of such violence. By working together, a system can be created to keep victims safe and hold offenders accountable. OVV has instituted this philosophy at all levels of its work.

Overall, the budget reflects a focus on areas core to the mission of OVV. Five priorities guide the FY 2015 budget request of the Office: 1) supporting essential services for victims in light of the economic strain on communities across the country; 2) reducing sexual assault; 3) increasing court responsiveness to children exposed to violence and their families; 4) reaching underserved communities; and 5) ensuring meaningful evaluation of programs and implementation of evidence-based practices.

The FY 2015 request includes an appropriation language change which adds the reauthorization of VAWA (VAWA 2013) to the preamble of statutes to ensure implementation. This is consistent with the FY 2014 President's Budget and House and Senate marks. There are several other technical changes further discussed in the OVV Congressional Justification.

The FY 2015 budget proposes substantive changes to the FY 2014 enacted appropriation language for OVV. Additional detail is provided about substantive and technical language changes in Section III and OVV's Congressional Justification.

FY 2015 Program Changes:

Legal Assistance to Victims Program: An additional \$5.5 million for a total of \$42.5 million to enhance safety for victims and their dependent children. Legal assistance is a proven strategy to reduce domestic violence and curb future assaults, particularly through access to civil orders of protection. FY 2015 current services are \$37 million.

Campus Violence Program: An additional \$2 million to for a total of \$11 million to reduce sexual assault, domestic violence, dating violence, and stalking on campus. FY 2015 current services are \$9 million.

Grants to Support Families in the Justice System (Safe Havens/Court Training Consolidation): An additional \$1 million for a total of \$16 million to provide comprehensive support to victims of domestic violence and their families in the civil justice system, and address the problems faced by domestic violence victims and protective parents of child sexual abuse victims in a more comprehensive way. FY 2015 current services are \$15 million.

Transitional Housing: An additional \$250,000 for a total of \$25 million to help victims rebuild their lives and find safe housing. FY 2015 current services are \$24.750 million

Research: The FY 2015 request continues the proposal to set-aside up to 3 percent of funds for research, evaluation and statistical purposes.

Program Offsets: Several offsets included are: the Rural Program (-\$3 million for a total request of \$33 million) and Research and Evaluation of Violence Against Women (-\$250k for a total request of \$3 million).

Rescission: Additionally, the budget proposes to rescind \$12.2 million in prior year balances.

FY 2015 Opportunity, Growth, and Security Initiative: The FY 2015 base discretionary budget meets the cap levels set by the Bipartisan Budget Act of 2013. In addition, the FY 2015 Budget's Opportunity, Growth, and Security Initiative includes targeted investments for State and local justice assistance grants, with additional investments for OVV.



Fees and Expenses of Witnesses (FEW)

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$250.6 million
Current Services Adjustments:	+\$19.4 million
Program Changes:	+\$0
FY 2015 Budget Request:	\$270.0 million
Change From FY 2014 Enacted:	+\$19.4 million (+7.8%)

Mission:

The mission of the FEW appropriation is to provide funding for all fees and expenses associated with the provision of testimony on behalf of the Federal Government. Funding is also provided to pay for private and foreign counsel.

Organization:

The FEW Appropriation is centrally managed by the Justice Management Division's Budget Staff, and funds are allocated to the General Legal Activities and the Executive Office for U.S. Attorneys for administration of expert witnesses that provide technical or scientific testimony and are compensated based on negotiations with the respective federal government attorney. Also, funds are provided for fact witnesses who testify to events or facts of personal knowledge, and witnesses are paid statutorily a rate of \$40 per day plus travel and other costs associated with their appearance. Additionally, funds are provided for the Protection of Witnesses for the security of government witnesses or potential government witnesses, and their families when their testimony may jeopardize their personal security.

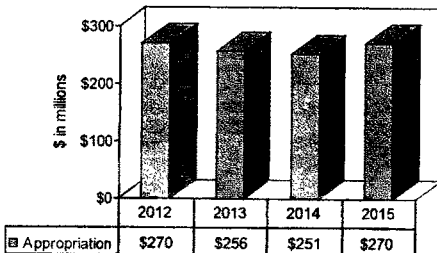
Resources:

The FY 2015 budget request for FEW totals \$270.0 million, which is the same as FY 2014 Enacted before the sequester cut is applied, and a 7.8% increase over the FY 2014 Enacted with sequester cut.

Personnel:

There are no positions associated with this appropriation.

Funding (FY 2012 - 2015)



FY 2015 Strategy:

The FEW appropriation provides adequate funding of fees and related expenses incurred by individuals who provide factual, technical or scientific testimony on behalf of the United States or court designated indigent individuals, as provided by law. Funds provided for this activity also guarantee the rights of accused persons to a fair and impartial trial by ensuring that the accused is mentally competent to stand trial and that the courts have testimony regarding the mental competency of the accused at the time of the alleged offense.

FEW also provides the court-attendance fee paid to fact witnesses set by law (28 U.S.C. §1821). As a result of Public law 96-346 (September 10, 1980), the amounts authorized for travel, per diem and mileage are set by regulation governing official travel by federal employees.

The procedure for designation of a person as a protected witness is set forth in Department of Justice Offices, Boards and Divisions Order 2110.2 "Witness Protection and Maintenance Policy and Procedures." This Order places with the United States Marshals Service the responsibility for the security of these witnesses and their families.

The Victim Compensation Fund provides resources to compensate individuals who are victimized by protected witnesses. The Fund was initially funded by the 1985 Supplemental Appropriations Act (P. L. 99-88).

The Private Counsel activity provides funding to retain outside counsel to represent Government officers and employees who are sued for actions taken while performing their official duties. Per 28 C.F.R. 50.15 and 50.16, the Civil Division is delegated the authority to retain such counsel.

The Superior Court activity provides funding for the protective services offered to the District of Columbia Superior Court witnesses.

The Alternative Dispute Resolution activity encompasses a wide range of problem-solving and conflict management techniques including mediation, early neutral evaluation, arbitration and mini-trials.

The Foreign Counsel activity provides funding to allow the Department to retain outside counsel to represent Government officers and employees who are sued in a foreign country while performing their official duties. As provided under 28 C.F.R. §0.46, the Civil Division is delegated the authority to retain such counsel and further provided that payment for such services will be payable from the Department's appropriations.

FY 2015 Program Changes:

The budget proposal includes funds for current services for FEW. No program changes are requested.

Fees and Expenses of Witnesses
(Dollars in Thousands)

	Fees and Expenses of Witnesses		
	Pos	Est. FTE	Amount
2013 Appropriation	0	0	270,000
2013 Sequester Cut	0	0	-13,770
2013 Enacted with Rescissions and Sequester	0	0	256,230
2014 Enacted	0	0	270,000
2014 Sequester Cut	0	0	-19,440
2014 Enacted with Rescissions and Sequester	0	0	250,560
2015 Request	0	0	270,000
Change 2015 from 2014 Enacted	0	0	19,440
Technical Adjustments			
Total Technical Adjustments	0	0	0
Base Adjustments			
Other Adjustments	0	0	19,440
Total Base Adjustments	0	0	19,440
2015 Current Services	0	0	270,000
Program Changes			
Increases:			
Subtotal, Program Increases	0	0	0
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	0	0	0
2015 Request	0	0	270,000

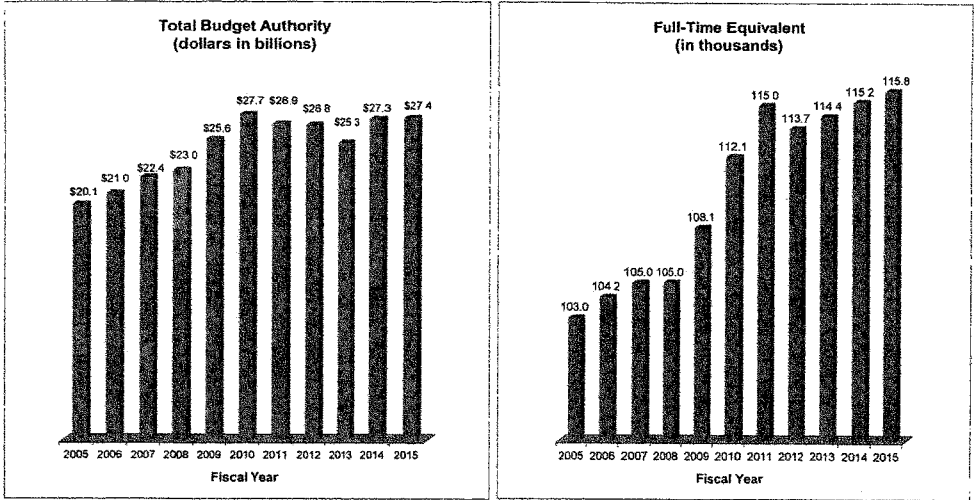
Fees and Expenses of Witnesses
(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Fees and Expenses of Witnesses	0	0	250,560	0	0	270,000
Total	0	0	250,560	0	0	270,000
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	250,560	0	0	270,000

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Fees and Expenses of Witnesses	0	0	0	0	0	270,000
Total	0	0	0	0	0	270,000
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	0	0	0	270,000

III. Resource Tables

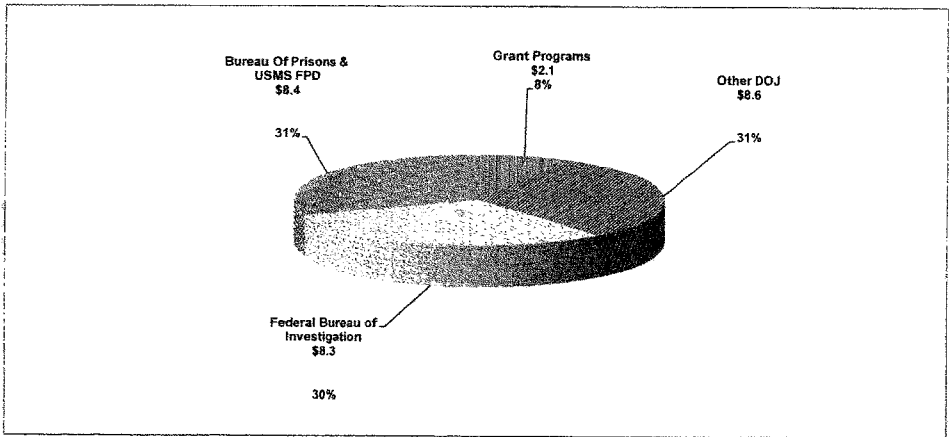
U.S. Department of Justice
Total Discretionary Budget Authority and Full-Time Equivalent
FY 2005 - FY 2015



Budget Authority includes only discretionary funding with fees. Offsets associated with the Crime Victims Fund, and the Assets Forfeiture Fund have also been excluded.

2015 Discretionary Budget Authority by Organization
Discretionary Budget Authority: \$ 27.4 billion

(dollars in billions)



Scorekeeping credits totaling \$10.7 billion are excluded in this pie chart

"Other DOJ" includes: General Administration, Justice Information Sharing Technology, Administrative Review and Appeals, U.S. Parole Commission, Office of the Inspector General, Working Capital Fund, National Security Division, General Legal Activities, Antitrust (net), United States Attorneys, U.S. Trustee (net), Foreign Claims Settlement Commission, U.S. Marshals Service, Community Relations Service, Interagency Crime and Drug Enforcement, Assets Forfeiture Fund, Drug Enforcement Administration, and the Bureau of Alcohol, Tobacco, Firearms & Explosives

U.S. Department of Justice
2015 Request Compared with 2013 Actual Obligations and 2014 Enacted
(Dollars in Thousands)

Appropriation	FY 2013 Actual Obligations			FY 2014 Enacted ^u		FY 2015 REQUEST		Change from 2014 to 2015	
	Actual Direct FTE	Actual Reimb FTE	AMOUNT	Est. FTE	AMOUNT	Est. FTE	AMOUNT	Est. FTE	AMOUNT
General Administration Salaries & Expenses	473	75	\$98,824	548	\$110,000	575	\$128,851	27	\$18,851
Justice Information Sharing Technology	52	0	23,989	52	25,842	45	25,842	-7	0
Administrative Review & Appeals	1,369	0	293,678	1,369	315,000	1,478	351,072	109	36,072
Executive Office for Immigration Review	1,355	0	291,221	1,355	308,200	1,460	343,154	105	34,954
Transfer from Immigration Fees Account	0	0	0	0	4,000	0	4,000	0	0
Office of Pardon Attorney	14	0	2,457	14	2,800	18	3,918	4	1,118
Office of the Inspector General	419	21	80,520	440	86,400	440	88,577	0	2,177
Working Capital Fund	555	0	0	590	-30,000	591	-54,000	1	-24,000
U.S. Parole Commission	70	0	12,218	70	12,600	75	13,308	5	708
National Security Division	312	0	78,917	336	91,800	345	91,800	9	0
General Legal Activities	3,594	584	815,655	4,276	867,000	4,405	935,854	129	68,854
Office of the Solicitor General	48	0	10,776	55	11,198	56	11,692	1	494
Tax Division	496	0	97,295	534	104,470	534	109,171	0	4,701
Criminal Division	669	285	163,629	971	174,189	1,062	202,487	91	28,298
Civil Division	1,154	170	268,050	1,344	285,927	1,344	298,394	0	12,467
Environment & Natural Resources Division	528	100	101,623	641	107,643	641	112,487	0	4,844
Office of Legal Counsel	25	0	6,239	27	7,400	27	7,742	0	342
Civil Rights Division	607	29	138,856	635	144,173	672	161,881	37	17,708
INTERPOL Washington	69	0	29,187	69	32,000	69	32,000	0	0
Vaccine Injury Compensation Trust Fund	0	[41]	[7,833]	[41]	[7,833]	[41]	[7,833]	0	0
Antitrust Division	654	0	73,584	654	160,400	654	162,246	0	1,846
U.S. Attorneys	10,598	727	1,815,778	11,320	1,944,000	11,327	1,955,327	7	11,327
U.S. Trustees	0	1,169	213,447	1,174	224,400	1,174	225,908	0	1,508
Foreign Claims Settlement Commission	8	0	1,819	8	2,100	8	2,326	0	226
U.S. Marshals Service	5,117	340	2,634,572	5,545	2,727,800	5,545	2,668,107	0	-59,693
U.S. Marshals Service S&E	5,103	340	1,141,497	5,528	1,185,000	5,528	1,185,000	0	0
U.S. Marshals Service Construction	0	0	10,994	0	9,800	0	9,800	0	0
Rescissions - USMS FPD	0	0	0	0	0	0	-122,000	0	-122,000
Federal Prisoner Detention	14	0	1,482,081	17	1,533,000	17	1,595,307	0	62,307
Community Relations Service	45	0	10,924	47	12,000	49	12,972	2	972
Assets Forfeiture Fund	0	0	19,201	0	20,500	0	20,514	0	14
Interagency Crime & Drug Enforcement	22	0	483,719	22	514,000	22	505,000	0	-9,000
Interagency Crime & Drug Enforcement S&E	[3,137]	0	483,719	[2,926]	514,000	[2,996]	505,000	[72]	-9,000
Interagency Crime & Drug Enforcement FTE	22	0	0	22	0	22	0	0	0
Federal Bureau of Investigation	32,628	3,062	7,295,805	36,124	8,343,284	36,404	8,347,201	280	3,917
FBI Salaries and Expenses	32,628	3,062	7,229,493	36,124	8,245,802	36,404	8,278,219	280	32,417
FBI Construction	0	0	65,312	0	97,482	0	68,982	0	-28,500
Drug Enforcement Administration	6,826	1,331	1,900,340	7,885	2,018,000	7,866	2,018,000	-19	0
Bureau of Alcohol, Tobacco, Firearms, and Explosives	4,854	55	1,071,140	4,780	1,179,000	4,780	1,201,004	0	22,004
Federal Prison System	38,005	0	6,552,587	37,281	6,859,000	37,281	6,894,000	0	35,000
FPS Salaries & Expenses	35,896	0	6,494,970	37,172	6,769,000	37,172	6,804,000	0	35,000
FPS Buildings & Facilities	109	0	87,617	109	90,000	109	90,000	0	0
Federal Prison Industries	0	1,103	574	1,147	2,700	1,147	2,700	0	0
Commissary Fund	0	676	0	748	[7,992]	749	0	3	[7,992]
SUBTOTAL, Discretionary w/o State and Local	103,401	9,144	23,478,291	114,414	25,485,826	114,960	25,596,609	546	110,783

^u FY 2013 excludes 94 reimbursable FTE for the Justice Prisoner and Alien Transportation System (JPATS). Also excludes 95 FTE in FY 2014 and 102 FTE in FY 2015.

U.S. Department of Justice
2015 Request Compared with 2013 Actual Obligations and 2014 Enacted
(Dollars in Thousands)

Appropriation	FY 2013 Actual Obligations			FY 2014 Enacted ¹		FY 2015 REQUEST		Change from 2014 to 2015	
	Actual Direct FTE	Actual Reimb FTE	AMOUNT	Est. FTE	AMOUNT	Est. FTE	AMOUNT	FTE	AMOUNT
Discretionary Grant Programs	783	0	2,073,136	790	2,096,100	849	2,084,800	59	-11,300
Office of Justice Program	609	0	1,472,320	609	1,503,300	668	1,426,500	59	-76,800
Research, Evaluation and Statistics Total	0	0	143,716	0	120,000	0	136,900	0	16,900
Research, Evaluation and Statistics	0	0	143,716	0	120,000	0	139,900	0	19,900
Juvenile Justice Programs - Total	0	0	257,984	0	254,500	0	299,400	0	44,900
Juvenile Justice Programs	0	0	257,984	0	254,500	0	299,400	0	44,900
State and Local Law Enforcement Assistance - Total	0	0	1,061,187	0	1,171,500	0	1,032,900	0	-138,600
State and Local Law Enforcement Assistance	0	0	1,061,187	0	1,171,500	0	1,032,900	0	-138,600
Public Safety Officer's Benefits - Total	0	0	9,433	0	16,300	0	16,300	0	0
Public Safety Officer's Benefits	0	0	9,433	0	16,300	0	16,300	0	0
OJP - Salaries and Expenses	609	0	[175,614]	609	[187,332]	668	[191,907]	59	[4,575]
Rescissions - OJP	0	0	0	0	-59,000	0	-59,000	0	0
Community Policing Total	118	0	194,417	118	188,000	118	248,000	0	60,000
Community Policing	0	0	194,417	0	214,000	0	274,000	0	60,000
Rescission - COPS	0	0	0	0	-26,000	0	-26,000	0	0
COPS (Salaries and Expenses)	118	0	[31,534]	118	[37,374]	118	[37,374]	0	0
Office on Violence Against Women - Total	56	0	406,399	63	404,800	63	410,300	0	5,500
Office on Violence Against Women	0	0	406,399	0	417,000	0	422,500	0	5,500
Rescissions - OVW	0	0	0	0	-12,200	0	-12,200	0	0
OVW (Salaries and Expenses)	56	0	[18,424]	63	[18,772]	63	[18,959]	0	[187]
SUBTOTAL, Discretionary Budget Authority	104,184	9,144	25,551,427	115,204	27,581,926	115,809	27,681,409	605	99,483
Antitrust Pre-Merger Filing Fee	0	0	-81,202	0	-103,000	0	-104,500	0	-1,500
U.S. Trustees Fees and Interest on U.S. Securities	0	0	-209,366	0	-224,400	0	-200,658	0	23,742
SUBTOTAL, Fees Collections	0	0	-290,568	0	-327,400	0	-305,158	0	22,242
SUBTOTAL Discretionary w/ Fees	104,184	9,144	25,260,859	115,204	27,254,526	115,809	27,376,251	605	121,726
Crime Victim Fund Credit	0	0	0	0	-9,358,000	0	-10,526,000	0	-1,168,000
Asset Forfeiture Fund Rescissions	0	0	0	0	-83,600	0	-193,000	0	-109,400
Asset Forfeiture Fund Rescissions	0	0	0	0	-693,000	0	0	0	693,000
SUBTOTAL, Discretionary Credits	0	0	0	0	-10,134,600	0	-10,719,000	0	-584,400
SUBTOTAL, DOJ Direct Discretionary Budget Authority	104,184	9,144	25,260,859	115,204	17,119,926	115,809	16,657,251	605	-462,675
Fees and Expenses of Witnesses	0	0	252,756	0	250,560	0	270,000	0	19,440
Independent Counsel	0	0	0	0	500	0	500	0	0
Radiation Exposure Compensation Trust Fund	0	0	86,741	0	82,000	0	82,000	0	0
Public Safety Officer's Death Benefits - Mandatory	0	0	46,283	0	80,928	0	81,000	0	72
Assets Forfeiture Fund (Permanent Budget Authority)	21	0	1,790,827	23	3,212,546	23	1,337,078	0	-1,875,468
Antitrust Pre-Merger Filing Fee Collections	0	0	81,202	0	103,000	0	104,500	0	1,500
U.S. Trustees Fees Collections	0	0	209,366	0	224,400	0	200,658	0	-23,742
Criminal Justice Information Services (FBI)	[1,257]	0	0	[1,257]	433,000	[1,257]	433,000	0	0
DEA-Diversion Control Fee	1,362	0	307,885	1,454	335,287	1,454	366,680	0	31,393
9/11 Victim Compensation Fund	0	0	14,119	0	185,600	0	326,000	0	140,400
Crime Victims Fund	0	0	736,441	0	745,000	0	810,000	0	65,000
SUBTOTAL, Mandatory and Other Account Totals	1,383	0	3,525,620	1,477	5,652,821	1,477	4,011,416	0	-1,641,405
TOTAL BA, Discr & Mandatory, DOJ	105,567	9,144	28,786,479	116,681	22,772,747	117,286	20,668,667	605	-2,104,080
HCFA Mandatory Reimbursements	[N/A]	[N/A]	54,505	[N/A]	57,756	[N/A]	142,169	0	84,413
FBI Health Care Fraud	[776]	[776]	126,997	[776]	127,319	[776]	139,118	0	11,799
HCFA Discretionary Reimbursement	0	0	18,148	0	28,122	0	28,122	0	0
TOTAL, Health Care Fraud Reimbursements	[776]	[776]	199,650	[776]	213,197	[776]	309,409	0	96,212
TOTAL, Department of Justice ²	105,567	9,144	28,986,129	116,681	22,985,944	117,286	20,978,076	605	-2,007,868

¹ FY 2013 excludes 94 reimbursable FTE for the Justice Prisoner and Alien Transportation System (JPATS). Also excludes 95 FTE in FY 2014 and 102 FTE in FY 2015.

² In accordance with the Budget Control Act of 2011 and the Office of Management and Budget's FY 2014 Sequestration Preview Report, the following mandatory accounts must take a 7.2 percent reduction for sequestration in FY 2014: September 11th Victims Compensation Fund (\$14.4 million), Fees and Expenses of Witnesses (\$19.4 million), Diversion Control Fee Account (\$25.6 million), Assets Forfeiture Fund (\$155.7 million of permanent, indefinite authority), and the Crime Victims Fund (\$823 million). In addition, the administrative fees for the following accounts must take a 7.2 percent reduction for sequestration in FY 2014: Public Safety Officer's Death Benefits (\$72,000) and the Commissary Fund (\$9 million).

**U.S. DEPARTMENT OF JUSTICE
GROSS OUTLAYS - FY 2013 TO FY 2015
(Dollars in Thousands)**

APPROPRIATION	2013 ACTUAL	2014	2015	OUTLAY SPENDOUT RATES				
				YR1	YR2	YR3	YR4	YR5
GENERAL ADMINISTRATION	\$102,466	\$1,250,000	\$134,000	89%	11%	0%	0%	0%
HOMELAND SECURITY	\$6,000	\$7,000	\$6,000	89%	11%	0%	0%	0%
NATIONAL DRUG INTELLIGENCE CENTER	1,626	0	0	75%	15%	10%	0%	0%
JUSTICE INFORMATION SHARING TECHNOLOGY	25,210	56,000	46,000	89%	11%	0%	0%	0%
HOMELAND SECURITY	6,000	3,000	3,000	100%	0%	0%	0%	0%
DETENTION TRUSTEE	130,607	0	0	85%	15%	0%	0%	0%
LAW ENFORCEMENT WIRELESS COMMUNICATIONS	0	0	0	0%	0%	0%	0%	0%
HOMELAND SECURITY	74,035	22,000	0	40%	60%	0%	0%	0%
ADMINISTRATIVE REVIEW & APPEALS	303,617	314,000	347,000	89%	11%	0%	0%	0%
OFFICE OF THE INSPECTOR GENERAL	73,810	93,000	93,000	94%	6%	0%	0%	0%
HOMELAND SECURITY	9,000	8,000	9,000	94%	6%	0%	0%	0%
WORKING CAPITAL FUND	51,040	1,455,000	1,251,000	100%	0%	0%	0%	0%
U.S. PAROLE COMMISSION	13,893	13,000	13,000	96%	14%	0%	0%	0%
NATIONAL SECURITY DIVISION	3,790	11,000	2,000	89%	11%	0%	0%	0%
HOMELAND SECURITY	89,032	82,000	92,000	89%	11%	0%	0%	0%
GENERAL LEGAL ACTIVITIES	780,164	1,484,000	1,461,000	87%	11%	2%	0%	0%
HOMELAND SECURITY	31,000	34,000	41,000	87%	11%	2%	0%	0%
U.S. ATTORNEYS	1,884,777	2,149,000	2,322,000	87%	10%	3%	0%	0%
HOMELAND SECURITY	46,000	45,000	50,000	88%	9%	3%	0%	0%
FOREIGN CLAIMS SETTLEMENT COMMISSION	1,886	2,000	2,000	91%	8%	1%	0%	0%
U.S. MARSHALS SERVICE (Total)	2,554,507	2,737,000	2,730,000					
SALARIES & EXPENSES	1,144,764	1,130,000	1,118,000	90%	10%	0%	0%	0%
HOMELAND SECURITY	93,000	102,000	119,000	90%	10%	0%	0%	0%
CONSTRUCTION	7,944	29,000	11,000	7%	43%	45%	5%	0%
FEDERAL PRISONER DETENTION	1,308,799	1,476,000	1,482,000	85%	15%	0%	0%	0%
COMMUNITY RELATIONS SERVICE	11,097	11,000	12,000	85%	11%	2%	2%	0%
ASSETS FORFEITURE FUND CURRENT BUDGET AUTHORITY	3,022	18,000	20,000	40%	40%	20%	0%	0%
INTERAGENCY CRIME & DRUG ENFORCEMENT	502,794	559,000	562,000	75%	25%	0%	0%	0%
FEDERAL BUREAU OF INVESTIGATION (Total)	8,073,853	9,702,000	10,849,000					
SALARIES & EXPENSES	4,611,832	6,567,000	7,109,000	85%	11%	4%	0%	0%
HOMELAND SECURITY	3,329,000	2,951,000	3,532,000	75%	15%	8%	2%	0%
CONSTRUCTION	133,121	116,000	132,000	10%	40%	45%	5%	0%
HOMELAND SECURITY	0	68,000	76,000	10%	40%	45%	5%	0%
DRUG ENFORCEMENT ADMINISTRATION (Total)	2,099,246	2,486,000	2,415,000					
SALARIES & EXPENSES	1,978,731	2,393,000	2,318,000	75%	15%	10%	0%	0%
HOMELAND SECURITY	120,000	86,000	96,000	75%	15%	10%	0%	0%
CONSTRUCTION	519	7,000	1,000	75%	15%	10%	0%	0%
BUREAU OF ALCOHOL, TOBACCO, FIREARMS & EXPLOSIVES (Total)	1,134,866	1,327,000	1,324,000					
SALARIES & EXPENSES	644,504	855,000	845,000	90%	7%	2%	1%	0%
HOMELAND SECURITY	490,000	471,000	479,000	90%	7%	2%	1%	0%
CONSTRUCTION	462	1,000	0	10%	50%	20%	20%	0%
FEDERAL PRISON SYSTEM (Total)	6,743,867	6,791,000	6,905,000					
SALARIES & EXPENSES	6,604,249	6,722,000	6,833,000	90%	10%	0%	0%	0%
HOMELAND SECURITY	0	15,000	17,000	90%	10%	0%	0%	0%
BUILDINGS & FACILITIES	139,418	54,000	55,000	10%	40%	45%	5%	0%
FEDERAL PRISON INDUSTRIES	18,500	3,000	3,000	100%	0%	0%	0%	0%
COMMISSARY FUND	-1,187	0	0	0%	0%	0%	0%	0%
OFFICE OF JUSTICE PROGRAMS (Total)	2,727,983	2,785,000	2,509,000					
RESEARCH EVALUATION AND STATISTIC	187,329	288,000	316,000	22%	38%	35%	5%	0%
HOMELAND SECURITY	0	31,000	35,000	22%	38%	35%	5%	0%
JUVENILE JUSTICE PROGRAMS	296,919	319,000	307,000	22%	38%	35%	5%	0%
STATE and LOCAL LAW ENFORCEMENT ASSISTANCE	1,317,776	1,268,000	1,068,000	22%	38%	35%	5%	0%
HOMELAND SECURITY	0	4,000	3,000	22%	38%	35%	5%	0%
WEED AND SEED	838	0	0	22%	38%	35%	5%	0%
COMMUNITY POLICING	512,507	323,000	250,000	40%	20%	20%	13%	7%
PUBLIC SAFETY OFFICERS BENEFIT	3	17,000	18,000	100%	0%	0%	0%	0%
OFFICE ON VIOLENCE AGAINST WOMEN	403,613	530,000	510,000	22%	38%	35%	5%	0%
SALARIES AND EXPENSES	8,998	5,000	2,000	90%	10%	0%	0%	0%
SUBTOTAL, DISCRETIONARY OUTLAYS	27,502,701	33,447,000	33,201,000					
FEES AND EXPENSES OF WITNESSES (Mandatory)	184,243	389,000	272,000	70%	30%	0%	0%	0%
RADIATION EXPOSURE COMPENSATION TRUST FUND (Mandatory)	82,949	70,000	82,000	60%	40%	0%	0%	0%
PUBLIC SAFETY OFFICERS BENEFIT (Mandatory)	58,425	86,000	81,000	100%	0%	0%	0%	0%
9/11 VICTIM COMPENSATION FUND	8,347	159,000	293,000	0%	0%	0%	0%	0%
SUBTOTAL, MANDATORY OUTLAYS	333,964	704,000	728,000					
ANTITRUST	77,027	159,000	163,000	90%	8%	2%	0%	0%
U.S. TRUSTEES	220,504	218,000	225,000	90%	8%	2%	0%	0%
ASSETS FORFEITURE FUND (Permanent Budget Authority)	1,438,178	1,392,000	3,478,000	60%	20%	2%	0%	0%
DIVERSION CONTROL FEE	301,417	368,000	348,000	75%	15%	10%	0%	0%
CRIME VICTIMS FUND	716,166	851,000	1,140,000	60%	30%	10%	0%	0%
SUBTOTAL, FEE-FUNDED AND OTHER ACCOUNTS	2,753,292	2,978,000	5,354,000					
TOTAL, DEPARTMENT OF JUSTICE	\$30,589,957	\$37,129,000	\$39,283,000					

**U.S. DEPARTMENT OF JUSTICE
SUMMARY OF SELECTED EMPLOYMENT CATEGORIES
NUMBER OF POSITIONS ¹**

ORGANIZATION	2013 ON-BOARD END OF YEAR ²	2014 ENACTED ³	2015 REQUEST ³
GENERAL LEGAL ACTIVITIES ATTORNEYS	2,651	2,963	3,092
ANTITRUST DIVISION ATTORNEYS	310	380	380
U.S. ATTORNEYS ATTORNEYS	5,638	6,221	6,229
U.S. MARSHALS SERVICE DEPUTY U.S. MARSHALS ⁴	3,916	4,303	4,303
U.S. TRUSTEES ATTORNEYS	293	436	436
FEDERAL BUREAU OF INVESTIGATION SPECIAL AGENTS	13,571	13,951	13,958
DRUG ENFORCEMENT ADMINISTRATION ⁵ SPECIAL AGENTS	5,321	5,860	5,811
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES SPECIAL AGENTS	2,399	2,536	2,536
BUREAU OF PRISONS CORRECTIONAL OFFICERS	17,902	20,911	20,911
FBI NATIONAL SECURITY AGENTS ⁶	6,139	6,245	6,284
DRUG AGENTS	6,126	6,617	6,538

¹ Includes positions funded from Interagency Crime and Drug Enforcement (ICDE) resources and other reimbursable sources, such as the Federal Bureau of Investigation (FBI) resources available from the Health Insurance Portability and Accountability Act of 1996.

² The 2013 on-board end of year reflects on-board as of pay period 18, ending September 21, 2013.

³ The totals listed for FY 2014 and 2015 reflect direct authorized and reimbursable position totals.

⁴ U.S. Marshal's criminal investigator pay class 0082 has been recategorized as "Deputy U.S. Marshal" but the pay class code (0082) has remained the same.

⁵ DEA Agents includes Diversion Control Agents.

⁶ The 2013 number reflects authorized agent positions scored to Strategic Goal 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law. The FBI does not track on-board numbers by Strategic Goal.

U. S. DEPARTMENT OF JUSTICE
ORGANIZATIONAL ADJUSTMENTS TO BASE
FY 2015 TOTAL
(Dollars in Thousands)

FY 2015 PRESIDENT'S BUDGET	GA	JIST	ADMIN REVIEW & APPEALS		
			EOIR	OPA	TOTAL
RESOURCES TRANSFERS					
Transfers - DHS Immigration Fee	0	0	4,000	0	4,000
TOTAL TRANSFERS	0	0	4,000	0	4,000
DIRECT - INCREASES					
2015 Pay Raise	495	66	1,343	14	1,357
Annualization of 2014 Pay Raise	171	39	424	4	428
Annualization of 2014 Program Increases	0	0	0	0	0
Base Pay Adjustment	976	0	0	0	0
Employees Compensation Fund	0	0	29	0	29
FERS Rate Increase	698	63	1,710	18	1,728
Health Insurance	90	38	341	2	343
Retirement	121	22	174	3	177
Total Pay & Benefits	2,551	228	4,021	41	4,062
GSA Rent	1,746	27	1,325	64	1,389
Guard Service	2	0	178	0	178
Moves	1,832	0	8,492	298	8,790
Total Domestic Rent & Facilities	3,580	27	9,995	362	10,357
Base Adjustment to Convert Reimbursable Positions	10,190	0	0	0	0
Base Adjustment	0	0	0	0	0
Electronic Case Filing (PACER) (USA and USTP)	0	0	0	0	0
Land Mobile Radio O&M	0	0	0	0	0
Other Adjustments to Base	0	0	0	0	0
Restoration of FY 2014 Sequester	0	0	0	0	0
Total Other Adjustments	10,190	0	0	0	0
Capital Security Cost Sharing	0	0	0	0	0
Education Allowance	0	0	0	0	0
Government Leased Quarters (GLQ)	0	0	0	0	0
ICASS	0	0	0	0	0
Living Quarters Allowance (LQA)	0	0	0	0	0
Total Foreign Expenses	0	0	0	0	0
Food Cost Adjustments (BOP)	0	0	0	0	0
Jail Day Increase (FPD)	0	0	0	0	0
Medical Cost Adjustments (BOP)	0	0	0	0	0
Utility Costs Adjustments - BOP	0	0	0	0	0
Total Prison and Detention	0	0	0	0	0
TOTAL DIRECT INCREASES	16,321	255	14,016	403	14,419
DIRECT - DECREASES					
Non-Recurral of Non-Personnel	0	0	0	0	0
Total Direct Decreases	0	0	0	0	0
TOTAL RESOURCES	16,321	255	18,016	403	18,419
Total FTE Adjustments	14	-7	0	0	0
Total Position Adjustments	66	-14	0	0	0

U. S. DEPARTMENT OF JUSTICE
ORGANIZATIONAL ADJUSTMENTS TO BASE
FY 2015 TOTAL
(Dollars in Thousands)

FY 2015 PRESIDENT'S BUDGET	OIG	WCF	USPC	NSD
RESOURCES TRANSFERS				
Transfers - DHS Immigration Fee	0	0	0	0
TOTAL TRANSFERS	0	0	0	0
DIRECT - INCREASES				
2015 Pay Raise	402	0	68	395
Annualization of 2014 Pay Raise	146	0	24	118
Annualization of 2014 Program Increases	0	0	0	0
Base Pay Adjustment	0	0	0	0
Employees Compensation Fund	95	0	0	1
FERS Rate Increase	804	0	93	474
Health Insurance	142	0	9	79
Retirement	71	0	12	40
Total Pay & Benefits	1,660	0	206	1,107
GSA Rent	921	0	29	1,346
Guard Service	2	0	0	2
Moves	2,747	0	0	3,450
Total Domestic Rent & Facilities	3,670	0	29	4,798
Base Adjustment to Convert Reimbursable Positions	0	0	0	0
Base Adjustment	0	0	0	0
Electronic Case Filing (PACER) (USA and USTP)	0	0	0	0
Land Mobile Radio O&M	0	0	0	0
Other Adjustments to Base	0	0	473	0
Restoration of FY 2014 Sequester	0	0	0	0
Total Other Adjustments	0	0	473	0
Capital Security Cost Sharing	0	0	0	0
Education Allowance	0	0	0	0
Government Leased Quarters (GLQ)	0	0	0	0
ICASS	0	0	0	0
Living Quarters Allowance (LQA)	0	0	0	0
Total Foreign Expenses	0	0	0	0
Food Cost Adjustments (BOP)	0	0	0	0
Jail Day Increase (FPD)	0	0	0	0
Medical Cost Adjustments (BOP)	0	0	0	0
Utility Costs Adjustments - BOP	0	0	0	0
Total Prison and Detention	0	0	0	0
TOTAL DIRECT INCREASES	5,330	0	708	5,905
DIRECT - DECREASES				
Non-Recurrence of Non-Personnel	0	0	0	0
Total Direct Decreases	0	0	0	0
TOTAL RESOURCES	5,330	0	708	5,905
Total FTE Adjustments	0	1	5	9
Total Position Adjustments	0	0	0	0

U. S. DEPARTMENT OF JUSTICE
ORGANIZATIONAL ADJUSTMENTS TO BASE
FY 2015 TOTAL
(Dollars in Thousands)

FY 2015 PRESIDENT'S BUDGET	GENERAL LEGAL ACTIVITIES					
	OSG	TAX	CRM	CIVIL	ENRD	OLC
RESOURCES TRANSFERS						
Transfers - DHS Immigration Fee	0	0	0	0	0	0
TOTAL TRANSFERS	0	0	0	0	0	0
DIRECT - INCREASES						
2015 Pay Raise	53	548	741	1,334	513	36
Annualization of 2014 Pay Raise	18	190	273	471	193	14
Annualization of 2014 Program Increases	0	0	0	0	0	0
Base Pay Adjustment	200	0	0	0	0	0
Employees Compensation Fund	0	0	11	0	2	0
FERS Rate Increase	65	689	1,295	1,912	898	42
Health Insurance	48	159	172	180	96	39
Retirement	10	109	212	284	151	4
Total Pay & Benefits	394	1,695	2,704	4,181	1,853	135
GSA Rent	202	563	1,203	1,489	630	207
Guard Service	0	0	40	32	11	0
Moves	0	2,796	0	7,200	8,828	0
Total Domestic Rent & Facilities	202	3,359	1,243	8,721	9,469	207
Base Adjustment to Convert Reimbursable Positions	0	0	0	0	0	0
Base Adjustment	0	0	0	0	0	0
Electronic Case Filing (PACER) (USA and USTP)	0	0	0	0	0	0
Land Mobile Radio O&M	0	0	0	0	0	0
Other Adjustments to Base	0	0	0	0	0	0
Restoration of FY 2014 Sequester	0	0	0	0	0	0
Total Other Adjustments	0	0	0	0	0	0
Capital Security Cost Sharing	0	0	-499	-85	0	0
Education Allowance	0	0	47	0	0	0
Government Leased Quarters (GLQ)	0	0	313	0	0	0
ICASS	0	0	139	45	0	0
Living Quarters Allowance (LQA)	0	0	0	0	0	0
Total Foreign Expenses	0	0	0	-40	0	0
Food Cost Adjustments (BOP)	0	0	0	0	0	0
Jail Day Increase (FPD)	0	0	0	0	0	0
Medical Cost Adjustments (BOP)	0	0	0	0	0	0
Utility Costs Adjustments - BOP	0	0	0	0	0	0
Total Prison and Detention	0	0	0	0	0	0
TOTAL DIRECT INCREASES	596	5,054	3,947	12,862	11,322	342
DIRECT - DECREASES						
Non-Recrural of Non-Personnel	0	0	0	0	0	0
Total Direct Decreases	0	0	0	0	0	0
TOTAL RESOURCES	596	5,054	3,947	12,862	11,322	342
Total FTE Adjustments	1	0	0	0	0	0
Total Position Adjustments	1	0	0	0	0	0

U. S. DEPARTMENT OF JUSTICE
ORGANIZATIONAL ADJUSTMENTS TO BASE
FY 2015 TOTAL
(Dollars in Thousands)

FY 2015 PRESIDENT'S BUDGET	GENERAL LEGAL ACTIVITIES - cont'd			ATR	USA	USTP
	CIVIL RIGHTS	IPOL-W	TOTAL GLA			
RESOURCES TRANSFERS						
Transfers - DHS Immigration Fee	0	0	0	0	0	0
TOTAL TRANSFERS	0	0	0	0	0	0
DIRECT - INCREASES						
2015 Pay Raise	653	56	3,934	700	10,150	1,123
Annualization of 2014 Pay Raise	222	21	1,402	198	2,976	385
Annualization of 2014 Program Increases	0	0	0	0	0	0
Base Pay Adjustment	0	0	200	0	0	0
Employees Compensation Fund	0	0	13	0	0	0
FERS Rate Increase	889	77	5,867	864	13,655	1,455
Health Insurance	128	21	843	219	2,222	245
Retirement	143	14	927	146	1,470	275
Total Pay & Benefits	2,035	189	13,186	2,127	30,473	3,483
GSA Rent	1,106	79	5,479	0	5,889	0
Guard Service	0	0	83	0	679	0
Moves	7,262	0	26,086	0	3,118	627
Total Domestic Rent & Facilities	8,368	79	31,648	0	9,686	627
Base Adjustment to Convert Reimbursable Positions	0	0	0	0	0	0
Base Adjustment	0	0	0	0	0	0
Electronic Case Filing (PACER) (USA and USTP)	0	0	0	0	0	400
Land Mobile Radio O&M	0	0	0	0	0	0
Other Adjustments to Base	0	0	0	0	0	0
Restoration of FY 2014 Sequester	0	0	0	0	0	0
Total Other Adjustments	0	0	0	0	0	400
Capital Security Cost Sharing	0	0	-584	0	0	0
Education Allowance	0	0	47	0	0	0
Government Leased Quarters (GLQ)	0	0	313	0	0	0
ICASS	0	0	184	0	0	0
Living Quarters Allowance (LQA)	0	0	0	0	0	0
Total Foreign Expenses	0	0	-40	0	0	0
Food Cost Adjustments (BOP)	0	0	0	0	0	0
Jail Day Increase (FPD)	0	0	0	0	0	0
Medical Cost Adjustments (BOP)	0	0	0	0	0	0
Utility Costs Adjustments - BOP	0	0	0	0	0	0
Total Prison and Detention	0	0	0	0	0	0
TOTAL DIRECT INCREASES	10,403	268	44,794	2,127	40,159	4,510
DIRECT - DECREASES						
Non-Recurrence of Non-Personnel	0	0	0	0	0	0
Total Direct Decreases	0	0	0	0	0	0
TOTAL RESOURCES	10,403	268	44,794	2,127	40,159	4,510
Total FTE Adjustments	0	0	1	0	0	0
Total Position Adjustments	0	0	1	0	0	0

U. S. DEPARTMENT OF JUSTICE
ORGANIZATIONAL ADJUSTMENTS TO BASE
FY 2016 TOTAL
(Dollars in Thousands)

FY 2015 PRESIDENT'S BUDGET	FCSC	U.S. Marshals Service			CRS
		S&E	FPD	TOTAL	
RESOURCES TRANSFERS					
Transfers - DHS Immigration Fee	0	0	0	0	0
TOTAL TRANSFERS	0	0	0	0	0
DIRECT - INCREASES					
2015 Pay Raise	10	4,970	26	4,996	45
Annualization of 2014 Pay Raise	4	1,632	12	1,644	16
Annualization of 2014 Program Increases	0	0	0	0	0
Base Pay Adjustment	0	0	0	0	0
Employees Compensation Fund	0	0	0	0	3
FERS Rate Increase	11	13,299	47	13,346	59
Health Insurance	18	1,577	12	1,589	20
Retirement	1	1,251	4	1,255	11
Total Pay & Benefits	44	22,729	101	22,830	154
GSA Rent	37	9,141	0	9,141	66
Guard Service	1	383	0	383	3
Moves	262	0	0	0	342
Total Domestic Rent & Facilities	300	9,524	0	9,524	411
Base Adjustment to Convert Reimbursable Positions	0	0	0	0	0
Base Adjustment	0	0	0	0	0
Electronic Case Filing (PACER) (USA and USTP)	0	0	0	0	0
Land Mobile Radio O&M	0	893	0	893	0
Other Adjustments to Base	0	0	0	0	150
Restoration of FY 2014 Sequester	0	0	0	0	0
Total Other Adjustments	0	893	0	893	150
Capital Security Cost Sharing	0	513	0	513	0
Education Allowance	0	0	0	0	0
Government Leased Quarters (GLQ)	0	0	0	0	0
ICASS	0	173	0	173	0
Living Quarters Allowance (LQA)	0	0	0	0	0
Total Foreign Expenses	0	686	0	686	0
Food Cost Adjustments (BOP)	0	0	0	0	0
Jail Day Increase (FPD)	0	0	30,415	30,415	0
Medical Cost Adjustments (BOP)	0	0	0	0	0
Utility Costs Adjustments - BOP	0	0	0	0	0
Total Prison and Detention	0	0	30,415	30,415	0
TOTAL DIRECT INCREASES	344	33,832	30,516	64,348	715
DIRECT - DECREASES					
Non-Recurral of Non-Personnel	0	0	0	0	0
Total Direct Decreases	0	0	0	0	0
TOTAL RESOURCES	344	33,832	30,516	64,348	715
Total FTE Adjustments	0	0	0	0	0
Total Position Adjustments	0	0	0	0	0

U. S. DEPARTMENT OF JUSTICE
ORGANIZATIONAL ADJUSTMENTS TO BASE
FY 2015 TOTAL
(Dollars in Thousands)

FY 2015 PRESIDENT'S BUDGET	AFP	ICDE S&E	FEDERAL BUREAU OF INVESTIGATION		
			S&E	CONST	TOTAL
RESOURCES TRANSFERS					
Transfers - DHS Immigration Fee	0	0	0	0	0
TOTAL TRANSFERS	0	0	0	0	0
DIRECT - INCREASES					
2015 Pay Raise	0	2,780	35,214	0	35,214
Annualization of 2014 Pay Raise	0	1,055	10,367	0	10,367
Annualization of 2014 Program Increases	0	0	29,870	0	29,870
Base Pay Adjustment	0	0	0	0	0
Employees Compensation Fund	0	0	0	0	0
FERS Rate Increase	0	30	66,159	0	66,159
Health Insurance	0	680	10,043	0	10,043
Retirement	0	565	7,957	0	7,957
Total Pay & Benefits	0	5,110	159,610	0	159,610
GSA Rent	0	11	14,127	0	14,127
Guard Service	0	0	1,123	0	1,123
Moves	0	539	0	0	0
Total Domestic Rent & Facilities	0	550	15,250	0	15,250
Base Adjustment to Convert Reimbursable Positions	0	0	0	0	0
Base Adjustment	0	0	0	0	0
Electronic Case Filing (PACER) (USA and USTP)	0	0	0	0	0
Land Mobile Radio O&M	0	0	6,005	0	6,005
Other Adjustments to Base	14	0	0	0	0
Restoration of FY 2014 Sequester	0	0	0	0	0
Total Other Adjustments	14	0	6,005	0	6,005
Capital Security Cost Sharing	0	0	14,624	0	14,624
Education Allowance	0	0	0	0	0
Government Leased Quarters (GLQ)	0	0	0	0	0
ICASS	0	0	2,746	0	2,746
Living Quarters Allowance (LQA)	0	0	12	0	12
Total Foreign Expenses	0	0	17,382	0	17,382
Food Cost Adjustments (BOP)	0	0	0	0	0
Jail Day Increase (FPD)	0	0	0	0	0
Medical Cost Adjustments (BOP)	0	0	0	0	0
Utility Costs Adjustments - BOP	0	0	0	0	0
Total Prison and Detention	0	0	0	0	0
TOTAL DIRECT INCREASES	14	5,660	198,247	0	198,247
DIRECT - DECREASES					
Non-Recrual of Non-Personnel	0	0	-15,661	-16,500	-32,161
Total Direct Decreases	0	0	-15,661	-16,500	-32,161
TOTAL RESOURCES	14	5,660	182,586	-16,500	166,086
Total FTE Adjustments	0	0	273	0	273
Total Position Adjustments	0	0	0	0	0

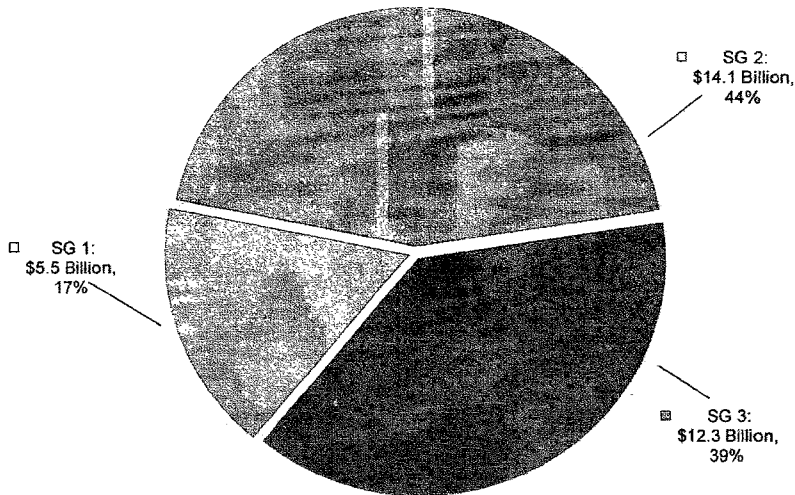
U. S. DEPARTMENT OF JUSTICE
ORGANIZATIONAL ADJUSTMENTS TO BASE
FY 2015 TOTAL
(Dollars in Thousands)

FY 2015 PRESIDENT'S BUDGET	DEA	ATF	FEDERAL PRISON SYSTEM				Subtotal DISC w/o S&L
	S&E	S&E	S&E	B&F	CF	TOTAL	
RESOURCES TRANSFERS							
Transfers - DHS Immigration Fee	0	0	0	0	0	0	4,000
TOTAL TRANSFERS	0	0	0	0	0	0	4,000
DIRECT - INCREASES							
2015 Pay Raise	6,887	4,753	24,181	111	0	24,292	97,667
Annualization of 2014 Pay Raise	2,419	1,710	7,756	40	0	7,796	30,898
Annualization of 2014 Program Increases	0	0	0	0	0	0	29,870
Base Pay Adjustment	0	0	0	0	0	0	1,176
Employees Compensation Fund	0	0	0	0	0	0	141
FERS Rate Increase	18,296	10,271	65,818	0	0	65,818	199,691
Health Insurance	2,364	1,177	10,301	47	0	10,348	30,469
Retirement	1,226	655	8,918	52	0	8,970	23,901
Total Pay & Benefits	31,192	18,566	116,974	250	0	117,224	413,813
GSA Rent	3,502	2,007	3,547	0	0	3,547	49,264
Guard Service	0	0	115	0	0	115	2,571
Moves	3,662	0	0	0	0	0	51,455
Total Domestic Rent & Facilities	7,164	2,007	3,662	0	0	3,662	103,290
Base Adjustment to Convert Reimbursable Positions	0	0	0	0	0	0	10,190
Base Adjustment	0	0	0	0	0	0	0
Electronic Case Filing (PACER) (USA and USTP)	0	0	0	0	0	0	400
Land Mobile Radio O&M	3,555	1,293	0	0	0	0	11,746
Other Adjustments to Base	0	0	0	0	0	0	637
Restoration of FY 2014 Sequester	0	0	0	0	0	0	0
Total Other Adjustments	3,555	1,293	0	0	0	0	22,973
Capital Security Cost Sharing	27,334	0	0	0	0	0	41,887
Education Allowance	1,170	0	0	0	0	0	1,217
Government Leased Quarters (GLQ)	2,381	0	0	0	0	0	2,694
ICASS	2,154	138	0	0	0	0	5,395
Living Quarters Allowance (LQA)	210	0	0	0	0	0	222
Total Foreign Expenses	33,249	138	0	0	0	0	51,415
Food Cost Adjustments (BOP)	0	0	14,394	0	0	14,394	14,394
Jail Day Increase (FPD)	0	0	0	0	0	0	30,415
Medical Cost Adjustments (BOP)	0	0	34,921	0	0	34,921	34,921
Utility Costs Adjustments - BOP	0	0	23,022	0	0	23,022	23,022
Total Prison and Detention	0	0	72,337	0	0	72,337	102,752
TOTAL DIRECT INCREASES	75,160	22,004	192,973	250	0	193,223	694,243
DIRECT - DECREASES							
Non-Recurrence of Non-Personnel	0	0	0	0	0	0	-32,161
Total Direct Decreases	0	0	0	0	0	0	-32,161
TOTAL RESOURCES	75,160	22,004	192,973	250	0	193,223	666,082
Total FTE Adjustments	-19	0	0	0	3	3	280
Total Position Adjustments	0	0	0	0	0	0	53

U. S. DEPARTMENT OF JUSTICE
ORGANIZATIONAL ADJUSTMENTS TO BASE
FY 2015 TOTAL
(Dollars in Thousands)

FY 2015 PRESIDENT'S BUDGET	OJP S&E	TOTAL DISCR Final	FEW	PSOB	Diversion Control	TOTAL DOJ
RESOURCES TRANSFERS						
Transfers - DHS Immigration Fee	0	4,000	0	0	0	4,000
TOTAL TRANSFERS	0	4,000	0	0	0	4,000
DIRECT - INCREASES						
2015 Pay Raise	0	97,667	0	0	1,425	99,092
Annualization of 2014 Pay Raise	0	30,898	0	0	511	31,409
Annualization of 2014 Program Increases	0	29,870	0	0	0	29,870
Base Pay Adjustment	0	1,176	0	0	0	1,176
Employees Compensation Fund	0	141	0	0	0	141
FERS Rate Increase	0	199,691	0	0	1,879	201,570
Health Insurance	0	30,469	0	0	387	30,856
Retirement	0	23,901	0	0	156	24,057
Total Pay & Benefits	0	413,813	0	0	4,358	418,171
GSA Rent	0	49,264	0	0	447	49,711
Guard Service	0	2,571	0	0	0	2,571
Moves	0	51,455	0	0	467	51,922
Total Domestic Rent & Facilities	0	103,290	0	0	914	104,204
Base Adjustment to Convert Reimbursable Positions	0	10,190	0	0	0	10,190
Base Adjustment	0	0	0	0	25,630	25,630
Electronic Case Filing (PACER) (USA and USTP)	0	400	0	0	0	400
Land Mobile Radio O&M	0	11,746	0	0	0	11,746
Other Adjustments to Base	0	637	0	0	0	637
Restoration of FY 2014 Sequester	0	0	19,440	72	0	0
Total Other Adjustments	0	22,973	19,440	72	25,630	48,603
Capital Security Cost Sharing	0	41,887	0	0	408	42,295
Education Allowance	0	1,217	0	0	16	1,233
Government Leased Quarters (GLQ)	0	2,694	0	0	32	2,726
ICASS	0	5,395	0	0	32	5,427
Living Quarters Allowance (LQA)	0	222	0	0	3	225
Total Foreign Expenses	0	51,415	0	0	491	51,906
Food Cost Adjustments (BOP)	0	14,394	0	0	0	14,394
Jail Day Increase (FPD)	0	30,415	0	0	0	30,415
Medical Cost Adjustments (BOP)	0	34,921	0	0	0	34,921
Utility Costs Adjustments - BOP	0	23,022	0	0	0	23,022
Total Prison and Detention	0	102,752	0	0	0	102,752
TOTAL DIRECT INCREASES	0	694,243	19,440	72	31,393	725,636
DIRECT - DECREASES						
Non-Recurral of Non-Personnel	0	-32,161	0	0	0	-32,161
Total Direct Decreases	0	-32,161	0	0	0	-32,161
TOTAL RESOURCES	0	666,082	19,440	72	31,393	716,987
Total FTE Adjustments	51	331	0	0	0	331
Total Position Adjustments	0	53	0	0	0	53

FY 2015 BUDGET REQUEST BY STRATEGIC GOAL
Discretionary and Mandatory ^{1/}: \$32.0 Billion
(Dollars in Billions)



□ SG 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law

□ SG 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law

■ SG 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels

^{1/} Items not included in this chart:
 Scorekeeping Credits of -\$10.7 Billion
 Rescissions of -\$273.2 Million

Strategic Goal 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law						
Appropriation	FY 2013 Enacted		FY 2014 Enacted		FY 2015 President's Budget	
	Actual FTE	Amount	Est. FTE	Amount	Est. FTE	Amount
National Security Division	312	\$83,798	336	\$91,800	345	\$91,800
Criminal Division	75	12,860	76	13,382	44	15,771
INTERPOL Washington	14	5,955	14	6,493	17	7,884
U.S. Attorneys	356	52,059	345	51,056	345	51,056
U.S. Marshals Service - S&E	399	95,850	399	103,726	391	102,795
Federal Bureau of Investigation - S&E	19,794	4,113,228	19,855	4,532,169	20,044	4,549,986
Federal Bureau of Investigation - Construction	0	74,412	0	98,423	0	68,233
Drug Enforcement Administration - S&E	302	78,383	287	84,394	258	84,394
Bureau of Alcohol, Tobacco, Firearms and Explosives - S&E	1,884	428,830	1,912	471,600	1,912	480,400
Federal Prison System - Commissary Fund	676	-5,660	746	[-7,992]	749	0
Total Discretionary	23,812	\$ 4,939,313	23,970	\$ 5,451,043	24,105	\$ 5,452,320
Total Strategic Goal 1:	23,812	\$ 4,939,313	23,970	\$ 5,451,043	24,105	\$ 5,452,320

FY 2015 BUDGET REQUEST BY STRATEGIC GOAL
Discretionary and Mandatory ¹¹: \$32.0 Billion

Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law						
Appropriation	FY 2013 Enacted		FY 2014 Enacted		FY 2015 President's Budget	
	Actual FTE	Amount	Est. FTE	Amount	Est. FTE	Amount
General Administration	548	\$102,950	543	\$108,762	567	\$127,083
Justice Information Sharing Technology	52	32,733	52	25,842	45	25,842
Office of Pardon Attorney	14	2,600	14	2,800	18	3,918
Office of the Inspector General	440	79,966	440	88,400	440	88,577
Working Capital Fund	555	0	590	0	591	0
Office of the Solicitor General	48	10,812	55	11,198	56	11,692
Tax Division	496	98,834	534	104,470	534	109,171
Criminal Division	786	139,226	785	147,163	891	172,286
Civil Division	1,324	270,555	1,344	285,927	1,344	298,394
Environment & Natural Resources Division	583	91,417	598	95,630	601	101,606
Office of Legal Counsel	25	6,793	27	7,400	27	7,742
Civil Rights Division	636	136,341	635	144,173	672	161,891
INTERPOL Washington	55	23,394	55	25,507	52	24,116
Antitrust Division	654	158,338	654	160,400	654	162,246
U.S. Attorneys	10,969	1,778,192	10,975	1,892,944	10,982	1,904,271
U.S. Trustees	1,189	211,739	1,174	224,400	1,174	225,908
Foreign Claims Settlement Commission	8	1,896	8	2,100	8	2,326
U.S. Marshals Service - S&E	211	52,429	211	55,435	211	54,448
Community Relations Service	45	11,210	47	12,000	49	12,972
Assets Forfeiture Fund	0	19,460	0	20,500	0	20,514
Interagency Crime & Drug Enforcement S&E	[3,137]	484,438	[3,074]	514,000	[2,998]	505,000
Interagency Crime & Drug Enforcement FTE	22	0	22	0	22	0
Federal Bureau of Investigation - S&E	12,958	2,692,824	12,998	2,967,094	13,121	2,978,759
Federal Bureau of Investigation - Construction	0	868	0	868	0	613
Drug Enforcement Administration - S&E	7,855	1,828,891	7,588	1,933,606	7,608	1,933,606
Bureau of Alcohol, Tobacco, Firearms and Explosives - S&E	2,826	642,938	2,888	707,400	2,868	720,604
Federal Prison System Salaries & Expenses	71	9,741	71	9,789	71	9,838
Juvenile Justice Programs	0	219,870	0	199,000	0	244,000
State and Local Law Enforcement Assistance	0	125,878	0	238,500	0	192,000
Office on Violence Against Women	0	387,864	0	417,000	0	422,500
OVW (Salaries and Expenses)	56	[17,460]	63	[18,772]	63	[18,959]
Total Discretionary	42,406	\$ 9,621,987	42,361	\$ 10,401,306	42,669	\$ 10,521,913
Antitrust Pre-Merger Filing fee	0	-\$115,000	0	-\$103,000	0	-\$104,500
U.S. Trustees Fees and Interest on U.S. Securities	0	-\$223,258	0	-\$224,400	0	-\$200,658
Total Fees Collections	0	-\$338,258	-	-\$327,400	-	-\$305,158
Independent Counsel	0	\$500	0	\$500	0	\$500
Radiation Exposure Compensation Trust Fund	0	84,000	0	82,000	0	82,000
Assets Forfeiture Fund (Permanent Budget Authority)	21	1,790,386	23	3,212,546	23	1,337,078
Antitrust Pre-Merger Filing Fee Collections	0	115,000	0	103,000	0	104,500
U.S. Trustees Fees Collections	0	223,258	0	224,400	0	200,658
Criminal Justice Information Services (FBI)	0	433,000	0	433,000	0	433,000
DEA-Diversion Control Fee	1,362	334,852	1,454	335,267	1,454	366,680
9/11 Victim Compensation Fund	0	14,006	0	185,800	0	326,000
Crime Victims Fund	0	730,000	0	745,000	0	810,000
Total Mandatory	1,383	\$ 3,735,002	1,477	\$ 5,321,333	1,477	\$ 3,660,416
HCFAC Mandatory Reimbursements	0	\$58,158		\$57,756		\$142,169
Federal Bureau of Investigation - Health Care Fraud	[776]	28,136	[776]	127,318	[776]	139,119
HCFAC Discretionary Reimbursement	0	28,122		28,122		28,122
Total HCF	0	\$ 214,416	-	\$ 215,197	-	\$ 309,409
Total Strategic Goal 2:	43,789	\$ 13,233,147	43,838	\$ 15,608,436	44,146	\$ 14,186,540

¹¹ Items not included in this chart: Scorekeeping Credits of -\$10.7 billion & Rescissions of -\$273.2 million.

FY 2015 BUDGET REQUEST BY STRATEGIC GOAL
Discretionary and Mandatory ^{1/}: \$31.9 Billion

Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels

Appropriation	FY 2013 Enacted		FY 2014 Enacted		FY 2015 President's Budget	
	Actual FTE	Amount	Est. FTE	Amount	Est. FTE	Amount
General Administration	0	\$0	5	\$1,238	8	\$1,768
Executive Office for Immigration Review	1,355	289,079	1,355	312,200	1,460	347,154
U.S. Parole Commission	70	11,861	70	12,600	75	13,308
Criminal Division	93	12,906	110	13,644	127	14,430
Environment & Natural Resources Division	43	10,419	43	11,013	40	10,881
U.S. Marshals Service - S&E	4,833	963,790	4,918	1,025,839	4,926	1,027,756
U.S. Marshals Service - Construction	0	9,793	0	9,800	0	9,800
U.S. Marshals Service - Federal Prisoner Detention	14	1,533,716	17	1,533,000	17	1,595,307
Federal Bureau of Investigation - S&E	2,938	677,531	3,271	746,539	3,239	749,474
Federal Bureau of Investigation - Construction	0	149	0	193	0	136
Federal Prison System Salaries & Expenses	35,825	6,339,507	37,101	6,759,211	37,101	6,784,162
Federal Prison System Buildings & Facilities	109	95,356	109	90,000	109	90,000
Federal Prison Industries	1,103	2,544	1,147	2,700	1,147	2,700
Research Evaluation and Statistic (JA)	0	119,132	0	120,000	0	136,900
Juvenile Justice Programs	0	41,080	0	55,500	0	55,400
State and Local Law Enforcement Assistance	0	934,590	0	933,000	0	840,900
Public Safety Officer's Benefits	0	15,962	0	16,300	0	16,300
QJP - Salaries and Expenses	609	0	609	(187,322)	668	(191,907)
Community Policing	0	209,730	0	214,000	0	274,000
COPS (Salaries and Expenses)	118	(35,975)	118	(37,374)	118	(37,374)
Total Discretionary	47,110	\$ 11,267,245	48,873	\$ 11,866,777	49,035	\$ 11,980,376
Public Safety Officer's Death Benefits - Mandatory	0	61,949	0	80,928	0	81,000
Fees and Expenses of Witnesses	0	\$256,230	0	\$250,560	0	\$270,000
Total Mandatory	0	\$ 318,179	-	\$ 331,488	-	\$ 351,000
Total Strategic Goal 3:	47,110	\$ 11,585,424	48,873	\$ 12,188,265	49,035	\$ 12,331,376

^{1/} Items not included in this chart: Scorekeeping Credits of -\$10.7 billion & Rescissions of -\$273.2 million.

**2015 PROPOSED APPROPRIATIONS LANGUAGE
U.S. Department of Justice**

The information provided below provides the proposed appropriations language, by account, for the Department of Justice for 2015. New language proposed for 2015 is italicized and underlined, and 2014 enacted language proposed for deletion is bracketed. In addition, any substantive changes from the Department of Justice Appropriations Act for 2014 are described in more detail; changes such as new funding levels, changes in the number of motor vehicles, changes in references to fiscal years, minor program name changes, and deletion of references to emergency funding designations and prior year rescissions are not discussed.

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
GENERAL ADMINISTRATION, SALARIES AND EXPENSES	
For expenses necessary for the administration of the Department of Justice, [\$110,000,000] <u><i>\$128,851,000</i></u> , of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.	No significant changes.
JUSTICE INFORMATION SHARING TECHNOLOGY	
For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, \$25,842,000, to remain available until expended: <i>Provided</i> , That the Attorney General may transfer up to \$35,400,000 to this account, from funds available to the Department of Justice for information technology, for enterprise-wide information technology initiatives: <i>Provided further</i> , That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act.	No significant changes.
ADMINISTRATIVE REVIEW AND APPEALS	
<p align="center">(INCLUDING TRANSFER OF FUNDS)</p> <p>For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, [\$315,000,000] <u><i>\$351,072,000</i></u> of which \$4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account: <i>Provided, That, of the amount provided:</i></p> <p><u><i>(1) not to exceed \$10,000,000 is for the Executive Office for Immigration Review for courthouse operations, language services and automated system requirements and shall remain available until expended;</i></u></p> <p><u><i>(2) \$10,024,000 is for the Executive Office for Immigration Review Legal Orientation Program; and</i></u></p> <p><u><i>(3) \$5,824,000 is for the Executive Office for Immigration Review to develop, implement and evaluate a pilot program to provide counsel for unaccompanied alien children: Provided further, That such pilot program shall be carried out in consultation with the Department of Health and Human Services.</i></u></p>	New language is proposed to provide the Executive Office for Immigration Review with no-year carryover authority for courthouse operations, language services, and the eWorld document management system initiative, where contract performance periods cross fiscal years and more time is needed for development and/or obligations. Funding is also identified for the Legal Orientation program and a pilot unaccompanied alien children program.

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<u>the Department of Homeland Security, and relevant non-governmental organizations and experts.</u>	
OFFICE OF THE INSPECTOR GENERAL	
For necessary expenses of the Office of Inspector General, [\$86,400,000] <u>\$88,577,000</u> , including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character: <i>Provided</i> , That \$1,000,000 shall be used to commission an independent review of the management and policies of the Civil Rights Division.	The FY 2015 request proposes to delete language requiring Office of the Inspector General to earmark \$1 million to commission an independent review of the management and policies of the Civil Rights Division. The Office of Inspector General expects to contract for this independent review during FY 2014.
UNITED STATES PAROLE COMMISSION, SALARIES AND EXPENSES	
For necessary expenses of the United States Parole Commission as authorized, [\$12,600,000] <u>\$13,308,000</u> .	No significant changes.
GENERAL LEGAL ACTIVITIES, SALARIES AND EXPENSES	
For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, [\$867,000,000] <u>\$935,854,000</u> , of which not to exceed [\$10,000,000] <u>\$20,000,000</u> for litigation support contracts shall remain available until expended: <u>Provided, That of the amount provided for INTERPOL Washington dues payments, not to exceed \$685,000 shall remain available until expended: Provided further,</u> That of the total amount appropriated, not to exceed \$9,000 shall be available to INTERPOL Washington for official reception and representation expenses: <i>Provided further</i> , That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: <i>Provided further</i> , That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section [505] <u>504</u> of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: <i>Provided further</i> , That of the amount appropriated, such sums as may be necessary shall be available to [reimburse the Office of Personnel Management] <u>the Civil Rights Division</u> for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f) <u>and to reimburse the Office of Personnel Management for such salaries and expenses: Provided further</u> , That of the	The FY 2015 request proposes an increase from \$10 million to \$20 million in the amount of GLA funds available as no-year money for litigation support contracts (note that the total amount appropriated to GLA will not change, merely the amount that is available without fiscal year limitation). The no-year amount that has been available for litigation support contracts has remained stable at \$10 million since FY 1994, while the overall appropriation for GLA has more than doubled. Further, during these past two decades, the litigation support needs of the Department's litigating divisions have skyrocketed. Moreover, because of the nature of complex litigation, using no-year appropriations is far more efficient than using annual appropriations for litigation support contracts. Nearly all of the DOJ's largest and most information-intensive cases cross multiple fiscal years. Between document preservation, document collection, document production, depositions, motions practice, pre-trial activities, and trial, cases often last for several years. The availability of no-year money for litigation support contracts allows the Government to proceed without disruptions that could be fatal to the Government's position. In addition, the FY 2015 request proposes \$685,000 in no-year authority for INTERPOL Washington dues payments to aid with fluctuations in dues payments resulting from changes in currency exchange rates, which is the natural outcome of the floating exchange rate system that is the norm in today's global economy. The Civil Rights Division directs and manages the election monitoring provisions of the Voting Rights Act of 1965 (42 U.S.C. 1973f) and provides significant annual resources on behalf of election monitoring efforts in addition to reimbursing the Office of Personnel Management for salaries and expenses. The proposed appropriations language change allows for more efficient

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p>amounts provided under this heading for the election monitoring program, \$3,390,000 shall remain available until expended.</p> <p>In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.</p>	<p>use and deployment of election monitoring resources by allowing the Civil Rights Division more flexibility in the management of the funding.</p>
ANTITRUST DIVISION, SALARIES AND EXPENSES	
<p>For expenses necessary for the enforcement of antitrust and kindred laws, [\$160,400,000] <u>\$162,246,000</u>, to remain available until expended: <i>Provided</i>, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be [\$103,000,000] <u>\$104,500,000</u> in fiscal year [2014] <u>2015</u>), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: <i>Provided further</i>, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year [2014] <u>2015</u>, so as to result in a final fiscal year [2014] <u>2015</u> appropriation from the general fund estimated at [\$57,400,000] <u>\$57,746,000</u>.</p>	<p>No significant changes.</p>
UNITED STATES ATTORNEYS, SALARIES AND EXPENSES	
<p>For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, [\$1,944,000,000] <u>\$1,955,327,000</u>: <i>Provided</i>, That of the total amount appropriated, not to exceed \$7,200 shall be available for official reception and representation expenses: <i>Provided further</i>, That not to exceed \$25,000,000 shall remain available until expended: <i>Provided further</i>, That each United States Attorney shall establish or participate in a United States Attorney-led task force on human trafficking].</p>	<p>The FY 2015 request proposes to delete language requiring each U.S. Attorney to establish or participate in a U.S. Attorney-led human trafficking task force. U.S. Attorneys have established task forces and remain committed to enforcing Anti-Human Trafficking Laws.</p>
FOREIGN CLAIMS SETTLEMENT COMMISSION, SALARIES AND EXPENSES	
<p>For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, [\$2,100,000] <u>\$2,326,000</u>.</p>	<p>No significant changes.</p>
UNITED STATES MARSHALS SERVICE, SALARIES AND EXPENSES	
<p>For necessary expenses of the United States Marshals Service, \$1,185,000,000, of which not to exceed \$6,000 shall be available for official reception and representation expenses, and not to exceed \$15,000,000 shall remain</p>	<p>No significant changes.</p>

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
available until expended.	
UNITED STATES MARSHALS SERVICE, CONSTRUCTION	
For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, \$9,800,000, to remain available until expended.	No significant changes.
UNITED STATES MARSHALS SERVICE, FEDERAL PRISONER DETENTION	
<p>For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, [\$1,533,000,000] <u>\$1,595,307,000</u>, to remain available until expended: <i>Provided</i>, That not to exceed \$20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: <i>Provided further</i>, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System; <u><i>Provided further, That any unobligated balances available from funds appropriated under the heading 'General Administration, Detention Trustee' shall be transferred to and merged with the appropriation under this heading.</i></u></p> <p style="text-align: center;"><u><i>(cancellation)</i></u></p> <p><u><i>Of the unobligated balances from prior year appropriations available under this heading, \$122,000,000 are hereby permanently cancelled; Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</i></u></p>	<p>The Department's FY 2013 appropriations act merged the Office of the Federal Detention Trustee (OFDT) with the U.S. Marshals Service. The costs associated with the care of federal detainees are now funded through the U.S. Marshals Service-Federal Prisoner Detention (FPD) appropriation. The FY 2015 budget requests authority to transfer remaining prior year unobligated balances from OFDT to the FPD appropriation.</p>
FEES AND EXPENSES OF WITNESSES	
For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, \$270,000,000, to remain available until expended, of which not to exceed \$16,000,000 is for construction of buildings for protected witness safesites; not to exceed \$3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed \$11,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.	No significant changes.

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
COMMUNITY RELATIONS SERVICE, SALARIES AND EXPENSES	
<p>For necessary expenses of the Community Relations Service, [\$12,000,000] <u>\$12,972,000</u>: <i>Provided</i>, That, notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: <i>Provided further</i>, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section [505] <u>504</u> of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.</p>	<p>No significant changes.</p>
UNITED STATES TRUSTEE SYSTEM FUND	
<p>For necessary expenses of the United States Trustee Program, as authorized, [\$224,400,000] <u>\$225,908,000</u>, to remain available until expended and to be derived from the United States Trustee System Fund: <i>Provided</i>, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: <i>Provided further</i>, That, notwithstanding any other provision of law, [\$224,400,000] <u>\$200,658,000</u> of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: <i>Provided further</i>, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year [2014] <u>2015</u>, so as to result in a final fiscal year [2014] <u>2015</u> appropriation from the Fund estimated at [\$0] <u>\$25,250,000</u>.</p>	<p>No significant changes.</p>
ASSETS FORFEITURE FUND	
<p style="text-align: center;"><u>(including cancellation)</u></p> <p>For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, [\$20,500,000] <u>\$20,514,000</u>, to be derived from the Department of Justice Assets Forfeiture Fund.</p> <p><u>Of the unobligated balances available under this heading, \$193,000,000 are hereby permanently cancelled.</u></p>	<p>No significant changes.</p>

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
NATIONAL SECURITY DIVISION, SALARIES AND EXPENSES	
<p>For expenses necessary to carry out the activities of the National Security Division, \$91,800,000, of which not to exceed \$5,000,000 for information technology systems shall remain available until expended: <i>Provided</i>, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: <i>Provided further</i>, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section [505] 504 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.</p>	No significant changes.
INTERAGENCY CRIME AND DRUG ENFORCEMENT	
<p>For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, [\$514,000,000 \$505,000,000], of which \$50,000,000 shall remain available until expended: <i>Provided</i>, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.</p>	No significant changes.
FEDERAL BUREAU OF INVESTIGATION, SALARIES AND EXPENSES	
<p>For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, [\$8,245,802,000 \$8,278,219,000], of which not to exceed \$216,900,000 shall remain available until expended[, and of which \$13,500,000 is for costs related to the outfitting, activation, and operation of facilities supporting the examination, exploitation, and storage of improvised explosive devices and explosive materials, including personnel relocation costs]: <i>Provided further</i>, That not to exceed \$184,500 shall be available for official reception and representation expenses: <i>Provided further</i>, That up to \$1,000,000 shall be for a comprehensive review of the implementation of the recommendations related to the Federal Bureau of Investigation that were proposed in the report issued by the National Commission on Terrorist Attacks Upon the United States].</p>	<p>The FY 2015 request proposes to delete language earmarking funds for the Terrorist Explosive Device Analytical Center (TEDAC) that restricts agency discretion. In addition, the FY 2015 request proposes to delete language earmarking up to \$1 million for a comprehensive review of the recommendations related to the FBI proposed in a report issued by the National Commission on Terrorist Attacks Upon the United States. The FBI expects to complete the review in FY 2014.</p>

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
FEDERAL BUREAU OF INVESTIGATION, CONSTRUCTION	
<p>For necessary expenses, to include the cost of equipment, furniture, and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion, modification and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure networking capabilities; [\$97,482,000] <u>\$68,982,000</u>, to remain available until expended[, of which \$18,500,000 is for costs related to the construction, outfitting, activation, and operation of facilities supporting the examination, exploitation, and storage of improvised explosive devices and explosive materials].</p>	<p>The FY 2015 request proposes to delete language earmarking funds for TEDAC that restricts agency discretion.</p>
DRUG ENFORCEMENT ADMINISTRATION, SALARIES AND EXPENSES	
<p>For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, \$2,018,000,000; of which not to exceed \$75,000,000 shall remain available until expended and not to exceed \$90,000 shall be available for official reception and representation expenses.</p>	<p>No significant changes.</p>
BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES, SALARIES AND EXPENSES	
<p>For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, [\$1,179,000,000] <u>\$1,201,004,000</u>, of which not to exceed \$36,000 shall be for official reception and representation expenses, not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed \$20,000,000 shall remain available until expended: <u>Provided, That, hereafter, the first and fifth provisos under this heading in division B of Public Law 113-6 shall not apply to any funds appropriated in this or any other Act, including funds appropriated in previous appropriations acts that remain available for obligation: Provided further,</u> That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from</p>	<p>The FY 2015 request proposes new language to reverse an FY 2013 proviso prohibiting amending or changing the definition of curio or relic as it does not allow ATF to re-examine or update its regulation to adapt to changing circumstances in the definition of 'curio or relic.' In addition, the FY 2015 request proposes new language to reverse a proviso that prohibits ATF from initiating notice and comment rulemaking to explore whether and how federal firearms licensees might be required to account for their firearms inventory, as the absence of such accountability undermines ATF's ability to investigate lost or stolen weapons in a timely manner. These two provisos were made permanent by the Consolidated and Further Continuing Appropriations Act, 2013 and were previously proposed for deletion by the Administration.</p>

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p>Federal firearms disabilities under section 925(c) of title 18, United States Code: <i>Provided further</i>, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: <i>Provided further</i>, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.</p>	
FEDERAL PRISON SYSTEM, SALARIES AND EXPENSES	
<p>For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, [\$6,769,000,000] <u>\$6,804,000,000</u>: <i>Provided</i>, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: <i>Provided further</i>, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: <i>Provided further</i>, That not to exceed \$5,400 shall be available for official reception and representation expenses: <i>Provided further</i>, That not to exceed \$50,000,000 shall remain available for necessary operations until September 30, [2015] <u>2016</u>: <i>Provided further</i>, That, of the amounts provided for contract confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses: <i>Provided further</i>, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past, notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities.</p>	No significant changes.
FEDERAL PRISON SYSTEM, BUILDINGS AND FACILITIES	
<p>For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional</p>	No significant changes.

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p>institutions, including all necessary expenses incident thereto, by contract or force account, \$90,000,000, to remain available until expended, of which not less than [\$67,148,000] \$76,000,000 shall be available only for modernization, maintenance and repair, and of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs: <i>Provided</i>, That labor of United States prisoners may be used for work performed under this appropriation.</p>	
FEDERAL PRISON SYSTEM, FEDERAL PRISON INDUSTRIES, INCORPORATED	
<p>The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.</p> <p style="text-align: center;">LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED</p> <p>Not to exceed \$2,700,000 of the funds of the Federal Prison Industries, Incorporated, shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.</p>	<p>No significant changes.</p>
OFFICE OF JUSTICE PROGRAMS, RESEARCH, EVALUATION AND STATISTICS	
<p>For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Justice for All Act of 2004 (Public Law 108-405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647); the Second Chance Act of 2007</p>	<p>The FY 2015 request:</p> <ul style="list-style-type: none"> ▪ Adds language to provide an appropriation for a national survey of public defenders and the design and testing of a national public defenders reporting program. ▪ Adds language to provide an appropriation for social science research on indigent defense and research on civil legal aid matters.

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p>(Public Law 110-199); the Victims of Crime Act of 1984 (Public Law 98-473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110-401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4) ("the 2013 Act"); and other programs, <u>[\$120,000,000] \$136,900,000</u>, to remain available until expended, of which—</p> <p>(1) <u>[\$45,000,000] \$55,400,000</u> is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act, <u>of which \$1,000,000 is for a national survey of public defenders and \$1,500,000 is for the design and testing of a national public defenders reporting program</u>;</p> <p>(2) <u>[\$40,000,000] \$47,500,000</u> is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act, <u>of which \$3,000,000 is for social science research on indigent defense and, notwithstanding section 818 of title I of the 1968 Act, \$2,700,000 is for research on civil legal aid matters</u>;</p> <p>(3) <u>[\$1,000,000] \$3,000,000</u> is for an evaluation clearinghouse program;</p> <p>(4) <u>[\$30,000,000] \$25,000,000</u> is for regional information sharing activities, as authorized by part M of title I of the 1968 Act; and</p> <p>(5) <u>[\$4,000,000] \$6,000,000</u> is for activities to strengthen and enhance the practice of forensic sciences, of which <u>[\$1,000,000 is for the support of a Forensic Science Advisory Committee to be chaired by the Attorney General and the Director of the National Institute of Standards and Technology, and] \$3,000,000 is for transfer to the National Institute of Standards and Technology to support scientific working groups</u>.</p>	
OFFICE OF JUSTICE PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT	
<p>For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108-405); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Adam</p>	<p>The FY 2015 request:</p> <ul style="list-style-type: none"> ▪ Provides a carve-out appropriation for the Bulletproof Vest Partnership from the appropriation for the Edward Byrne Memorial Justice Assistance Grant program, rather than as a stand-alone appropriation. ▪ Adds language to provide an appropriation for the Edward Byrne Memorial incentive grant program. ▪ Modifies language pertaining to victim services programs for victims of trafficking to reflect

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p>Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the Second Chance Act of 2007 (Public Law 110-199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110-403); the Victims of Crime Act of 1984 (Public Law 98-473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416); the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4) ("the 2013 Act"); and other programs, <u>[\$1,171,500,000] \$1,032,900,000</u>, to remain available until expended as follows—</p> <p>(1) \$376,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, <u>[\$1,000,000] \$2,000,000</u> is for a program to improve State and local law enforcement intelligence capabilities including antiterrorism training and training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process, <u>[\$1,000,000] \$2,000,000</u> is for a State, local, and tribal assistance help desk and diagnostic center program, <u>\$15,000,000</u> is for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR), <u>[\$4,000,000]</u> is for use by the National Institute of Justice for research targeted toward developing a better understanding of the domestic radicalization phenomenon, and advancing evidence-based strategies for effective intervention and prevention, <u>\$2,500,000</u> is for objective, nonpartisan voter education about, and a plebiscite on, options that would resolve Puerto Rico's future political status, which shall be provided to the State Elections Commission of Puerto Rico, <u>\$5,000,000] \$22,500,000</u> <u>is for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act, \$10,000,000</u> is for an initiative to support evidence-based policing, and <u>(\$2,500,000) \$5,000,000</u> is for an initiative to enhance prosecutorial decision-making;</p> <p>(2) <u>[\$180,000,000]</u> for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)); <i>Provided</i>, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in</p>	<p>enactment of the Violence Against Women Reauthorization Act of 2013 and to allow use of funds for human trafficking task forces and law enforcement training.</p> <ul style="list-style-type: none"> ▪ Modifies language pertaining to Drug Courts, mental health courts, adult and juvenile collaboration program grants, and a veterans treatment courts program to create a single appropriation for criminal justice system problem-solving grants. ▪ Adds language to the Economic, High-technology, and Cybercrime program pertaining to intellectual property enforcement grants. ▪ Proposes revised language for DNA-related and forensic programs and activities. ▪ Adds language pertaining to a grant program for communities to address problems with certain sexual assault kits. ▪ Adds language pertaining to the availability of funds appropriated for Pay for Success programs implementing the Permanent Supportive Housing Model. ▪ Modifies language for grants and programs authorized by the Prison Rape Elimination Act (PREA) to allow additional flexibility in using this appropriation, including for statistical reviews, and to sunset the PREA Review panel. ▪ Adds language for Ensuring the Right to Counsel for All Individuals: Answering Gideon's Call. ▪ Adds language for a competitive grant program to incentivize statewide civil legal aid planning processes and system improvements. ▪ Adds language pertaining to a program to promote fairness in the criminal justice system and build community trust.

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p>State and local detention facilities;] <u>\$15,000,000 for an Edward Byrne Memorial incentive grant program;</u></p> <p>(3) [\$13,500,000] <u>\$15,000,000</u> for competitive grants to improve the functioning of the criminal justice system, to prevent or combat juvenile delinquency, and to assist victims of crime (other than compensation);</p> <p>(4) [\$14,250,000] <u>\$10,500,000</u> for victim services programs for victims of trafficking, <u>including</u> as authorized by section 107(b)(2) of Public Law 106-386 and <u>amended by the 2013 Act</u>, for programs authorized under Public Law 109-164, <u>and for human trafficking task forces and law enforcement training, including as authorized by section 1242 of the 2013 Act;</u></p> <p>(5) [\$40,500,000] <u>\$44,000,000</u> for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act; (6) \$8,250,000 for, mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416), <u>and other criminal justice system problem-solving grants;</u></p> <p>[[7] 6] [\$10,000,000] <u>\$14,000,000</u> for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;</p> <p>[[8] 7] \$2,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108-405, and for grants for wrongful conviction review;</p> <p>[[9] 8] [\$10,000,000] <u>\$15,000,000</u> for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110-403, <u>of which not more than \$2,500,000 is for intellectual property enforcement grants, including as authorized by section 401 of Public Law 110-403;</u></p> <p>[[10] \$2,000,000 for a student loan repayment assistance program pursuant to section 952 of Public Law 110-315;]</p> <p>[[11] 9] \$20,000,000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related activities;</p> <p>[[12] 10] [\$8,000,000] <u>\$23,000,000</u> for an initiative relating to children exposed to violence;</p> <p>[[13] 11] [\$10,500,000] <u>\$29,500,000</u> for an Edward Byrne Memorial criminal justice innovation program;</p> <p>[[14] \$22,500,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: <u>Provided, That \$1,500,000 is transferred directly to the</u></p>	

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p>National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;]</p> <p>[(15) <u>12</u>] \$1,000,000 for the National Sex Offender Public Website;</p> <p>[(16) <u>13</u>] \$8,500,000] <u>\$5,000,000</u> for competitive and evidence-based programs to reduce gun crime and gang violence;</p> <p>[(17) <u>14</u>] \$58,500,000] <u>\$50,000,000</u> for grants to States to upgrade criminal and mental health records [in] <u>for the National Instant Criminal Background Check System</u>[, of which no less than] <u>and related activities</u>;</p> <p><u>(15)</u> \$12,000,000 shall be] <u>\$5,000,000</u> for grants [made under the authorities of] <u>to assist State and tribal governments and related activities, as authorized by the NICS Improvement Amendments Act of 2007 (Public Law 110-180);</u></p> <p>[(18) \$12,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act.]</p> <p>[(19) <u>16</u>] \$125,000,000] <u>\$100,000,000</u> for DNA-related and forensic programs and activities <u>(including related research and development, training and education, and technical assistance)</u>, of [which—] <u>which \$20,000,000 is for programs and activities (including grants, technical assistance, and technology) to reduce the rape kit backlog: Provided, That the certification of requirements of 42 U.S.C. 3797k(1), 3797k(2), and 3797k(4) shall apply to any DNA-related and forensic program grants made to forensic crime laboratories;</u></p> <p>[(A) \$117,000,000 is for a DNA analysis and capacity enhancement program and for other local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106-546) (the Debbie Smith DNA Backlog Grant Program): <i>Provided</i>, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108-405, section 303);]</p> <p>[(B) \$4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108-405, section 412); and]</p> <p>[(C) \$4,000,000 is for Sexual Assault Forensic Exam Program grants, including as authorized by section 304 of Public Law 108-405;]</p> <p><u>(17) \$35,000,000 for a grant program for communities to address problems with sexual assault kits at law enforcement agencies, not sent to crime</u></p>	

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p><u>labs, or backlogged at crime labs;</u></p> <p>[(20) 18] \$6,000,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;</p> <p>[(21) \$30,000,000 for assistance to Indian tribes;]</p> <p>[(22) 19] [\$67,750,000] <u>\$115,000,000</u> for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110-199), without regard to the time limitations specified at section 6(1) of such Act, of which not to exceed [\$6,000,000] <u>\$10,000,000</u> is for a program to improve State, local, and tribal probation or parole supervision efforts and strategies, and [\$2,000,000] <u>\$5,000,000</u> is for Children of Incarcerated Parents Demonstrations to enhance and maintain parental and family relationships for incarcerated parents as a reentry or recidivism reduction strategy: <i>Provided</i>, That up to [\$7,500,000] <u>\$30,000,000</u> of funds made available in this paragraph may be used for performance-based awards for Pay for Success projects, of which up to [\$5,000,000] <u>\$10,000,000</u> shall be for Pay for Success programs implementing the Permanent Supportive Housing Model: <i>Provided further</i>, <u>That, with respect to the previous proviso, any funds obligated for such projects shall remain available for disbursement until expended, notwithstanding 31 U.S.C. 1552(a);</u> <i>Provided further</i>, <u>That, with respect to the first proviso for any other similar projects funded in prior appropriations, any deobligated funds from such projects shall immediately be available for activities authorized under the Second Chance Act of 2007 (Public Law 110-199);</u></p> <p>[(23) \$4,000,000 for a veterans treatment courts program;]</p> <p>[(24) \$750,000 for the purposes described in the Missing Alzheimer's Disease Patient Alert Program (section 240001 of the 1994 Act);]</p> <p>[(25) 20] \$7,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;</p> <p>[(26) 21] [\$12,500,000] <u>\$10,500,000</u> for prison rape prevention and prosecution grants to States and units of local government, and other programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108-79), [of which not more than \$150,000 of these funds shall be available for the direct Federal costs of facilitating an auditing process] <u>including statistics, data, and research: Provided, That, upon the Attorney General's initial receipt of submissions pursuant to section 8(c)(2) of Public Law 180-79—(a) the statistical review and related analysis provided for in section 4 thereof shall next be required in the calendar year next following, and every fifth year thereafter, and (b) the review panel established under</u></p>	

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p><u>section 4(b) of Public Law 108-79 shall be terminated;</u></p> <p>[(27) \$2,000,000 to operate a National Center for Campus Public Safety;]</p> <p>[(28) 22] [\$27,500,000] <u>\$30,000,000</u> for a justice reinvestment initiative, for activities related to criminal justice reform and recidivism reduction[, of which not less than \$1,000,000 is for a task force on Federal corrections];</p> <p>[(29) 23] [\$4,000,000] <u>\$10,000,000</u> for additional replication sites employing the Project HOPE Opportunity Probation with Enforcement model implementing swift and certain sanctions in probation, and for a research project on the effectiveness of the model;</p> <p>[(30) \$12,500,000 for the Office of Victims of Crime for supplemental victims' services and other victim-related programs and initiatives, including research and statistics, and for tribal assistance for victims of violence; and]</p> <p>[(31) 24] \$75,000,000 for the Comprehensive School Safety Initiative[, described in the explanatory statement described (in section 4 the matter preceding division A of this consolidated Act)] <u>and for related hiring</u>: <u>Provided</u>, That section [213] 212 of this Act shall not apply with respect to the amount made available in this paragraph:</p> <p><u>(25) \$5,400,000 for Ensuring the Right to Counsel for All Individuals: Answering Gideon's Call;</u></p> <p><u>(26) \$5,000,000 for a competitive grant program to incentivize statewide civil legal aid planning processes and system improvements, notwithstanding section 818 of title I of the 1968 Act; and</u></p> <p><u>(27) \$9,000,000 for a program to promote fairness in the criminal justice system and build community trust;</u></p> <p><i>Provided</i>, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.</p>	
OFFICE OF JUSTICE PROGRAMS, JUVENILE JUSTICE PROGRAMS	
<p>For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the</p>	<p>The FY 2015 request:</p> <ul style="list-style-type: none"> ▪ Adds a proviso that seeks to ensure that: (A) juveniles who reach the age of full criminal responsibility after being taken into custody, but who were not charged as adults at the time of offense, are not understood to be adult inmates, simply because they have turned 18; (B) juveniles charged with or who have committed an alcohol or tobacco

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p>Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110-401); the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4) ("the 2013 Act"); and other juvenile justice programs, [\$254,500,000] \$299,400,000, to remain available until expended as follows—</p> <p>(1) [\$55,500,000] \$50,000,000 for programs authorized by section 221 of the 1974 Act, [of which not more than \$10,000,000 may be used for activities specified in section 1801(b)(2) of part R of title I of the 1968 Act; and for training and technical assistance to assist small, nonprofit organizations with the Federal grants process: <i>Provided</i>, That of the amounts provided under this paragraph, \$500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities] <u><i>Provided, That notwithstanding sections 103(26) and 223(a)(11)(A) of the 1974 Act, for purposes of funds appropriated in this Act—(a) the term "adult inmate" shall be understood to mean an individual who has been arrested and is in custody as the result of being charged as an adult with a crime, but shall not be understood to include anyone under the care and custody of a juvenile detention or correctional agency, or anyone who is in custody as the result of being charged with or having committed an offense described in Section 223(a)(11)(A) of the 1974 Act; (b) the juveniles described in Section 223(a)(11)(A) of the 1974 Act who have been charged with or who have committed an offense that would not be criminal if committed by an adult shall be understood to include individuals under 18 who are charged with or who have committed an offense of purchase, consumption, or possession of any alcoholic beverage or tobacco product; and (c) Section 223(a)(11)(A)(ii) of the 1974 Act shall apply only to those individuals described in Section 223(a)(11)(A) who, while remaining under the jurisdiction of the court on the basis of the offense described therein, are charged with or commit a violation of a valid court order thereof.</i></u></p> <p>(2) [\$88,500,000] \$58,000,000 for youth mentoring grants;</p> <p>(3) [\$15,000,000] \$42,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, [of which,] pursuant to sections 261 and 262 [thereof— (A) \$5,000,000 shall be for the Tribal Youth Program;(B) \$2,500,000 shall be for gang and youth violence education, prevention and intervention, and related activities;(C) \$2,500,000 shall be for programs and activities to enforce State laws prohibiting the sale</p>	<p>related offense receive that same protections as status offenders, that is, they cannot be placed in secure detention; and (C) a state may only securely detain a juvenile on the basis of violation of a valid court order if the juvenile is already under the jurisdiction of the court based on a separate offense.</p> <ul style="list-style-type: none"> ▪ Modifies language for juvenile delinquency programs to eliminate previously required carveouts for certain programs. ▪ Adds language to provide an appropriation to the Juvenile Accountability Block Grants program. ▪ Adds language to provide an appropriation to the Juvenile Justice Realignment Incentive Grants program. ▪ Adds language to provide an appropriation to a program to improve juvenile indigent defense.

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p>of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, for prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training; and (D) \$5,000,000] <u>thereof, of which \$10,000,000</u> shall be for competitive grants to police and juvenile justice authorities in communities that have been awarded Department of Education School Climate Transformation Grants to collaborate on use of evidence-based positive behavior strategies to increase school safety and reduce juvenile arrests;</p> <p>(4) [\$19,000,000] <u>\$11,000,000</u> for programs authorized by the Victims of Child Abuse Act of 1990;</p> <p>(5) <u>\$30,000,000 for the Juvenile Accountability Block Grants program as authorized by part R of title I of the 1968 Act. Provided, That Guam shall be considered a State for purposes thereof.</u></p> <p>(6) <u>\$10,000,000 for incentive grants to assist states that use Juvenile Accountability Block Grants program funds for evidence-based juvenile justice system realignment to foster better outcomes for affected juveniles.</u></p> <p>[(5)Z] [\$5,500,000] <u>\$18,000,000</u> for community-based violence prevention initiatives, including for public health approaches to reducing shootings and violence;</p> <p>[(6) 8] \$67,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110-401) shall not apply for purposes of this Act);</p> <p>[(7) 9] \$1,500,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act;</p> <p>[(8) 10] [\$1,000,000] <u>\$4,000,000</u> for grants and technical assistance in support of the National Forum on Youth Violence Prevention;</p> <p>[(9) 11] \$500,000 for an Internet site providing information and resources on children of incarcerated parents; [and]</p> <p>[(10) 12] [\$1,000,000] <u>\$2,000,000</u> for competitive grants focusing on girls in the juvenile justice system; <u>and</u></p> <p>(13) <u>\$5,400,000 for a program to improve juvenile indigent defense. Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized. Provided further, That not more than 2 percent of the amounts designated under paragraphs (1) through (5), (7) and (8) may be used for training and technical assistance.</u></p>	

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p><i>Provided further, That the previous two provisos shall not apply to grants and projects authorized by sections 261 and 262 of the 1974 Act and to missing and exploited children programs.</i></p>	
OFFICE OF JUSTICE PROGRAMS, PUBLIC SAFETY OFFICER BENEFITS	
<p>For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and \$16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: <i>Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to "Public Safety Officer Benefits" from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: <i>Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section [505] 504 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.</i></i></p>	<p>No significant changes.</p>
COMMUNITY ORIENTED POLICING SERVICES	
<p>For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"), <u>as amended</u>; and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"), [\$214,000,000] <u>\$274,000,000</u>, to remain available until expended: <i>Provided, That any balances made available through prior year deobligations shall only be available in accordance with section [505] 504 of this Act: <u>Provided, That, in addition to any amounts that are otherwise available (or authorized to be made available) for training and technical assistance, up to 5 percent of funds made available to the Office of Community Oriented Policing Services for grants may be used for such purposes: <i>Provided further, That, in addition to any amounts that are otherwise available (or authorized to be made available) for research, evaluation or statistical purposes, up to 3 percent of funds made available to the Office of Community Oriented Policing Services for grants may be used for such purposes: <i>Provided further, That of the amount provided under this heading—</i></i></u></i></p> <p>(1) [\$10,000,000] <u>\$7,000,000</u> is for anti-methamphetamine-related activities, which shall be [transferred] <u>available to reimburse</u> the Drug</p>	<p>The FY 2015 request:</p> <ul style="list-style-type: none"> ▪ Provides more accurate citation for statutory authority for COPS activities. ▪ Provides authority to use up to five percent of program funding for training and technical assistance, in addition to any other funding appropriated or available for these purposes. ▪ Provides authority to use up to three percent of program funding for research, evaluation or statistical purposes, in addition to any other funding appropriated or available for these purposes. ▪ Allows up to \$50,000,000 of hiring funds to be used to hire non-sworn law enforcement personnel. ▪ Provides consistency with set-aside/carve-out language for community policing development activities and collaborative reform model of technical assistance. ▪ Removes funding for the FY 2014 COPS-administered Anti-Methamphetamine Program.

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p>Enforcement Administration[upon enactment of this Act];</p> <p>(2) [\$16,500,000] <u>\$20,000,000</u> is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities; <u>and</u></p> <p>(3) [\$180,000,000] <u>\$247,000,000</u> is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (l) of such section: <u>Provided, That, notwithstanding [subsection] section 1701(g) of the 1968 Act (42 U.S.C. 3796dd(g)), the Federal share of the costs of a project funded by such grants may not exceed 75 percent unless the Director of the Office of Community Oriented Policing Services waives, wholly or in part, the requirement of a non-Federal contribution to the costs of a project: Provided further, That, notwithstanding section 1704(c) of such title (42 U.S.C. 3796dd-3(c)), funding for hiring or rehiring a career law enforcement officer may not exceed \$125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: <u>Provided further, That, in addition to the purposes set out in subsection 1701(b)(1) and (2) of the 1968 Act (42 U.S.C. 3796dd(b)(1) and (2)), grants made with funds provided in this paragraph may be used for the hiring of non-sworn law enforcement personnel in amounts not to exceed \$50,000,000: Provided further, That within the amounts appropriated[, \$16,500,000] under this paragraph, \$15,000,000 shall be transferred to the Tribal Resources Grant Program: Provided further, That of the amounts appropriated under this paragraph, [\$7,500,000] <u>\$15,000,000</u> is for community policing development activities in furtherance of the purposes in section 1701: Provided further, That within the amounts appropriated under this paragraph, [\$5,000,000] <u>\$10,000,000</u> is for the collaborative reform model of technical assistance in furtherance of the purposes in section 1701; and</u></u></p> <p>(4) \$7,500,000 is for competitive grants to State law enforcement agencies in States with high seizures of precursor chemicals, finished methamphetamine, laboratories, and laboratory dump seizures: <u>Provided, That funds appropriated under this paragraph shall be utilized for investigative purposes to locate or investigate illicit activities, including precursor diversion, laboratories, or methamphetamine traffickers].</u></p> <p><u>(cancellation)</u></p> <p><u>Of the unobligated balances from prior year appropriations available under this heading, \$26,000,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency</u></p>	

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p><u>requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</u></p>	
OFFICE ON VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS	
<p>For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) ("the 1974 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386) ("the 2000 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); and the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4) ("the 2013 Act"); and for related victims services, [\$417,000,000] <u>\$422,500,000</u>, to remain available until expended: <i>Provided</i>, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: <i>Provided further</i>, <u>That, in addition to any amounts that are otherwise available (or authorized to be made available) for the research and evaluation purposes set forth in section 40002(b)(7) of the 1994 Act, up to 3 percent of funds made available under this heading may be used for such purposes, except that this proviso shall not apply to funds provided for grants to combat violence against women, as authorized by part T of the 1968 Act, and grants for sexual assault victims assistance, as authorized by section 41601(b) of the 1994 Act: <i>Provided further</i>, That section 8(e) of Public Law 108-79 (42 U.S.C. 15607(e)) shall not apply to funds appropriated to or administered by the Office on Violence Against Women, including funds appropriated in previous appropriations acts that remain available for obligation: <i>Provided further</i>, That of the amount provided—</u></p> <p>(1) \$193,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;</p> <p>(2) [\$24,750,000] <u>\$25,000,000</u> is for transitional housing assistance grants for victims of domestic violence, dating violence, stalking or sexual assault as authorized by section 40299 of the 1994 Act;</p> <p>(3) [\$3,250,000] <u>\$3,000,000</u> is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed</p>	<p>The FY 2015 request:</p> <ul style="list-style-type: none"> Includes a research and evaluation set-aside of up to three percent of OVW discretionary funding. Includes language that would exclude OVW's STOP Violence Against Women Formula Grant Program from a five-percent mandatory reallocation or reduction of funds that may be imposed on states under the Prison Rape Elimination Act (PREA). Beginning in FY 2014, if states cannot certify compliance with certain PREA standards, states will lose five percent of covered DOJ grant funds unless states provide an assurance that they will use five percent of such funds toward achieving full compliance with the standards. Due to a change to the STOP Program statute made by the Violence Against Women Reauthorization Act of 2013, which permits states to fund rape crisis centers to help victims of sexual assault in prison, the bulk of STOP Program funding will be subject to this five-percent reallocation/reduction requirement. Imposing the PREA funding requirement on STOP awards, however, would create a significant and unintended hardship for STOP subgrantees, particularly victim service providers. Deletes language stating that OVW is to establish a Sexual Assault Clearinghouse. This national clearinghouse opened in the fall of 2013; therefore, the appropriation language should no longer say 'to establish.' Further, the clearinghouse is technically the technical assistance provider's clearinghouse (not OVWs), thus the wording was updated.

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p>by grant programs of the Office on Violence Against Women, which shall be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;</p> <p>(4) \$10,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: <i>Provided</i>, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303 and 41305 of the 1994 Act, prior to its amendment by the 2013 Act, shall be available for this program: <i>Provided further</i>, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: <i>Provided further</i>, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;</p> <p>(5) \$50,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which \$4,000,000 is for a homicide reduction initiative;</p> <p>(6) \$27,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;</p> <p>(7) [\$36,000,000] <u>\$33,000,000</u> is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;</p> <p>(8) [\$9,000,000] <u>\$11,000,000</u> is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;</p> <p>(9) [\$37,000,000] <u>\$42,500,000</u> is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;</p> <p>(10) \$4,250,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;</p> <p>(11) [\$15,000,000] <u>\$16,000,000</u> is for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: <i>Provided</i>, That unobligated balances available for the programs authorized by section 1301 of the 2000 Act and section 41002 of the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program;</p> <p>(12) \$5,750,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000</p>	

PROPOSED APPROPRIATIONS LANGUAGE	EXPLANATION OF CHANGE
<p>Act;</p> <p>(13) \$500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;</p> <p>(14) \$1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act: <i>Provided</i>, That such funds may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs; and</p> <p>(15) \$500,000 is for the Office on Violence Against Women to establish a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women.</p> <p><i>(cancellation)</i></p> <p><u>Of the unobligated balances from prior year appropriations available under this heading, \$12,200,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</u></p>	

SUMMARY OF GENERAL PROVISIONS
General Provisions—U.S. Department of Justice

Table 1 displays the Title II General Provisions for the Department of Justice contained in the FY 2015 President's Budget. The FY 2015 language is compared below to the FY 2014 enacted Title II General Provisions (P.L. 113-76). New language proposed for FY 2015 is italicized and underlined, and FY 2014 enacted language proposed for deletion is bracketed.

Table 2 provides explanations related to select Title II General Provisions contained in the Consolidated Appropriations Act, 2014, which are not continued in FY 2015.

Table 1
FY 2015 PROPOSED TITLE II GENERAL PROVISIONS

Section Number	New? Yes/No	Language
201	No	Sec. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed \$50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.
202	No	Sec. 202. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: <i>Provided</i> , That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.
203	No	Sec. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.
204	No	Sec. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: <i>Provided</i> , That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.
205	No	Sec. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: <i>Provided</i> , That any transfer pursuant to this section shall be treated as a reprogramming of funds under section [505] <u>504</u> of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.
206	Amended ¹	Sec. 206. [The Attorney General is authorized to extend through September 30, 2014, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002 (Public Law 107-296; 28 U.S.C. 599B) without limitation on the number of employees or the positions covered] <u>Funds appropriated by this or any other Act</u>

¹ The FY 2015 request proposes new appropriations language that would replace the general provision extending the Personnel Management Demonstration Project (PMDP). ATF completed an assessment of the operation and efficacy of the PMDP and concluded that it was no longer a necessary component of their workforce planning and management strategy. Accordingly, ATF would like to terminate the PMDP. ATF has already transitioned nearly all employees who were in the PMDP into the General Schedule (GS) pay system. However, ATF currently has 11 employees in the PMDP whose rate of basic pay exceeds the maximum allowable under 5 CFR §536.306 for GS employees in a retained pay status, meaning their pay is above the GS-15 Step 10 level. The proposed provision will except these employees from the provisions of 5 CFR §536.306 so that their transition to the GS pay system does not result in a reduction to their base pay. Once the conversion of the 11 remaining PMDP employees to the GS pay system is completed, ATF will no longer require the authorization to operate the PMDP.

Section Number	New? Yes/No	Language
		<i>under the heading "Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses" shall be available for retention pay for any employee who would otherwise be subject to a reduction in pay upon the termination of the Bureau's Personnel Management Demonstration Project (as transferred to the Attorney General by section 1115 of the Homeland Security Act of 2002, Public Law 107-296 (28 U.S.C. 599B)). Such retention pay shall comply with section 5363 of title 5, United States Code, and related Office of Personnel Management regulations, except as provided in this section. Such retention pay shall be paid at the employee's rate of pay immediately prior to the termination of the demonstration project and shall not be subject to the limitation set forth in section 5304(g)(1) of title 5, United States Code, and related regulations. The rate of pay of any employee receiving retention pay pursuant to this provision shall be increased at the time of any increase in the maximum rate of basic pay payable for the grade of the employee's position by 50 percent of the dollar amount of each such increase, except that an employee's retained rate of basic pay shall not be so increased if both (a) the employee's retained rate of basic pay immediately prior to the time of such increase exceeds the limitation set forth in section 5304(g)(1) of title 5, United States Code, and related regulations, and (b) the employee's increased rate of pay would exceed the maximum rate of basic pay payable for the employee's position.</i>
207	No	Sec. 207. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.
208	No	Sec. 208. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes. (b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.
209	No	Sec. 209. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of \$100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.
210	No	Sec. 210. The notification thresholds and procedures set forth in section [505] <u>504</u> of this Act shall apply to deviations from the amounts designated for specific activities in this Act [and in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act)], and to any use of deobligated balances of funds provided under this title in previous years.
211	No	Sec. 211. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A-76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

Section Number	New? Yes/No	Language
212	Amended ²	<p>Sec. [213] <u>212</u>. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", and "Juvenile Justice Programs"—</p> <p>(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reimbursement programs may be used by such Office to provide training and technical assistance; [and]</p> <p>(2) up to [2] <u>3</u> percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs].; <u>and</u></p> <p><u>(3) 7 percent of funds made available for grant or reimbursement programs: (1) under the heading "State and Local Law Enforcement Assistance"; or (2) under the headings "Research, Evaluation, and Statistics" and "Juvenile Justice Programs", to be transferred to and merged with funds made available under the heading "State and Local Law Enforcement Assistance", shall be available for tribal criminal justice assistance without regard to the authorizations for such grant or reimbursement programs.</u></p>
213	No	<p>Sec. [214] <u>213</u>. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated in this or any other Act making appropriations for fiscal years [2011] <u>2012</u> through [2014] <u>2015</u> for the following programs, waive the following requirements:</p> <p>(1) For the adult and juvenile offender State and local reentry demonstration projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(g)(1)), the requirements under section 2976(g)(1) of such part.</p> <p>(2) For State, Tribal, and local reentry courts under part FF of title I of such Act of 1968 (42 U.S.C. 3797w-2(e)(1) and (2)), the requirements under section 2978(e)(1) and (2) of such part.</p> <p>(3) For the prosecution drug treatment alternatives to prison program under part CC of title I of such Act of 1968 (42 U.S.C. 3797q-3), the requirements under section 2904 of such part.</p> <p>(4) For grants to protect inmates and safeguard communities as authorized by section 6 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)), the requirements of section 6(c)(3) of such Act.</p>
214	No	<p>Sec. [215] <u>214</u>. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.</p>
215	No	<p>Sec. [216] <u>215</u>. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable</p>

² The FY 2015 request proposes to change the maximum set-aside percentage for OJP research, evaluation, and statistics activities authorized from 2 to 3 percent and creates a 7 percent set-aside to be available for tribal criminal justice assistance.

Section Number	New? Yes/No	Language
		firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.
216	Yes ³	<u>Sec. 216. Of the unobligated balances from prior year appropriations available under the heading Working Capital Fund, \$54,000,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</u>
217	Yes ⁴	<u>Sec. 217. Of the unobligated balances from prior year appropriations for the Office of Justice Programs, \$59,000,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.</u>
218	Yes ⁵	<u>Sec. 218. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601) in excess of \$810,000,000 shall not be available for obligation until the following fiscal year: Provided, That, notwithstanding section 1402(d) of such Act of 1984, of the amounts available from the Fund for obligation, the following amounts shall be available without fiscal year limitation to the Director of the Office for Victims of Crime: \$25,000,000 for supplemental victims' services and other victim-related programs and initiatives, \$20,000,000 for tribal assistance for victims of violence, and \$10,000,000 for victims of trafficking grants focused on domestic victims: Provided further, That up to 3 percent of funds may be made available to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation or statistical purposes related to crime victims and related programs.</u>
219	Yes ⁶	<u>Sec. 219. The Department of Justice may use Federal discretionary funds that are made available in this Act for the Office of Justice Programs to participate with other Federal agencies in carrying out Performance Partnership Pilots that are conducted pursuant to –</u> <u>(a) Section 526 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2014, and</u> <u>(b) such authorities as are enacted for Performance Partnership Pilots in an appropriations act for fiscal year 2015.</u>

³ The FY 2015 request proposes to move the WCF cancellation language to Title II; in the Commerce, Justice, Science and Related Appropriations Act, 2014, the WCF rescission is found in Section 524.

⁴ The FY 2015 request proposes to move the OJP cancellation language to Title II; in the Commerce, Justice, Science and Related Appropriations Act, 2014, the OJP rescission is found in Section 524.

⁵ The FY 2015 request proposes to move the Crime Victims Fund limitation language to Title II; in the Commerce, Justice, Science, and Related Appropriations Act, 2014, similar language is found in Section 510.

⁶ The FY 2015 request makes available to the Office of Justice Programs authority relating to Performance Partnership Pilots.

Table 2
FY 2014 GENERAL PROVISIONS NOT CONTINUED IN FY 2015 – Title II

Section Included in the Consolidated Appropriations Act, 2014 (P.L. 113-76)	Explanation for Why General Provision is No Longer Necessary
<p>Sec. 212. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.</p>	<p>This provision impinges on the ability of the Attorney General to manage Department of Justice resources, and should be deleted.</p>
<p>Sec. 217. (a) None of the income retained in the Department of Justice Working Capital Fund pursuant to title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation during fiscal year 2014.</p> <p>(b) Not to exceed \$30,000,000 of the unobligated balances transferred to the capital account of the Department of Justice Working Capital Fund pursuant to title I of Public Law 102-140 (105 Stat. 784; 28 U.S.C. 527 note) shall be available for obligation in fiscal year 2014, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.</p> <p>(c) Not to exceed \$10,000,000 of the excess unobligated balances available under section 524(c)(8)(E) of title 28, United States Code, shall be available for obligation during fiscal year 2014, and any use, obligation, transfer or allocation of such funds shall be treated as a reprogramming of funds under section 505 of this Act.</p> <p>(d) Of amounts available in the Assets Forfeiture Fund in fiscal year 2014, \$154,700,000 shall be for payments associated with joint law enforcement operations as authorized by section 524(c)(1)(I) of title 28, United States Code.</p> <p>(e) The Attorney General shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate not later than 30 days after the date of enactment of this Act detailing the planned distribution of Assets Forfeiture Fund joint law enforcement operations funding during fiscal year 2014.</p> <p>(f) Subsections (a) through (d) of this section shall sunset on September 30, 2014.</p>	<p>This provision impinges on the ability of the Attorney General to manage Department of Justice resources, and should be deleted.</p>

General Provisions—Title V

Table 3 displays the Title V General Provisions for the Department of Justice contained in the FY 2015 President's Budget. The FY 2015 language is compared below to the FY 2014 enacted Title V General Provisions (P.L. 113-76). New language proposed for FY 2015 is italicized and underlined, and FY 2014 enacted language proposed for deletion is bracketed.

Table 4 provides explanations related to select items in the FY 2014 Title V General Provisions that are not continued in FY 2015.

Table 3
FY 2015 PROPOSED TITLE V GENERAL PROVISIONS

Section Number	New? Yes/No	Language
501	No	Sec. [502] <u>501</u> . No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.
502	No	Sec. [503] <u>502</u> . The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.
503	No	Sec. [504] <u>503</u> . If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.
504	No	Sec. [505] <u>504</u> . None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year [2014] <u>2015</u> , or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of [\$500,000] <u>\$1,000,000</u> or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds[by agencies (excluding agencies of the Department of Justice) funded by this Act and 45 days in advance of such reprogramming of funds by agencies of the Department of Justice funded by this Act].
505	No	Sec. [506] <u>505</u> . (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the

		<p>United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.</p> <p>(b) (1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories or possessions.</p> <p>(2) The term "promotional items" has the meaning given the term in OMB Circular A-87, Attachment B, Item (1)(f)(3).</p>
506	No	<p>Sec. [508] <u>506</u>. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: <i>Provided</i>, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: <i>Provided further</i>, That use of funds to carry out this section shall be treated as a reprogramming of funds under section [505] <u>504</u> of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: <i>Provided further</i>, That for the Department of Commerce, this section shall also apply to actions taken for the care and protection of loan collateral or grant property.</p>
507	No	<p>Sec. [509] <u>507</u>. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products[, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type].</p>
508	No	<p>Sec. [511] <u>508</u>. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.</p>
509	No	<p>Sec. [516] <u>509</u>. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.</p>
510	No	<p>Sec. [520] <u>510</u>. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The Fair Credit Reporting Act; The National Security Act of 1947; USA PATRIOT Act; and the laws amended by these Acts.</p>
511	No	<p>Sec. [521] <u>511</u>. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than [\$75,000,000] <u>\$250,000,000</u> has reasonable cause to believe that the total program cost has increased by [10] <u>15</u> percent, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control</p>

		future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.
512	No	Sec. [522] <u>512</u> . Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year [2014] <u>2015</u> until the enactment of the Intelligence Authorization Act for fiscal year [2014] <u>2015</u> .
513	No	Sec. [523] <u>513</u> . None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.
514	No	Sec. [525] <u>514</u> . None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301-10.122 through 301-10.124 of title 41 of the Code of Federal Regulations.
515	No	Sec. [530] <u>515</u> . To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are "Energy Star" qualified or have the "Federal Energy Management Program" designation.
516	No	Sec. [534] <u>516</u> . (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography. (b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
517	No	SEC. [535] <u>517</u> . The Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within [30] <u>60</u> days after the date of enactment of this Act.
518	No	Sec. [536] <u>518</u> . None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless [the] <u>a</u> <u>Federal</u> agency has considered suspension or debarment of the corporation and [has] made a determination that this further action is not necessary to protect the interests of the Government.

519	No	Sec. [537] <u>519</u> . None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless [the] <u>a Federal</u> agency has considered suspension or debarment of the corporation and [has] made a determination that this further action is not necessary to protect the interests of the Government.
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Table 4
FY 2014 GENERAL PROVISIONS NOT CONTINUED IN FY 2015 – Title V

Section Included in the Consolidated Appropriations Act, 2014 (P.L. 113-76)	Explanation for Why General Provision is No Longer Necessary
Sec. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.	This provision limits agency discretion in using funds.
<p>Sec. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.</p> <p>(b) The report described in subsection (a) shall be submitted within 30 days of the end of the first quarter of fiscal year 2014, and subsequent reports shall be submitted within 30 days of the end of each quarter thereafter.</p> <p>(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.</p>	Requires the Department of Justice to provide a quarterly accounting of cumulative unobligated balances. This information is provided at the request of the Committee, and does not need to be in statute.
Sec. 510. Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601) in any fiscal year in excess of \$745,000,000 shall not be	This provision is moved to Title II, Section 218, in the FY 2015 budget.

Section Included in the Consolidated Appropriations Act, 2014 (P.L. 113-76)	Explanation for Why General Provision is No Longer Necessary
available for obligation until the following fiscal year.	
Sec. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.	This provision is not necessary to restrict transfers – any transfer requires specific legislative authority.
Sec. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.	This provision limits agency discretion in using funds.
<p>Sec. 514. (a) The Inspectors General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest, within 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.</p> <p>(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—</p> <p>(1) any matter described in section 552(b) of title 5, United States Code; and</p> <p>(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.</p> <p>(c) A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.</p> <p>(d) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds</p>	Requires the Inspector General to conduct an audit of grants or contracts appropriated in this Act within 180 days of audit initiation and every 180 days afterwards until audit is complete. While this information will be provided as requested, the Department does not support this requirement as a General Provision.

Section Included in the Consolidated Appropriations Act, 2014 (P.L. 113-76)	Explanation for Why General Provision is No Longer Necessary
<p>derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.</p> <p>(e) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.</p>	
<p>Sec. 515. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, "Standards for Security Categorization of Federal Information and Information Systems" unless the agency has—</p> <p>(1) reviewed the supply chain risk for the information systems against criteria developed by NIST to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;</p> <p>(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the Federal Bureau of Investigation and other appropriate agencies; and</p> <p>(3) in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more entities identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China.</p> <p>(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate-impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—</p> <p>(1) developed, in consultation with NIST and supply</p>	<p>This provision limits agency discretion in using funds.</p>

Section Included in the Consolidated Appropriations Act, 2014 (P.L. 113-76)	Explanation for Why General Provision is No Longer Necessary
<p>chain risk management experts, a mitigation strategy for any identified risks;</p> <p>(2) determined that the acquisition of such system is in the national interest of the United States; and</p> <p>(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate.</p>	
<p>Sec. 517. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (Inter- national Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding \$500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.</p> <p>(b) The foregoing exemption from obtaining an export license—</p> <p>(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and</p> <p>(2) does not permit the export without a license of—</p> <p>(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;</p> <p>(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or</p> <p>(C) articles for export from Canada to another foreign destination.</p> <p>(c) In accordance with this section, the District Directors of Customs and post- masters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.</p>	<p>The Department recommends deletion, consistent with the FY 2014 President's Budget. However, this legislative provision is not administered by ATF but rather by the Office of Defense Trade Controls at the Department of State.</p>

Section Included in the Consolidated Appropriations Act, 2014 (P.L. 113-76)	Explanation for Why General Provision is No Longer Necessary
(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.	
Sec. 518. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.	This provision has been included in the CJS language since 2005 and prohibits ATF from denying import applications seeking to import U.S. origin curio or relic firearms. This provision limits the President's discretion in administering foreign policy, and should be deleted.
Sec. 519. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of— (1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement; (2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or (3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.	This provision limits agency discretion in using funds.
(RESCISSIONS) Sec. 524. (a) Of the unobligated balances available for "Department of Commerce, National Telecommunications and Information Administration, Public Telecommunications Facilities, Planning and Construction", \$8,500,000 is hereby rescinded. (b) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2014, from the following accounts in the specified amounts—(1) "Working Capital Fund", \$30,000,000; (2) "Legal Activities, Assets Forfeiture Fund", \$83,600,000; (3) "State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs", \$12,200,000; (4) "State and Local Law Enforcement Activities, Office of Justice Programs",	This provision identifies one-time rescissions in FY 2014. The Department of Justice rescission proposals for FY 2015 are included under the appropriate component's appropriations language or in Title II.

Section Included in the Consolidated Appropriations Act, 2014 (P.L. 113-76)	Explanation for Why General Provision Is No Longer Necessary
<p>\$59,000,000; and</p> <p>(5) "State and Local Law Enforcement Activities, Community Oriented Policing Services", \$26,000,000. (c) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2014, specifying the amount of each rescission made pursuant to subsection(b).</p>	
<p>Sec. 526. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.</p>	<p>This provision limits agency discretion in using funds and is unnecessary in light of our efforts to limit conference attendance.</p>
<p>Sec. 527. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—</p> <p>(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws; (2) to avoid agreements that—</p> <p>(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or</p> <p>(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and</p> <p>(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.</p>	<p>DOJ is not the lead agency for this provision. This provision limits agency discretion in using funds.</p>
<p>Sec. 528. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—</p> <p>(1) is not a United States citizen or a member of the Armed Forces of the United States; and</p> <p>(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.</p>	<p>This provision limits the President's discretion regarding the disposition of detainees at Guantanamo Bay Naval Base.</p>

Section Included in the Consolidated Appropriations Act, 2014 (P.L. 113-76)	Explanation for Why General Provision is No Longer Necessary
<p>Sec. 529. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense. (b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.</p> <p>(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—</p> <p>(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and</p> <p>(2) is—</p> <p>(A) in the custody or under the effective control of the Department of Defense; or</p> <p>(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.</p>	<p>This provision limits the President's discretion regarding the construction, acquisition or modification of any facility for the detention or imprisonment of individuals located at Guantanamo Bay.</p>
<p>Sec. 531. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and account- ability reports the following:</p> <p>(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.</p> <p>(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.</p> <p>(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.</p> <p>(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.</p>	<p>This provision is administratively burdensome.</p>
<p>Sec. 532. (a) None of the funds made available by this Act may be used for the National Aeronautics and Space Administration (NASA) or the Office of Science and Technology Policy (OSTP) to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate</p>	<p>DOJ is not the lead agency for this provision. This provision limits agency discretion in using funds.</p>

Section Included in the Consolidated Appropriations Act, 2014 (P.L. 113-76)	Explanation for Why General Provision is No Longer Necessary
<p>bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this Act.</p> <p>(b) None of the funds made available by this Act may be used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by NASA.</p> <p>(c) The limitations described in subsections (a) and (b) shall not apply to activities which NASA or OSTP has certified—</p> <p>(1) pose no risk of resulting in the transfer of technology, data, or other information with national security or economic security implications to China or a Chinese-owned company; and</p> <p>(2) will not involve knowing interactions with officials who have been determined by the United States to have direct involvement with violations of human rights.</p> <p>(d) Any certification made under subsection (c) shall be submitted to the Committees on Appropriations of the House of Representatives and the Senate no later than 30 days prior to the activity in question and shall include a description of the purpose of the activity, its agenda, its major participants, and its location and timing.</p>	
<p>Sec. 533. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—</p> <p>(1) all other requirements of law with respect to the proposed importation are met; and</p> <p>(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.</p>	<p>This provision limits agency discretion in using funds and in the performance of its regulatory oversight duties.</p>

**U.S. DEPARTMENT OF JUSTICE
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(Dollars in Thousands)**

Appropriated Program	Last Year of Express Authorization of Appropriation	Auth Level in Last Year of Express Authorization of Appropriation	Appropriation in Last Year of Express Authorization of Appropriation	FY 2013 Amount Appropriated or specified in report U	FY 2014 Amount Appropriated or specified in report 10	FY 2015 Request	Authorization of Appropriation Citation
General Administration - S&E	2009	181,861	105,805	102,950	110,000	128,851	Violence Against Women and Department of Justice Appropriations Authorization Act of 2005 ("2005 Reauthorization"), Public Law 109-162
Justice Information Sharing Technology	2009	204,162	80,000	32,733	25,842	25,842	2005 Reauthorization (P.L. 109-162)
Health Care Fraud	indef	3/	3/	3/	3/	3/	42 USC 1395(a)(3)(A)
Law Enforcement Wireless Communications	2009	144,771	185,000	0	0	0	2005 Reauthorization (P.L. 109-162)
Counterterrorism Fund	2003	35,000	0	0	0	0	21st Century Dept. of Justice Appropriations Authorization Act (P.L. 107-273)
Administrative Review & Appeals 4/	2009	243,291	270,000	291,679	315,000	351,072	2005 Reauthorization (P.L. 109-162)
Office of the Inspector General	2009	81,922	75,581	79,966	86,400	88,577	2005 Reauthorization (P.L. 109-162)
U.S. Parole Commission	2009	12,711	12,570	11,861	12,600	13,308	2005 Reauthorization (P.L. 109-162)
National Security Division	5/	5/	N/A	83,796	91,800	91,800	5/
General Legal Activities							
Salaries & Expenses	2009	764,528	804,007	819,302	867,000	935,854	2005 Reauthorization (P.L. 109-162)
Vaccine Injury Compensation	indef	(4,058)	N/A	(7,833)	(7,833)	(7,833)	26 USC 9510
Office of Special Counsel - Anti-discrimination	indef	(3,000)	N/A	0	0	0	8 USC 1255a(c)(7)(C)
Independent Counsel	1999		0	500	500	500	P.L. 103-270, Independent Counsel Reauthorization Act of 1994 (New Investigations)
	indef	9,500	N/A	0	0	0	On-going Investigations (P.L. 100-202, 101 Stat. 1329)
September 11th Victim Compensation (Administration and Claims) 7/	indef	such sums	N/A	14,006	185,600	328,000	Sections 404 and 406 of P.L. 107-42, as amended by section 205 of P.L. 111-347 and section 1347 of P.L. 112-10
Annuity Division - S&E	2009	162,488	157,788	158,338	160,400	162,246	2005 Reauthorization (P.L. 109-162)
Offsetting Fee Collection (est.)	indef	such sums	N/A	(115,000)	(103,000)	(104,500)	Fees Auth - Sec. 605, 1990 CJSJ Appropriations Act (P.L. 101-162)
U.S. Attorneys - Salaries and Expenses	2009	1,829,194	1,836,336	1,830,251	1,944,000	1,955,327	2005 Reauthorization (P.L. 109-162)
U.S. Trustees - S&E	indef	such sums	N/A	211,739	224,000	225,908	26 USC 589a(a) and 1930(a)
Offsetting Fee Receipt (est.)	indef	indef	N/A	(223,258)	(224,400)	(200,658)	26 USC 589a(b) and 1930(a)
Foreign Claims Settlement Commission	2009	1,429	1,823	1,896	2,100	2,326	2005 Reauthorization (P.L. 109-162)
U.S. Marshals Service	2009	900,178	954,000	2,655,578	2,727,800	2,668,107	2005 Reauthorization (P.L. 109-162)
U.S. Marshals Service - S&E			[950,000]	[1,112,069]	[1,185,000]	[1,185,000]	
Construction			[4,000]	[9,793]	[9,800]	[9,800]	
2/ Federal Prisoner Detention				[1,533,716]	[1,533,000]	[1,473,307]	
Fees & Expenses of Witnesses	2009	203,755	168,300	256,230	250,560	270,000	2005 Reauthorization (P.L. 109-162)
Community Relations Service	2009	10,977	9,873	11,210	12,000	12,972	2005 Reauthorization (P.L. 109-162)
Assets Forfeiture Fund Current Budget Authority	2009	22,000	20,990	19,460	20,500	20,514	2005 Reauthorization (P.L. 109-162)
Assets Forfeiture Fund Permanent Oblig Authority	indef	such sums	N/A	1,790,366	3,212,546	1,337,078	26 USC 524(c)
Radiation Exposure Compensation - Trust Fund- (Mand)	indef	indef	N/A	94,000	82,000	82,000	Department of Justice Appropriations Act, 2005, Sec. 122 (Title I, Div. B, P.L. 108-447)
Interagency Crime and Drug Enforcement	2009	744,593	515,000	484,438	514,000	505,000	2005 Reauthorization (P.L. 109-162)
Federal Bureau of Investigation	2009	8,480,608	7,301,191	7,545,644	8,343,284	8,347,201	2005 Reauthorization (P.L. 109-162)
Federal Bureau of Investigation - S&E			[7,147,700]	[7,470,415]	[8,245,802]	[8,278,219]	
Construction			[153,491]	[75,229]	[97,482]	[88,982]	
Health Care Fraud	indef	indexed amt	N/A				42 USC 1395i(k)(3)(B)
Drug Enforcement Administration							
Drug Enforcement Administration - S&E	2009	1,930,462	1,939,084	1,907,274	2,018,000	2,018,000	2005 Reauthorization (P.L. 109-162)
Construction		0	0	0	0	0	

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Diversion Control Fee (est.)	indef	0	N/A	334,852	335,287	366,680	Fees Auth - Sec. 111(b), CJSJ Appropriations Act, 1993 (P.L. 102-395)
Bureau of Alcohol, Tobacco, Firearms & Explosives	2009	1,038,939	1,054,215	1,070,540	1,179,000	1,201,004	2005 Reauthorization (P.L. 109-162)
Construction		0	0	0	0	0	
Federal Prison System	2009	5,898,292	6,171,561	6,379,904	6,859,000	6,894,000	2005 Reauthorization (P.L. 109-162)
Bureau of Prisons - S&E			5,585,754	[6,348,248]	[6,769,000]	[6,694,000]	
Buildings & Facilities			575,807	[30,656]	[90,000]	[90,000]	
Federal Prison Industries (Administrative Limitation)	indef		N/A	2,644	2,700	2,700	
Office of Justice Programs							
Salaries & Expenses, including OAAAM	2009	132,226	0	To be derived from grant programs	To be derived from grant programs	To be derived from grant programs	P.L. 109-162
Research, Evaluation, and Statistics:							
Natl Institute of Justice	1995	33,000	58,679	40,336	40,000	47,500	42 USC 3793(a)(2)
NIST Transfer				[4,896]			
Indigent Defense Initiative--Social Science Research on Indigent Defense				[0]	[0]	[3,000]	An act appropriating funds for the program
Civil Legal Aid Matters				[0]	[0]	[2,700]	An act appropriating funds for the program
Bureau of Justice Statistics	1995	33,000	32,335	45,026	45,000	56,400	42 USC 3793(a)(1)
National Crime Victimization Survey	N/A	N/A	N/A	[24,389]	[0]	[0]	Department of Justice Appropriations Act, 2013 (P.L. 113-76)
Redesign of National Crime Victimization Survey				[9,380]	[0]	[0]	Department of Justice Appropriations Act, 2013 (P.L. 113-76)
Indigent Defense Initiative--National Survey of Public Defenders				[0]	[0]	[1,000]	An act appropriating funds for the program
Indigent Defense Initiative--National Public Defenders Reporting Program: Design and Testing				[0]	[0]	[1,500]	An act appropriating funds for the program
RISS	2003	100,000	29,000	32,832	30,000	25,000	42 USC 3796h(d)
CrimeSolutions.gov (Evaluation Clearinghouse/What Works Repository)	N/A	N/A	N/A	938	1,000	3,000	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Forensic Science				0	4,000	6,000	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Transfer - NIST				[0]	[3,000]	[3,000]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Juvenile Justice Programs:							
Title II JJDPA-Juv Just & Delinq Prev							
Part B-Formula Grants	2007	indef	78,978	41,080	55,500	50,000	42 USC 5671(a)(1)
Emergency Planning - Juvenile Detention Facilities				0	[500]	[0]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Juvenile Accountability Block Grant Activities				[0]	[10,000]	[0]	42 USC 3796ee-10
Youth Mentoring	N/A, 2007	N/A, indef	80,000	84,027	88,500	58,000	42 USC 5665; Department of Justice Appropriations Act, 2014 (P.L. 113-76)
National Forum on Youth Violence Prevention	N/A	N/A	N/A	1,867	1,000	4,000	42 USC 5665; Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Title V JJDPA							
Title V Local Delinquency Prevention Incentive Grants	2008	indef	62,000	18,673	15,000	42,000	42 USC 5665; Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Enforcing Underage Drinking Laws (EUDL)	N/A, 2007	N/A, indef	[25,000]	[4,668]	[2,500]	[0]	42 USC 5695; Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Gang Prevention/Gang and Youth Violence Prevention and Intervention Initiatives				[4,668]	[2,500]	[0]	42 USC 5665; Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Tribal Youth Program				[9,336]	[5,000]	[0]	42 USC 5665; Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Juvenile Justice and Education Collaboration Assistance (JUECA)				[0]	[5,000]	[10,000]	42 USC 5665; Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Juvenile Accountability Block Grants	2009	350,000	58,000	23,341	0	30,000	42 USC 3796ee-10
Indigent Defense Initiative - Improving Juvenile Indigent Defense				0	0	5,400	An act appropriating funds for the program

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Community-Based Violence Prevention Initiative	N/A	N/A	N/A	10,270	5,500	18,000	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Victims of Child Abuse Act	2005	15,000; 5,000	11,000	17,739	19,000	11,000	42 USC 13004(a) and (b)
Sec. 213-Reg Child Advocacy Ctr	2005	15,000	0	0	(5,000)	0	42 USC 13004(a)
Sec. 214a-Tech Assistance/Training	2005	5,000	0	0	0	0	42 USC 13004(b)
Competitive Grant for Girls in the Justice System	N/A	N/A	N/A	0	1,000	2,000	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Juvenile Justice Realignment Incentive Grants				0	0	10,000	An act appropriating funds for the program
Child Abuse Training for Judicial Personnel				1,400	1,500	1,500	47 USC 5671(a)(1)
Missing Children	2004,2018; 2018	10,000; 60,000; 40,000	N/A	62,553	67,000	67,000	42 USC 5791c(f); 42 USC 17617(a); 42 USC 5777(a)
Children of Incarcerated Parents Web Portal				0	500	500	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Community Policing	2009	1,047,119	550,500	209,730	214,000	274,000	42 USC 3793(a)(11)(A)
Salaries and Expenses	2009	35,257	0	To be derived from grant programs	To be derived from grant programs	To be derived from grant programs	
Violence Against Women							
Salaries and Expenses	2009	16,837	0	To be derived from grant programs	To be derived from grant programs	To be derived from grant programs	P.L. 109-162
Law Enforcement and Prosecution/ Grants to Combat Violence Against Women (STOP)	2018	222,000	N/A	179,006	193,000	193,000	42 USC 3793(a)(18)
Encouraging Arrest Policies	2018	73,000	N/A	48,562	50,000	50,000	42 USC 3793(a)(19)
Homicide Reduction Initiative				(3,725)	(4,000)	(4,000)	
Rural Domestic Violence	2018	50,000	N/A	33,990	36,000	33,000	42 USC 13971(e)
Stalking Databases	2018	3,000	N/A	0	0	0	42 USC 14032
B/ Safe Havens	2011	20,000	N/A	0	0	0	42 USC 10420(e)
B/ Grants to Support Families in the Justice System	2018	22,000	N/A	14,434	15,000	16,000	42 USC 10420(e)
Education & Training VAWA w/Disabilities	2018	9,000	N/A	5,355	5,750	5,750	42 USC 3796g-7(e)
Legal Assistance for Victims Program	2018	57,000	N/A	38,181	37,000	42,500	42 USC 3796g-8(f)(1)
Violence on College Campuses	2018	12,000	N/A	8,361	9,000	11,000	42 USC 14045b(e)
Training Grants (Elder) Program	2018	9,000	N/A	3,958	4,250	4,250	42 USC 14041(d)(5)
Transitional Housing	2018	35,000	N/A	23,281	24,750	25,000	42 USC 13975(g)(1)
Sexual Assault Victims Assistance	2018	40,000	N/A	23,281	27,000	27,000	42 USC 14043g(f)(1)
B/ Consolidated Youth-Oriented Program	N/A	N/A	N/A	9,312	10,000	10,000	Consolidated Appropriations Act, 2014 (P.L. 113-76)
Engaging Men and Youth in Prevention	2011	10,000	N/A	0	0	0	42 USC 14043c-4(b)
Services to Advocate and Respond to Youth	2011	15,000	N/A	0	0	0	42 USC 14043c(f)
Grants to Assist Children and Youth Exposed to Violence	2011	20,000	N/A	0	0	0	42 USC 14043c-2(b)
B/ Court Training Improvements Program	2011	5,000	N/A	0	0	0	42 USC 14043a-3(a)
Indian Country - Sexual Assault Clearinghouse	N/A	N/A	N/A	466	500	500	Consolidated Appropriations Act, 2014 (P.L. 113-76)
National Resources Center on Workplace Responses	2018	1,000	N/A	466	500	500	42 USC 14043(e)
Research on Violence Against Indian Women	2015	1,000	940	931	1,000	1,000	42 USC 3796g-10 (note)
National Tribal Sex Offender Registry/Tracking of Violence Against Indian Women	2018	1,000	N/A	0	0	0	28 USC 534 (note)
Research and Evaluation of Violence Against Women	N/A	N/A	N/A	3,000	3,000	3,000	Consolidated Appropriations Act, 2014 (P.L. 113-76)
Supporting Teens Through Education Program	2011	5,000	N/A	0	0	0	42 USC 14043c-3(f)(1)
VAWA Tribal Government Grants Program				(35,270)	(35,270)	(35,320)	
VAWA Tribal Coalitions Grants				(3,605)	(3,605)	(3,605)	

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Victims of Child Abuse							
Court-Appointed Special Advocate	2018	12,000	N/A	6,000	6,000	6,000	42 USC 13014(a)
Training for Judicial Personnel	2018	2,300	N/A	1,500	1,500	1,500	42 USC 13024(a)
State and Local Law Enforcement							
2nd Chance Act/Prisoner Reentry (Adult and Juvenile State and Local Reentry)	2010	55,000	100,000	63,930	67,750	115,000	42 USC 3797w(c)
Smart Probation				[4,649]	[6,000]	[10,000]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Pay for Success (discretionary)				[0]	[2,500]	[30,000]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Pay for Success (Permanent Supportive House Mode)				[0]	[5,000]	[10,000]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Children of Incarcerated Parents Demonstration Grants				[0]	[2,000]	[5,000]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
State and Local Gun Violence Prosecution Assistance/Gun Violence Reduction	N/A	N/A	N/A	4,649	5,000	5,000	Department of Justice Appropriations Act, 2013 (P.L. 113-4)
Bulletproof Vest Partnership	2012	50,000	N/A	19,993	22,500	0	42 USC 3793(a)(23)
NIST JOLIS				[1,469]	[1,500]	0	
National Criminal History Improvement Program (NCHIP)	2007	250,000	0	5,579	58,500	50,000	42 USC 14601(e)(1)-\$250 mil. auth. for FY 2007/point for several programs
National Instant Criminal Background Check System (NICS)	2013	125,000, 62,500	N/A	11,159	[12,000]	0	NICS Improvement Amendment Act of 2007 (P.L. 110-180 Secs. 103(e)(1) and 301(e))
National Instant Background Check System (NICS)	2013	125,000, 62,500	N/A	11,159	0	5,000	NICS Improvement Amendment Act of 2007 (P.L. 110-180 Secs. 103(e)(1) and 301(e))
Court Appointed Special Advocate				5,579	6,000	6,000	42 USC 13014(a)
Paul Coverdell Grants	2009	20,000	25,000	11,159	12,000	0	42 USC 3793(a)(24)
State Criminal Alien Assistance	2011	950,000	N/A	237,123	180,000	0	8 USC 1231(i)(5)
Prison Rape Prevention and Prosecution	2010	40,000	N/A	11,624	12,500	10,500	42 USC 15605(g)(1)
Byrne Justice Assistance Grant Program (JAG)	2012	1,095,000	N/A	364,907	376,000	376,000	42 USC 3758
State and Local Antiterrorism Training (SLATT)	N/A	N/A	N/A	[1,860]	[1,000]	[2,000]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Research on Domestic Radicalization				[3,720]	[4,000]	[0]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Criminal Justice Reform and Recidivism Reduction				[5,579]	[0]	[0]	Department of Justice Appropriations Act, 2013 (P.L. 113-4)
State and Local Assistance Help Desk and Diagnostic Center (E2)				[3,720]	[1,000]	[2,000]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
VALOR Initiative				[4,649]	[15,000]	[15,000]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Smart Policing				[0]	[5,000]	[10,000]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Smart Prosecution				[0]	[2,500]	[5,000]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Bulletproof Vest Partnership	2012	50,000	N/A	N/A	N/A	(22,500)	42 USC 3793(a)(23)
Puerto Rico Plebiscite				[0]	[2,500]	[0]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Prescription Drug Monitoring	N/A	N/A	N/A	6,509	7,000	7,000	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Indian Programs				35,336	30,000	0	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
DNA Related and Forensic Programs and Activities	N/A	N/A	N/A	116,237	125,000	100,000	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Rape Kit Backlog				0	0	[20,000]	
For the purposes of the Kirk Bloodsworth post-conviction DNA testing	N/A, 2009	N/A, 5,000	[5,000]	[3,720]	[4,000]		42 USC 14136e(b), Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Sexual Assault Nurse Examiners Program				[3,720]	[4,000]		42 USC 14136e(b), Department of Justice Appropriations Act, 2014 (P.L. 113-76)
DNA Analysis and Capacity Enhancement/Other Forensics (including for the purposes of Debbie Smith)	N/A, 2014	N/A, 151,000		[108,798]	[117,000]		42 USC 14136e(b), Department of Justice Appropriations Act, 2014 (P.L. 113-76)

**U.S. DEPARTMENT OF JUSTICE
AUTHORIZATION OF APPROPRIATIONS &
(Dollars in Thousands)**

Appropriated Program	Last Year of Express Authorization of Appropriation	Auth Level in Last Year of Express Authorization of Appropriation	Appropriation in Last Year of Express Authorization of Appropriation	FY 2013 Amount Appropriated or specified in report 1/	FY 2014 Amount Appropriated or specified in report 1/	FY 2015 Request	Authorization of Appropriation Citation
Sexual Assault Evidence Kit Backlog Reduction				0	0	35,000	An act appropriating funds for the program
Justice Reinvestment Initiative	N/A	N/A	N/A	0	27,500	30,000	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Task Force on Federal Corrections					[1,000]	0	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
John R. Justice Student Loan Repayment	2014	such sums	N/A	3,720	2,000	0	42 USC 3797cc-21(j)
Missing Alzheimer's Patient Program	1999	900	898	930	750	0	42 USC 14181(d)(3)
Capital Litigation Improvement Grants (including Wrongful Conviction Review Program)	2009	75,000	5,600	2,790	2,000	2,000	42 USC 14163e
Drug Courts	2008	70,000	15,200	38,126	40,500	0	42 USC 3793(a)(25)
Residential Substance Abuse Treatment	2000	72,000	81,677	11,624	10,000	14,000	42 USC 3793(e)(17)(E)
Indigent Defense Initiative - Answering Gideon's Call				0	0	5,400	An act appropriating funds for the program
Civil Legal Aid - Competitive Grant (in Consult with ATJ)				0	0	5,000	An act appropriating funds for the program
Procedural Justice - Building Community Trust				0	0	9,000	An act appropriating funds for the program
Victims of Trafficking	2011	10,000; 1,000	N/A	12,554	14,250	10,500	22 USC 7110(d) (foreign); 42 USC 14044(c) (state and local)
Sex Offender Management Assistance (SOMA)	2009	indef	5,000	0	0	0	42 USC 16926(d)
National Sex Offender Public Website	N/A	N/A	N/A	930	1,000	1,000	42 USC 16920; Department of Justice Appropriations Act, 2013 (P.L. 113-6)
Mentally Ill Offender Act	2014	50,000	N/A	8,369	8,250	0	42 USC 3797aa(f)
Northern Border Prosecutor Grants	N/A	N/A	N/A	4,649		0	
Byrne Competitive Grants	N/A	N/A	N/A	17,668	13,500	15,000	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Byrne Incentive Grants				0	0	15,000	An act appropriating funds for the program
Project Hope Opportunity Probation with Enforcement (HOPE)				0	4,000	10,000	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Economic, High-tech, Cybercrime Prevention	N/A	N/A	N/A	8,369	10,000	15,000	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Intellectual Property Enforcement Program				[0]	[0]	[2,500]	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
National Instant Background Check System (NICS)	2013	125,000; 62,500	N/A	11,159	[12,000]	5,000	NICS Improvement Amendment Act of 2007 (P.L. 110-180 Secs. 103(e)(1) and 301(e))
Training - Probation & Parole Officers	2011	5,000	N/A	0	0	0	42 USC 19341
Byrne Criminal Justice Innovation Program	N/A	N/A	N/A	16,738	10,500	29,500	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Adam Walsh Act	2009	indef	N/A	18,598	20,000	20,000	The Adam Walsh Child Protection and Safety Act of 2006 (P.L. 109-248); Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Defending Childhood/Children Exposed to Violence Initiative	N/A	N/A	N/A	12,089	8,000	23,000	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Comprehensive School Safety				0	75,000	75,000	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Problem Solving Justice	2008, 2014	70,000; 90,000	N/A	0	0	44,000	42 USC 3793(a)(25); 42 USC 3797aa(f)
Veterans Treatment Courts				3,720	4,000	0	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Emergency Federal Law Enforcement Assistance				3,255	0	0	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
National Center for Public Safety				2,557	2,000	0	Department of Justice Appropriations Act, 2014 (P.L. 113-76)
Public Safety Officers' Benefits							
Death Benefits	indef	indef	N/A	61,949	80,928	81,000	42 USC 3793(a)(4)
Disability Benefits	indef	indef	N/A		16,300	16,300	42 USC 3793(a)(4); 42 USC 3796(b)
Public Safety Officer Dependents Asst.	indef	indef	N/A	15,962			42 USC 3793(a)(4); 42 USC 3796d-7

**U.S. DEPARTMENT OF JUSTICE
AUTHORIZATION OF APPROPRIATIONS BY
(Dollars in Thousands)**

Appropriated Program	Last Year of Express Authorization of Appropriation	Auth Level in Last Year of Express Authorization of Appropriation	Appropriation in Last Year of Express Authorization of Appropriation	FY 2013 Amount Appropriated or specified in report 1/	FY 2014 Amount Appropriated or specified in report 10/	FY 2015 Request	Authorization of Appropriation Citation
Crime Victims Fund	indef	indef	705,000	730,000	745,000	810,000	42 USC 10601 et seq
Vision 21				[0]	[0]	[45,000]	An act appropriating funds for the program
Domestic Trafficking Victims Grant				[0]	[0]	[10,000]	An act appropriating funds for the program

1/ The FY 2013 level includes two across the board rescissions (1.677 percent and 0.2 percent) and the sequester reduction of \$1.5 billion to discretionary budget authority.

2/ The Department's FY 2013 appropriations act merged the Office of the Federal Detention Trustee (OFDT) with the U.S. Marshals Service. The costs associated with the care of federal detainees are now funded through the U.S. Marshals Service-Federal Prisoner Detention (FPD) appropriation. The FY 2015 budget requests authority to transfer remaining prior year unobligated balances from OFDT to the FPD appropriation.

3/ The amount is subject to negotiation between the Attorney General and Secretary for Health and Human Services.

4/ Number includes total appropriation, including \$4 million transfer from DHS Immigration Examinations Fee.

5/ The National Security Division was established by Section 506(b)(1), P.L. 109-177, and received appropriations in FY 2007 - 2014. However, there have not been any authorizations of appropriations for the National Security Division.

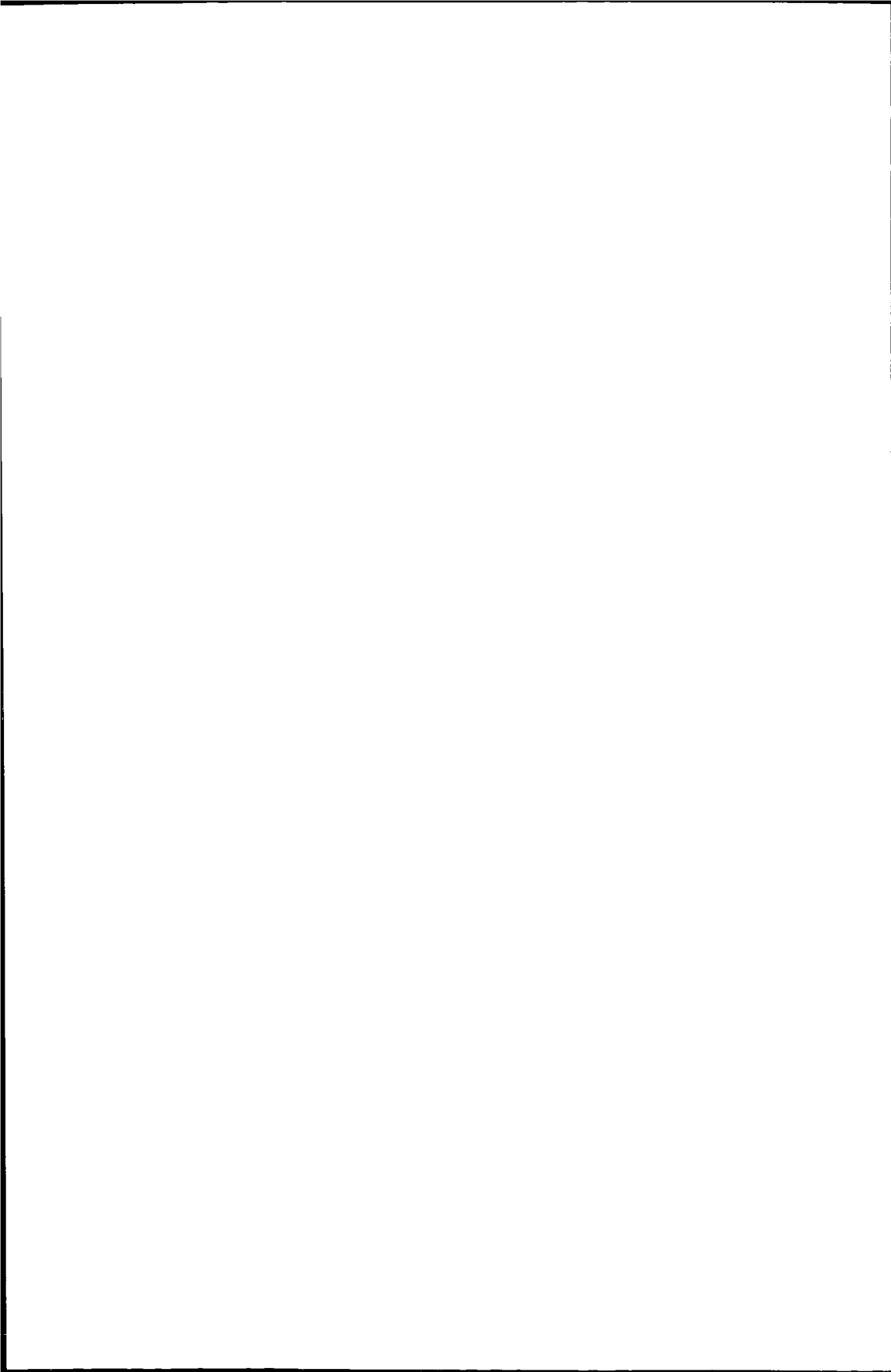
6/ The Consolidated Youth Oriented Program includes the following programs: Engaging Men and Youth in Prevention, Grants to Assist Children and Youth Exposed to Violence, Supporting Teens Through Education Program, and Services to Advocate and Respond to Youth.

7/ PL 111-347 provides \$875 million over the first 5 years. The amounts provide for FY 2013 (\$14 million), FY 2014 (\$186 million) and FY 2015 (\$326 million) are estimates.

8/ The Violence Against Women Reauthorization, 2013 codified the consolidation of the Safe Havens and Court Improvements Programs. These programs were first consolidated in the FY 2013 appropriation.

9/ This chart generally references the authorization of appropriations, not the Acts authorizing operation of specific programs.

10/ In accordance with the Budget Control Act of 2011 and the Office of Management and Budget's FY 2014 Sequestration Preview Report, the following mandatory accounts must take a 7.2 percent reduction for sequestration in FY 2014: September 11th Victims Compensation Fund (\$14.4 million), Fees and Expenses of Witnesses (\$19.4 million), Diversion Control Fee Account (\$25.6 million), Assets Forfeiture Fund (\$155.7 million of permanent, indefinite authority), and the Crime Victims Fund (\$893 million). In addition, the administrative fees for the following accounts must take a 7.2 percent reduction for sequestration in FY 2014: Public Safety Officer's Death Benefits (\$72,000) and the Commissary Fund (\$8 million).



U.S. Department of Justice
FY 2015 PERFORMANCE BUDGET
Congressional Submission

General Administration



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I. Overview of General Administration

For the General Administration (GA), the Department of Justice (DOJ) requests a total of 646 permanent positions (201 attorneys), 575 FTE (29 reimbursable), and \$128,851,000 for FY 2015. This request represents an increase of \$18,851,000 from the FY 2014 Enactment, attributable in large part to adjustments to base to make permanent and realign functions within the GA appropriation. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

For GA, the primary mission is to support the Attorney General and DOJ senior policy level officials in managing Department resources and developing policies for legal, law enforcement, and criminal justice activities. GA also provides administrative support services to the legal divisions and policy guidance to all Department organizations. GA's mission supports every aspect of the DOJ strategic plan. Most GA offices have significant oversight responsibilities that shape DOJ policy and influence the way the Department works toward meeting each of its strategic goals.

GA consists of four decision units: Department Leadership, Intergovernmental Relations and External Affairs, Executive Support and Professional Responsibility, and the Justice Management Division.

Department Leadership, including the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Privacy and Civil Liberties, Rule of Law, and Access to Justice, develops policies regarding the administration of justice in the United States, and directs and oversees the administration and operation of the Department's bureaus, offices, and divisions to ensure DOJ's success in meeting its strategic goals. These offices also provide advice and opinions on legal issues to the President, members of Congress, and the heads of Executive Departments and Agencies.

Intergovernmental Relations and External Affairs includes the Offices of Public Affairs, Legislative Affairs and Tribal Justice. These offices conduct legal and policy analysis of the initiatives necessary for DOJ to meet its strategic goals, and in the many areas in which the Department has jurisdiction or responsibilities. They also act as liaison with federal, state, local and tribal governments, law enforcement officials, the media and Congress on Department activities.

Executive Support and Professional Responsibility includes the Offices of Legal Policy, Professional Responsibility, Information Policy and the Professional Responsibility Advisory Office. This decision unit plans, develops, and coordinates the implementation of major policy initiatives of high priority to the Department and to the administration and represents the Department in the administration's judicial process for Article III judges. This decision unit also oversees the investigation of allegations of criminal and ethical misconduct by the Department's attorneys, criminal investigators, or other law enforcement personnel.

Justice Management Division provides advice to senior DOJ officials and develops departmental policies in the areas of management and administration, ensures compliance by DOJ components with departmental and other federal policies and regulations, and provides a full range of management and administration support services.

For performance reporting purposes, the vast majority of resources for GA offices are included under Goal Two, Prevent Crime, Protect the Rights of the American People, and enforce Federal Law, Objective 2.6, Protect the federal fisc and defend the interests of the United States. Only the Office of Tribal Justice and Access to Justice are included in Goal Three, Ensure and Support the Fair, Impartial, Efficient and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels, Objective 3.1, Promote and strengthen relationships and strategies for the administration of justice with state, local, tribal, and international law enforcement.

Environmental and Sustainability Services (ESS) is a program responsibility that falls under the Justice Management Division. The duties of this program are to provide guidance for Department compliance on legislation, executive orders, and other regulations. The staff also provides leadership and support to DOJ components, develops and implements DOJ environmental and energy policies, ensures the Department complies with the DOJ occupational safety and health order, and represents DOJ on interagency workgroups among other tasks. ESS has primary responsibility for meeting the various regulatory mandates.

There are four primary Executive Orders (EOs) that govern the activities under ESS areas:

- EO 13423 – “Strengthening Federal Environmental, Energy, and Transportation Management”
- EO 13514 – “Federal Leadership in Environmental, Energy, and Economic Performance” and
- EO 12196 – “Occupational Safety and Health Programs for Federal Employees”
- EO 13653 – “preparing the United States for the Impacts of Climate Change”

There are also four key pieces of legislation that guide ESS activities:

- Energy Independence and Security Act, 2007,
- Energy Policy Act (EPAct) of 2005
- The Occupational Safety and Health Act of 1970, and
- 29 C.F.R. Part 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs

Both EOs 13514 and 13423 include sustainable practices which Federal agencies are encouraged to implement. EO 13514 requires Federal agencies to annually submit the Strategic Sustainability Performance Plan (SSPP) to the Council on Environmental Quality (CEQ) Chair and the Director of the Office of Management and Budget (OMB). The SSPP integrates previous EOs, statutes, and requirements into a single framework that details the agency strategy for achieving goals and targets required. The SSPP explains how the agency will progress from today toward achieving each goal. The Department submitted the SSPP on June 28, 2013 and

will submit the update in June 2014. There are nine goals and one additional plan under the Department's SSPP.

- GOAL 1: Greenhouse Gas (GHG) Reduction
- GOAL 2: Sustainable Buildings
- GOAL 3: Fleet Management
- GOAL 4: Water Use Efficiency and Management
- GOAL 5: Pollution Prevention and Waste Reduction
- GOAL 6: Sustainable Acquisition
- GOAL 7: Electronic Stewardship and Data Centers
- GOAL 8: Renewable Energy
- GOAL 9: Climate Change Resilience

Additional plans: Fleet Management Plan.

In addition to having the lead on coordinating efforts to meet the SSPP goals for the Department, ESS also has responsibility for the following:

- Developing and implementing a department level higher-tier Environmental Management System (EMS) as the primary management approach for addressing environmental aspects of internal agency operations and activities, including environmental aspects of energy and transportation functions.
- Coordinating and Submitting the Strategic Sustainability Performance Plan to CEQ/OMB annually in June -- submitted June 28, 2013 and will submit an update in June 2014.
- Submitting the Climate Adaptation Plan to CEQ/OMB -- submitted June 29, 2012; strategies for climate change resilience were submitted in the 2013 SSPP. A full update will be submitted by June 2014.
- Developing an Electronic Stewardship Program to include acquisition, operation & maintenance and disposal of electronic products. Completed the Department program planning in November, 2012.
- Submitting Department Greenhouse Gas (GHG) inventory to CEQ and OMB annually in January -- submitted January 31, 2014.
- Submitting the Department OMB scorecard semiannually to OMB (January and July) and following through with bureaus and components for improvement. Submitted the OMB scorecard on January 31, 2014.
- Implementing and updating the status of the Energy Savings Performance Contracts (ESPC) to OMB monthly through the end of 2016. Submitted the ESPC contracts' status in the OMB scorecard on January 31, 2014.
- Responding to internal and external customer concerns regarding environmental, health and safety program areas.
- Working closely with Procurement Staff in the sustainable acquisitions program area. Issued Procurement Guidance Document, "Requirement to Incorporate Biobased Terms and Conditions in Solicitations" in December, 2012. Issued PGD related to EPEAT registered product in August 2012. Developed Green Acquisition Plan.
- Developing the safety program for the Offices, Boards, and Divisions.

- Composing the annual Department OSHA report which is submitted to the Department of Labor. Target May 2014.
- Conducting safety evaluations for the Bureaus, Offices, Boards, and Divisions.
- Providing oversight and acting as a safety resource for all DOJ employees.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Tribal Justice	Funding and staffing to support the Office of Tribal Justice. Includes 3 attorneys to work on legal issues.	3	3	530	20
Policy Analysis	Funding and staffing to support an expanded policy analysis function.	8	8	1,700	22
Access to Justice	Funding and staffing to support the Access to Justice initiative.	2	2	300	25

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

For expenses necessary for the administration of the Department of Justice, [\$110,000,000] *\$128,851,000*, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

Analysis of Appropriations Language

No substantive changes.

IV. Decision Unit Justification

A. Department Leadership

Department Leadership	Direct Pos.	Estimate FTE	Amount
2013 Enacted with Sequester	71	54	\$17,094
2014 Enacted	71	54	17,313
Adjustments to Base and Technical Adjustments			567
2015 Current Services	71	54	17,880
2015 Program Increases	2	2	300
2015 Program Offsets			
2015 Request	73	56	18,180
Total Change 2014-2015	2	2	867

1. Program Description

The Department Leadership decision unit includes the Office of the Attorney General, the Office of the Deputy Attorney General, the Office of the Associate Attorney General, the Office of Privacy and Civil Liberties, the Rule of Law Office and Access to Justice. The general goals and objectives of the Department Leadership decision unit are:

- Advise the President on Constitutional matters and legal issues involving the execution of the laws of the United States.
- Formulate and implement policies and programs that advise the administration of justice in the United States.
- Provide executive-level leadership in: the prevention of terrorism, the continuing war on drugs, combating violent crimes, investigating and prosecuting fraud and other white collar crimes, diminishing prison overcrowding, and, enforcing environmental and civil rights laws.
- Provide executive-level oversight and management of: international law enforcement training and assistance, financial institutions reform, recovery, and enforcement programs, and investigative policy.
- Coordinate criminal justice matters with federal, state, and local law enforcement and criminal justice agencies.
- Prepare and disseminate an *Annual Report* to the Congress and the public regarding the programs and accomplishments of the Department of Justice.
- Develop, review, and oversee the Department's privacy policies and operations to ensure privacy compliance.

The Attorney General (AG), as head of the DOJ, is the nation's chief law enforcement officer and is appointed by the President and confirmed by the Senate. The AG furnishes advice and opinions on legal matters to the President, the Cabinet and to the heads of the executive departments and agencies of the government, as provided by law, and makes recommendations to the President concerning appointments within the Department, including U.S. Attorneys and U.S. Marshals. The AG appears in person to represent the Government before the U.S. Supreme

Court in cases of exceptional gravity or importance, and supervises the representation of the government in the Supreme Court and all other courts, foreign and domestic, in which the United States is a party or has an interest as may be deemed appropriate. The AG supervises and directs the administration and operation of the DOJ, including the Federal Bureau of Investigation, Drug Enforcement Administration, Bureau of Alcohol, Tobacco, Firearms and Explosives, Bureau of Prisons, Office of Justice Programs, U.S. Attorneys, and U.S. Marshals Service.

The Deputy Attorney General (DAG) advises and assists the AG in formulating and implementing Department policies and programs and in providing overall supervision and direction to all organizational units of the Department. The DAG is appointed by the President and confirmed by the Senate and is second in command of the Department. The DAG exercises all the power and authority of the AG unless any such power of authority is required by law to be exercised by the AG personally or has been specifically delegated exclusively to another Department official. The DAG exercises the power and authority vested in the AG to take final action in matters specifically pertaining to: (1) the employment, separation, and general administration of personnel in the Senior Executive Service (SES) and of attorneys and law students regardless of grade or pay, (2) the appointment of special attorneys and special assistants to the AG, (3) the appointment of Assistant U.S. Trustees and fixing of their compensation, and (4) the approval of the appointment by U.S. Trustees of standing trustees and the fixing of their maximum annual compensation and percentage fees as provided in 28 U.S.C. 586 (e). The DAG also coordinates departmental liaison with White House staff and the Executive Office of the President, and coordinates and controls the Department's reaction to terrorism and civil disturbances.

The Associate Attorney General (AAG) is appointed by the President and is subject to confirmation by the Senate. As the third-ranking official of the Department, the AAG is a principal member of the AG's senior management team and advises and assists the AG and DAG on the formulation and implementation of DOJ policies and programs. The AAG coordinates departmental liaison with the White House staff and prepares recommendations for the consideration of the AG for judicial appointments and presidential appointments within the Department. In addition to these duties, the AAG oversees the work of the Antitrust, Civil, Civil Rights, Environment and Natural Resources, and Tax Divisions. This office also has oversight responsibility for the Office of Justice Programs, the Office of Community Oriented Policing Services, the Community Relations Service, the Office on Violence Against Women, the Office of Information Policy, the Executive Office for U.S. Trustees, and the Foreign Claims Settlement Commission.

The Office of Privacy and Civil Liberties (OPCL) supports the Department's Chief Privacy and Civil Liberties Officer (CPCLO), who serves in the Office of the Deputy Attorney General and is the principal advisor to Department leadership and components on privacy and civil liberties matters affecting the Department's missions and operations. The CPCLO determines the Department's privacy policy and standards, consistent with applicable law, regulation, and Administration policy. OPCL works with the CPCLO and supports the fulfillment of the CPCLO's statutory duties set forth in Section 1174 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 and Section 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007. OPCL's primary mission is to

implement the Department's privacy policies relating to the protection of individual privacy and civil liberties, including in the context of the Department's counterterrorism and law enforcement efforts, and to ensure Department compliance with federal information privacy laws and requirements. OPCL is responsible for providing legal and policy guidance on privacy and civil liberties issues, reviewing proposed legislation and initiatives that impact privacy issues, providing privacy training, reviewing privacy redress and complaint issues, and fulfilling the Department's various privacy reporting requirements.

In March 2007, pursuant to his responsibilities under 22 U.S.C 3927 and 2656, the U.S. Ambassador in Iraq reorganized all civilian and law enforcement efforts supporting Rule of Law in Iraq under a single authority, and named a senior Justice Department official as the Rule of Law (ROL) Coordinator at the Embassy. The ROL Coordinator provided oversight for more than 80 personnel under Chief of Mission authority, coordinated these efforts with United States Forces-Iraq to ensure a unified effort, and served as an advisor to the Ambassador on justice-related issues. In December 2011, with the final withdrawal of all U.S. forces from Iraq and the normalization of the U.S. Embassy in Baghdad, DOJ made the transition from the leadership role for ROL development in Iraq under the DOJ-led Office of the ROL Coordinator to a smaller, more-focused mission supervised by the Office of the Justice Attaché. The Justice Attaché is now the senior DOJ official in Iraq and is responsible for the Embassy's liaison relationship with the Iraqi court system and the Ministry of Justice, Iraq-related operational matters within Iraqi or U.S. courts, and the coordination of DOJ-implemented capacity building programs.

The primary focus of the Access to Justice Initiative is to help the justice system efficiently deliver outcomes that are fair and accessible to all, irrespective of wealth and status. The Initiative's staff works within DOJ, across federal agencies, and with state, local, and tribal justice system stakeholders to increase access to counsel and legal assistance and to improve the justice delivery systems that serve people who are unable to afford lawyers.

B. Intergovernmental Relations/External Affairs

Intergovernmental Relations/External Affairs	Direct Pos.	Estimate FTE	Amount
2013 Enacted with Sequester	46	38	\$7,564
2014 Enacted	50	42	9,393
Adjustments to Base and Technical Adjustments	5	5	1,441
2015 Current Services	55	47	10,834
2015 Program Increases	3	3	530
2015 Program Offsets			
2015 Request	58	50	11,364
Total Change 2014-2015	8	8	1,971

1. Program Description

The Intergovernmental Relations/External Affairs decision unit consists of the Offices of Public Affairs, Legislative Affairs and Tribal Justice. The general goals and objectives of the Intergovernmental Relations/External Affairs program are to:

- Improve the process of reviewing and clearing through the Department legislative proposals initiated by other agencies within the Administration.
- Maintain an efficient and responsive legislative liaison service operation.
- Provide support in advancing the Administration's overall legislative agenda.
- Assure policy consistency and coordination of Departmental initiatives, briefing materials, and policy statements.
- Disseminate timely, accurate information about the Department, the AG and the Administration's law enforcement priorities, policies and activities to the media and the general public.
- Enhance and promote the enforcement goals of the Department by distributing news releases, coordinating press conferences, telephone and video conferences to announce indictments, settlements, and statements on civil rights, environmental, criminal, antitrust, and other Department enforcement activities.
- Ensure that all applicable laws, regulations and policies involving the release of information to the public are followed so that material is not made public that might jeopardize investigations and prosecutions, violate rights of defendants or potential defendants or compromise national security interests.
- Promote internal uniformity of Department policies and litigating positions relating to Indian country.
- Advise Department components litigating, protecting or otherwise addressing Native American rights and/or related issues.

The Office of Public Affairs (PAO) is the principle point of contact for DOJ with the media. PAO is responsible for ensuring the public is informed about the Department's activities and the priorities and policies of the AG with regard to law enforcement and legal affairs. Its staff advises the AG and other Department officials on all aspects of media relations and general communications. The Office also coordinates with the public affairs units of Departmental components and United States Attorney Offices. PAO also prepares and issues Department news releases and frequently reviews and approves those issued by components. It serves reporters assigned to the Department by responding to queries, issuing news releases and statements, arranging interviews, and conducting news conferences. PAO ensures that information provided to the media by the Department is current, complete, and accurate. It also ensures that all applicable laws, regulations, and policies involving the release of information to the public are followed so that the maximum disclosure is made without jeopardizing investigations and prosecutions, violating rights of individuals, or compromising national security interests.

The Office of Legislative Affairs (OLA) has responsibility for devising and implementing legislative strategies to carry out Department initiatives that require congressional action. OLA also articulates the views of the Department and its components on proposed legislation and handles the interagency clearance process for the Department with respect to views letters, congressional testimony, and other expressions of Administration policy. OLA responds on behalf of the Department to requests and inquiries from congressional committees, individual Members of Congress, and their staffs. It coordinates congressional oversight activities involving the Department and the appearance of Department witnesses before congressional

committees. OLA also participates in the Senate confirmation process for Federal judges and Department nominees, including Assistant Attorneys General and United States Attorneys.

There are over 54 million acres of Indian country, the majority of which is under federal jurisdiction. Hundreds of federal cases, in addition to other conflicts needing resolution are generated in this area each year. The Office of Tribal Justice (OTJ) is responsible for serving as the primary point of contact between the 566 federally recognized tribes and the Department in these matters. OTJ coordinates these complex matters, the underlying policy, and emerging legislation between more than a dozen DOJ components active in Indian country. External coordination with the Departments of Interior, Health and Human Services, and Homeland Security, as well as the Congress is another of OTJ's duties. OTJ also provides legal expertise in Indian law to the Department in those matters that progress to the Appellate level, or issues being considered for legislation.

C. Executive Support/Professional Responsibility

Executive Support/Professional Responsibility	Direct Pos.	Estimate FTE	Amount
2013 Enacted with Sequester	61	53	\$12,050
2014 Enacted	64	56	12,513
Adjustments to Base and Technical Adjustments	61	48	10,808
2015 Current Services	125	104	23,321
2015 Program Increases	8	8	1,700
2015 Program Offsets			
2015 Request	133	112	25,021
Total Change 2014-2015	69	56	12,508

Note: The majority of the increase is for base adjustments to centralize funding for the Office of Information Policy and the Professional Responsibility Advisory Office.

1. Program Description

The Executive Support/Professional Responsibility decision unit consists of the Offices of Legal Policy, Professional Responsibility, Information Policy, and the Professional Responsibility Advisory Office. The general goals and objectives of this decision unit are to:

- Improve the Department's efficacy in providing substantive and timely input on the Administration's law enforcement initiatives as well as other legislative proposals affecting Department responsibilities.
- Handle the processing of judicial and other nominations efficiently and responsively.
- Oversee the investigation of allegations of criminal and ethical misconduct by the Department's attorneys, criminal investigators, or other law enforcement personnel.
- Assist Department components in processing Freedom of Information Act (FOIA) requests from the public, as well as promote effective FOIA operations across the Executive Branch.

The Office of Legal Policy (OLP) plans, develops, and coordinates the implementation of major policy initiatives of high priority to the Department and the Administration and represents the

Department in the Administration's judicial process for Article III judges. OLP also reviews and coordinates all regulations promulgated by the Department and all of its components. OLP is headed by an Assistant Attorney General who is appointed by the President and confirmed by the Senate. OLP also absorbed the functions of the Office of Dispute Resolution (ODR) in FY 2012 from the General Legal Activities appropriation. The mission of ODR is to promote and facilitate the broad and effective use of alternative dispute resolution processes in settling litigation handled by DOJ and in resolving administrative disputes throughout the Executive Branch of the Federal Government.

The Office of Professional Responsibility (OPR), which reports directly to the AG, is responsible for investigating allegations of misconduct by DOJ attorneys in their duties to investigate, represent the government in litigation, or provide legal advice. In addition, OPR has jurisdiction to investigate allegations of misconduct by law enforcement personnel when they are related to allegations of attorney misconduct within the jurisdiction of OPR. OPR's primary objective is to ensure that DOJ attorneys continue to perform their duties in accordance with the high professional standards expected of the nation's principal law enforcement agency. OPR is headed by the Counsel for Professional Responsibility, who is a career government official. Under the Counsel's direction, OPR reviews allegations of attorney misconduct involving violation of any standard imposed by law, applicable rules of professional conduct, or departmental policy. When warranted, OPR conducts full investigations of such allegations and reports its findings and conclusions to the Attorney General and other appropriate Department officials. OPR also serves as the Department's contact with state bar disciplinary organizations. The objectives of OPR are different from the Office of the Inspector General (OIG) in that OPR focuses on allegations of misconduct which affect the ability of the Department to investigate, litigate, or prosecute, while the OIG focuses on allegations of waste and abuse and other matters which do not implicate the ability of the Department to investigate, litigate or prosecute.

The Office of Information Policy (OIP) was established to provide guidance and assistance to all government agencies in administering the Freedom of Information Act (FOIA). Originally part of the Office of Legal Counsel and later the Office of Legal Policy, OIP became an independent office in 1993. OIP is responsible for encouraging agency compliance with the FOIA and for overseeing agency implementation of that law. To carry out those responsibilities OIP develops legal and policy guidance for agencies, publishes the *Department of Justice Guide to the FOIA*, conducts multiple training sessions, and provides counseling services to help agencies properly implement the law. OIP also establishes reporting requirements for all agencies and conducts assessments of their progress in implementing the FOIA. In addition to these government-wide responsibilities, OIP adjudicates, on behalf of the Department, administrative appeals from denials of access to information made by the Department's components, processes initial requests made for the records of the Senior Leadership Offices, and handles the defense of certain FOIA litigation cases. In FY 2015, this formerly fully reimbursable office will be converted to permanent appropriated funding via base adjustment.

The Professional Responsibility Advisory Office (PRAO) is responsible for providing professional responsibility advice and training to Department of Justice attorneys, including Assistant United States Attorneys on how they may carry out their duties in compliance with the applicable rules of professional conduct. PRAO serves as a liaison with state and federal bar

associations relating to the implementation and interpretation of the rules of professional conduct. PRAO coordinates with the litigating components of the Department to defend Department attorneys in any disciplinary or other hearings concerning allegations of ethical misconduct. PRAO assembles and maintains the professional responsibility rules, interpretative decisions and bar opinions of every state, territory and the District of Columbia. PRAO's Director is a career government senior executive. In FY 2015, this formerly fully reimbursable office will be converted to permanent appropriated funding via base adjustment.

D. Justice Management Division

<i>Justice Management Division</i>	Direct Pos.	Estimate FTE	Amount
2013 Enacted with Sequester	382	328	\$66,242
2014 Enacted	382	328	70,781
Adjustments to Base and Technical Adjustments			3,505
2015 Current Services	382	328	74,286
2015 Program Increases			
2015 Program Offsets			
2015 Request	382	328	74,286
Total Change 2014-2015			3,505

1. Program Description

The Justice Management Division (JMD), under the direction of the Assistant Attorney General for Administration, provides advice and assistance to senior management officials relating to basic Department policy for budget and financial management, personnel management and training, facilities, procurement, equal employment opportunity, information processing, records management, security, and all other matters pertaining to organization, management and administration. JMD provides direct administrative support services such as personnel, accounting, procurement, library, budget, facilities and property management to offices, boards and divisions of the Department and operates several central services, such as automated data processing and payroll, on a reimbursable basis through the Working Capital Fund. The Division collects, organizes, and disseminates records information that is necessary for the Department to carry out its statutory mandate and provides general research and reference assistance regarding information to Department staff, other government attorneys, and members of the public.

The major functions of JMD are to:

- Review and oversee management functions, programs, operating procedures, supporting systems and management practices.
- Supervise, direct, and review the preparation, justification, and execution of the Department's budget, including the coordination and control of the programming and reprogramming of funds.

- Review, analyze, and coordinate the Department's programs and activities to ensure that the Department's use of resources and estimates of future requirements are consistent with the policies, plans, and mission priorities of the Attorney General.
- Plan, direct, and coordinate department-wide personnel management programs and develop and issue department-wide policy in all personnel program areas.
- Direct department-wide financial management policies, internal controls, programs, procedures, and systems including financial accounting, planning, analysis, and reporting.
- Formulate and administer the GA appropriation of the Department's budget.
- Plan, direct, administer, and monitor compliance with department-wide policies, procedures, and regulations concerning records, reports, procurement, printing, graphics, audiovisual activities, forms management, supply management, motor vehicles, real and personal property, space assignment and utilization, employee health and safety programs, and other administrative services functions.
- Direct all Department security programs including personnel, physical, document, information processing, telecommunications, and special intelligence and formulate and implement Department defense mobilization and contingency planning.
- Review legislation for potential impact on the Department's resources.
- Establish policy and procedures related to debt collection and asset forfeiture.
- Develop, direct, coordinate, and monitor compliance with department wide policies and programs for implementing an effective and viable equal employment opportunity program that includes affirmative employment initiatives and procedures for the timely and equitable processing of discrimination complaints.
- Direct the Department's ethics program by administering the ethics laws and regulations and coordinating the work of the deputy ethics officials throughout the Department. This includes issuing advice, providing ethics briefings, and reviewing financial disclosure reports.

PERFORMANCE MEASURE TABLE

Strategic Goal/Objective: Goal 2/Objective 2.6 Protect the federal fisc and defend the interests of the United States																
Decision Unit: JMD																
Performance Report and Performance Plan Targets		FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015					
		Actual	Actual	Actual	Actual	Actual	Actual	Target	Actual	Target	Target					
Performance Measure	Number of Personnel Actions	390,608	317,313	280,725	370,090	287,080	264,303	287,125	207,868	213,962	214,362					
Performance Measure	Number of Whistleblower Case Issuances	60	109	35	40	20	63	30	39	30	30					
Performance Measure	Reduce percentage of employees separating with less than one year of service					12.75	10.50	20	10.25	20	20					
Performance Measure	Monitor Budget & Performance Goals Quarterly for all Accounts			100%	100%	100%	100%	100%	100%	100%	100%					
Performance Measure	Number of Security Compliance Reviews/Follow-ups Completed	55	53	51	43	37	42	40	14	15	15					
Performance Measure	Ensure components have current COOP plans					25	75	100	100	100	100					

Performance, Resources, and Strategies

The mission of JMD is "Serving Justice by Securing Results with Strategic Counsel." JMD's performance measures are centered on our mission and organized in the following performance areas:

- Human Capital - to recruit, hire, train, appraise, reward, and retain a highly qualified and diverse workforce to achieve DOJ's mission objectives.
- Budget and Performance - to manage DOJ resources using integrated budget and performance criteria.
- Secure and Consolidated Facilities - to maximize space utilization and ensure safe and secure facilities.

V. Program Increases by Item

Item Name: Tribal Justice

Strategic Goal: Strategic Goal 3

Strategic Objective: Objective 3.1

Budget Decision Unit(s): Intergovernmental Relations/External Affairs

Organizational Program: Office of Tribal Justice

Program Increase: Positions 3 Atty 3 FTE 3 Dollars \$530,000

Description of Item

Funding and staffing is requested to support the DOJ's Office of Tribal Justice (OTJ).

Support of the Department's Strategic Goals

The request supports Objective 3.1 "Promote and strengthen relationships and strategies for the administration of justice with State, local, Tribal, and international law enforcement," which is included in Strategic Goal 3.

Justification

OTJ was established in 1985 in response to the overwhelming demand by Indian tribes for better coordination within the Department and among other federal agencies on law enforcement and public safety issues. There are over 54 million acres of Indian country, the majority of which is under federal jurisdiction. Hundreds of federal cases, in addition to other conflicts needing resolution are generated in this area each year. OTJ is responsible for serving as the primary point of contact between the 566 federally recognized tribes and the Department in these matters. OTJ coordinates these complex matters, the underlying policy, and emerging legislation between more than a dozen DOJ components active in Indian country.

OTJ also serves as the lead component in managing the Department's complex government-to-government relationship with tribes. This relationship and OTJ's responsibilities are delineated in Executive Order 13175, the Attorney General's memorandum reorganizing the OTJ, 28 C.F.R. 0.134, establishing OTJ as a distinct component of the Department, and in provisions of the Tribal Law and Order Act of 2010. External coordination with the Departments of the Interior, Health and Human Services, and Homeland Security, and other federal agencies, as well as the Congress is another of OTJ's duties. OTJ also provides legal expertise in Federal Indian Law to the Department in those matters that progress to the Appellate level, or issues being considered for legislation.

To ensure that the Department's Indian country responsibilities are met, the increase in OTJ staff is necessary. The additional staffing requested includes three attorneys to work on legal issues. OTJ is also anticipated to need to cover travel expenses, which is included as non-personnel funding.

Funding**Base Funding**

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)
0	0	0	0	5	3	5	1,238	4	4	4	1,238

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Attorneys (0905)	167	3	500		0
Total Personnel	167	3	500		0

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)	FY 2017 Net Annualization (Change from 2016) (\$000)
Travel Expenses	30	1	30	0	0
Total Non-Personnel			30	0	0

Total Request for this Item

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)	FY 2017 Net Annualization (Change from 2016) (\$000)
Current Services	5	4	5	1,238	0	1,238	0	0
Increases	3	3	3	500	30	530	0	0
Grand Total	8	7	8	1,738	30	1,768	0	0

Item Name: Policy Analysis
Strategic Goal: Strategic Goal 2
Strategic Objective: Objective 2.6
Budget Decision Unit(s): Executive Support/Professional Responsibility
Organizational Program: Office of Legal Policy
Program Increase: Positions 8 FTE 8 Dollars \$1,700,000

Description of Item

Funding and staffing is requested to support the expanded policy analysis function within the Office of Legal Policy (OLP).

Support of the Department's Strategic Goals

The request supports Objective 2.6 "Protect the federal fisc and defend the interests of the United States," which is included in Strategic Goal 2.

Justification

This funding would support the creation of a quantitative analysis unit within OLP that will provide critical support for the Department's efforts to ensure evidence-based policy making. The unit will analyze, on behalf of Department leadership, the effects and impacts of policy related to the Department's core missions, including criminal and civil law enforcement; the criminal justice system; and the enforcement of civil rights. That analysis will better enable Department policy makers to make informed decisions.

Applying statistics, econometrics, and quantitative data analysis, a new policy analysis unit in OLP would benefit the Department in at least the following three ways.

Policy Evaluation: Enhanced analytical capabilities would help the Department evaluate which policies are ripe for change, in light of problems and emerging trends. It would also help to evaluate whether the policy changes, once implemented, achieved the desired effect—and if not, how they might be improved.

Policy Modeling: Enhanced analytical capabilities would help predict, with greater precision and rigor, the impact of particular policy changes; would help guide policy development; and would help in establishing baseline measures, based on available data, by which new policy can subsequently be evaluated.

Regulatory Development: Enhanced analytical capabilities would bolster the Department's regulatory development; many of the Department's rules require significant quantitative analysis to undertake the economic modeling required by various statutes and Executive Orders.

Below are two representative examples of how the policy analysis unit could contribute to the Department's work:

- **Smart on Crime:** The Department's Smart on Crime initiative followed a review of all phases of the criminal justice system and an examination of state experiences and academic research. An in-house data analysis capability would have been helpful in that process. Even more significant, now that the policy is in effect, data analysis could be used to help assess the policy's effectiveness. For example, and once an appropriate amount of time has passed to allow for analysis, it would be useful to determine how the Department's new initiative is affecting the total population entering the Bureau of Prison system, impacts on certain communities, and recidivism rates. The Department does not currently have the analytical capacity necessary to make those assessments in house.
- **Significant Rules:** The Department is called upon to promulgate significant rules with regularity. Developing Regulatory Impact Assessments for these rules can be difficult, time-consuming, and costly. The Department's efforts in developing rules under the Prison Rape Elimination Act and the Americans with Disabilities Act provide just two examples in which the Department has had to rely on outside contractors to conduct the legally required analyses. Having an in-house capability could significantly reduce such costs.

Creating the policy analysis unit within OLP will complement and strengthen the Department's existing policy-making apparatus. A relatively modest investment in this capacity will benefit the entire Department—and the Department's efforts to ensure public safety and the fair and impartial administration of justice for all Americans.

Funding

Base Funding

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
0	0	0	0	0	0	0	0	0	0	0	0

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Director	217	1	217	0	0
Program Analyst	144	7	1,008	0	0
Total Personnel		8	1,225	0	0

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)	FY 2017 Net Annualization (Change from 2016) (\$000)
Total Non-Personnel	475	1	475	0	0

Total Request for this Item

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)	FY 2017 Net Annualization (Change from 2016) (\$000)
Current Services	0	0	0	0	0	0	0	0
Increases	8	0	8	1,225	475	1,700	0	0
Grand Total	8	0	8	1,225	475	1,700	0	0

Item Name: Access to Justice

Strategic Goal: Strategic Goal 3

Strategic Objective: Objective 3.1

Budget Decision Unit(s): Department Leadership

Organizational Program: Access to Justice Initiative

Program Increase: Positions 2 Atty 2 FTE 2 Dollars \$300,000

Description of Item

Funding and staffing is requested to support the DOJ's Access to Justice Initiative.

Support of the Department's Strategic Goals

The request supports Objective 3.1 "Promote and strengthen relationships and strategies for the administration of justice with State, local, Tribal, and international law enforcement," which is included in Strategic Goal 3.

Justification

The Access to Justice Initiative (ATJ) strives to address the access-to-justice crisis in the criminal and civil justice system. ATJ's mission is to help the justice system efficiently deliver outcomes that are fair and accessible to all, irrespective of wealth and status. The Initiative's staff works within DOJ, across federal agencies, and with state, local, and tribal justice system stakeholders to increase access to counsel and legal assistance and to improve the justice delivery systems that serve people who are unable to afford lawyers.

The addition of two attorneys would enable ATJ to:

- Expand efforts to file Statements of Interest and amicus briefs in cases that align with the Department's commitment to the constitutionally protected right to counsel.
- Identify new opportunities for cross-agency collaboration where two or more agencies are working with the same vulnerable populations also helped by civil legal aid programs (continuing the work of the 17-federal agency Legal Aid Interagency Roundtable jointly convened by the Associate Attorney General and the White House Domestic Policy Council). The new staff member would work with agencies to identify programs, initiatives and activities where integrating legal aid with existing services would improve program efficiency and outcomes, as well as promote research and evaluation to better determine the effectiveness of programs that include legal services.
- Coordinate with the Office of Justice Programs and other parts of the Department on important cross-cutting issues, including new items in the FY 2015 budget, related to increased grant-making on indigent defense and new grants related to civil legal aid research and evaluation and a civil legal aid competitive grant program to encourage best practices. The new staff member would assist with outreach and evaluation in these types of new initiatives.

FundingBase Funding

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)	Pos	Agt/Atty	FTE	\$(000)
7	5	6	1,131	7	5	6	1,131	7	5	6	1,131

Personnel Increase Cost Summary

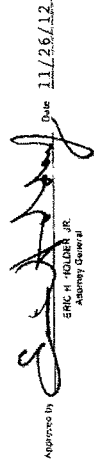
Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Attorneys (0905)	150	2	300		0
Total Personnel	150	2	300		0

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)	FY 2017 Net Annualization (Change from 2016) (\$000)
Total Non-Personnel			0	0	0

Total Request for this Item

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)	FY 2017 Net Annualization (Change from 2016) (\$000)
Current Services	7	5	6	900	231	1,131	0	0
Increases	2	2	2	300		300	0	0
Grand Total	9	7	8	1,200	231	1,431	0	0



B. Summary of Requirements

Summary of Requirements
General Administration
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Department Leadership	71	54	17,094	71	54	17,313	0	0	567	71	54	17,880
Intergovernmental Relations & External Affairs	46	38	7,554	50	42	9,393	5	5	1,441	55	47	10,834
Executive Support & Professional Responsibility	61	53	12,050	64	56	12,513	61	48	10,808	125	104	23,321
Justice Management Division	382	328	66,242	382	328	70,781	0	0	3,505	382	328	74,286
Total Direct	560	473	102,950	567	480	110,000	66	53	16,321	633	533	126,321
Balance Recession			0			0			0			0
Total Direct with Recession			102,950			110,000			16,321			126,321
Reimbursable FTE	76			68			-39				29	
Total Direct and Reimb. FTE	548	548		548	548		14			562		
Grand Total, FTE		548			548		14				562	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Department Leadership	2	2	300	0	0	0	73	56	18,180
Intergovernmental Relations & External Affairs	3	3	530	0	0	0	58	50	11,364
Executive Support & Professional Responsibility	8	8	1,700	0	0	0	133	112	25,021
Justice Management Division	0	0	0	0	0	0	382	328	74,286
Total Direct	13	13	2,530	0	0	0	646	546	128,851
Balance Recession			0			0			0
Total Direct with Recession			2,530			0			128,851
Reimbursable FTE	0				0			29	
Total Direct and Reimb. FTE		13			0			575	0
Grand Total, FTE		13			0			575	

Exhibit B - Summary of Requirements

B. Summary of Requirements

Summary of Requirements
 General Administration
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted			110,822
2013 Revisions (1.877% & 0.2%)			-2,237
2013 Sequester			-5,575
Total 2013 Enacted (with Revisions and Sequester)	560	473	102,950
2014 Enacted	567	480	110,000
Base Adjustments			
Pay and Benefits	5	5	2,651
Domestic Rent and Facilities	0	0	3,660
Other Adjustments	51	48	10,190
Total Base Adjustments	66	53	16,321
2015 Current Services	633	533	126,321
Program Changes			
Increase:			
Access to Justice	2	2	300
Office of Tribal Justice	3	3	530
Policy Analysis	8	8	1,700
Subtotal, Increase	13	13	2,530
Total Program Changes	13	13	2,530
2015 Total Request	646	546	128,851
2014 - 2015 Total Change	79	66	16,651

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

C. Proj Changes by Decision Unit

FY 2015 Program Changes by Decision Unit

General Administration
Salaries and Expenses
(Dollars in Thousands)

Program Increases	Location of Description in Narrative	Department Leadership				Intergovernmental Relations & External Affairs			
		Direct Pos	Ag't/ Atty.	Est. FTE	Amount	Direct Pos.	Ag't/ Atty.	Est. FTE	Amount
Access to Justice Office of Tribal Justice		2	2	2	300	0	0	0	0
		0	0	0	0	3	3	3	530
Total Program Increases		2	2	2	300	3	3	3	530

Program Increases	Location of Description in Narrative	Executive Support & Professional Responsibility			Justice Management Division			Total Increases					
		Direct Pos.	Ag't/Atty.	Est. FTE	Amount	Direct Pos.	Ag't/Atty.	Est. FTE	Amount	Direct Pos.	Ag't/Atty.	Est. FTE	Amount
Policy Analysis		8	0	8	1,700	0	0	0	0	0	13	5	13
Total Program Increases		8	0	8	1,700	0	0	0	0	0	13	5	13
													2,530

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

General Administration
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount
Goal 2 Prevent Crime, Protect the Rights of the American People, and enforce Federal Law																		
2.4 Protect the federal life and defend the interests of the United States	548	102,940		543	105,702		551	123,952		6	1,700		0			559	125,652	
Subtotal, Goal 2	548	102,940		543	105,702		551	123,952		6	1,700		0			559	125,652	
Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.																		
3.1 Provide and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs	0	0	0	5	1,238		11	2,369		5	830		0			16	3,199	
Subtotal, Goal 3	0	0	0	5	1,238		11	2,369		5	830		0			16	3,199	
TOTAL	548	102,940		548	110,000		562	126,321		13	2,530		0			575	128,851	

Note: Excludes Balance Rescission and/or Supplemental Appropriations.

E. Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

General Administration
Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Pay and Benefits			
1 2015 Pay Raise: This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$495,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$347,000 for pay and \$148,000 for benefits.)			495
2 Annualization of 2014 Pay Raise: This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested, \$171,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$119,700 for pay and \$51,300 for benefits).			171
3 FERS Regular/Law Enforcement Retirement Contribution: Effective October 1, 2014 (FY 2015), the new agency contribution rates of 13.2% (up from the current 11.3%, or an increase of 1.3%) and 28.8% for law enforcement personnel (up from the current 28.3%, or an increase of 0.5%). The amount requested, \$698,000, represents the funds needed to cover this increase.			698
4 Base Pay Adjustment: Personnel: This provides for the annualization of five long term detailees, three in the Office of Legislative Affairs and two in the Public Affairs Office. Annualization of these detailees is based on actual costs of the positions in FY 2013 plus anticipated pay increases. This requests an increase of \$976,000 for full-year payroll and benefits costs associated with these five positions. Non-Personnel: This non-personnel costs associated with these positions are already included in base resources for these offices.	5	5	976
5 Health Insurance: Effective January 2015, the component's contribution to Federal employees' health insurance increases by 2.4 percent. Applied against the 2014 estimate of \$3,750,000, the additional amount required is \$90,000.			90
6 Retirement: Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$121,000 is necessary to meet our increased retirement obligations as a result of this conversion.			121
Subtotal, Pay and Benefits	5	5	2,551

E. Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

General Administration
Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Domestic Rent and Facilities			
1 General Services Administration (GSA) Rent: GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$1,746,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including data increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.			1,746
2 Guard Services: This includes Department of Homeland Security (DHS) Federal Protective Service charges, Justice Protective Service charges and other security services across the country. The requested increase of \$2,000 is required to meet these commitments.			2
3 Moves (Lease Expirations): GSA requires all agencies to pay relocation costs associated with lease expirations. This request provides for the costs associated with new office relocations caused by the expiration of leases in FY 2015.			1,832
Other Adjustments			3,580
1 Base Adjustments to Convert Reimbursable Positions: Centralization of funding for the Offices of Information Policy and the Professional Responsibility Advisory Office.	61	48	10,190
	61	48	0
	61	48	10,190
TOTAL DIRECT TECHNICAL and BASE ADJUSTMENTS	66	53	16,324
ATB Reimbursable FTE Changes			
1 ATB Reimbursable FTE Adjustments			
		-39	0
Subtotal, Reimbursable FTE Changes	0	-39	0

Crosswalk of 2013 Availability
 General Administration
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Appropriation Enacted w/o Balance Reclassification ¹				Sequester			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2013 Actual	
	Direct Pos.	FTE	Actual Amount	Pos.	Direct Pos.	FTE	Actual Amount	Direct Pos.	Actual FTE	Amount	Amount	Amount	Amount	Direct Pos.	Actual FTE	Amount
Department Leadership	71	54	18,019	0	0	0	-528	0	0	0	0	0	0	71	54	17,993
Interdepartmental Relations & External Affairs	46	38	7,974	0	0	0	-410	0	0	0	0	0	0	46	38	7,564
Executive Support & Professional Responsibility	61	53	12,703	0	0	0	-652	0	0	0	0	0	0	61	53	12,050
Justice Management Division	382	328	69,830	0	0	0	-3,587	0	0	0	0	0	0	382	328	66,243
No-Year Account	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4,492
Total Direct	860	473	108,525	0	0	0	-5,575	0	0	4,000	-472	472	27	860	473	107,449
Reimbursable FTE		75				0			0	4,000			27		75	
Total Direct and Reimb. FTE		548				0			0	0					548	
Grand Total FTE		548				0			0	0					548	

Footnotes:

1) The 2013 Enacted appropriation includes line 2 across-the-board rescissions of 1.87% and 0.2%

Reprogramming/Transfers

Transfer of \$4,000,000 from balances to GA-X account.

Carryover:

Carryover funding of \$472,000 in the GA-X account.

Recoveries/Refunds:

Recovery of \$27,000 in the GA-X account.

Crosswalk of 2014 Availability
 General Administration
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
Department Leadership	71	54	17,313	0	0	0	0	0	0	0	71	54	17,313
Intergovernmental Relations & External Affairs	50	42	9,393	0	0	0	0	0	0	0	50	42	9,393
Executive Support & Professional Responsibility	64	56	12,512	0	0	0	0	0	0	0	64	56	12,512
Justice Management Division	382	326	70,781	0	0	0	0	0	0	0	382	326	70,781
No-Year Account	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Direct	567	488	110,000	0	0	1,940	1,940	0	0	0	567	488	113,340
Reimbursable FTE	68											68	
Total Direct and Reimb. FTE	548	548										548	
Grand Total FTE		548			0							548	

Reprogramming/Transfers

Anticipated transfers of \$1,500,000 from balances to GA-X account.

Carryover:

Carryover funding of \$1,840,000 in the GA-X account.

Summary of Reimbursable Resources
General Administration
Salaries and Expenses
(Dollars in Thousands)

Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	FTE	Amount	Reimb. Pos.	FTE	Amount	Reimb. Pos.	FTE	Amount	Reimb. Pos.	FTE	Amount
Alcohol, Tobacco, Firearms & Explosives	0	0	567	0	0	648	0	0	384	0	0	-284
Antitrust	0	0	434	0	0	498	0	0	294	0	0	-202
Asset Forfeiture Fund	0	0	2	0	0	2	0	0	1	0	0	-1
Bureau of Prisons	0	0	2,637	0	0	3,013	0	0	1,785	0	0	-1,228
Community Oriented Policing Services	0	0	15	0	0	17	0	0	10	0	0	-7
Department of Health and Human Services	0	0	140	0	0	160	0	0	95	0	0	-45
Department of Interior	0	0	15	0	0	17	0	0	10	0	0	-7
Drug Enforcement Administration	0	0	813	0	0	929	0	0	550	0	0	-379
Executive Office for Immigration Review	0	0	395	0	0	451	0	0	267	0	0	-184
Federal Bureau of Investigation	0	0	4,568	0	0	5,218	0	0	3,091	0	0	-2,127
Foreign Claims Settlement Commission	0	0	1	0	0	1	0	0	2,118	0	0	-1,457
General Legal Activities	0	0	3,129	0	0	3,576	0	0	405	0	0	-279
National Security Division	0	0	599	0	0	684	0	0	88	0	0	-61
Office of the Inspector General	0	0	131	0	0	150	0	0	53	0	0	-37
Office of Justice Programs	0	0	79	0	0	90	0	0	37	0	0	-25
Office of the Pardon Attorney	0	0	176	0	0	201	0	0	119	0	0	-82
Office on Violence Against Women	0	0	3	0	0	3	0	0	2	0	0	-1
Organized Crime & Drug Enforcement TF	0	0	4,628	0	0	5,174	0	0	3,065	0	0	-2,109
U.S. Attorneys	0	0	430	0	0	491	0	0	291	0	0	-200
U.S. Marshals Service	0	0	2	0	0	2	0	0	1	0	0	-1
U.S. Parole Commission	0	0	280	0	0	320	0	0	190	0	0	-130
U.S. Trustees	0	0	2,892	0	0	3,293	0	0	1,951	0	0	-1,342
Other	0	0	21,878	0	0	25,000	0	0	14,810	0	0	-10,190
Budgetary Resources	0	0	21,878	0	0	25,000	0	0	14,810	0	0	-10,190

Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	FTE	Amount	Reimb. Pos.	FTE	Amount	Reimb. Pos.	FTE	Amount	Reimb. Pos.	FTE	Amount
Department Leadership	4	4	897	5	5	897	6	6	897	1	1	0
Intergovernmental Relations & External Affairs	3	3	1,093	3	3	328	3	3	328	0	0	0
Executive Support & Professional Responsibility	51	51	9,036	46	46	10,923	3	3	733	-43	-43	-10,190
Justice Management Division	17	17	10,852	14	14	12,852	17	17	12,852	3	3	0
Budgetary Resources	75	75	21,878	68	68	25,000	29	29	14,810	-39	-39	-10,190

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

General Administration
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	AT/Is	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Miscellaneous Operations (010-089)	7	5	7	5	0	0	0	7	5
Security Specialists (080)	40	0	40	0	0	0	0	40	0
Intelligence Series (132)	0	0	0	0	0	0	0	0	0
Personnel Management (200-299)	29	1	29	1	2	1	0	31	1
Clerical and Office Services (300-399)	209	19	210	17	7	8	0	225	8
Accounting and Budget (500-599)	47	1	47	1	2	0	0	49	1
Attorneys (905)	137	24	143	19	53	5	0	201	3
Paralegals / Other Law (900-998)	12	16	12	16	2	0	0	14	2
Information & Arts (1000-1099)	12	4	12	4	0	0	0	12	4
Business & Industry (1100-1199)	26	0	26	0	0	0	0	26	0
Library (1400-1499)	34	4	34	4	0	0	0	34	4
Enlistment/Facilities Services (1600-1699)	1	1	1	1	0	0	0	1	1
Miscellaneous Inspectors Series (1802)	0	0	0	0	0	0	0	0	0
Criminal Investigative Series (1811)	0	0	0	0	0	0	0	0	0
Supply Services (2000-2099)	2	0	2	0	0	0	0	2	0
Information Technology Mgmt. (2210)	4	4	4	4	0	0	0	4	4
Motor Vehicle Operations (2703)	0	0	0	0	0	0	0	0	0
Total	590	75	597	68	66	13	0	646	28
Headquarters (Washington, D.C.)	558	75	565	68	66	13	0	644	29
U.S. Field	0	0	0	0	0	0	0	0	0
Foreign Field	2	0	2	0	0	0	0	2	0
Total	560	75	567	68	66	13	0	646	28

Financial Analysis of Program Changes

General Administration
Salaries and Expenses
(Dollars in Thousands)

Grades	Department Leadership		Intergovernmental Relations & External Affairs	
	Access to Justice		Office of Tribal Justice	
	Direct Pos.	Amount	Direct Pos.	Amount
SES	0	0	0	0
GS-15	0	0	0	488
GS-14	0	0	0	0
GS-13	2	286	0	0
GS-12	0	0	0	0
GS-11	0	0	0	0
GS-10	0	0	0	0
GS-9	0	0	0	0
GS-8	0	0	0	0
GS-7	0	0	0	0
GS-6	0	0	0	0
GS-5	0	0	0	0
Total Positions and Annual Amount	2	286	3	488
Lapses (-)	0	0	0	0
11.5 Other Personnel Compensation	0	0	0	0
Total FTEs and Marginal Compensation	2	286	3	488
12 Travel and Transportation				
21.0 Travel and Transportation of Persons				
22.0 Transportation of Things				
23.1 Rental Payments to GSA				
23.3 Communications, Utilities, and Miscellaneous Charges				
24.0 Printing and Reproduction				
25.0 Machinery and Assistance Services				
25.2 Information Systems and Data Processing				
25.3 Other Goods and Services from Federal Sources				
25.5 Research and Development Contracts				
25.7 Operation and Maintenance of Equipment				
26.0 Supplies and Materials				
31.0 Equipment				
Total Program Change Requests	2	300	3	539

Financial Analysis of Program Changes
General Administration
Salaries and Expenses
(Dollars in Thousands)

Grades	Executive Support & Professional Responsibility			Justice Management Division		Total Program Changes	
	Policy Analysis		Direct Pos.	Amount		Direct Pos.	Amount
	Pos.	Amount		Amount			
SES	1	217	0	0	0	1	217
GS-16	1	135	0	0	0	1	488
GS-14	1	135	0	0	0	1	1,144
GS-13	6	859	0	0	0	6	0
GS-12	0	0	0	0	0	0	0
GS-11	0	0	0	0	0	0	0
GS-10	0	0	0	0	0	0	0
GS-9	0	0	0	0	0	0	0
GS-8	0	0	0	0	0	0	0
GS-7	0	0	0	0	0	0	0
GS-6	0	0	0	0	0	0	0
GS-5	0	0	0	0	0	0	0
Total Salaries and Annual Amount	9	1,228	0	0	0	9	1,992
Lapses (-)	0	0	0	0	0	0	0
11.5 Other Personnel Compensation	0	0	0	0	0	0	0
Total FTEs and Personnel Compensation	9	1,228	0	0	0	13	1,992
13.0 Benefits for former personnel	0	0	0	0	0	0	0
21.0 Travel and Transportation of Persons	40	0	0	0	0	0	90
22.0 Transportation of Property	10	0	0	0	0	0	10
23.1 Rental Payments to GSA	0	0	0	0	0	0	0
23.3 Communications, Utilities, and Miscellaneous Charges	0	0	0	0	0	0	0
24.0 Printing and Reproduction	10	0	0	0	0	0	20
25.1 Advisory and Assistance Services	150	0	0	0	0	0	150
25.2 Other Services from Non-Federal Sources	0	0	0	0	0	0	0
25.3 Other Services from Federal Sources	0	0	0	0	0	0	0
25.4 Other Goods and Services from Federal Sources	0	0	0	0	0	0	0
25.5 Research and Development Contracts	0	0	0	0	0	0	0
25.7 Operation and Maintenance of Equipment	0	0	0	0	0	0	0
26.0 Supplies and Materials	60	0	0	0	0	0	60
31.0 Equipment	52	0	0	0	0	0	52
Total Program Change Requests	6	1,700	0	0	0	13	2,630

K. Sum of Requirements by Object Class

Summary of Requirements by Object Class

General Administration
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	FTE	Amount
11.1 Full-Time Permanent	473	52,321	480	55,805	546	66,295	66	10,590
11.3 Other than Full-Time Permanent	0	289	0	287	0	337	0	50
11.5 Other Personnel Compensation	0	624	0	667	0	717	0	50
Overtime	0	0	0	324	0	349	0	25
Other Compensation	0	321	0	343	0	369	0	25
11.8 Special Personal Services Payments	0	0	0	0	0	0	0	0
Total	473	53,214	480	56,559	546	67,349	66	10,790
Other Object Classes								
12.0 Personnel Benefits		15,204		18,345		19,979		1,634
13.0 Benefits for former personnel		0		0		0		0
21.0 Travel and Transportation of Persons		777		1,985		2,653		698
22.0 Transportation of Things		2,485		2,700		2,700		200
23.1 Rental Payments to GSA		17,646		18,555		20,094		1,539
23.2 Rental Payments to Others		0		0		0		0
23.3 Communications, Utilities, and Miscellaneous Charges		1,692		1,808		2,002		200
24.0 Printing and Reproduction		57		61		81		0
25.1 Advisory and Assistance Services		950		1,515		1,585		50
25.2 Other Services from Non-Federal Sources		6,234		4,161		4,281		100
25.3 Other Goods and Services from Federal Sources		2,227		4,600		4,700		100
25.4 Operation and Maintenance of Facilities		0		616		616		0
25.5 Research and Development Contracts		0		0		0		0
25.6 Medical Care		0		0		0		0
25.7 Operation and Maintenance of Equipment		0		0		0		0
25.8 Substance and Support of Persons		0		0		0		0
26.0 Supplies and Materials		1,982		2,118		2,218		100
31.0 Equipment		16		517		517		100
32.0 Land and Structures		0		0		0		0
41.0 Grants, Subsidies, and Contributions		0		0		0		0
42.0 Insurance Claims and Indemnities		0		0		0		0
Total Obligations		102,484		113,340		128,951		15,511
Subtract - Unobligated Balance, Start-of-Year		-472		-1,840		-1,840		1,840
Subtract - Transfers/Reprogramming		-4,000		-1,500		0		1,500
Subtract - Recoveries/Refunds		-27		0		0		0
Add - Unobligated End-of-Year, Available		1,840		0		0		0
Add - Unobligated End-of-Year, Expiring		3,125		0		0		0
Total Direct Requirements	473	102,950	480	110,000	546	128,951	66	18,851
Reimbursable FTE								
Full-Time Permanent	75		68		29		-39	
23.1 Rental Payments to GSA (Reimbursable)		1,539		1,644		0		-1,644
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)		0		0		0		0

Exhibit K - Summary of Requirements by Object Class

L. Status of Congressionally Requested Studies, Reports, and Evaluations

General Administration
Salaries and Expenses
(Dollars in Thousands)

Status of Congressionally Requested Studies, Reports, and Evaluations

1

Title II of the House Appropriations Committee Report, page 37, directs the Attorney General to submit, no later than 180 days after the enactment, a report on the management of Justice Department aviation programs. The report shall include: a description of aviation program organizational and management structures; a list of all aircraft, by make, model and year, with a description of the remaining useful life of those assets; and a list of associated facilities and services. Target response date is July 17, 2014.

2.

The Conference Statement accompanying the Consolidated Appropriations Act, 2014, page 54, requires all agencies and departments funded under the Act to submit to the Committees on Appropriations, at the end of the fiscal year, a report containing a complete inventory of the total number of vehicles owned, permanently retired, and purchased during fiscal year 2014 as well as the total cost of the vehicle fleet, including maintenance, fuel, storage, purchasing, and leasing. Target response date is September 30, 2014.

U.S. Department of Justice
FY 2015 PERFORMANCE BUDGET
Congressional Submission

Justice Information Sharing Technology

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I. Overview

The FY 2015 Justice Information Sharing Technology (JIST) request is a total of \$25,842,000 and 45 positions, including a realignment of 14 positions from JIST to the Working Capital Fund for the Unified Financial Management System (UFMS) program. JIST funds the Department of Justice enterprise investments in information technology (IT). As a centralized fund under the control of the Department of Justice Chief Information Officer (DOJ CIO), it ensures that investments in IT systems, cyber security, and information sharing technology are well planned and aligned with the Department's overall IT strategy and enterprise architecture. CIO oversight of the Department's IT environments is critical, given the level of staff dependence on the IT infrastructure and security environments necessary to conduct legal, investigative, and administrative functions.

In FY 2015, the JIST appropriation will fund the DOJ CIO's continuing efforts to transform IT enterprise infrastructure and cyber security, the Office of the CIO's performance of responsibilities under the Clinger-Cohen Act of 1996, and the coordination of the Department's response to Office of Management and Budget (OMB) mandates. JIST will fund investments in IT infrastructure, cyber security infrastructure and applications, and financial management that support the overall mission of the Department and contribute to the achievement of DOJ strategic goals. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>

DOJ will continue its savings reinvestment strategy, enacted in the FY 2014 budget, which will support component-specific transformation as well as Department-wide projects. As a result, up to \$35,400,000 from components may be reprogrammed in FY 2015 to augment JIST resources to advance initiatives to transform IT enterprise infrastructure and cyber security.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Miscellaneous Program and Administrative Reductions	Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others.	0	0	(\$255)	15

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, \$25,842,000, to remain available until expended; *Provided*, That the Attorney General may transfer up to \$35,400,000 to this account, from funds available to the Department of Justice for information technology, for enterprise-wide information technology initiatives; *Provided further*, That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act.

Analysis of Appropriations Language

No substantive changes proposed.

IV. Program Activity Justification

A. Justice Information Sharing Technology – (JIST)

JIST	Direct Pos.	Estimate FTE	Amount
2013 Enacted with Rescissions	59	52	\$32,733,000
2014 Enacted	59	52	25,842,000
Adjustments to Base and Technical Adjustments	-14	-7	255,000
2015 Current Services	45	45	26,097,000
2015 Program Offsets	0	0	-255,000
2015 Request	45	45	25,842,000
Total Change 2014-2015			\$0

1. Program Description

JIST programs support the attainment of the Department's strategic goals by funding the Office of the CIO, which is responsible for the management and oversight of the Department's IT investments. The JIST appropriation supports the daily activities of the Department's agents, attorneys, analysts, and administrative staff, and funds the following programs to provide enterprise-wide, cost-effective IT infrastructure, cyber security applications, information sharing technologies, and a unified financial system.

a. IT Transformation and Cyber Security

The IT Transformation and Cyber Security (ITT&CS) Program is a multiyear commitment that aims to transform IT by implementing shared IT infrastructure for the Department and shifting investments to the most efficient computing platforms, including shared services and next generation storage, hosting, networking, and facilities. The ITT&CS Program directly supports the Federal CIO's 25 Point Plan to Reform Federal IT Management and the Portfolio Stat (PSTAT) process, and aligns the Department's IT operations with the Federal Data Center Consolidation and Shared First Initiatives. Work on these initiatives began in FY 2012 and will continue into FY 2015. The program consists of the following projects: cyber security, e-mail consolidation, data center consolidation, mobility and remote access, and desktops.

b. Public Key Infrastructure/HSPD-12

The Public Key Infrastructure (PKI) program is DOJ's Identity Management Services Program, which consolidates several related cyber security initiatives by developing enterprise architecture policies, plans, best practices, and standards for HSPD-12 and the Federal Identity, Credential, and Access Management (ICAM) segment architecture investments; implementation of FICAM across the network fabrics as identified in the National Strategy of Information Sharing and Safeguarding (NSISS) Priority Objective #4;

program management and implementation support of Committee on National Security Systems (CNSS) initiatives; and related IT improvements across DOJ. This program provides the planning, training, operational support, and oversight of the HSPD-12 Personal Identification Verification card (PIVCard) deployment process, and operates the ongoing centralized system for DOJ component employees and contractors.

The PIVCard is the centerpiece of the HSPD-12 solution being implemented government-wide. Standards set by the National Institute of Standards and Technology (NIST) are the basis for satisfying identification and security requirements and for the use of a common PIVCard to achieve both logical and physical access to Federal-controlled facilities and information systems. The PIVCard contains logical elements including PKI certificates, digital photos, and fingerprint biometrics. The PIVCard and related processes greatly enhance security, increase efficiency, reduce identity fraud, and protect personal privacy.

The PKI program serves as DOJ's departmental issuer of PIVCards, which is a mandatory element of the Department's compliance with government standards that will allow cross-agency secure communications. Additionally, the program serves as the primary governing body for DOJ compliance and implementation of the Federal ICAM Initiative. This includes the development and implementation of enterprise services required to use PIVCards (e.g., validation services, federation services, and virtual directory and attribute services); as well as coordination and execution of agency and sub-agency ICAM implementation plans. Compliance with the Federal ICAM will ensure that value is derived from the HSPD-12 PIVCard investment through increased security of agency facilities and information assets.

c. Law Enforcement Information Sharing Program

The Law Enforcement Information Sharing Program (LEISP) represents a strategic approach to sharing data with other DOJ components, other federal agencies, and partners at the state, local, and tribal levels. LEISP is an executive oversight program that provides the lynchpin for connecting several ongoing projects within key DOJ components under a common set of goals and objectives, and ensures compliance with applicable DOJ policies and memoranda that include, but are not limited to, data sharing, privacy, and technologies. LEISP-related database application systems enable state, local, and federal law enforcement agencies nationwide to collect, share, and analyze law enforcement information on criminal activities and separately, in a more tightly controlled environment, to share and analyze sensitive intelligence data.

d. Policy, Planning and Oversight

Office of the CIO - DOJ IT Management: JIST funds the Office of the CIO and the Policy & Planning Staff (PPS), which supports CIO management in complying with the Clinger-Cohen Act and other applicable laws, rules, and regulations for federal information resource management. The CIO has staff providing IT services in the Department's Working Capital Fund (WCF). As such, the OCIO is responsible for ensuring the delivery of services to customers, developing operating plans and rate structures, producing customer billings, and conducting the day-to-day management duties of the CIO. Within OCIO, PPS develops,

implements, and oversees an integrated approach for effectively and efficiently planning and managing DOJ's information technology resources, including the creation of operational budget plans for JIST and the WCF accounts, and the monitoring of the execution of funds against those plans throughout the fiscal year.

PPS includes groups responsible for IT investment management including portfolio, program and project management. The investment management team manages the Department's IT investment and budget planning processes; develops and maintains the Department's general IT program policy and guidance documents; and coordinates the activities of the DIRB and CIO Council for the Department CIO. Other responsibilities include managing the Department's Paperwork Reduction Act program, coordinating IT program audits, and ensuring IT program compliance with records management, accessibility (508), and other statutory requirements. In addition, PPS performs valuation management, which assesses and scores both value and risk to select and compare IT investments as part of the overall portfolio management.

Enterprise IT Architecture: Enterprise IT Architecture (EA) monitors and ensures compliance with OMB and Government Accountability Office (GAO) enterprise architecture requirements; advises the CIO on strategic priorities; and works to drive these priorities to implementation. To achieve these objectives, the chief enterprise architect undertakes/monitors IT strategic planning; documents the Department-wide EA and performs EA governance/coordination across the Department; supports investment reviews (DIRB and ITIM); and develops detailed architectures for Department-wide segments, such as information sharing, in collaboration with key stakeholders from across the Department. EA also works with various cross-government programs to represent the Department on issues which affect IT architecture, such as Green IT and information sharing.

Chief Technology Officer: The Chief Technology Officer (CTO) identifies, evaluates, and enables the adoption of innovative new technologies that can result in significant increased value for the Department. The CTO goal is to enable and create partnerships with DOJ components in the exploration of new technologies by progressing through requirements, concepts, design, component sponsorships and prototyping that eventually result in enhanced operational systems for use across the Department.

OCIO Law Enforcement Wireless Communications: The FY 2013 Budget shifted program management of the Law Enforcement Wireless Communications (LEWC) program from the Justice Management Division (JMD) to the Federal Bureau of Investigation (FBI), with the Department's CIO maintaining oversight and strategic planning responsibility for the program. The JIST OCIO staff is responsible for performing the following functions for the Department's radio program:

- o **Strategic Planning:** The OCIO staff works with the law enforcement components and represents the Department in the National Telecommunication and Information Administration (NTIA), White House, and other external entities on issues related to spectrum auctions, and the resulting impact on DOJ wireless operations. They advise the DOJ executive leadership on spectrum relocation and related wireless topics and

issues. The OCIO staff also develops a common wireless strategy for the Department, without bias toward any particular component, and addresses a variety of factors including new/developing technologies, and better spending strategies.

- o **Spectrum Management:** The staff is responsible for formulating and implementing policies, procedures, and standards for the spectrum-related parameters, and characteristics, of a radio station or system for the purpose of managing the radio frequency spectrum for all Department radio communications systems. In concert with the strategic planning function, they evaluate spectrum relocation and advise the DOJ executive leadership on spectrum relocation impacts to the Department.
- o **Oversight/Liaison/Coordination:** The staff provides oversight and investment guidance to the Department's wireless communications efforts, ensuring component equities are maintained and strategic objectives are met.

e. Unified Financial Management Systems

The Unified Financial Management System (UFMS) is one of the Department's highest management priorities. Identified by the Department's Inspector General as "one of the most important challenges for the Department," the Department is implementing UFMS to replace legacy financial systems. This allows the Department to streamline and standardize business processes and procedures across all components as well as provide accurate, timely, and useful financial and procurement data to financial and program managers. In addition, UFMS assists the Department by improving financial management performance and aids in addressing the material weaknesses and non-conformances in internal controls, accounting standards, and systems security identified by the Department's Inspector General.

UFMS currently serves over 8,000 users from six DOJ organizations -- Drug Enforcement Administration (DEA), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the U.S. Marshals Service (USMS), Asset Forfeiture Program (AFP), FBI (which includes all Phases), and the Federal Bureau of Prisons (BOP). In October 2012, USMS and AFP implemented UFMS as the financial system of record, joining ATF and BOP in a shared instance of UFMS. USMS deployed UFMS to over 2,000 users nationwide, moving from an internally operated system more than 15 years old. Also in October 2012, FBI implemented a UFMS pilot to more than 300 users from the Criminal Justice Information Systems (CJIS) Division, three district offices, and a Legal Attaché.

The final FBI Phase 3 implementation of UFMS went live nationwide as the financial system of record during the first quarter of FY 2014 with an additional 2,700 users. The FBI Phase 3 implementation was completed on schedule and within budget as with the other UFMS implementations. The UFMS Consolidation project, also targeted for completion during the second quarter of FY 2014, consists of two parts. Part 1 consists of a technical refresh of the Momentum application, which incorporates new federal data requirements and ensures compatibility with newer technology. Part 2 consists of migrating sensitive but unclassified (SBU) customers to the newer version (UFMS 2.2) and transitioning DEA from UFMS 1.1 to the shared instance of UFMS, which will reduce operational costs and reduce risk. The FBI also deployed UFMS 2.2 during their "go live," achieving the program goal of supporting UFMS users on the same version to maximize the value to the Department.

2. Performance Tables

PERFORMANCE AND RESOURCES TABLE									
Decision Unit: JMD/OCIO/Justice Information Sharing Technology (JIST)									
DOJ Strategic Goal/Objective: 2.6 Protect the federal fisc and defend the interests of the United States									
RESOURCES									
	Target	Projected		Changes		Requested (Total)			
		FTE	\$000	FTE	\$000	FTE	\$000		
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	FY 2013	FY 2014		Current Services Adjustments and FY 2015 Program Change		FY 2015 Request			
		FTE	\$000	FTE	\$000	FTE	\$000		
TYPE/ STRATEGIC OBJECTIVE	PERFORMANCE	FY 2013		FY 2014		FY 2015 Request			
		FTE	\$000	FTE	\$000	FTE	\$000		
Program Activity		59	32,733 [51,734]	52	25,842 [9,900]	-7	0 [0]	45	25,842 [10,000]
Performance Measure	Percentage of offenders booked through JABS	100%		100%		100%		100%	
Performance Measure	Percentage of total JCON workstations deployed in the fiscal year	Discontinued		Discontinued		Discontinued		Discontinued	
Performance Measure	Maintain mainframe enterprise system availability for client organizations	99%		99%		99%		99%	
Performance Measure	Maintain JMD/SMO JCON system availability for client organizations	99%		99%		99%		99%	
Performance Measure	Ensure IT systems are certified and accredited	100%		100%		100%		100%	
Performance Measure	Ensure IT help desk calls are answered and resolved within service level agreement terms	85%		85%		85%		85%	

PERFORMANCE MEASURE TABLE

Decision Unit: IMD/OCIO/Justice Information Sharing Technology (JIST)

DOJ Strategic Goal/Objective: 2.6 Protect the federal fisc and defend the interests of the United States

Performance Report and Performance Plan Targets		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015
		Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Performance Measure	Percentage of offenders booked through JABS	99%	98%	98%	99%	100%	100%	100%	100%
Performance Measure	Percentage of total JCON workstations deployed in the fiscal year	15%	100%	100%	0%	discontinued	discontinued	discontinued	discontinued
Performance Measure	Maintain mainframe enterprise system availability for client organizations	100%	99%	100%	100%	99%	100%	99%	99%
Performance Measure	Maintain IMD/SMO JCON system availability for client organizations	100%	99%	99%	99%	99%	99%	99%	99%
Performance Measure	Ensure IT systems are certified and accredited	100%	100%	100%	100%	100%	100%	100%	100%
Performance Measure	Ensure IT help desk calls are answered and resolved within service level agreement terms	78%	75%	90%	86%	85%	85%	85%	85%

N/A = Data unavailable

*Denotes inclusion of the DOJ Annual Performance Plan

1/ Due to limited funding available for the deployment of JCON workstations, this measure has been discontinued.

3. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

JIST programs support the Department's Strategic Goals by providing staff and the enterprise IT infrastructure and security environments necessary to conduct legal, investigative, and administrative functions. Specifically, JIST supports Strategic Objective 2.6: *Protect the federal fisc and defend the interests of the United States*. The FY 2014 – FY 2018 Strategic Goals are:

- Strategic Goal 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law.
- Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.
- Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal, and International Levels.

JIST provides resources so that the DOJ CIO can ensure that investments in IT infrastructure, cyber security infrastructure and applications, central solutions for commodity applications, secure communications, and information sharing technology are well planned and aligned with the Department's overall IT strategy and enterprise architecture. The Portfolio Stat (PSTAT) process, along with the commodity team structure and process, has identified investment initiatives to transform IT infrastructure which will drive efficiency and cost savings by centralizing the delivery of commodity IT services across the enterprise. The DOJ CIO focus is to advance these initiatives to transform IT enterprise structure and cyber security.

Major IT investments are periodically reviewed by the Department IT Investment Review Board (DIRB). The Deputy Attorney General chairs the board, and the DOJ CIO serves as vice chair. The DIRB includes the Assistant Attorney General for Administration, the Controller, and various Deputy CIOs.

The DIRB provides the highest level of investment oversight as part of the Department's overall IT investment management process. The Department's IT investments are vetted annually through the budget submission process, in conjunction with each component's Information Technology Investment Management (ITIM) process. The DIRB's principal functions in fulfilling its decision-making responsibilities are to:

- Ensure compliance with the Clinger-Cohen Act and all other applicable laws, rules, and regulations regarding information resources management;
- Monitor the Department's most important IT investments throughout their project lifecycle to ensure goals are met and the expected returns on investment are achieved;

- Ensure each project under review has established effective budget, schedule, operational, performance, and security metrics that support the achievement of key project milestones;
- Review the recommendations and issues raised by the components' IT investment management process;
- Annually review each component's IT investment portfolio, including business cases for new investments, to enable informed departmental IT portfolio decisions; and
- Develop and implement decision-making processes that are consistent with the purposes of the DIRB, as well as applicable congressional and OMB guidelines for selecting, monitoring, and evaluating information system investments.

In addition to the DIRB, the Department contributes to the Federal IT Dashboard that allows management to review various aspects of major initiatives. The Dashboard includes Earned Value Management System (EVMS) reporting to ensure projects are evaluated against acceptable variances for scope, schedule, and costs. Risk analysis and project funding information are also available in this tool. This allows the Department's CIO and senior management team to have timely access to project information via the web.

JIST provides resources for the executive secretariat functions of the DOJ CIO Council, the principal internal Department forum for addressing DOJ information resource management priorities, policies, and practices. JIST resources also operate the DOJ IT Intake process through which commodity IT purchases are reviewed against architectural, procurement, and vendor management standards.

Last year, the Department established a Vendor Management Office (VMO), which provides centralized guidance and prioritization for the Department's decentralized strategic sourcing and commodity purchasing initiatives, utilizing the buying power of the entire Department. The VMO has a broad representation from procurement, legal services, IT and various business units that helps reduce costs and optimize value. The VMO will lead and assist in the analysis of procurement data and strategies; become the central repository of enterprise procurement vehicles; identify and communicate internal and industry best practices; provide expertise to assist in pricing analysis, procurement strategies and negotiations; and communicate with strategic external vendors, component partners and other government agencies.

b. Strategies to Accomplish Outcomes

Specific mission critical IT infrastructure investments are designed, engineered, and deployed with JIST resources.

- **The IT Transformation and Cyber Security Program** is a multi-year commitment to transform the Department's IT enterprise infrastructure to centralize commodity IT services and cyber security. Work on this program began in FY 2012 and will continue into FY 2015. The program currently consists of the following projects:

1. **E-mail and Consolidation:** Departmental email consolidation is a multi-year effort that began in FY 2012 with the consolidation of small email systems and the planning activities for a Department-wide email system. The goal of this project is to reduce the number of departmental non-classified email systems from over 20 to 8 by the end of FY 2014. In addition, new and enhanced collaboration functionality will be introduced to participating components in FY 2015. The Department is continuing to evaluate and analyze non-classified email systems to minimize costs. In FY 2015, DOJ plans to consolidate additional components into an enterprise email solution.
2. **Data Center Consolidation:** The goals of this project are to optimize and standardize IT infrastructure to improve operational efficiencies and agility; reduce the energy and real property footprint of DOJ's data center facilities; optimize the use of IT staff and labor resources supporting DOJ missions; and enhance DOJ's IT security posture. These goals will be achieved by reducing the number of DOJ data centers to three core data centers; leveraging cloud and commodity IT services; and migrating data processing to these locations and services with appropriate service agreements. DOJ has identified two FBI owned data centers and one DEA leased data center as facilities that will serve as DOJ Core Enterprise Facilities (CEF). The Department has closed 50 data centers since 2010, and plans to close 11 additional data centers in FY 2014.
3. **Cyber Security:** The primary focus of this project is the prevention and detection of insider and advanced cyber threats. The Department will continue to develop and implement enterprise trusted infrastructure and architecture to provide secure and resilient systems and networks, enhanced auditing, robust data management and access control that will safeguard Department information and ensure data availability.
4. **Mobility and Remote Access:** The Department will continue to implement an enterprise infrastructure in FY 2015 to improve efficiency by enabling a mobile workforce and telework. Key enhancements for FY 2015 include expanding the mobile management platform for the latest Apple and Google Android devices, support for mobile data loss prevention initiatives, expanded support for mobile collaboration tools, and a common mobile application platform as part of the "DOJ App Store." For remote access, the key activities for FY 2015 will focus upon Personal Identity Verification support for remote access users as well as expanding the web portal for additional components to support teleworking from home computers.
5. **Desktops:** The short-term goal of this project is to implement strategic sourcing for desktops. This includes establishing strategy, funding models, policy, and evaluations of architectures and solutions. Funding in FY 2015 will be used to design and implement an enterprise virtual desktop pilot.

The FY 2015 JIST budget continues appropriations language enacted in FY 2014 to provide the Department's CIO with additional transfer authority for reinvestment in DOJ enterprise-wide IT initiatives (\$35.4 million). The goal is to set-aside a portion of IT funding to create a reinvestment pool. This pool will provide funding for smart IT investments, and will allow the Department's CIO to pool purchasing power

across the entire organization to drive down costs and improve service for Department-wide initiatives. The strategy strikes the right balance between empowering the component CIOs, while at the same time giving the Department CIO central authority over Enterprise IT investments:

- **The Public Key Infrastructure/Identity Management Program** develops the enterprise architecture standards for identity management and provides planning, training, operational support, and oversight of the HSPD-12 Personal Identification Verification card (PIVCard) deployment process for DOJ component employees and contractors. It also serves as the primary governing body for DOJ compliance and implementation of the Federal Identity, Credential, and Access Management (ICAM) infrastructure. The PKI program serves as DOJ's departmental issuer of PIVCards, which is a mandatory element of the Department's compliance with government standards that will allow cross-agency secure communications. The card and related processing will become integral for encrypting sensitive data, remote processing and telework, and automating workflows and authorizations (electronic signatures). Perhaps more significantly, the PKI program also engineers, implements, operates, and maintains critical technology infrastructure used by all DOJ components to allow PIVCard login to desktop and laptop computers, as well as mobile devices. Additional technology infrastructure support provided to DOJ components by the program includes enabling technologies for identity data management, digital signing, application multi-factor authentication and more.
- **The Law Enforcement Information Sharing Program (LEISP)** represents a strategic approach to sharing data with other DOJ components, other federal agencies, and partners at the state, local, and tribal levels. LEISP-related database application systems enable state, local, and federal law enforcement agencies nationwide to collect, share, and analyze law enforcement information on criminal activities and separately, in a more tightly controlled environment, to share and analyze sensitive intelligence data. LEISP develops and promotes information sharing architectural standards and services for connecting ongoing projects within key DOJ components, under a common set of goals and objectives, and ensures compliance with applicable DOJ policies and memoranda that include, but are not limited to, data sharing, privacy, and technologies. LEISP also provides technical support to Department projects to understand and implement the National Information Exchange Model (NIEM) based exchanges for information sharing solutions.

V. Program Offset by Item

Item Name:	Miscellaneous Program and Administrative Reductions
Strategic Goal:	Strategic Goal 2
Strategic Objective:	Strategic Objective 2.6
Budget Decision Unit(s):	JIST
Organizational Program:	JIST

Program Offset: Positions ____ Agt/Atty ____ FTE ____ Dollars (\$255,000).

Description of Item

Program and administrative reductions to be identified once funds are appropriated.

Justification

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Impact on Performance

Performance impact information is not yet available for this offset.

B. Summary of Requirements

Summary of Requirements
JUST
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted	59	52	33,426
2013 Rescissions (1.87% & 0.2%)			-693
2013 Balance Rescission	59	52	32,733
Total 2013 Enacted (with Rescissions and Sequester)			
2014 Enacted	59	52	25,842
Total 2014 Enacted (with Balance Rescission)	59	52	25,842
Base Adjustments			
Transfer:			
UPMS from JUST to WCF	-14	-7	0
Pay and Benefits	0	0	228
Domestic Rent and Facilities	0	0	27
Total Base Adjustments	-14	-7	255
Total Technical and Base Adjustments	-14	-7	255
2015 Current Services	45	45	20,087
Program Changes			
Offset:			
Program Offset-Miscellaneous Program and Administrative Reductions	0	0	-255
Capital Offsets	0	0	-255
Total Program Changes	0	0	-255
2015 Total Request	45	45	25,842
2015 Balance Rescission			0
2015 Total Request (with Balance Rescission)	45	45	25,842
2014 - 2015 Total Change	-14	-7	0

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements

JIST

Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
JIST	59	52	33,426	59	52	25,842	-14	-7	255	45	45	26,097
Total Direct	59	52	33,426	59	52	25,842	-14	-7	255	45	45	26,097
Balance Rescission												
Total Direct with Rescission			593			0			0			0
Reimbursable FTE		0	32,733		0	25,842			255			26,097
Total Direct and Reimb. FTE		52			52			-7			45	
Grand Total, FTE		52			52			-7			45	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
JIST	0	0	0	0	0	-255	45	45	25,842
Total Direct	0	0	0	0	0	-255	45	45	25,842
Balance Rescission									
Total Direct with Rescission						0			0
Reimbursable FTE		0	0		0	-255			25,842
Total Direct and Reimb. FTE		0			0			0	
Grand Total, FTE		0			0			45	

C. Program Changes by Decision Unit

FY 2016 Program Changes by Decision Unit

JIST
Salaries and Expenses
(Dollars in Thousands)

Program Offsets	Location of Description in Narrative Page 15	JIST				Total Offsets			
		Direct Pos	Ag/L Atty	Est. FTE	Amount	Direct Pos	Ag/L Atty	Est. FTE	Amount
JIST-Miscellaneous Program and Administrative Reductions		0	0	0	0	0	0	0	0
Total Program Offsets		0	0	0	0	0	0	0	0
					-255				-255
					-255				-255

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

JUST
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester		2014 Enacted		2015 Current Services		2015 Increases		2015 Offsets		2015 Total Request	
	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount
2.6 Protect the federal fisc and defend the interests of the United States	52	32,733	52	25,842	45	26,097	0	0	0	-255	45	25,842
Subtotal	52	32,733	52	25,842	45	26,097	0	0	0	-255	45	25,842
TOTAL	52	32,733	52	25,842	45	26,097	0	0	0	-255	45	25,842

Note: Excludes Balance Recession and/or Supplemental Appropriations.

E. Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

JST
Salaries and Expenses
(Column in Thousands)

Transfers	Direct Pay	Estimate FTE	Amount
1 UPNS from JST to WCF The reduction reflects the transfer of UPNS position out of JST and into the Working Capital Fund	0	0	0
2 Pay and Benefits 1 2015 Pay Rates This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$68,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$50,000 for pay and \$18,000 for benefits.)	-44	-7	66
2 Annualization of 2014 Pay Rates This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested \$39,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$30,000 for pay and \$9,000 for benefits).	-44	-7	39
3 FERS Regular Law Enforcement Retirement Contribution Effective October 1, 2014 (FY 2015), the new agency contribution rates of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 26.8% (or law enforcement personnel (up from the current 20.5%, or an increase of 2.5%). The amount requested, \$83,000, represents the funds needed to cover this increase.			83
4 Health Insurance Effective January 2015, the component's contribution to federal employee health insurance increases by 7.6 percent. Applied against the 2014 estimate of \$ 501,000, the additional amount required is \$39,000.			39
5 Subsidies Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.2 percent per year. The requested increase of \$22,000 is necessary to meet our increased retirement obligations as a result of this conversion.			22
Domestic Rent and Facilities 1 General Services Administration (GSA) Rent GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$27,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which is an improvement over the manual process. Including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied GSA provides data on the rate increases.	0	0	27
Subtotal, Domestic Rent and Facilities	0	0	27
TOTAL DIRECT TECHNICAL AND BASE ADJUSTMENTS	-14	-7	265

Crosswalk of 2013 Availability
All 2013
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted with Balance Reversion ¹⁾			Balance Reversion			Sequester			Reprogramming/Transfers			Reversion/ Refunds		2013 Actual	
	Direct	Indirect	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Direct	Actual
	FTE	FTE		FTE	FTE		FTE	FTE		FTE	FTE		FTE	FTE	FTE	FTE
JST	59	52	33,428	0	483	0	0	0	0	0	0	0	3,199	52	30,488	52
Total Direct	59	52	33,428	0	483	0	0	0	0	0	0	0	3,199	52	30,488	52
Nonreimbursable FTE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Direct and Reimb. FTE	59	52	33,428	0	483	0	0	0	0	0	0	0	3,199	52	30,488	52
Grand Total FTE	59	52	33,428	0	483	0	0	0	0	0	0	0	3,199	52	30,488	52

1) The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

G. Crosswalk of 2014 Availability

Crosswalk of 2014 Availability
JUST
Salaries and Expenses
(Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Reversion/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
JUST	59	52	25,842	0	0	0	0	15,387	3,268	0	59	52	44,477
Total Direct	59	52	25,842	0	0	0	0	15,387	3,268	0	59	52	44,477
Balance Reversion			0					0	0	0			0
Total Direct with Reversion			25,842					15,387	3,268	0			44,477
Reimbursable FTE	0	0						0	0	0			
Total Direct and Reimb. FTE	59	52						0	0	0			
Grand Total, FTE		52			0			0	0	0		52	

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources

JUST
Salaries and Expenses
(Dollars in Thousands)

Collections by Source	FY 2013 Actual			FY 2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
CSOSA, Customs, FEMA, Patrols, Trade, Secret Serv. & Various DOJ Components												
BOB												0
CRIMINAL DIVISION												0
ESUSA												0
FBI												0
INTERPOL												-1,087
USMS												-38
WMO												0
JMD/DOJ/OSS												0
JMD/SEPS/JUSTARS												0
QJP/SMART/Indian Affairs												0
WCF RE - JMD FINANCE STAFF												0
WCF/UBT - JMD BUDGET STAFF												0
Budgetary Resources	0	0	80,889	0	0	9,500	0	0	10,000	0	0	-1,145
												100

*The UPMS program has been fully transferred to WCF in FY 2014. Estimated reimbursable resources of \$10M in FY 2015 are also planned to be transferred.

1. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

JUST
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Revisions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Clerical and Office Services (300-399)	5	0	5	0	0	0	0	5	0
Accounting and Budget (500-599)	2	0	2	0	0	0	0	2	0
Business & Industry (1100-1199)	1	0	1	0	0	0	0	1	0
Information Technology Mgmt. (2210)	51	0	51	0	-14	0	0	37	0
Total	59	0	59	0	-14	0	0	45	0
Headquarters (Washington, D.C.)	59	0	59	0	-14	0	0	45	0
Total	59	0	59	0	-14	0	0	45	0

Financial Analysis of Program Changes

JST Expenses
Salaries and Expenses
(Dollars in Thousands)

	JST				Total Program Changes			
	Program Increase		Program Offsets		Direct Pos		Amount	
	Direct Pos	Amount	Direct Pos	Amount	Direct Pos	Amount		
Z5 & Other Goods and Services from Federal Sources			0	-255			-255	
Total Program Change Requests	0	0	0	-255		0	-255	

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class

JUST
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	51	6,003	51	7,513	44	5,692	-7	-1,831
11.3 Other than Full-Time Permanent	1	31	1	31	31	31	0	0
11.5 Other Personnel Compensation	0	0	17	17	0	17	0	0
Overtime	0	0	0	0	0	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	0	0	0	0	0	0	0
Total	52	6,051	52	7,561	45	6,730	-7	-1,831
Other Object Classes								
12.0 Personnel Benefits								
13.0 Benefits for former personnel		2,004		2,259		1,712		-547
21.0 Travel and Transportation of Persons	0	0	0	0	0	0	0	0
22.0 Transportation of Things	0	16	0	16	16	16	0	0
23.1 Rental Payments to GSA	0	7	7	721	7	721	0	0
23.2 Rental Payments to Others	0	22	0	43	43	43	0	0
23.3 Communications, Utilities, and Miscellaneous Charges	0	183	0	183	183	183	0	0
24.0 Printing and Reproduction	0	0	0	0	0	0	0	0
25.1 Advisory and Assistance Services	0	0	0	9,501	0	5,000	0	-4,501
25.2 Other Services from Non-Federal Sources	0	12,864	0	12,487	0	4,008	0	-8,478
25.3 Other Goods and Services from Federal Sources	0	1,000	0	5,158	0	7,069	0	1,911
25.4 Operation and Maintenance of Facilities	0	1,154	0	0	0	0	0	0
25.5 Research and Development Contracts	0	0	0	0	0	0	0	0
25.6 Medical Care	0	0	0	0	0	0	0	0
25.7 Operation and Maintenance of Equipment	0	0	0	0	0	0	0	0
25.8 Subsistence and Support of Persons	0	0	0	0	0	0	0	0
26.0 Supplies and Materials	0	27	0	27	27	27	0	0
31.0 Equipment	0	0	0	6,514	0	1,325	0	-5,189
32.0 Land and Structures	0	0	0	0	0	0	0	0
41.0 Grants, Subsidies, and Contributions	0	0	0	0	0	0	0	0
42.0 Insurance Claims and Indemnities	0	0	0	0	0	0	0	0
Total Obligations		24,129		44,417		25,842		-18,635
Subtract - Unobligated Balance, Start-of-Year		(3,564)		(15,367)		0		15,367
Subtract - Transfers/Reprogramming		0		0		0		0
Subtract - Recoveries/Refunds		(3,199)		(3,268)		0		3,268
Add - Unobligated End-of-Year, Available		15,367		15,367		0		0
Add - Unobligated End-of-Year, Expiring		0		0		0		0
Total Direct Requirements		32,733		25,842		25,842		0

L. Status of Congressionally Requested Studies, Reports, and Evaluations

JIST

Status of Congressionally Requested Studies, Reports, and Evaluations

1. The Conference Report associated with the Consolidated Appropriations Act, 2014 (Division B), directs the Department to submit a supply chain risk assessment prior to the obligation of any funds on high-impact or moderate-impact information systems. There is no due date associated with this report, although the Department will work to complete this requirement in a timely manner.
2. The Conference Report associated with the Consolidated Appropriations Act, 2014, adopts by reference a requirement for the Department to submit an annual report to the Committee describing any cyber attacks and attempted cyber attacks and their consequences; the steps taken to prevent, mitigate or otherwise respond to such attacks; and the cybersecurity policies and procedures in place, including policies about ensuring safe use of computer and mobile devices by individual employees. The Department is working towards a response date of April 11, 2014 for this report.

**FY 2015
Congressional Budget
Submission**

**Administrative
Review and Appeals**

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I. Overview of the Executive Office for Immigration Review

The fight against terrorism remains the top enforcement priority of the Department of Justice and the Administration. A key component of this effort is the securing of our Nation's borders. More than ever, protecting America requires a multifaceted strategy which must include the effective coordination of investigative, enforcement, legal and adjudicative resources, both within the Department and in concert with other agencies. The application and enforcement of our immigration laws remains a critical element of this national effort.

1. Introduction

On March 1, 2003, the Immigration and Naturalization Service was abolished, and most of its functions transferred to the new Department of Homeland Security (DHS). The Attorney General retained significant authority over the interpretation and application of the Nation's immigration laws. As such, the immigration adjudications and litigation functions remained within the Department of Justice.

The Department's adjudication of immigration cases is performed by the Executive Office for Immigration Review (EOIR).

On behalf of the Attorney General and exercising his delegated authority, the primary mission of EOIR is to provide the timely and uniform interpretation and application of immigration law, ensuring due process and fair treatment for all parties involved.

The Executive Office for Immigration Review's FY 2015 request is \$347,154,000, 1,793 positions and 1,460 FTE workyears. The request is offset by \$4,000,000 to be transferred to EOIR from Immigration Examination Fees collected by the DHS.

The EOIR request includes a total program increase of \$22,648,000 tied to priority initiatives, as detailed below:

Coordination with DHS Enforcement Initiatives: \$17,000,000, including 211 positions (53 attorneys) to add 35 Immigration Judge Teams and 18 Board of Immigration Appeals attorneys. This will allow EOIR to better coordinate with DHS enforcement efforts and adjudicate more cases annually.

Legal Orientation Program (LOP): \$2,824,000 to expand EOIR's highly successful LOP. The program educates detained aliens as to EOIR immigration proceedings, allowing them to make more informed decisions earlier in the adjudication process, thereby increasing efficiencies for both EOIR courts and DHS detention programs. The request will add 12 additional sites to the 31 sites we expect to be operating by the end of FY 2014, 29 of which are in detention settings, and respond to increasing demand, as well as the expansion goals articulated by DHS, the Administration, and many members of Congress.

Pilot – Innovation Ideas: \$2,824,000 to promote innovation in immigration court efficiency by improving the level and quality of legal representation for vulnerable populations, and protecting children from mistreatment, exploitation and trafficking.

EOIR is comprised of 59 immigration courts located nationwide; the Board of Immigration Appeals (BIA), which hears appeals of immigration judge decisions and certain decisions of officers of the DHS; and the Office of the Chief Administrative Hearing Officer (OCAHO), which adjudicates cases involving illegal hiring and employment eligibility verification violations (“employer sanctions”) and employment discrimination under the Immigration and Nationality Act (INA).

While due process and independent decision-making remain the bedrock of any judicial or quasi-judicial function, EOIR cannot and does not operate in a vacuum. The volume, nature, and geographic concentration of DOJ/EOIR immigration caseload is directly affected by government-wide immigration enforcement efforts. The coordination of resource allocation with DHS remains a top challenge and goal for EOIR.

An assessment of EOIR’s program was conducted in 2006 and resulted in an improvement plan that was executed during the next several years. The improvement plan’s first action item was completed when EOIR reassessed its targets to ensure that they were suitably ambitious. While most measures were determined to be suitably ambitious, the BIA shortened the time frame for completion of detained cases from 180 days to 150 days.

The second action item, which concerns the implementation of digital audio recording (DAR), was fully completed by September 2010. DAR continues to improve the quality of transcriptions and enhance efficiency in the flow of records between the immigration courts, transcription contractors, and the BIA. DAR is now available in all courtrooms nationwide.

The third action item, which involved expanded training for immigration judges and BIA legal staff, began in FY 2007 with the revision of numerous legal reference materials. In 2008, EOIR expanded training for new immigration judges and BIA members to include intensive classroom training on law and procedures; at that time, new immigration judges also began receiving two weeks of observation; and, two weeks of on-the-job training in an immigration court. Periodic training was also conducted on legal and procedural issues for immigration judges and BIA members. In 2010, the agency also implemented a one-year training program for new BIA attorneys, aimed at ensuring knowledge of agency process and BIA appellate procedure, as well as proficiency in relevant immigration law. Since 2007, EOIR has also developed an expanded continuing education training program for immigration judges and BIA legal staff, including the provision of comprehensive reference materials, ongoing substantive law and procedural training, and regular updates on legal developments. These efforts continued into 2013 and help to ensure that immigration judges and BIA legal staffs receive continuing education and remain up to date on relevant immigration issues. The agency’s efforts in this regard have continued through 2013 and now include an additional week of advanced training for new immigration judges, generally taking place a year after their entry-on-duty as resources permit.

The fourth action item was to expand the Legal Orientation Program (LOP). This program improves efficiencies in immigration court proceedings for detained aliens by increasing awareness of their rights and the process. EOIR has expanded the program to 26 sites in recent years.

2. Background

Immigration Courts and Coordination with DHS Enforcement Increases

EOIR's immigration courts represent the Department's front-line presence with respect to the application of immigration law. Cases are received on-site, across the Nation, directly from DHS personnel. As such, the coordination of resource allocation between DOJ/EOIR and DHS is a critical issue.

EOIR's strategies are two-fold. First, on an on-going basis, EOIR's Office of the Chief Immigration Judge monitors caseload volume, trends, and geographic concentration and adjusts resource allocation accordingly. This is done by modifying local dockets, adjusting detail assignments and permanently assigning or reassigning judge and staff positions to the highest priority dockets. This also includes the expansion of the use of video teleconferencing to hear cases from remote locations. This strategy involves close national and local coordination with DHS personnel.

EOIR's second strategy involves coordinating initiatives with DHS. Within DHS, Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) include the majority of immigration enforcement programs that generate immigration court caseload. ICE includes immigration detention and removal, intelligence, investigations, legal proceedings and criminal alien programs. CBP includes the Border Patrol and inspections programs. The activities of these programs directly affect DOJ/EOIR adjudications. As a key player in the government's immigration initiatives, EOIR's ability to adjudicate increasing caseloads in a timely fashion allows the larger system to operate more efficiently, including the effective utilization of detention bed space and the DHS resources devoted to criminal and non-criminal alien removal programs.

3. Full Program Costs

EOIR's submission contains specific performance measures. The measures are comprised of performance targets related to criminal aliens and detained aliens, EOIR's top priority cases. EOIR will continue to strive to meet the targets. All costing methodologies, including modular costs, are reflected in the attached financial exhibits.

4. Performance Challenges

Internal Challenges

Prior to the Department's FY 2011 managed hiring freeze, in an effort to address the rising caseload, EOIR was engaged in a critical Immigration Judge hiring effort, strongly supported by the Department, the Administration and Congress to increase the number of Immigration Judges to 305 by the end of FY 2011. EOIR managed to grow the corps of Immigration Judges from the 232 on-board at the start of FY 2010 (October 2009) to a high of 272 by mid-December, 2010. However, the 2011 managed hiring freeze reduced the number of judges on-board, after accounting for attrition. As a result of attrition, EOIR's Immigration Judges have been reduced to 249 as of the end of January 2014. Over 100 Immigration Judges are eligible to retire in FY 2014 alone, which is more than a third of the entire immigration judge corps.

External Challenges

EOIR receives virtually all of its workload in the form of cases brought forth by DHS, challenging the legal status and seeking the removal of aliens. It remains critically important to balance EOIR's adjudicative resources with DHS enforcement increases.

EOIR's immigration court pending caseload has continued to increase as a result of DHS' enforcement efforts and the hiring freeze for the last two years which has recently been lifted. This remains the key challenge for EOIR as courts continue to receive hundreds of thousands of matters for adjudication per year. The number of matters pending adjudication rose from 229,000 at the end of FY 2009 to approximately 359,000 by the end of FY 2013, an increase of 130,000 matters. This represents a 57% increase in matters pending adjudication from the beginning of FY 2010 to the end of FY 2013. Additionally, BIA's sustained level of over 30,000 appeals per year is an extremely large volume for any appellate body.

In September 2011, EOIR convened a Data Working Group to assess how EOIR collects, tracks and disseminates data. In October 2012, the Department of Justice, Office of the Inspector General (OIG) released a report¹ finding "flaws in EOIR's performance reporting." EOIR did not agree with all of the OIG findings as we believed that there was a difference between internal performance measurement and external performance reporting; however, several recommendations dovetailed with EOIR's plans for an overhaul of its statistical methodology. To address concerns raised by the OIG report, as well as to incorporate changes EOIR developed through its own analysis of its data, EOIR has revised the methodology for its FY 2013 Statistical Year Book.

The priority necessarily placed upon the adjudication of detained cases has implications for the non-detained side of court dockets. Immigration court cases are now routinely scheduled far into the future. There are many courts scheduling cases through calendar year 2015 and beyond. EOIR continues to set cases further out on its dockets as the pending caseload continues to grow.

DHS announced its civil immigration enforcement priorities pertaining to the apprehension, detention, and removal of aliens. Those priorities focus on national security, public safety, and border security. EOIR anticipates that this emphasis on the removal of criminal aliens and others who pose a threat to public safety will continue.

¹ The OIG report can be found at the following link: <http://www.justice.gov/oig/reports/2012/e1301.pdf>

I. Overview for the Office of the Pardon Attorney

For FY 2015, the Office of the Pardon Attorney (OPA) requests a total of \$3,918,000, 18 FTE, and 22 positions, of which 11 are attorneys, to achieve its mission of advising and assisting the President in the exercise of the pardon power conferred on him by Article II, Section 2 of the Constitution. This request includes a total program increase of \$800,000, 4 FTE, and 7 positions, of which 4 are attorneys.

1. Introduction

For over 100 years, the President has requested and received the assistance of the Attorney General and his designees in the Department of Justice in exercising his clemency power with regard to persons who have committed offenses against the United States. Within the Department, OPA is the component assigned to carry out this function under the direction of the Deputy Attorney General. The long-standing role of Department officials advising the President on clemency matters is reflected in various public record documents dating to the late 19th century. Moreover, since at least 1898, Presidents have adopted advisory rules to describe their programs for processing clemency applications and their directions to the Attorney General in carrying out the Department's clemency advisory functions. The rules, which govern OPA's work but do not bind the President, are approved by the President and published by the Attorney General. The current version of the administrative rules was promulgated in October 1993 and amended in August and September 2000. They are published in 28 C.F.R. §§ 1.1 to 1.11 and are also available on OPA's web site at <http://www.justice.gov/pardon/clemency.htm>.

The two principal forms of clemency sought by applicants are pardon after completion of sentence and commutation (reduction) of a sentence being served. The standards by which clemency applications are evaluated in connection with the preparation of the Department's letters of advice to the President have been utilized for decades and likewise are publicly available on OPA's web site at <http://www.justice.gov/pardon/petitions.htm>.

2. Program Description

The primary function of OPA is to receive, review, and investigate clemency applications and prepare the recommendation of the Department of Justice as to the appropriate disposition of each application for the signature of the Deputy Attorney General. In addition, OPA responds to inquiries concerning clemency petitions and the clemency process from applicants, their representatives, members of the public, Members of Congress, and various federal, state, and local officials and agencies; prepares all necessary documents to effect the President's decision to grant clemency; and notifies each clemency applicant of the President's decision concerning his clemency request. When asked to do so, OPA also provides general advice to the White House concerning clemency procedures and the historical background of clemency matters.

3. Challenges

OPA's workload has increased significantly over the last two decades and in particular since FY 2008, while its current authorized staffing level – 15 positions, of which 7 are attorneys – has remained the same since the mid-1990s. Between FY 1990 and FY 1998, OPA averaged 572 new case filings per year. In every fiscal year since FY 1999, however, OPA has received at least 1,000 clemency applications for processing; since FY 2008, new filings have amounted to

approximately 2,000 cases annually. In FYs 2008, 2009, and 2013, new filings substantially exceeded 2,000. In FY 2008, OPA received 555 pardon petitions and 1,770 petitions for commutation of sentence for a total of 2,325 new cases, a number that set a record at that time for the most petitions submitted in any fiscal year since FY 1900. That record was surpassed in FY 2009, when the office received 666 petitions for pardon and 1,955 petitions for commutation, for a total of 2,621 new cases. These historic levels of case filings were exceeded in FY 2013, when OPA received 303 pardon applications and 2,370 commutation applications, for a total of 2,673 clemency petitions, which is a 40% increase in clemency applications in just one fiscal year. In all, between FY 2008 and FY 2013, OPA received more than 13,600 clemency petitions for processing; the average number of petitions submitted per fiscal year during this period was 2,272.

The large caseload of the last several fiscal years has presented a continuing challenge to OPA's small staff, and the trend of receiving approximately 2,000 or more new cases per year is very likely to continue for the foreseeable future. The number of pardon applications filed remains steady, due in large part to the many civil disabilities that flow from felony convictions. However, the volume of commutation petitions submitted for the President's consideration has grown to be exceptionally high. In FY 2013, OPA received 2,370 commutation petitions, which was 88% of the total 2,673 petitions filed that year. This number of commutation petitions in FY 2013 alone exceeded the historically high number of all types of petitions filed in FY 2008 (2,325 petitions). Given the size of the federal prison population it is unlikely that the numbers of commutation submissions will decline to any significant degree in the near future.

OPA is obliged to process all applications it receives from persons who are eligible to seek executive clemency from the President, and thus has no control over the size of its caseload. Accordingly, the Office has strived over the last several years to improve its case processing efficiency to keep pace with its substantially increased workload. To this end, OPA has greatly increased its use of electronic communication to streamline its contacts with other agencies inside and outside the Department of Justice for information, enhanced its website to make readily available to the public a wealth of information about the clemency process, and in FY 2012, brought on-line a new, automated case tracking and processing system to replace a system that had been created in the late 1980s. These efficiencies, however, can only go so far. The additional staff and resources requested for FY 2015 are essential to enable OPA to keep pace with its significantly increased workload, and provide the President with timely and accurate information on which to base fair and just clemency decisions.

II. Summary of Program Changes – Executive Office for Immigration Review

Item Name	Description				Page
	Executive Office for Immigration Review	Pos.	FTE	Dollars (\$000)	
Coordination with DHS Enforcement Initiatives	Addition of 35 Immigration Judge Teams	211	105	\$17,000	22
Legal Orientation Program	Expansion of twelve additional LOP sites to meet increased program demand	0	0	\$2,824	24
Pilot – Innovative Ideas	Improve the level and quality of legal representation for vulnerable populations.	0	0	\$2,824	25
Miscellaneous Program and Administrative Reductions	Program and administrative reductions to be identified once funds are appropriated.	0	0	-\$1,710	26
Total		211	105	\$22,648	

The EOIR request includes a total program increase of \$22,648,000 tied to priority initiatives, as detailed below:

Coordination with DHS Enforcement Initiatives: \$17,000,000, including 211 positions (53 attorneys) to add 35 Immigration Judge Teams and 18 Board of Immigration Appeals attorneys. This will allow EOIR to better coordinate with DHS enforcement efforts and adjudicate core cases annually.

Legal Orientation Program (LOP): \$2,824,000 to expand EOIR's highly successful LOP. The program educates detained aliens as to EOIR immigration proceedings, allowing them to make more informed decisions earlier in the adjudication process, thereby increasing efficiencies for both EOIR courts and DHS detention programs. The request will add 12 additional sites to the 31 sites we expect to be operating by the end of FY 2014, 29 of which are in detention settings, and respond to increasing demand, as well as the expansion goals articulated by DHS, the Administration, and many members of Congress.

Pilot – Innovation Ideas: \$2,824,000 to promote innovation in immigration court efficiency, improve the level and quality of legal representation for vulnerable populations, and protect children from mistreatment, exploitation and trafficking.

II. Summary of Program Changes - Office of the Pardon Attorney

Item Name	Description				Page
	Office of the Pardon Attorney	Pos.	FTE	Dollars (\$000)	
Pardons and Commutations	To fund the hiring of additional staff, to help achieve OPA's mission of advising and assisting the President in the exercise of the executive clemency power	7	4	\$800	28
Miscellaneous Program and Administrative Reductions	Program and administrative reductions to be identified once funds are appropriated.	0	0	-\$85	30
Total, OPA		7	4	\$715	

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

Administrative Review and Appeals (Including Transfer of Funds)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, [\$315,000,000], \$351,072,000, of which \$4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account: *Provided, that, of the amount provided:*

- (1) \$10,000,000 is for the Executive Office for Immigration Review for courthouse operations, language services and automated system requirements and shall remain available until expended;
- (2) \$10,024,000 is for the Executive Office for Immigration Review's Legal Orientation Program; and
- (3) \$5,824,000 is for the Executive Office for Immigration Review to implement and evaluate a pilot program to provide counsel for unaccompanied alien children and shall remain available until expended: Provided further, That such pilot program shall be carried out in consultation with the Department of Health and Human Services, the Department of Homeland Security, and relevant non-governmental organizations and experts.

Justification:

New language is proposed to provide the Executive Office for Immigration Review with no-year carryover authority for courthouse operations, language services, and the eWorld document management system initiative, where contract performance periods cross fiscal years and more time is needed for development and/or obligations. Funding is also identified for the Legal Orientation Program and a pilot program for unaccompanied alien children.

IV. Program Activity Justification

A. Executive Office for Immigration Review (EOIR)

<i>Executive Office for Immigration Review</i>	Perm. Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequestration	1,582	1,355	289,079
2014 Enacted	1,582	1,355	312,200
Adjustments to Base and Technical Adjustments	0	0	14,016
2015 Current Services	1,582	1,355	326,216
2015 Program Increases	211	105	22,648
2015 Program Offsets	0	0	-1,710
2015 Request	1,793	1,460	347,154
Total Change 2014-2015	211	105	34,954

1. Program Description

EOIR is comprised of the Office of the Director and three adjudicative components.

Board of Immigration Appeals – Under the direction of the Chairman, the BIA hears appeals of decisions of Immigration Judges and certain decisions of officers of the DHS in a wide variety of proceedings in which the Government of the United States is one party and the other party is an alien, a citizen, or a transportation carrier. The BIA is directed to exercise its independent judgment in hearing appeals for the Attorney General, and provides a nationally uniform application of the immigration laws, both in terms of the interpretation of the law and the exercise of the significant discretion vested in the Attorney General. The majority of cases before the BIA involve appeals from orders of EOIR's Immigration Judges entered in immigration proceedings.

Appeals of decisions of DHS officers, reviewed by the BIA, involve principally appeals from familial visa petition denials and decisions involving administrative fines on transportation carriers. The BIA also renders decisions on applications by organizations that have requested permission to practice before the BIA, the Immigration Judges, and DHS, and renders decisions on individual applications by employees of such organizations.

The BIA mission requires that national policies, as reflected in immigration laws, be identified, considered, and integrated into its decision process. The BIA plays the major role in interpreting the immigration laws of this country, an area of law the courts have characterized as uniquely complex. Processing a high-volume caseload has been a challenging task in a time of almost constant major legislative action in the immigration field. The BIA has provided the principal interpretation of the Immigration Reform and Control Act of 1986 (IRCA) (along with OCAHO adjudications in the employer sanctions and anti-discrimination areas); the Immigration Amendments of 1988; the Anti-Drug Abuse Act of 1988; the Immigration Act of 1990 (IMMACT 90); the Anti-terrorism and Effective Death Penalty Act of 1996 (AEDPA); the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA); the Nicaraguan Adjustment and Central American Relief Act of 1997 (NACARA); the Legal Immigration

Family Equity Act of 2000 (LIFE); and, the LIFE Act Amendments of 2000. These laws have represented the most fundamental restructuring of the Immigration and Nationality Act since its enactment in 1952, and have presented a myriad of new issues of statutory construction. The BIA has issued interpretive decisions and has then reinterpreted the Act as the laws have been amended.

Office of the Chief Immigration Judge – The Chief Immigration Judge provides overall program direction, articulates policy, and establishes priorities for the Immigration Judges located in 59 courts throughout the United States. Generally, Immigration Judges may order aliens removed or grant relief such as cancellation of removal, adjustment of status, asylum or waivers of removability. If the Immigration Judges decide that removability has not been established, they may terminate the proceedings. Bond redetermination hearings are held when an alien in custody seeks release on his or her own recognizance, or a reduction in the amount of the bond.

With respect to criminal alien adjudications, the Institutional Hearing Program (IHP) provides the framework for hearings to determine the immigration status of aliens convicted of offenses who are incarcerated in federal, state and local prisons across the United States. EOIR's IHP is part of the larger Institutional Removal Program, also known as the Criminal Alien Program, operated by the DHS. This program is a central component of a variety of initiatives designed to expedite the removal of criminal aliens and involves close coordination with DHS, the Bureau of Prisons, state and local corrections authorities, and EOIR.

Office of the Chief Administrative Hearing Officer – The Office of the Chief Administrative Hearing Officer (OCAHO) employs Administrative Law Judges (ALJs) appointed pursuant to 5 U.S.C. § 3105 to adjudicate cases arising under Sections 274A, 274B and 274C of the INA. Section 274A provides for sanctions against employers or entities who: (1) knowingly hire, recruit, or refer for a fee, or continue to employ unauthorized aliens; (2) fail to comply with the employment eligibility verification system; or (3) require the execution of an indemnity bond to protect themselves from potential liability for unlawful employment practices. Section 274 B prohibits employment discrimination based on national origin or citizenship status and provides for civil penalties and various equitable remedies. Section 274C provides civil penalties for immigration-related document fraud. Adjudicative proceedings are initiated by complaints filed with the OCAHO by DHS, the Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) in the Civil Rights Division, and private parties and entities. Cases are assigned to ALJs by the Chief Administrative Hearing Officer (CAHO), who is also responsible for program management and policy development for the Office. Complaints are filed by the DHS in section 274A and Section 274C cases and by OSC or injured private individuals or entities in section 274B cases.

The CAHO may conduct administrative reviews of ALJ decisions and, unless the case is certified to the Attorney General, renders the final agency action with respect to cases decided by ALJs under INA Sections 274A and 274C. The CAHO also certifies that ALJs who hear Section 274B cases have received the training in employment discrimination matters required by statute.

2. Performance and Resources Tables

PERFORMANCE AND RESOURCES TABLE									
Decision Unit: Executive Office for Immigration Review									
RESOURCES									
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	Target		Actual		Projected		Requested (Total)
			FY 2013		FY 2013		FY 2014		
Workload: Immigration Court Matters Received ¹ Immigration Court Matters Pending	Appeals	Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	430,000		271,846		272,000		FY 2016 Request
			319,365		359,092		350,000		
			FTE		FTE		FTE		
Program Activity	3.7 Adjudicate Immigration Cases	Immigration Courts Matters Completed ² Cases Completed ² Total IHP Detained Completions	1,355		1,355		1,355		FY 2016 Request
			289,079		289,079		312,200		
			FTE		FTE		FTE		
Performance Measure: Output	Total	Total Appeals Completed	390,000		253,949		255,000		FY 2016 Request
			294,846		192,071		192,000		
			3,678		4,811		4,800		
Performance Measure: Efficiency	Board of Immigration Appeals	Total Appeals Completed	84,358		59,915		60,000		FY 2016 Request
			FTE		FTE		FTE		
			1,500		1,500		1,500		
Performance Measure: Outcome	Immigration Courts	Cases within Time Goal	85%		83%		85%		FY 2016 Request
			85%		73%		85%		
			90%		97%		90%		
Definition: The Executive Office for Immigration Review (EOIR) has identified two types of immigration court cases (institutional hearing program (IHP) and detained cases) and one type of Board of Immigration Appeals (BIA) case (detained appeals) as its priority caseload. The IHP is a collaborative effort between EOIR, the Department of Homeland Security (DHS) and the Department of Justice (DOJ) to process cases more efficiently. The BIA is a collaborative effort between EOIR and the Department of Justice (DOJ) to process cases more efficiently. The IHP permits immigration judges to hold removal hearings inside correctional facilities. Data are collected from the Case Access System for EOIR (CASE), a nationwide case-tracking system at the trial and appellate levels. Court staff nationwide enters data, which are electronically transmitted and stored at EOIR Headquarters. Data are verified by on-line edits of data fields. Headquarters and field office staff use routine daily, weekly, and monthly reports to monitor case processing. At the start of FY 2014, EOIR changed the way it calculates the percent of its priority caseload completed within the designated timeframe. The data reported for FY 2009 – FY 2012 is the same as what had been previously reported. The data for FY 2013 is calculated differently to provide greater detail that pertains external to EOIR can use more efficiently.									

¹ Prior to FY 2014 EOIR captured the following information as part of "immigration matters received": all proceeding receipts (if a case moved from one court to another court a receipt was counted at each court, also proceedings in which an appeal is remanded to the immigration court or the case is reopened were counted as proceeding receipts), all bond receipts, and all motion to reopen or motion to reconsider receipts. In FY 2014 EOIR will change the way it counts this workload measure. For the numbers reflected in the FY 2013 actuals in this table, and in FY 2014 and beyond, "immigration matters received" will include the initial Notice to Appear filed by DHS only (not subsequent proceeding receipts), all bond receipts, and all motion to reopen, motion to reconsider, and motion to recalendar receipts. In addition, prior to FY 2014, the number of appeals received and completed by the BIA counted joined family cases as a single appeal. For the numbers reflected in the FY 2013 actuals in this table and in FY 2014 and beyond, "appeals received" will count each appeal received ("leads" and "riders") individually while "appeals completed" will count each appeal completed ("leads" and "riders") individually.

² Prior to FY 2014 EOIR captured the following information as part of "total matters completed": all proceeding completions (if a case moved from one court to another court a completion was counted at each court), all bond completions, and all motion to reopen or motion to reconsider completions. In FY 2014 EOIR will change the way it counts this workload measure. For the numbers reflected in the FY 2013 actuals in this table, and in FY 2014 and beyond, "total matters completed" will include all case completions, all bond completions, and motion to reopen, motion to reconsider, and motion to recalendar completions that were not granted. Changes of venue and transfers will no longer be counted.

³ In FY 2012 and FY 2013 EOIR captured all proceeding completions. If an individual changed venue or was transferred, the court would count a completion. In FY 2014 EOIR will change the way it counts this workload measure. For the numbers reflected in the FY 2013 actuals in this table and in FY 2014 and beyond, EOIR will count initial proceeding completions as well as subsequent proceeding completions. Changes of venue and transfers will no longer be counted.

PERFORMANCE MEASURE TABLE																	
Decision Unit:		Executive Office for Immigration Review															
Strategic Objective	3.7	Performance Report and Performance Plan Targets		FY 2009 Actual		FY 2010 Actual		FY 2011 Actual		FY 2012 Actual		FY 2013 Actual		FY 2014 Target		FY 2016 Target	
		Performance Measure	Total Matters Completed	351,234	352,676	393,387	382,062	390,000	273,849	270,000							
		Performance Measure	Total Proceedings Completed (Discontinued)	289,339	286,738	302,577	289,405	294,846	192,000	192,000	203,000	N/A	N/A	N/A	N/A	N/A	
		Performance Measure	IHP Completions ⁴	7,603	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
		Performance Measure	Detained Completions ⁴	4,311	3,950	3,782	3,679	3,678	4,870	4,870	4,870	4,870	4,870	4,870	4,870	4,870	
		Performance Measure	Applications (Discontinued)	107,391	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
		Performance Measure	Total immigration court priority cases completed (Discontinued)	119,305	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
		Performance Measure	Detained Completions ⁵	144,763	111,264	112,154	89,350	84,868	60,000	60,000	63,500	63,500	63,500	63,500	63,500	63,500	
		Performance Measure	Total Appeals Completed	33,030	33,234	35,271	36,381	36,690	37,000	37,000	38,500	38,500	38,500	38,500	38,500	38,500	
		Performance Measure	Detained Completions ⁵	3,243	3,201	4,212	4,659	4,648	4,500	4,500	4,760	4,760	4,760	4,760	4,760	4,760	
		Efficiency Measure	The measures above also serve as EOIR's efficiency measures														
		OUTCOME Measure	% IHP Cases win Time Goal	82%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
		OUTCOME Measure	% Detained win Time Goal	90%	87%	88%	87%	85%	85%	85%	85%	85%	85%	85%	85%	85%	
		OUTCOME Measure	% Detained win Time Goal (Discontinued)	88%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
		OUTCOME Measure	% Immigration court priority cases completed (Discontinued)	88%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
		OUTCOME Measure	% Backlog reduction (Discontinued)	50%			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
		OUTCOME Measure	Detained Completions		89%	88%	86%	85%	85%	85%	85%	85%	85%	85%	85%	85%	
		OUTCOME Measure	% Detained appeals adjudicated within Time Goal	98%	93%	94%	97%	90%	90%	90%	90%	90%	90%	90%	90%	90%	
		OUTCOME Measure	% Appeals priority cases compared (Discontinued)	96%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
N/A = Data unavailable																	
4 All Institutional Hearing Program cases completed during the time period.																	
5 All initial case completions for detained individuals. This does not include change of venue or transfers. In addition, it does not include cases that have been reopened or remanded from the Board of Immigration Appeals.																	
All appeals completed for detained individuals.																	

N/A = Data unavailable

4 All institutional Hearing Program cases completed during the time period.

5 All initial case completions for detained individuals. This does not include change of venue or transfers. In addition, it does not include cases that have been reopened or remanded from the Board of Immigration Appeals.

6 All appeals completed for detained individuals.

3. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

For the immigration courts, EOIR chose two priority case types as performance measures and set the following goals:

- 85% of Institutional Hearing Program (criminal alien) cases completed before release from incarceration
- 85% of detained cases completed within 60 days

In FY 2013, the immigration courts did not meet these two priority targets but continued to reallocate resources to strive to complete these priority cases in a timely fashion. These performance measures will continue through FY 2014. The goal for the Institutional Hearing Program will continue in FY 2015, while the goal for detained cases will change to “80% of detained cases completed within 60 days.” This change is due in large part to the new way that EOIR will be counting cases.

The performance measure for the BIA is:

- 90% of detained appeals adjudicated within 150 days

In FY 2013, the BIA exceeded this target by 7%. This performance measure will continue through FY 2015.

EOIR’s adjudication functions are part of the government’s broader immigration and border control programs. As such, EOIR’s ability to adjudicate cases in a timely fashion allows the larger system to operate more efficiently. This includes the efficient utilization of DHS detention bed spaces. The guarantee of fairness and due process remains a cornerstone of our judicial system. EOIR’s role in the provision of relief in meritorious cases, and in the denial of relief in others, helps assure the integrity of the overall process.

To summarize, the FY 2015 target is to complete EOIR’s priority adjudications within established timeframes.

b. Strategies to Accomplish Outcomes

Case adjudication is the performance indicator for EOIR. Performance measures (the number of cases completed) have been established for several high priority case types.

EOIR has established case completion goals for the various types of cases that the immigration courts adjudicate, and will continue to reallocate existing resources to the adjudication of priority cases. This includes the adjustment of court dockets to increase the number of calendars devoted to detained cases and increasing the frequency of immigration judge details to federal, state, and local correctional facilities as needed to adjudicate Institutional Hearing Program cases.

Finally, EOIR is moving ahead with its plans to transition from paper to electronic records. When fully implemented, this initiative will improve efficiency throughout the adjudication

process. For example, data from electronically filed documents will be automatically uploaded to EOIR's database, thus decreasing data entry time; electronic Records of Proceedings (ROPs) will be available for simultaneous access by staff who need to use them, eliminating the time spent waiting for files; and digitally recorded hearings can be made available to transcribers instantly rather than mailing audio tapes back and forth.

IV. Program Activity Justification***Office of the Pardon Attorney***

<i>Office of the Pardon Attorney</i>	Perm. Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequestration	15	14	2,600
2014 Enacted	15	14	2,800
Adjustments to Base and Technical Adjustments	0	0	403
2015 Current Services	15	14	3,203
2015 Program Increases	7	4	800
2015 Program Offsets	0	0	-85
2015 Request	22	18	3,918
Total Change 2014-2015	7	4	1,118

PERFORMANCE MEASURE TABLE

Decision Unit:		Office of the Pardon Attorney									
Strategic Objective	Performance Report and Performance Plan Targets		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015	
			Actual	Actual	Actual	Actual	Target	Actual	Target	Target	
	Performance Measure	Clemency petitions processed	3,135	1,990	2,409	1,669	1,500	1,962	1,500	1,700	
2.6	Performance Measure	Correspondence processed	5,700	5,700	**	**	**	**	**	**	
	Performance Measure										
	Efficiency Measure	Performance measure is efficiency measure									
	OUTCOME Measure	Petitions pending at OPA	1,214	1,388	895	1,156	1,500	1,847	1,800	1,800	

N/A = Data unavailable

** OPA ceased tracking correspondence processing as a separate program activity in FY 2011 since it is an auxiliary

3. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

OPA's sole mission is to assist the President in the exercise of the executive clemency power. Accordingly, its performance measure is the number of clemency petitions it processes during a given fiscal year. Its outcome measure is the number of clemency petitions that remain pending in OPA at the end of the fiscal year. In FY 2008, OPA's annual targets for clemency petitions processed and clemency petitions pending were both 1,100 cases. In that year of then-unprecedented filings (2,325 new petitions), OPA met its target of petitions processed, but missed the target for petitions pending at the end of the fiscal year. Given the vast increase in its caseload in FY 2008, OPA modified both its performance measure and outcome measure targets to 1,500 cases beginning in FY 2009. OPA managed to meet these targets in every fiscal year through FY 2012 despite its exceedingly high cumulative volume of new filings (8,631 total cases between FYs 2009 and 2012). However, in FY 2013, OPA once again set a new historical record for petitions filed – 2,673 cases – and as a result, it was unable to meet its outcome measure target for cases pending at the end of the fiscal year. In light of the significant increase in its workload and the continued small size of its staff, OPA has determined that it must again revise its outcome measure target for petitions pending at the end of the fiscal year to 1,800 petitions. With the additional resources requested for FY 2015, OPA expects to be able to increase its case processing efficiency and raise its annual case-processing target for FY 2015 to 1,700 cases, and thereafter to continue to increase its output as all new staff are brought on board and fully trained. The degree to which the office will be able to lower its annual cases-pending outcome target will depend significantly on the volume of new petitions filed in upcoming fiscal years and how quickly OPA can bring new staff on board to work through the high cumulative number of petitions filed in the last few fiscal years.

b. Strategies to Accomplish Outcomes

With the benefit of the resources funded by the FY 2015 budget request, OPA will allocate most of the new attorney positions to its commutation caseload, which accounts for the majority of the petitions received between FYs 2008 and 2013. The remaining attorney resources will be assigned to the processing of the pardon caseload. The non-attorney positions will provide support to both aspects of the office's work, as well as to the administration of the office. With these additional resources, OPA projects that it will significantly increase its case processing efficiency.

V. Program Increases by Item

A. Item Name: Coordination with DHS Enforcement Initiatives

Budget Decision Unit: EOIR

Strategic Goal & Objective: 3.7: Adjudicate all immigration cases promptly and impartially in accordance with due process.

Organizational Program: Immigration Adjudications

Program Increase: Positions 211 Agt/Atty 53 FTE 105 Dollars \$17,000,000

Description of Item

This increase of \$17,000,000 includes 211 positions (53 attorneys) to add 35 Immigration Judge Teams and 18 Board of Immigration Appeals (BIA) attorneys to help adjudicate rising caseloads resulting from DHS enforcement efforts. This increase will also enable EOIR to better address its highest priority cases that being the cases involving detained individuals.

Justification

The identification and removal of criminal aliens, and the determination of individuals eligible for relief from removal, are high priorities. EOIR's role in expediting the adjudication of removal proceedings involving criminal aliens will enable DHS to process those found removable immediately upon completion of their sentences. Similarly, EOIR's pilot projects, including docket efficiency pilots, mental competency assessment referrals, juvenile docket adjustments, and qualified representatives for mentally incompetent aliens make immigration proceedings at once more efficient and more responsive to the fundamental values of fairness and due process. EOIR's ability to provide timely adjudications will also assist greatly in the use of detention beds, as well as federal, state and local prison and jail space nationwide. In addition, EOIR's program increase is made in light of the need to achieve the goals articulated above.

Further, EOIR's pending caseload continues to grow. The number of matters pending adjudication rose from 229,000 at the beginning of FY 2010 to approximately 359,000 by the end of FY 2013, an increase of 130,000 matters. This represents a 57% increase in matters pending adjudication in just three years.

Impact on Performance (Relationship of Increase to Strategic Goals)

This initiative ties directly to Strategic Goal 3.7 and to the Congress' and Administration's immigration priorities. The volume and geographic concentration of the additional caseload will depend upon DHS' implementation strategies. However, the expanded DHS programs in federal, state and local prisons will undoubtedly add cases to EOIR's dockets. Because of their

existence in detention and prison settings, these cases will have to be adjudicated expeditiously and as a top priority.

B. Item Name: Legal Orientation Program

Budget Decision Unit: EOIR

Strategic Goal & Objective: 3.7: Adjudicate all immigration cases promptly and impartially in accordance with due process.

Organizational Program: Immigration Adjudications

Program Increase: Positions 0 Agt/Atty 0 FTE 0 Dollars \$2,824,000

Description and Justification of Item

This requested increase will expand the successful Legal Orientation Program and improve efficiencies in immigration court proceedings for detained aliens. This program educates detained aliens as to EOIR immigration proceedings, allowing them to make more informed decisions earlier in the adjudication process, thereby increasing efficiencies for both EOIR courts and DHS detention programs. Evaluation reports have shown that LOP participants complete their immigration court cases in detention on an average of 12 days faster than detainees who do not participate in an LOP. The requested additional funding will respond to elevated demand at existing DHS sites and enable LOP to add 12 additional sites to the 31 sites we expect to be operating by the end of FY 2014, 29 of which are in detention centers.

Impact on Performance (Relationship of Increase to Strategic Goals)

This initiative ties directly to Strategic Goal 3.7 and to the Congress' and Administration's immigration priorities. This program increase would enhance immigration court efficiencies, allowing EOIR to adjudicate cases in a more timely fashion, especially the high priority detained cases.

C. Item Name: Pilot – Innovative Ideas

Budget Decision Unit: EOIR

Strategic Goal & Objective: 3.7: Adjudicate all immigration cases promptly and impartially in accordance with due process.

Organizational Program: Immigration Adjudications

Program Increase: Positions 0 Agt/Atty 0 FTE 0 Dollars \$2,824,000

Description of Item

To promote innovation in immigration court efficiency, improve the level and quality of legal representation for vulnerable populations, effectively adjudicate cases involving children, and protect children from mistreatment, exploitation and trafficking.

Justification

Improving the level and quality of legal representation for vulnerable populations, such as children, assists the agency in effectively conducting immigration proceedings. Without counsel, cases may be extended for long periods of time so that the Immigration Judge can explain immigration procedures and gather necessary information from a child before making a decision in his or her case. Improved legal access will assist children in understanding and articulating the factual and legal aspects of their cases, improving the effectiveness of immigration proceedings before EOIR.

Impact on Performance (Relationship of Increase to Strategic Goals)

This initiative ties directly to Strategic Goal 3.7 and to the Congress' and Administration's immigration priorities. This program increase would enhance immigration court efficiencies, allowing EOIR's Immigration Judges to adjudicate cases in a more timely fashion.

VI. Program Offsets by Item

Item Name: **Miscellaneous Program and Administrative Reductions**

Budget Decision Unit: EOIR

Strategic Goal & Objective: 3.7: Adjudicate all immigration cases promptly and impartially in accordance with due process.

Organizational Program: Immigration Adjudications

Program Offset: Positions 0 Agt/Atty 0 FTE 0 Dollars \$-1,710,000

Description of Item

Program and administrative reductions to be identified once funds are appropriated.

Justification

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated

Impact on Performance

Performance impact information is not yet available for this offset.

Base Funding

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	agt/ atty	FTE	\$(000)	Pos	agt/ atty	FTE	\$(000)	Pos	agt/ atty	FTE	\$(000)
1,582	530	1,355	289,079	1,582	530	1,355	312,200	1,582	530	1,355	326,216

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization
Attorney (0905)	95	35	3,325	3,325
Information & Arts (1000-1099)	34	35	1,190	1,645
Clerical and Office Services (0300-0399)	28	70	1,960	2,380
Paralegal/Other Law (0900-0999)	41	35	1,435	1,995
Attorney (0905)	58	18	1,044	1,422
Paralegal/Other Law (0900-0999)	34	18	612	846
Total Personnel	290	211	9,566	11,613

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization
Attorney (0905)	160	35	5,600	-980
Information & Arts (1000-1099)	18	35	630	280
Clerical and Office Services (0300-0399)	18	70	1,260	560
Paralegal/Other Law (0900-0999)	21	35	735	175
Attorney (0905)	23	18	414	72
Paralegal/Other Law (0900-0999)	18	18	324	144
Legal Orientation Program			2,824	
Pilot - Innovative Ideas			2,824	
Total Non-Personnel	258	211	13,082	251

Total Request for this Item

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total
Current Services	1,582	530	1,355	189,257	136,959	326,216
Increases	211	53	105	9,566	13,082	22,648
Decreases	0	0	0	0	-1,710	-1,710
Grand Total	1,793	583	1,464	198,823	148,331	347,154

Item Name: **Pardons and Commutations Increase**

Strategic Goal: Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law

Strategic Objective: Objective 2.6: Protect the federal fisc and defend the interests of the United States

Budget Decision Unit(s): Office of the Pardon Attorney

Organizational Program: Executive clemency advisory program

Program Increase: Positions 7 Agt/Atty 4 FTE 4 Dollars \$800,000

Description of Item

This request to fund 7 additional positions, including 4 attorneys and 3 support personnel, is intended to enable OPA to manage its substantial caseload, which has more than tripled since its current staffing level was set in the mid-1990s. The additional personnel are required to increase the Office's efficiency in reviewing and processing applications for all types of executive clemency, and its ability to provide thorough and timely advice to the President to assist his exercise of the constitutional clemency power.

Support of the Department's Strategic Goals

Strategic Goal 2.6 includes the Department's responsibility "to support the Attorney General in his role as legal adviser to the President," including "advising the President concerning the appropriate disposition of applications for executive clemency." Reviewing and investigating petitions for all forms of executive clemency and drafting the Department's recommendation in each case for the Deputy Attorney General's signature and submission for the President's consideration constitutes OPA's sole mission. The exceptionally high numbers of clemency applications filed with OPA in the last six fiscal years have presented a substantial challenge to the office's small staff, which has struggled to keep pace with its increasing workload. The addition of the new positions requested for FY 2015 would greatly assist OPA in handling this influx of cases and providing the President with timely and well-reasoned advice.

Justification

OPA's workload has increased significantly over the last two decades and in particular since FY 2008, while its current authorized staffing level – 15 positions, of which 7 are attorneys – has remained the same since the mid-1990s. Between FY 1990 and FY 1998, OPA averaged 572 new case filings per year. In every fiscal year since FY 1999, however, OPA has received at least 1,000 clemency applications for processing; since FY 2008, new filings have amounted to approximately 2,000 cases annually. In FYs 2008, 2009, and 2013, new filings substantially

exceeded 2,000. In FY 2008, OPA received 555 pardon petitions and 1,770 petitions for commutation of sentence for a total of 2,325 new cases, a number that set a record at that time for the most petitions submitted in any fiscal year since FY 1900. That record was surpassed in FY 2009, when the office received 666 petitions for pardon and 1,955 petitions for commutation, for a total of 2,621 new cases. These historic levels of case filings were exceeded in FY 2013, when OPA received 303 pardon applications and 2,370 commutation applications, for a total of 2,673 clemency petitions, which is a 40% increase in clemency applications in just one fiscal year. In all, between FY 2008 and FY 2013, OPA received more than 13,600 clemency petitions for processing; the average number of petitions submitted per fiscal year during this period was 2,272.

OPA is required to process all clemency petitions it receives from eligible applicants. Furthermore, the complexity of the issues presented by a given clemency petition can vary greatly from case to case. The requested program increase for FY 2015 to fund the hiring of additional staff would enable OPA to keep pace with the large volume of case filings, increase productivity, and provide the President with timely and accurate advice regarding each clemency petition.

Impact on Performance

With the benefit of the additional resources requested for FY 2015, OPA expects to be able to significantly increase its case processing productivity and efficiency. The addition of 4 new attorneys to the office would nearly double the number of staff attorneys available to review, investigate, and draft recommendations for clemency petitions. The hiring of 2 additional paralegals would provide the attorney staff with much needed assistance in managing the myriad processing tasks attendant to the office's large caseload and the high volume of inquiries the office routinely receives about executive clemency. Finally, the ability to hire an Office Administrator would greatly assist the Pardon Attorney and Deputy Pardon Attorney and improve overall productivity by reducing the number of administrative tasks they personally handle at present in addition to supervising the substantive work of the office. OPA projects that if it receives the program increase requested for FY 2015, it would be able to increase its annual petition-processing target to 1,700 cases and meet its annual cases-pending outcome target of 1,800 as it begins to bring new staff on board. Once all of the additional positions are filled and new personnel are fully trained in FY 2016, OPA expects that over succeeding fiscal years, it would be able to increase its case processing targets, first to 1,800 and then to 1,900 cases, and reduce its annual cases-pending outcome target, first to the FY 2013 level of 1,500 cases and then lower in succeeding years, depending on the volume of new case filings.

VI. Program Offsets by Item

Item Name: **Miscellaneous Program and Administrative Reductions**

Strategic Goal: Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law

Strategic Objective: Objective 2.6: Protect the federal fisc and defend the interests of the United States

Budget Decision Unit(s): Office of the Pardon Attorney

Organizational Program: Executive clemency advisory program

Program Offset: Positions 0 Agt/Atty 0 FTE 0 Dollars -\$85,000

Description of Item

Program and administrative reductions to be identified once funds are appropriated.

Justification

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Impact on Performance

Performance impact information is not yet available for this offset.

Funding**Base Funding**

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
15	7	14	\$2,600	15	7	14	\$2,800	15	7	14	\$3,203

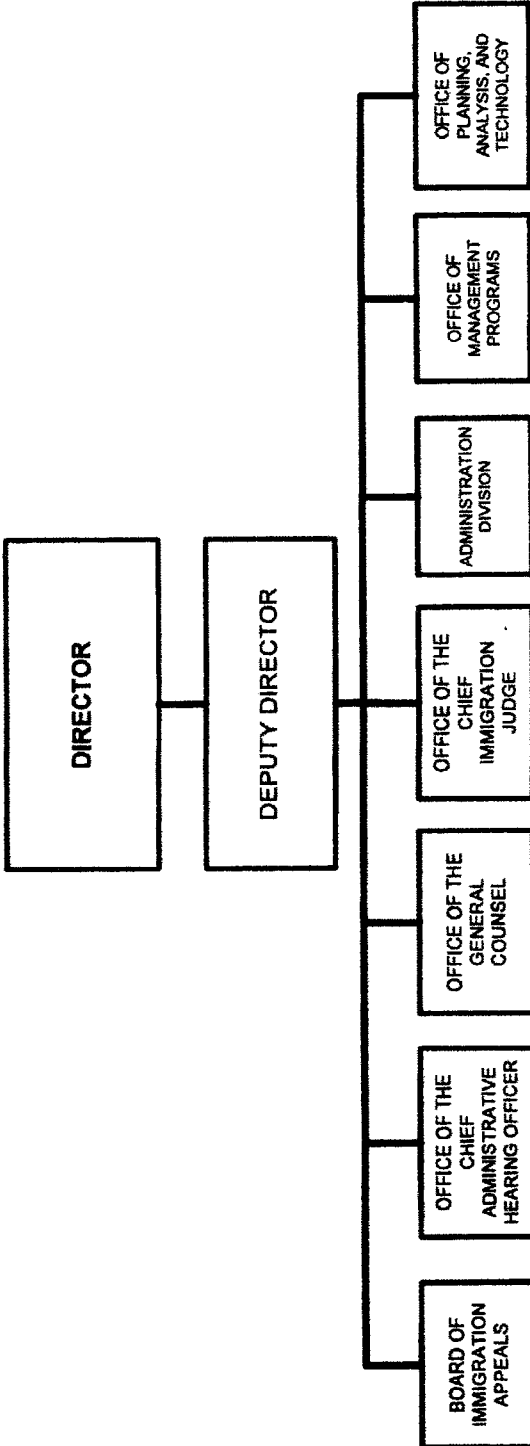
Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)
Clerical and Office Services (0300-0399) – Professional Support (GS-12)	\$98	1	\$98	\$38
Attorneys (0905) (GS-14)	\$156	1	\$156	\$78
Attorneys (0905) (GS-13)	\$145	3	\$435	\$217
Paralegals/ Other Law (0900-0999) (GS-7)	\$56	2	\$111	\$52
Total Personnel		7	\$800	\$385

Total Request for this Item

	Pos	Agt/ Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)
Current Services	15	7	14	\$3,203	\$0	\$3,203	
Increases	7	4	4	\$800	\$0	\$800	\$385
Decreases	0	0	0	0	-\$85	-\$85	
Grand Total	22	11	18	\$4,003	-\$85	\$3,918	

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW



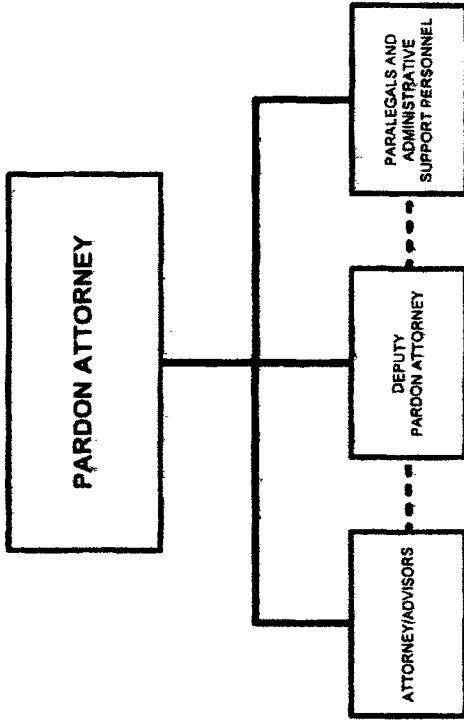
Approved by


ERIC H. HOLDER, JR.
Attorney General

Date:

5/16/13

OFFICE OF THE PARDON ATTORNEY



Approved by: 
ERIC H. HOLDER, JR.
Attorney General

Date: 5/16/13

B. Summary of Requirements

Summary of requirements
Administrative Review and Appeals
 Salaries and Expenses
 (Dollars in Thousands)

	Direct Pos.	FY 2015 Request Estimate FTE	Amount
2013 Enacted	1,597	1,369	313,438
2013 Rescissions (1.87% & 0.2%)			-6,416
2013 Sequester Cut			-15,343
Total 2013 Enacted (with Rescissions, and Sequester)	1,597	1,369	291,679
2014 Enacted	1,597	1,369	315,000
Technical Adjustments			
DHS Immigration Examination Fee Account	0	0	-4,000
Total Technical Adjustments	0	0	-4,000
Base Adjustments			
Transfers:			
DHS Immigration Examination Fee Account	0	0	4,000
Pay and Benefits	0	0	4,082
Domestic Rent and Facilities	0	0	10,587
Total Base Adjustments	0	0	18,589
Total Technical and Base Adjustments	0	0	14,589
2015 Current Services	1,597	1,369	325,419
Program Changes			
Increases:			
Immigration Judge Teams - Coordination with DHS Enforcement Initiatives	211	105	17,000
Legal Orientation Program	0	0	2,824
Pilot - Innovation Ideas	0	0	2,824
Pardons and Commutations	7	4	800
Subtotal, Increases	218	109	23,448
Offsets:			
Program Offset - Miscellaneous Program and Administrative Reduction	0	0	-1,795
Subtotal, Offsets	0	0	-1,795
Total Program Changes	218	109	21,653
2015 Total Request	1,815	1,478	351,072
2014 - 2015 Total Change	218	109	36,072

B. Summary of Requirements

Summary of Requirements
 Administrative Review and Appeals
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester				2014 Enacted				2015 Technical and Base Adjustments				2015 Current Services			
	Direct Pos.	Est. FTE	Amount		Direct Pos.	Est. FTE	Amount		Direct Pos.	Est. FTE	Amount		Direct Pos.	Est. FTE	Amount	
Executive Office for Immigration Review	1,582	1,355	289,079		1,582	1,355	312,200		0	0	14,016		1,582	1,355	325,216	
Office of the Pardon Attorney	15	14	2,800		15	14	2,800		0	0	403		15	14	3,203	
Total Direct	1,597	1,369	291,879		1,597	1,369	315,000		0	0	14,419		1,597	1,369	329,419	
Total Direct with Rescission			281,679				315,000				14,419				329,419	
Reimbursable FTE		0				0				0				0		
Total Direct and Reimb. FTE		1,369				1,369				0				1,369		
Other FTE: LEAP		0				0				0				0		
Overtime		0				0				0				0		
Grand Total, FTE		1,369				1,369				0				1,369		

Program Activity	2015 Increases				2015 Offsets				2015 Request			
	Direct Pos.	Est. FTE	Amount		Direct Pos.	Est. FTE	Amount		Direct Pos.	Est. FTE	Amount	
Executive Office for Immigration Review	211	105	22,648		0	0	-1,710		1,793	1,460	347,154	
Office of the Pardon Attorney	7	4	800		0	0	-95		22	18	3,918	
Total Direct	218	109	23,448		0	0	-1,795		1,815	1,478	351,072	
Total Direct with Rescission			23,448				-1,795				351,072	
Reimbursable FTE		0				0				0		
Total Direct and Reimb. FTE		109				0				1,478		
Other FTE: LEAP		0				0				0		
Overtime		0				0				0		
Grand Total, FTE		109				0				1,478		

C. Pro: Changes by Decision Unit

FY 2015 Program Changes by Decision Unit
Administrative Review and Appeals
Salaries and Expenses
(Dollars in Thousands)

Program Increases	Location of Description in Narrative	ARA				Total Increases			
		Direct Pos.	Ag/L Atty.	Est. FTE	Amount	Direct Pos.	Ag/L Atty.	Est. FTE	Amount
Coordination with DHS Enforcement Initiatives	EOIR	211	53	105	17,000	211	53	105	17,000
Legal Orientation Program	EOIR	0	0	0	2,824	0	0	0	2,824
Pilot - Innovation Ideas	EOIR	0	0	0	2,824	0	0	0	2,824
Pardons and Commutations	OPA	7	4	4	800	7	4	4	800
Total Program Increases		218	57	109	23,448	218	57	109	23,448

Program Offsets	Location of Description in Narrative	ARA				Total Offsets			
		Direct Pos.	Ag/L Atty.	Est. FTE	Amount	Direct Pos.	Ag/L Atty.	Est. FTE	Amount
Misc. Program and Administrative Reductions	EOIR	0	0	0	-1,710	0	0	0	-1,710
Misc. Program and Administrative Reductions	OPA	0	0	0	-85	0	0	0	-85
Total Program Offsets		0	0	0	-1,795	0	0	0	-1,795

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

Administrative Review and Appeals
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Recissions and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount	
Goal 2 Prevent Crime, Protect the Rights of the American People, and enforce Federal Law	14	2,600		14	2,600		14	3,203	4	500	0	-55	18	3,018				
2.6 Protect the federal fisc and defend the interests of the United States.																		
Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.	1,355	289,079	1,355	1,355	312,200		1,355	328,216	105	22,648	0	-1,710	1,460	347,154				
3.7 Adjudicate all immigration cases promptly and impartially in accordance with due process.	1,355	289,079	1,355	1,355	312,200		1,355	328,216	105	22,648	0	-1,710	1,460	347,154				
Subtotal, Goal 3	1,359	291,679	1,359	1,359	315,000		1,359	329,432	109	23,448	0	-1,795	1,478	351,072				
TOTAL																		

Note: Excludes Balance Recession and/or Supplemental Appropriations.

E. Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

Administrative Review and Appeals
Salaries and Expenses
(Dollars in Thousands)

Technical Adjustments	Direct Pos.	Estimate FTE	Amount
1 Transfer from Immigration Examination Fees collected by the DHS	0	0	-4,000
Transfers	0	0	-4,000
2 DHS Immigration Examination Fee Account	0	0	4,000
Pay and Benefits	0	0	4,000
1 2014 Pay Raise This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$1,357,000, represents the pay amounts for 344 of the fiscal year plus appropriate benefits (\$1,104,500 for pay and \$252,500 for benefits).			1,357
2 Annualization of 2014 Pay Raise This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested \$428,000, represents the pay amounts for 114 of the fiscal year plus appropriate benefits (\$ 329,000 for pay and \$99,000 for benefits)			428
3 Employee Compensation Fund The \$25,000 request reflects anticipated changes in payments to the Department of Labor for injury benefits under the Federal Employee Compensation Act.			29
4 FERS Required and Voluntary Retirement Contributions Effective October 1, 2014 (FY 2015), the amount requested is \$1,728,000, representing the contribution rate of 13.3% (up from the current 14.9%, or an increase of 1.3%) and 28.8% for law enforcement personnel (up from the current 28.5%, or an increase of 2.5%). The amount requested, \$1,728,000, represents the funds needed to cover this increase.			1,728
5 Health Insurance Effective January 2016, the components, EOR and OPA, contribution to Federal employees' health insurance increases by 4.2 and 2.8 percent respectively. Applied against the 2014 combined estimate of \$9,276,000 the additional amount required is \$343,000.			343
6 Retirement Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimate, we project that the DCU workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$104,000 is necessary to meet our increased retirement obligations as a result of this conversion.			177
Domestic Rent and Facilities	0	0	4,092
1 General Services Administration (GSA) Rent GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$1,389,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the cost of new space to be occupied. GSA provides data on the rate increases.			1,389
2 Office Space This request for payment of Increased Security (IDS) Federal Protective Service charges, Justice Protective Service charges and other security services across the country. The requested increase of \$178,000 is required to meet these commitments.			178
3 Moving (Lease Expiration) GSA requires all agencies to pay relocation costs associated with lease expirations. This request provides for the costs associated with new office relocations caused by the expiration of leases in FY 2015.			8,790
TOTAL DIRECT TECHNICAL AND BASE ADJUSTMENTS	0	0	16,337
	0	0	14,418

Crosswalk of 2014 Availability
Administrative Review and Appeals
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
EOIR	1,582	1,365	312,200	0	0	0	0	0	0	0	1,582	1,365	312,200
Office of the Pardon Attorney	15	14	2,800	0	0	0	0	0	0	0	15	14	2,800
Total Direct	1,597	1,369	315,000	0	0	0	0	0	0	0	1,597	1,369	315,000
Balance Rescission			0										0
Total Direct with Rescission			315,000										315,000
Reimbursable FTE		0			0		0	0				0	
Total Direct and Reimb. FTE		1,369			0		0	0				1,369	
Other FTE:													
LEAP		0			0		0	0				0	
Overtime		0			0		0	0				0	
Grand Total FTE		1,369			0		0	0				1,369	

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources
Administrative Review and Appeals
Salaries and Expenses
(Dollars in Thousands)

Collections by Source	2013 Estimate			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
ATF	0	0	0	6	0	0	0	0	0	0	0	0
Budgetary Resources	0	0	0	6	0	0	0	0	0	0	0	0

Obligations by Program Activity	2013 Estimate			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
EOIR	0	0	0	6	0	0	0	0	0	0	0	0
Budgetary Resources	0	0	0	6	0	0	0	0	0	0	0	0

I. Data: Permanent Positions by Category

Detail of Permanent Positions by Category
Administrative Review and Appeals
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos	Total Reimb. Pos
Miscellaneous Operations (010-099)	59	0	59	0	0	0	0	59	0
Security Specialists (080)	7	0	7	0	0	0	0	7	0
Personnel Management (200-299)	16	0	15	0	0	0	0	15	0
Clerical and Office Services (300-399)	206	0	206	0	0	70	0	276	0
Clerical and Office Services (300-399) - OPA	3	0	3	0	0	1	0	4	0
Accounting and Budget (500-599)	6	0	6	0	0	0	0	6	0
Attorneys (900)	530	0	530	0	0	53	0	583	0
Attorneys (900) - OPA	7	0	7	0	0	4	0	11	0
Paralegals / Other Law (900-998)	459	0	459	0	0	53	0	512	0
Paralegals / Other Law (900-998) - OPA	5	0	5	0	0	2	0	7	0
Information & Arts (1000-1099)	86	0	86	0	0	35	0	121	0
Business & Industry (1100-1199)	4	0	4	0	0	0	0	4	0
Library (1400-1499)	1	0	1	0	0	0	0	1	0
Supply Services (2000-2099)	2	0	2	0	0	0	0	2	0
Information Technology Mgmt (2210)	20	0	20	0	0	0	0	20	0
Ungraded	187	0	187	0	0	0	0	187	0
Total	1,597	0	1,597	0	0	218	0	1,815	0
Headquarters (Washington, D.C.)	552	0	552	0	0	37	0	589	0
U.S. Field	1,045	0	1,045	0	0	181	0	1,226	0
Foreign Field	0	0	0	0	0	0	0	0	0
Total	1,597	0	1,597	0	0	218	0	1,815	0

J. Financial Analysis of Program Changes

Financial Analysis of Program Changes
Administrative Review and Appeals
Salaries and Expenses
(Dollars in thousands)

Grades	Coordination with DHS Enforcement Initiatives				ECR				OPA				ASA Offset				Total Program Changes	
	Direct Pos		Amount		Legal Defense Program		Pilot-Innovation Ideas		Perkins and Commutations		Miscellaneous Program and Administrative Functions		Direct Pos		Amount		Direct Pos	Amount
	Pos	Amount	Pos	Amount	Pos	Amount	Pos	Amount	Pos	Amount	Pos	Amount	Pos	Amount	Pos	Amount		
U-14	35	5,118	0	0	0	0	0	0	0	0	0	0	0	0	0	0	35	5,118
GS-14	0	0	0	0	0	0	0	0	1	123	0	0	0	0	0	0	1	123
GS-13	18	1,618	0	0	0	0	0	0	3	380	0	0	0	0	0	0	21	1,719
1985-12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GS-11	33	2,208	0	0	0	0	0	0	0	0	0	0	0	0	0	0	33	2,208
GS-9	53	2,754	0	0	0	0	0	0	0	0	0	0	0	0	0	0	53	2,754
GS-7	70	2,694	0	0	0	0	0	0	0	0	0	0	0	0	0	0	70	2,694
Total Positions and Annual Amount	211	14,889	0	0	0	0	0	0	7	640	0	0	0	0	0	0	218	15,529
Lapses (-)	-106	-7,347	0	0	0	0	0	0	-4	-324	0	0	0	0	0	0	-106	-7,347
11.5. Other Personnel Compensation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total ETAs and Personnel Compensation	105	7,347	0	0	0	0	0	0	4	324	0	0	0	0	0	0	109	7,671
12.0 Personnel Benefits	0	2,232	0	0	0	0	0	0	0	158	0	0	0	0	0	0	235	2,355
21.0 Travel and Transportation of Persons	0	243	0	0	0	0	0	0	0	0	0	0	0	0	0	0	243	243
22.0 Transportation of Things	0	127	0	0	0	0	0	0	0	0	0	0	0	0	0	0	127	127
23.0 Communications, Utilities, and Miscellaneous Charges	0	21	0	0	0	0	0	0	0	4	0	0	0	0	0	0	25	25
24.0 Other Services from Non-Federal Sources	0	21	0	0	0	0	0	0	0	0	0	0	0	0	0	0	21	21
25.2 Other Goods and Services from Federal Sources	0	1,740	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1,740	1,740
25.3 Other Goods and Services from Federal Sources	0	567	0	0	0	0	0	0	0	0	0	0	0	0	0	0	567	567
25.6 Medical Care	0	15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	15	15
25.7 Operation and Maintenance of Equipment	0	1,342	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1,342	1,342
26.0 Supplies and Materials	0	187	0	0	0	0	0	0	0	0	0	0	0	0	0	0	187	187
31.0 Engraving	0	2,855	0	0	0	0	0	0	0	75	0	0	0	0	0	0	75	2,930
Total Program Change Requests	106	17,000	0	0	0	0	0	0	4	800	0	0	0	0	0	0	106	17,800

K. Summa Requirements by Object Class

Summary of Requirements by Object Class
 Administrative Review and Appeals
 Salaries and Expenses
 (Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	1,224	128,514	1,224	132,960	1,333	142,891	109	9,931
11.3 Other than Full-Time Permanent	145	9,901	145	10,524	145	10,524	0	0
11.5 Other Personnel Compensation	0	175	0	1,856	0	1,856	0	0
Total	1,369	138,590	1,369	145,340	1,478	155,271	109	9,931
Other Object Classes								
12.0 Personnel Benefits		40,066		42,821		47,330		4,509
13.0 Benefits for former personnel		123		140		140		0
21.0 Travel and Transportation of Persons		1,174		2,745		2,988		243
22.0 Transportation of Things		2,006		1,865		1,782		127
23.1 Rental Payments to GSA		32,717		33,478		34,867		1,389
23.2 Rental Payments to Others		13		13		13		0
23.3 Communications, Utilities, and Miscellaneous Charges		5,607		5,678		6,202		524
24.0 Printing and Reproduction		259		250		271		21
25.1 Advisory and Assistance Services		5,545		5,945		5,945		0
25.2 Other Services from Non-Federal Sources		38,515		44,985		61,347		16,362
25.3 Other Goods and Services from Federal Sources		10,925		11,068		11,635		567
25.4 Operation and Maintenance of Facilities		2,007		2,007		2,007		0
25.6 Medical Care		183		184		199		15
25.7 Operation and Maintenance of Equipment		12,695		13,002		14,348		1,346
26.0 Supplies and Materials		1,829		1,824		2,021		197
31.0 Equipment		1,389		3,845		6,481		2,636
42.0 Insurance Claims and Indemnities		35		20		20		0
Other		0		0		-1,795		-1,795
Total Obligations		283,678		315,000		351,072		36,072
Subtract - Unobligated Balance, Start-of-Year		0		0		0		0
Subtract - Transfers/Reprogramming 1/		-2,153		0		0		0
Subtract - Recoveries/Refunds		0		0		0		0
Add - Unobligated End-of-Year, Available		0		0		0		0
Add - Unobligated End-of-Year, Expiring		154		0		0		0
Total Direct Requirements	0	281,679	0	315,000	0	351,072	0	36,072

1/ This amount excludes the \$4.0 million transfer from the DHS Immigration Examination Fees account. Instead, that \$4.0 million is included in the Total Direct Requirements amount



U.S. Department of Justice FY 2015 PERFORMANCE BUDGET

Office of the Inspector General Congressional Justification

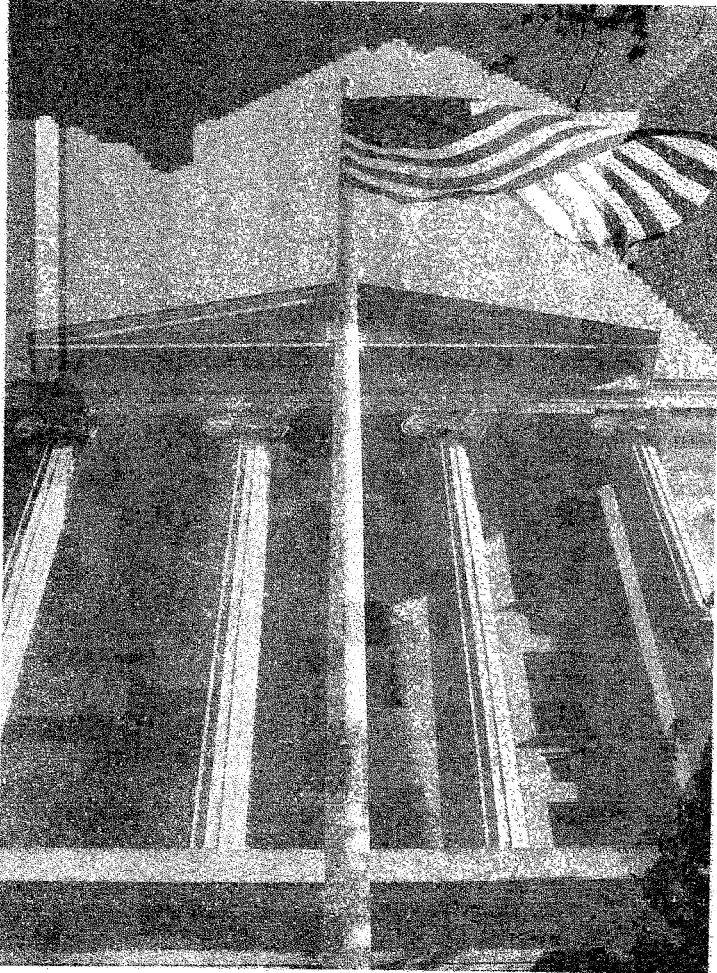


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Appendix A. OIG Statistical Highlights

I. Overview

1. Introduction

In FY 2015, the Office of the Inspector General (OIG) requests a total of \$88,577,000, 440 FTE, and 474 positions (of which 139 are Agents and 30 are Attorneys) to investigate allegations of fraud, waste, abuse, and misconduct by Department of Justice (Department) employees, contractors, and grantees and to promote economy and efficiency in Department operations. This request is an increase of \$2,177,000 (approximately 2.5%) over the FY 2014 current rate, and includes adjustments-to-base of \$5,330,000 and a program offset of \$3,153,000.

With these resources, the OIG will be able to sustain the number of quality audits, inspections, investigations, and special reviews it conducts to help assure Congress and the taxpayers that the substantial funding provided to support these Department priorities and infrastructure investments are used efficiently, effectively, and for their intended purposes.

Electronic copies of the Department of Justice Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>

2. Background

The OIG was statutorily established in the Department on April 14, 1989. The OIG is an independent entity within the Department that reports to both the Attorney General and Congress on issues that affect the Department's personnel or operations.

The OIG has jurisdiction over all complaints of misconduct against Department employees in the Federal Bureau of Investigation (FBI), Drug Enforcement Administration (DEA), Federal Bureau of Prisons (BOP), U.S. Marshals Service (USMS), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), U.S. Attorneys' Offices (USAO), Office of Justice Programs (OJP), and other Offices, Boards and Divisions. The OIG investigates alleged violations of criminal and civil law, regulations, and ethical standards arising from the conduct of Department employees in their numerous and diverse activities. The OIG also audits and inspects Department programs and assists management in promoting integrity, economy, efficiency, and efficacy. Appendix A contains a table that provides statistics on the most recent Semiannual Reporting period. These statistics highlight the OIG's ongoing efforts to conduct wide-ranging oversight of Department programs and operations.

OIG Organization

The OIG consists of the Immediate Office of the Inspector General and the following five divisions and one office:

- Audit Division is responsible for independent audits of Department programs, computer systems, and financial statements. The Audit Division has regional offices in Atlanta, Chicago, Denver, Philadelphia, San Francisco, and Washington, D.C. Its Financial Statement Audit Office and Computer Security and Information Technology Audit Office are located in Washington, D.C. Audit Headquarters consists of the immediate office of the Assistant Inspector General for Audit, Office of Operations, Office of Policy and Planning, and Advanced Audit Techniques.
- Investigations Division is responsible for investigating allegations of bribery, fraud, abuse, civil rights violations, and violations of other criminal laws and administrative procedures governing Department employees, contractors, and grantees. The Investigations Division has field offices in Chicago, Dallas, Denver, Los Angeles, Miami, New York, and Washington, D.C. The Fraud Detection Office and the Digital Forensics and Technology Investigations Office are located in Washington, D.C. The Investigations Division has smaller area offices in Atlanta, Boston, Trenton, Detroit, El Paso, Houston, San Francisco, and Tucson. Investigations Headquarters in Washington, D.C., consists of the immediate office of the Assistant Inspector General for Investigations and the following branches: Operations, Operations II, Investigative Support, Research and Analysis, and Administrative Support.
- Evaluation and Inspections Division conducts program and management reviews that involve on-site inspection, statistical analysis, and other techniques to review Department programs and activities and makes recommendations for improvement.
- Oversight and Review Division blends the skills of attorneys, investigators, program analysts, and paralegals to review Department programs and investigates sensitive allegations involving Department employees and operations.
- Management and Planning Division provides advice to OIG senior leadership on administrative and fiscal policy and assists OIG components in the areas of budget formulation and execution, security, personnel, training, travel, procurement, property management, information technology, computer network communications, telecommunications, records management, quality assurance, internal controls, and general support.
- Office of the General Counsel provides legal advice to OIG management and staff. It also drafts memoranda on issues of law; prepares administrative subpoenas; represents the OIG in personnel, contractual, ethics, and legal matters; and responds to Freedom of Information Act requests.

3a. Notable Reviews and Recent Accomplishments

Information Security

The *Federal Information Security Management Act (FISMA)* requires the Inspector General for each agency to perform an annual independent evaluation of the agency's information security programs and practices. The evaluation includes testing the effectiveness of information security policies, procedures, and practices of a representative subset of agency systems. The FY 2013 FISMA results were due to OMB by November 15, 2013.

During FY 2013, the OIG audited the FY 2012 information security programs of the FBI, JMD, ATF, DEA, Civil Division, and the Executive Office of the U.S. Trustees (EOUST) and during FY 2013 issued separate reports for its reviews of the selected security systems for the FBI, ATF, Civil Division, and EOUST. The OIG audit provided 90 recommendations for improving implementation of the Department's information security program and practices for its sensitive but unclassified, classified, and national security systems. The components agreed with the recommendations. For the FY 2013 testing period, OIG reviewed the security programs of five Department components: the FBI, JMD, USMS, Antitrust Division, and the Executive Office for Immigration Review (EOIR). The OIG plans to issue reports in March 2014 evaluating these selected systems as well as reports on each component's information security program.

In May 2013, the OIG issued a report examining an allegation that ATF Special Agent John Dodson, who provided significant information regarding ATF's handling of Operation Fast and Furious, was retaliated against through the unauthorized disclosure in late June 2011 of an ATF memorandum he had drafted. The report found that Dennis Burke, who was then United States Attorney for the District of Arizona, provided the memorandum to a Fox News producer in violation of Department policies. The OIG also concluded that Burke's disclosure was likely motivated by a desire to undermine Dodson's public criticisms of Operation Fast and Furious. The OIG did not identify any other Department employee who had disclosed this document. The OIG referred its finding regarding Burke's violation of Department policy to the Department's Office of Professional Responsibility for a determination of whether this conduct violated the Rules of Professional Conduct for the state bars of which Burke is a member.

Civil Rights and Civil Liberties

Section 1001 of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act* (Patriot Act) directs the OIG to receive and review complaints of civil rights and civil liberties abuses by Department employees, to publicize how people can contact the OIG to file a complaint, and to send a semiannual report to Congress discussing the OIG's implementation of these responsibilities. In August 2013, the OIG issued its 23rd report summarizing its Section 1001 activities from January 1 through June 30, 2013. The report described the number of complaints the OIG received under this section and the status of investigations conducted by the OIG and Department components.

Counterterrorism

In May 2013, the OIG of the DOJ, Intelligence Community, Central Intelligence Agency, and Department of Homeland Security, initiated a coordinated and independent review into the U.S. Government's handling of intelligence information leading up to the Boston Marathon

Bombings. The Director of National Intelligence supports the review, which will examine the information-sharing protocols and procedures followed between and among the intelligence and law enforcement agencies.

In May 2013, the OIG issued an interim report on the audit of the Witness Security Program (WITSEC); the OIG found that WITSEC Program participants include individuals known or suspected by the federal government to be involved in terrorism. This includes individuals trained in areas such as aviation and explosives, involved in plotting bombing attacks, and guilty of serious offenses such as conspiracy to murder U.S. nationals. The OIG also found significant deficiencies in the handling of known or suspected terrorists who were admitted into the WITSEC Program. Specifically, the OIG determined that the Criminal Division's Office of Enforcement Operations and the United States Marshals Service (USMS)—the two entities primarily responsible for managing the WITSEC Program for participants who are not incarcerated—did not involve national security stakeholders when admitting and monitoring known or suspected terrorists into the WITSEC Program. The OIG will begin issuing reports in March 2014 reflecting the evaluation of the selected systems as well as reports on each component's information security program.

Federal Firearms

In April 2013, the OIG released a report examining the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) inspections of federal firearms licensees (FFL). The report was a follow-up to a 2004 review in which the OIG found that ATF's inspections were not fully effective in ensuring FFLs comply with federal firearms laws. The OIG found that since 2004, ATF had made a series of changes and improvements to its inspection processes and increased outreach activities to the firearms industry. However, there were four areas where ATF needed to improve its performance.

First, ATF still had not met its goal of inspecting all FFLs on a cyclical basis, resulting in over 58 percent of FFLs not being inspected within 5 years. Additionally, ATF did not track whether high-risk FFL inspections met annual operating plan priorities. Further, although ATF performed the majority of in-person follow-up compliance inspections for FFLs that received an initial telephone qualification inspection, it did not do so in every case. Finally, ATF did not ensure that administrative actions were not unduly prolonged after cases moved to Division Counsels for review. In situations where ATF concluded that revocation for a non-compliant FFL was the appropriate remedy, the administrative action process remained lengthy, sometimes lasting over 2 years.

The OIG made four recommendations to ATF. ATF concurred in whole or in part with all of the recommendations, and the OIG has requested additional information to follow up on ATF's progress in each area.

Criminal Law Enforcement

On May 13, 2013, two BOP employees were arrested on a charge of witness tampering. The indictment alleges that the two employees made false statements in their written memoranda to management concerning an incident in which correctional officers used force against an inmate that resulted in injuries to the inmate. The memoranda submitted by the two employees omitted

any mention of force being used against the inmate. The investigation is being conducted by the OIG's Chicago Field Office.

On June 17, 2013, a former program director of the Family Resource Center in Seminole, Oklahoma, was arrested and pled guilty to an information filed in the Eastern District of Oklahoma on a charge of federal program theft. In pleading guilty, the program director admitted that from about February 2010 to about August 2012, she embezzled, stole, and intentionally misapplied program property worth \$90,486.14. This investigation was conducted by the OIG's Dallas Field Office with assistance from the Seminole Police Department of Seminole, Oklahoma, and the Seminole County District Attorney's Office, Wewoka, Oklahoma.

On August 13, 2013, a former FBI Special Agent and two non-Department subjects were indicted in the Southern District of New York on charges of conspiracy and bribery. The indictment alleges that, in or about September 2011 through about March 2012, the three were involved in soliciting cash payments in exchange for providing confidential internal law enforcement documents and information that the Special Agent had access to by virtue of his position.

Financial Enforcement

In June 2013, the OIG issued a report on the audit of Department grants, totaling over \$23 million, awarded by OJP's Office of Juvenile Justice and Delinquency Prevention to the Big Brothers Big Sisters of America (BBBSA). The grants, awarded in 2009, 2010, and 2011, were to support BBBSA's national programs designed to provide mentoring services to tribal youth, youth with a parent in the military, and other high-risk populations that were considered underserved. The audit determined that BBBSA was in material non-compliance with the majority of the grants' requirements as BBBSA's grant administration practices were inadequate to safeguard grant funds and ensure compliance with the grant-funded programs. The audit found that BBBSA could not adequately support any of the expenditures it made for the grant-funded programs because grant funds were commingled within BBBSA's general fund account, making it impossible to identify how grant funds were used. The audit also determined that BBBSA did not adequately oversee the funds provided to local affiliate agencies, charged unallowable expenditures to the grants, failed to adequately monitor consultants, and did not properly report program income generated through the programs.

In September 2013, the OIG issued a report on the audit of the FBI's accounting and reporting of funds it receives from the Crime Victims Fund (CVF) and found that the FBI did not have adequate internal controls over CVF funds and that its system to track and document CVF expenditures was insufficient and unreliable. The FBI received between \$14 million and \$18 million annually from FY 2009 through FY 2012 in CVF funds, which it used to support 134 victim specialists who assist victims and facilitate their cooperation with the investigation of federal crimes. The OIG found that in FY 2009 alone, approximately \$249,000 in transactions lacked sufficient documentation to support the expenses. In addition, the FBI had not ensured that all unspent CVF funds were returned to the FBI's CVF account, which resulted in approximately \$527,000 in CVF funds left idle at the FBI for 2 years instead of being used to fund victim services.

In November 2013, the OIG released a report examining the Drug Enforcement Administration's (DEA) accounting for Permanent Change of Station (PCS) transfers. The OIG's report found that the DEA established sound practices for the management of transfer activities and appeared to have adequate controls over resources expended on PCS transfers. The OIG audit tested PCS-related documents that included expenditure records totaling more than \$2 million and identified only five discrepancies totaling \$1,656; the DEA has taken appropriate steps to address all five discrepancies. The remaining PCS expenditures we tested were all allowable and in accordance with the General Services Administration's (GSA) Federal Travel Regulation.

In November 2013, the OIG released a report examining the U.S. Marshals Service's (USMS) use of appropriated funds to purchase promotional items, commonly referred to as "swag." The OIG found that the USMS Investigative Operations Division (IOD) spent at least \$793,118 on swag during fiscal years 2005 to 2010, and that these expenditures were excessive and, in some instances, in contravention of Department policies and Government Accountability Office (GAO) decisions and guidance. We found that the significant growth in spending on swag was the result of the absence of internal controls and accountability within the USMS, and the failure of USMS personnel who were given purchasing responsibilities to exercise good judgment.

Subsequent to the AG's directive to reduce such spending, the Department and the USMS issued policies that provided explicit guidance on the purchase and use of promotional items in the future. The OIG found that the new policies will encourage restraint and enhance accountability with respect to the purchase of these types of items. However, the OIG also found that the USMS policy contained flaws that the USMS should rectify. The OIG made 3 recommendations to assist the USMS in this area; the USMS concurred with all 3 recommendations.

Detention and Incarceration

In April 2013, the OIG issued a report on BOP's compassionate release program. In the *Sentencing Reform Act of 1984*, Congress authorized the Director of BOP to request that a federal judge reduce an inmate's sentence for "extraordinary and compelling" circumstances. Under the statute, the request can be based on either medical or non-medical conditions that could not reasonably have been foreseen by the judge at the time of sentencing. The BOP has issued regulations and a Program Statement entitled "Compassionate Release" to implement this authority. This review assessed the BOP's compassionate release program, including whether it provides cost savings or other benefits to the BOP.

The OIG found that an effectively managed compassionate release program would result in cost savings for the BOP, as well as assist the BOP in managing its continually growing inmate population and the significant capacity challenges it is facing. However, we found that the existing BOP compassionate release program has been poorly managed and implemented inconsistently, likely resulting in eligible inmates not being considered for release and in terminally ill inmates dying before their requests were decided. In this report, we made 11 recommendations to improve the BOP's management of the compassionate release program and to ensure that eligible inmates are considered for release.

In September 2013, the OIG issued an audit examining the management of the Federal Prison Industries (FPI), a wholly owned government corporation and inmate reentry program operating within the BOP. The audit found that FPI has struggled financially in recent years, and FPI's

employment figures have also dropped in recent years. The OIG concluded that FPI's reduction in inmate employment is primarily the result of efforts to compensate for its declining revenues and earnings. In an effort to increase inmate employment, FPI also implemented an inmate job-sharing initiative in 2010; however, the OIG was unable to gauge FPI's job-sharing progress over the past 2 years in part due to FPI's unclear performance metrics for this initiative.

The audit also found that FPI's longstanding goal of employing 25 percent of the total inmate population was no longer representative of current conditions, in part because of the rise in BOP's total inmate population. Finally, the OIG determined that FPI's internal controls did not ensure that aliens who had been ordered deported were removed from FPI employment as required. As of June 2012, FPI employed 37 inmates who were under a final order of deportation and therefore appeared to be ineligible for FPI employment under federal regulations. Once the OIG brought this issue to FPI's attention, 35 of the 37 deportable inmates were immediately removed from FPI employment. The OIG made four recommendations to assist FPI in its efforts to maintain and create opportunities for inmates. The BOP agreed with the recommendations.

Whistleblower Ombudsperson

The OIG's Whistleblower Ombudsperson program emphasizes the importance of educating employees and supervisors about how to report wrongdoing and the rights and protections for whistleblowers under the Whistleblower Protection Act and related civil service laws. The Whistleblower Ombudsperson program provides training for all Department OIG employees, and the OIG is working with the Department to provide this important training to other components. The OIG's public website, www.justice.gov/oig, currently has a designated "Hotline and Whistleblower Protection" link that leads employees and others to detailed information about how and where to report wrongdoing, whistleblower rights and protections, and an overview with contact information for the Whistleblower Ombudsperson program. The OIG continues to coordinate the working group of federal Whistleblower Ombudspersons through the Council of Inspectors General on Integrity and Efficiency (CIGIE) to facilitate the sharing of experiences and information in this area throughout the OIG community. The OIG's efforts were recognized this fall in its certification by the U.S. Office of Special Counsel pursuant to Section 2302(c) of Title 5, United States Code.

3b. Support for the Department's Savings and Efficiencies Initiatives.

The OIG fully supports and participates in the Department's Savings and Efficiencies Initiatives, including:

- *Increasing the use of self-service online booking for official travel.* The OIG's online booking rate for FY 13 official travel was 85%, for estimated savings of approximately \$16,400 over agent-assisted ticketing costs.
- *Reducing commercial carrier shipping costs.* In FY 13, the OIG reduced its overnight shipping costs (i.e., Federal Express) by 15% compared to FY 2012 expenditures, saving more than \$7,000.
- *Reducing data communication lines.* By identifying and cancelling select data lines in favor of more cost-effective technology, the OIG saved more than \$30,000 in FY 13.

4. Challenges

Like other organizations, the OIG must confront a variety of internal and external challenges that affect its work and impede progress towards achievement of its goals. These include the decisions Department employees make while carrying out their numerous and diverse duties, which affects the number of allegations the OIG receives, Department support for the OIG's mission, and financial support from the Office of Management and Budget (OMB) and Congress.

The OIG views the management of human capital as a significant challenge to achieving its performance goals. In this regard, the OIG must use all available recruitment tools and hiring flexibilities in a competitive job market to attract – and keep – top talent. Maintaining an optimal, committed workforce is critical to the OIG's overall performance and ability to achieve desired results. The OIG's focus on ensuring that its employees have the appropriate analytical and technological skills for the OIG's complex mission will bolster its reputation as a premier federal workplace and improve retention and results. The length of time it takes to conduct more complex audits, investigations, and reviews is directly affected by the number of experienced personnel the OIG can devote to these activities.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Miscellaneous Program and Administrative Reductions	Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others.	0	0	(\$3,153)	19

III. Appropriations Language and Analysis of Appropriations Language

For necessary expenses of the Office of Inspector General, [\$86,400,000] \$88,577,000, including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character [: *Provided*, That \$1,000,000 shall be used to commission an independent review of the management and policies of the Civil Rights Division].

Analysis of Appropriations Language

The FY 2015 request proposes to delete language requiring the Office of the Inspector General to earmark \$1 million to commission an independent review of the management and policies of the Civil Rights Division. The Office of Inspector General will be contracting for this independent review during FY 2014.

IV. Program Activity Justification

A. Office of the Inspector General

OIG	Direct Pos.	Estimate	Amount
2013 Enacted with Recessions and Sequester	474	440	\$79,966,000
2014 Enacted	474	440	\$86,400,000
Adjustment to base and Technical Adjustments	0	0	\$5,330,000
2015 Current Services	474	440	\$91,730,000
2015 Program Offsets	0	0	-\$3,153,000
2015 Request	474	440	\$88,577,000
Total Change 2014-2015	0	0	\$2,177,000

1. Program Description

The OIG operates as a single decision unit encompassing audits, inspections, investigations, and reviews.

2. Performance and Resource Tables

PERFORMANCE AND RESOURCES TABLE (Goal 1)						
Decision Unit: OIG/Audits, Inspections, Investigations, and Reviews						
DOJ Strategic Plan: Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States.						
OIG General Goal #1: Detect and deter misconduct in programs and operations within or financed by the Department						
WORKLOAD/RESOURCES	Target	Actual	Projected	Changes	Requested (Total)	
	FY 2013	FY 2013	FY 2014	Current Services Adjustment and FY 2015 Program Changes	FY 2015 Request	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	FTE \$000 440 \$79,966 [12,447]	FTE \$000 440 \$79,966 [12,447]	FTE \$000 440 \$86,400 [12,785]	FTE \$000 0 \$2,177 (\$54)	FTE \$000 440 \$88,577 [12,701]	
Performance Report and Performance Plan Number of Cases Opened per 1,000 DOJ employees:						
Fraud*	*	0.63	*	*		
Bribery*	*	0.16	*	*		
Rights Violations*	*	0.17	*	*		
Sexual Crimes*	*	0.35	*	*		
Official Misconduct*	*	1.48	*	*		
Theft*	*	0.22	*	*		
Workload						
Investigations closed	300	366	264	0	264	
Integrity Briefings/Presentations to DOJ employees	75	85	65	0	65	
DOJ employees at Integrity Briefings	3,900	3,710	3,080	0	3,080	

*Indicators for which the OIG only reports actuals.

PERFORMANCE AND RESOURCES TABLE (Goal 1)
(continued)

Decision Unit: OIG/Audits, Inspections, Investigations, and Reviews

DOJ Strategic Plan: Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States.

OIG General Goal #1: Detect and deter misconduct in programs and operations within or financed by the Department.

WORKLOAD/RESOURCES	Target	Actual	Projected	Changes	Requested (Total)
	FY 2013	FY 2013	FY 2014	Current Services Adjustment and FY 2015 Program Changes	FY 2015 Request
	FTE \$000	FTE \$000	FTE \$000	FTE \$000	FTE \$000
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	440 \$79,966 [\$12,447]	440 \$79,966 [\$12,447]	440 \$86,400 [\$12,785]	0 \$2,177 [\$-84]	440 \$88,577 [\$12,701]
Performance Report and Performance Plan					
Intermediate Outcome					
Percentage of Investigations closed or referred for prosecution within 6 months #	75%	72%	75%	0%	75%
Number of closed Investigations substantiated*	*	221	*	*	*
Arrests *	*	86	*	*	*
End Outcome					
Convictions *	*	63	*	*	*
Administrative Actions *	*	266	*	*	*
Response to Customer Surveys:					
Report completed in a timely manner (%)	90%	100%	90%		90%
Issues were sufficiently addressed (%)	90%	99%	90%		90%

*Indicators for which the OIG only reports actuals.

#FY 2013 numbers dropped due to cases that required more than 6 months to close or refer.

PERFORMANCE AND RESOURCES TABLE (Goal 1)	
DOJ Strategic Plan: Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States. OIG General Goal #1: Detect and deter misconduct in programs and operations within or financed by the Department.	
Data Definition, Validation, Verification, and Limitations	
A. Data Definition:	<p>The OIG does not project targets and only reports actuals for workload measures, the number of closed investigations substantiated, arrests, convictions, and administrative actions. The number of convictions and administrative actions are not subsets of the number of closed investigations substantiated.</p>
B. Data Sources, Validation, Verification, and Limitations:	<p>Investigations Data Management System (IDMS) - consists of a computer-based relational database system that became operational in June 2005.</p> <p>The database administrator runs routine maintenance programs against the database. Database maintenance plans are in place to examine the internal physical structure of the database, backup the database and transaction logs, handle index tuning, manage database alerts, and repair the database if necessary. Currently, the general database backup is scheduled nightly and the transaction log is backed up in 3 hour intervals. In FY 2014 we will be upgrading to a web based technology.</p> <p>Investigations Division Report of Investigation (ROI) Tracking System - a web-based SQL-Server application that tracks all aspects of the ROI lifecycle. The ROI and Abbreviated Report of Investigation (AROI) are the culmination of OIG investigations and are submitted to DOJ components. These reports are typically drafted by an agent and go through reviews at the Field Office and at Headquarters levels before final approval by Headquarters. The ROI Tracking System reads data from IDMS. By providing up-to-the-minute ROI status information, the Tracking System is a key tool in improving the timeliness of the Division's reports. The ROI Tracking System also documents the administration of customer satisfaction questionnaires sent with each completed investigative report to components and includes all historical data. The system captures descriptive information as well as questionnaire responses. Descriptive information includes the questionnaire form administered, distribution and receipt dates, and component and responding official. The database records responses to several open-ended questions seeking more information on deficiencies noted by respondents and whether a case was referred for administrative action and its outcome. Questionnaire responses are returned to Investigations Headquarters and are manually entered into the Tracking System by Headquarters personnel. No data validation tools, such as double key entry, are used though responses are entered through a custom form in an effort to ease input and reduce errors.</p> <p>Investigations Division Investigative Activity Report - Most of the data for this report is collected in IDMS. The use of certain investigative techniques and integrity briefing activities are also tracked externally by appropriate Headquarters staff.</p>
C. FY 2014 Performance Report:	<p>For the workload measure "Investigations Closed," the OIG has plans to focus on more complex and document-intensive cases (e.g., grant and contract fraud) that require more in-depth financial and forensic analysis. The OIG is also diversifying its caseload to extend more investigative coverage to other Department components.</p>

PERFORMANCE MEASURE TABLE (Goal 1)

Decision Unit/Program: OIG/Audits, Inspections, Investigations, and Reviews

DOJ Strategic Plan: Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States.

OIG General Goal #1: Detect and deter misconduct in programs and operations within or financed by the Department.

Performance Report

Workload
Number of Cases Opened per 1,000 DOJ employees:

Fraud*

Bribery*

Rights Violations*

Sexual Crimes*

Official Misconduct*

Theft*

Investigations closed

Integrity Briefings and Presentations to DOJ employees

DOJ employees attending Integrity Briefings

Intermediate Outcome

Percentage of Investigations closed or referred for prosecution within 6 months#

Number of closed Investigations substantiated (QSR Measure)*

Arrests*

End Outcome

Convictions*

Administrative Actions

Response to Customer Surveys:

Report completed in a timely manner (%)

Issues were sufficiently addressed (%)

* Indicators for which the OIG only reports actuals.

#FY 2013 numbers dropped due to cases that required more than 6 months to close or refer.

	FY 2009 Actual	FY 2010 Actuals	FY 2011 Actuals	FY 2012 Actuals	FY 2013 Actuals	FY 2014 Target	FY 2015 Target
Fraud*	0.50	0.50	0.58	0.51	0.63	*	*
Bribery*	0.30	0.24	0.21	0.20	0.16	*	*
Rights Violations*	0.15	0.11	0.10	0.13	0.17	*	*
Sexual Crimes*	0.21	0.29	0.40	0.37	0.35	*	*
Official Misconduct*	1.28	1.05	1.00	1.28	1.48	*	*
Theft*	0.25	0.17	0.22	0.22	0.22	*	*
Investigations closed	367	300	356	361	366	264	264
Integrity Briefings and Presentations to DOJ employees	346	91	89	134	85	65	65
DOJ employees attending Integrity Briefings	7,545	4,527	3,551	7,200	3,710	3,080	3,080
Intermediate Outcome							
Percentage of Investigations closed or referred for prosecution within 6 months#	N/A	N/A	N/A	71	72	75	75
Number of closed Investigations substantiated (QSR Measure)*	218	180	223	215	221	*	*
Arrests*	111	114	113	90	86	*	*
End Outcome							
Convictions*	104	105	104	94	63	*	*
Administrative Actions	211	207	198	192	266	*	*
Response to Customer Surveys:							
Report completed in a timely manner (%)	100%	100%	100%	100%	100%	90%	90%
Issues were sufficiently addressed (%)	100%	100%	100%	100%	99%	90%	90%

PERFORMANCE AND RESOURCES TABLE (Goal 2)						
Decision Unit: OIG/Audits, Inspections, Investigations, and Reviews						
DOJ Strategic Plan: Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States.						
OIG General Goal #2: Promote the efficiency and effectiveness of Department programs and operations.						
WORKLOAD/RESOURCES	Target	Actual		Projected	Changes	Requested (Total)
	FY 2013	FY 2013	FY 2013	FY 2014	Current Services Adjustment and FY 2015 Program Changes	FY 2015 Request
Total Costs and FTE (Reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total.)	FTE \$000 440 \$79,966 [\$12,447]	FTE \$000 440 \$79,966 [\$12,447]	FTE \$000 440 \$79,966 [\$12,447]	FY 2014 FTE \$000 440 \$86,400 [\$12,785]	FTE \$000 0 \$2,177 [\$-84]	FY 2015 Request FTE \$000 440 \$88,577 [\$12,701]
Performance Report and Performance Plan Workload Audit and E&I assignments initiated Percent of Audit CSITAO resources devoted to security reviews of major Dept. information systems Percent of internal DOJ audit assignments that assess component performance measures Percentage of E&I assignments opened and initiated during the fiscal year devoted to Top Management Challenges [Refined Measure] Percent of direct resources devoted to audit products related to Top Management Challenges, and GAO and JMD-identified High-Risk Areas Percent of direct resources devoted to E&I products related to Top Management Challenges, and GAO and JMD-identified High-Risk Areas*	102 75% 18% NA 75% 75%	103 97% 40% NA 81% 117	89 75% 18% 45% 80% NA	3 75% 18% 45% 80% NA	92 75% 18% 45% 80% NA	87
Intermediate Outcome Audit and E&I assignments completed	94	117	84	3	87	

*This measure will no longer be used. It may or may not be replaced by a refined measure.

PERFORMANCE AND RESOURCES TABLE (Goal 2)

(Continued)

Decision Unit: OIG/Audits, Inspections, Investigations, and Reviews
 DOJ Strategic Plan: Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States.
 OIG General Goal #2: Promote the efficiency and effectiveness of Department programs and operations.

WORKLOAD/RESOURCES

	Final Target		Actual		Projected		Changes		Requested (Total)	
	FY 2013		FY 2013		FY 2014		Adjustment and FY 2015 Program Changes		FY 2015 Request	
	ELE	\$000	ELE	\$000	ELE	\$000	ELE	\$000	ELE	\$000
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	440	\$79,966	440	\$79,966	440	\$86,400	0	\$2,177	440	\$88,577
		[\$12,447]		[\$12,447]		[\$12,785]		[\$5,961]		[\$12,701]
Performance Report and Performance Plan										
Intermediate Outcome										
Percent of Audit resources devoted to reviews of grants and grant management	40%		51%		40%				40%	
Components receiving information system audits	6		10		5				5	
Products issued to the Dept. containing significant findings or information for management decision-making by Audit & E&I	94		98		77		3		80	
Products issued to Congress by Audit and E&I*	94		98		NA				NA	
Percent of E&I assignments completed within 7 months**	60%		***25%		NA				NA	
Percent of less complex internal DOJ reviews to be provided to the IG as a working draft within an average of 8 months. [Refined Measure]**	NA		NA		35%				35%	
Percent of more complex internal DOJ reviews to be provided to the IG as a working draft within an average of 11 months. [Refined Measure]**	NA		NA		35%				35%	
Percent of contract, grant, ICA, and other external audits to be completed in draft within 5 months*	50%		22%		NA				NA	
Percent of contract, grant, ICA, and other external audits to be completed in draft within 8 months [Refined Measure]	NA		49%		50%				50%	
Percent of less complex internal DOJ audits to be completed as a working draft within 8 months. [New Measure]	NA		NA		35%				35%	
Percent of internal DOJ audits to be completed in draft within 1 year*	40%		40%		NA				NA	
Percent of more complex internal DOJ audits to be completed as a working draft within 13 months [New Measure]	NA		NA		35%				35%	

*This measure will no longer be used. It may or may not be replaced by a refined measure.

** These two timeliness measures reflect the 2014 Assistant Inspector General (AIG) for Evaluation and Inspection Division Performance Work Plan (PWP) (excellent level performance metric) and replace the 7 -month performance metric used in FY 2013.

*** Target not achieved due to new business process and timeline for completing assignments in FY 2013 as well as on-board staffing levels were reduced (on average) by 20 percent all year.

PERFORMANCE AND RESOURCES TABLE (Goal 2)
(continued)

DOJ Strategic Plan: Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States.

OIG General Goal #2: Promote the efficiency and effectiveness of Department programs and operations.

Data Definition, Validation, Verification, and Limitations

A. Data Definition:

"Assignment" covers all audits (including internals, CFO Act, and externals, but **not** Single Audits), evaluations, and inspections. "Assignments" may also include activities that do not result in a report or product (e.g., a memorandum to file rather than a report); or reviews initiated and then cancelled.

B. Data Sources, Validation, Verification, and Limitations:

Project Resolution and Tracking (PRT) system- PRT was implemented on April 18, 2011; this OIG system was designed to track audits, evaluations, and reviews from initiation to completion. The system provides senior management with the data to respond to information requests and to track and report on current status of work activities. Work activities prior to PRT were conducted by using two separate systems: the Audit Division Administrative Management System (ADAM) and Inspection Tracking System (ITS).

C. FY 2014 Performance Report: N/A

PERFORMANCE MEASURE TABLE (Goal 2)

Decision Unit/Program: OIG/Audits, Inspections, Investigations, and Reviews
 DOJ Strategic Plan: Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States.
 OIG General Goal #2: Promote the efficiency and effectiveness of Department programs and operations.

Performance Report	FY 2009 FY 2010 FY 2011 FY 2012 FY 2013 FY 2014 FY 2015															
	Actual	Actual	Actual	Actual	Actual	Actual	Target	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Target
Workload	159	142	124	116	103	89	92									
Audit and E&I assignments initiated																
Percent of Audit CSITAO resources devoted to security reviews of major Dept. information systems	75%	82%	92%	97%	75%	75%	75%									
Percent of internal DOJ audit assignments that assess component performance measures	18%	20%	20%	42%	40%	18%	18%									
Percentage of E&I assignments opened and initiated during the fiscal year devoted to Top Management Challenges.* [Refined Measure]																
Percent of direct resources devoted to audit products related to Top Management Challenges, and GAO and JMD-Identified High-Risk Areas.	94%	89%	86%	93%	96%	80%	80%									
Percent of direct resources devoted to E&I products related to Top Management Challenges, and GAO and JMD-Identified High-Risk Areas.	94%	89%	86%	93%	81%	NA	NA									
Intermediate Outcome																
Audit and E&I assignments completed*	155	128	99	109	117	84	87									
Percent of Audit resources devoted to reviews of grants and grant management	47%	49%	39%	42%	40%	40%	40%									
Components receiving information system audits	6	7	8	11	6	5	5									
Products issued to the Dept. containing significant findings or information for management decision-making by Audit and E&I	116	107	99	187	98	77	80									
Products issued to Congress by Audit and E&I*	47	49	91	94	98	NA	NA									
Percent of E&I assignments completed within 7 months*	17%	40%	25%	NA	25%	NA	NA									
Percent of less complex internal DOJ reviews to be provided to the IG as a working draft within an average of 8 months. [Refined Measure]**																
Percent of more complex internal DOJ reviews to be provided to the IG as a working draft within an average of 11 months. [Refined Measure]**																
Percent of contract, grant, IGA, and other external audits to be completed in draft within 5 months*	60%	64%	54%	34%	22%	NA	NA									
Percent of contract, grant, IGA, and other external audits to be completed in draft within 8 months [Refined Measure]	NA	NA	NA	NA	49%	50%	50%									
Percent of less complex internal DOJ audits to be completed as a working draft within 8 months. [New Measure]	NA	NA	NA	NA	NA	35%	35%									
Percent of internal DOJ audits to be completed in draft within 1 year**	NA	NA	NA	NA	40%	NA	NA									
Percent of more complex internal DOJ audits to be completed as a working draft within 13 months [New Measure]	NA	NA	NA	NA	NA	35%	35%									

*This measure will no longer be used. It may or may not be replaced by a refined measure.

** These two timeliness measures reflect the 2014 Assistant Inspector General (AIG) for Evaluation and Inspection Division Performance Work Plan (PWP) (excellent level performance metric) and replace the 7-month performance metric used in FY 2013.

*** Target not achieved due to new business process and timeline for completing assignments in FY 2013 as well as on-board staffing levels were reduced (on average) by 20 percent all year.

3. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

As illustrated in the preceding Performance and Resources Tables, the OIG helps the Department achieve its strategic goals through conduct of its audits and its special reviews. Specifically, the OIG contributes to promoting the efficiency and integrity in the Department's programs and its operations. For the Department's programs and activities to be effective, Department personnel, contractors, and grantees must conduct themselves in accordance with the highest standards of integrity, accountability, and efficiency. The OIG investigates alleged violations of criminal and civil laws, regulations, and ethical standards arising from the conduct of the Department's employees in their numerous and diverse activities. In addition, the OIG assists management in promoting integrity, economy, efficiency, and effectiveness within the Department and in its financial, contractual, and grant relationships with others using the coordinated efforts of the OIG's investigative, audit, inspection, and special review resources.

The OIG continues to review its performance measures and targets, especially in light of the changing nature of the cases it investigates and the Department programs it audits and reviews. Today's work is much more complex and expansive than it was only a few years ago. The number of documents to be reviewed, the number of people to interview, the amount of data to examine, and the analytical work involved in many OIG products are significantly greater than in prior years.

b. Strategies to Accomplish Outcomes

The OIG will devote all resources necessary to investigate allegations of bribery, fraud, abuse, civil rights violations, and violations of other laws and procedures that govern Department employees, contractors, and grantees, and will develop cases for criminal prosecution and civil and administrative action. The OIG will use its audit, inspection, and attorney resources to review Department programs or activities identified as high-priority areas in the Department's strategic plan and devote resources to review the Department's Top Management and Performance Challenges.

V. Program Offsets by Item

A. Item Name: **Miscellaneous Program and Administrative Reductions**

Strategic Goal: Strategic Goal 2
 Strategic Objective: Strategic Objective 2.6
 Budget Decision Unit(s): OIG
 Organizational Program: OIG

Program Offset: Positions +0 Agt/Atty +0/+0 FTE +0 Dollars (\$3,153,000).

Description of Item:

Program and administrative reductions will be identified once funds are appropriated.

Justification:

Reductions to existing operations and services are necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions will be identified once funds are appropriated.

Impact on Performance

Performance impact information is not yet available for this offset.

APPENDIX A

Statistical Highlights

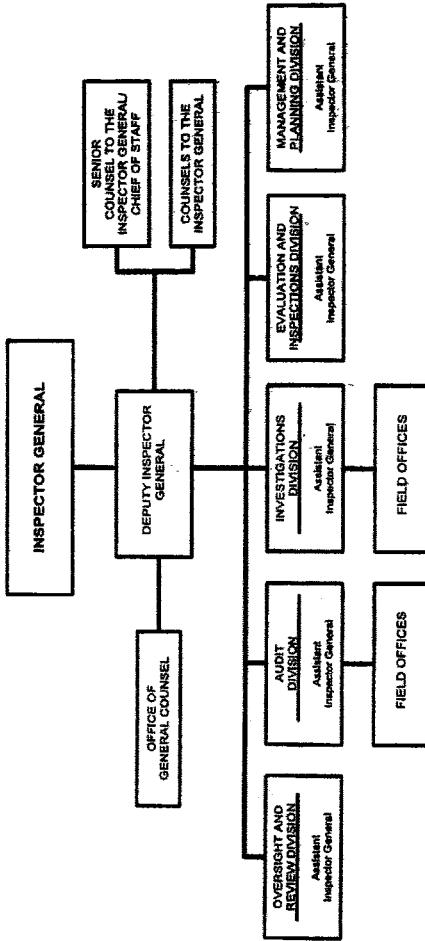
April 1, 2012 – September 30, 2012

The following table summarizes Office of the Inspector General (OIG) activities discussed in our most recent *Semiannual Report to Congress*. As these statistics and the following highlights illustrate, the OIG continues to conduct wide-ranging oversight of Department of Justice (Department) programs and operations.

Source of Allegations	
Hotline (telephone, mail, and e-mail)	2,039
Other Sources	4,285
Total allegations received	6,324
Investigative Caseload	
Investigations opened this period	242
Investigations closed this period	207
Investigations in progress as of 9/30/12	446
Prosecutive Actions	
Criminal indictments/informations	41
Arrests	45
Convictions/Pleas	32
Administrative Actions	
Terminations	29
Resignations	54
Disciplinary action	78
Monetary Results	
Fines/Restitutions/Recoveries/Assessments/Forfeitures	\$125,522
Civil Fines/Restitutions/Recoveries/Penalties/Damages/Forfeitures	\$11,311,995

A: Organizational Chart

OFFICE OF THE INSPECTOR GENERAL



Approved by: Michael E. Newman Date: 9/27/12
Inspector General

B. S. Summary of Requirements

Summary of Requirements
Office of the Inspector General
Salaries and Expenses
(Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted	474	440	85,986
2013 Rescissions (1.877% & 0.2%)			-1,763
2013 Sequester			-4,236
2013 Balance Rescission			0
2013 Hurricane Sandy Supplemental			0
Total 2013 Enacted (with Rescissions and Sequester)	474	440	79,986
2014 Enacted	0	0	0
2014 Balance Rescission	0	0	86,400
Total 2014 Enacted (with Balance Rescission)	474	440	86,400
Base Adjustments			
Pay and Benefits	0	0	1,600
Domestic Rent and Facilities	0	0	3,670
Total Base Adjustments	0	0	5,330
Total Technical and Base Adjustments	0	0	5,330
2015 Current Services			
Program Changes	474	440	91,730
Offsets:			
Miscellaneous Program and Administrative Reductions	0	0	-3,153
Subtotal, Offsets	0	0	-3,153
Total Program Changes	0	0	-3,153
2015 Total Request	0	0	88,577
2015 Balance Rescission	0	0	0
2016 Total Request (with Balance Rescission)	474	440	88,577
2014 - 2015 Total Change	0	0	2,177

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
Office of the Inspector General
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Audits, Inspections, Investigations and Reviews	474	419	79,966	474	419	86,400		0	5,330	474	419	91,730
Total Direct	474	419	79,966	474	419	86,400	0	0	5,330	474	419	91,730
Balance Rescission			0			0			0			0
Total Direct with Rescission												
Reimbursable FTE		21	79,966		21	86,400		0	5,330		21	91,730
Total Direct and Reimb. FTE		440			440			0			440	
Grand Total, FTE		440			440			0			440	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Audits, Inspections, Investigations and Reviews	0	0	0	0	0	-3,153	474	419	88,577
Total Direct	0	0	0	0	0	-3,153	474	419	88,577
Balance Rescission			0			0			0
Total Direct with Rescission									
Reimbursable FTE		0	0		0	-3,153		21	88,577
Total Direct and Reimb. FTE		0			0			440	
Grand Total, FTE		0			0			440	

FY 2015 Program Changes by Decision Unit
Office of the Inspector General
Salaries and Expenses
(Dollars in Thousands)

Program Offsets	Location of Description in Narrative	OIG		
		Direct Pos.	Aggr. / Atty.	Est. FTE Amount
Miscellaneous Program and Administrative Reductions	19	0	0	0
Total Program Offsets		0	0	-3,153

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

Office of the Inspector General
Salaries and Expenses
(Dollars in Thousands)

	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount	
2.6 Protect the federal fisc and defend the interests of the United States	440	79,966		440	86,400		440	91,730		0	0		0	-3,153		440	88,577	
Subtotal, Goal 2	440	79,966		440	86,400		440	91,730		0	0		0	-3,153		440	88,577	
TOTAL	440	79,966		440	86,400		440	91,730		0	0		0	-3,153		440	88,577	

Note: Excludes Balance Rescission and/or Supplemental Appropriations.

Justifications for Technical and Base Adjustments
Office of the Inspector General
Salaries and Expenses
(Dollars in thousands)

Pay and Benefits	Direct Pay.	Estimate FYE	Amount
1 2016 Pay Raise The request provides for a proposed 1 percent pay raise to be effective in January of 2016. The increase only includes the general pay raise. The amount requested, \$402,000 represents the pay amounts for 34 of the fiscal year pay appropriate benefits \$301,500 for pay and \$100,500 for benefits.)			402
2 Accumulation of 2014 Pay-2016 The request provides for a proposed 1 percent pay raise to be effective in January of 2016. The increase only includes the general pay raise. The amount requested, \$402,000 represents the pay amounts for 34 of the fiscal year pay appropriate benefits \$301,500 for pay and \$100,500 for benefits.)			148
3 FERS Single-Lump-Sum Distribution Contribution Effective October 1, 2014 (FY 2015) the new agency contribution rate of 13.2% (up from the current 11.8%, or an increase of 1.4%) and 28.8% for new enforcement personnel (up from the current 26.3%, or an increase of 2.5%). The amount requested, \$904,000, represents the funds needed to cover this increase.			804
4 Employees' Compensation Fund The \$90,000 request reflects anticipated changes in payments to the Department of Labor for injury benefits under the Federal Employees' Compensation Act.			90
5 Health Insurance Effective January 2015, the Office of the Inspector General's contribution to Federal employees' health insurance increases by 5.1 percent. Applied against the 2014 estimate of \$2,765,000 the additional amount requested is \$142,000.			142
6 Retirement Agency management continues to increase its contributions under CSRS and its contributions to FERS employees. Based on U.S. Department of Treasury's latest estimates, the 2014 estimate of \$2,765,000 to FERS is increased by \$142,000. The amount requested is \$2,907,000. The requested increase of \$142,000 is necessary to meet our increased retirement obligations as a result of the conversion.			71
Domestic Rent and Facilities			5
1 General Services Administration (GSA) Rent The request provides for a proposed 1 percent pay raise to be effective in January of 2016. The increase only includes the general pay raise. The amount requested, \$402,000 represents the pay amounts for 34 of the fiscal year pay appropriate benefits \$301,500 for pay and \$100,500 for benefits.)			1,650
2 Ground Maintenance The request provides for a proposed 1 percent pay raise to be effective in January of 2016. The increase only includes the general pay raise. The amount requested, \$402,000 represents the pay amounts for 34 of the fiscal year pay appropriate benefits \$301,500 for pay and \$100,500 for benefits.)			921
3 Miscellaneous Expenses The request provides for a proposed 1 percent pay raise to be effective in January of 2016. The increase only includes the general pay raise. The amount requested, \$402,000 represents the pay amounts for 34 of the fiscal year pay appropriate benefits \$301,500 for pay and \$100,500 for benefits.)			2
TOTAL DIRECT TECHNICAL AND BASE ADJUSTMENTS			3,170
			5,170

Crosswalk of 2013 Availability
Office of the Inspector General
Salaries and Expenses
(Column in Thousands)

Program Activity	2013 Appropriation Enacted with Balance Reapportionment			Supplementals			Balance Reconciliation			Sequester			Reprogramming/Transfers			Recoveries/Retentions			2013 Actual		
	Direct	Actual	FTE	Direct	Actual	FTE	Direct	Actual	FTE	Direct	Actual	FTE	Direct	Actual	FTE	Amount	Amount	Pos	Direct	Actual	FTE
Audits, Investigations, Investigations and Reviews	474	419	86,985	0	0	0	0	0	0	0	-1,783	0	0	-4,238	0	894	203	0	474	419	86,985
Total Direct	474	419	86,985	0	0	0	0	0	0	0	-1,783	0	0	-4,238	0	894	203	0	474	419	86,985
Reimbursable FTE																					
Total Direct and Reimb. FTE																					
Grand Total FTE			440			0			0			0			0					440	

Excluded:
1) The 2013 Enacted appropriation includes the 2 across-the-board reductions of 1.877% and 0.2%.

Reprogramming/Transfers

The approved sequestration plan submitted to Congress on April 17, 2013 stated that up to \$894,000 could be transferred to the OIG from the Federal Prisoner Detention (FPD) appropriation. The full \$894,000 was transferred to OIG.

Carryover:

Carryover in the amount of \$200K for the American Recovery and Reinvestment Act (ARRA) of 2009 was available to the OIG for obligation until December 31, 2012.
Carryover in the amount of \$3K in our Global War on Terrorism (GWOT) Year account (GWOT).

Crosswalk of 2014 Availability
Office of the Inspector General
Salaries and Expenses
(Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/Renunda		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount		Direct Pos.	Estim. FTE	Amount
Audits, Inspections, Investigations and Reviews	474	419	86,400		0	0	0	0	0		474	419	86,400
	474	419	86,400	0	0	0	0	0	0		474	419	86,400
Total Direct			0										0
Balance Reclassification			86,400										86,400
Total Direct with Reclassification		21			0			0				21	
Reimbursable FTE		440			0			0				440	
Total Direct and Reimb. FTE													
Grand Total, FTE		440			0		0	0				440	

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources
Office of the Inspector General
Salaries and Expenses
(Dollars in Thousands)

Collections by Source	2013 Actuals			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos. ^a	Reimb. FTE ^a	Amount	Reimb. Pos. ^a	Reimb. FTE ^a	Amount	Reimb. Pos. ^a	Reimb. FTE ^a	Amount	Reimb. Pos. ^a	Reimb. FTE ^a	Amount
Federal Bureau of Investigation	0	2	1,554	0	2	1,639	0	2	1,657	0	0	18
Offices, Boards, and Divisions	0	5	4,472	0	5	4,691	0	6	5,606	0	1	915
Asset Forfeiture Fund	0	2	1,080	0	2	1,100	0	2	1,107	0	0	7
Federal Bureau of Prisons	0	2	1,074	0	2	1,125	0	2	1,132	0	0	7
Federal Prison Industries	0	2	1,007	0	2	1,014	0	2	1,019	0	0	5
United States Marshals Service	0	2	1,173	0	2	1,129	0	0	0	0	-2	-1,129
Working Capital Fund (ITSS)	0	7	1,905	0	7	2,026	0	7	2,180	0	0	154
IG Criminal Investigator Academy	0	0	176	0	0	61	0	0	0	0	0	-61
Budgetary Resources	21	21	12,441	21	21	12,795	21	21	12,701	0	0	-94

^aReimbursable Positions are not able to be split by Collection Source.

^{a*}The columns will add to a different amount due to rounding.

I. Details of Permanent Positions by Category

Detail of Permanent Positions by Category
 Office of the Inspector General
 Salaries and Expenses
 (Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb Pos.
Personnel Management (200-299)	7	0	7	0	0	0	0	7	0
Clerical and Office Services (300-399)	160	3	160	3	0	0	0	160	3
Accounting and Budget (500-599)	95	11	95	11	0	0	0	95	11
Attorneys (605)	30	0	30	0	0	0	0	30	0
Paralegals (Other Law (800-998)	5	0	5	0	0	0	0	5	0
Operation Research Analyst (1615)	2	0	2	0	0	0	0	2	0
Miscellaneous Inspectors Series (1802)	6	0	6	0	0	0	0	6	0
Criminal Investigative Series (1811)	139	0	139	0	0	0	0	139	0
Information Technology Mgmt (2210)	18	7	18	7	0	0	0	18	7
Security Specialists (060)	3	0	3	0	0	0	0	3	0
Miscellaneous Operations (010-099)	6	0	6	0	0	0	0	6	0
Total	474	21	474	21	0	0	0	474	21
Headquarters (Washington, D.C.)	228	21	228	21	0	0	0	228	21
U.S. Field	246	0	246	0	0	0	0	246	0
Total	474	21	474	21	0	0	0	474	21

Footnotes:

Financial Analysis of Program Changes
Office of the Inspector General
Salaries and Expenses
(Dollars in Thousands)

Object Class	Program Increase 1		OIG		Program Offsets	
	Direct Pay	Amount Pay	Direct Pay	Amount Pay	Direct Pay	Amount Pay
13.0 Benefits for former personnel		0	0	0	0	0
21.0 Travel and Transportation of Persons		0	0	0	-431	-431
22.0 Transportation of Things		0	0	0	-158	-158
23.1 Rental Payments to GSA		0	0	0	0	0
23.3 Communications, Utilities, and Miscellaneous Charges		0	0	0	-315	-315
24.0 Printing and Reproduction		0	0	0	-158	-158
25.1 Advisory and Assistance Services		0	0	0	0	0
25.2 Other Services from Non-Federal Sources		0	0	0	-315	-315
25.3 Other Goods and Services from Federal Sources		0	0	0	0	0
26.1 Research and Development Contracts		0	0	0	-158	-158
26.7 Operation and Maintenance of Equipment		0	0	0	-315	-315
28.0 Supplies and Materials		0	0	0	-315	-315
31.0 Equipment		0	0	0	-315	-315
Total Program Change Requests	0	0	0	0	0	-3,153

K. Sun f Requirements by Object Class

Summary of Requirements by Object Class

Office of the Inspector General
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	419	42,342	419	43,563	419	45,285	0	1,322
11.3 Other than Full-Time Permanent	0	1,442	0	847	0	894	0	147
11.5 Other Personnel Compensation	0	3,160	0	3,800	0	3,456	0	-144
OverTime	0	0	0	0	0	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	0	0	0	0	0	0	0
Total	419	46,941	419	48,410	419	49,736	0	1,325
Other Object Classes								
12.0 Personnel Benefits		16,739		16,931		17,622		691
13.0 Benefits for former personnel		36		20		0		-20
21.0 Travel and Transportation of Persons		2,400		2,785		2,846		61
22.0 Transportation of Things		117		109		0		-109
23.1 Rental Payments to GSA		8,251		9,268		9,268		0
23.2 Rental Payments to Others		397		346		3,118		2,773
23.3 Communications, Utilities, and Miscellaneous Charges		1,246		1,417		1,405		-12
24.0 Printing and Reproduction		9		7		0		-7
25.1 Advisory and Assistance Services		826		1,342		1,101		-241
25.2 Other Services from Non-Federal Sources		1,542		1,665		1,786		101
25.3 Other Goods and Services from Federal Sources		1,608		1,976		1,211		-765
25.4 Operation and Maintenance of Facilities		18		43		26		-18
25.5 Research and Development Contracts		0		0		0		0
25.6 Medical Care		90		101		269		169
25.7 Operation and Maintenance of Equipment		254		288		0		-288
25.8 Substantive and Support of Personnel		113		345		0		-345
26.0 Supplies and Materials		63		540		221		-319
31.0 Equipment		50		800		0		-800
32.0 Land and Structures		18		0		0		-18
41.0 Grants, Subsidies, and Contributions		0		0		0		0
42.0 Insurance Claims and Indemnities		0		0		0		0
Total Obligations		80,720		85,400		88,377		2,177
Subtract - Unobligated Balance, Start-of-Year		-203		0		0		0
Subtract - Transfers/Reprogramming		-584		0		0		0
Subtract - Recoveries/Refunds		0		0		0		0
Add - Unobligated End-of-Year, Available		0		0		0		0
Add - Unobligated End-of-Year, Expiring		110		0		0		0
Total Direct Requirements	419	79,563	419	85,400	419	88,377	0	2,177
Reimbursable FTE	21		21		21		0	
Full-Time Permanent								

Office of the Inspector General

Salaries and Expenses
(Dollars in Thousands)

Status of Congressionally Requested Studies, Reports, and Evaluations

1. The Senate Report associated with the FY 2013 Consolidated Appropriations Act, page 6, directs the OIG to submit a report examining travel contractor costs to identify excessive expenditures and identify areas of savings, and to make this report publicly available. The OIG issued its report in September 2013.
2. The Consolidated Appropriation Act FY 2014, CJS Title V section 514, page 75, directs the OIG to conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are appropriated by this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest. The OIG will issue its report 180 days after initiating such an audit and every 180 days thereafter until any such audit is completed.
3. The Consolidated Appropriation Act FY 2014, CJS Statement of Managers, Title II, page 18, directs the OIG to engage an independent entity to conduct an assessment of the operation and management of the Department's Civil Rights Division (CRT). The OIG will issue its report in January 2015.
4. The Department's OIG shall conduct audits and oversight of funds provided under the Comprehensive School Safety Initiative, page 93 of the Senate Report. The OIG shall also review concerns raised by the public about specific investments using funds made available in this program, and relay findings of their reviews to the Directors of the NJ and COPS Office and the Committees on Appropriations. This is a new requirement that is ongoing and does not have a due date associated with it.

M. Additional Required Information for OIG Budget Submissions

The Inspector General Reform Act of 2008 (P.L. 110-409) requires that the Department of Justice OIG submit the following information related to its requested budget for Fiscal Year 2015:

- *the aggregate budget request for the operations of the OIG is \$88,577,000;

- *the portion of this amount needed for OIG training is \$580,000;

The Inspector General of the Department of Justice certifies that the amount requested for training satisfies all OIG training needs for FY 2015.

U.S Department of Justice
FY 2015 Performance Budget
Congressional Submission

United States Parole Commission



March 2014

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I. Overview for U.S. Parole Commission

The mission of the U.S. Parole Commission is to promote public safety and strive for justice and fairness in the exercise of its authority to release, revoke and supervise offenders under its jurisdiction.

In FY 2015, the President's Budget includes a total of \$13,308,000, 85 positions (7 attorneys) and 75 FTEs for the U.S. Parole Commission (USPC). This request includes adjustments to base totaling 5 FTE workyears and \$708,000, and no program changes.

Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

Organizational Structure

- **The Chairman and Commissioners** render decisions in National Appeals Board cases; create and maintain a national parole policy; grant or deny parole to all eligible federal and District of Columbia prisoners; establish conditions of release; modify parole conditions and/or revoke the parole or mandatory/supervised releases of offenders who have violated the conditions of supervision; and administer the USPC crime victim notification program.
- **The Office of Budget and Management** provides management and advisory services to the Chairman, Commissioners, management officials, and staff in the areas of human resources management, workforce development and training; budget and financial management; contracts and procurement; facilities and property management; telecommunications; security; and all matters pertaining to organization, management, and administration.
- **The Office of Case Operations** conducts parole hearings with federal and D.C. prisoners and parole revocation hearings with parole violators; plans and schedules parole hearing dockets.
- **The Office of Case Services** monitors the progress of prisoners and parolees through pre-release and post-release; prepares and issues warrants and warrant supplements; drafts letters of reprimand; requests and analyzes preliminary interviews; and issues parole certificates.
- **The Office of Information Systems** is responsible for delivering and supporting information technology systems and services; maintaining and reporting statistical workload data; and administering the records management program.
- **The Office of the General Counsel** advises the Commissioners and staff on interpretation of the agency's enabling statutes; drafts implementing rules and regulations; and assists U.S. Attorney's Offices in defending the Commission against lawsuits brought by prisoners and parolees. The office also oversees responses to requests submitted under the Freedom of Information Act and Privacy Act.

Jurisdiction

The U.S. Parole Commission has jurisdiction over the following types of cases:

All Federal Offenders who committed an offense before November 1, 1987;

All District of Columbia Code Offenders;

Uniform Code of Military Justice Offenders who are confined in a Bureau of Prisons' institution;

Transfer Treaty cases (U.S. citizens convicted in foreign countries, who have elected to serve their sentence in this country); and,

State Probationers and Parolees in the Federal Witness Protection Program.

In all of these cases, the Parole Commission has the responsibility for:

- making determinations regarding the initial conditions of supervision;
- managing the offender's risk in the community;
- modification of the conditions of supervision for changed circumstances;
- early discharge from supervision, issuance of a warrant or summons for violation of the conditions of supervision; and,
- revocation of release for such offenders released on parole or mandatory release supervision.

Federal Offenders (offenses committed before November 1, 1987): The Parole Commission has the responsibility for granting or denying parole to federal offenders who committed their offenses before November 1, 1987, and who are not otherwise ineligible for parole. Supervision in the community is provided by U.S. Probation Officers.

District of Columbia Code Offenders: The Parole Commission has the responsibility for granting or denying parole to D.C. Code offenders who committed their offenses before August 5, 2000, and who are not otherwise ineligible for parole. Supervision in the community is provided by Supervision Officers of the Court Services and Offender Supervision Agency (CSOSA) of the District of Columbia and U.S. Probation Officers.

Uniform Code of Military Justice Offenders: The Parole Commission has the responsibility for granting or denying parole to parole-eligible Uniform Code of Military Justice offenders who are serving a sentence in a Bureau of Prisons institution. Supervision in the community for military parolees is provided by U.S. Probation Officers.

Transfer-Treaty Cases: The Parole Commission has the responsibility for conducting hearings and setting release dates for U.S. citizens who are serving prison terms imposed by foreign countries and who, pursuant to treaty, have elected to be transferred to the United States for service of that sentence. The Parole Commission applies the federal sentencing guidelines promulgated by the U.S. Sentencing Commission in determining the time to be served in prison before release for offenders who committed their offenses after October 31, 1987. For those offenders who committed their offenses before November 1, 1987, the U.S. Parole Commission applies the parole guidelines that are used for parole-eligible federal and military offenders.

State Probationers and Parolees in Federal Witness Protection Program: In addition to its general responsibilities, the Parole Commission is also responsible for the revocation of release for certain state probationers and parolees who have been placed in the federal witness protection program. Supervision in the community is provided by United States Probation Officers.

- Build a collaborative community approach to assisting victims and witnesses. Enhance decision-making through cooperation with external partners in criminal justice to ensure that the victim's input is considered prior to a decision. Develop policies and procedures to incorporate video conferencing for victim and witness input.

The Parole Commission (1) provides services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards; (2) supervises, revokes, and releases federal and District of Columbia offenders; (3) establishes and applies sanctions that are consistent with public safety and the appropriate punishment for crimes involving sex offenders, gangs, crimes of violence with firearms, and domestic violence; (4) establishes and implements guidelines to reduce recidivism; and (5) works collaboratively with the Court Services and Offender Supervision Agency (CSOSA), Federal Prison System, U.S. Marshals Service, U.S. Attorneys (USA), U.S. Probation Office (USPO), Public Defender Services (PDS), D.C. Metropolitan Police Department, D.C. Superior Court, and others to facilitate strategies that support anti-recidivism programs.

The following is a brief summary of the role USPC plays in supporting the Department of Justice's Strategic Goal 3.

Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal, and International Levels

Strategic objective 3.4 – Reform and strengthen America's criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in re-entering society.

- Develop and implement enhanced strategies to evaluate reentry and supervision that will ensure community safety, reduce serious violent crime, and reduce recidivism.
- Establish short term intervention sanctions for administrative violators.
- Establish and implement guidelines to reduce recidivism.
- Enhance current sanctions and develop new alternatives to incarceration to reduce recidivism for low-risk, non-violent offenders, such as the Reprimand Sanction Hearings, Short-term Intervention for Success, and Mental Health Sanction Hearings.
- Establish conditions of release. Develop risk assessment instruments and guidelines to identify high risk offenders to require intense supervision sanctions to reduce the chances of recidivism. The Parole Commission targets those offenders involved in gang activity, sex offenses, gun-related offenses, and domestic violence.
- Issue warrants in a timely fashion to remove violent offenders from the community.
- D.C. Jail and Corrections: Develop new procedures for conducting probable cause and revocation hearings for Technical Parole Violators.

1. Full Program Costs

The FY 2015 budget request for USPC is \$13,308,000, 85 full time permanent positions (including 7 attorneys) and 75 workyears. USPC's budget is integrated with its own priorities as well as the Department's Strategic Goals and Objectives, and therefore each performance objective is linked with the costs of critical strategic actions.

	<u>Positions</u>	<u>Workyears</u>	<u>Amount (\$000s)</u>
FY 2013 Appropriation	85	70	11,861
FY 2014 President's Budget	85	70	12,600
FY 2015 Adjustments-to-base	0	5	708
FY 2015 Program Changes	0	0	0
FY 2015 Request	85	75	13,308

The total costs include the following:

- The direct costs of all outputs
- Indirect costs
- Common administrative systems

The performance and resource tables define the total costs of achieving the strategies the USPC will implement in FY 2015. The various resource and performance charts incorporate the costs of lower level strategies which also contribute to achievement of objectives, but which may not be highlighted in detail in order to provide a concise narrative. Also included are the indirect costs of continuing activities, which are central to the USPC's operations.

2. Environmental Accountability

The Parole Commission continues to be proactive in its environmental accountability and towards that goal is consistently taking measures such as purchasing from recycled paper and products, as well as recycling all used toner cartridges and participating with the building's green program.

3. Challenges

The challenges that impede progress towards achievement of agency goals are complex and ever changing.

External Challenges: There are many external challenges, outside of its control, that the USPC has to address to be successful in meeting its goals. A major task before the Parole Commission is to take immediate action on violent offenders, while reducing recidivism rates for low-risk, non-violent offenders. While the Parole Commission's workload depends heavily on the activities of its criminal justice partners, it has developed programs to reduce recidivism, reduce prison overcrowding, reduce violent crime, and promote the public's safety.

Internal Challenges: The USPC faces two significant internal challenges in the years ahead, one dealing with its aging workforce and the other with technology. Both challenges are intertwined and will require creative and resourceful solutions.

As is the case with most Federal agencies, the USPC's workforce is aging and, as such, employee retirements will result in the need to recruit and retain replacement workers. The Commission expects up to 20, or about a quarter, of its employees to be eligible for retirement within the next five years. With the upcoming retirements and staff reductions, the expertise of the staff becomes a challenge. The caseload challenges are increasing, especially in the areas of mental health and sex offenses. There continues to be greater emphasis by the courts on the growing population with mental health disorders and the USPC needs to adjust internally by defining the special skill sets needed to address this growing workload and to develop its staff so we can address this particular workload. The staff must have the expertise to evaluate these disorders and set conditions of supervision that adequately address them. This is especially challenging because of USPC's small size. Innovation and creative, more flexible, recruitment options will have to be employed to meet this challenge.

A somewhat related, and pressing second challenge is the Commission's need to expand its paperless process and take full advantage of technological innovation, especially in light of a potential "brain drain" over the next five years. In preparation for this eventuality, the Commission is pressing ahead with implementation of its Offender Management System (OMS). Moving to a paperless process will require sensitivity to a number of issues, including: access to case files; the need to meet statutory deadlines; the need to capture more reliable data; security concerns; working with multiple stakeholders, such as BOP, CSOSA, USPO, USA, and PDS; continuity of operation; and finally, having remote access at hearings.

II. Summary of Program Changes

No program changes

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

United States Parole Commission
Salaries and Expenses

For necessary expenses of the United States Parole Commission as authorized,
[\$12,600,000] \$13,308,000. (Department of Justice Appropriations Act, 2014.)

Analysis of Appropriations Language

No substantive changes proposed.

IV. Program Activity Justification

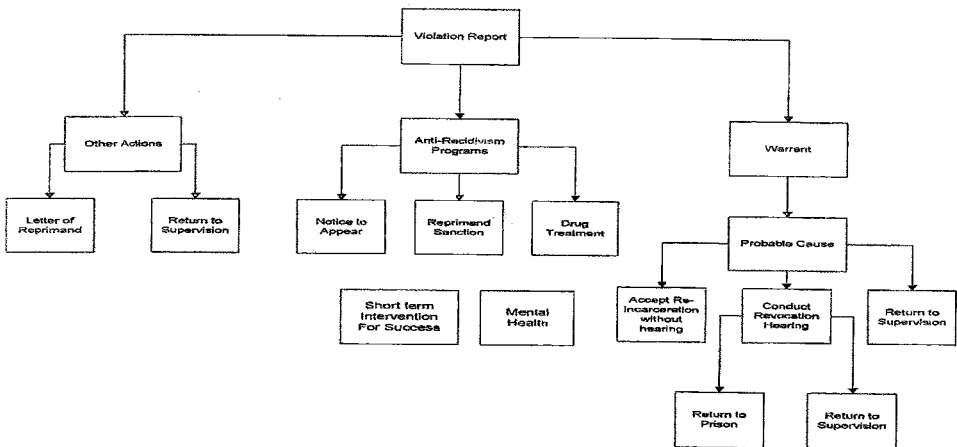
A. United States Parole Commission

<i>United States Parole Commission</i>	Direct Pos.	Estimate FTE	Amount
2013 Enacted with Rescissions and Sequestration	85	70	\$11,861
2014 Enacted	85	70	12,600
Adjustments to Base and Technical Adjustments		5	708
2015 Current Services	85	75	13,308
2015 Request	85	75	13,308
Total Change 2014-2015		5	708

1. Program Description

The USPC continues to collaborate with CSOSA to develop new performance measures that will identify the effectiveness of the Parole Commission's strategy to reduce recidivism.

In its effort to reduce recidivism, the Parole Commission has developed graduated sanctions to address non-compliant behavior thereby reducing the number of low-risk, non-violent offenders returning to prison. The flow chart below displays the process the Parole Commission follows after it receives a violation report and determines the best approach for a particular offender:



One major goal of the Parole Commission is to issue warrants for those that willfully violate the conditions of their release and for those with the most egregious behavior, typically tied to violence, child abuse, sex offenses, etc. This approach will keep our communities safe while also returning the more productive, low-risk offenders back to the community in a timely and cost efficient manner. The long-term goals and outcomes USPC plans to track include:

- the percentage of low-risk, non-violent cases that are provided drug treatment, quick hits, and warnings instead of incarceration,
- the percentage of offenders with low-level violations offered reduced sentences without a hearing, and
- the percentage of warrants approved and issued for offenders violating their conditions of release while under USPC supervision in the community.

For low-risk non-violent offenders, USPCs implementation of an “Alternatives to Re-Incarceration” agenda emphasizes the development of strategies, to decrease prison overcrowding by reducing the number of low-level, non-violent offenders revoked to re-incarceration. USPC’s efforts parallel the Attorney General’s Smart on Crime Initiative by incorporating a fundamental principle founded in “not locking our way out of addressing low-level, non-violent offenders.” Currently, we have six strategic processes occurring throughout the Commission to aide in our recidivism reduction efforts.

Reprimand Sanction Hearings: Implemented in 2006, Reprimand Sanction Hearings are designed to reduce parole revocation hearings, improve offender compliance with release conditions, and reduce offender risk levels for offenders who have shown a pattern of noncompliance and have failed to respond positively to graduated sanctions. Hearings are held once a week, the first three weeks of the month, for on average 5 offenders per meeting. Since 2006, USPC has held 647 hearings. We have seen significant reductions in positive drug test results and technical violation patterns among the offenders who have participated in this intervention. The hearings are conducted by the Chairman.

Mental Health Docket: USPC created the Mental Health Sanctions Hearing Docket in early 2012, to identify the needs of the offenders with Mental Health diagnosis, provide greater collaboration with stakeholders in the acquisition of effective services, and increase the treatment engagement of program participants. This subset of offenders is one of the most challenging populations within the realm of Community Corrections, because of their irrational, anti-social thoughts and behaviors, often times as a result of failed or absent medication management.

The Mental Health Docket started as a six month pilot project between March and October of 2012, with two hearing dockets per month, scheduling no more than four cases per docket, due to the complexities of the offender issues. USPC has held 137 hearings since 2012, with approximately 22 warrants issued for continued non-compliance.

Notice to Appear (NTA): In an effort to reduce hardship on offenders and their families by allowing the offender to remain in the community until revocation proceedings commence, USPC implemented Notice to Appear Hearings. These efforts resulted in a reduction in overall time in custody for the revocation process. Between July 2012 and December 2012, USPC approved 82 hearings, with 49 violators continuing on supervision, 17 violators revoked, one no finding, and 15 violators removed from the community prior to the hearing for various escalated non-compliance matters.

Throughout this process, there has been a decrease in warrants for non-violent offenders, decreases in the number of non-violent offenders being re-incarcerated for minor violations, and decreases in the number of days violators are housed in the Department of Corrections (DOC) custody. The average time in custody for a revocation proceeding was 116 days, which reduces the time in custody to 30 days thru the NTA process. Ultimately, there's a reduction in prison overcrowding which inevitably equates to significant costs savings. It costs approximately \$106 a day to house an inmate at the DC Jail. At that rate, USPC saved the DOC approximately \$602,504 for the average time period of 116 days of incarcerating 49 revoked offenders during the revocation process. Should an offender have to be incarcerated for a period of 30 days during the NTA process, the savings is approximately \$446,684 for those same 49 offenders.

Residential Substance Abuse Treatment Program (RSAT) and Secure Residential

Treatment Program (SRTP): In 2009, RSAT and SRTP were implemented to deliver substance abuse treatment in a correctional facility setting as an alternative for offenders who would otherwise face revocation for low-level violations related to drug addiction and community reintegration failures. Operating out of the DC Department of Corrections, the RSAT program has a capacity of 75 beds for males, 25 beds for women, and a program length of up to 120 days with 30 days community based inpatient or outpatient treatment. The SRTP supports a capacity of 32 beds for males and a program length of 180 days, with 90 days of transitional living, followed by 54 sessions of outpatient treatment.

Since 2009, approximately 756 offenders have served in the RSAT program with approximately 445 successfully completing the program.

The SRTP program served approximately 279 offenders with about 221 offender's successfully completing the program.

Short-Term Intervention of Success (SIS): The SIS program was implemented to reduce recidivism by applying immediate short-term incarceration sanctions to administrative violators of supervision that demonstrate a commitment to modify their non-compliant behavior. Between October of 2011 and February of 2012, there were 78 approvals to enter the SIS program, with an average imposed sentence of 4.5 months. Prior to the SIS imposition, 75 percent of these offenders had absconded.

2. Performance and Resource Tables

PERFORMANCE AND RESOURCES TABLE										
Decision Unit: United States Parole Commission										
Strategic Goal: Strategic objective 3.4 – Reform and strengthen America's criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in re-entering society.										
RESOURCES		Target		Actual		Projected		Changes		Requested (Total)
Decision Unit: United States Parole Commission		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE
		70	11,861	70	11,861	70	12,600	5	708	75
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request
PERFORMANCE		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE
		70	11,861	70	11,861	70	12,600	5	708	75
		70	11,861	70	11,861	70	12,600	5	708	75
Program Activity		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request
Performance Measure		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE
Warrants		70	11,861	70	11,861	70	12,600	5	708	75
Performance Measure		2,000	2,730	2,000	2,000	2,000	2,000	-	-	2,000
Appeals		160	208	160	160	160	160	-	-	160
Performance Measure		2,000	2,309	2,000	2,000	2,000	2,000	-	-	2,000
Parole Hearings		1,500	1,694	1,500	1,500	1,500	1,500	-	-	1,500
Performance Measure		1,500	1,649	1,500	1,500	1,500	1,500	-	-	1,500
Revocation Hearings		1,500	1,649	1,500	1,500	1,500	1,500	-	-	1,500
Performance Measure		1,500	1,649	1,500	1,500	1,500	1,500	-	-	1,500
Supervised Release		1,500	1,649	1,500	1,500	1,500	1,500	-	-	1,500
Performance Measure		1,500	1,649	1,500	1,500	1,500	1,500	-	-	1,500

PERFORMANCE MEASURE TABLE

Decision Unit: United States Parole Commission														
Strategic Objective	Performance Report and Performance Plan Targets		FY 2009		FY 2010		FY 2011		FY 2012		FY 2013		FY 2014	FY 2015
			Actual	Actual	Actual	Actual	Actual	Actual	Target	Actual	Target	Target	Target	
	Performance Measure		2,130	2,356		2,352		2,364		2,000	2,730		2,000	
	Performance Measure		230	141		165		223		160	208		160	
	Performance Measure		*2326	*3422		2,194		2,210		2,000	2,309		2,000	
	Performance Measure		2,684	1,365		1,285		1,758		1,500	1,694		1,500	
	Performance Measure													
													</	

PERFORMANCE MEASURE TABLE – PROPOSED*									
Decision Unit: U.S. Parole Commission									
		FY 2011 Actual	FY 2012 Actual	FY 2013 Target	FY 2013 Actual	FY 2014 Target	FY 2015 Target		
Performance Report and Performance Plan Targets									
Performance Measure	% of all non-violent cases that were provided alternatives to incarceration. The alternatives include:	N/A	N/A	N/A	N/A	Developing Baseline	TBD		
	Drug treatment	N/A	N/A	N/A	N/A	Developing Baseline	TBD		
	Mental health treatment	N/A	N/A	N/A	N/A	Developing Baseline	TBD		
	Reprimand Sanction Hearing Program	N/A	N/A	N/A	N/A	Developing Baseline	TBD		
	Letters of Reprimand	N/A	N/A	N/A	N/A	Developing Baseline	TBD		
	Notice to Appear	N/A	N/A	N/A	N/A	Developing Baseline	TBD		
	Continued supervision in the community	N/A	N/A	N/A	N/A	Developing Baseline	TBD		
	Adjust conditions of release in the community	N/A	N/A	N/A	N/A	Developing Baseline	TBD		
Outcome	% of offenders provided alternatives to incarceration that do not re-offend during the first year:	N/A	N/A	N/A	N/A	Developing Baseline	TBD		
	Drug treatment	N/A	N/A	N/A	N/A	Developing Baseline	TBD		
	Mental health treatment	N/A	N/A	N/A	N/A	Developing Baseline	TBD		
	Reprimand Sanction Hearing Program	N/A	N/A	N/A	N/A	Developing Baseline	TBD		
	Letters of Reprimand	N/A	N/A	N/A	N/A	Developing Baseline	TBD		

	Notice to Appear	N/A	N/A	N/A	N/A	Developing Baseline	TBD
	Continued supervision in the community	N/A	N/A	N/A	N/A	Developing Baseline	TBD
	Adjust conditions of release in the community	N/A	N/A	N/A	N/A	Developing Baseline	TBD
Performance Measure	% of offenders with low-level violations eligible for reduced sentences without a hearing.	N/A	N/A	N/A	N/A	Developing Baseline	TBD
Outcome	Increase in the percentage of offenders offered reduced sentences without a hearing.	N/A	N/A	N/A	N/A	Developing Baseline	TBD
Performance Measure	Number of warrants issued for arrests of violence (e.g., domestic assault, possession/use of weapon, sexual assault, robbery).	N/A	N/A	N/A	N/A	Developing Baseline	TBD
Outcome	Percentage of offenders held in custody due to probable cause.	N/A	N/A	N/A	N/A	Developing Baseline	TBD

*The USPC is working to establish baselines for these measures and will report annual targets for FY 2015 in the FY 2016 President's Budget.

2. Performance, Resources, and Strategies

The USPC contributes to the Department's Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal, and International Levels. Within this Goal, USPC's resources specifically address one of the Department's Strategic Objectives: 3.4 – provide for the safe, secure, humane, and cost-effective confinement of detainees awaiting trial and/or sentencing, and those in the custody of the federal prison system.

On August 12, 2013, the Attorney General in a speech before the American Bar Association's House of Delegates, announced a modification of the Justice Department's charging policies so that certain low-level, nonviolent drug offenders who have no ties to large-scale organizations, gangs, or cartels will no longer be charged with offenses that impose draconian mandatory minimum sentences. He noted that: "...by reserving the most severe penalties for serious, high-level, or violent drug traffickers, we can better promote public safety, deterrence, and rehabilitation – while making our expenditures smarter and more productive."

The United States Parole Commission (USPC) is committed to providing alternatives to incarceration in an attempt to make low level, non-violent offenders, including drug offenders, more productive in our communities. Evidence from a number of state initiatives, such as those in Kentucky and Texas, has shown that investments in drug treatment for nonviolent offenders and other changes to parole policies cannot only reduce prison populations, saving taxpayers millions of dollars, but can also reduce recidivism rates. Spending our dollars wisely can result in a return on investment that we can all be proud of – declining rates of recidivism, safer communities, and more productive citizens.

The USPC has undertaken a number of initiatives that support the Administration's position on lowering the rates of recidivism, including a number of alternatives to incarceration. These alternatives include increasing the numbers of offenders referred to the Secured Residential Treatment Program and Residential Substance Abuse Treatment Program in the District of Columbia. Other alternatives include expanding the Reprimand Sanction Hearings Program to increase the number of offenders referred to the USPC for violating the administrative conditions of their release. Frequent and early intervention by the USPC has improved the offender compliance in the community and reduced the need for re-incarceration. Also, the expansion of the mental health dockets will increase the treatment engagement of mentally ill offenders to reduce their risk in the community, and reduce the cost of incarceration.

The USPC also plans to expand its Short-Term Intervention for Success (SIS) pilot program which is designed to provide for shorter periods of imprisonment for technical violators in exchange for potentially longer periods of incarceration. Early indications suggest that this pilot has lowered the re-arrest rates for those participating and has ultimately reduced overall prison costs. An internal evaluation of the SIS program suggests that the re-arrest rates for Pre-SIS offenders totals 38% versus a rate of 27% for those participating in the SIS program as of September 2013.

The Attorney General in his recent remarks to the ABA noted: "Even though this country comprises just five percent of the world's population, we incarcerate almost a quarter of the world's prisoners," adding that "...almost half of them are serving time for drug-related crimes, and many have substance use disorders." Finally, the Attorney General commented that

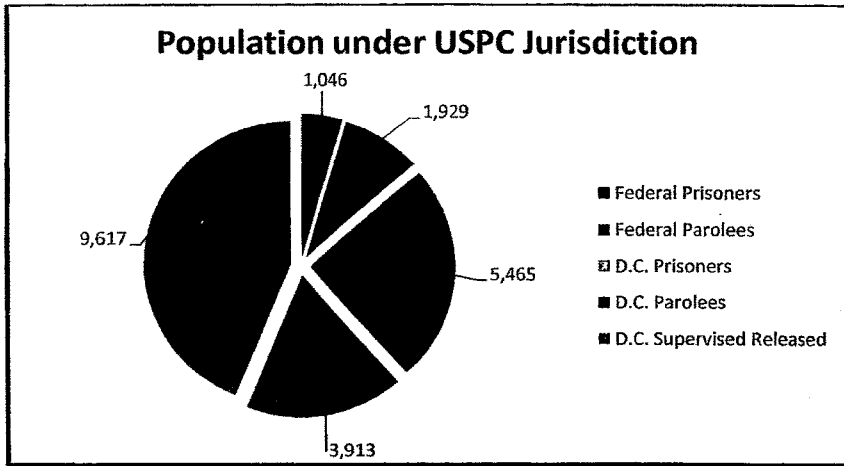
"...roughly 40 percent of former federal prisoners – and more than 60 percent of former state prisoners – are rearrested or have their supervision revoked within three years after their release, at great cost to the American taxpayers and often for technical or minor violations of the terms of their release."

As noted above, the USPC has developed programs to reduce recidivism, reduce prison overcrowding, reduce violent crime, and promote the public's safety. It complements the Department's efforts to reduce rates of recidivism among Federal and District of Columbia (D.C.) offenders and supports Departmental priorities, including:

- Reducing prison overcrowding as recently emphasized by the Attorney General:
 - Reduce escalating and crippling costs for the federal and D.C. governments to house offenders while waiting for delayed hearings and stays of release, as well as untimely incarceration decisions
- Lowering recidivism rates:
 - Greater emphasis on reentry strategies, such as substance abuse, mental health, housing, and employment
 - Measuring the effectiveness of the conditions imposed on offenders in the community
 - Establish graduated sanctions that permit the Parole Commission to address non-compliant behavior without returning the offender to prison
- Promoting alternatives to incarceration:
 - Identifying and implementing directives and/or special conditions to assist offenders in maintaining success under supervision
 - Developing and implementing a program to send offenders to treatment programs
 - Establish graduated sanctions that permit the Parole Commission to address non-compliant behavior without returning the offender to prison
- Reducing violent crime, especially crime perpetuated with guns or by gangs:
 - Significantly reduce delays in the issuance of warrants needed to apprehend violent offenders
 - Sharing information and collaborating with other federal, state, and local law enforcement partners

a. Changes in Population and Workload

In FY 2013, the Parole Commission's total prisoner and parolee population, federal and D.C., including D.C. supervised releases, was 21,970. The D.C. population under the Parole Commission's jurisdiction was 18,995, including 5,465 prisoners and 13,530 parolees and supervised releases. The remaining 2,975 individuals consist of federal offenders (including federal prisoners, parolees, transfer treaty, and military justice offenders) and state probationers and parolees in the Federal Witness Protection Program.

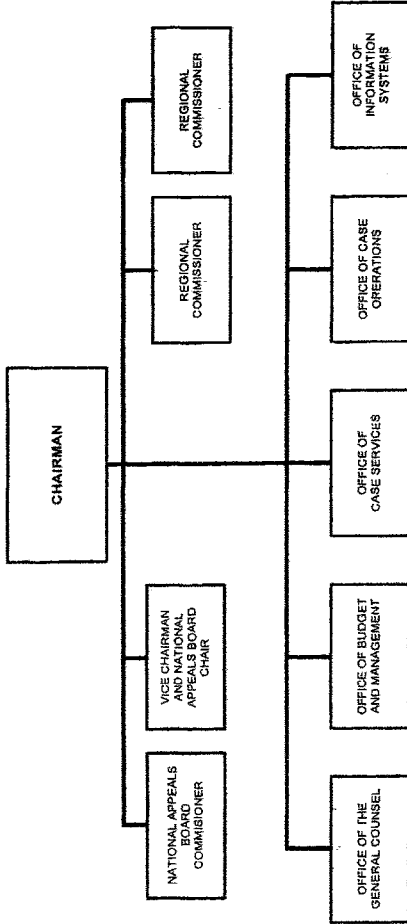



Much of the D.C. caseload is driven by the management and evaluation of the progress of offenders in the community; the tracking of those at risk; the imposition of additional sanctions or conditions to ensure public safety; and finally, requests for warrants as a result of violations of the terms and conditions of parole. When a warrant is issued, a request for a preliminary interview follows, and a hearing follows.

Local revocation hearings are held at facilities in the locality where a parolee has been arrested, and they require much more work because the hearings are adversarial. An offender may contest the charges and is entitled to representation by an attorney, along with the ability to call witnesses. Additionally, these hearings are more costly to the Parole Commission, because they often involve travel to a remote location, where the examiner is only able to handle a particular case. In an institutional hearing, the parolee has admitted to the charges or been convicted of new criminal activity, and the issues to be heard involve the degree of responsibility and the length of additional incarceration. Institutional hearings are less costly, because the examiner can handle several cases during one docket. The Parole Commission has determined that local revocations are about 2-3 times as labor intensive as institutional hearings.

A: Organizational Chart

UNITED STATES PAROLE COMMISSION



Approved by 
ERIC H. HOLDER, JR.
Attorney General

Date: 5/16/13

B. Summary of Requirements

Summary of Requirements
 U.S. Parole Commission
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted			
2013 Recissions (1.877% & 0.2%)	85	70	12,772
2013 Sequester			-265
Total 2013 Enacted (with Recissions and Sequester)	85	70	11,861
2014 Enacted	85	70	12,600
Base Adjustments			
Pay and Benefits	0	0	206
Domestic Rent and Facilities	0	0	29
Other Adjustments	0	5	473
Total Base Adjustments	0	5	708
2015 Current Services	85	75	13,308
2015 Total Request	85	75	13,308
2014 - 2015 Total Change	0	5	708

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
U.S. Parole Commission
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
U.S. Parole Commission	85	70	11,861	85	70	12,600			5	85	75	13,308
Total Direct	86	70	11,861	85	70	12,600	0	5	708	85	75	13,308
Balance Rescission			0			0			0			0
Total Direct with Rescission			11,861			12,600			708			13,308
Reimbursable FTE		0			0			0			0	
Total Direct and Reimb. FTE		70			70			5			75	
Grand Total, FTE		70			70			5			75	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
U.S. Parole Commission	0	0	0	0	0	0	85	75	13,308
Total Direct	0	0	0	0	0	0	85	75	13,308
Balance Rescission			0			0			0
Total Direct with Rescission			0			0			13,308
Reimbursable FTE		0			0			0	
Total Direct and Reimb. FTE		0			0			0	
Grand Total, FTE		0			0			75	

Justifications for Technical and Base Adjustments

U.S. Parole Commission
Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Pay and Benefits			
1 2013 Pay Raise: This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$85,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$48,000 for pay and \$20,000 for benefits.)			88
2 Annualization of 2014 Pay Rates: This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested \$24,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$ 20,000 for pay and \$4,000 for benefits).			24
FERS Regular/Law Enforcement Retirement Contribution: Effective October 1, 2014 (FY 2015), the new agency contribution rates of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 28.8% for law enforcement personnel (up from the current 26.5%, or an increase of 2.3%). The amount requested, \$93,000, represents the funds needed to cover this increase.			93
3 Health Insurance: Effective January 2015, the component's contribution to Federal employees' health insurance increases by 1.6 percent. Applied against the 2014 estimate of \$525,000, the additional amount required is \$8,000.			9
4 Retirement: Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$12,000 is necessary to meet our increased retirement obligations as a result of this conversion.			12
Subtotal, Pay and Benefits	0	0	206
Domestic Rent and Facilities			
1 General Services Administration (GSA) Rent: GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$29,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.			29
Subtotal, Domestic Rent and Facilities	0	0	29
Other Adjustments			
1 Other Adjustments to Base: This adjustment provides funding for the restoration of five FTEs needed to operate the USPC at its full authorized position level.		5	473
Subtotal, Other Adjustments	0	5	473
TOTAL DIRECT BASE ADJUSTMENTS	0	5	706

F. Cross 2013 Availability

Crosswalk of 2013 Availability
U.S. Parole Commission
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Appropriation Enclosed in the Balance Reconciliation ¹			Supplementals			Balance Reconciliation			Sequester			Reprogramming/Transfers			Carryover			Recoveries/Refunds			2013 Actual		
	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount
U.S. Parole Commission	85	70	12,772	0	0	0	0	0	-285	0	0	-446	0	0	0	0	0	0	0	0	0	85	70	11,851
Reimbursable FTE	85	70	12,772	0	0	0	0	0	-285	0	0	-446	0	0	0	0	0	0	0	0	0	85	70	11,851
Total Direct and Reimb. FTE	85	70	12,772	0	0	0	0	0	-285	0	0	-446	0	0	0	0	0	0	0	0	0	85	70	11,851
Grand Total FTE	85	70	12,772	0	0	0	0	0	-285	0	0	-446	0	0	0	0	0	0	0	0	0	85	70	11,851

1) The 2013 Enclosed appropriation includes the 2 across-the-board rescissions of 1.97% and 0.2%.

Crosswalk of 2014 Availability
 U.S. Parole Commission
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability		
	Direct Pos	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
U.S. Parole Commission	85	70	12,800		0	0	0	0	0	0	85	70	12,800
Total Direct	85	70	12,800		0	0	0	0	0	0	85	70	12,800
Balance Recession			0										0
Total Direct with Recession			0										0
Reimbursable FTE		0	12,800										12,800
Total Direct and Reimb. FTE		70			0	0	0	0	0	0		70	0
Grand Total, FTE		70			0	0	0	0	0	0		70	0

Summary of Reimbursable Resources
 U.S. Parole Commission
 Salaries and Expenses
 (Dollars in Thousands)

Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Office of Victims of Crimes	0	0	68	0	0	80	0	0	60	0	0	-20
Budgetary Resources	0	0	68	0	0	80	0	0	60	0	0	-20

Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
U.S. Parole Commission	0	0	0	0	0	0	0	0	20	0	0	20
Budgetary Resources	0	0	0	0	0	0	0	0	20	0	0	20

Detail of Permanent Positions by Category
U.S. Parole Commission
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos	Total Reimb. Pos.
Commissioners (185)	5	0	5	0	0	0	0	5	0
Clerical and Office Services (300-399)	34	0	34	0	0	0	0	34	0
Accounting and Budget (500-599)	2	0	2	0	0	0	0	2	0
Attorneys (905)	7	0	7	0	0	0	0	7	0
Case Analysts (101)	18	0	18	0	0	0	0	18	0
Hearing Examiners (101)	12	0	12	0	0	0	0	12	0
Information Technology Mgmt. (2210)	7	0	7	0	0	0	0	7	0
Total	85	0	85	0	0	0	0	85	0
Headquarters (Washington, D.C.)	85	0	85	0	0	0	0	85	0
U.S. Field	0	0	0	0	0	0	0	0	0
Foreign Field	0	0	0	0	0	0	0	0	0
Total	85	0	85	0	0	0	0	85	0

Summary of Requirements by Object Class
 U.S. Parole Commission
 Salaries and Expenses
 (Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	FTE	Amount
11.1 Full-Time Permanent	66	6,108	66	6,601	71	7,119	5	518
11.3 Other than Full-Time Permanent	4	639	4	650	4	650	0	0
11.5 Other Personnel Compensation	0	116	0	118	0	118	0	0
Overtime	0	31	0	34	0	34	0	0
Other Compensation	0	50	0	55	0	55	0	0
11.8 Special Personal Services Payments	0	0	0	0	0	0	0	0
Total	70	6,863	70	7,369	75	7,867	5	518
Other Object Classes								
12.0 Personnel Benefits		2,099		2,211		2,372		161
13.0 Benefits for former personnel		0		0		0		0
21.0 Travel and Transportation of Persons		129		141		141		0
22.0 Transportation of Things		24		25		26		0
23.1 Rental Payments to GSA		2,007		2,013		2,042		29
23.2 Rental Payments to Others		60		60		60		0
23.3 Communications, Utilities, and Miscellaneous Charges		88		108		108		0
24.0 Printing and Reproduction		2		3		3		0
25.1 Advisory and Assistance Services		0		0		0		0
25.2 Other Services from Non-Federal Sources		520		573		573		0
26.0 Supplies and Materials		34		68		28		0
31.0 Equipment		11,861		12,800		13,308		708
Total Obligations	70	11,861	70	12,800	75	13,308	5	708
Total Direct Requirements								

U.S. Parole Commission

Status of Congressionally Requested Studies, Reports, and Evaluations

1. The United States Parole Commission Extension Act of 2013. Requires that no later than 180 days after the enactment of this Act, dated October 31, 2013 the United States Parole Commission shall report to the Committees on the Judiciary of the Senate and House of Representatives on the performance of the United States Parole Commission's functions.

**FY 2015
Performance Budget
Congressional Submission**



NATIONAL SECURITY DIVISION

U.S. Department of Justice

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I. Overview for National Security Division

A. Introduction

The National Security Division (NSD) is responsible for combating terrorism and other threats to the national security—the Department of Justice’s (DOJ’s) highest priority. To sustain mission needs, NSD requests for FY 2015 a total of 383 positions (including 249 attorneys), 345 FTE, and \$91,800,000.¹

B. Background

In recent years, NSD engaged in a comprehensive strategic assessment of the Division’s current operations and future requirements. As a result of that assessment, NSD has outlined four areas of new or renewed focus that will guide its operations in the coming years. They are:

- Combating cyber threats to the national security and protecting national security assets;
- Enhancing NSD’s intelligence programs and expanding its intelligence oversight function;
- Continuing to bring an all-tools, integrated approach to NSD’s work, while also adapting to address the changing face of terrorism; and
- Reinvigorating NSD’s development into a mature Division – capable of keeping pace with its national security partners and outpacing the threats this nation faces.

All of the program increases reflected in NSD’s FY 2015 request map to these strategic goals and priorities and will ensure that NSD remains best positioned to fulfill the Department’s top priority mission in the face of increasing challenges and a growing and evolving threat. NSD’s assessment of the challenges inherent in fully realizing its goals in these areas are outlined more fully in section I.D., Performance Challenges.

Division Structure

The NSD consolidates within a single Division the Department’s primary national security elements outside of the Federal Bureau of Investigation (FBI), which currently are the:

- Office of Intelligence (OI);
- Counterterrorism Section (CTS);
- Counterespionage Section (CES);

¹ Within the totals outlined above, NSD has included a total of 14 positions, 14 FTE, and \$14,299,000 for Information Technology (IT).

- Law and Policy Office (L&P); and
- Office of Justice for Victims of Overseas Terrorism (OVT).

This organizational structure strengthens the effectiveness of the Department's national security efforts by ensuring greater coordination and unity of purpose between prosecutors, law enforcement agencies, intelligence attorneys, and the Intelligence Community (IC).

NSD Major Responsibilities

Intelligence Operations and Litigation

- Ensuring that IC agencies have the legal tools necessary to conduct intelligence operations.
- Representing the United States before the Foreign Intelligence Surveillance Court (FISC) to obtain authorization under the Foreign Intelligence Surveillance Act (FISA) for government agencies to conduct intelligence collection activities;
- Coordinating and supervising intelligence-related litigation matters, including the evaluation and review of requests to use information collected under FISA in criminal and non-criminal proceedings and to disseminate FISA information; and
- Serving as the Department's primary liaison to the Director of National Intelligence and the IC.

Counterterrorism

- Promoting and overseeing a coordinated national counterterrorism enforcement program, through close collaboration with Department leadership, the National Security Branch of the FBI, the IC, and the 94 United States Attorneys' Offices (USAOs);
- Developing national strategies for combating emerging and evolving terrorism threats, including the threat of cyber-based terrorism;
- Overseeing and supporting the Anti-Terrorism Advisory Council (ATAC) program by: 1) collaborating with prosecutors nationwide on terrorism matters, cases, and threat information; 2) maintaining an essential communication network between the Department and USAOs for the rapid transmission of information on terrorism threats and investigative activity; and 3) managing and supporting ATAC activities and initiatives;
- Consulting, advising, and collaborating with prosecutors nationwide on international and domestic terrorism investigations, prosecutions, and appeals, including the use of classified evidence through the application of the Classified Information Procedures Act (CIPA);
- Sharing information with and providing advice to international prosecutors, agents, and investigating magistrates to assist in addressing international threat information and litigation initiatives; and

- Managing DOJ's work on counter-terrorist financing programs, including supporting the process for designating Foreign Terrorist Organizations and Specially Designated Global Terrorists as well as staffing U.S. Government efforts on the Financial Action Task Force.

Counterespionage.

- Supporting and supervising the investigation and prosecution of espionage and related cases through coordinated efforts and close collaboration with Department leadership, the FBI, the IC, and the 94 USAOs;
- Developing national strategies for combating the emerging and evolving threat of cyber-based espionage and state-sponsored cyber intrusions;
- Assisting in and overseeing the expansion of investigations and prosecutions into the unlawful export of military and strategic commodities and technology, including by assisting and providing guidance to USAOs in the establishment of Export Control Proliferation Task Forces;
- Coordinating and providing advice in connection with cases involving the unauthorized disclosure of classified information and supporting resulting prosecutions by providing advice and assistance with the application of CIPA; and
- Enforcing the Foreign Agents Registration Act of 1938 (FARA) and related disclosure statutes.

Oversight and Reporting

- Overseeing certain foreign intelligence, counterintelligence, and other national security activities of IC components to ensure compliance with the Constitution, statutes, and Executive Branch policies to protect individual privacy and civil liberties;
- Monitoring certain intelligence and counterintelligence activities of the FBI to ensure conformity with applicable laws and regulations, FISC orders, and Department procedures, including the foreign intelligence and national security investigation provisions of the Attorney General's Guidelines for Domestic FBI Operations; and
- Fulfilling statutory, Congressional, and judicial reporting requirements related to intelligence, counterintelligence, and other national security activities.

Policy and Other Legal Issues

- Handling appeals in cases involving national security-related prosecutions, and providing views on appellate issues that may impact national security in other civil, criminal, and military commissions cases;
- Providing legal and policy advice on the national security aspects of cybersecurity policy and cyber-related operational activities;
- Providing advice and support on national security issues that arise in an international context, including assisting in bilateral and multilateral engagements with foreign

governments and working to build counterterrorism capacities of foreign governments and enhancing international cooperation;

- Providing advice and support on legislative matters involving national security issues, including developing and commenting on legislation, supporting Departmental engagements with members of Congress and Congressional staff, and preparing testimony for senior Division/Department leadership;
- Providing legal assistance and advice on matters arising under national security laws and policies, and overseeing the development, coordination, and implementation of Department-wide policies with regard to intelligence, counterintelligence, counterterrorism, and other national security matters; handling issues related to classification and declassification of records, records management, and freedom of information requests and related litigation; and
- Developing a training curriculum for prosecutors and investigators on cutting-edge tactics, substantive law, and relevant policies and procedures.

Foreign Investment

- Performing the Department's staff-level work on the Committee on Foreign Investment in the United States (CFIUS), which reviews foreign acquisitions of domestic entities that might affect national security and makes recommendations to the President on whether such transactions are a threat;
- Tracking and monitoring certain transactions that have been approved, including those subject to mitigation agreements, and identifying unreported transactions that might merit CFIUS review;
- Responding to Federal Communications Commission (FCC) requests for the Department's views relating to the national security implications of certain transactions relating to FCC licenses; and
- Tracking and monitoring certain transactions that have been approved pursuant to this process.

Victims of Terrorism

- Prioritizing within the Department the investigation and prosecution of terrorist attacks that have resulted in the deaths and/or injuries of American citizens overseas; and
- Ensuring that the rights of victims and their families are honored and respected, and that victims and their families are supported and informed during the criminal justice process.

NSD Recent Accomplishments (unclassified selections only)

- Continued to lead the nation's counterterrorism enforcement program through collaboration with Department leadership, the FBI, the IC, and the USAOs.

- Conducted a top-to-bottom review of existing efforts to combat cyber threats to the national security (i.e., cyber-based terrorism, cyber-based espionage, and other state-sponsored cyber intrusions) to develop a baseline and chart a strategic vision for the future.
- Established a National Security Cyber Specialist Network to coordinate the Division's work to combat cyber threats to the national security, and to work with other components and the USAOs to ensure that the Department takes an all-tools approach to the problem.
- Selected a liaison to the FBI's National Cyber Investigative Joint Task Force to assist with intelligence-related issues and facilitate exploration of prosecution options.
- Continued to support the Intelligence Community by seeking authority under FISA with the FISC.
- Designated 185 international terrorism events to allow for U.S. victim compensation and reimbursement under the International Terrorism Victim Expense Reimbursement Program (ITVERP).
- Combated the growing threat posed by the illegal foreign acquisition of controlled U.S. military and strategic technologies through the National Export Enforcement Initiative.
- Successfully investigated and prosecuted national security threat actors – specific examples detailed below.
- Managed an increased workload associated with the CFIUS.
- Established a Joint Task Force with the Department of State to be activated in the event of a terrorist incident against American citizens overseas.

C. Full Program Costs

The NSD has a single decision unit. Its program activities include intelligence, counterterrorism, and counterespionage, which are related to DOJ Strategic Goal 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law, and its four Objectives. The costs by program activity include the activity's base funding plus an allocation of management, administration, and L&P overhead costs. The overhead cost is allocated based on the percentage of the total cost comprised by each of the four program activities.

D. Performance Challenges

Protecting the nation's security is the top priority for the Department, and NSD's work is critical to that mission. However, as the threats facing this nation continue to grow and evolve, the challenges NSD must overcome also continue to increase. These challenges include:

1. the recent recognition of a significant growth of cyber threats to the national security;
2. the changing face of terrorism and the risks posed by homegrown violent extremists;
3. an increasing workload in intelligence oversight, operations, and litigation; and

4. difficulties inherent in supporting the development of a young Division in an ever-changing environment.

Among the most significant challenges that NSD faces is the rapid expansion and evolution of cyber threats to the national security. Representatives from the IC have assessed that the cyber threat may soon surpass that of traditional terrorism, and NSD must be prepared to take lessons learned over the past decade and adapt them to this new threat. Cyber threats, which are highly technical in nature, require time-intensive and complex investigative and prosecutorial work, particularly given their novelty, the difficulties of attribution, challenges presented by electronic evidence, the speed and global span of cyber activity, and the balance between prosecutorial and intelligence-related interests in any given case. To meet this growing threat head on, NSD must equip its personnel with cyber-related skills through additional training while recruiting and hiring individuals with cyber skills who can dedicate themselves full-time to these issues immediately. The window of opportunity for getting ahead of this threat is narrow; closing the gap between our present capabilities and our anticipated needs in the near future will require significant resources and commitment.

The threat posed by terrorism has also evolved, having grown and splintered in recent years. Lone wolves and homegrown violent extremists have grown in national prominence, and identifying and disrupting these isolated actors and their operations pose distinct challenges for investigators and prosecutors.

Given the complexity—and range—of the Department's national security prosecutions and investigations, NSD has seen steady growth in the work driven by oversight obligations pertaining to national security activities – which ensure that congressional oversight committees are fully informed regarding such activities, as well as in the number of FISA applications filed before the FISC, and requests for assistance in criminal litigation involving FISA-derived information. This growth has outpaced attrition and has brought increased workloads, which are unlikely to diminish in the foreseeable future.

E. Environmental Accountability

NSD is committed to environmental wellness and participates in DOJ's green programs.

II. Summary of Program Changes

Item Name	Description			Dollars (\$000)	Page
		Pos.	FTE		
Miscellaneous Program and Administrative Reductions	Program and administrative reductions to be identified once funds are appropriated.	0	0	(\$5,905)	34
TOTAL, NSD		0	0	(\$5,905)	

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

SALARIES AND EXPENSES, NATIONAL SECURITY DIVISION

For expenses necessary to carry out the activities of the National Security Division, \$91,800,000, of which not to exceed \$5,000,000 for information technology systems shall remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Analysis of Appropriations Language

No change proposed.

IV. Program Activity Justification

National Security Division

<i>National Security Division</i>	Perm. Pos.	FTE	Amount
2013 Enacted w/ Rescissions and Sequester	364	312	\$83,795,000
2014 Enacted	383	336	91,800,000
Adjustments to Base and Technical Adjustments	0	9	5,905,000
2015 Current Services	383	345	97,705,000
2015 Program Offsets	0	0	(5,905,000)
2015 Request	383	345	91,800,000

1. Program Description

The National Security Division (NSD) is responsible for overseeing terrorism investigations and prosecutions; handling counterespionage cases and matters; protecting critical national assets from national security threats, and assisting the Attorney General and other senior Department and Executive Branch officials in ensuring that the national security-related activities of the United States are consistent with relevant law.

In coordination with the FBI, the IC, and the USAOs, NSD's primary operational functions are to prevent acts of terrorism and espionage from being perpetrated in the United States by foreign powers and to facilitate the collection of information regarding the activities of foreign agents and powers. The NSD also advises the Attorney General on all matters relating to the national security activities of the United States, and develops strategies for emerging national security threats – including cyber threats to the national security.

On the intelligence front, NSD administers the U.S. Government's national security program for conducting electronic surveillance and physical search of foreign powers and agents of foreign powers pursuant to FISA, and conducts oversight of certain activities of the IC components and the FBI's foreign intelligence and counterintelligence investigations pursuant to the Attorney General's guidelines for such investigations. NSD prepares and files all applications for electronic surveillance and physical search under FISA, represents the government before the Foreign Intelligence Surveillance Court (FISC), and – when evidence obtained under FISA is proposed to be used in a criminal proceeding – NSD obtains the necessary authorization for the Attorney General to take appropriate actions to safeguard national security. NSD also works closely with the Congressional Intelligence Committees to ensure they are apprised of Departmental views on national security and intelligence policy and are appropriately informed regarding operational intelligence and counterintelligence activities.

In addition, NSD advises a range of government agencies on matters of national security law and policy, participates in the development of national security and intelligence policy through the National Security Council-led Interagency Policy Committee and Deputies' Committee process, and represents the DOJ on a variety of interagency committees such as the Director of National Intelligence's FISA Working Group and the National Counterintelligence Policy Board. NSD comments on and coordinates other agencies' views regarding proposed legislation affecting intelligence matters, and advises the Attorney General and various client agencies, including the Central Intelligence Agency, the FBI, and the Defense and State Departments concerning questions of law, regulations, and guidelines as well as the legality of domestic and overseas intelligence operations.

NSD also serves as the staff-level DOJ representative on the CFIUS, which reviews foreign acquisitions of domestic entities affecting national security. In this role, NSD evaluates information relating to the structure of the transaction, any foreign government ownership or control, threat assessments provided by the IC, vulnerabilities resulting from the transaction, and ultimately the national security risks, if any, of allowing the transaction to proceed as proposed or subject to conditions. In addition, NSD tracks and monitors transactions that have been approved subject to mitigation agreements and seeks to identify unreported transactions that may require CFIUS review. On behalf of the Department, NSD also responds to FCC requests for Executive Branch determinations relating to the national security implications of certain transactions that involve FCC licenses. NSD reviews such license applications to determine if a proposed communication provider's foreign ownership, control, or influence poses a risk to national security, infrastructure protection, law enforcement interests, or other public safety concerns sufficient to merit mitigating measures or opposition to the transaction.

Finally, OVT ensures that the investigation and prosecution of terrorist attacks against American citizens overseas are a high priority within the Department of Justice. Among other things, OVT is responsible for monitoring the investigation and prosecution of terrorist attacks against Americans abroad, working with other Justice Department components to ensure that the rights of victims of such attacks are honored and respected, establishing a Joint Task Force with the Department of State to be activated in the event of a terrorist incident against American citizens overseas, responding to Congressional and citizen inquiries on the Department's response to such attacks, compiling pertinent data and statistics, and filing any necessary reports with Congress.

2. Performance Tables

PERFORMANCE AND RESOURCES TABLE									
Decision Unit: National Security Division									
DDJ Strategic Goal/Objective: 1.1 Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve a coordinated response to terrorist threats; 1.2 Prosecute those involved in terrorist acts; 1.3 Investigate and prosecute espionage activity against the U.S., strengthen partnerships with potential targets of intelligence intrusions, and proactively prevent insider threats; and 1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors									
WORKLOAD/ RESOURCES	Target	Projected	Changes	Requested (Total)					
	FY 2013	FY 2014	Current Services Adjustments and FY 2015 Program Changes	FY 2015 Request					
Workload ¹									
Cases Opened ²	107	142	5	147					
Cases Closed ²	102	122	5	127					
Matters Opened	88,498	72,524	37	72,561					
Matters Closed	68,382	72,411	47	72,458					
FISA Applications Filed ³	CY 2013: 2,000	CY 2014: 2,200	0	CY 2015: 2,200					
National Security Reviews of Foreign Acquisitions	CY 2013: 200	CY 2014: 200	0	CY 2015: 200					
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	FTE \$900 312 83,796	FTE \$900 336 91,800	FTE \$900 91 8	FTE \$900 345 91,800					
	FY 2013	FY 2014	Current Services Adjustments and FY 2015 Program Changes	FY 2015 Request					
Program Activity	FTE \$900 200 58,872	FTE \$900 210 63,040	FTE \$900 0 4,174	FTE \$900 207 59,326					
Output Measure	CY 2013: 82	CY 2014: 89	0	CY 2015: 88					
Efficiency Measure	80%	80%	0%	80%					
Outcome Measure	95%	95%	0%	95%					

¹Workload measures are not performance targets; rather they are estimates to be used for resource planning. In addition, these measures do not give the administration priority policy changes.

²Beginning FY 2014, the Counterterrorism Section will count each defendant as a case to more accurately reflect workload as cases often have multiple defendants. This will also be consistent with the way the Counterterrorism section counts cases for the cases opened and closed measures.

³FISA applications filed data is based on historical averages and do not represent actual data, which remains classified until the public report is submitted to the Administrative Office of the US Courts and the Congress in April for the preceding calendar year.

⁴The FY 2013 proposal for National Security Reviews of Foreign Acquisitions was not met because fewer cases were filed than anticipated.

⁵The was modified to better explain information being measured.

⁶NSD did not meet its FY 2013 target. In order to meet future targets, the Division has identified the need for a stronger procedure to more closely coordinate with other Division components and the US Attorney's Offices on finding out information about the filing of charges in cases being tried in the United States.

PERFORMANCE AND RESOURCES TABLE

Decision Unit: National Security Division

DOJ Strategic Goal/Objective: 1.1 Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve a coordinated response to terrorist threats; 1.2 Prosecute those involved in terrorist acts; 1.3 Investigate and prosecute espionage activity against the U.S., strengthen partnerships with potential targets of intelligence intrusions, and proactively prevent insider threats; and 1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors

WORKLOAD/ RESOURCES

Program Activity	Target	FY 2013		Projected	Changes		Requested (Total)	
		FTE	\$000		FTE	\$000	FTE	\$000
Outcome Measure	Counterterrorism	77	18,854		0	0	80	17,388
	Percentage of CT defendants whose cases were favorably resolved			90%				
Outcome Measure								
	Percentage of CT cases where classified information is safeguarded (according to CIPA requirements) without impacting the judicial process			90%				
Program Activity	Counterespionage	35	8,070		0	0		
	Percentage of CE defendants whose cases were favorably resolved			99%				
Outcome Measure								
	Percentage of CE cases where classified information is safeguarded (according to CIPA requirements) without impacting the judicial process			99%				
Output Measure	FARA inspections completed	15						
	High priority national security reviews completed			90%				
Program Activity	Cyber	NA	NA					
	Percentage of Cyber defendants whose cases were favorably resolved			90%				
New FY 2015 Outcome Measure								

Due to the Department's recent hiring restrictions, the FARA Unit has been working with limited personnel resources and therefore decreased the FY 2014 target from 15 inspections to 12. The FARA Unit expects to hire additional resources as these restrictions are no longer in place and complete 15 inspections in FY 2015.

PERFORMANCE MEASURE TABLE											
Decision Unit: National Security Division 1.1, 1.2, 1.3 & 1.4										Strategic Objectives:	
Performance Report and Performance Plan Targets		FY 2009		FY 2010		FY 2011		FY 2012		FY 2013	
Performance Measure		Actual		Actual		Actual		Actual		Target	
Intelligence Community Oversight Reviews		N/A		NA		CY 2011: 92		CY 2012: 89		CY 2013: 82	
Efficiency Measure	Percentage of OVT responses to victims within 3 business days of victim request for information from OVT	80%		95%		90%		89%		80%	
Outcome Measure	Percentage of services/rights OVT successfully provided to victims of new attacks ¹	N/A		N/A		N/A		N/A			
Outcome Measure	Percentage of CT defendants whose cases were favorably resolved	100%		100%		98%		99%		90%	
Outcome Measure	Percentage of CT cases where classified information is safeguarded (according to CIPA requirements) without impacting the judicial process	100%		100%		100%		100%		99%	
Outcome Measure	Percentage of CE defendants whose cases were favorably resolved	98%		94%		98%		100%		90%	
Performance Measure	FARA inspections completed	14		15		15		15		15	
Performance Measure	High priority national security reviews completed	FY 2009: 27		FY 2010: 28		FY 2011: 29		CY 2012: 37 ²		CY 2013: 30	
Outcome Measure	Percentage of CE cases where classified information is safeguarded (according to CIPA requirements) without impacting the judicial process	100%		100%		100%		100%		99%	
New FY 2014 Outcome Measure	Percentage of Oyer defendants whose cases were favorably resolved	N/A		N/A		N/A		N/A		N/A	

¹ Title was modified to better explain information being measured.

² NSD did not meet its FY 2013 target. In order to meet future targets, the Division has identified the need for a stronger procedure to more closely coordinate with other Division components and the US Attorney's Offices on finding out information about the filing of charges in cases being tried in the United States.

³ Due to the Department's recent hiring restrictions, the FARA Unit has been working with limited personnel resources and therefore decreased the FY 2014 target from 15 inspections to 12. The FARA Unit expects to hire additional resources as these restrictions are no longer in place and complete 15 inspections in FY 2015.

⁴ Beginning FY 2012, this measure is tracked on a calendar year basis rather than a fiscal year basis (similar to other agencies in CFIUS and Team Telecom) for ease of reporting.

3. Performance, Resources, and Strategies

For performance reporting purposes, resources for NSD are included under DOJ Strategic Goal 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law. Within this Goal, NSD resources address all four Objectives:

- 1.1 Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve a coordinated response to terrorist threats
- 1.2 Prosecute those involved in terrorist acts
- 1.3 Investigate and prosecute espionage activity against the U.S., strengthen partnerships with potential targets of intelligence intrusions, and proactively prevent insider threats
- 1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors

Based on these four objectives, performance resources are allocated to four program activities: Intelligence, Counterterrorism, Counterespionage, and Cyber Security

Intelligence Performance Report

Measure: Intelligence Community Oversight Reviews

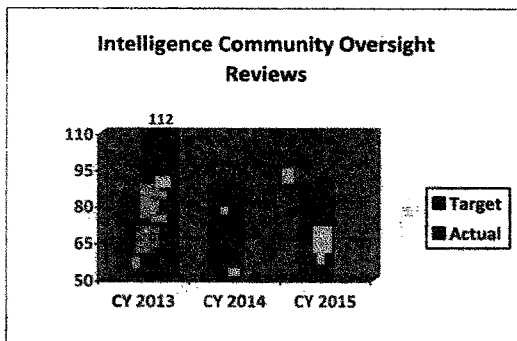
CY 2013 Target: 82

CY 2013 Actual: 112

CY 2014 Target: 89

CY 2015 Target: 89

Discussion: Tracked on a calendar year basis for ease of reporting.



Data Definition: NSD attorneys are responsible for conducting oversight of certain activities of IC components. The oversight process involves numerous site visits to review intelligence collection activities and compliance with the Constitution, statutes, AG Guidelines, and relevant Court orders. Such oversight reviews require advance

preparation, significant on-site time, and follow-up and report drafting resources. These oversight reviews cover many diverse intelligence collection programs. FISA Minimization Reviews and National Security Reviews will be counted as part of Intelligence Community Oversight Reviews.

Data Collection and Storage: The information collected during each review is compiled into a report, which is then provided to the reviewed Agency. Generally, the information collected during each review, as well as the review reports, are stored on a classified database. However, some of the data collected for each review is stored manually.

Data Validation and Verification: Reports are reviewed by NSD management, and in certain instances reviewed by agencies, before being released.

Data Limitations: None identified at this time.

Measure: Percentage of OVT Responses to Victims within 3 Business Days of Victim Request for Information from OVT

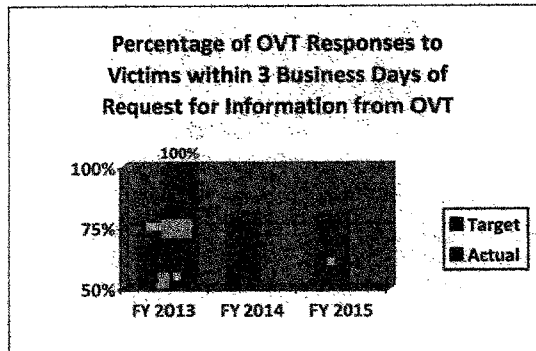
FY 2013 Target: 80%

FY 2013 Actual: 100%

FY 2014 Target: 80%

FY 2015 Target: 80%

Discussion: None



Data Definition: Victims: American citizens who are the victims of terrorism outside the borders of the U.S. This measure reflects OVT's efficiency in providing information to victims after they have contacted OVT.

Data Collection and Storage: Data is collected and storage in an electronic database.

Data Validation and Verification: Data is validated by management and staff.

Data Limitations: None.

Measure: Percentage of Services/Rights OVT Successfully Provided to Victims of New Attacks

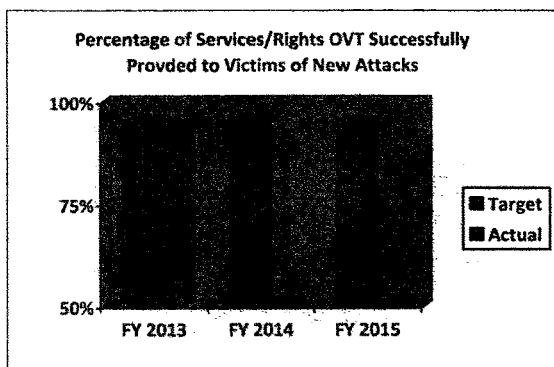
FY 2013 Target: 95%

FY 2013 Actual: 94%

FY 2014 Target: 95%

FY 2015 Target: 95%

Discussion: NSD did not meet its FY 2013 target. In order to meet future targets, the Division has identified the need for a stronger procedure to more closely coordinate with other Division components and the US Attorney's Offices on finding out information about the filing of charges in cases being tried in the United States. Additionally, the metric title was modified to better explain information being measured.



Data Definition: This measure counts the percentage of services/rights OVT provided during the fiscal year that are successfully resolved through the provision of a set group of services. We are monitoring only new attacks that occurred during the fiscal year. Most referrals come from the FBI's Office for Victim Assistance, which will inform OVT when a foreign attack has U.S. victims and the FBI is opening an investigation. Another source for information is CTS, which will inform OVT about foreign and domestic terrorism trials with U.S. victims. In some situations, referrals may come from the State Department, media, or other victims.

Data Collection and Storage: For each new attack identified to OVT, OVT creates a paper file to document OVT efforts. The file contains a checklist of services that OVT can either provide or refer to another agency to provide, or which cannot be provided for a legitimate reason (e.g., it would involve divulging National Security information or information pertaining to a criminal justice proceeding that is ongoing at the time). On a quarterly basis, the paper files are reviewed and analyzed to determine whether the checklist services have been successfully addressed as indicated in the previous sentence. The performance measure is the percentage of services OVT successfully provided during the fiscal year.

Data Validation and Verification: OVT will review the paper files on a quarterly basis. The information in the paper files will then be loaded into OVT's automated Victim/Attack Tracking Tool so that the information can be easily accessed.

Data Limitations: Some criminal justice proceedings and OVT support efforts will take place over several years, but OVT's efforts will only be reported in the year in which the attack occurred to avoid duplication.

Counterterrorism (CT) Performance Report

Measure: Percentage of CT Defendants Whose Cases Were Favorably Resolved

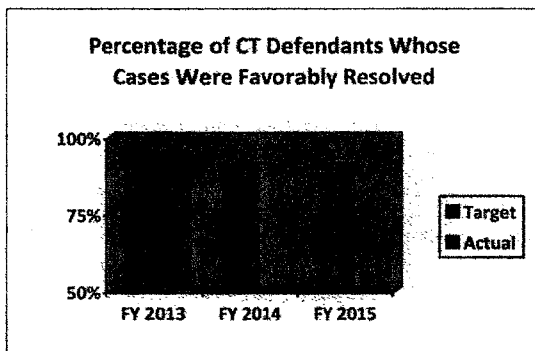
FY 2013 Target: 90%

FY 2013 Actual: 94%

FY 2014 Target: 90%

FY 2015 Target: 90%

Discussion: None



Data Definition: Defendants whose cases were favorably resolved include those defendants whose cases were closed during the fiscal year that resulted in court judgments favorable to the government.

Data Collection and Storage: Attorneys provide data which is stored in the ACTS database.

Data Validation and Verification: Data validation and verification is accomplished via quarterly review by CTS Chief.

Data Limitations: None identified at this time.

Select Recent Counterterrorism Prosecutions:

Boston Marathon Bombings -- On April 15, 2013, two near-simultaneous explosions occurred on Boylston Street, near hundreds of spectators along the Boston Marathon's final stretch. A preliminary examination of the remains of the two devices revealed that they both contained low-grade explosives housed in pressure cookers produced by the same manufacturer, as well as metallic BBs and nails. As a result of the explosions, three people were killed and over two

hundred were injured. Subsequently, Tamerlan Tsarnaev and his brother Dzhokhar were identified as the individuals who had left the explosive-laden backpacks at the scene. Tamerlan Tsarnaev died after a gun fight with law enforcement on April 18, 2013. Dzhokhar Tsarnaev was apprehended following an extensive manhunt the next day. On April 21, 2013, a complaint was filed in the District of Massachusetts charging Dzhokhar Tsarnaev with use of a weapon of mass destruction and malicious destruction of property resulting in death for his role in the bombings. The statutory charges authorize a penalty, upon conviction, of death or imprisonment for life or any term of years. The investigation into the bombings continues. On July 10, 2013, Dzhokhar Tsarnaev was arraigned on a 30-count indictment filed on June 27, 2013, charging Dzhokhar with use of a weapon of mass destruction conspiracy, bombing a place of public use and conspiracy, malicious destruction of property and conspiracy, use of a firearm during and in relation to a crime of violence, use of a firearm during and in relation to a crime of violence causing death, carjacking resulting in serious bodily injury, and interference with commerce by threats or violence. Seventeen of the charges authorize a penalty, upon conviction, of life in prison or the death penalty. Dzhokhar had his initial appearance on April 21, 2013, during which the defense consented to Dzhokhar's detention. On August 8, 2013, in the District of Massachusetts, an indictment was returned which charges Dias Kadyrbayev and Azamat Tazhayakov with conspiracy to obstruct justice, and obstruction of justice. The charges are connected to the investigation of the Boston Marathon bombing. The two defendants were previously charged by criminal complaint. On April 18, 2013, upon recognizing still images of a man that law enforcement identified as one of the Marathon bombers, Kadyrbayev and Tazhayakov began to communicate with their friend, Dzhokhar Tsarnaev. Dzhokhar suggested that they could go to his dorm room at the University of Massachusetts at Dartmouth and take his possessions. In an attempt to protect Dzhokhar, whom they then believed to be one of the bombers, Kadyrbayev, Tazhayakov, and a third friend went to the dorm room and took Dzhokhar's black backpack, some fireworks, and his computer. To conceal evidence of the crime, Kadyrbayev and Tazhayakov threw the backpack and its contents into a dumpster outside of the apartment that Kadyrbayev and Tazhayakov shared. The backpack was found in a landfill on April 26, 2013. Kadyrbayev and Tazhayakov are both nationals of Kazakhstan who entered the United States on student visas. On September 23, 2013, Dzhokhar had a status conference occurred before U.S. District Judge George O'Toole. The parties briefed the Court on the progress of discovery in the case and informed the Court of their positions regarding the Death Penalty Protocol which must be submitted to the Attorney General 90 days in advance of trial. The Court ordered written submissions on outstanding discovery issues and invited the parties to submit memorandum of law on the Court's authority to establish timing parameters in relation to the Death Protocol. An additional status conference was held on November 12, 2013. Various discovery motions were argued and decided. The court set motion dates for change of venue and attacks on the indictment. He also ordered the government to issue its position on the death penalty by January 31, 2014. In December 2013, the Capital Case Committee met with the defense team.

U.S. v. Sulaiman Abu Ghayth -- From at least May 2001 until approximately 2002, Sulaiman Abu Ghayth served alongside Usama Bin Laden, appearing with Bin Laden and his then-deputy Ayman al-Zawahiri ("Zawahiri"), speaking on behalf of the terrorist organization and in support

of its mission, and warning that attacks similar to those of September 11, 2001 would continue. Among many other things, after the September 11, 2001 terrorist attacks, Abu Ghayth delivered a speech in which he addressed the then-U.S. Secretary of State and warned that “the storms shall not stop, especially the Airplanes Storm,” and advised Muslims, children, and opponents of the United States “not to board any aircraft and not to live in high rises.” Abu Ghayth arranged to be, and was, successfully smuggled from Afghanistan into Iran in 2002. On February 28, 2013, at an overseas location, Abu Ghayth was arrested on a complaint filed in the Southern District of New York charging him with conspiring to kill United States nationals. Abu Ghayth was indicted on this same charge on March 1, 2013. The offense carries a maximum term of life in prison. His initial appearance on the charges in the Southern District of New York was on March 8, 2013. A trial is scheduled to begin on February 24, 2014, for Abu Ghayth.

New York Subway Bomb Plot / U.S. v. Medunjanin, et al. -- On May 2, 2012, Adis Medunjanin, a Queens, N.Y., resident who joined al-Qaeda and plotted to commit a suicide terrorist attack, was convicted of multiple federal terrorism offenses in the Eastern District of New York. Evidence at trial demonstrated that the defendant and his accomplices, Najibullah Zazi and Zarein Ahmedzay, traveled to Afghanistan and Pakistan in 2008, where they met senior al-Qaeda leaders and received al Qaeda training. Upon their return to the United States, Medunjanin, Zazi, and Ahmedzay met and agreed to carry out suicide bombings in New York City. They came within days of executing a plot to conduct coordinated suicide bombings in the New York City subway system in September 2009, as directed by senior al Qaeda leaders in Pakistan. When the plot was foiled, Medunjanin attempted to commit a terrorist attack by crashing his car on the Whitestone Expressway in New York in an effort to kill himself and others. To date, seven defendants, including Medunjanin, Zazi, Amanullah Zazi and Ahmedzay, have been convicted in connection with the New York City bombing plot and related charges. Medunjanin was sentenced to life imprisonment, and Amanullah Zazi was sentenced to 40 months’ imprisonment with a judicial order of removal to Pakistan upon completion of his sentence. Najibullah Zazi and Zarein Ahmedzay, who each face a maximum sentence of life imprisonment, are scheduled to be sentenced later this year. On January 3, 2013, Abid Naseer was extradited from the United Kingdom to the United States to become the eighth defendant to face charges in Brooklyn federal court related to this plot. He faces a maximum sentence of life imprisonment if convicted of all counts. A status conference is scheduled for March 7, 2014, for Naseer. No trial date has been set.

U.S. v. Fazliddin Kurbanov – On May 16, 2013, Fazliddin Kurbanov, an Uzbekistan national residing in the U.S., was indicted by a grand jury in Boise, Idaho, on three charges, including conspiracy to provide material support to a designated Foreign Terrorist Organization; conspiracy to provide material support to terrorists; and possession of an unregistered firearm. On the same day, Kurbanov was also indicted by a grand jury in the District of Utah charging him with one count of distribution of information relating to explosives, destructive devices, and weapons of mass destruction. The Idaho indictment alleges that between August 2012 and May 2013, Kurbanov knowingly conspired with unnamed co-conspirators to provide material support and resources to the Islamic Movement of Uzbekistan, a designated foreign terrorist

organization. The indictment also alleges that the material support and resources included himself, computer software and money. In count two, the indictment further alleges that the defendant conspired to provide material support and resources, including himself, to terrorists knowing that the material support was to be used in preparation for and in carrying out an offense involving the use of a weapon of mass destruction. Kurbanov is currently detained pending trial on the Idaho charges and he has not yet appeared in Utah or been arraigned on the Utah charges. Trial in Idaho is scheduled for July of 2014.

U.S. v. Nafis – Quazi Mohammad Rezwanul Nafis was arrested and charged by criminal complaint on October 17, 2012, after he attempted to detonate what he believed to be an explosive device outside of the New York Federal Reserve Bank in Manhattan. The two-count criminal complaint filed at the time of arrest also charged Nafis with one count of attempting to provide material support to a designated Foreign Terrorist Organization (specifically al Qaeda). On November 15, 2012, a grand jury in the Eastern District of New York returned an indictment charging Nafis with these two crimes. Nafis, a 21-year-old Bangladeshi national, arrived in the United States in January 2012 on a student visa, and began making plans to carry out a terrorist attack on U.S. soil. Nafis discussed several possible targets for his attack, and met with an FBI undercover employee (UC) multiple times over a period of several weeks while formulating his plan. On the morning of October 17, 2012, assembled what he believed to be a 1,000-pound bomb inside a van. Nafis and the UC then traveled in the van to the New York Federal Reserve Bank, parked the car next to the bank, and walked to a pre-arranged nearby location. Nafis then recorded a videotaped statement about his intentions behind carrying out the attack and attempted to detonate the explosive using a cellular telephone that he believed was part of a functional remote detonation device. Throughout the course of his interactions with UCs, Nafis repeatedly stated his desire to have al Qaeda involved in the attack, and claimed to an FBI source that he had overseas connections to al Qaeda. On February 7, 2013, Nafis entered a guilty plea to one count of attempting to use a weapon of mass destruction. On August 9, 2013, Nafis was sentenced to 30 years' incarceration and has waived appeal as part of his plea agreement.

U.S. v. Mohamed Osman Mohamud – In November 2010, Mohamed Osman Mohamud was charged with attempting to use a weapon of mass destruction. Mohamud, a naturalized U.S. citizen from Somalia, and resident of Corvallis, Oregon, was arrested on the evening of November 26, 2010, after he attempted to detonate what he believed to be an explosives-laden van that was parked near the tree lighting ceremony in Portland's Pioneer Courthouse Square. The arrest was the culmination of a long-term undercover operation, during which Mohamud had been monitored closely for months as his alleged bomb plot developed. The device was in fact inert. Trial began on January 13, 2013, and on January 31, a jury found him guilty as charged. Mohamud has been re-scheduled for sentencing at a date to be determined, and faces a maximum potential sentence of life in prison. Case is in post-litigation involving the recent notice of FAA.

U.S. v. Sami Osmakac – (Middle District of Florida): Sami Osmakac was indicted on February 2, 2012, with attempting to use weapons of mass destruction and with possession of an unregistered machine gun. Osmakac is facing a maximum sentence of life in prison, and a \$250,000 fine. Osmakac is a 25-year-old Yugoslavian native and naturalized United States

citizen who became the subject of an active counter-terrorism investigation in the Fall of 2011 after he communicated with an FBI confidential source (CS) that he intended to commit a violent attack in the United States. Specifically, Osmakac told the CS that he intended to use explosive devices and firearms to conduct an attack in the Tampa, Florida, metropolitan area. Osmakac and the FBI undercover agent (UC) later engaged in three meetings initiated by Osmakac to discuss the purchase of a fully automatic AK-47, grenades, a suicide belt or vest, and a bomb that could be placed in the trunk of a car. Osmakac identified a number of potential targets to the UC in the Ybor City area, the operations center for the Hillsborough County Sheriff's Office, and a business in South Tampa. On January 7, 2012, FBI agents arrested Osmakac after he took possession of purported explosive devices and firearms. All of the items that were to be part of the exchange had been rendered inoperable by law enforcement. Prior to his arrest, Osmakac also made a video of himself explaining his motives for carrying out the attack. Osmakac was scheduled for trial in Tampa, Florida, in October 2013, and has been continued but no date set yet. A competency hearing is set for November 13, 2013. On November 22, 2013, the Court found the defendant to be competent. Trial date is set for May 27, 2014.

U.S. v. Arbabsiar, et al. – On October 20, 2011, the grand jury in the Southern District of New York returned an indictment against Manssor Arbabsiar and Gholam Shakuri charging them with: (1) conspiracy to murder a foreign official; (2) conspiracy to engage in foreign travel and use of interstate and foreign commerce facilities in the commission of murder-for-hire; (3) conspiracy to use a weapon of mass destruction (explosives); and (4) conspiracy to commit an act of international terrorism transcending national boundaries. Arbabsiar is further charged with an additional count of foreign travel and use of interstate and foreign commerce facilities in the commission of murder-for-hire. Arbabsiar is a 56-year-old naturalized U.S. citizen holding both Iranian and U.S. passports. Gholam Shakuri is alleged to be an Iran-based member of Iran's Qods Force, which is a special operations unit of the Iranian Islamic Revolutionary Guard Corps (IRGC) that is said to sponsor and promote terrorist activities abroad. Shakuri remains at large. Arbabsiar was arrested on Sept. 29, 2011, at John F. Kennedy International Airport in Queens, New York. On May 30, 2013, Arbabsiar was sentenced by U.S. District Judge John F. Keenan to 25 years' imprisonment.

U.S. v. Abu Khalid Abdul-Latif, et al. – On June 23, 2011, Walli Mujahidh, a/k/a Frederick Domingue, Jr., a former resident of Los Angeles, California, and Abu Khalid Abdul-Latif, a resident of Seattle, Washington, were charged with plotting an attack on the Military Enlistment Processing Station in Seattle. The defendants allegedly planned to use machine guns and hand grenades during the attack. On December 8, 2011, Mujahidh pled guilty pursuant to a plea agreement to three charges: (1) conspiracy to murder officers and employees of the United States; (2) conspiracy to use weapons of mass destruction; and (3) unlawful possession of machine guns. On March 25, 2013, Abdul-Latif was sentenced to 18 years' incarceration. On April 8, 2013, Mujahidh was sentenced to 17 years' incarceration.

U.S. v. Waad Ramadan Alwan, et al. – (Western District of Kentucky): On May 26, 2011, Waad Ramadan Alwan was indicted by a grand jury in Bowling Green, Kentucky, on 23 charges, including conspiracy to kill U.S. nationals abroad, conspiracy to use a weapon of mass

destruction against U.S. nationals abroad, distributing information on the manufacture and use of improvised explosive devices (IEDs), attempting to provide material support to terrorists and to al-Qaeda in Iraq and conspiracy to transfer, possess, and export Stinger missiles. Alwan's co-defendant, Mohanad Shareef Hammadi, was charged in the same indictment with five counts of attempting to provide material support to terrorists, in violation of 18 U.S.C. §2339A; four counts of attempting to provide material support to a foreign terrorist organization (al Qaeda in Iraq), in violation of 18 U.S.C. § 2339B; and one count of conspiracy to transfer, possess or export a device designed or intended to launch or guide a rocket or missile, in violation of 18 U.S.C. § 2332g. On February 15, 2012, a superseding indictment against Hammadi was filed adding two counts of making false statements in immigration matters, in violation of 18 U.S.C. § 1546(a). On December 16, 2011, Alwan pled guilty to all of the charges in the indictment. On August 21, 2012, a week before the scheduled trial date, Hammadi entered a guilty plea to all twelve counts of the superseding indictment. According to Alwan's plea agreement and other court documents filed in the case, from approximately 2003 through 2006, Alwan was in Iraq where he conspired with others to plant and detonate numerous IEDs against U.S. troops there. The FBI found latent prints belonging to Alwan on a component of an IED that U.S. troops had recovered in Iraq in 2005. In addition, Alwan admitted that from October 2010 through May 2011, he knowingly taught another individual in Kentucky how to manufacture and use an IED for the purpose of killing U.S. nationals overseas. Hammadi, a fellow Iraqi refugee living in Bowling Green, Kentucky, was recruited by Alwan and participated in money and weapons deliveries in Kentucky believing that the items were to support al Qaeda in Iraq. Hammadi also admitted on various occasions that he had participated in numerous IED attacks on U.S. troops while he was residing in Iraq. On January 29, 2013, Hammadi was sentenced to a term of life in prison and Alwan was sentenced to a term of 40 years in prison based upon a sentencing recommendation by the government. Hammadi subsequently appealed his sentence. In December of 2013, the Sixth Circuit Court of Appeals affirmed Hammadi's life sentence.

United States v. Ahmed Muse Salad – On March 8, 2011, a federal grand jury returned a 15 count indictment charging Mohammad Saali Shabin with multiple counts of piracy as defined by the law of nations and aiding and abetting, hostage taking and conspiracy, violence against maritime navigation and conspiracy, kidnapping and conspiracy, and using a destructive device during a crime of violence. On the same date in a separate indictment, co-conspirators Mounir Ali, Abukar Osman Beyle, Jilani Abdiali, Ahmed Muse Salad, Mohamed Salad Ali, Shani Shiekh Arbrar, Saed Abdi Fooley, Muhiyaden Salad, Ahmed Salah Ali, Ali Abdi Mohamed, Mahji Jama Mohamed, Mohamud Hirs Issa Ali, Burhan Abdirahman Yusuf, and Abdi Jama Aquid, were indicted on similar charges for their piracy of the American sailing vessel *Quest* in the Indian Ocean on February 18, 2011. Navy personnel established radio contact with the pirates on February 19, 2011, and over the next several days negotiated an attempt to resolve the incident peacefully. As negotiations began to stall, on February 22, 2011, one of the pirates fired a rocket propelled grenade at the Navy vessel. Despite repeated warnings from the Navy that the pirates were not under attack, the pirates went below deck of the *Quest* and began shooting, killing the four American citizens on board and two fellow pirates. U.S. military personnel then rushed to the *Quest* and captured the remaining pirates. From May through July 2011, eleven defendants Issa Ali, Salad Ali, Mounir Ali, Abdiali, Pooley, Omar,

Mahdi Mohamed, Yusuf, Aquid, Burale, and Ali Mohamed each pled guilty to one count of piracy under the law of nations, in addition, Issa Ali and Salad Ali, who were the pirate leaders, also pled guilty each to a one count of criminal information charging them with hostage taking resulting in death. All have been sentenced to terms of life imprisonment. On July 8, 2011, a superseding indictment was returned charging three of the defendants Salad, Beyle, and Abrar with numerous additional counts of 1) conspiracy to commit hostage taking and hostage taking resulting in death; 2) conspiracy to commit kidnapping and kidnapping resulting in death; 3) conspiracy to commit and committing violence against maritime navigation resulting in death; 4) murder within the special maritime and territorial jurisdiction of the United States; 5) piracy under the law of nations; and 6) using, carrying, brandishing, and discharging a firearm during a crime of violence causing death. On April 27, 2012, Shibin was convicted following a nine-day trial for his role as the negotiator in the hijacking of the Quest, as well as the German merchant vessel Marida Marguerite, and sentenced to concurrent life sentences, and one ten year sentence to be served consecutively to all the other sentences. On July 8, 2013, the jury convicted Ahmed Muse Salad, Abukar Osman Beyle, and Shani Nurani Shiekh Abrar on all counts of the superseding indictment with the hijacking of the Quest, and on August 2, 2103, the jury rejected imposition of the death penalty and decided that each of the three defendants should receive life sentences for their criminal conduct.

AL SHABAAB CASES:

U.S. v. Mahamud Said Omar (D. Minn.); U.S. v. Kamal Said Hassan (D. Minn.); U.S. v. Abdifatah Yusuf Isse, et al (D. Minn.); U.S. v. Adarus Ali (D. Minn.); U.S. v. Ahmed Hussein Mahamud (D. Minn.); U.S. v. Omer Abdi Mohamed (D. Minn.); U.S. v. Amina Ali, et al (D. Minn.); U. S. v. Moalin, et. al. (S.D. Cal.); U.S. v. Omar Shafik Hammami (S.D. Ala.); U.S. v. Jihad Serwan Mostafa (S.D. Cal.); U.S. v. Mohamud Abdi Yusuf, et al. (E.D. Missouri).

In May 2013, in Minneapolis, Minnesota, the district court sentenced seven defendants for their roles in providing material support to terrorists or to the Foreign Terrorist Organization al Shabaab, or for obstructing the FBI's investigation. The prosecutions were a result of the FBI's "Operation Rhino" investigation. Sentences included:

- **Mahamud Said Omar:** 20 years in prison after a conviction on charges of material support and conspiracy to kill or maim overseas for providing money and assistance to al Shabaab.
- **Kamal Said Hassan:** 10 years in prison after pleading guilty to charges of providing material support to terrorists and a foreign terrorist organization (al Shabaab), for traveling to Somalia, graduating from an al Shabaab training camp, and participating in an al Shabaab ambush of Ethiopian soldiers.
- **Abdifatah Yusuf Isse, Salah Osman Ahmed, and Ahmed Hussein:** 3 years in prison.
- **Omer Abdi Mohamed:** 10 years in prison.
- **Adarus Ali:** 2 years in prison for committing perjury when testifying before a federal grand jury.

U.S. v. Amina Ali, et al.: In May 2013, the district court also sentenced Amina Farah Ali and Hawo Mohamed Hassan for providing material support to al Shabaab. Ali was sentenced to 20 years in prison, and Hawo Mohamed Hassan was sentenced to 10 years in prison. The Ali and Hassan prosecution was part of the FBI's "Operation Green Arrow" investigation. The indictment charged each defendant with one count of conspiracy to provide material support to al-Shabaab. Ali was also charged with 12 substantive counts of providing material support to al-Shabaab; and Hassan was also charged with 3 counts of making false statements. The defendants were charged in connection with their fundraising activities on behalf of al-Shabaab among the Somali diaspora in southeastern Minnesota and other locations in the United States and Canada. Ali, assisted by Hassan and others, raised funds by direct appeals to listeners on a teleconferencing line Ali hosted, as well as by door-to-door solicitation. Ali and Hassan raised funds under the false pretense that the monies were for the poor and needy. Ali then forwarded, or caused to be forwarded, some of the funds to al-Shabaab, frequently using altered, fictitious, or third party names to avoid detection by law enforcement.

U.S. v. Moalin, et. al.: U.S. v. Moalin, et. al.: In February 2013, in San Diego, California, following a three-week trial, Basaaly Saeed Moalin, Mohamed Mohamed Mohamud (also known as Mohamed Khadar), Issa Doreh, and Ahmed Nasir Taalil Mohamud ("Nasir") were convicted by a jury of conspiracy to provide material support to terrorists; conspiracy to provide material support to the foreign terrorist organization al-Shabaab; and conspiracy to launder monetary instruments. The jury also found defendants Moalin, Mohamud and Doreh guilty of providing material support to the foreign terrorist organization al-Shabaab. The jury found defendant Moalin guilty of providing a house to terrorists in Somalia. The prosecution was also part of the FBI's Operation Green Arrow investigation. Moalin, Mohamud, and Doreh were sentenced on November 18, 2013, to 18, 13, and 10 years' imprisonment, respectively. Nasir was sentenced on January 31, 2014, to six years' imprisonment.

U.S. v. Mohamud Abdi Yusuf, et al.: In the Eastern District of Missouri, on November 3, 2011, Mohamud Abdi Yusuf pled guilty to one count of conspiracy to provide material support to a foreign terrorist organization, and three counts of providing material support to a foreign terrorist organization. On June 19, 2012, Yusuf was sentenced to 140 months in prison. On January 10, 2012, Abdi Mahdi Hussein pled guilty to conspiring to structure financial transactions to Somalia in order to prevent licensed money remitting businesses from keeping accurate records. He was sentenced to three years' probation on April 10, 2012. Yusuf and Duane Mohamed Diriye were charged by indictment with providing material support to al-Shabaab, a designated foreign terrorist organization. The indictment also charged Yusuf and Hussein with conspiring to structure transactions to Somalia in order to prevent licensed money remitting businesses from keeping accurate records. Yusuf is further charged with lying to immigration authorities. According to the indictment, Yusuf is a Somali-born taxi driver residing in St. Louis, Missouri. Yusuf allegedly raised funds for al-Shabaab from within the Somali diaspora in Missouri and elsewhere. He sent funds to Diriye in Somalia to support al-Shabaab. Diriye is alleged to have facilitated and coordinated the receipt of funds and the distribution of the funds to al-Shabaab, and provided Yusuf with information concerning al-Shabaab's

operations and activities in Somalia. Diriye, an ethnic Somali who lives in Kenya, was arrested by Kenyan police on January 26, 2012, and was released on bail. Diriye is still at large. The prosecution was also part of the FBI's Operation Green Arrow investigation.

Measure: Percentage of CT Cases Where Classified Information is Safeguarded (according to CIPA requirements) Without Impacting the Judicial Process

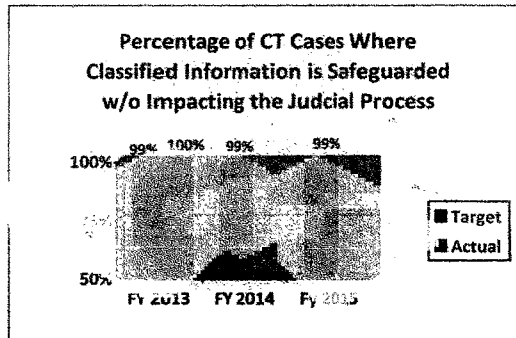
FY 2013 Target: 99%

FY 2013 Actual: 100%

FY 2014 Target: 99%

FY 2015 Target: 99%

Discussion: None



Data Definition: Classified information - information that has been determined by the United States Government pursuant to an Executive Order or statute to require protection against unauthorized disclosure for reasons of national defense or foreign relations, or any restricted data as defined by the Atomic Energy Act of 1954.

Safeguarded - that the confidentiality of the classified information is maintained because the Government has proposed redactions, substitutions or summarizations pursuant to CIPA which the Court has accepted.

Impact on the judicial process - that the Court does not exclude certain evidence, dismiss particular counts of the indictment, or dismiss the indictment as a remedy for the Government's insistence that certain classified information not be disclosed at trial.

Data Collection and Storage: Data collection and storage is manual.

Data Validation and Verification: Data validation and verification is accomplished via quarterly review by CTS Chief.

Data Limitations: None identified at this time.

Counterespionage (CE) Performance Report

Measure: Percentage of CE Defendants Whose Cases Were Favorably Resolved

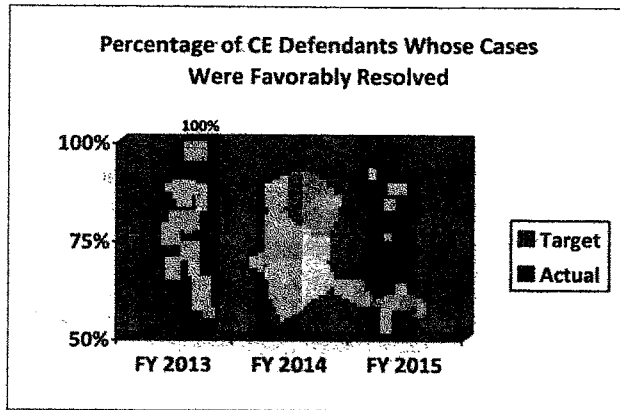
FY 2013 Target: 90%

FY 2013 Actual: 100%

FY 2014 Target: 90%

FY 2015 Target: 90%

Discussion: None



Data Definition: Defendants whose cases were favorably resolved include those defendants whose cases were closed during the fiscal year that resulted in court judgments favorable to the government.

Data Collection and Storage: Attorneys provide data which is stored in the ACTS database.

Data Validation and Verification: Quarterly review of database records and data updates from CES attorneys in order to insure that records are current and accurate.

Data Limitations: Reporting lags.

Select Recent Counterespionage and Counterproliferation Prosecutions

Former U.S. Navy Sailor Convicted of Attempted Espionage / U.S. v. Hoffman:

On August 21, 2013, Robert Patrick Hoffman II was convicted by a federal jury of attempting to provide classified information to individuals he believed to be representatives of the Russian Federation. On February 10, 2014, Hoffman was sentenced to 30 years in prison. Hoffman had been indicted in the Eastern District of Virginia on May 8, 2013, in a one-count superseding indictment charging him with attempted espionage. According to court records and evidence at trial, Hoffman is a U.S. citizen who served for 20 years in the U.S. Navy until his retirement in 2011. While serving in the Navy, Hoffman held security clearances that granted him access to

classified and national defense information relating to programs and operations in which he participated. Even though he repeatedly signed agreements to not disclose that sensitive information, on October 21, 2012, he passed classified information to what he believed to be the Russian Federation. Hoffman, in fact, delivered the information to the FBI, which was conducting an undercover operation.

Former U.S. Consulate Guard Sentenced for Spying / U.S. v. Underwood: On August 30, 2012, Bryan Underwood, a former contract guard working at a U.S. Consulate in China, pleaded guilty to attempting to communicate national defense information to a foreign government. Underwood was charged in a superseding indictment in the District of Columbia with attempting to communicate national defense information to the People's Republic of China (PRC), making false statements, and failing to appear in court pursuant to his conditions of release. According to the superseding indictment, Underwood attempted to communicate photographs and other national defense information to representatives of the PRC from about March 1, 2011 to about August 5, 2011. On March 5, 2013, Underwood was sentenced to 9 years in prison.

Virginia Man Sentenced for Acting as Illegal Agent of Syria / U.S. v. Soueid: On July 20, 2012, Mohamad Soueid was sentenced to 18 months in prison after being convicted of unlawfully acting as an agent of a foreign government. On October 11, 2011, Soueid had been arrested for his alleged role in a conspiracy to collect video and audio recordings and other information about individuals in the United States and Syria who were protesting the Government of Syria and to provide these materials to Syrian intelligence agencies in order to silence, intimidate, and potentially harm the protestors. Soueid, a Syrian-born naturalized U.S. citizen, was charged by a federal grand jury on October 5, 2011, in the Eastern District of Virginia with conspiring to act and acting as an agent of the Syrian Government in the United States without notifying the Attorney General as required by law; two counts of providing false statements to federal law enforcement; and two counts of providing false statements on a firearms purchase form.

Former CIA Officer Sentenced for Disclosing Classified Information / U.S. v. Kiriakou: On April 5, 2012, former CIA officer John Kiriakou was indicted for allegedly disclosing classified information to journalists, including the name of a covert CIA officer and information revealing the role of another CIA employee in classified activities. Kiriakou was charged in a five-count indictment returned by a federal grand jury in the Eastern District of Virginia, after he was initially charged in a criminal complaint and arrested in January 2012. The indictment charged Kiriakou with one count of violating the Intelligence Identities Protection Act for allegedly illegally disclosing the identity of a covert officer, and with three counts of violating the Espionage Act for allegedly illegally disclosing national defense information to individuals not authorized to receive it. The indictment also charged Kiriakou with one count of making false statements for allegedly lying to the CIA Publications Review Board in an unsuccessful attempt to trick the CIA into allowing him to include classified information in a book he was seeking to publish. On October 23, 2012, Kiriakou pleaded guilty to Count One of the indictment – intentionally disclosing information identifying a covert officer. On January 25, 2013, Kiriakou was sentenced to 30 months in prison.

Scientist Sentenced for Attempted Espionage / U.S. v. Nozette: On March 21, 2012, Stewart David Nozette, a scientist who once worked for the White House's National Space Council and other federal agencies, was sentenced in the District of Columbia to 13 years in prison for attempted espionage, conspiracy to defraud the United States, and tax evasion. The sentence covered charges in two cases. In one, Nozette pleaded guilty to attempted espionage for providing classified information to a person he believed to be an Israeli intelligence officer. In the other, he pleaded guilty to fraud and tax charges. From 1989 through 2006, Nozette held security clearances as high as TOP SECRET. On September 3, 2009, Nozette was contacted by an individual purporting to be an Israeli intelligence officer, but who was actually an FBI undercover employee. That day, Nozette informed the undercover employee that he would provide classified information for money and a foreign passport to a country without extradition to the United States. A series of contacts followed over the next several weeks, including meetings and exchanges in which Nozette took \$10,000 in cash left by the FBI at pre-arranged drop-off sites and provided classified information relating to the national defense.

Components for IEDs to Iran and Iraq / U.S. v. Larijani et al.: On June 26, 2013, defendants Lim Kow Seng a/k/a Eric Lim and Hia Soo Gan a/k/a Benson Hia pleaded guilty to conspiracy to defraud the United States. On September 20, 2013, Lim and Hia were sentenced to imprisonment of 37 months and 34 months, respectively. Lim and Hia had been extradited from Singapore to the United States in December 2012. On October 25, 2011, prosecutors in the District of Columbia unsealed an indictment which charged five individuals and four of their companies with various violations, including conspiracy to defraud the United States, smuggling, illegal export of goods to Iran, illegal export of defense articles, false statements and obstruction of justice. On October 24, 2011, authorities in Singapore arrested four defendants pursuant to a U.S. extradition request. A fifth (Hossein Larijani) remains a fugitive in Iran. The indictment alleges that, between June 2007 and February 2008, the defendants fraudulently purchased and caused 6,000 radio frequency modules to be illegally exported from Minnesota through Singapore to Iran. The alleged recipient of all 6,000 modules in Iran was the at-large defendant. The indictment alleges that Coalition forces found no less than 16 of these 6,000 modules in Iraq where they were being used as part of the remote detonation devices of unexploded IEDs. The indictment further charged three of these defendants with a separate fraud conspiracy involving the illegal export of two types of military antenna from the United States. In February 2012, a Singapore court ruled that the four suspects held in Singapore may be extradited to the United States to face prosecution for their alleged roles in conspiracies to defraud the United States. The litigation over extradition continued, after another court in Singapore in August 2012 found that only two of the suspects could be extradited.

TOW Missile Components to Iran / U.S. v. Baniamერი et al.: On July 26, 2012, Andro Telemi, a naturalized U.S. citizen from Iran who resided in California, pleaded guilty in the Northern District of Illinois to one count of attempting to illegally export defense articles in connection with his efforts to export TOW and TOW2 missile components to Iran. Telemi was indicted in December 2009, along with Davoud Baniamერი, an Iranian citizen who lived in Woodland Hills, California. A superseding indictment returned in July 2010 charged Telemi, Baniamერი, and Syed Majid Mousavi, an Iranian citizen living in Iran. According to court documents, sometime

before Oct. 2008, Mousavi, based in Iran, contacted Baniameri in California and requested that he purchase Marconi radio test sets for illegal export from the United States to Iran. Baniameri purchased these sets from an Illinois company and later exported them to Iran via Dubai. Mousavi also requested that Baniameri purchase and export to Iran, via Dubai, ten connector adaptors for the TOW and TOW2 missile system, which are used on the U.S. Army's Bradley fighting vehicle and the U.S. Marine Corp's AH-1W Cobra attack helicopter. Baniameri later negotiated the purchase of these items from an Illinois company and directed Telemi to assist him in this effort and to take possession of the items. To facilitate the export of these goods, Baniameri arranged to fly to Iran, but he was arrested before leaving the country. On May 31, 2011, Baniameri pleaded guilty to conspiracy to illegally export goods and technology to Iran and attempting to illegally export defense articles in connection with the TOW missile components and radio test sets. On August 12, 2011, Baniameri was sentenced to 51 months in prison. On November 30, 2012, Telemi was sentenced to 5 years' probation and fined \$10,000.

Military Software for China's Attack Helicopter / U.S. v. UTC et al.: On June 28, 2012, in the District of Connecticut, Pratt & Whitney Canada Corp. (PWC), a Canadian subsidiary of Connecticut-based defense contractor United Technologies Corp. (UTC), pleaded guilty to violating the Arms Export Control Act and making false statements in connection with its illegal export to China of U.S.-origin military software that was used in the development of China's first modern military attack helicopter, the Z-10. In addition, UTC, its U.S.-based subsidiary Hamilton Sundstrand Corp. (HSC), and PWC all agreed to pay more than \$75 million, subject themselves to independent monitoring for several years, and be required to comply with an extensive training and remedial action program to strengthen their export compliance as part of a global settlement with the Justice Department and the State Department in connection with various export violations, including those related to the Z-10, and for making false and belated disclosures to the U.S. government about the illegal exports for the Z-10. A three-count criminal information was filed against the companies. Count three charged PWC and HSC for their failure to timely inform the State Department of the unlawful export of defense articles to China, an embargoed nation, as required by U.S. export regulations. This is the first case in which the provisions in count three have been enforced criminally. While PWC pleaded guilty to counts one and two, prosecution of PWC, UTC, and HSC on the other charges is deferred for two years, provided that the companies abide by the terms of a deferred prosecution agreement with the Justice Department.

Radiation-Hardened Circuits to China / U.S. v. He: On September 3, 2013, Chinese citizen and former California Department of Transportation (Caltrans) engineer Philip Chaohui He pleaded guilty to conspiracy to violate the Arms Export Control Act (AECA). On December 18, 2013, He was sentenced to 36 months in prison. On February 3, 2012, He appeared in federal court in the District of Colorado after his arrest in San Francisco in connection with his efforts to export defense articles to China without a State Department license, specifically more than 300 space-qualified and radiation-hardened computer circuits used in satellite communications with a total value of nearly \$550,000. An indictment charged He with conspiracy to violate the AECA and to smuggle goods; attempted violation of AECA; and smuggling. According to the charges, He

arranged for the purchase of more than 300 radiation-hardened circuits from Aeroflex, a Colorado manufacturer, in May 2011, after a co-conspirator sent him wire transfers totaling nearly \$490,000 from a bank in China. He then provided false certification to Aeroflex that the items would remain in the United States. In December 2011, He drove to the Port of Long Beach and met with two men in front of a docked Chinese-flagged ship that was registered to a subsidiary of a China state-owned corporation. The ship recently had arrived from Shanghai and was scheduled to return on December 15, 2011. He was arrested on December 11, 2011 at the Port. He allegedly had concealed 200 circuits in infant formula containers in the trunk of his vehicle.

Measure: Percentage of CE Cases Where Classified Information is Safeguarded (according to CIPA requirements) Without Impacting the Judicial Process

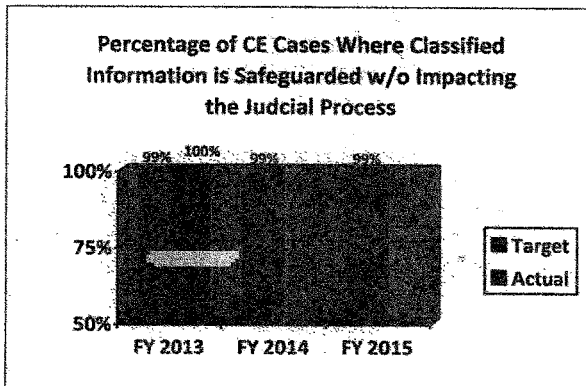
FY 2013 Target: 99%

FY 2013 Actual: 100%

FY 2014 Target: 99%

FY 2015 Target: 99%

Discussion: None



Data Definition: Classified information - information that has been determined by the United State Government pursuant to an Executive Order or statute to require protection against unauthorized disclosure for reasons of national defense or foreign relations, or any restricted data as defined by the Atomic Energy Act of 1954.

Safeguarded - that the confidentiality of the classified information is maintained because the Government has proposed redactions, substitutions or summarizations pursuant to CIPA which the Court has accepted.

Impact on the judicial process - that the Court does not exclude certain evidence, dismiss particular counts of the indictment, or dismiss the indictment as a remedy for the Government's insistence that certain classified information not be disclosed at trial.

Data Collection and Storage: CES attorneys provide data concerning CIPA matters handled in their cases as well as the status or outcome of the matters, which are then entered into the ACTS database.

Data Validation and Verification: Quarterly review of database records and data updates from CES attorneys in order to insure that records are current and accurate.

Data Limitations: Reporting lags.

Measure: Targeted FARA Inspections Completed

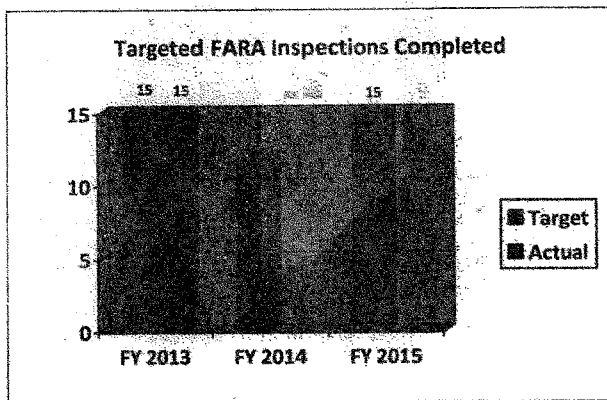
FY 2013 Target: 15

FY 2013 Actual: 15

FY 2014 Target: 12

FY 2015 Target: 15

Discussion: None

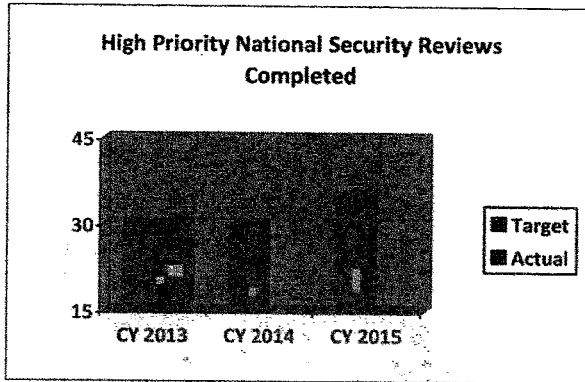


Data Definition: Targeted FARA Inspections are conducted routinely. There can also be additional inspections completed based on potential non-compliance issues. Inspections are just one tool used by the Unit to bring registrants into compliance with FARA.

Data Collection and Storage: Inspection reports are prepared by FARA Unit personnel and stored in manual files.

Data Validation and Verification: Inspection reports are reviewed by the FARA Unit Chief.

Data Limitations: None identified at this time

Measure: High Priority National Security Reviews Completed**CY 2013 Target: 30****CY 2013 Actual: 30****CY 2014 Target: 30****CY 2015 Target: 35****Discussion:** Tracked on a calendar year basis for ease of reporting.

Data Definition: High Priority National Security Reviews include (1) CFIUS case reviews of transactions in which DOJ is a co-lead agency in CFIUS due to the potential impact on DOJ equities; (2) CFIUS case reviews which result in a mitigation agreement to which DOJ is a signatory; (3) Team Telecom case reviews which result in a mitigation agreement to which DOJ is a signatory; and (4) mitigation monitoring site visits.

Data Collection and Storage: Data is collected manually and stored in generic files; however management is reviewing the possibility of utilizing a modified automated tracking system.

Data Validation and Verification: Data is validated and verified by management.

Data Limitations: Given the expanding nature of the program area – a more centralized data system is desired.

Cyber Performance Report

Measure: Percentage of Cyber Defendants Whose Cases Were Favorably Resolved

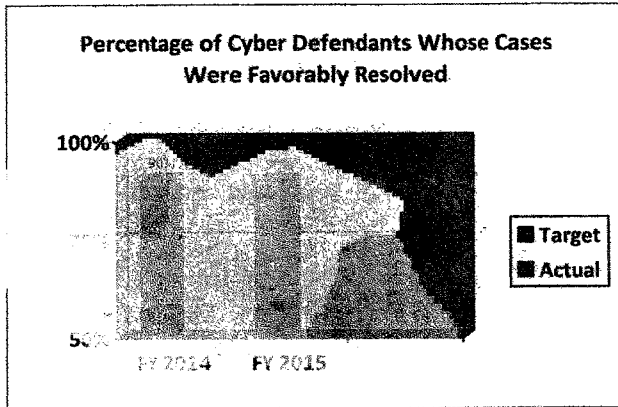
FY 2013 Target: NA

FY 2013 Actual: NA

FY 2014 Target: 90%

FY 2015 Target: 90%

Discussion: This is a new measure that will have a baseline in FY 2014.



Data Definition: Defendants whose cases were favorably resolved include those defendants whose cases resulted in court judgments favorable to the government.

Data Collection and Storage: Data will be collected manually and stored in internal files.

Data Validation and Verification: Data validation and verification is accomplished via quarterly reviews done by the Counterterrorism Section and the Counterespionage Section.

Data Limitations: There are no identified data limitations at this time.

VI. Program Offsets by Item

Item Name:	Miscellaneous Program and Administrative Reductions
Strategic Goal:	Goal 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law
Strategic Objective:	1.1 Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve a coordinated response to terrorist threats 1.2 Prosecute those involved in terrorist acts 1.3 Investigate and prosecute espionage activity against the U.S., strengthen partnerships with potential targets of intelligence intrusions, and proactively prevent insider threats 1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors
Budget Decision Unit(s):	National Security Division
Organizational Program:	Counterterrorism, Counterespionage, Foreign Investment Review, Intelligence, Law & Policy, Office of Justice for Victims of Overseas Terrorism, Executive Office

Program Offset: Positions 0 Atty 0 FTE 0 Dollars (\$5,905,000)

Description of Item

Program and administrative reductions to be identified once funds are appropriated.

Justification

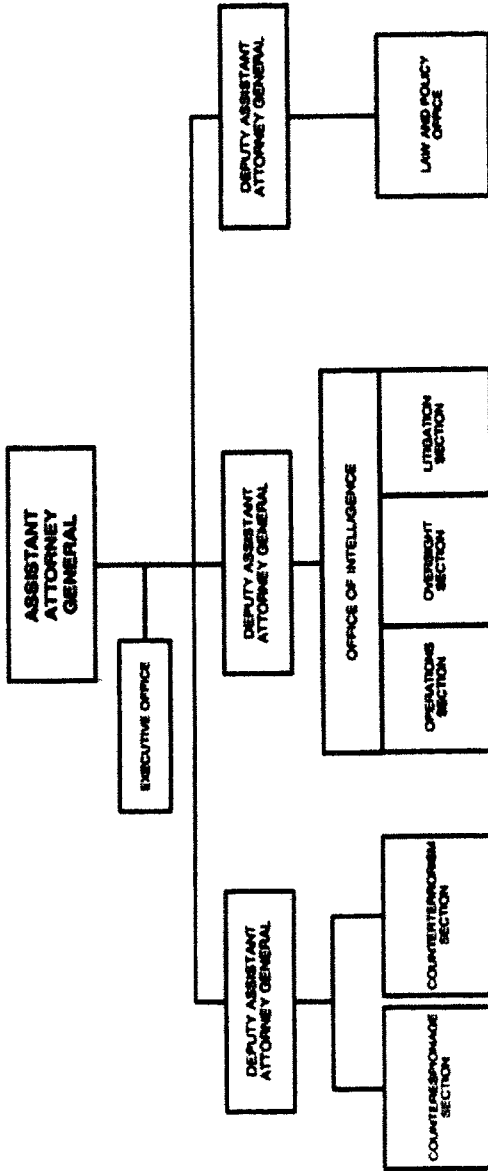
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Impact on Performance

Performance impact information is not yet available for this offset.

A: Organizational Chart

NATIONAL SECURITY DIVISION



Approved by *[Signature]* Date 7.11.07
ALBANY COUNTY CLERK

B. Summary of Requirements

Summary of Requirements
National Security Division
Salaries and Expenses
(Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted			
2013 Reactions (1.87% & 0.2%)		312	90,039
2013 Sequester			(1,897)
Total 2013 Enacted (with Reactions and Sequester)	364	312	(4,377)
2014 Enacted	363	338	83,798
2015 Enacted			91,800
Base Adjustments			
Pay and Benefits	0	0	1,107
Domestic Rent and Facilities	0	0	4,798
Total Base Adjustments	0	0	5,905
2015 Current Services	363	345	87,708
Program Changes			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	(5,905)
Subtotal Offsets	0	0	(5,905)
Total Program Changes	0	0	(5,905)
2015 Total Request	363	345	81,803
2014 - 2015 Total Change	0	0	9

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated

B. Summary of Requirements

Summary of Requirements
National Security Division
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Enacted with Reclassifications and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
National Security Division	384	312	83,796	383	336	91,800		9	5,905	383	345	97,705
Total Direct	384	312	83,796	383	336	91,800		9	5,905	383	345	97,705
Total Direct with Rescission			83,796			91,800			5,905			97,705
Reimbursable FTE		0			0			0			0	
Total Direct and Reimb. FTE		312			336			9			345	
Other FTE:												
LEAP		0			0			0			0	
Overtime		0			0			0			0	
Grand Total FTE		312			336			9			345	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
National Security Division	0	0	0	0	0	(5,905)	383	345	91,800
Total Direct	0	0	0	0	0	(5,905)	383	345	91,800
Total Direct with Rescission			0			(5,905)			91,800
Reimbursable FTE		0			0			0	
Total Direct and Reimb. FTE		0			0			345	
Other FTE:									
LEAP		0			0			0	
Overtime		0			0			0	
Grand Total FTE		0	0		0	0		345	

FY 2015 Program Changes by Decision Unit
National Security Division
Salaries and Expenses
(Dollars in Thousands)

Program Offsets		Location of Description in Narrative	National Security Division					Total Offsets				
			Direct Pos.	Ag./ Atty.	Est. FTE	Amount	Direct Pos.	Ag./ Atty.	Est. FTE	Amount		
Miscellaneous Program and Administrative Reductions		Page 34	0	0	0	(5,905)	0	0	0	(5,905)		
Total Program Offsets			0	0	0	(5,905)	0	0	0	(5,905)		

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

National Security Division
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Current Services			2016 Increases			2015 Offsets			2015 Total Request		
	Direct Reimb FTE	Direct Amount	Reimb FTE	Direct Reimb FTE	Direct Amount	Reimb FTE	Direct Reimb FTE	Direct Amount	Reimb FTE	Direct Reimb FTE	Direct Amount	Reimb FTE	Direct Reimb FTE	Direct Amount	Reimb FTE	Direct Reimb FTE	Direct Amount	Reimb FTE
Goal 1 Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law																		
1.1 Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve a coordinated response to terrorist threats	200	58,872		210	63,040	207	64,100		0				0	(4,174)		207	58,828	
	77	16,654		80	10,280	80	18,597		0				0	(1,211)		80	17,386	
1.2 Prosecute those involved in terrorist acts.																		
1.3 Investigate and prosecute espionage activity against the United States, strengthen partnerships with potential targets of intelligence intrusions, and proactively prevent insider threats	35	8,070		36	7,816	39	12,354		5				0	(520)		39	11,834	
1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors.	0	0		10	2,654	19	2,654		0				0	0		19	2,654	
Subtotal, Goal 1	312	83,796		336	91,800	345	97,705		0				0	(5,905)		345	91,800	
TOTAL	312	83,796		336	91,800	345	97,705		0				0	(5,905)		345	91,800	

Note: Excludes Balance Rescission and/or Supplemental Appropriations.

Justifications for Technical and Base Adjustments

National Security Division
Salaries and Expenses
(Others in thousands)

	Direct Plus	Estimate FTE	Amount
Pay and Benefits			
1 2015 Pay Raise: This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$295,000, represents the pay amounts for 34 of the fiscal year plus appropriate benefits (\$295,400 for pay and \$10,600 for benefits.)			395
1 Annualization of 2014 Pay Raise: The pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 pay raise request. The amount requested, \$118,000, represents the pay amounts for 14 of the fiscal year plus appropriate benefits (\$154,800 for pay and \$33,040 for benefits.)			118
2 Annualization of 2014 Approved Positions:		9	0
3 FERS Required Law Enforcement Retirement Contribution: Effective October 1, 2014 (FY 2015), the new agency contribution rates of 13.2% (up from the current 11.5%, or an increase of 1.5%) and 28.6% for law enforcement personnel (up from the current 26.3%, or an increase of 2.5%). The amount requested, \$473,000, represents the funds needed to cover this increase.			474
4 Employees Compensation Fund: The \$1,000 request reflects anticipated changes in payments to the Department of Labor for injury benefits under the Federal Employee Compensation Act.			1
5 Law Enforcement Health Insurance: Effective January 1, 2015, the components contribution to Federal employee health insurance increases by 3.6 percent. Applied against the 2014 estimate of \$2,173,000, the additional amount required is \$79,000.			79
6 Retirement: Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$40,000 is necessary to meet our increased retirement obligations as a result of this conversion.			40
Domestic Rent and Facilities	0	9	1,107
1 General Services Administration (GSA) Rent: GSA will provide appropriate lease charges to commercial landlords for equivalent space and related services. The requested increase of \$1,340 is required to meet our commitment to GSA. The costs associated with GSA are associated with the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.			1,340
2 Guard Services: This includes Department of Homeland Security (DHS) Federal Protective Service charges, Justice Protective Service charges and other security services across the country. The requested increase of \$2,000 is required to meet these commitments.			2
3 Movers/Lease Expirations: GSA requires all agencies to pay relocation costs associated with lease expirations. This request provides for the costs associated with new office relocations caused by the expiration of leases in FY 2015.		0	3,450
		0	4,789
TOTAL DIRECT TECHNICAL AND BASE ADJUSTMENTS	0	9	5,903

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
National Security Division
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted with Balance Reconciliation *				Supplementals				Sequester				Reprogramming/Transfers				Carryover		Reversions/Refunds		2013 Actual			
	Direct	Pos.	FTE	Amount	Direct	Pos.	FTE	Amount	Direct	Pos.	FTE	Amount	Direct	Pos.	FTE	Amount	Amount		Amount		Direct	Pos.	FTE	Amount
National Security Division	364		312	85,173	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	364	312	312	85,023
Total Direct	364		312	85,173	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	364	312	312	85,023
Total Direct and Reimb. FTE			312																				312	
Other FTE:			0																				0	
LEAP			0																				0	
Outflying			0																				0	
Grand Total FTE			312																				312	

Carryover: NSD carried over \$4,179,000 for IT related projects.

Reversions/Refunds: NSD has a recovery of \$48,000.

Crosswalk of 2014 Availability
 National Security Division
 Services and Expenses
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount		Direct Pos.	Estim. FTE	Amount
National Security Division	383	336	91,800	0	0	4,500	4,678	76	76		383	336	101,054
Total Direct	383	336	91,800	0	0	4,500	4,678	76	76		383	336	101,054
Total Direct with Rescission			91,800										101,054
Total Direct and Reimb. FTE		336			0							336	
Other FTE: LEAP Overtime		0			0							0	
Grand Total FTE		336			0							336	

Transfer/Carryover/Recovery: FY 2014 funds totaling \$9,254,000 represents a \$4,500,000 transfer from NSD's prior year expired balances to its no-year account, 4,678,000 carryover for IT related projects, and \$76,000 in recoveries

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

National Security Division
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request				
	Died Pos.	Reimb. Pos.	Died Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Security Specialists (080)	4		4					4	
Intelligence Series (132)	11		12					12	
Clerical and Office Services (300-399)	78		81					81	
Accounting and Budget (500-599)	7		8					8	
Attorneys (605)	236		249					249	
Paralegals / Other Law (600-699)	13		14					14	
Business & Industry (1100-1199)	1		1					1	
Information Technology Mgmt. (2210)	14		14					14	
Total	364	0	383	0	0	0	0	383	0
Headquarters (Washington, D.C.)	363		382					382	
U.S. Field	0		1					1	
Foreign Field	0		0					0	
Total	364	0	383	0	0	0	0	383	0

J. Financial Analysis of Program Changes

Financial Analysis of Program Changes

National Security Division
Salaries and Expenses
(Dollars in Thousands)

Grades	National Security Division	
	Miscellaneous Program and Administrative Reductions	
	Direct Pos.	Amount
13.0 Benefits for former personnel		0
21.0 Travel and Transportation of Persons		0
22.0 Transportation of Things		0
23.1 Rental Payments to GSA		0
23.3 Communications, Utilities, and Miscellaneous Charges		0
24.0 Printing and Reproduction		0
25.1 Advisory and Assistance Services		0
25.2 Other Services from Non-Federal Sources		(2,225)
25.3 Other Goods and Services from Federal Sources		(2,305)
25.5 Research and Development Contracts		0
25.7 Operation and Maintenance of Equipment		0
26.0 Supplies and Materials		0
31.0 Equipment		(1,375)
Total Program Change Requests	0	(5,905)

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class

National Security Division
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	312	37,934	335	46,451	345	49,105	9	2,644
11.3 Other than Full-Time Permanent	0	512	0	520	0	520	0	0
11.5 Other Personnel Compensation	0	186	0	80	0	59	0	(21)
Overtime	0	0	0	0	0	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	729	0	0	0	0	0	0
Total	312	39,361	335	47,061	345	49,684	9	2,823
Other Object Classes								
12.0 Personnel Benefits		11,543		13,037		13,895		658
21.0 Travel and Transportation of Persons		952		1,030		1,175		145
22.0 Transportation of Things		314		328		352		24
23.1 Rental Payments to GSA		9,723		10,075		11,421		1,348
23.2 Rental Payments to Others		202		208		214		6
23.3 Communications, Utilities, and Miscellaneous Charges		3,744		4,435		3,945		(490)
24.0 Printing and Reproduction		1		6		6		0
25.1 Advisory and Assistance Services		2,006		2,405		2,006		(399)
25.2 Other Services from Non-Federal Sources		5,123		10,280		5,505		(4,775)
25.3 Other Goods and Services from Federal Sources		3,440		7,497		2,841		(4,855)
25.4 Operation and Maintenance of Facilities		45		45		45		0
25.6 Medical Care		27		27		27		0
25.7 Operation and Maintenance of Equipment		216		216		229		13
26.0 Supplies and Materials		3,192		330		330		0
31.0 Equipment		277		1,498		325		(1,173)
32.0 Leasehold Improvements		277		2,576		0		(2,576)
Total Obligations		80,466		101,054		91,800		(9,284)
Subtract - Unobligated Balance, Start-of-Year		(6,179)		(4,678)		0		4,678
Subtract - Transfers/Reprogramming		0		(48)		0		48
Subtract - Recoveries/Refunds		0		(4,500)		0		4,500
Add - Unobligated End-of-Year, Available		4,678		(76)		0		76
Add - Unobligated End-of-Year, Expiring		4,879		0		0		0
Total Direct Requirements	0	83,796	0	91,800	0	91,800	0	0

National Security Division

Salaries and Expenses (Dollars in Thousands)

Status of Congressionally Requested Studies, Reports, and Evaluations

1. NSD will take the lead on the FY 2014 Department of Justice Reporting Requirement, House Report, Title II, Page 33, Number 54, Terrorist Finance Cases. Target response to Committee May 18, 2014.

General Legal Activities

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* Refer to the General Legal Activities Components' Exhibits

I. Overview for General Legal Activities

The General Legal Activities (GLA) appropriation is requesting a total of 4,476 permanent positions, 4,405 workyears (including 596 reimbursable workyears) and \$935,854,000. This resource level represents program increases of 250 positions, 128 workyears and \$31,656,000 and program offsets of \$7,596,000. The FY 2015 request includes net adjustments-to-base (ATBs) of 1 position, 1 workyear, and \$44,794,000. The FY 2015 program increases and program offsets are outlined below. Specific details about individual programs are discussed in the General Legal Activities Components' Budgets.

PROGRAM INCREASES:

Criminal Division

Mutual Legal Assistance Treaty Reform: 141 positions, 71 workyears and \$19.566 million

Cyber Security: 25 positions, 14 workyears and \$2.580 million

Intellectual Property Crime: 11 positions, 6 workyears and \$2.205 million

Civil Rights Division

E-Verify Administrative Review: 3 positions, 2 workyears and \$.305 million

Civil Rights Enforcement: 50 positions, 25 workyears and \$5.072 million

Police Misconduct Enforcement: 20 positions, 10 workyears and \$1.928 million

PROGRAM OFFSETS:

Miscellaneous Program and Administrative Reductions:

Office of Solicitor General: \$.102M

Tax Division: \$.353M

Civil Division: \$.395M

Environment Division: \$.6478M

INTERPOL Washington: \$.268M

Appropriations Language

New language proposed for FY 2015 is *italicized and underlined*.

Salaries and Expenses, General Legal Activities

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, [\$867,000,000] \$935,854,000, of which not to exceed [\$10,000,000] \$20,000,000 for litigation support contracts shall remain available until expended: Provided, That, of the amount provided for INTERPOL Washington dues payments, not to exceed \$685,000 shall remain available until expended: Provided further, That of the total amount appropriated, not to exceed \$9,000 shall be available to INTERPOL Washington for official reception and representation expenses: Provided further, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section [505] 504 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That of the amount appropriated, such sums as may be necessary shall be available to [reimburse the Office of Personnel Management] the Civil Rights Division for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f) and to reimburse the Office of Personnel Management for such salaries and expenses: Provided further, That of the amounts provided under this heading for the election monitoring program \$3,390,000, shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

Analysis of Appropriation Language

The FY 2015 request proposes an increase from \$10,000,000 to \$20,000,000 in the amount of GLA funds available as no-year money for litigation support contracts. In addition, the FY 2015 request proposes \$685,000 in no-year authority for INTERPOL Washington dues payments to aid with fluctuations in dues payments resulting from changes in currency exchange rates. Civil Rights Division's election monitoring language change allows for more efficient use and deployment of these resources by allowing the Division more flexibility in the management of the funding.

B. Surr
of Requirements

Summary of Requirements
General Legal Activities
Salaries and Expenses
 (Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted			
2013 Revisions (1.877% & 0.2%)			881,000
2013 Sequester			-12,566
Total 2013 Enacted (with Revisions and Sequester)	4,229	3,594	868,433
2014 Enacted			
2014 Revisions			819,592
Total 2014 Enacted (with Revisions and Sequester)	4,229	3,594	868,000
Base Adjustments			
Pay and Benefits	1	1	13,185
Domestic Rent and Facilities	0	0	31,648
Foreign Expenses	0	0	-40
Total Base Adjustments	1	1	44,794
2015 Current Services	4,229	3,594	912,794
Program Changes			
Increases:			
Criminal Division	177	91	24,351
Civil Rights Division	73	37	7,365
Subtotal Increases	250	128	31,716
Decreases:			
Miscellaneous Program and Administrative Reductions (OSG, TAX, CIVIL, I&D, POL)	0	0	-7,598
Subtotal Decreases	0	0	-7,598
Total Program Changes	250	128	24,118
2015 Total Request	4,479	3,722	936,912
2014 - 2015 Total Change	250	128	68,854

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
General Legal Activities
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2016 Current Services		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Conduct of Supreme Court proceedings	54	48	10,812	50	45	11,198	1	1	598	51	56	11,794
General tax matters	699	496	95,934	639	434	94,479	0	0	5,654	699	504	109,524
Criminal matters	731	669	194,782	702	674	174,189	0	0	3,947	730	674	178,136
Claims, customs and general civil matters	1,455	1,194	270,555	1,435	1,198	265,927	0	0	12,692	1,455	1,199	286,789
Land, natural resources and Indian matters	817	626	107,838	597	635	107,843	0	0	11,322	817	626	116,865
Legal opinions	31	23	6,163	33	27	17,400	0	0	942	33	27	17,742
Civil rights matters	119	80	18,511	71	60	14,440	0	0	4,263	119	80	18,742
INTERPOL Washington	79	80	28,349	77	69	32,020	0	0	10,368	77	69	32,293
Total Direct	4,229	3,584	819,302	4,225	3,660	867,900	1	1	44,784	4,226	3,681	911,794
Balance Recession			0		0	0			0			0
Total Direct with Recession			819,302			867,900			44,784			911,794
Reimbursable FTE	564				566						566	
Total Direct and Reimb. FTE	4,793				4,226						4,277	
Other FTE												
LEAP												
Charters	7				7						7	
Grand Total, FTE	4,793				4,233						4,284	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Conduct of Supreme Court proceedings	0	0	0	0	0	-402	51	56	11,692
General tax matters	0	0	0	0	0	-393	639	534	109,177
Criminal matters	177	91	24,351	0	0	0	927	765	202,487
Claims, customs and general civil matters	0	0	0	0	0	-395	1,455	1,198	286,984
Land, natural resources and Indian matters	0	0	0	0	0	-4,478	597	595	112,497
Legal opinions	0	0	0	0	0	0	33	27	7,742
Civil rights matters	73	37	7,305	0	0	-268	626	626	167,601
INTERPOL Washington	0	0	0	0	0	0	77	69	32,000
Total Direct	250	128	31,656	0	0	-7,598	4,476	3,609	935,664
Balance Recession			0		0	0			0
Total Direct with Recession			31,656			-7,598			935,664
Reimbursable FTE	0					0		566	
Total Direct and Reimb. FTE	128					0		4,405	
Other FTE						0		0	
LEAP						0		0	
Charters	0					0		7	
Grand Total, FTE	128					0		4,412	

Crosswalk of 2013 Availability
General Legal Activities
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted Two Balance Resolutions ¹			Supplementals			Sequester			Reprogramming/Transfers			Reallocations			Carryover			Reversion/Refunds			2013 Actual		
	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount
Conduct of Supreme Court proceedings	54	46	11,305	0	0	0	0	0	-548	0	0	0	0	0	0	0	0	0	0	0	0	54	46	10,132
General law matters	839	496	104,074	0	0	0	0	0	-5,249	0	0	0	0	0	0	0	575	11	0	0	0	330	639	496
Criminal matters	751	669	173,208	0	0	0	0	0	-4,790	0	0	0	0	0	0	0	1,500	424	0	0	0	30	751	669
Civil matters	1,025	1,154	14,154	0	0	0	0	0	-1,154	0	0	0	0	0	0	0	10,500	518	0	0	0	151	1,025	1,154
Land, natural resources and Indian matters	637	528	107,294	0	0	0	0	0	-4,368	0	0	0	0	0	0	0	3,000	0	0	0	0	0	637	528
Legal opinions	31	25	7,173	0	0	0	0	0	-395	0	0	0	0	0	0	0	0	0	0	0	0	31	25	7,173
Civil rights matters	715	607	143,368	0	0	0	0	0	-7,227	0	0	0	0	0	0	0	2,525	0	0	0	0	0	715	607
INTERPOL matters	171	69	30,496	0	0	0	0	0	-1,559	0	0	0	0	0	0	0	0	0	0	0	0	0	171	69
Administrative Support	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	21,315	0	0	0	0	0	0	0
Total Direct	4,229	3,684	862,736	0	0	0	0	0	-43,433	0	0	0	0	0	0	0	-20,920	1,055	0	0	0	77	69	23,546
Reimbursable FTE		564															0	0					0	1,520
Total Direct and Reimb. FTE		4,178															0	1,055					0	1,520
Other FTE:																	0	0					0	0
LEAP		0															0	0					0	0
Overtime		0															0	0					0	0
Grand Total FTE		4,178															0	1,055					0	1,520
Grand Total Dollars																	0	4,022					0	845,273

1) The 2013 Enacted appropriation includes the 2 across-the-board reductions of 1.87% and 0.2%.

Reprogramming/Transfers

The transfer of \$21,375,000 to GLA's ALS account reflects benefits of unobligated balances from GLA's prior years' accounts.

Reallocations:

Funding of \$20,820,000 was distributed from GLA's ALS account to Tax, Criminal, Civil, Environment and Civil Rights Divisions' ALS accounts.

Carryover:

Funds were carried over into FY 2013 from GLA's 2012 no-year account (\$1,791K) and GLA's VCRP no-year account (\$231K).

Reversion/Refunds:

Reversion from GLA's no-year account total \$274K.

G. Crosswalk of 2014 Availability

Crosswalk of 2014 Availability
General Legal Activities
Salaries and Expenses
(Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/ Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
Conduct of Supreme Court proceedings	50	55	11,198	0	0	0	0	0	0	0	50	55	11,198
General tax matters	639	534	104,470	0	0	0	0	0	0	0	639	534	104,862
Criminal matters	750	674	174,189	0	0	0	0	0	0	0	750	674	175,540
Claims, customs and general civil matters	1,425	1,189	285,927	0	0	0	1,351	0	0	0	1,425	1,189	294,896
Land, natural resources and Indian matters	537	526	107,843	0	0	0	8,969	0	0	0	537	526	109,847
Legal opinions	33	27	7,400	0	0	0	2,004	0	0	0	33	27	7,400
Overnight matters	714	666	144,173	0	0	0	0	0	0	0	714	666	144,173
OVERSIGHT	171	64	32,000	0	0	0	0	0	0	0	171	64	32,000
Automated Litigation Support	0	0	0	0	0	0	1,320	0	0	0	0	0	0
Total Direct	4,225	3,680	887,000	0	0	0	14,236	0	0	0	4,225	3,680	887,236
Balance Recission													
Total Direct with Recission			887,000				14,236	0	0	0			887,236
Reimbursable FTE		556			0		0					596	
Total Direct and Reimb. FTE		4,276			0		14,236					4,276	
Other FTE:													
LEAP		0			0		0					0	
Overtime		0			0		0					0	
Grand Total FTE		4,276			0		14,236					4,276	

Reprogramming/Transfers

Carryover:

Funds were carried over into FY 2014 from GLA's 2013 no-year account

Recoveries/Refunds:

I. Data 'Permanent Positions by Category

Detail of Permanent Positions by Category
 General Legal Activities
 Salaries and Expenses
 (Dollars in Thousands)

Category	2015 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Miscellaneous Operations (010-099)	9	0	9	0	0	0	1	10	0
Security Specialists (080)	20	0	20	0	0	0	0	20	0
Economists (110)	3	0	3	0	0	0	1	4	0
Intelligence Series (132)	1	0	1	0	0	0	0	1	0
Civil Rights Analyst (160)	16	0	16	0	0	0	2	18	0
Personnel Management (200-299)	34	2	34	2	0	0	3	37	2
Clerical and Office Services (300-399)	795	135	792	127	0	0	38	830	127
Accounting and Budget (500-599)	34	34	37	37	0	0	2	38	37
Architect (806)	10	0	10	0	0	0	0	10	0
Attorneys (905)	2,646	414	2,645	433	1	129	0	2,775	433
Paralegals / Other Law (900-998)	588	62	568	60	0	66	0	634	60
Information & Arts (1000-1099)	7	1	7	1	0	0	0	7	1
Business & Industry (1100-1199)	5	2	5	2	0	0	0	5	2
Forensic/Physical Sciences (1300-1399)	0	0	1	1	0	0	0	1	1
Library (1400-1499)	5	0	5	0	0	0	0	5	0
Mathematical Statistics (1529)	3	0	3	0	0	2	0	5	0
Education/Training (1700-1799)	0	1	0	1	0	0	0	0	1
Travel Services (2101)	0	1	0	1	0	0	0	0	1
Information Technology Mgmt. (2210)	73	4	73	4	0	6	0	79	4
Total	4,229	657	4,228	669	1	250	0	4,476	669
Headquarters (Washington, D.C.)	4,088	508	4,084	520	1	241	0	4,326	520
U.S. Field	128	16	126	16	0	0	0	126	16
Foreign Field	13	133	15	133	0	9	0	24	133
Total	4,229	657	4,228	669	1	250	0	4,476	669

Footnotes:

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class
 General Legal Activities
 Salaries and Expenses
 (Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct	FTE	Direct	FTE	Direct	FTE	Direct	FTE
11.1 Full-Time Permanent	3,347	392,082	3,441	420,594	461,065	130	40,477	
11.3 Other than Full-Time Permanent	247	23,197	239	23,316	24,660	-1	1,345	
11.5 Other Personnel Compensation	0	2,481	0	5,414	0	5,854	0	480
Overtime	7	0	7	0	7	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personnel Services Payments	0	2,448	0	916	0	424	0	-492
Total	3,594	430,208	3,680	450,239	482,043	129	41,804	
Other Object Classes								
12.0 Personnel Benefits		120,628		120,274	138,540		12,266	
13.0 Benefits for former personnel		417		39	19		-20	
21.0 Travel and Transportation of Persons		14,014		16,955	16,849		1,894	
22.0 Transportation of Things		7,334		3,753	3,888		135	
23.1 Rental Payments to GSA		100,166		102,483	106,565		4,082	
23.2 Rental Payments to Others		3,218		2,891	2,781		90	
23.3 Communications, Utilities, and Miscellaneous Charges		13,802		12,664	11,733		-931	
24.0 Printing and Reproduction		1,285		1,431	1,568		137	
25.1 Advisory and Assistance Services		6,598		12,789	13,532		743	
25.2 Other Services from Non-Federal Sources		83,359		98,760	73,698		-24,474	
25.3 Other Goods and Services from Federal Sources		25,865		28,002	28,161		159	
25.4 Operation and Maintenance of Facilities		54		38	38		0	
25.5 Medical Care		391		263	295		32	
25.7 Operation and Maintenance of Equipment		775		577	636		59	
26.0 Supplies and Materials		3,936		3,950	5,155		1,205	
31.0 Equipment		7,127		7,688	9,929		2,031	
32.0 Land and Structures		0		0	14,987		14,987	
41.0 Grants, Subsidies, and Contributions		11,008		12,500	13,352		852	
42.0 Insurance Claims and Indemnities		85		530	97		-433	
Total Obligations		824,833		881,236	935,854		54,618	
Subtract - Unobligated Balance, Start-of-Year		-4,022		-14,236	0		14,236	
Subtotal - Transfers/Reprogramming		-21,375		0	0		0	
Subtotal - Reallocations		0		0	0		0	
Subtotal - Recoveries/Refunds		-574		0	0		0	
Add - Unobligated End-of-Year, Available		14,236		0	0		0	
Add - Unobligated End-of-Year, Expired		6,404		0	0		0	
Total Direct Requirements		819,302		867,000	935,854		63,854	
Reimbursable FTE	584		596		596		0	
23.1 Rental Payments to GSA (Reimbursable)	0	0	0	0	0		0	
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)	0	0	0	0	0		0	

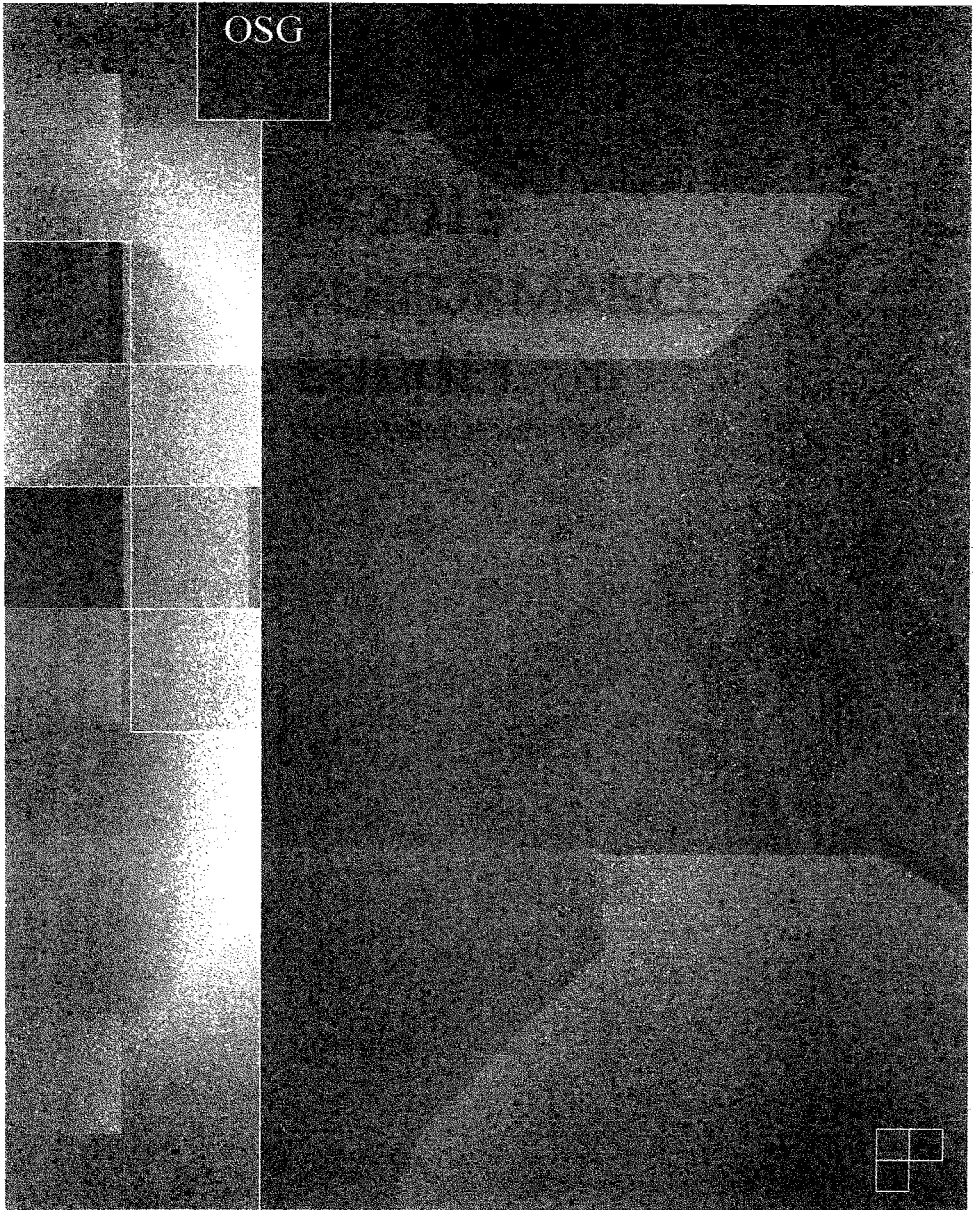


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I. Overview for the Office of the Solicitor General

1. Introduction

For FY 2015, the Office of the Solicitor General (OSG) requests a total of \$11,692,000, 51 positions, including 23 attorney positions, and 56 FTE to meet its mission.

2. Mission/Background

The mission of OSG is to conduct all litigation on behalf of the United States and its agencies in the Supreme Court of the United States, to approve decisions to appeal and seek further review in cases involving the United States in the lower federal courts, and to supervise the handling of litigation in the federal appellate courts.

The original Statutory Authorization Act of June 22, 1870, states: "There shall be in the Department of Justice an officer learned in the law, to assist the Attorney General in the performance of his duties to be called the Solicitor General." As stated in 28 CFR 0.20, the general functions of the Office are as follows: (1) conducting or assigning and supervising all Supreme Court cases, including appeals, petitions for and in opposition to *certiorari*, briefs and arguments; (2) determining whether, and to what extent, appeals will be taken by the government to all appellate courts (including petitions for rehearing *en banc* and petitions to such courts for the issuance of extraordinary writs); (3) determining whether a brief *amicus curiae* will be filed by the government, or whether the government will intervene, in any appellate court, or in any trial court in which the constitutionality of an Act of Congress is challenged; and (4) assisting the Attorney General and the Deputy Attorney General in the development of broad Department program policy.

OSG is headed by the Solicitor General, who is appointed by the President and confirmed by the Senate. Within the attorney staff, there are 23 attorney positions. The attorneys prepare oral arguments, Supreme Court briefs, and other related legal materials. The 28 support staffers are organized into three sections which include Administration, Case Management and, Research and Publication.

3. Challenges

OSG's mission and strategic objectives will essentially remain the same in FY 2015. However, OSG faces a set of new expectations and additional responsibilities. OSG has experienced an increase in several Court related activities. The government's response to terrorism, and national security issues, intellectual property challenges and economic distress will place new demands on OSG, which it stands ready to meet.

The Office continues to play a significant role in terrorism and national security issues. In the past administration, the Attorney General requested that the Solicitor General assume a range of litigation responsibilities in the lower courts with regard to challenges to the detention of individuals detained at the United States Naval Station located in Guantanamo Bay, Cuba, in connection with ongoing efforts to prevent and punish terrorist activities. The Office continues to play an important role in Guantanamo cases as they move through the Supreme Court and the lower federal courts. Likewise, the Office is involved in a range of national security litigation, in

contexts that include surveillance, the Freedom of Information Act, and a range of sensitive employment-related matters.

Increasingly, complex intellectual property issues constitute an important part of the Office's docket. In the 2013-2014 Term, for example, the Court has granted five patent cases and two copyright cases. These cases cover a range of issues that are critical to our Nation's economy. The cases require careful attention and coordination within the government, as well as a difficult assessment of how to apply existing statutory schemes that protect intellectual property in the context of rapidly changing technology. Given the importance and difficulty of these cases, this docket is expected only to increase.

In light of the overall budgetary situation in which the Government finds itself, OSG attorneys have increasingly been asked to brief and argue particularly difficult criminal cases, including matters involving the Fourth Amendment, the Fair Sentencing Act, and finance regulations. OSG presented argument in *United States v. Jones*, which challenged the warrantless installation and use of a GPS tracking device on a respondent's vehicle to monitor its movements on public streets. OSG also plays a major role in challenges to the Fair Sentencing Act, which lowered penalties for certain cocaine-base offenses by increasing the threshold quantities of cocaine-base that trigger certain mandatory-minimum sentences.

In light of the overall budgetary situation in which the Government finds itself, OSG strives to meet the difficult challenge of managing a steady increase in casework, including the significant challenges highlighted in the matters above, without additional resources. For FY 2015, OSG is requesting base funding of 51 positions (23 attorneys), 56 FTE and \$11,692,000 to accomplish its goals.

Following is a brief summary of the Department's Strategic Goals and Objectives in which OSG plays a role.

DOJ Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Laws (FY 2015 Request: \$11,692,000)

- Objective 2.6: Protect the federal fisc and defend the interests of the United States.

4. Full Program Costs

OSG has only one program—Federal Appellate Activity. Its program costs consist almost entirely of fixed costs, such as salaries and benefit costs, GSA rent, reimbursable agreements with other DOJ components, and printing.

5. Performance Challenges

External Challenges. In the vast majority of cases filed in the Supreme Court in which the United States is a party, a petition is filed by an adverse party and the United States responds in some way, either by filing a brief or, after reviewing the cases, waiving its right to do so. Additionally, the Supreme Court formally requests the Solicitor General to express the views of the United States on whether the Court should grant certiorari in a case in which the United States is not a party. The number of cases in which the Solicitor General petitions the Supreme

Court for review, acquiesces in a petition for a writ of certiorari filed by an adverse party, or participates as an *intervenor* or as *amicus curiae* is governed exclusively by the Solicitor General's determination that it is in the best interest of the United States to take such action. Further, such activity may vary widely from year to year, which limits the Office's ability to plan its workload.

The Office of the Solicitor General does not initiate any programs, but it is required to handle all appropriate Supreme Court cases and requests for appeal, amicus, or intervention authorization.

Internal Challenges. Prior FY performance measures indicate a gradual increase in the number of cases the Solicitor General either participated in and/or responded. The arrival of cases related to the challenges discussed above further predicts an ever increasing caseload.

6. Environmental Accountability

OSG has incorporated green purchasing and recycling into its core business processes and continues to look for new and creative ways to integrate environmental accountability into its day-to-day decision making and long-term planning processes.

II. Summary of Program Changes

N/A

III. Appropriations Language and Analysis of Appropriations Language

N/A

IV. Program Activity Justification

A. Federal Appellate Activity

Federal Appellate Activity	Perm. Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequestration	54	48	10,812
2014 Enacted	50	55	11,198
Adjustments to Base and Technical Adjustments	1	1	596
2015 Current Services	51	56	11,794
2015 Program Increases			
2015 Program Offsets	0	0	-102
2015 Request	51	56	11,692
Total Change 2014-2015	1	1	494

1. Program Description

The major function of the Solicitor General's Office is to supervise the handling of government litigation in the Supreme Court of the United States and in Federal appellate courts, to determine whether an amicus curiae brief will be filed by the government, and to approve intervention by the United States to defend the constitutionality of Acts of Congress.

The original Statutory Authorization Act of June 22, 1870, states: "There shall be in the Department of Justice an officer learned in the law, to assist the Attorney General in the performance of his duties to be called the Solicitor General." As stated in 28 CFR 0.20, the general functions of the Office are as follows: (1) conducting or assigning and supervising all Supreme Court cases, including appeals, petitions for and in opposition to *certiorari*, briefs and arguments; (2) determining whether, and to what extent, appeals will be taken by the government to all appellate courts (including petitions for rehearing *en banc* and petitions to such courts for the issuance of extraordinary writs); (3) determining whether a brief amicus curiae will be filed by the government, or whether the government will intervene, in any appellate court, or in any trial court in which the constitutionality of an Act of Congress is challenged; and (4) assisting the Attorney General and the Deputy Attorney General in the development of broad Department program policy.

This Office does not initiate any programs, have control of the Supreme Court litigation it is required to conduct, or determine the number of appeal and amicus authorizations it handles. Amicus filings often involve important constitutional or Federal statutory questions that will fundamentally affect the administration and enforcement of major Federal programs. Examples in recent Terms include cases presenting significant issues of criminal procedure (affecting the government's ability to succeed in prosecutions), as well as important issues under the civil rights laws (such as the Voting Rights Act and the Americans with Disabilities Act), the environmental laws (such as the Clean Water Act), and many others.

The following table provides a fiscal year snapshot of matters pending at the beginning of the Term of the Supreme Court, additional matters received, completed appellate determinations, certiorari determinations, miscellaneous recommendations, and oral arguments before the Supreme Court.

<i>FY</i>	<i>Supreme Court Term</i>	<i>Matters Pending</i>	<i>Addl. Matters Received</i>	<i>Appellate Determinations</i>	<i>Certiorari Determinations</i>	<i>Miscellaneous Recommendations</i>	<i>Oral Arguments</i>
13	2012	384	3,668	563	714	525	66
12	2011	458	3,728	614	686	553	58
11	2010	520	3,528	685	892	722	57
10	2009	517	3,959	667	94	628	57

The figures on determinations and recommendations provided in this document do not directly correspond with the figures provided on the Office's Workload Measurement Tables. Our Workload Measurement Tables track our workload by case; these figures track our workload by determination. Often, the Office of the Solicitor General will receive a request for authorization that includes more than one potential outcome: for example, the Solicitor General may receive a request for authorization for rehearing en banc, or, in the alternative, for a petition for a writ of certiorari. In that case, the Solicitor General may make two determinations; (1) no rehearing and (2) no certiorari. Our Workload Measurement Tables reflect that as a single request; here, we have provided a separate accounting for each determination. Additionally, the figures provided in this document under "miscellaneous requests" include requests for authorization of settlement, for stays, and for mandamus, while the figures on the Performance Measurement Tables do not include such requests.

The figure for oral argument participation reflects the number of oral arguments the Office presented to the Supreme Court as a party, *amicus curiae*, or intervener; it does not reflect the total number of underlying cases for each of those arguments.

2. Performance and Resource

TYPE/ STRATEGIC OBJECTIVE	FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)										
	54	10,812	54	10,812	55	11,198	1	494	56	11,692
PERFORMANCE										
Program Activity	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
	54	10,812	54	10,775	55	11,198	1	494	56	11,692
Performance Measure: Output	3750		3750		3246				3246	
Performance Measure: Efficiency										
Performance Measure: Outcome	1851		1851		1487				1487	

A. Definition of Terms or Explanations for Indicators:

Footnote 1: Because the work of the Office is primarily governed by the Supreme Court's schedule, the Office tracks its workload by Supreme Court Term. Fiscal years roughly correspond to Supreme Court Terms, which run from July of the Term year through June of the next year. Reference to fiscal years in this document will reflect information for the applicable Supreme Court Term. Accordingly, FY 2014 corresponds with the 2013 Supreme Court Term, FY 2013 corresponds with the 2012 Supreme Court Term, and so on. The Office of the Solicitor General handles Supreme Court matters on an ongoing basis. As a result, some matters will overlap from one fiscal year to the next, and they are included in the data for the term in which they most appropriately fit.

Footnote 2: Includes requests for authorizations as well as recommendations against appeal, intervention, or participation amicus curiae. This category does not include miscellaneous requests, such as requests for authorization of settlement, for stays, for mandamus, etc.

B. Data Validation and Verification.

The Office of the Solicitor General handles all aspects of the law—not just civil matters. The Office uses the Automated Docket System (ADS) to track the matters handled by its attorneys. Data are keyed by the Case Management staff. For Supreme Court matters, all data are verified by the Supervisor or her Assistant, and checked against Supreme Court Records. The Case Management System Supervisor executes daily statistical reports to ensure accurate tracking of both Supreme Court matters and requests for authorization to appeal, intervene, or participate as amicus curiae. Additionally, once a week, the Case Management System Supervisor distributes statistical reports on all Office matters to each attorney in the Office. The attorneys then review the reports to ensure accurate tracking of the matters for which they are responsible.

Issues Affecting OSC's Program Performance.

The Office of the Solicitor General does not initiate any programs or have control over the number of Supreme Court cases it is required to handle or the number of requests for appeal, amicus, or intervention authorizations it receives. In the vast majority of cases filed in the Supreme Court in which the United States is a party, a petition is filed by an adverse party and the United States is obliged to respond. Additionally, the Office does not control the number of cases in which the Supreme Court formally requests the Solicitor General to express the views of the United States. The number of cases in which the Solicitor General petitions the Supreme Court for review, acquiesces in a petition for a writ of certiorari filed by an adverse party, or participates as an intervenor or as amicus curiae is governed exclusively by the Solicitor General's determination that it is in the best interests of the United States to do so. Thus, the Solicitor General participates in 100% of the cases in which the United States is required to participate, as well as 100% of the cases in which the Solicitor General has determined that the interests of the United States require participation.

PERFORMANCE MEASURE TABLE

Decision Unit: 2.6 Protect the federal fisc and defend the interests of the United States.

Performance Report and Performance Plan Targets		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
		Actual	Actual	Actual	Actual	Target	Target	Target
Performance Measure	Cases in which the Solicitor General Participated	3811	3915	3517	3568	3750	3248	3248
Performance Measure	Requests to which the Solicitor General responded	2040	2004	2600	2587	1821	1487	1487
Performance Measure								
Efficiency Measure								
OUTCOME Measure								

N/A = Data unavailable

• Denotes inclusion in the DOJ Annual Performance Plan

2. Performance, Resources, and Strategies

The Office of the Solicitor General's only decision unit—Federal Appellate Activity—contributes to the Department's Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law. The decision unit's total resources fall under the Department's Strategic Objective 2.6 – Protect the federal fisc and defend the interests of the United States.

a. Performance Plan and Report for Outcomes

Because the work of the Office is primarily governed by the Supreme Court's schedule, the Office tracks its workload by Supreme Court Term. Fiscal years roughly correspond to Supreme Court Terms, which run from July of the Term year through June of the next year.

The first performance measure reflects "cases in which the Solicitor General participated". During the 2011 (FY 2012) Supreme Court Term, the Solicitor General participated in 3,566 cases and it is anticipated OSG will meet its target of 3,750 cases in the 2012 (FY 2013) Term.

The second performance measure reflects "Requests for determinations regarding appeal, *certiorari*, or other matters to which the Solicitor General responded". During the 2011 (FY 2012) Supreme Court Term, the office responded to 2,600 requests. It is anticipated OSG will meet its target of 1,851 cases within the allotted reporting period.

The Office of the Solicitor General does not initiate any programs, have control over the number of Supreme Court cases it is required to handle, or determine the number of requests for appeal, amicus, or intervention authorizations it receives. In the vast majority of cases filed in the Supreme Court in which the United States is a party, a petition is filed by an adverse party and the United States is obliged to respond in some way, either by filing a brief or (after review of the case) waiving the right to do so. Additionally, the Office does not control the number of cases in which the Supreme Court formally requests the Solicitor General to express the views of the United States. Thus, performance measures may vary widely from year to year which increases the likelihood that OSG's actual measures will also vary widely from projected goals. The number of cases in which the Solicitor General petitions the Supreme Court for review, acquiesces in a petition for a writ of *certiorari* filed by an adverse party, or participates as an intervenor or as amicus curiae is governed exclusively by the Solicitor General's determination that it is in the best interests of the United States to take such action.

b. Strategies to Accomplish Outcomes

To fulfill the Office of the Solicitor General's critical mission of representing the interests of the United States in the Supreme Court, the Office will devote all resources necessary to prevail in the Supreme Court. For FY 2015, OSG is requesting base funding of 51 positions, 56 FTE, and \$11,692,000 to accomplish its goals.

OSG has experienced an increase in several Court related activities. In addition, the OSG has faced a set of new expectations, and has been called upon to assume added responsibilities. OSG attorneys have briefed and argued particularly difficult and technical civil and civil rights cases in the 2012-2013 term. Major cases have included *Fisher v. University of Texas*, on affirmative action; *Shelby County v. Holder*, on the constitutionality of Section 5 of the Voting Rights Act;

Hollingsworth v. Perry, on whether the Equal Protection Clause prohibits California from defining marriage as the union of a man and a woman; *United States v. Windsor*, on the constitutionality of the Defense of Marriage Act; and *Association for Molecular Pathology v. Myriad Genetics, Inc.*, which asks whether human genes are patentable.

In the 2013-2014 term, again, difficult constitutional and statutory issues predominate in the major cases that OSG has been asked to handle. Included are major criminal cases such as *United States v. Wurie*, which asks whether the Fourth Amendment permits the police, without obtaining a warrant, to review the call log of a cell phone found on a person who has been lawfully arrested; cases involving constitutional limitations on federal authority such as *Bond v. United States*, which presents the question whether the Chemical Weapons Convention Implementation Act is a valid exercise of Congress's commerce and treaty powers; major environmental cases such as *Utility Air Regulatory Group v. EPA*, which challenges EPA's regulation of certain greenhouse gas emissions under the Clean Air Act; and other cases of note such as *McCutcheon v. Federal Election Commission*, which tests whether statutory limits on contributions to non-candidate national party committees are constitutional. Finally, the government's response to terrorism and economic distress will continue to place new demands on OSG, which it stands ready to meet.

c. Priority Goals

OSG's general goals for FY 2015 are as follows:

- Representing the interests of the United States in the Supreme Court.
- Devoting all resources necessary to prevail in the Supreme Court.

V. Program Increases by Item : N/A

VI. Program Offsets by Item

Item Name:	Administrative Functions Consolidation
Strategic Goal:	Objective 2.6 – Protect the federal fisc and defend the interests of the United States.
Strategic Objective:	
Budget Decision Unit(s):	Federal Appellate Activity
Organizational Program:	Office of the Solicitor General

Program Offset: Positions ___ Agt/Atty ___ 0 ___ FTE ___ Dollars -\$102,000

Description of Item

Program and administrative reductions to be identified once funds are appropriated.

Justification

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions and GSA rent, among others. The operations and services that will be reduced will be specified in spending plans after funds have been appropriated. Such reductions could include funds for travel, training, contracts, supplies, and other costs related to current operations.

Impact on Performance

Performance impact information is not yet available for this offset.

Funding**Base Funding**

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Continuing Resolution				FY 2015 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
0	0	0	0	0	0	0	0	0	0	0	-\$102

Personnel Offset Cost Summary

[Positions must be specified by Type, consistent with Exhibit I. Please delete unused rows.]

Type of Position/Series	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Clerical and Office Services (0300-0399)					
Paralegals / Other Law (0900-0999)					
Total Personnel					

Non-Personnel Offset Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Total Non-Personnel	0	0	-102	0	0

Total Offset for this Item

	Pos	Agt/ Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Current Services								
Offset	0	0	0	0	-102	-102	0	0
Grand Total								

A: Organizational Chart

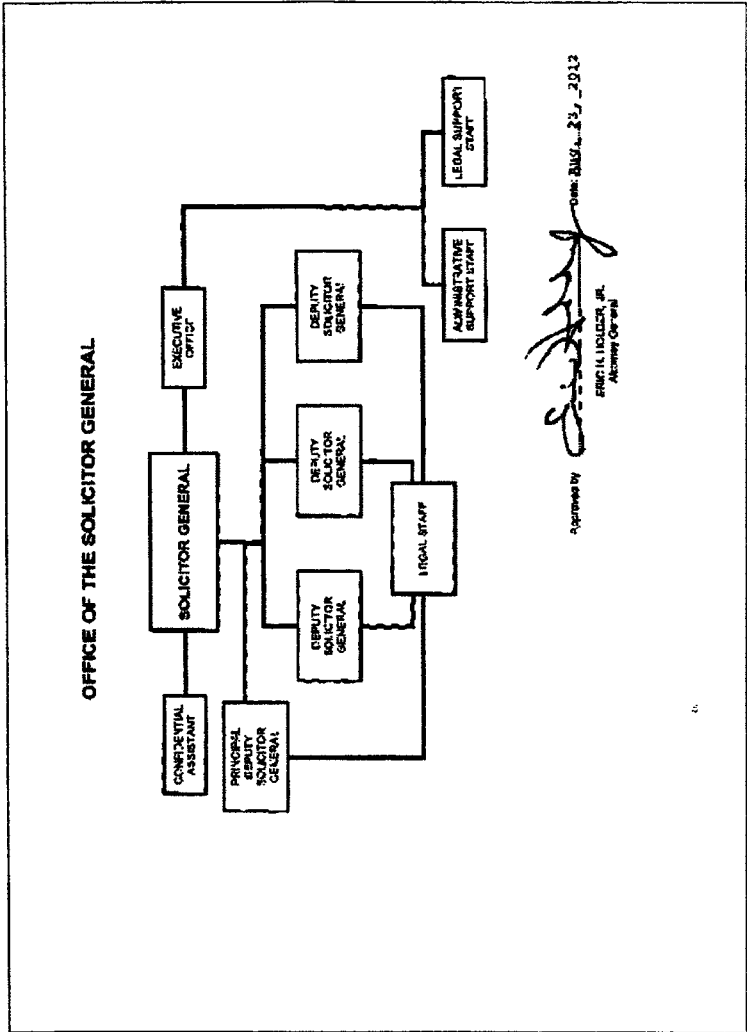


Exhibit A - Organizational Chart

B. Summary of Requirements

Summary of Requirements
Office of Legal Counsel
Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	FY 2016 Request FTE	Amount
2015 Enacted			
2015 Recissions (1.377% & 0.2%)	31	25	7,337
2015 Sequester Out			-164
Total 2015 Enacted (Recissions and Sequester)	31	25	6,793
2014 Enacted	2	2	7,400
Total 2014 Enacted	33	27	7,400
Base Adjustments			
Pay and Benefits	0	0	135
Domestic Rent and Facilities	0	0	207
Total Base Adjustments	0	0	342
2016 Current Services	33	27	7,742
2016 Total Request	33	27	7,742
2014 - 2016 Total Change	0	0	342

B. Summary of Requirements

Summary of Requirements
Office of Legal Counsel
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequencer			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Office of Legal Counsel	31	25	6,783	33	27	7,400	0	0	342	33	27	7,742
Total Direct	31	25	6,783	33	27	7,400	0	0	342	33	27	7,742
Balance Rescission			0						0			0
Total Direct with Rescission			0						0			0
Reimbursable FTE		0	6,783		0	7,400		0	342		0	7,742
Total Direct and Reimb. FTE		25			27			0			27	
Other FTE:												
LEAP		0			0			0			0	
Overtime		0			0			0			0	
Grand Total, FTE		25			27			0			27	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Office of Legal Counsel	0	0	0	0	0	0	33	27	7,742
Total Direct	0	0	0	0	0	0	33	27	7,742
Balance Rescission									
Total Direct with Rescission									
Reimbursable FTE		0	0		0	0		0	7,742
Total Direct and Reimb. FTE		0			0			0	
Other FTE:									
LEAP		0			0			0	
Overtime		0			0			0	
Grand Total, FTE		0			0			27	

FY 2015 Program Changes by Decision Unit
 Office of the Solicitor General
 Salaries and Expenses
 (Dollars in Thousands)

Program Offsets	Location of Description by Program Activity	Federal Appellate Activity				Total Offsets			
		Direct Pos.	Ag/L Atty.	Est. FTE	Amount	Direct Pos.	Ag/L Atty.	Est. FTE	Ambunt
Administrative Functions Consolidation	Page 12	0	0	0	-120	0	0	0	-120
Total Program Offsets		0	0	0	-120	0	0	0	-120

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective
 Office of the Solicitor General
 Salaries and Expenses
 (Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester		2014 Enacted		2015 Current Service		2015 Increases		2015 Offsets		2015 Total Request	
	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount
Goal 2 Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law												
2.6 Protect the federal fisc and defend the interests of the United States.	48	10,812	55	11,198	56	11,794	0	0	0	-102	56	11,692
	48	10,812	55	11,198	56	11,794	0	0	0	-102	56	11,692
TOTAL	48	10,812	55	11,198	56	11,794	0	0	0	-102	56	11,692

NOTE: Excludes Balance Rescission and/or Supplemental Appropriations.

Justifications for Technical and Base Adjustments

Office of the Solicitor General
Salaries and Expenses
(Dollars in Thousands)

Pay and Benefits	Direct Pos.	Estimate FTE	Amount
1 2015 Pay Rates: This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$53,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$33,000 for pay and \$15,000 for benefits.)	0	0	53
2 Annualization of 2014 Pay Rates: The pay amounts for the first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested \$15,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$13,000 for pay and \$5,000 for benefits).	0	0	15
3 FERS Disability/Law Enforcement Retirement Contribution: Effective October 1, 2014 (10/1/14), the Department of Justice will increase the contribution rates for FERS employees by 2.5% and 28.5% for law enforcement personnel (as from the current 25.5%, or an increase of 2.5%). The amount requested, \$65,000, represents the funds needed to cover this increase.	3	3	65
4 Base Pay Adjustment: The request provides a base pay adjustment for the Office of the Solicitor General for the cost of one attorney position permanently on detail (\$15,000 for pay and \$44,000 for benefits, totaling \$200,000).	1	1	200
5 Health Insurance: Effective January 2015, the component's contribution to Federal employees' health insurance increases by 3.5 percent. Applied against the 2014 estimate of \$351,000, the additional amount required is \$48,000.	0	0	48
6 Retirement: Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we predict that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$10,000 is necessary to meet our increased retirement obligations as a result of this conversion.	0	0	10
Subtotal Pay and Benefits			394
Domestic Rent and Facilities			
1 General Services Administration (GSA) Rent: GSA will continue to charge the Department of Justice for rent appropriate those charged to commercial tenants for equivalent space and related services. The Department of Justice has a total of \$202,000 in rent to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.	0	0	202
Subtotal Domestic Rent and Facilities			202
Subtotal, Other Adjustments			0
TOTAL DIRECT TECHNICAL AND BASE ADJUSTMENTS			596

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
Office of the Solicitor General
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted w/o Balance Recalculation ¹			Balance Recalculation			Sequester			Reprogramming/Transfers			Recovery/Refunds			2013 Actual		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount
Federal Appellate Activity	54	48	11,335	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Direct	54	48	11,335	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reimbursable FTE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Direct and Reimb. FTE	54	48	11,335	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other FTE:																		
LEAP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overline	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total FTE	54	48	11,335	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1506000000																		

¹ The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 18.77% and 0.2%

G. Crosswalk of 2014 Availability

Crosswalk of 2014 Availability
Office of the Solicitor General
Salaries and Expenses
(Dollars in thousands)

Program Activity	FY 2014 Enacted			Sequester		Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Amount		Direct Pos.	Estim. FTE	Amount	Amount		Amount		Direct Pos.	Estim. FTE	Amount
Federal Appellate Activity	50	55	11,198	0	0	0	0	0	0	0	0	0	0	50	55
Total Direct	50	55	11,198	0	0	0	0	0	0	0	0	0	0	50	55
Balance Rescission			0												
Total Direct with Rescission			11,198												11,198
Reimbursable FTE															
Total Direct and Reimb. FTE															
Other FTE:															
LEAP		0					0							0	
Overtime		0					0							0	
Grand Total, FTE		55					0							55	

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category
 Office of the Solicitor General
 Salaries and Expenses
 (Dollars in Thousands)

Category	2013 Enacted with Reversions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Clerical and Office Services (300-399)	15	0	14	0	0	0	0	14	0
Accounting and Budget (500-599)	1	0	1	0	0	0	0	1	0
Attorneys (900)	22	0	22	0	1	0	0	23	0
Paralegals / Other Law (900-999)	13	0	10	0	0	0	0	10	0
Information & Arts (1000-1099)	2	0	2	0	0	0	0	2	0
Information Technology Mgmt. (2210)	1	0	1	0	0	0	0	1	0
Total	64	0	50	0	1	0	0	51	0
Headquarters (Washington, D.C.)	54	0	50	0	1	0	0	51	0
U.S. Field	0	0	0	0	0	0	0	0	0
Foreign Field	0	0	0	0	0	0	0	0	0
Total	64	0	50	0	1	0	0	51	0

Exhibit I - Details of Permanent Positions by Category

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class

Office of the Solicitor General
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	41	4,898	48	5,324	51	5,727	3	403
11.3 Other than Full-Time Permanent	7	800	7	792	5	492	-2	-489
11.5 Other Personnel Compensation	0	0	0	0	0	0	0	0
Overtime	0	0	0	0	0	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	0	0	0	0	0	0	0
Total	48	5,746	55	6,382	56	6,224	1	142
Other Object Classes								
12.0 Personnel Benefits		1,613		1,700		1,849		51
21.0 Travel and Transportation of Persons		16		25		25		0
22.0 Transportation of Things		315		68		68		0
23.1 Rental Payments to GSA		1,383		1,342		1,646		304
23.2 Rental Payments to Others		93		94		94		-4
23.3 Communications, Utilities, and Miscellaneous Charges		78		80		83		3
24.0 Printing and Reproduction		274		284		294		10
25.1 Advisory and Assistance Services		0		207		214		7
25.2 Other Services from Non-Federal Sources		800		544		594		50
25.3 Other Goods and Services from Federal Sources		269		280		290		10
25.4 Operation and Maintenance of Facilities		3		0		0		0
25.6 Medical Care		5		5		5		0
25.7 Operation and Maintenance of Equipment		29		30		31		1
26.0 Supplies and Materials		124		125		130		5
31.0 Equipment		30		30		45		15
Total Obligations		10,776		11,198		11,692		484
Add - Unobligated End-of-Year, Expiring		36		0		0		0
Total Direct Requirements	0	10,812	0	11,198	0	11,692	0	484
Reimbursable FTE								
Full-Time Permanent	0	0	0	0	0	0	0	0
23.1 Rental Payments to GSA (Reimbursable)		0		0		0		0
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)		0		0		0		0

**Tax Division
United States Department of Justice**

FY 2015 Congressional Budget



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I. Overview

A. Introduction

The Tax Division has one purpose: to enforce the nation's tax laws fully, fairly, and consistently, through both criminal and civil litigation. To accomplish this, the Tax Division requests a total of 639 permanent positions (377 attorneys), 534 full-time equivalent (FTE) work years and \$109,171,000 for FY 2015. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

The United States engages with all Americans through our tax system. We ask our citizens, residents, and those who earn income in this country to report their confidential financial information annually and to self-assess and pay their tax liabilities. These tax collections then fund government services, from national defense to national parks. The United States, therefore, has an obligation to ensure fair and consistent enforcement of our tax laws. We owe each person and business complying with the tax laws a commitment to enforce the laws against those who do not comply. We also owe every taxpayer the assurance that our tax laws will be enforced on a consistent basis throughout the nation. Meeting these obligations is the Tax Division's central mission.

The Tax Division represents the United States in virtually all litigation – civil and criminal, trial and appellate – arising under the internal revenue laws, in all state and federal courts except the United States Tax Court. To assist the Internal Revenue Service (IRS or the Service) in effectively enforcing the tax laws, Tax Division litigators must support the Service's investigations and determinations in civil cases and also prosecute criminal violations of the revenue laws. Tax Division civil litigators enforce the Service's requests for information in ongoing examinations, and collect and defend tax assessments when the Service's examinations are complete. The Civil sections of the Tax Division have, on average, nearly 6,600 civil cases in process annually. In any given year, the Tax Division's civil appellate attorneys handle about 700 civil appeals, about half of which are from decisions of the Tax Court, where IRS attorneys represent the Commissioner. To help achieve uniformity in nationwide standards for criminal tax prosecutions, the Tax Division's criminal prosecutors authorize almost all grand jury investigations and prosecutions involving violations of the internal revenue laws. Alone or in conjunction with Assistant United States Attorneys, Tax Division prosecutors investigate and prosecute these crimes. The Division authorizes between 1,300 and 1,800 criminal tax investigations annually.

The Tax Division's litigation activities are an indispensable part of our Nation's tax system. The Division contributes to tax enforcement in many ways: by the immediate and long-term financial impact of its cases; by the salutary effect our civil and criminal litigation has on voluntary compliance with the tax laws; by ensuring fair and uniform enforcement of the tax laws; by defending IRS employees against charges arising from the conduct of their official duties; and by lending the financial-crimes expertise of our tax prosecutors to the enforcement of other laws with financial aspects.

1. **Financial Impact: Immediate as well as Long-Term.** The Division's work has an immediate financial impact on the Federal Treasury. From FY 2009 - FY 2013, the Tax Division's investment in attorneys has yielded a 14:1 payoff for the Federal Treasury. That is, taking into account the tax dollars collected and the tax refunds not paid as a result of our tax litigation, the Division's trial attorneys have returned \$14 for each dollar invested.

Return on Investment for Tax Division Attorneys

	2009	2010	2011	2012	2013
Collections in millions	\$261	\$566	\$112	\$292	\$235
Refund Suit Savings in millions*	\$668	\$714	\$440	\$1,139	\$977
Total in millions	\$929	\$1,280	\$552	\$1,431	\$1,212
Attorney FTE	349	394	389	373	356
Dollars collected, refunds saved per attorney FTE	\$ 2,661,891	\$ 3,248,731	\$ 1,419,023	\$ 3,836,461	\$ 3,404,494
Cost					
Return on Investment per Attorney FTE	14:1	16:1	7:1	17:1	15:1
5 year Average	14:1				
4 year Average	14:1				
*Includes only amounts involved in litigation completed during each fiscal year					

Yet, significant as these dollars are, they pale in comparison to the long-term financial impact of the Division's work. The Division is currently defending refund suits that collectively involve over \$9.6 billion dollars.¹ This amount measures only the amount involved in the lawsuits themselves. It does not include the amounts at issue with the same taxpayers for other years or the amounts at issue with other taxpayers who will be bound by the outcome of the litigation. Decisions in the Division's cases may reduce the need for future administrative and judicial tax proceedings, by creating binding precedents that settle questions of law that govern millions of taxpayers. Moreover, millions more dollars are saved each year because the Division successfully defends the Government against many other tax-related suits brought by taxpayers and third parties.

2. **Improving Voluntary Compliance.** The Tax Division's success rate in its litigation – more than 90% – has an enormous effect on voluntary tax compliance.² By law, the IRS cannot make public the fact of an IRS audit, or its result. By contrast, the Tax Division's important tax litigation victories receive wide media coverage, leading to a significant multiplier effect on voluntary compliance.³ Efforts of the IRS and the Tax Division are having a positive effect on voluntary compliance. According to the most recent survey by the IRS Oversight Board, 87 percent of those

¹ See IRS Data Books 2012, <http://www.irs.gov/uac/SOI-Tax-Stats-Data-Book>, Table 27.

² A widely regarded study concluded that the marginal indirect revenue-to-cost ratio of a criminal conviction is more than 16 to 1. While no comparable study of civil litigation exists, the same research suggests that IRS civil audits – the results of which are not publicly disclosed – have an indirect effect on revenue that is more than 10 times the adjustments proposed in those audits. Alan H. Plumley, *The Determinants of Individual Income Tax Compliance*, pp. 35, 40, Internal Revenue Service Publication 1916 (1996).

³ “The IRS ... found that taxpayers who heard about IRS audit activity via the media [rather than through word of mouth] were less likely to cheat...” Leandra Lederman, *The Interplay Between Norms and Compliance*, 64 Ohio. St. L. J. 1453, 1494-95 (2003), quoting Robert M. Melia, *Is the Pen Mightier than the Audit?*, 34 Tax Notes 1309, 1310 (1987).

surveyed think it is “not at all” acceptable to cheat on taxes.⁴ The public attitude that it is not at all acceptable to cheat on your income taxes increased between 2011 and 2012 from 84 percent to 87 percent, while tolerance for tax cheating dropped from 14 percent to 11 percent—one of its lowest levels ever recorded in the Board’s survey. Also, the Commissioner’s Offshore Voluntary Disclosure Initiatives, operating alongside the Division’s ongoing criminal and civil enforcement actions concerning unreported offshore accounts, have resulted in an unprecedented number of taxpayers – over 40,000 since 2009 – attempting to “return to the fold” by paying back taxes, interest and penalties totaling over \$6 billion dollars. As an integral part of the IRS’s enforcement efforts, the Tax Division is partially responsible for the IRS’s ability to collect over \$2 trillion in taxes each year.⁵

3. ***Fair and Uniform Enforcement of Tax Law.*** The Tax Division plays a major role in assuring the public that the tax system is enforced uniformly and fairly. Because the Division independently reviews the merits of each case the Internal Revenue Service requests be brought or defended, it is able to ensure that the Government’s litigating positions are consistent with applicable law and policy. An observation about the Division made nearly 70 years ago still rings true today: “[T]he Department of Justice, as the Government’s chief law office, is in a position to exercise a more judicial and judicious judgment... With taxes forming a heavy and constant burden it is essential that there be this leavening influence in tax litigation. Next to the constant availability of the courts, the existence of the Division is the greatest mainstay for the voluntary character of our tax system.”⁶
4. ***Defending IRS Officials and the United States against Damage Suits.*** The Tax Division effectively defends IRS agents and officers, and the Government itself, against unmeritorious damage suits. Absent representation of the quality provided by the Division, these suits could cripple or seriously impair effective tax collection and enforcement.
5. ***Expertise in Complex Financial Litigation.*** The Division’s investigations, prosecutions, and civil trials often involve complex financial transactions and large numbers of documents. The Division is able to use the unique expertise its attorneys have developed in litigating complex tax cases to assist in other important areas of law enforcement, including:
 - fighting terrorism as part of the Joint Terrorism Task Force, by investigating and prosecuting people and organizations that funnel money to terrorists;
 - combating financial fraud as part of the President’s Financial Fraud Enforcement Task Force;
 - reducing drug trafficking as part of the Organized Crime and Drug Enforcement Task Force (OCDETF); and investigating public corruption by working on prosecution teams with attorneys from various United States Attorney’s Offices and the Department’s Criminal Division.

⁴ See IRS Oversight Board 2012 Taxpayer Attitude Survey, February, 2013, <http://www.treas.gov/irsob/board-reports.shtml>.

⁵ See Internal Revenue Service Data Book, 2012, Table 1, <http://www.irs.gov/uac/SOI-Tax-Stats-IRS-Data-Book>.

⁶ Lucius A. Buck, *Federal Tax Litigation and the Tax Division of the Department of Justice*, 27 Va. L. Rev. 873, 888 (1940).

B. Full Program Costs

The FY 2015 budget request assumes 72% of the Division's budget and expenditures can be attributed to its Civil Tax Litigation and Appeals and 28% percent to Criminal Tax Prosecution and Appeals. This budget request incorporates all costs, including mission costs related to cases and matters, mission costs related to oversight and policy, and overhead.

C. Environmental Accountability

The Tax Division has in place existing policies to incorporate environmental accountability in its day-to-day operations. These include green purchasing policies such as: (i) mandating the purchase of recycled paper products (copier/printer paper, paper towels) and (ii) training and written guidance on green purchasing for those employees responsible for purchasing office supplies. In addition, the Tax Division reduces waste and environmental impact by: (i) setting the default on printers to two-sided printing; (ii) placing recycling bins for paper, glass, aluminum, and plastic in central locations and providing paper recycling containers for individual employee use; (iii) recycling used printer cartridges; (iv) promoting distribution of documents in electronic format only; (v) promoting scanning instead of photocopying; and (vi) recycling Blackberries, cell phones, laptops, computers and computer battery packs. The Tax Division has an environmentally sound destruction method in which sensitive materials that previously were burned are now shredded and recycled.

The Division continues to work to reduce the environmental impact of its buildings. The Division is working with each building's Property Manager as they pursue LEED Certifications for their facilities through the General Services Administration and U.S. Green Building Counsel. On May 25, 2012, the Patrick Henry Building earned a Prestigious "LEED Silver Certification. Tax-occupied space in the Judiciary Center Building has been retrofitted with energy-efficient light fixtures and light bulbs, and motion sensors have replaced light switches throughout the Patrick Henry Building. The Division works with construction and maintenance contractors to use green materials whenever possible.

D. Performance Challenges

The Tax Division faces two serious and immediate challenges to the accomplishment of its mission.

External – Reducing the Tax Gap amid Increasing Globalization

The IRS collects more than \$2.27 trillion annually. More than \$2.21 trillion (or 97% of total collections) results from taxpayers' voluntary compliance with the tax law; the remainder, \$65 billion, comes from enforcement activity. The IRS estimates that the annual tax gap – the difference between taxes owed and taxes paid voluntarily and timely – is more than \$450 billion, an increase of \$105 billion over the last estimate. The new tax gap estimate represents the first full update of the report since the last review in 2007. The IRS Oversight Board cited "Reducing the Tax Gap" as the "most serious problem facing tax administration today."⁷ This problem is exacerbated by the vast increase in financial globalization, which has expanded the opportunities for assets and income to be easily hidden offshore.

⁷ IRS Oversight Board, FY 2009 Budget Recommendation, Special Report, March 2008.

Reducing the tax gap will require increased enforcement. The challenge is to narrow that gap in a manner that not only collects the revenue due, but also assures the public that enforcement actions are vigorous, fair, and uniform.

Internal – Retaining an Experienced Workforce to Handle Complex Litigation

The Tax Division's workload is directly related to IRS enforcement efforts. Historically, an increase in IRS enforcement activity leads to increased Division workload, with a lag time of about two years. Moreover, it is expected that the Division's case mix – both civil and criminal – will continue to become increasingly complex, as the IRS focuses its enforcement efforts on offshore issues and on taxpayer populations with more sophisticated tax issues, such as flow-through entities, high-income individuals, and corporations.

It remains a challenge for the Tax Division to recruit, train and retain attorneys who can serve effectively as lead counsel in our most complex cases. The existing caseload, coupled with increased IRS enforcement, will likely lead to an increase in the numbers of these highly complex cases over the next three years.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Miscellaneous Program and Administrative Reductions	Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.	0	0	-\$353	26

III. Appropriations Language and Analysis of Appropriations Language

The Tax Division is not proposing new appropriations language for the FY 2015 President's Budget.

IV. Decision Unit Justification

<i>Tax Division</i>	Direct Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequestration	639	534	98,834
2014 Enacted	639	534	104,470
Adjustments to Base and Technical Adjustments	0	0	5,054
2015 Current Services	639	534	109,524
2015 Program Offsets	0	0	-353
2015 Request	0	0	109,171
Total Change 2014-2015	0	0	4,701

1. PROGRAM DESCRIPTION

a) CIVIL TAX LITIGATION

The Tax Division is responsible for litigating all matters arising under the internal revenue laws in all state and federal trial courts, except the Tax Court, and in appeals from all trial courts, including the Tax Court. Tax Division trial attorneys *defend* the United States in suits brought against it relating to the tax laws, including tax shelter cases, refund suits, and other suits seeking monetary or other relief. Tax Division trial attorneys also *bring* suits that the IRS has requested, including suits to stop tax scam promoters and preparers; suits to collect unpaid taxes; and suits to allow the IRS to obtain information needed for tax enforcement. Tax Division civil appellate attorneys represent the United States in all appeals from trial court decisions.

Halting the Spread of Tax Shelters

The proliferation of abusive tax shelters is a significant problem confronting our tax system. Abusive tax shelters for large corporations and high-income individuals cost the government billions of dollars annually, according to Treasury Department estimates.

Tax shelter litigation is among the most sophisticated and important litigation handled by the Tax Division. Tax shelters are designed to generate large purported tax benefits using multiple entities and complex financial transactions that lack a real business purpose or any real economic substance. Shelter cases often involve well-disguised transactions and tax-indifferent parties located in other countries, making case development and document discovery difficult and expensive. Successfully defending in federal trial and appellate courts the IRS's disallowance of sham tax benefits is critical to the government's efforts to combat abusive tax shelters. Because tax shelters typically involve enormous sums of money and often attract significant media attention, a coordinated and effective effort is essential to prevent substantial losses to the Treasury and deter future use of such tax shelters by other taxpayers.

The Tax Division plays a critical role in the government's efforts to combat abusive tax shelters. Defense of these cases involves more than a billion dollars in tax revenue, and affects billions more owed by other taxpayers. For example, the United States recently prevailed in another foreign-tax-credit-generator shelter, involving BB&T Corporation's claim for more than \$660 million in tax benefits based on a sham transaction known as Structured Trust Advantaged Repackaged Securities (STARS). *Salem Financial, Inc. v. United States* (Fed. Cl. 2013). The court ruled that BB&T was not entitled to \$660 million in tax benefits and also imposed \$112 million in penalties. Barclays Bank PLC and KPMG LLP jointly developed and marketed the STARS transaction to subvert the foreign tax credit rules and generate illicit tax benefits to be shared among the transaction's participants. In another significant case, The Dow Chemical Company had engaged in a transaction in which it had claimed approximately \$1 billion in tax deductions that were generated by a partnership known as Chemtech. *Chemtech Royalty Assoc. LLP v. United States* (M.D. La. 2013). Dow sought to obtain deductions for making royalty payments to itself, and depreciation deductions for a chemical plant that it had already depreciated. In February 2013, the court determined that Dow's transactions lacked economic substance and that the Chemtech partnership should be disregarded because it had no purpose other than to create tax benefits. The court also imposed penalties. The Tax Division also prevailed in thirteen consolidated cases involving "business protection insurance." *Salty Brine I, Ltd. v. United States* (N.D. Tex. 2013). The court held that the "premiums" paid to purchase business protection insurance did not qualify for deduction as

business expenses and were in fact nothing more than transfers to offshore life insurance companies for estate planning purposes.

In December 2013, in a case involving a COBRA shelter, the Supreme Court reversed an adverse Fifth Circuit decision and held that the 40% gross valuation misstatement penalty is applicable when a transaction is disregarded in its entirety for lack of economic substance. *United States v. Woods* (Sup. Ct. 2013). The decision addressed a thorny TEFRA jurisdictional issue and held that the Tax Court had jurisdiction to determine the applicability of the 40% penalty in a partnership-level proceeding, distinguishing between the “applicability” determination and the ultimate imposition of the penalty on partners. The *Woods* decision has favorably impacted several cases pending in various appellate courts including the recent favorable decision by the Fifth Circuit in *NPR Investments v. United States*. In 1998, attorneys Nix Patterson and Roach sued Big Tobacco and won \$600 million in attorneys’ fees, to be paid over a period of time, as well as \$68 million in connection with tobacco litigation in other states. With this money in hand, the partners sought ways to shelter themselves from tax liability, and formed a partnership, NPR Investments, to invest in foreign currency. An audit ultimately found, however, that the investment scheme had virtually no way for the partners to make a profit. Rather, it generated \$65 million in artificial losses for tax-deduction purposes as a “well-recognized ‘abusive’ tax shelter.” The 5th Circuit found that the partnership and partners must pay penalties for underpaying the Internal Revenue Service through this investment scheme and, pursuant to the Supreme Court’s recent decision in *Woods*, NPR was subject to a 40 percent gross valuation misstatement penalty. The court also determined that the individual partners must pay a “20 percent penalty for the portion of underpayment of tax that is attributable to any substantial understatement of income tax.”

Finally, the Tax Division prevailed in two cases involving “sale-in/lease-out” and “lease-in/lease-out” (SILO/LILO) tax shelters: *UnionBanCal Corp. & Subsidiaries v. United States* (Fed. Cl.) and *Consolidated Edison Co. v. United States* (Fed. Cir. 2013).⁸ In October 2013, the Court of Federal Claims issued a favorable opinion in *UnionBanCal* concerning a LILO transaction involving a public arena in Anaheim, California. The taxpayer had sought a refund of approximately \$91 million. In *Consolidated Edison*, the Federal Circuit unanimously reversed the lone trial court decision that had upheld the purported tax benefits of the LILO shelter. In 2008, the United States prevailed in several LILO shelter cases: *BB&T v. United States* (4th Cir. 2008), *Fifth Third Bank v. United States* (S.D. Ohio 2008), and *AWG Leasing Trust v. United States* (N.D. Ohio 2008). After those victories, the IRS announced a settlement initiative, with government-favorable terms, that resolved approximately 80% of the IRS’s inventory of SILO/LILO cases. The Division has since continued to win cases involving taxpayers who chose not to settle, including *Wells Fargo v. United States* (Fed. Cir. 2011), *Altria Group v. United States* (2d Cir. 2011), and the two *Consolidated Edison Co.* and *UnionBanCal* referenced above.

The Tax Division anticipates that tax shelters will continue to be contested in the federal district courts and in the Court of Federal Claims over the next several years.

Shutting Down Tax Scams, Shelter Promoters, and Fraudulent Return Preparers

The Tax Division has a successful injunction program that shuts down tax-fraud promoters and fraudulent tax-return preparers. Some of the cases involve parallel criminal proceedings. These promoters range from tax defiers selling frivolous packages that falsely promise to eliminate customers’

⁸ Sale-in/lease-out (SILO) and lease-in/lease-out (LILO) transactions involve either a lease or a sale of assets, and then a lease-back of those assets, from a tax-indifferent entity (e.g., a foreign entity or a U.S. non-profit) to a U.S. taxpayer, with no change in the use of the assets, but generating immediate tax benefits for the U.S. taxpayer.

income tax entirely, to lawyers and accountants selling sophisticated, complex tax shelters to wealthy business owners. Since the year 2000, the Tax Division has obtained injunctions against more than 500 tax-fraud promoters and unscrupulous tax-return preparers.

In 2013, the Tax Division concluded civil actions resulting in permanent injunctions against ITS Financial LLC, the parent company of the Instant Tax Service franchise located in Dayton, Ohio, and against Instant Tax franchises in Las Vegas, Kansas City, Los Angeles, and Indianapolis. Instant Tax Service claimed to be the fourth-largest tax-preparation firm in the nation. In entering the permanent injunction in November 2013 ordering ITS Financial LLC to cease operating, the court found, "defendants' harm to the public is extensive and egregious, indeed appalling," and "especially so given the nature of Instant Tax Service's core customer - the working poor - who are particularly vulnerable to [the] Defendants' fraudulent practices." *United States v. ITS Financial, LLC et al.* (S.D. Ohio 2013). Similarly, in September 2013 the Tax Division obtained injunctions that permanently barred the owners as well as a former manager of Mo' Money Taxes, the Memphis-based tax-preparation chain that at one time operated as many as 300 offices in 18 states, from preparing tax returns for others and owning or operating a tax return preparation business. *United States v. Granberry et al.* (W.D. Tenn. 2013). Earlier, in March 2013 a federal district court in Tennessee permanently shut down a Nashville, Tennessee licensee of Memphis-based Mo' Money Taxes LLC and MoneyCo USA LLC. *United States v. Fields et al.* (M.D. Tenn. 2013). We have obtained permanent injunctions against more than 60 other return preparers in Indiana, Maryland, Missouri, Texas, Georgia, South Carolina, Florida, and California, who were engaging in fraudulent practices.

The Tax Division also obtained injunctions against a number of fraudulent tax-scheme promoters. For example, in October 2013, a federal court permanently barred Tobias Elsass and his companies from preparing federal tax returns, promoting the availability of theft loss deductions, or engaging in any other tax-related business. *United States v. Elsass, et al.* (S.D. Ohio 2013). The court found that Elsass and Fraud Recovery Group promoted a nationwide scheme falsely informing their customers that they were entitled to claim large theft loss tax deductions, and then preparing the tax returns that improperly claimed such deductions. The court stated "there can be no doubt that the collective transgressions represent concerted and conscious attempts to game the Nation's income tax system not necessarily for the benefit of FRG's customers, but for the profit of Elsass himself." At the Tax Division's urging, federal courts also enjoined a real estate appraiser who allegedly inflated easement values on historic properties to help customers claim millions in improper deductions (*United States v. Ehrmann, et al.* (N.D. Ohio)), and a Chicago lawyer from promoting tax fraud schemes and from preparing various types of tax returns for individuals, estates and trusts, partnerships or corporations to help facilitate the schemes (*United States v. Stern* (N.D. Ill. 2013)).

The schemes the Division has enjoined during the past ten years cost the Federal Treasury billions in lost revenues and placed an enormous administrative burden on the IRS. If permitted to continue unchecked, these schemes would undermine public confidence in the integrity of our tax system, and require the IRS to devote substantial resources to detecting, correcting, and collecting the resulting unpaid taxes.

The Tax Division continues to encourage the Internal Revenue Service to attack these schemes at their source, by targeting and investigating the promoters before they attract more customers and require more IRS examination and collection activity. Division employees have helped train hundreds of Internal Revenue Service agents and lawyers about developing injunction and penalty cases against tax scam promoters.

Injunctions to stop pyramiding of federal employment taxes

In addition to shutting down fraudulent return preparers and abusive tax scams, the Tax Division also brings injunction actions to stop employers who are “pyramiding” their federal employment tax liabilities. Employers are responsible for employment taxes, some of which are withheld from the employee’s wages and paid over to the government, and others that are the direct obligation of the employer to pay. When employers fail to pay these employment taxes for many quarters, interest and penalties begin to accrue, which can result in “pyramiding” – tax liabilities accruing at a rate that makes it unlikely that the employer will be able to bring its accounts current. The unpaid balance can reach several billion dollars. When the IRS is unable to bring compliance, the Tax Division brings injunction actions to compel employers to pay employment taxes. Such actions help to keep employers on track with their tax obligations, and ensure that taxes withheld from employees’ wages make their way to the Treasury and are not diverted for other purposes.

Assisting with IRS Information Collection and Examinations

Individuals or businesses sometimes seek to thwart an IRS investigation by refusing to cooperate with an IRS administrative summons requesting information. When that happens, the IRS asks the Tax Division to bring suit in federal court seeking a court order to compel compliance with the summons. These judicial proceedings afford the government the ability to obtain information, while also providing important procedural and substantive rights to those affected by the summons. The Division anticipates more sensitive and complicated summons matters, including summons cases related to offshore banking activities of U.S. taxpayers, as well as summons requests made by foreign tax authorities pursuant to treaty-based information exchange agreements.

The IRS is increasingly attempting to obtain information about United States persons who maintain undeclared foreign accounts. In 2013 the district court in the Southern District of New York authorized three John Doe summonses aimed at U.S. taxpayers who hold or held interests in offshore financial accounts at Wegelin & Co., the oldest bank in Switzerland, Zurcher Kantonalbank, and The Bank of N.T. Butterfield & Son Limited. *In re Tax Liabilities of John Does*. (S.D. N.Y. 2013). The Division also obtained an order from district court in the Northern District of California authorizing the IRS to summon information from Canadian Imperial Bank of Commerce FirstCaribbean International Bank. *In re John Does (CIBC FirstCaribbean International Bank)* (N.D. Calif.). These John Doe summonses, and the information they provide, have an immediate and direct effect in bringing taxpayers into compliance who were trying to evade taxation in the United States, as well as assure people who pay their taxes that the government is pursuing those who do not. As one commentator noted, although the Foreign Account Tax Compliance Act (FATCA) is in the news frequently as the cause of global bank transparency, in reality, “bank secrecy was really broken by the John Doe summonses.”

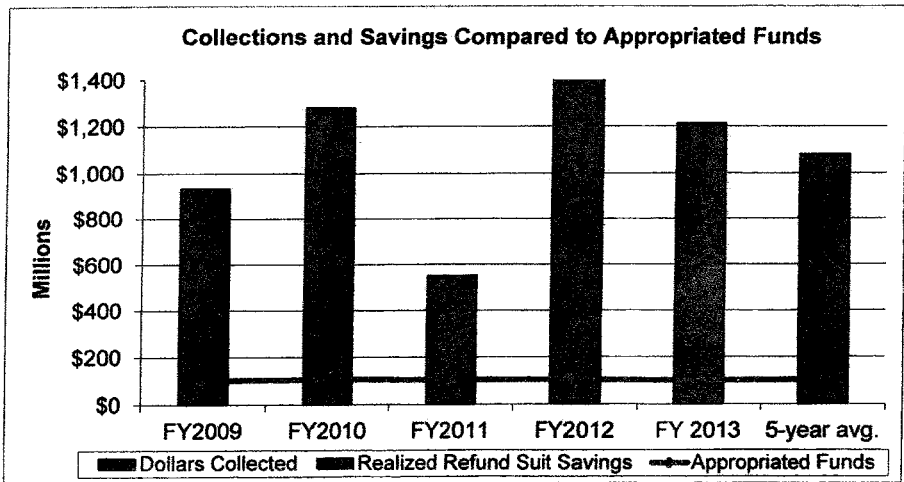
The Tax Division has also obtained authorization from numerous district courts to serve John Doe Summonses on U.S. financial institutions seeking information requested by United States’ treaty partners. For example, we filed ten petitions seeking authorization to serve John Doe summonses on nineteen U.S. financial institutions seeking information requested by Norway pursuant to the United States/Norway Convention. *In the Matter of the Tax Liabilities of John Doe, Norwegian Taxpayer*. The district court also recently denied a petition to quash IRS summonses issued to two banks under a treaty request from India. *Katra v. United States* (N.D. Ill.) The Tax Division’s assistance in these types of cases is essential to continuing cooperation with our treaty partners in the global effort to combat tax evasion.

The Tax Division's summons enforcement work in the past few years has been very effective. The Division enforced summonses aimed at identifying high-income taxpayers who were "playing the audit lottery." By pursuing John Doe summonses, the Tax Division is able to secure the information needed to conduct proper taxpayer examinations, and to defend IRS exam determinations in court proceedings. The Division's work in the area of summons enforcement is vital to tax compliance.

Collecting Unpaid Taxes

The Tax Division contributes to closing the tax gap through its civil litigation to collect tax debts. The focus and goal of this litigation is to enforce the tax laws and collect taxes that would otherwise go unpaid. Collection suits have a direct and positive effect on the Treasury. The Division typically collects more each year than its entire budget, as illustrated by the following chart. Given that the IRS only refers to the Tax Division tax debts that the IRS has been unable to collect through administrative means, for example, because ownership of assets has been transferred away from the taxpayer through fraudulent conveyances, title is clouded due to the presence of alter-ego or nominee title holders, or assets are subject to competing lien interests that present complex questions at the intersection of state and federal law, the Division's efforts represent a considerable return on investment in collecting the debts owed by the most recalcitrant taxpayers.

In addition to collection cases, the Tax Division also brings affirmative litigation to challenge the discharge of tax debts in bankruptcy proceedings. The bankruptcy laws provide exceptions to discharge where a fraudulent return has been made or where a taxpayer has acted to evade or defeat the assessment or collection of tax. Where acts of fraud or evasion are present, the Division works to ensure that unscrupulous taxpayers will not be allowed to avoid their tax obligations through bankruptcy filings.



While the direct return alone is impressive, the Division's collection litigation also brings substantial indirect benefits. It assures honest taxpayers that those who engage in illegal activity will suffer consequences, and boosts voluntary compliance by providing a deterrent to potential scofflaws.

Defending the United States

Tax cases filed against the United States comprise nearly 70% of the Division's caseload, both in the number of cases and the number of attorney work hours each year. The Tax Division has no choice but to defend these lawsuits, which include requests for refund of taxes, challenges to final partnership administrative adjustments (FPAA's) issued by the IRS, challenges to federal tax liens, petitions to quash summonses, objections to tax claims in bankruptcy, claims of unauthorized disclosure, and allegations of wrongdoing by IRS agents. The Division's representation of the government saves the Treasury hundreds of millions of dollars annually by retaining money that taxpayers seek to have refunded and by ensuring that spurious damages claims are denied. As of September 30, 2013, the Division was defending tax refund cases worth approximately \$9.5 billion to the Federal Treasury.⁹

Many of these refund suits, like the sophisticated tax shelter cases described earlier, involve issues that affect many taxpayers and involve large sums. For example, the Tax Division prevailed in a case involving a utilities' attempt to accelerate \$1.7 billion in cost basis and other deductions based on future decommissioning cost liabilities. *AmerGen v. United States* (Fed. Cl.). AmerGen purchased three plants in 1999 and 2000, and assumed the liability for decommissioning them in the future according to Nuclear Regulatory Commission rules. (NRC allows up to 60 years for decommissioning.) AmerGen estimated the cost to meet that liability to be \$1.7 billion (in 1999 and 2000 dollars). AmerGen sought to add that estimate to its cost basis in the plants as of the acquisition dates, and take additional depreciation and goodwill amortization deductions based on that inflated basis. The court ruled in our favor and found that AmerGen could not add \$1.7 billion of estimated future decommissioning costs to the cost basis of the three nuclear power plants.

The Tax Division has also litigated the significant question of the tax impact of insurance company demutualization. Demutualization is a process by which a mutual insurance company converts to a stock company. In the late 1990s and early 2000s, more than 30 mutual insurance companies converted into stock companies through demutualization, raising tax issues for their more than 30 million shareholders who faced the amount of gain they needed to recognize from the demutualization. The government did not prevail in the first case decided because the court applied the open transaction doctrine in *Fisher v. United States*, 82 Fed. Cl. 780 (Fed. Cl. 2008). And, after *Fisher* was decided, numerous taxpayers filed refund claims with untold millions at issue. Shortly thereafter, another taxpayer filed a refund action in the United States District Court for the District of Arizona related to taxes paid on the sale of stock received in the demutualization of five insurance companies, and in 2013 the United States District Court for the District of Arizona rejected the analysis of *Fisher* and held that the open-transaction doctrine did not apply to determine the basis of stock received by taxpayers in the demutualization of insurance companies. *Dorrance v. United States* (D. Ariz. 2013). In *Reuben v. United States* (C.D. Cal. 2013), the court granted summary judgment in favor of the United States and found that the open transaction doctrine did not apply in determining the basis of stock received in an insurance company demutualization and that plaintiff failed to meet his burden that insurance premium payments were attributable to membership rights. As a result, the court determined that plaintiff had zero basis in the shares.

⁹ See IRS Tax Stats – 2013 Data Book.

The insurance company demutualization litigation is an example of the Division's work to both make the law clear for taxpayers, as well as protect the federal fisc. Hundreds of millions of dollars have been protected through the Division's work.

Civil Appellate Cases

The Tax Division's appellate attorneys represent the United States in all appeals involving federal tax statutes in the United States courts of appeals and their state government equivalents (except for appeals from the Southern District of New York). The Division's appellate attorneys also assist the Solicitor General of the United States by preparing initial drafts of pleadings and briefs in tax cases filed in the Supreme Court. The Division likewise closely reviews all adverse decisions entered by the lower courts in tax cases to determine whether the government should appeal, and prepares a recommendation to the Solicitor General. The appellate section generally recommends appeal only in those cases where there is a substantial likelihood the government will ultimately prevail or where an important principle is at stake. Careful review of these cases not only ensures that Department resources are spent wisely on only meritorious appeals, but also advances the Tax Division's mission of promoting the fair and correct development, and uniform enforcement of the federal tax laws.

From 2009 through 2013, the Division's Appellate Section won (in whole or in part) over 94% of taxpayer appeals. Some of the more important recent appellate victories have been in tax shelter cases. In *Scott Blum v. Commissioner* (10th Cir.), for example, the Government prevailed on appeal in which the taxpayer claimed a \$45 million loss generated by an abusive tax shelter. In *WFC Holdings Corp. v. United States* (8th Cir. 2013), Wells Fargo, utilizing a contingent-liability tax shelter promoted by KPMG, (i) created high-basis/low-value stock by transferring 21 "underwater" leases with an expected \$430 million liability from one subsidiary to a second subsidiary, along with an offsetting asset, in exchange for the second subsidiary's stock, and then (ii) sold the stock to Lehman Brothers, recognizing a \$423 million loss on the stock sale. The Eighth Circuit affirmed that the loss-generating transaction satisfied the literal terms of the corporate-basis provisions of the Code, but lacked economic substance.

CRIMINAL PROSECUTIONS AND APPEALS

The Tax Division authorizes, and either conducts or supervises almost all prosecutions arising under the federal tax laws.¹⁰ The Division's twin goals are to prosecute criminal tax violations and to promote a uniform nationwide approach to criminal tax enforcement. In many cases, the Tax Division receives requests from the IRS to prosecute tax violations after the IRS has investigated them administratively. In other cases, the IRS asks the Tax Division to authorize grand jury investigations to determine whether tax crimes have occurred. Tax Division prosecutors review, analyze, and evaluate these referrals to assure that uniform standards of prosecution are employed and that criminal tax violations warranting prosecution are prosecuted. After the Division authorizes tax charges, the cases are handled either by a United States Attorney's Office (USAO) or, in complex or multi-jurisdictional cases, or cases in which the USAO is recused or requests assistance, by the Tax Division's experienced prosecutors. In addition to their substantial litigation caseloads and review work, Tax Division prosecutors also conduct training seminars for IRS criminal investigators and Assistant U.S. Attorneys and often provide advice to other federal law enforcement personnel, including the DEA and FBI.

¹⁰ The Tax Division does not review or supervise most excise tax cases, which are the responsibility of the Criminal Division.

The Tax Division's criminal workload has grown and the sophistication of criminal cases has increased steadily over the past few years. A greater proportion of cases now involve high net-worth taxpayers and tax professionals who sell and implement complex tax products. During FY 2013, Division prosecutors obtained 125 indictments and 107 convictions.

The Tax Division's criminal trial attorneys investigate and prosecute individuals and entities that attempt to evade taxes, willfully fail to file returns, submit false tax forms, steal identities for use in tax refund schemes, or otherwise violate the federal tax laws. They also investigate and prosecute tax violations along with other associated criminal conduct including securities fraud, bank fraud, bankruptcy fraud, health care fraud, organized crime, public corruption, mortgage fraud, and narcotics trafficking. In addition, Tax Division attorneys investigate and prosecute domestic tax crimes involving international conduct, such as the illegal use of offshore trusts and foreign bank accounts to conceal taxable income and evade taxes. They also conduct terrorism-related and Organized Crime and Drug Enforcement Task Force (OCDETF) criminal investigations and prosecute organizers of internet scams.

The Tax Division's Criminal Appeals and Tax Enforcement Policy Section (CATEPS) handles appeals in criminal tax cases prosecuted by Division attorneys and supervises aspects of appeals in matters tried by USAOs around the country. Similar to the initial review of tax cases by criminal trial attorneys, the appellate review plays a vital role in promoting the fair, correct, and uniform enforcement of the internal revenue laws. CATEPS also assists in negotiating international tax assistance treaties and in researching numerous policy issues, such as the application of the sentencing guidelines.

Pure Tax Crimes

The core of the Tax Division's criminal work involves so-called "legal source income" cases. These cases encompass tax crimes involving unpaid taxes on income earned legally (*e.g.*, a restaurateur who skims cash receipts or a doctor who inflates deductible expenses.) When these cases involve difficult issues of tax law or complex methods of proof, United States Attorneys' Offices often call upon the special skills that Tax Division prosecutors bring to the Justice Department's goal of combating financial fraud and reducing white-collar crime.

Evasion of taxes on income from legal sources significantly erodes the federal tax base. The Division's enforcement activities are a strong counter to that erosion, providing a significant deterrent to those who contemplate shirking their tax responsibilities. These prosecutions often receive substantial local press and media coverage and assure law-abiding citizens who pay their taxes that tax cheats are not getting away with it. The government's failure to prosecute such cases effectively would undermine the confidence of law-abiding taxpayers and jeopardize the government's ability to operate a revenue collection system whose cornerstone is voluntary compliance. For example, in February 2013, James and Michael Farnell were sentenced to imprisonment of 42 months and 18 months, respectively, for tax evasion. The Farnell brothers sold stock in the name of nominee trusts and did not report the capital gains or pay the taxes on the capital gains.

Stolen Identity Refund Fraud

The nationwide reach of the Tax Division's centralized criminal tax enforcement serves another important goal: it facilitates the Government's ability to respond efficiently and forcefully to often-changing patterns of wrongdoing. The recent explosion in the use of stolen social security numbers and other personal identification information to file false tax returns seeking fraudulent refunds is an example of this type of challenge.

Referred to as stolen identity refund fraud or SIRF, the crime may be simple to describe, but has proven complex both in its reach and in the extent of the criminal enterprises involved. The most vulnerable members of our communities - the elderly, the infirm and grieving families - have been the victims when social security numbers have been stolen or bought from institutions such as hospitals, nursing homes, and public death lists. In a very real sense, every taxpayer is a victim when the IRS issues a fraudulent refund to these thieves.

In recognition of the severity of the problem, the Tax Division, in conjunction with the IRS and United States Attorneys nationwide, has prioritized the investigation and prosecution of individuals who engage in SIRF. The Division is targeting individuals involved in all stages of these schemes, including those who illegally obtain the personal identifying information, those who file the false returns with the IRS, those who knowingly facilitate cashing the checks or otherwise obtaining the refunds, and those who mastermind or promote these scams. Depending on the facts of a particular case, the Government can bring a variety of charges, including aggravated identity theft and theft of government property, in addition to traditional tax charges such as filing false claims for refund and filing false tax returns.

Our prosecutors have obtained significant sentences in these cases. In October 2013, a corrupt U.S. Postal Service mail carrier was sentenced to serve 111 months in prison for his role in a SIRF scheme. A Louisiana woman who operated a tax preparation business was sentenced to 132 months in July 2013 for her SIRF crimes. An Alabama state employee who had access to state databases stole identities for use in a SIRF scheme, and she was sentenced to 94 months in prison in September 2013.

Recognizing the need for streamlined procedures for SIRF cases, the Department implemented expedited procedures to enable law enforcement to move swiftly to shut down SIRF crimes, share expertise and resources, and provide the IRS with information to intercept fraudulent refund claims before the money is sent. Having been in place for over a year, U.S. attorneys request that the procedures have successfully allowed quick enforcement efforts to shut down SIRF schemes.

Because stolen identity refund fraud is affecting many jurisdictions, the Department is working closely with many United States Attorneys and the IRS to ensure effective information sharing and investigative cooperation as permitted by law. The approach is yielding significant results. In October and November 2013, two individuals pleaded guilty to SIRF-related charges in Tampa, Fla. The case began when traffic stops performed by local law enforcement revealed stolen personal identifying information and numerous prepaid debit cards in the names of others. The Tax Division recently announced the establishment of a SIRF Advisory Board to develop and implement a national strategy to ensure consistent and effective nationwide enforcement and to deter future SIRF crimes. The SIRF Advisory Board will engage in the gathering and sharing of information among the Tax Division, the IRS, U.S. Attorneys' Offices, and other agencies, as well as provide training and assistance.

Combating Offshore Tax Schemes

The Tax Division continues to play a leading role in investigations and prosecutions involving the use of foreign tax havens. Increased technical sophistication of financial instruments and the widespread use of the internet have made it easy to move money around the world. Using tax havens facilitates evasion of U.S. taxes and the commission of related financial crimes. According to a 2008 Senate report, the use of secret offshore accounts to evade U.S. taxes costs the Treasury at least \$100 billion annually.

Offshore tax schemes are often difficult to detect and prosecute, so the IRS has allocated resources to target taxpayers who engage in offshore activity for the purpose of underreporting income. Income tax evaders and other criminals use banks located in countries that have strict bank secrecy laws

and that will not, or cannot, provide assistance to investigators for the United States. Sophisticated criminals may also use non-traditional tax haven countries. Despite these difficulties, the Division has been successful in prosecuting these tax cheats.

In March 2013, Wegelin & Co., a Swiss private bank, was sentenced and ordered to pay approximately \$58 million to the United States for conspiring with U.S. taxpayers and others to hide approximately \$1.5 billion in Secret Swiss bank accounts from the IRS. The Tax Division has also successfully prosecuted individuals who hide money in offshore accounts. Sameer Gupta was sentenced to 19 months in prison in July 2013 for diverting funds from his wholesale merchandise business to undisclosed foreign accounts at HSBC in India among other places.

The Department of Justice announced in August 2013 a program to encourage Swiss banks to cooperate with the Department's ongoing investigations of the use of foreign bank accounts to commit tax evasion. Under the program, which is available only to banks that are not currently under investigation by the Department for their offshore activities, participating Swiss banks will be required to: agree to pay substantial penalties; make a complete disclosure of their cross-border activities; provide detailed information on an account-by-account basis for accounts in which U.S. taxpayers have a direct or indirect interest; cooperate in treaty requests for account information; provide detailed information as to other banks that transferred funds into secret accounts or that accepted funds when secret accounts were closed; and agree to close accounts of account holders who fail to come into compliance with U.S. reporting obligations. Banks meeting all of the above requirements will be eligible for non-prosecution agreements.

As part of the deferred prosecution agreement the Tax Division negotiated in 2009 with UBS, Switzerland's largest bank, as well as a 2009 agreement negotiated between the United States, UBS, and the Swiss government to settle a civil summons enforcement proceeding brought by the Tax Division, the IRS continues to receive account information about thousands of the most significant tax cheats among the U.S. taxpayers who maintain secret Swiss bank accounts. Indeed, the IRS credits the publicity surrounding the offshore enforcement efforts with prompting a huge increase in the number of taxpayers who have "come in from the cold" and voluntarily disclosed to the IRS their previously hidden foreign accounts. According to the IRS, its offshore voluntary disclosure programs have resulted in the collection of more than \$6 billion in back taxes, interest and penalties from over 40,000 voluntary disclosures.

Prosecuting Abusive Promotions

The Division is actively engaged in prosecuting the promotion or use of fraudulent tax shelters and other schemes to evade taxes and hide assets. The number of taxpayers who use these bogus schemes to improperly reduce, or totally evade, their federal income tax liabilities has increased significantly in recent years. Some schemes use domestic or foreign trusts to evade taxes. Promoters of these schemes often use the Internet to aggressively market these trusts to the public, and rely upon strained, if not demonstrably false, interpretations of the tax laws. Employing what they often call "asset protection trusts" (ostensibly designed to guard an individual's assets from legitimate creditors, including the IRS), these promoters are in fact assisting taxpayers to fraudulently assign income and conceal ownership of income-producing assets in order to evade paying their taxes.

In November 2013, Paul Dagerdas was convicted by a jury of a multibillion-dollar criminal tax fraud scheme. Dagerdas, a lawyer, certified public accountant, and the former head of the tax practice at the Jenkins & Gilchrist law firm, designed, marketed, and implemented fraudulent tax shelters used by wealthy individuals to avoid paying taxes to the IRS. The ten-year scheme generated over \$10 billion of fraudulent tax losses and netted Dagerdas approximately \$95 million in profits. Numerous

other individuals connected to this scheme were also convicted and sentenced to prison. For instance, Donna Guerin, a former attorney at Jenkins & Gilchrist, pleaded guilty for her role in the scheme and was sentenced in March 2013 to eight years in prison.

Return-Preparer Fraud

Corrupt accountants and unscrupulous tax return preparers present a serious law enforcement concern. Some accountants and return preparers dupe unwitting clients into filing fraudulent returns, while others serve as willing “enablers,” providing a veneer of legitimacy for clients predisposed to cheat. In either case, the professionals often commit a large number of frauds, and their status as professionals may be perceived as legitimizing tax evasion, thereby promoting disrespect for the law.

John T. Hoang was sentenced to 48 months in prison in December 2013 for preparing false income tax returns for himself and others. Hoang, who was a certified public accountant and an attorney, prepared false tax returns for his clients by creating wholly fictitious business income and expenses for what seemed to be a technology licensing business. The false information resulted in the clients reporting fake losses that decreased the tax liability.

National Tax Defier Initiative

A certain segment of our citizenry flatly refuses to accept its tax obligations. These individuals manufacture frivolous arguments against the clear language of the law. They also frequently devise complicated schemes to mask their activities. Often, they are affiliated with sovereign citizen movements, who challenge the United States Government in numerous ways.

Tax defiers, also known as illegal tax protesters, have long been a focus of the Tax Division’s investigative and prosecution efforts. For decades, tax defiers have advanced frivolous arguments and developed numerous schemes to evade their income taxes, assist others in evading their taxes, and frustrate the IRS, under the guise of meritless objections to the tax laws. Frivolous arguments used by tax defiers include, for example, spurious claims that an individual is a “sovereign citizen” not subject to the laws of the United States, that the federal income tax is unconstitutional, and that wages are not income. Schemes utilized include the use of fictitious financial instruments in purported payment of tax bills, as well as the filing of false liens and IRS reporting forms, such as Forms 1099, designed to harass and retaliate against government employees and judges. In the most extreme circumstances, tax defiers have resorted to threats and violence to advance their anti-government agenda.

Because of this risk of violence, it is essential that local law enforcement be prepared to respond rapidly to threats against agents, prosecutors, and judges. The Tax Division has thus implemented a comprehensive strategy, using both civil and criminal enforcement tools, to address the serious and corrosive effect of tax defier activity. The Division’s Tax Defier Initiative facilitates coordination among nationwide law enforcement efforts. This coordination allows new or recycled tax defier schemes and arguments to be quickly identified and a global, coordinated strategy to be developed.

For example, the “sovereign citizen” ideology overlaps with, and is often indistinguishable from, tax defier rhetoric and tactics. Through the Tax Defier Initiative, the Division has leveraged our expertise to develop a government-wide approach to monitoring and combating these crimes. As a result, our National Director for the Tax Defier Initiative, working with representatives of IRS Criminal Investigation, the Treasury Inspector General for Tax Administration, the FBI Domestic Terrorism Operations Unit, and the Department’s National Security Division, developed and implemented a national training program for prosecutors and investigators. The close working relationships fostered by

our Initiative have enabled us to identify and respond more quickly and efficiently to such trends in the tax defier community.

In July 2013, James Timothy Turner was sentenced to 18 years in prison for promoting a tax fraud scheme. Turner, the self-proclaimed "president" of a sovereign citizen group called the "Republic for the United States of America," traveled the country conducting seminars teaching attendees how to defraud the IRS by preparing and submitting fictitious "bonds" in payment of federal taxes. Turner also taught people how to file retaliatory liens against government officials who interfered with the processing of the fictitious "bonds."

Counter Terrorism

Tax Division attorneys play an important role in the fight against international terrorism. Tax Division attorneys lend their expertise to attorneys at the National Security Division and at U.S. Attorneys' Offices in prosecuting those who take advantage of the tax laws to fund terrorism, including through the use of tax-exempt organizations. A Tax Division Senior Litigation Counsel is responsible for managing matters associated with counter-terrorism and terrorist financing and leads teams of attorneys in investigating, developing, and prosecuting criminal tax cases with a nexus to counter-terrorism and terrorism financing.

Corporate Fraud and other Financial Crimes

Through the President's Financial Fraud Enforcement Task Force, the Tax Division investigates and prosecutes financial crimes such as corporate fraud and mortgage fraud. The Division also cooperates with other law enforcement components in formulating national policies, programs, strategies and procedures in a coordinated attack on financial crime.

International Cooperation to Investigate Evasion of U.S. Taxes

The Tax Division regularly provides advice and assistance to United States Attorneys and IRS agents seeking extradition, information, and cooperation from other countries for both civil and criminal investigations and cases. Occasionally, the Tax Division provides assistance to attorneys from other agencies and offices of the United States government, including the Federal Bureau of Investigation, the Securities and Exchange Commission, and the Department of Homeland Security.

In addition, the Tax Division works to increase cooperation with foreign nations, recognizing that reciprocal engagements ultimately further the Division's mission. For example, the Division has participated in consultations both with France and Canada in an effort to improve the exchange of information under our income tax treaties with those countries. The Division periodically hosts visiting delegations of tax officials from countries interested in learning more about federal tax enforcement in the United States. The Division continues to work to increase cooperation between the United States and countries in Latin America and the Caribbean by providing instructors for the International Law Enforcement Academy in El Salvador.

The Tax Division is an important partner in the U.S. negotiating team for Double Taxation Conventions, Tax Information Exchange Agreements, and other international agreements concerning tax information. For example, the Tax Division participated in the historic negotiations that led to the signing of Tax Information Exchange Agreements with the Principality of Liechtenstein and with Gibraltar. Other negotiations are ongoing.

Civil/Criminal Coordination

Finally, as part of its effort to stop abusive tax scheme promotions, the Division uses parallel civil and criminal proceedings to pursue both civil injunctions and criminal prosecutions against those who promote illegal schemes. To ensure that the IRS and Division attorneys make maximum use of all available legal remedies, the Division has named two Special Counsel for civil/criminal coordination. The Special Counsel provide agents and attorneys with one-on-one assistance in handling parallel civil and criminal proceedings, lead an IRS-DOJ working group formed to promote better coordination of parallel proceedings, conduct training for IRS and Division attorneys, and participate in various bar panels. The Division also maintains an online resource library on criminal tax prosecutions and parallel proceedings.

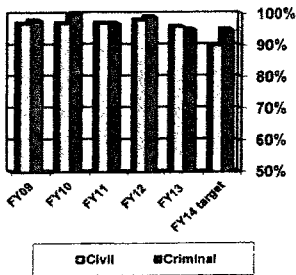
Performance Measure Table

PERFORMANCE MEASURE TABLE																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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3. Performance, Resources, and Strategies

The General Tax Matters Decision Unit contributes to the Department's Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and enforce Federal Law. Within this Goal, the Decision Unit's resources specifically address Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States.

Cases Favorably Resolved (TAX)



Data Definition: Favorable civil resolutions are through a judgment or settlement. Each civil decision is classified as a Government win, partial win, or taxpayer win; for this report, success occurs if the Government wins in total or in part. Criminal cases are favorably resolved by convictions which includes defendants convicted after trial or by plea agreement at the trial court level in prosecutions in which the Tax Division has provided litigation assistance at the request of a USAO.

Data Collection and Storage: The Tax Division utilizes a litigation case management system called TaxDoc.

Data Validation and Verification: The Tax Division has established procedures to collect and record reliable and relevant data in TaxDoc. Management uses the data to set goals, manage cases and project workload. The statistics in this table are provided on a monthly basis to Division management for their review.

Data Limitations: The Tax Division lacks historical data on some activities that are now tracked in the case management system. The information system may cause variations in the way some statistics are presented.

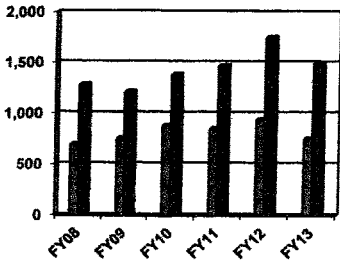
The goals of the Tax Division are to increase voluntary compliance, maintain public confidence in the integrity of the tax system, and promote the sound development of law.

Performance Measure 1: Percentage of Cases Favorably Resolved

FY 2013 Actual: 96% for Civil Trial and 95% for Criminal.

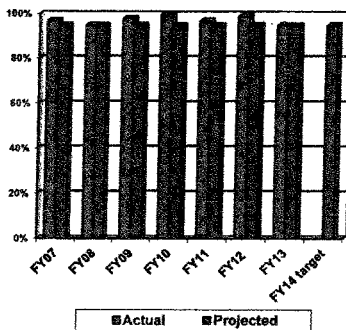
Discussion: The outcome measure for this decision unit is favorable resolution of all cases. The Department of Justice Strategic Plan sets Department-wide goals for the litigating components: 90% of criminal cases favorably resolved Department-wide and 80% of civil cases favorably resolved. As illustrated in the chart "Cases Favorably Resolved (TAX)," the Tax Division has exceeded the Department's goal for the last several years. In FY 2013, favorable outcomes were achieved in 96% of all civil and 95% of all criminal cases litigated by the Tax Division, including non-tax cases. To meet the targets for this measure, the Tax Division requires \$109,171 thousand. These resources are essential if we are to continue attaining the Department's targets for this measure.

Investigation and Prosecution Referrals Authorized



Investigations Authorized Prosecutions Authorized

Success Rate for Criminal Tax Cases



Data Definition: Investigation and Prosecution Referrals are grand jury investigation and criminal prosecution requests referred to the Tax Division for review to ensure that federal criminal tax enforcement standards are met. The number of prosecution referrals authorized is a defendant count; investigations may involve one or more targets. The Success Rate is convictions divided by the total of convictions and acquittals. "Convictions" includes defendants convicted after trial or by plea agreement at the trial court level in criminal tax prosecutions in which the Tax Division has provided litigation assistance at the request of a USAO. Defendants acquitted are defendants acquitted in the district court in cases in which the Tax Division provided litigation assistance.

Data Collection and Storage: The Tax Division utilizes a litigation case management system known as TaxDoc. The Division periodically reviews the complement of indicators that are tracked.

Data Validation and Verification: There are procedures to collect and record pertinent data, enabling Section Chiefs to make projections and set goals based on complete, accurate and relevant statistics.

Data Limitations: The Tax Division lacks historical data on some activities that are tracked in the case management system.

Performance Measure 2: Criminal Investigation and Prosecution Referrals Authorized

FY 2013 Actual: 749 Grand Jury Investigations and 1,495 Prosecutions

Discussion: The Tax Division also measures the number of authorized investigation and prosecution referrals in criminal cases. In FY 2013, the Division authorized 749 grand jury investigations and 1,495 prosecutions of individual defendants. Changes in the number of authorized investigations are largely proportional to the number of investigations initiated by the Internal Revenue Service.

Consistent with Department guidance, there is no FY 2014 or FY 2015 performance goal for authorized investigations and prosecutions.

Performance Measure 3: Success Rate for Criminal Tax Cases

FY 2013 Actual: 95%

Discussion: The Tax Division's Criminal Trial Sections assume responsibility for some cases at the request of the USAOs, generally multi-jurisdictional investigations and prosecutions, and cases with significant regional or national importance. Although many of these cases are difficult to prosecute, the Division has maintained a conviction rate at or greater than 95%. In FY 2013, the Division's conviction rate was 95% in tax cases.

For FY 2013, FY 2014, and FY 2015, the Tax Division has established a conviction rate goal of 95%. While the Tax Division is very proud of its conviction rate, the emphasis is on uniform and fair enforcement of the tax laws.

Performance Measure 4: Civil Cases Successfully Litigated

FY 2013 Actual: Trial Courts – 96%
Taxpayer Appeals – 97%
Government and Cross Appeals – 68%

Discussion: For civil cases, the Tax Division measures cases successfully litigated, in total or in part, by the resolution of a claim through judgment or other court order.

We anticipate that maintaining this level of success will result in legal precedent that provides taxpayers, including individuals, businesses and industries, with guidance regarding their tax obligations; the collection of significant tax revenues; and the protection of the government against unfounded taxpayer claims. Many of the government appeals (and cross-appeals) during the reporting period involve the same (or similar) issues, so that a loss in a single case affects the outcome of multiple appeals.

Performance Measure 5: Tax Dollars Collected and Retained

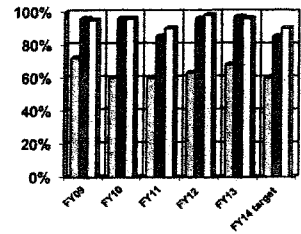
FY 2013 Actual: \$235 Million Collected and \$977 Million Retained

Discussion: The Tax Division collects substantial amounts for the federal government in affirmative litigation, and retains even more substantial amounts in defensive tax refund and other litigation. For FY 2013, the Division collected \$235 million and retained \$977 million.

In addition to this measurable impact, the Division's litigation affects the revenue at issue in many cases being handled administratively by the IRS, and determines tax liabilities of litigants for many tax years not in suit. Its litigation successes also foster overall compliance with the tax laws. This substantial financial impact is a consequence of the Division's consistent and impartial enforcement of the tax laws. The Division does not measure these indirect effects of its litigation.

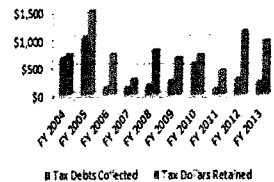
Without sufficient resources, the Division will be forced to focus the majority of its resources on defensive cases which would result in affirmative cases - cases the IRS requests the Division to prosecute - being declined. If this occurs, the Division will not be able to meet its targets for this measure.

Civil Cases Successfully Litigated [TAX]



□ Appellate Courts - Gov't & Cross Appeals
▨ Appellate Courts - Taxpayer Appeals
■ Trial Courts

Tax Debts Collected and Dollars Retained (\$s in Millions)



■ Tax Debts Collected ■ Tax Dollars Retained

Data Definition: A decision is the resolution of a claim through judgment or other court order. Each decision is classified as a Government win, partial win, or taxpayer win; for this report, success occurs if the Government wins in whole or in part. Appellate cases are classified as Taxpayer Appeals, Government Appeals, or Cross Appeals. The number of Government or Cross Appeals is generally less than 10% of the number of taxpayer appeals. Tax Debts Collected represents dollars collected on pending civil cases and outstanding judgments. Tax Dollars Retained represents the difference between claim amount sought and received by opposing parties in refund suits closed during the period.

Data Collection and Storage: The Tax Division utilizes a case management system known as TaxDoc.

Data Validation and Verification: The Tax Division has established procedures to collect and record reliable and relevant data in TaxDoc. Management uses the data to set goals, manage cases and project workload. The statistics in this table are provided on a monthly basis to Division management for their review.

Data Limitations: The Tax Debts Collected and Dollars Retained indicator fluctuates in response to the type and stage of litigation resolved during the year.

a. Strategies to Achieve the FY 2015 Goals:

A strong tax system is vital to our national strength. It is essential that taxpayers believe, with good reason, in the integrity of the tax system. It is fundamental that we meet our obligations to our citizens to ensure the full, fair, and consistent enforcement of our tax laws. The Division's long-standing coordinated approach to tax enforcement is a particularly effective component to the Administration's goal to reduce the tax gap. Because the Tax Division's work already encompasses the elements of an effective tax enforcement program, the organization is well suited to expand existing programs with greater benefits in return.

The Tax Division's primary civil strategy to achieve its goals is to litigate federal civil tax cases filed by and against taxpayers in the federal courts. Through this litigation, the Division ensures the tax laws are properly enforced, by targeting particularly acute tax enforcement problems that threaten tax administration. In carrying out its mission, the Tax Division conducts in each civil tax case an independent review of the IRS's views and administrative determinations to help ensure that the Government's position is consistent with applicable law and policy. This independence, backed by a willingness to engage in aggressive litigation where appropriate, promotes the effective collection of taxes owed, while also serving as a check against potential abuses in tax administration.

While the Tax Division is and will remain responsive to shifts in criminal tax schemes, enforcement of the criminal tax statutes against individuals and businesses that engage in attempts to evade taxes, willful failure to file returns, and the submission of false returns, are at the core of the Division's mission. Enforcement of the internal revenue laws serves the goals of both specific and general deterrence. Enforcement of our criminal tax laws also helps us meet our responsibility to all taxpayers who meet their obligations, to pursue those who do not.

V. Program Offsets

Item Name: Miscellaneous Program and Administrative Reductions

Strategic Goal: 2.0 - Prevent Crime, Protect the Rights of the American People,
And Enforce Federal Law

Strategic Objective: 2.6 - Protect the federal fisc and defend the interests of the
United States

Budget Decision Unit(s): General Tax Matters

Program Offset: Positions 0 Agt/Atty 0 FTE 0 Dollars \$353,000

Description of Item

Program and administrative reductions to be identified once funds are appropriated.

Justification

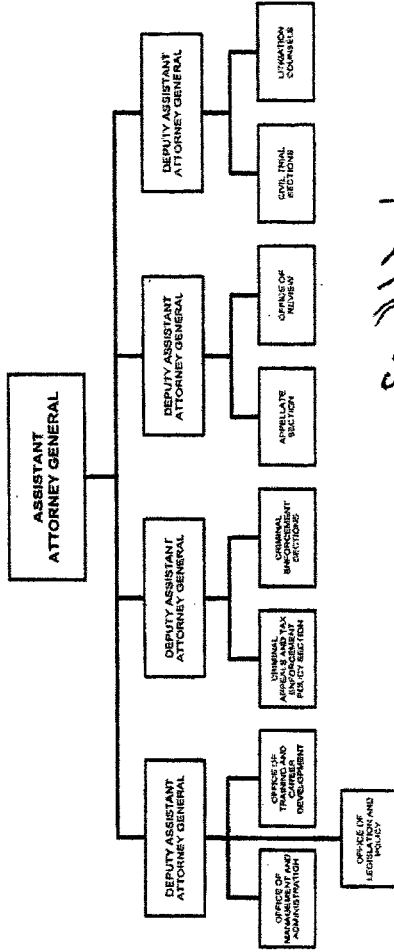
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Impact on Performance

Performance impact information is not yet available for this offset.

A: Organizational Chart

TAX DIVISION



The Principal or Acting Deputy is experienced in an internal office, and is designated by the Attorney General or other appropriate official.

Approved By:

[Signature]
 Deputy Attorney General
 Attorney General

Date: 11/26/12

B. Summary of Requirements

Summary of Requirements

Tax Division
Salaries and Expenses
(Dollars in Thousands)

	FY 2015 Request	
	Direct Positions	FTE Amount
2013 Enacted	639	106,276
2013 Reductions (1.677% & 0.2%)		-2,203
2013 Supplement		-5,239
Total 2013 Enacted	639	98,834
2014 Enacted	639	104,470
Base Adjustments		
Pay and Benefits	0	1,695
Domestic Rent and Facilities	0	3,359
Total Base Adjustments	0	5,054
2015 Current Services		
Program Changes	0	5,054
Offsets:		
Miscellaneous Program and Administrative Reductions	0	-353
Subtotal, Offsets	0	-353
Total Program Changes	0	-353
2015 Total Request	639	4,701
2014 - 2015 Total Change	0	4,701

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
Tax Division
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
General Tax Matters	639	496	98,834	639	534	104,470	0	0	5,054	639	534	109,524
Total Direct	639	496	98,834	639	534	104,470	0	0	5,054	639	534	109,524
Balance Rescission			0						0			0
Total Direct with Rescission			98,834			104,470			5,054			109,524
Reimbursable FTE		0			0							
Total Direct and Reimb. FTE		496			534						534	
Grand Total, FTE		496			534			0			534	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
General Tax Matters	0	0	0	0	0	-353	639	534	109,171
Total Direct	0	0	0	0	0	-353	639	534	109,171
Balance Rescission			0			0			0
Total Direct with Rescission			0			-353			109,171
Reimbursable FTE	0	0		0	0			534	534
Total Direct and Reimb. FTE									
Grand Total, FTE		0			0			534	

C. Program Changes by Decision Unit

FY 2015 Program Changes by Decision Unit
Tax Division
Salaries and Expenses
(Dollars in Thousands)

Program Offsets	Location of Description in Narrative	General Tax Matters			Total Offsets		
		Direct Pos.	Ag'l/ Ally.	Est. FTE Amount	Direct Pos.	Ag'l/ Ally.	Est. FTE Amount
Miscellaneous Program and Administrative Reductions	Page 26	0	0	0	-353	0	-353
Total Program Offsets		0	0	0	-353	0	-353

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

Tax Division
Salaries and Expenses
(Columns in thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2016 Total Request		
	Direct/ Reimb FTE	Direct/ Amount	Reimb/ Amount	Direct/ Reimb FTE	Direct/ Amount	Reimb/ Amount	Direct/ Reimb FTE	Direct/ Amount	Reimb/ Amount	Direct/ Reimb FTE	Direct/ Amount	Reimb/ Amount	Direct/ Reimb FTE	Direct/ Amount	Reimb/ Amount	Direct/ Reimb FTE	Direct/ Amount	Reimb/ Amount
Goal 2 Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law																		
2.6 Protect the federal fisc and defend the interests of the United States	496	98,834	534	534	104,470	534	534	109,524	0	0	0	0	0	0	-353	534	109,171	
Subtotal, Goal 2	496	98,834	534	534	104,470	534	534	109,524	0	0	0	0	0	0	-353	534	109,171	
TOTAL	496	98,834	534	534	104,470	534	534	109,524	0	0	0	0	0	0	-353	534	109,171	

Note: Excludes Balance Rescission and/or Supplemental Appropriations.

Justifications for Technical and Base Adjustments

The Director
Salaries and Expenses
(Column in Thousands)

Direct Pos.	Estimate FTE	Amount
Personnel Benefits		
1. General Services Administration (GSA) Benefits		
This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$240,000, represents the pay amounts for 34 of the fiscal year plus appropriate benefits (\$200,000 for pay and \$150,000 for benefits).	0	0
2. Administration of 2014 Pay Policy		
This pay administration request for quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested \$150,000, represents the pay amounts for 14 of the fiscal year plus appropriate benefits (\$137,000 for pay and \$50,000 for benefits).	0	0
FFERS, Retirement and Collocated Employees Contributions		
Effective October 1, 2014 (FY 2015), the new agency contribution rate of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 28.8% for law enforcement personnel (up from the current 26.3%, or an increase of 2.5%). The amount requested, \$400,000, represents the funds needed to cover the increase.	0	0
6. Health Insurance		
In FY 2015, the employer's contribution to Federal employees' health insurance increases by 5.0 percent. Against the 2014 estimate of \$3,344,000, the additional amount required is \$169,000.	0	0
7. Retirement		
Against the 2014 estimate of \$109,000, the additional amount required is \$109,000. Based on U.S. Department of Justice Agency estimates, we project that the COLA increases will result from COLA to FFERS at a rate of 1.3 percent per year. The requested increase of \$109,000 is necessary to meet our increased retirement obligations as a result of this conversion.	0	0
Subtotal: Pay and Benefits		
1,825		
Construction, Rent and Facilities		
1. General Services Administration (GSA) Rent		
GSA will continue to charge rental rates that approximate those charged to commercial tenants for replacement space and related services. The request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$240,000, represents the pay amounts for 34 of the fiscal year plus appropriate benefits (\$200,000 for pay and \$150,000 for benefits).	0	0
2. Move(s) (if any) (Exclusions)		
GSA requires all agencies to pay relocation costs in accordance with these regulations. This request provides for the costs associated with new office relocations during the fiscal year of 2015.	0	0
Subtotal: Domestic Rent and Facilities		
2,790		
TOTAL DIRECT TECHNICAL and BASE ADJUSTING		
5,044		

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
Tax Division
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted - w/o Balance Reclassification			Supplementals			Balance Reclassification			Sequester			Reallocation			Carryover		Reversioned		2013 Actual	
	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Amount		Amount	Pos	Actual FTE	Amount
General Tax Matters	639	498	104,073	0	0	0	0	0	0	0	0	0	0	0	0	575	11	383	639	498	99,813
Reimbursements	829	498	104,073	0	0	0	0	0	0	0	0	0	0	0	0	575	11	383	639	498	99,813
Total Direct	1,468	996	208,146	0	0	0	0	0	0	0	0	0	0	0	0	1,150	22	766	1,278	996	199,626
Reimbursable FTE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Direct and Reimb.	1,468	996	208,146	0	0	0	0	0	0	0	0	0	0	0	0	1,150	22	766	1,278	996	199,626
Grand Total, FTE	1,468	996	208,146	0	0	0	0	0	0	0	0	0	0	0	0	1,150	22	766	1,278	996	199,626

The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Carryover: Funds were carried over from FY 2012 from ALS. The Tax Division brought forward \$11,000 from funds provided in FY 2012 from ALS.

Reprogramming/Transfers: Funding includes \$275,000 from ALS.

Reversion/Refunds: Funding includes \$393,000 in recoveries from ALS.

Crosswalk of 2014 Availability
 Tax Division
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recovered/ Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
General Tax Matters	639	534	104,470		0	0	392	0	0	0	639	534	104,862
Total Direct	639	534	104,470	0	0	0	392	0	0	0	639	534	104,862
Balance Recession			0				392	0					0
Total Direct with Recession			0					0					0
Reimbursable FTE		0			0		0	0				0	104,862
Total Direct and Reimb. FTE		534			0		0	0				534	
Grand Total, FTE		534			0		0	0	0	0		534	

Carryover: The Tax Division brought forward \$392,000 from funds provided in FY 2013 from ALS

Summary of Reimbursable Resources

Tax Division
Salaries and Expenses
(Dollars in Thousands)

Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Internal Revenue Service	0	0	2,068	0	0	0	0	0	0	0	0	0
Debt Collection (3% Fund)	28	26	5,684	20	20	7,670	0	0	0	0	-20	-7,670
Treasury	1	1	186	1	1	128	0	0	0	0	-1	-128
DOJ-OCDETF	0	0	20	0	0	0	0	0	0	0	0	0
DOJ - EOUSA	0	0	189	0	0	0	0	0	0	0	0	0
Budgetary Resources	29	27	8,147	21	21	7,798	0	0	0	-21	-21	-7,798

Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Internal Revenue Service	0	0	2,068	0	0	0	0	0	0	0	0	0
Debt Collection (3% Fund)	28	26	5,684	20	20	7,670	0	0	0	0	-20	-7,670
Treasury	1	1	186	1	1	128	0	0	0	0	-1	-128
DOJ-OCDETF	0	0	20	0	0	0	0	0	0	0	0	0
DOJ - EOUSA	0	0	189	0	0	0	0	0	0	0	0	0
Budgetary Resources	29	27	8,147	21	21	7,798	0	0	0	-21	-21	-7,798

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

Tax Division
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration			2014 Enacted			2015 Request				
	Direct Pos.	Reimb. Pos.		Direct Pos.	Reimb. Pos.		ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Personnel Management (200-299)	8	0		8	0		0	0	0	8	0
Clerical and Office Services (300-399)	108	0		108	0		0	0	0	108	0
Accounting and Budget (500-599)	9	0		9	0		0	0	0	9	0
Attorneys (600)	377	0		377	0		0	0	0	377	0
Paralegals (Other Law (800-998)	125	0		125	0		0	0	0	125	0
Library (1400-1499)	1	0		1	0		0	0	0	1	0
Information Technology Mgmt. (2210)	11	0		11	0		0	0	0	11	0
Total	639	0		639	0		0	0	0	639	0
Headquarters (Washington, D.C.)	611	0		611	0		0	0	0	611	0
U.S. Field	28	0		28	0		0	0	0	28	0
Total	639	0		639	0		0	0	0	639	0

Financial Analysis of Program Changes
Tax Division
Salaries and Expenses
(Dollars in Thousands)

Grades	General Tax Matters		Total Program Changes	
	Program Offsets	Amount	Direct Pos.	Amount
GS-5	0	0	0	0
GS-15	0	0	0	0
GS-14	0	0	0	0
GS-13	0	0	0	0
GS-12	0	0	0	0
GS-11	0	0	0	0
GS-10	0	0	0	0
GS-9	0	0	0	0
GS-8	0	0	0	0
GS-7	0	0	0	0
GS-6	0	0	0	0
GS-5 Positions and Annual Amount	0	0	0	0
Leaves (-)	0	0	0	0
11.5 Other Personnel Compensation	0	0	0	0
Total FTEs and Personnel Compensation	0	0	0	0
13.0 Benefits for former personnel				
21.0 Travel and Transportation of Persons				
21.1 Insurance for FTEs				
21.1 Rental Payments to GSA				
21.3 Communications, Utilities, and Miscellaneous Charges				
24.0 Printing and Reproduction				
25.1 Advisory and Assistance Services				
25.2 Other Services from Non-Federal Sources				
25.3 Other Grants and Contracts from Non-Federal Sources				
25.5 Research and Development Contracts				
25.7 Operation and Maintenance of Equipment				
26.0 Supplies and Materials				
31.0 Equipment				
Total Program Change Requests	0	-353	0	-353

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class

Tax Division
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	482	56,720	521	62,407	520	63,760	-1	1,353
11.3 Other than Full-Time Permanent	14	615	13	1,021	14	957	1	-64
11.5 Other Personnel Compensation	0	0	0	0	0	0	0	0
Overtime	0	0	0	0	0	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	0	0	0	0	0	0	0
Total	496	57,336	534	63,428	534	64,717	0	1,289
Other Object Classes								
12.0 Personnel Benefits		15,746		17,552		17,879		327
13.0 Benefits for former personnel		1		1		1		0
21.0 Travel and Transportation of Persons		2,508		2,800		3,352		752
22.0 Transportation of Things		921		921		993		72
23.1 Rental Payments to GSA		12,338		12,108		12,659		553
23.3 Communications, Utilities, and Miscellaneous Charges		980		990		1,078		88
24.0 Printing and Reproduction		48		70		80		10
25.2 Other Services from Non-Federal Sources		3,780		4,151		4,880		729
25.3 Other Goods and Services from Federal Sources		2,243		2,243		2,422		179
25.8 Subsistence and Support of Persons		180		0		0		0
26.0 Supplies and Materials		674		500		600		100
31.0 Equipment		1,127		300		500		200
Total Obligations		97,882		104,862		109,171		4,309
Subtract - Unobligated Balance, Start-of-Year		-11		-392		0		382
Subtract - Reallocation		-575		0		0		0
Subtract - Recoveries/Refunds		-393		0		0		0
Add - Unobligated End-of-Year, Available		392		0		0		0
Add - Unobligated End-of-Year, Expiring		1,559		0		0		0
Total Direct Requirements	0	98,834	0	104,470	0	109,171	0	4,701
Reimbursable FTE								
Full-Time Permanent	0	0	0	0	0	0	0	0
23.1 Rental Payments to GSA (Reimbursable)		0		0		0		0
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)		0		0		0		0

Department of Justice Criminal Division



FY 2015 President's Budget

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I. Overview for Criminal Division

A. FY 2015 Budget Summary

The Criminal Division requests a total of 927 permanent positions, 765 direct Full-Time Equivalent work years (FTE), and \$202,487,000 in its Salaries and Expenses appropriation for Fiscal Year (FY) 2015. The Division's request will maintain the current level of services while providing funding for necessary resources to reform the Mutual Legal Assistance Treaty (MLAT) process, combat the growing and evolving cyber threat as well as the increasing threat of transnational intellectual property crime.

The President's 2015 Budget includes an Opportunity, Growth, and Security Initiative (OGSI) that supports the Department's responsibility to enforce laws and defend the interests of the United States. The OGSI would provide additional resources to improve the Department's capacity for financial fraud law enforcement, including hiring additional criminal prosecutors, civil litigators, in-house investigators, and forensic accountants.

Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

B. Criminal Division Mission & Program Activities

The Criminal Division's mission is to develop, enforce, and supervise the application of all federal criminal laws, except those specifically assigned to other divisions. Furthermore, the Division must identify and respond to critical and emerging national and international criminal threats and lead the enforcement, regulatory, and intelligence communities in a coordinated nationwide response to reduce those threats.

The events of September 11, 2001, highlighted the need for increased nationwide coordination and information sharing. The Division serves a critical role in coordinating among the Department's criminal law components, including the U.S. Attorneys' Offices. As a "headquarters" office, the Division also serves as the central point of contact for foreign countries seeking law enforcement assistance. No other organization within the Department or the U.S. Government is equipped to fulfill this role – one that is more critical than ever considering the continually increasing globalization and sophistication of crime.

The Division engages in several program activities to achieve its mission: (1) investigating and prosecuting, (2) providing expert guidance and advice, (3) reviewing the use of law enforcement tools, and (4) fostering global partnerships. Every day, the Criminal Division performs these functions at the forefront of federal criminal law enforcement.

(1) Investigating and Prosecuting

- Investigating and prosecuting the most significant cases and matters
- Coordinating a wide range of criminal investigations and prosecutions that span multiple

jurisdictions and involve multiple law enforcement partners

With its investigation and prosecution activities, the Division strives to support its mission by investigating and prosecuting aggressively, but responsibly. By providing both national perspective and leadership, the Division undertakes complex cases and ensures a consistent and coordinated approach to the nation's law enforcement priorities, both domestically and internationally. The Division has a "birds-eye" view of white collar crime, public corruption, organized crime, narcotics, violent crime, and other criminal activities, and consequently is uniquely able to ensure that crimes that occur across borders do not go undetected or ignored.

(2) Providing Expert Guidance and Advice

- Developing and supporting effective crime reduction strategies and programs
- Driving policy, legislative, and regulatory reforms
- Providing expert counsel and training in criminal enforcement matters to state, local, federal enforcement partners

The Criminal Division serves as the strategic hub of legal and enforcement experience, expertise, and strategy in the fight against national and international criminal threats. Consequently, its expert guidance and advice activities are crucial to the successful application of criminal law throughout the country. The Division leads the national effort to address emerging criminal trends, including the increasingly international scope of criminal activity. The guidance provided to U.S. Attorneys' Offices and other federal law enforcement partners ensures the uniform application of the law and furthers the Department of Justice's mission to ensure justice.

(3) Reviewing the Use of Law Enforcement Tools

- Approving and overseeing the use of the most sophisticated investigative tools in the federal arsenal

The Division serves as the Department's "nerve center" for many critical operational matters. It is the Division's responsibility to ensure that investigators are effectively and appropriately using available sensitive law enforcement tools. These tools include Title III wiretaps, electronic evidence-gathering authorities, correspondent banking subpoenas, and the Witness Security Program, to name a few. In the international arena, the Division manages the Department's relations with foreign counterparts and coordinates all prisoner transfers, extraditions, and mutual legal assistance requests. Lastly, the Division handles numerous requests for approval from the field to use sensitive law enforcement techniques in conjunction with particular criminal statutes. For example, the Division reviews every racketeering indictment that is brought across the nation. In these ways, the Division serves a critical and unique role.

(4) Fostering Global Partnerships

- Helping international law enforcement partners build capacity to prosecute and investigate crime within their borders by providing training and assistance
- Negotiating Mutual Legal Assistance Treaties with international parties to enhance

cooperative efforts with international parties

The Division reaches out to its international partners to ensure the safety of Americans at home and abroad. Posts in ten countries are maintained to foster relationships and participate in operations with international law enforcement and prosecutors. The Division also has personnel in developing democracies across the globe, providing assistance to foreign governments in developing and maintaining viable criminal justice institutions for the purpose of sustaining democracy and promoting greater cooperation in transnational criminal matters and the capacity to provide modern professional law enforcement services based on democratic principles and respect for human rights.

C. The Criminal Division's Strategic Priorities

The Criminal Division leverages its substantial expertise in a broad array of federal criminal subject matters to help the Department achieve all three Strategic Goals: (1) Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law, (2) : Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law; and (3) Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels (see table below).

Department of Justice's Strategic Plan	
Goal One: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law	1.1 Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve a coordinated response to terrorist threats
	1.2 Prosecute those involved in terrorist acts
	1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors
Goal Two: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law	2.1 Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers
	2.2 Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America's crime victims
	2.3 Disrupt and dismantle major drug trafficking organizations to combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs
	2.4 Investigate and prosecute corruption, economic crimes, and transnational organized crime
	2.5 Promote and protect American civil rights by preventing and prosecuting discriminatory practices

Goal Three: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at eh Federal, State, Local, Tribal and International Levels	3.1 Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs
	3.6 Prevent and respond to genocide and mass atrocities and ensure that perpetrators of such crimes are held accountable in the United States, and if appropriate, their home countries

In working to achieve these goals, the Division has identified the following key strategic outcomes to address the country's most critical justice priorities:

- Ensuring **trust and confidence in government institutions** by reducing public corruption at every level of government;
- Ensuring the **stability and security of domestic and global markets**, as well as the integrity of government programs, by reducing fraud, money laundering, and other economic crimes;
- **Disrupting and dismantling criminal organizations and networks that act across state and national boundaries** and that threaten our country through violence, drug trafficking, and computer crime;
- **Protecting our children** from exploitation and **vindicating human rights** wherever possible;
- **Promoting the Rule of Law** around the world; and
- **Supporting national security** and crime-fighting efforts across federal, state, and local governments.

Examples of how the Division's program activities contribute to achieving its strategic outcomes are provided in the following table:

Key Strategic Priority	Prosecuting & Investigating Activities	Expert Guidance & Advice Activities	Law Enforcement Tool Review Activities	Global Partnership Activities
Ensuring Trust & Confidence in Government Institutions	<ul style="list-style-type: none"> Prosecuting cases aimed at deterring corruption among elected and other government officials Supporting United States Attorneys' Offices (USAOs) by prosecuting cases from which USAOs are recused 	<ul style="list-style-type: none"> Providing assistance and guidance to USAOs in sensitive cases Ensuring election crime matters are handled uniformly and fairly 	<ul style="list-style-type: none"> Using asset forfeiture tools to seize ill-gotten proceeds of crime Providing oversight to sensitive operations Utilizing electronic surveillance in sensitive investigations of government officials 	<ul style="list-style-type: none"> Training foreign countries in anti-corruption strategies Supporting investigations focused on deterring the corruption of foreign officials
Ensuring the Stability & Security of Domestic & Global Markets	<ul style="list-style-type: none"> Vigorously prosecuting those who attempt to defraud tax-payers Conducting sensitive and complex investigations of corrupt corporations operating inside and outside the United States 	<ul style="list-style-type: none"> Training thousands of foreign officials on intellectual property crimes Developing national strategies to combat procurement and Medicare fraud 	<ul style="list-style-type: none"> Developing regulations to address ways to better detect procurement fraud Providing oversight to ensure fair application of powerful law enforcement tools 	<ul style="list-style-type: none"> Establishing international working groups to combat money laundering Creating working relationships with traditionally closed countries

Key Strategic Priority	Prosecuting & Investigating Activities	Expert Guidance & Advice Activities	Law Enforcement Tool Review Activities	Global Partnership Activities
Disrupting & Dismantling Criminal Organizations	<ul style="list-style-type: none"> Prosecuting wide-ranging criminal organizations using racketeering and other powerful criminal statutes Coordinating transnational operations relating to violent gangs 	<ul style="list-style-type: none"> Training USAOs on effectively using the law to prosecute gangs Creating a coordinated global approach to dismantle drug trafficking organizations 	<ul style="list-style-type: none"> Providing oversight for the use of electronic surveillance in violent crime and organized crime cases Assisting in the protection of witnesses 	<ul style="list-style-type: none"> Improving relations with law enforcement in various countries where gang leaders reside Implementing the International Organized Crime Strategy
Protecting Children & Vindicating Human Rights	<ul style="list-style-type: none"> Prosecuting high-profile and dangerous child predators Investigating potential war criminal harboring illegally in the U.S. 	<ul style="list-style-type: none"> Training Project Safe Childhood (PSC) field units in prosecution techniques Advising foreign counterparts on conducting complex investigations 	<ul style="list-style-type: none"> Overseeing a high-tech lab to assist law enforcement in gathering critical evidence in child exploitation cases Developing strategies to effectively capture digital evidence 	<ul style="list-style-type: none"> Working to form international strategies to combat child sexual exploitation Prosecuting U.S. government agents who have violated human rights while in other countries
Promoting the Rule of Law Internationally	<ul style="list-style-type: none"> Coordination of bi-lateral investigations Seeking the extradition of criminal defendants who have fled overseas 	<ul style="list-style-type: none"> Assisting foreign countries in the development of laws and legal procedures Training of our foreign counterparts 	<ul style="list-style-type: none"> Obtaining evidence from or for foreign countries Supporting trans-national investigations 	<ul style="list-style-type: none"> Providing direct technical assistance on case-specific matters Participating in international policy groups

Key Strategic Priority	Prosecuting & Investigating Activities	Expert Guidance & Advice Activities	Law Enforcement Tool Review Activities	Global Partnership Activities
Supporting National Security	<ul style="list-style-type: none"> Prosecuting cases focused on deterring corruption of foreign officials Supporting investigations aimed at limiting terrorist mobility 	<ul style="list-style-type: none"> Participating in government-wide anti-terrorism strategy groups Providing expert guidance on freezing terrorist assets 	<ul style="list-style-type: none"> Negotiating Mutual Legal Assistance Treaties to obtain foreign evidence Securing extradition of terrorist suspects 	<ul style="list-style-type: none"> Strengthening counter-terrorism ability of foreign counterparts Working with other countries to disrupt terrorist travel networks

D. Challenges to Achieving Outcomes

Many factors, both external and internal, impact the Criminal Division's capacity to accomplish its goals. While some of these factors are beyond its control, the Division strives to navigate these obstacles successfully and to minimize the negative impact that these factors have on the Division's critical mission.

External Challenges

1. Globalization of Crime: The increasing globalization of crime and the emergence of transnational threats will continue to bring new challenges to law enforcement, both at home and abroad. In its commitment to combat transnational threats, the Criminal Division continues to serve as the Department's "global headquarters," effectively developing criminal policies and legislation, while monitoring both national and transnational criminal trends. As important, the Division is the central clearinghouse for all requests by foreign countries for evidence of crimes that may be in the United States and for all requests by U.S. law enforcement authorities for evidence of crimes that may reside abroad. The Division has the breadth of experience and the unique capability to build essential global partnerships to successfully combat transnational crimes, but requires critical resources to keep pace with the increasing demand for its services.
2. Advances in Technology: New technologies have generated cutting-edge methods for committing crimes, such as use of the Internet to commit identity theft and use of peer-to-peer software programs to share large volumes of child pornography in real-time. These technologies continue to pose many challenges to law enforcement agents and prosecutors alike. It is the Division's job to keep pace with these cutting-edge methods of technology and provide training and assistance to other prosecutors and investigators.
3. Weak International Rule of Law: Some countries lack effective policies, laws, and judicial systems to investigate and prosecute criminals in their countries. These weaknesses create obstacles for the Division, as it tries to bring criminals to justice and seize their ill-gotten profits.
4. Increasing Statutory Responsibilities in a Challenging Fiscal Environment: New legislation that increases the Division's responsibilities has placed additional demands on the Division's resources. This includes the steady increase in the number of mandatory reporting requirements to which the Division must respond.

Internal Challenges

The Criminal Division faces a number of internal challenges due to growing demands. These challenges include the following:

1. Automated Litigation Support: Cases and matters the Division prosecutes and investigates are complicated and complex and require a massive amount of data to be processed and stored.
2. Information and Network Security: To stay one step ahead of criminals, the Division needs to acquire the most advanced IT equipment and software available. Additionally, it must ensure that it is invulnerable to cyber attacks or computer intrusions.

E. Budget & Performance Integration

This budget demonstrates how the Criminal Division's resources directly support the achievement of the Department's strategic goals and priorities – both nationally and internationally.

The Division reports as a single decision unit; therefore, its resources are presented in this budget as a whole. Total costs represent both direct and indirect costs, including administrative functions and systems. The performance/resources table in Section IV of this budget provides further detail on the Division's performance-based budget.

F. Environmental Accountability

The Criminal Division has taken significant steps to integrate environmental accountability into its daily operations and decision-making process:

- The Division has initiated (paperless) electronic transmittal of all service work requests and internal administrative services, which saves paper and reduces its carbon footprint.
- The Division has completed the balancing of the water system to conserve and provide more efficient use of its supplemental air conditioning units.
- The Division is continuing to work with building management to install occupancy sensors in all offices in the Bond building to save energy. New light fixtures will also be installed to satisfy energy saving requirements. These fixtures provide low watts per square foot with energy saving ballast and controls.
- The Division continues to take steps to improve the recycling and environmental awareness programs within the Division. The Division has a comprehensive recycling program that includes the (1) distribution of individual recycling containers to every federal and contract employee, (2) inclusion of recycling flyers in all new employee orientation packages, (3) publication of energy and recycling articles in the Division's Security and Operations Support newsletter, and (4) creation of a recycling section on the Division's Intranet site. The Division is in ongoing discussions with two of its leased buildings to use "Single Stream" recycling which would enhance the Division's program overall by removing the requirement for tenants to separate recyclables.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
MLAT Reform	The requested positions and resources would allow the Division to implement the four elements—(1) Centralization, (2) Training and Outreach, (3) Reducing the Backlog, and (4) Technology—as the Department has defined to address the MLAT issues.	141	71	\$19,566	18
Cyber Security	This request would allow the Criminal Division to combat the growing and evolving cyber threat. The additional resources will increase the Division's capability in four key areas: cybercrime investigations and prosecutions; advice and advocating legal tools and authorities; international cooperation and outreach; and forensic support.	25	14	\$2,580	28
Intellectual Property	This request would help the Criminal Division to better combat the increasing threat of transnational intellectual property crime. The additional resources will be used to place two DOJ Attachés overseas that will serve as regional International Computer Hacking and Intellectual Property coordinators (ICHIPs). A portion of this enhancement also be used to increase the capacity of the Division's domestic IP program to provide critical support to the ICHIP/Attachés and ensure the coordinated use of ICHIP resources overseas.	11	6	\$2,205	36

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

No changes to appropriations language.

IV. Program Activity Justification

A. Enforcing Federal Criminal Laws

<i>Enforcing Federal Criminal Laws</i>	Direct Pos.	Estimate FTE	Amount (000)
2013 Enacted with Rescissions and Sequestration	751	669	\$164,792
2014 Enacted	750	674	\$174,189
Adjustments to Base and Technical Adjustments	0	0	\$3,947
2015 Current Services	750	674	\$178,136
2015 Program Increases	177	91	\$24,351
2015 Program Offsets	0	0	\$0
2015 Request	927	765	\$202,487
Total Change 2014-2015	177	91	\$28,298

1. Program Description

The mission of the Criminal Division is to develop, enforce, and supervise the application of all federal criminal laws, except those specifically assigned to other divisions. The Criminal Division is situated at headquarters to work in partnership with both domestic and international law enforcement. While U.S. Attorneys and state and local prosecutors serve a specific jurisdiction, the Criminal Division addresses the need for centralized coordination, prosecution, and oversight.

The Division complements the work of its foreign and domestic law enforcement partners by centrally housing subject matter experts in all areas of federal criminal law, as reflected by the 16 Sections and Offices that make up the Division's Decision Unit "Enforcing Federal Criminal Laws:"

- Appellate Section;
- Asset Forfeiture and Money Laundering Section;
- Capital Case Section;
- Child Exploitation and Obscenity Section;
- Computer Crime and Intellectual Property Section;
- Human Rights and Special Prosecutions Section;
- International Criminal Investigative Training Assistance Program;
- Narcotic and Dangerous Drug Section;
- Office of Administration;
- Office of the Assistant Attorney General;
- Office of Enforcement Operations;
- Office of International Affairs;
- Office of Overseas Prosecutorial Development, Assistance and Training;
- Office of Policy and Legislation;
- Organized Crime and Gang Section; and
- Public Integrity Section.

The concentration of formidable expertise in a broad range of critical subject areas strengthens and shapes the Department's efforts in bringing a broad perspective to areas of national and transnational criminal enforcement and prevention. To capture this range of expertise, the

Division's Performance and Resource Table is organized into three functional categories: prosecutions and investigations; expert guidance and legal advice; and the review of critical law enforcement tools. In addition, the chart shows the Division support of the Department's Strategic Goals and Objectives.

2. Performance and Resource Tables

PERFORMANCE AND RESOURCES TABLE										
Decision Unit: Enforcing Federal Criminal Law										
RESOURCES										
	Target		Actual		Projected		Changes		Requested (Total)	
	FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
Total Costs and FTE (reimbursable FTE are included)	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
	954	\$164,792	954	\$163,629	971	\$174,189	91	\$28,298	1,062	\$202,487
TYPE	PERFORMANCE		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
STRATEGIC OBJECTIVE			FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
1.2, 1.4, 2.1, 2.2, 2.3, 2.4, 2.5, 3.6			458	\$79,100	466	\$83,611	10	\$2,002	476	\$85,613
Program Activity	1. Prosecutions and Investigations									
Workload	Cases Closed		322		378		8		386	
Workload	Cases Pending		1,287		1,171		44		1,215	
Workload	Appellate Work - Opened		3,207		3,207		64		3,271	
Workload	Appellate Work - Closed		3,198		3,198		64		3,262	
Workload	Appellate Work Pending		2,833		3,088		9		3,097	
Workload	Matters Opened		901		932		19		951	
Workload	Matters Closed		890		994		20		1,014	
Workload	Matters Pending		1,718		1,365		-63		1,302	

PERFORMANCE AND RESOURCES TABLE									
Decision Unit: Enforcing Federal Criminal Law									
RESOURCES									
		Target		Actual		Projected		Changes	
		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes	
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Program Activity	1.1, 1.2, 1.4, 2.1, 2.2, 2.3, 2.4, 2.5, 3.1, 3.6	353	\$60,973	353	\$69,543	359	\$84,450	8	\$1,908
Workload	2. Expert Guidance and Legal Advice								
Workload	Number of Legislative and Policy Analysis matters Completed	5,299		6,483		5,389		162	5,551
Workload	Number of Programmatic Coordination Activities	7,071		11,892		11,200		336	11,536
Workload	Number of Legal Advisory Matters Completed	29,959		42,586		34,106		1,023	35,129
Workload	Number of Training Sessions/Presentations	3,395		5,133		3,541		106	3,647
Program Activity	1.1, 1.2, 1.4, 2.1, 2.2, 2.3, 2.4, 2.5, 3.1, 3.6	143	\$24,719	143	\$24,544	146	\$26,128	73	\$20,440
Workload	3. Law Enforcement Tools								
Workload	Number of Mandatory Reviews Completed	21,232		26,977		20,888		2,000	22,888
Performance Measure: Outcome	Favorably Resolved Criminal Cases	90%		87%		90%			90%
Performance Measure: Outcome	Favorable Resolved Civil Cases	80%		100%		80%			80%
Data Definition, Validation, Verification, and Limitations: Definitions: Prosecutions and Investigations: This program activity includes cases or investigatory matters in which the Criminal									

2. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

Outcome Measure

The Department's long-term outcome goal for the litigating divisions, including the Criminal Division, is the percentage of criminal and civil cases favorably resolved during the Fiscal Year. The goals are 90 percent (criminal) and 80 percent (civil). The Division has consistently met or exceeded the goals. In FY 2013, the Division met both outcome goals and is on track to meet both of them in FY 2014.

Prosecutions and Investigations Workload

The Division leads complex investigations and tries significant prosecutions. Many of these cases are of national significance, require international coordination, have precedent-setting implications, and involve the coordination of cross-jurisdictional investigations. With the requested enhancements in FY 2015, the Division will be able to increase its handling of critical cases by 3%.

Other Critical Division Workload

In addition to investigating and prosecuting criminal cases, the Division plays a central role in the Department's mission by reviewing the use of critical law enforcement tools, including the approval of all requests for wiretapping under Title III. The Division also provides expert guidance and legal advice on significant legislative proposals, analyzes Department-wide and government-wide law enforcement policy, conducts training for the field, and engages in programmatic coordination.

The Division has seen consistent growth in this area over the past FYs. With the requested enhancements in FY 2015, the Division would be able to more effectively handle this growth. The MLAT Reform enhancement will revolutionize the way the Division manages and responds to requests and performance in this area will be effected. The requested resources will reduce response time and the substantial backlog of requests.

b. Strategies to Accomplish Outcomes

The Criminal Division's mission is to develop, enforce, and exercise general oversight for all federal criminal laws. In fulfilling this mission, the Division plays a central role in assisting the Department in accomplishing its Strategic Goals and Objectives. The Division contributes to work in ten of the Department's eighteen strategic objectives. The performance measures and outcome measures, reported in the budget, measure performance in a combination of strategic objectives covering the entire breadth of the Division's work.

c. Priority Goals

The Criminal Division contributes to two priority goals:

Financial Fraud/Healthcare Fraud: Protect the American people from financial and healthcare fraud: In order to efficiently and effectively address financial fraud and healthcare fraud, by September 30, 2015, reduce by 3 percent the number of financial and healthcare fraud investigations pending longer than 2 years.

Vulnerable People: Protect vulnerable populations by increasing the number of investigations and litigation matters concerning child exploitation, human trafficking, and non-compliant sex offenders; and by improving programs to prevent victimization, identify victims, and provide services. By September 30, 2015, working with federal, state, local, and tribal partners, protect potential victims from abuse and exploitation through three sets of key indicators:

- Open investigations concerning non-compliant sex offenders (4% over average of FYs 2012, 2013), sexual exploitation of children (3% over average of FYs 2011, 2012, 2013), and human trafficking (2% over FY 2013)
- Open litigation matters concerning sexual exploitation of children and human trafficking (5% increase over baseline)
- Percent of children recovered within 72 hours of issuance of an AMBER alert (90%)

The Division's progress regarding these two goals is reported quarterly to the Department.

V. Program Increases by Item

Item Name:

Mutal Legal Assistance Treaty (MLAT) Reform

Strategic Goal:

Goal One: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law	1.1 Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve a coordinated response to terrorist threats
	1.2 Prosecute those involved in terrorist acts
	1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors
Goal Two: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law	2.1 Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers
	2.2 Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America's crime victims
	2.3 Disrupt and dismantle major drug trafficking organizations to combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs
	2.4 Investigate and prosecute corruption, economic crimes, and transnational organized crime
	2.5 Promote and protect American civil rights by preventing and prosecuting discriminatory practices
Goal Three: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels	3.1 Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs
	3.6 Prevent and respond to genocide and mass atrocities and ensure that perpetrators of such crimes are held accountable in the United States, and if appropriate, their home countries

Budget Decision Unit(s):

Enforcing Federal Criminal Law

Organizational Program:

Criminal Division

Program Increase: Positions 141 Atty 77 FTE 71 Dollars \$19,566,000

Description of Item

In order to protect our national security, it is essential that we transform the manner in which we conduct international mutual legal assistance in criminal and counterterrorism matters. Without such a transformation, our international law enforcement relationships, our internet service providers (ISPs), and the multi-stakeholder model of internet governance are all at risk.

The President's National Security Strategy recognizes the centrality of international mutual cooperation in criminal justice and counterterrorism matters. The Strategy calls for our law enforcement agencies to "cooperate effectively with foreign governments" in order to "provide safety and security," and in particular states that the U.S. will "strengthen our international partnerships" to counter cybersecurity threats. To this end, President Obama has called upon our allies and partners to "join in building a new framework for international cooperation to protect all our citizens from the violence, harm, and exploitation wrought by transnational organized crime."

Thanks to far-sighted legislation signed into law by President Obama in 2009, we now have the opportunity to build such a "new framework for international cooperation." That legislation (18 U.S.C. 3512) would permit the Criminal Division's Office of International Affairs (OIA) – which, under our Treaties, is the Central Authority for the entire United States – to itself execute foreign requests for assistance in criminal and counterterrorism cases, rather than having to rely upon local U.S. Attorneys' Offices to do so.

This is not simply a "streamlining": it is a paradigm shift that will allow us to address a critical vulnerability in our national security – our difficulty in responding in a timely manner to foreign requests for assistance, particularly in cases involving Internet Service Provider (ISP) records. We have seen a dramatic growth in mutual legal assistance requests in general, and for ISP records in particular – and resources for OIA have fallen far behind.

Our difficulty in responding to foreign requests promptly not only jeopardizes the effectiveness of U.S. law enforcement – it also compromises our diplomatic efforts, our push for the multi-stakeholder model of Internet governance, our national security interests, and the competitiveness of U.S. companies overseas. Particularly with regard to ISP records, our delay in response has increased: foreign calls for moving or mirroring U.S. ISP data storage overseas; foreign demands that U.S. ISPs produce information directly in response to foreign orders; and foreign proposals that U.S. ISPs be subjected to national or multilateral data protection regimes. These proposals place U.S. companies in difficult or impossible positions, threaten our own cybersecurity, and risk balkanizing the Internet. The problem has only become more acute since the Snowden disclosures.

But we can reverse this dynamic, and instead build the "new framework for international cooperation" envisaged by the President's National Security Strategy, if OIA is provided with the resources necessary to implement the legislation that President Obama signed into law. The payoff would be dramatic. We would at once undercut key arguments for "decentralizing" the internet or negotiating a new UN Cybercrime Convention – arguments that have only gained force following Snowden's disclosures – while also providing a powerful demonstration that effective cooperation is possible under the Budapest Cybercrime Convention. We would make our nation safer, both by ensuring that foreign authorities have the evidence to prosecute crime and terrorism before it reaches our shores, and by leading to greater reciprocal cooperation in our

own cases. And we could take leadership in transforming Central Authorities worldwide – and in so doing, help fulfill the President’s National Security Strategy.

To achieve these goals, the Division is requesting an increase of **141 positions (77 attorneys), 71 FTE, and \$19,566,000.**

Support of the Department’s Strategic Goals

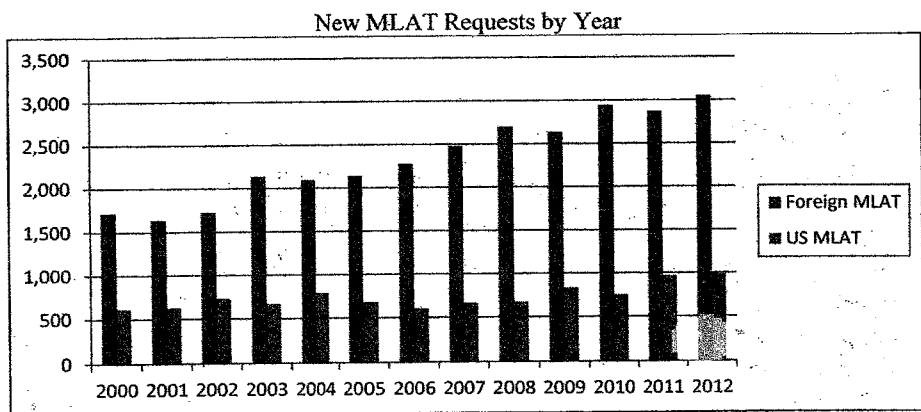
As MLAT can apply to all types of crime, this request supports all three of the Department’s strategic goals and many of its objectives. As shown above, this is a complex process that has many issues and huge international consequences. The increase will improve efficiency and effectiveness of the process and the program.

Justification

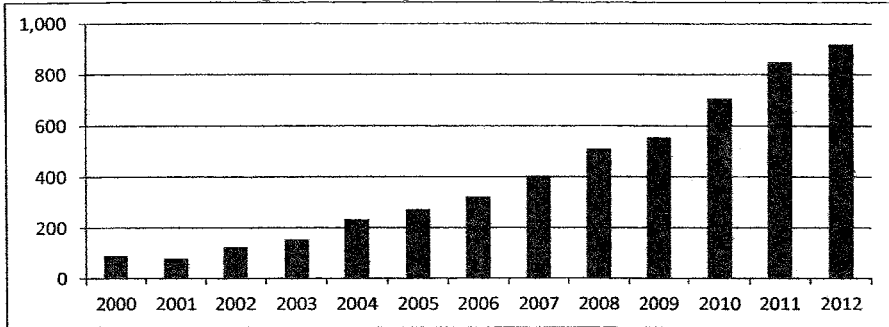
The U.S. and foreign law enforcement authorities often share information through informal channels. However, they make formal requests to each other for evidence in criminal cases through a process referred to as “mutual legal assistance.” These formal written requests, made often through our Mutual Legal Assistance Treaties (MLATs), generally are used (1) if a court order is needed to obtain the evidence; (2) to meet formalities to assure the evidence is admissible; and/or (3) where use of the MLAT process is dictated by the domestic law of one of the two countries (generally not the case under U.S. law).

Increasing Workload Shouldered by Decreasing Personnel

In the past decade, the number of requests for assistance from foreign authorities handled by OIA has increased nearly 60%, and the number of requests for computer records has increased ten-fold.



Foreign MLAT Requests for Computer Records



As illustrated above, the growth of foreign requests for computer records far outpaces that for MLATs generally. However, it is not only the increased number of cases, but also the very high legal standards for obtaining ISP records, and particularly for the content of communications, that make the process difficult and time consuming. When content is sought, the legal standard rises to probable cause, making it especially difficult for foreign partners to meet without significant assistance from OIA and U.S. law enforcement agents stationed abroad.

In fiscal year 2012, OIA opened approximately 3,000 foreign requests for assistance. That same year, OIA granted assistance in whole or in part, in approximately 1,900 cases, that is, 59% of the requests were successfully fulfilled. Of those 3,000 requests nearly 1,000 were for ISP records, and of those, 52% were successfully fulfilled.

While its workload has dramatically increased, OIA has seen minimal changes in its staffing resources, and in fact has decreased in size since FY 2011, much like the rest of the Department. Since December 2011, OIA has lost 11 of its 56 attorneys to retirement, other assignments within the Department, and private sector jobs, a decrease of 18 percent at a time when requests are growing by double-digits. Those attorneys have not been replaced due to resource limitations.

Moreover, it should be borne in mind that OIA's work with foreign MLATs is only one of several of its unique, and largely non-discretionary functions, including preparing U.S. requests for extradition of foreign fugitives and working with foreign authorities to secure the fugitive's surrender; preparing all U.S. requests for foreign evidence and witnesses; and, negotiating of all extradition treaties and MLATs with the Department of State; formulating international criminal justice policy. There are more than 1,000 fugitive requests alone every year.

Limited Technology

The case management system currently in use for managing all of OIA's case work has not seen a significant upgrade since its implementation in 1999. As a result, there is a lack of transparency for OIA to see the progress of each request at each iterative step, e.g., receipt, conclusion of review by OIA, receipt by USAO, court order date, date evidence received, etc. More importantly, no public-facing system or website is available for state and local partners or a foreign government to monitor the status of its requests, a significant source of frustration for our foreign partners. Therefore, creating a secure, external website with information available to

state and local counterparts as well as foreign authorities would reduce time and resources spent in communicating basic information, providing guidance, and transmitting exemplars and templates. It would also be a significant step toward transparency in the process.

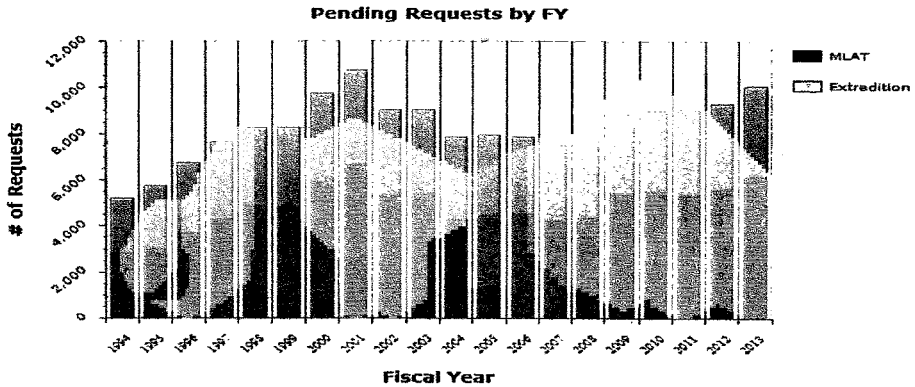
Structural Impediments

Currently, OIA must rely on U.S. Attorneys' Offices to execute foreign requests for assistance that require court orders. This is not ideal because USAOs must necessarily give priority to investigating and prosecuting offenses against the U.S., and thus, Assistant U.S. Attorneys must defer execution of foreign MLATs while they address more pressing U.S. cases. Moreover, the current model results in duplication of effort by OIA and the U.S. Attorneys' Offices. All matters must be and are reviewed by OIA for legal sufficiency and consistency with DOJ and USG policy; all matters that are referred to the U.S. Attorney's Offices for execution are also reviewed for legal sufficiency by the AUSAs responsible for securing the necessary court orders. Currently, OIA has approximately 4,500 pending foreign MLAT requests and of those, approximately 1,500-2,000 are pending execution with U.S. Attorneys' Offices and U.S. law enforcement agencies.

To respond to the mounting evidence of the inefficiencies of this antiquated, decentralized system, President Obama signed into law the *Foreign Evidence Request Efficiency Act of 2009*, codified at Title 18 United States Code § 3512 (Section 3512). Among other things, this act was intended to implement efficiencies and create flexibility in the execution of foreign assistance requests. It allows OIA to respond directly, without burdening the U.S. Attorney's Offices, by creating venue in the District of Columbia for court orders to compel the production of evidence sought by foreign authorities. Through this legislation, the Obama Administration has made possible a paradigm shift in how mutual legal assistance requests are dealt with by the USG; but to actualize this shift, OIA requires additional legal and professional personnel to undertake work currently performed by USAOs.

Between FYs 2002 and 2008, OIA managed its steadily increasing volume of work without additional resources, through the efficient use of paralegals and improved case management practices. However, in FY 2009, OIA reached its saturation point and its backlog began to increase steadily as a result. In FY 2013, OIA's backlog reached more than 10,000 cases for the first time since FY 2001. The chart below illustrates this story.

The total case figure includes approximately 5,400 requests from U.S. prosecutors directed to foreign countries for the return of fugitives and production of evidence and approximately 5,300 requests for fugitives and evidence received from foreign counterparts. Foreign requests for evidence make up the largest number of pending cases at OIA. Currently, OIA has approximately 4,500 pending foreign requests for evidence. Of that figure approximately 1,000 are for computer records.



Based on historical experience and a qualitative review of OIA's existing teams, customers, and process, it has been determined that between 120 and 150 cases would be a manageable caseload per OIA attorney under the current model, where AUSAs are still responsible for court filings and appearances. Unfortunately, OIA case attorneys carry twice the manageable caseload -- an average caseload of 264 cases each -- a caseload that has increased 30 percent in the last five years, from an estimated caseload of 200 cases per attorney in FY 2008.

**Projected OIA Backlog Increases FY 2014-2020
(No Additional Resources)**

FY	Projected Backlog ¹	Projected Caseload per Attorney
2013	10,261	263
2014	11,681	300
2015	12,141	311
2016	12,715	326
2017	13,405	344
2018	14,331	367
2019	15,504	398
2020	16,931	434

OIA is becoming unable to meet all incoming foreign requests, even after refusing cases on "*de minimis*" grounds, over the objections of the Department's foreign counterparts that there is no treaty exception for such cases. As a result, we are facing criticisms from our foreign counterparts that are, such as those examples described below:

¹ These backlog projections from Spring 2013 assume, based on trend analysis, that new workload will not increase in FY 2014, will increase two percent in FY 2015-17, and will increase four percent in FY 2018-20; and that the closed workload will decrease ten percent in FY 2014 to account for further attrition, increase in FY 2015 to account for backfills if sequestration is lifted, and remain steady from FY 2016-20. The actual backlog for FY 2013 exceeded these predictions and reached 10,600.

- On February 20, 2013, the Latvian Prosecutor General held a press conference to publicly criticize the United States for its failure to respond in a timely manner to Latvia's requests for mutual legal assistance. To this point, Latvia has been one of the U.S.'s most reliable partners in Eastern Europe.
- On April 5, 2013, the Division received a letter from Germany's Director General of Criminal Law criticizing OIA's "*de minimis*" policy. He stated that while focusing on only serious forms of criminality "can be one way of ensuring effective criminal prosecutions" in an age experiencing a "significant rise in cross-border offenses," the *de minimis* policy is "not a path provided for in the mutual legal assistance agreements that the USA has concluded with the European Union and with Germany. Those agreements provide for an **obligation** to execute mutual legal assistance requests. They do not provide for a refusal of execution in cases involving less serious offenses. **Germany's approach has been to provide the necessary increase in staff.**" (*emphasis in original*).

Solutions and Resourcing Strategy

To address this multi-faceted problem, several concurrent solutions are necessary. Re-engineering the process, by centralizing it within OIA as envisioned by the *Foreign Evidence Request Efficiency Act of 2009*, will yield the most efficient and effective MLAT process. Additional and coordinated training and outreach to foreign partners is critical to ensure MLAT requests meet U.S. legal standards. Finally, new technology, including a web-based system for interacting with foreign partners, is necessary to keep the current system moving as smoothly as possible in the 21st century.

The Department sees the following four key elements to addressing the MLAT problem: (1) Centralization, (2) Training and Outreach, (3) Reducing the Backlog, and (4) Technology.

Centralization:

To fully address the MLAT crisis, the Department will need to have the resources to fully utilize the authorities provided by the 2009 legislation. This will allow the centralized execution of foreign MLATs with OIA and FBI and U.S. Attorney's Office in D.C., rather than farming them out to the other 93 U.S. Attorney's Offices. This will reduce the delays and redundancy in the MLAT process. A few matters involving physical searches, witness interviews, or related case investigations will continue to be referred to Districts where the evidence is located. Also, the need to deal directly with ISPs on novel or complex issues regarding foreign MLAT cases will require continued engagement by the U.S. Attorney's Office in the Northern District of California, where the majority of ISPs are located, but at a much reduced level.

OIA's pilot project, with the support and expertise of CCIPS and the U.S. Attorney's Office and FBI in D.C., demonstrates the efficiencies of the new paradigm. If we can fully realize this paradigm shift, then we can use it as an example to foreign authorities of the way forward in fixing -- for the benefit of all -- an MLAT process mired in antiquated, decentralized systems and steeped in bureaucratic wheel-spinning and passivity.

Drawing upon the efficiencies already established in OIA's pilot project, time for executing legally sufficient, straightforward requests for subscriber and transactional information would be

reduced initially to three to four months (and likely less for cases from our common law partners and cases involving only subscriber information), and over time, we would strive for even faster responses.

With respect to requests for content, which entail meeting the stringent “probable cause” standard and now take up to one year to execute, we would expect that, for our common law partners, the simple infusion of additional, adequate resources, including FBI personnel to review and filter the results, would have immediate results in cutting response time in half. Over time, we project response times for our common law partners would come close to those of domestic cases. With foreign partners from other legal systems, improving response times will be a graduated process that will involve taking the partner through the various stages of available evidence based on the development of the investigation. Improvements through training and outreach, as discussed below, also will be necessary to see substantially reduced response times.

Training and Outreach:

The Department of Justice – OIA, CCIPS and FBI – will develop a comprehensive program to train foreign authorities in U.S. legal standards for obtaining evidence as well as core training in cyber investigations. Additionally, the Department must, with the Department of State, engage foreign governments to empower their MLAT “Central Authorities” (or equivalents) so that they can screen their own requests and direct their prosecutors and law enforcement agencies in making MLAT requests that meet U.S. legal standards.

By focusing training on high-volume MLAT partners who have particular difficulty in meeting U.S. legal standards and working with sophisticated partners who are already eager to engage in improving MLAT success, the quality of the requests received should improve over time.

Reducing the Backlog and Improving Response Times:

Additional resources are needed to address the backlog, including by staffing an office-wide “intake unit” in OIA to handle all incoming MLATs (building on a successful model with European cases). These additional personnel resources will also reduce response time, and address system problems that have overburdened the MLAT process and OIA. Focusing attention on foreign partners such as Brazil and Turkey also includes assigning DOJ Attaches to work directly with foreign counterparts in those countries, as well as other important partners such as Germany, the Dominican Republic, Australia and Eastern Europe. These in-country “first responders” will be able to work directly with foreign counterparts (as well as U.S. Embassy law enforcement agency attaches) to resolve problems and address legal and treaty issues in complex and urgent cases before requests are sent to OIA, and to provide consistent, hands-on advice to cure systemic problems.

Once adequately staffed, OIA would strive first to reduce its pending case levels to its 2008 low of approximately 7,500. This would include reducing backlogs of cases at both at OIA and among cases already awaiting action at the U.S. Attorney’s Offices. It is expected that the additional resources would, over time, allow OIA to eliminate the backlog – that is, that the number of cases closed in a given year will match (if not exceed) the number of new cases opened. These additional attorneys will not only handle any existing backlog, but will also take on new MLAT and extradition requests, and some will be dedicated to supporting the necessary

operation of the office, including legislative and policy development, litigation, and management.

Technology:

The modernization of OIA's case tracking and management system is the primary technology requirement. This action will require \$3 million per year for three years. OIA will work to update its neglected website for internal OIA and DOJ users, establish an external website of resources and email interface for foreign users, and fund in-house technological and analytic resources to manage those systems and keep them current. The system will also be ready to provide online advice and exemplars for foreign partners and to accept their MLAT requests electronically (beyond the email and PDF capacities now in use). The system will also allow for automated status checks.

Conclusion

The MLAT process must be reformed in a comprehensive and responsible manner to address the globalization and growth of terrorism, crime and electronic communications, ensure U.S. law enforcement retains the ability to seek reciprocal assistance from foreign partners, and safeguard U.S. security and economic interests that are threatened by foreign frustration with a U.S. predominance of the Internet that is coupled with a perceived U.S. unresponsiveness to their need for U.S.-based evidence.

Impact on Performance

The requested positions will allow the Division to implement the four elements—(1) Centralization, (2) Training and Outreach, (3) Reducing the Backlog, and (4) Technology—as the Department has defined to address the MLAT issues. As MLATs can touch on many crimes, this request will have positive impact to many of the performance objectives for the Department.

Funding

Base Funding

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
90	61	82	\$18,495	90	61	82	\$19,550	90	61	82	\$19,993

Personnel Increase Cost Summary

Type of Position/Series	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Attorneys (0905) (Domestic)	\$119	69	\$8,211	\$7,728	\$0
Attorneys (0905) (Foreign)	\$504	7	\$3,528	\$236	\$0
Attorneys (0905) (Domestic-SES)	\$135	1	\$135	\$136	\$0

Miscellaneous Operations (0001-0099)	\$67	1	\$67	\$47	\$53
Personnel Management (0200-0299)	\$67	1	\$67	\$47	\$53
Clerical and Office Services (0300-0399)	\$67	13	\$871	\$611	\$689
Clerical and Office Services (0300-0399)	\$59	2	\$118	\$80	\$0
Accounting and Budget (0500-0599)	\$67	1	\$67	\$47	\$53
Paralegals / Other Law (0900-0999)	\$67	46	\$3,082	\$2,162	\$2,438
Total Personnel		141	\$16,146	\$11,094	\$3,286

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Foreign Service National	\$60,000	7	\$420	\$0	\$0
IT Contractors	\$3,000,000	1	\$3,000	\$0	\$0
Total Non-Personnel			\$3,420	\$0	\$0

Total Request for this Item

	Pos	Agt/ Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Current Services	90	61	82	\$19,993	\$0	\$19,993	\$0	\$0
Increases	141	77	71	\$16,146	\$3,420	\$19,566	\$11,094	\$3,286
Grand Total	231	138	153	\$36,139	\$3,420	\$39,559	\$11,094	\$3,286

V. Program Increases by Item

Item Name: **Enhancing Cyber Capabilities to Address the Blended Cyber Security Threat**

Strategic Goal:

Goal One: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law	1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors
Goal Two: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law	2.4 Investigate and prosecute corruption, economic crimes, and transnational organized crime

Budget Decision Unit(s): **Enforcing Federal Criminal Law**

Organizational Program: **Criminal Division**

Program Increase: Positions **25** Atty **9** FTE **14** Dollars **\$2,580,000**

Description of Item

The cybercrime threat is growing at a rapid rate. The Criminal Division plays a vital role in combating this threat through direct involvement in prosecutions, support and advocacy for legal tools, international assistance and outreach, and forensic support. In addition to operational support, this enhancement will increase the policy capacity of the Department of Justice as the government continues to grow its interaction and interface with cybersecurity and cyberspace issues. In order to keep pace with the evolving cybercrime threat and the investments being made to investigative agencies, the Division is requesting an increase of **25 positions (9 attorneys), 14 FTE, and \$2,580,000.**

Support of the Department's Strategic Goals

The requested enhancement will support Strategic Objective 1.4 and 2.4. The Division has been involved developing the Department's strategy to combat cyber crime and ensure cyber security and will continue to play a critical role implementing these strategies and objectives moving forward.

Justification

Threats to the nation's computer networks and cyber systems continue to evolve, as do the nature and capabilities of those responsible for the threats. Over the last several years, criminal

investigators and prosecutors have seen significant increases in the skills and organization of threat actors. In the last year, criminal groups such as Anonymous and LulzSec developed and quickly iterated tools and techniques for damaging computer systems and stealing large quantities of personal data.² Financially motivated groups work together closely and easily across national boundaries to steal, exploit, and profit from the large-scale theft of personal data, coalescing in forums where they barter individual skills to create ad hoc criminal networks with a power and reach sometimes approaching that of traditional transnational organized crime networks.³ And, more recently, actors ranging from nation-states to terrorist groups to criminal organizations have expressed an interest in exploiting the computer networks that control our critical infrastructure—such as the power grid or the water supply—for financial gain or political advantage.⁴

Characteristic of these threats is their blended nature. The tools used to commit serious cyber theft and damage are not only wielded by those with large-scale development resources. Instead, individuals or small groups can steal huge quantities of sensitive data, damage key computer systems, or silence those who disagree with them with widely available tools. Financial gains from these crimes can, in turn, be used to build larger networks and buy protection from foreign government officials. As a result, U.S. investigators working to determine the source and nature of a cyber threat often cannot know at the outset whether an attack was mounted by an individual acting alone, an organized criminal or terrorist group, or a hostile nation.

Addressing this complex threat requires a unified approach, one that incorporates criminal investigation and prosecution tools, civil and national security authorities, trade and economic sanctions, public-private partnerships, and international cooperation. Criminal prosecution, whether in the United States or a partner country, plays a central and critical role in this effort. In addition, while prosecution is not the appropriate approach for every threat that affects the United States, identifying and understanding the threat will very often involve the use of criminal investigative tools and methods. Moreover, other means of addressing threats and cooperatively reducing vulnerabilities—whether undertaken by private groups, system protectors, or the

² See, e.g., Press Release, U.S. Attorney's Office for the Southern District of N.Y., Six Hackers in the United States and Abroad Charged for Crimes Affecting Over One Million Victims (Mar. 6, 2012), available at <http://www.justice.gov/usao/nys/pressreleases/March12/ackrovdetailindictmentpr.pdf>; Matt Peckham, *Anonymous and LulzSec Fire Back at Police with Lethal Data Dump*, TIME TECHLAND (Aug. 8, 2011), <http://techland.time.com/2011/08/08/anonymous-and-lulzsec-fire-back-at-police-with-lethal-data-dump/>.

³ See, e.g., Press Release, Dep't of Justice Office of Pub. Affairs, Online Identity Thief Sentenced in Virginia to 14 Years in Prison for Selling Counterfeit Credit Cards Leading to More than \$3 Million in Losses (Sept. 9, 2011), available at <http://www.justice.gov/opa/pr/2011/September/11-crm-1163.html>; *Identity Theft: A Victims Bill of Rights: Hearing Before the Subcomm. on Info. Policy, Census, and Nat'l Archives of the H. Comm. on Oversight and Gov't Reform* (June 17, 2009) (statement of Jason M. Weinstein, Deputy Assistant Att'y Gen. of the Crim. Div. of the U.S. Dep't of Justice), available at <http://www.justice.gov/ola/testimony/111-1/2009-06-17-crm-weinstein-identity-theft.pdf>.

⁴ See, e.g., Pierluigi Paganini, *SCADA & Security of Critical Infrastructures*, Infosec Institute (February 22, 2013), <http://resources.infosecinstitute.com/scada-security-of-critical-infrastructures/>; Michael S. Schmidt, *New Interest in Hacking as Threat to Security*, N.Y. TIMES, Mar. 14, 2012, at A16, available at <http://www.nytimes.com/2012/03/14/us/new-interest-in-hacking-as-threat-to-us-security.html>; J. Nicholas Hoover, *Cyber Threats to Critical Infrastructure Spike*, INFO. WEEK (Apr. 19, 2011, 2:08 PM), <http://www.informationweek.com/news/government/security/229401858>. See also, *Executive Order—Improving Critical Infrastructure Cybersecurity* (February 12, 2013), <http://www.whitehouse.gov/the-press-office/2013/02/12/executive-order-improving-critical-infrastructure-cybersecurity>.

intelligence community—will often require a deep and subtle understanding of law enforcement authorities and criminal prohibitions.

The Division's Computer Crime and Intellectual Property Section (CCIPS) has developed legal expertise and technical acumen that contribute fundamentally to the success of the Department's cyber security efforts. Division attorneys possess a deep understanding of cyber threats, and they provide extensive and authoritative legal advice on the lawful collection of electronic evidence, navigating complex statutes and case law. The Division's Cybercrime Laboratory provides essential assistance to prosecutors, agents, and others, helping them understand and better explain technical issues to judges and juries alike. And to extend this expertise nationally, CCIPS has developed, trained, and partnered with Computer Hacking and Intellectual Property (CHIP) Coordinators during the last 17 years, growing a network that now comprises more than 230 Assistant United States Attorneys (at least one in every district). CCIPS engages with and regularly trains key law enforcement partners across the federal government, including the Federal Bureau of Investigation (FBI), U.S. Secret Service, U.S. Postal Inspection Service, and the Inspector General community. Finally, because cybercrimes often span the globe, the Division has forged transnational networks for effective law enforcement cooperation, including a rapid response network aimed at preserving crucial electronic evidence before it vanishes.

In addition to the direct investigation and prosecution of cybercrimes, the Division has provided extensive legal and policy guidance in furtherance of these goals. For example, the Division has consistently led legislative development addressing emerging criminal threats to both the security of computer systems and networks and to the nation's intellectual property. It has engaged in complex legal reviews of tools and programs that protect critical government and private sector networks against security threats and attacks.

Finally, since the creation of the National Security Division (NSD) in 2006, the Division has provided priority assistance and support to NSD's terrorism prosecutions, to intrusion investigations related to espionage, counter-intelligence, and attacks on critical national infrastructures, and to the cooperative development of cybersecurity policy. The Criminal Division, principally through CCIPS, will assist NSD in its efforts to build needed capability and then to partner with NSD to address the legal, technical, and policy challenges inherent in addressing threats that are, by their nature, often incapable at the outset of being placed into easily ascertainable criminal or national security categories.

To address these challenges, the Criminal Division must enhance its approach in four key areas.

1. Timely and Accurate Investigations, Prosecutions, and Disruption Efforts

The threats to our nation's invaluable proprietary and personal information are increasing, and so must our innovation and efforts to deter, disrupt, and prosecute those threat actors. Studies have shown that the number of intrusions continues to increase, and the cost of cybercrime to American businesses and citizens likewise continues to mount.⁵

⁵ See, e.g., Salvador Rodriguez, *Cyber Crimes Are More Common and More Costly, Study Finds*, L.A. TIMES, Aug. 3, 2011, <http://articles.latimes.com/2011/aug/03/business/la-fi-cyber-attacks-20110803>; Identity Theft Resource Center, *2012 ITRC Breach Report* (December 26, 2012), <http://www.idtheftcenter.org/ITRC%20Breach%20Report%202012.pdf>.

As a result, CCIPS has experienced a 19% increase in pending investigations and an 8% increase in pending prosecutions between FY 2010 and FY 2012. Without additional resources, the Division will not be able to keep pace with the growing cyber caseload.

CCIPS Cyber Crime Caseload	FY 2010	FY 2011	FY 2012
Total Investigations Pending	252	357	301
<i>National-security focus</i>	50	71	60
<i>Criminal focus</i>	202	286	240
Total Prosecutions Pending	87	97	95
<i>National-security focus</i>	17	19	19
<i>Criminal focus</i>	70	78	76

A reality of cyber investigations is that it is nearly impossible to forecast where they will begin or end. Consequently, the Division, through CCIPS, provides nation-wide support to investigations, prosecutions, and disruption efforts, helping to ensure that its law enforcement partners receive consistent, quality support whether the investigation's trail leads to Silicon Valley, rural America, or overseas. As a result, Criminal Division prosecutors have led, or partnered in, some of the country's most significant data breach and computer intrusion cases, the success of which has required a comprehensive grasp of computer network technology and electronic evidence law and a subtle understanding of the often loosely organized worldwide groups that work together to plan and execute these attacks.

CCIPS prosecutors work in direct cooperation with the CHIP network and investigative agencies to identify and address threat actors, whether they are primarily external—such as criminal groups or foreign actors breaking in and stealing information—or internal, such as insiders misappropriating invaluable research or trade secrets. CCIPS houses prosecutors with a deep understanding of data breaches and computer misuse cases and prosecutors who understand the complexity of intellectual property cases to comprise the nation's leading resource for deterring, investigating, and punishing the theft of sensitive electronic information. Consequently, every additional prosecutor in CCIPS becomes a force multiplier for the Department, leveraging its expertise wherever it is needed to the benefit of all USAOs and the achievement of the Department's cyber crime goals.

Furthermore, more and more often, offenders reside outside of the United States, requiring the assistance of foreign law enforcement agents to gather evidence and make arrests. The Criminal Division's Office of International Affairs (OIA) has sole authority within the United States for negotiating mutual legal assistance treaties and securing the cooperation of foreign governments in providing to the U.S. fugitives and foreign electronic evidence.

2. Providing Effective Advice on and Advocacy for Legal Tools and Authorities

Beyond its direct prosecutorial role, the Criminal Division plays an essential part in helping to interpret and enforce the rules governing access to electronic evidence. Our nation's laws relating to access to electronic communications are complex, reflecting the numerous interests they balance in determining the appropriate scope of law enforcement and private sector access to communications. Through CCIPS and the Office of Enforcement Operations (OEO), the Criminal Division provides comprehensive and authoritative training, guidance, and review

regarding lawful access to electronic evidence for United States law enforcement at the federal, state, and local levels.

During the past six years, OEO's electronic surveillance workload has increased by 21%: in FY 2007, OEO reviewed 2,933 electronic surveillance applications. In FY 2012, OEO reviewed 3,554 applications. Since approximately six percent of OEO's workload is directly related to cyber cases, additional resources are necessary to ensure that OEO is able to handle the surveillance requirements of these cases.

CCIPS provides advice through publications and live training to federal, state, and local law enforcement agencies on searching and seizing electronic evidence. This advice is often based upon direct experience litigating those issues before district and appellate courts across the United States. Because of their lengthy and deep experience with these issues, Division attorneys are regularly sought by United States Attorney's Offices to litigate electronic evidence issues across the country. The number of cases that involve these issues continues to increase as more investigations use electronic evidence, more defense attorneys come to realize that it is a potential source for suppression motions, and more judges become concerned about government access to electronic data. Additional resources will allow the Division to successfully handle and participate in the most significant litigation.

Few issues in the United States are more closely watched or hotly debated than those relating to government access to electronic information. CCIPS engages with privacy advocacy groups, Congress, and other interested parties to advocate for standards that permit access to or sharing of critical cyber security data while protecting individual privacy to the greatest possible extent. As the requirements of this advocacy increase due to growing public interest in government surveillance, additional resources will be needed to support CCIPS' engagement.

3. Developing International Cooperation and Outreach

Because cybercrime is global in scope, the Criminal Division has long had a robust program for encouraging the development by foreign governments of laws, investigation and prosecution capacity, and political will to address emerging cybercrime threats and capabilities. However, criminals continue to use gaps and inefficiencies in international law enforcement capabilities to evade detection, attribution, and punishment. Despite these challenges, the Criminal Division has attempted to perform effective international outreach on cyber issues. Using a balanced approach of frank policy discussions with countries that have similar capabilities, combined with multilateral training initiatives aimed at countries whose legal or technical infrastructure to address cyber threats is at an earlier developmental stage, the Division has continued to improve capacity to address cybercrime around the world. CCIPS attorneys lead efforts to build capacity and law enforcement relationships in Africa, Eastern Europe, and Latin America, including through multi-lateral organizations such as the Organization of American States and the Asia-Pacific Economic Cooperation. As computer infrastructures expand in developing countries, and offenders who victimize Americans inevitably follow, the need for this sort of international engagement continues to grow.

Moreover, the State Department is developing plans to address cyber threats more comprehensively. Because these efforts will result in additional interactions with foreign

countries and multilateral organizations, as well as new funding for cybercrime training and assistance, they will increase demands on CCIPS and OIA attorneys.

4. Growing a Proven Structure to Address Digital Forensic Capabilities

Underpinning almost every cyber investigation and prosecution is the forensic examination of digital evidence. Over the last two decades, the volume of digital evidence has exploded. This volume has placed a tremendous burden on the Department's prosecutors to learn and understand the myriad complexities at the intersection of computer forensics, cybercrime, and emerging technologies. Due to the fast pace of advancing technologies, federal prosecutors outside of CCIPS often lack the technical knowledge necessary to know what digital evidence to ask for or how to best use digital evidence to further prosecutions.

The CCIPS Cybercrime Laboratory plays an essential role in assisting investigators and prosecutors – and ultimately judges and juries – in understanding how particular evidence fits into an overall “story of the case.” This function may be general – for example, the Laboratory's outreach to judicial authorities to ensure that they have adequate technical foundation and understanding of the role of electronic evidence – or specific to a particular case.

The CCIPS computer forensic model is a tiered and triage-based approach that provides technical and forensic support to litigation, legislative initiatives, and national security activities through consultation, forensic support, and training. The extent of CCIPS Cybercrime Laboratory support varies depending on case need: it can range from simple consultations to hands-on analysis, support, and training of agents or agency forensic personnel in the field (including the use of automated tools on site); from triage exams to full digital investigative analysis; or from pre-trial preparation to trial and post-trial support. Having a Division digital analysis expert – possessing advanced knowledge, skills, and abilities, as well as the capability to provide effective courtroom testimony if needed – sitting with the prosecutor in court could mean the difference between conceding or rebutting inaccurate or misleading defense expert testimony.

Enhancing the CCIPS Cybercrime Laboratory's resources is therefore necessary to advance prosecutions, meet discovery obligations, develop and evaluate plea offers, and bridge the gap between what law enforcement agencies produce in the course of their normal computer forensic examinations and what is needed for successful prosecutions. Between 2010 and 2011, the Cybercrime Laboratory experienced a 29% increase in requests for forensic support assistance and a 31% increase in forensic consultations. Each additional Cybercrime Laboratory examiner will significantly increase the lab's capacity for meeting customer demand: one examiner can increase the number of forensic consults provided by more than 50% and the number of trainings provided by 19%. With appropriate resources, the lab could provide the most comprehensive, efficient, and cost-effective digital investigative analysis support to the Department's prosecutions across the country.

Impact on Performance

Each additional Criminal Division attorney, laboratory professional, and related support position dedicated to this effort will have a widespread impact on the Department's ability to successfully prosecute cyber criminals, preserve digital evidence, and meet its mission of protecting national

security and public safety against these increasing cyber threats. The Criminal Division has a superb track record: in FY 2011, 100% of its prosecutions had a successful outcome.

However, the Division's cyber workload is increasing due to the growing nature of the threat and the increase of investigative resources. With the FBI increasing its resources in FY 2014 in support of the Next Generation Cyber Initiative to enhance the technical capabilities of investigative personnel, increase cyber investigations, and improve cyber collection and analysis, the Criminal Division must receive this commensurate increase to ensure that investigations can become successful prosecutions and to ensure that investigations can be adequately supported.

Funding

Base Funding

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
				122	79	96	\$28,414	122	79	96	\$29,057

Personnel Increase Cost Summary

Type of Position/Series	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Clerical and Office Services (0300-0399)	\$59	3	\$177	\$177	\$0
Attorneys (0905)	\$119	9	\$1,071	\$1,008	\$0
Paralegals / Other Law (0900-0999)	\$67	7	\$469	\$329	\$399
Information Technology Mgmt (2210)	\$100	4	\$400	\$364	\$164
Information Technology Mgmt (2210)	\$67	2	\$134	\$94	\$114
Total Personnel		25	\$2,251	\$1,795	\$677

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
International Case Travel	n/a	n/a	\$29	\$29	\$0
Equipment	n/a	n/a	\$300	\$300	\$0
Total Non-Personnel	n/a	n/a	\$329	\$329	\$0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Current Services	122	79	96			\$29057	n/a	n/a
Increases	25	9	14	\$2,251	\$329	\$2580	\$2,124	\$677
Grand Total	147	88	110	\$2,251	\$329	\$31,637	\$2,214	\$677

V. Program Increases by Item

Item Name: Intellectual Property Enforcement

Strategic Goal

<p>Goal Two: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law</p>	<p>2.4 Investigate and prosecute corruption, economic crimes, and transnational organized crime</p>
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Budget Decision Unit(s): Enforcing Federal Criminal Law

Organizational Program: Criminal Division

Program Increase: Positions 11 Atty 7 FTE 6 Dollars \$2,205,000

Description of Item

The Criminal Division requests an enhancement of 11 positions (including 7 attorneys), 6 FTE, and \$2,205,000 to place two DOJ Attachés overseas to fight transnational crime, with particular emphasis on intellectual property crime. These DOJ Attachés will serve as regional International Computer Hacking and Intellectual Property coordinators (ICHIPs) and will be well positioned to combat the increasing threat of transnational intellectual property crime. The Criminal Division also requests that a portion of this enhancement be used to increase the capacity of the Division's domestic IP program to provide critical support to the ICHIP/Attachés and ensure the coordinated use of ICHIP resources overseas.

Support of the Department's Strategic Goals

The requested enhancement will support Goal Two: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law (Objective 2.4: Investigate and prosecute corruption, economic crimes, and transnational organized crime). The Division has been involved developing the Department's strategy to enforce intellectual property laws and will continue to play a critical role implementing these strategies and objectives moving forward.

Justification

Protecting intellectual property rights is essential to safeguarding confidence in our economy, creating economic growth, and ensuring integrity, fairness, and competitiveness in the global marketplace. In today's environment, however, where virtually every significant intellectual property crime investigated and prosecuted in the United States has an international component, it is impossible to address intellectual property crime adequately without significant and strong international engagement.

The Department of Justice has long recognized that intellectual property crime, including offenses involving copyright, trademarks and trade secrets, among others, not only has a significant international component but in many cases also has a substantial overlap with other economic crimes, including those related to cyber offenses, money laundering and tax evasion, and smuggling. Because the vast majority of intellectual property and other computer crimes originate in other countries, the Department has made its efforts to strengthen international law enforcement relationships a top priority.

The Department has collaborated with other U.S. agencies and foreign law enforcement counterparts to address international intellectual property crime through a combination of joint criminal enforcement operations, case referrals for foreign investigations and prosecutions, training and technical assistance programs for foreign law enforcement, judiciary, and legislators, and engagement in bilateral and multi-lateral working groups that address trademark counterfeiting and copyright piracy.

The Department has also worked vigorously to develop international methods to address cybercrime through cooperative case work, rapid information sharing, and long-term engagement to train law enforcement and improve legal regimes to respond to the threat of Internet-based crime and the proliferation of electronic evidence in a wide range of offenses.

Instances of international intellectual property crime may be addressed effectively by direct contact between prosecutors and investigators on specific cases. However, to address systemic and pervasive international intellectual property crime effectively, greater and more sustained engagement is essential. For example, since 2006, through the Department's Intellectual Property Law Enforcement Coordinator (IPLEC) Program, the Department has deployed experienced federal prosecutors overseas to take the lead on our intellectual property protection efforts in key regions including Asia and Eastern Europe (from 2008 until 2011 in Sofia, Bulgaria, with a new IPLEC to be posted in Bucharest, Romania by Q3 2014). Through the IPLEC program, the Department has seen a substantial increase in foreign enforcement and cooperative casework where U.S. law enforcement has had a visible and ongoing presence in the most active countries or regions. This enhancement request would allow for the expansion of the program to additional critical regions and also cover the rapidly developing and overlapping area of international cybercrime.

ICHIPs/Attachés

The Criminal Division has identified several important areas (in order of priority) for the placement of International Computer Hacking and Intellectual Property (ICHIP) Attachés. The cross-designation of these positions as ICHIPs/DOJ Attachés is critical to the success of the Department's overseas law enforcement mission. The effectiveness of cross-designating the current Asia IPLEC/Attaché position is well-documented and gives operational advantages not necessarily available to ICHIPs who do not also possess the DOJ Attaché designation. For example, a DOJ Attaché has greater access to case files and resources because they are not perceived as doing intellectual property work exclusively; ICHIPs, by contrast, can be marginalized by foreign law enforcement if they are thought of as limited to one area of expertise. Since intellectual property crime often intersects with other types of cases, like international organized crime, the designation of these new positions as solely ICHIPs will hinder their effectiveness in fighting the intellectual property crime threat.

The Division plans to hire attorneys with a strong background in criminal prosecution who are capable of and invested in focusing on the intellectual property crime threat in these regions. This approach will help ensure that the bulk of the ICHIP/Attachés' time and effort will contribute to the Department's efforts against intellectual property and cybercrime.

All foreign placements would be subject to approval of the State Department and individual embassies or consulates. Since conditions in these regions could change, countries in these regions will remain under review and the Division (in consultation with the State Department and the White House's Intellectual Property Enforcement Coordinator) will make a final determination regarding the locations in all identified regions if these resources are funded.

China: China continues to be the largest source of trademark counterfeiting and copyright piracy in the world and bears a direct or indirect relationship to the majority of economic espionage and federal trade secret prosecutions in the United States. The Department has met with some success in developing joint investigations through the Intellectual Property Criminal Enforcement Working Group (IPCEWG) of the U.S.-China Joint Liaison Group for Law Enforcement Cooperation. However, an ongoing presence in the country will move existing cases at a faster pace and greatly increase the ability to address new investigations and leads in a timely manner.

South Asia: The violation of intellectual property rights, particularly counterfeiting and copyright piracy, are ongoing problems in a number of South Asian countries. India and Pakistan have each been listed on the USTR *Special 301 Priority Watch List* for several years, and, after China, are two of the largest sources of manufacture for counterfeit and unauthorized pharmaceuticals. The U.S. has invested in training law enforcement officials in Pakistan and investigators, prosecutors, and judges in India to improve the protection of intellectual property rights. Additionally, South Asia has a burgeoning information technology industry and an increasingly electronically-sophisticated populace. Growing cyber threats and terrorism investigations in that region require enhanced law enforcement relationships and training to increase investigations, as well as cooperation in those investigations, that rely heavily on electronic evidence. A regional ICHIP/Attaché, most likely stationed at the U.S. Embassy in India, would substantially improve the opportunities to build on the foundation of training and develop joint cases.

Domestic Intellectual Property Program Support for ICHIP/Attachés

With the potential implementation of the ICHIP/Attaché program, there will be substantial need for support within the U.S., including attorneys, professional staff, and a cybercrime analyst.

Attorneys: Additional attorneys positioned at Criminal Division headquarters are necessary to meet the demands posed by increased international capacity and to ensure that ICHIP/Attaché resources are effectively used, managed, and supported. The Division's Computer Crime and Intellectual Property Section (CCIPS) provides subject matter expertise on computer and intellectual property crimes, manages the domestic Computer Hacking and Intellectual Property (CHIP) program, and has assisted in and overseen aspects of the prior IPLECs' responsibilities. CCIPS is also the Department's liaison to the National Intellectual Property Coordination Center ("IPR Center") and its 20 domestic and international partner agencies. Likewise, the Criminal Division's Office of International Affairs (OIA) oversees the Department's Attaché program and coordinates the extradition or other legal return of international fugitives and all international

evidence-gathering. Attorneys in each office will ensure that foreign leads are provided and followed by U.S. investigative agencies, and that appropriate cases are pursued within the U.S. to provide deterrence to foreign criminals and criminal organizations. Such attorneys will also provide legal support in the Northern District of California to address the overwhelming flow of legal process and evidentiary requests in intellectual property and cybercrime cases that are addressed to Silicon Valley companies.

Professional Staff: Additional professional staff are necessary to ensure the smooth administration of hiring, retention, and support of the ICHIP/Attaché program.

Cybercrime Analyst: In recent years, there has been a rapidly increasing demand for technical training by the CCIPS Cybercrime Lab by foreign countries seeking to develop expertise in cyber forensics and computer crime. The proposed additional cybercrime analyst will allow CCIPS to greatly increase the amount of training provided, while directly supporting foreign investigations.

This enhancement also requests individual travel and programming budgets to be administered by the ICHIPs within their regions as well as additional travel, litigation support, and domestic training resources that will be used to increase the capacity and effectiveness of the overall intellectual property program.

Impact on Performance:

These requested resources will directly support the Department's Strategic Goal 2: *Prevent crime, protect the rights of the American people, and enforce federal law*; Strategic Objective 2.4: *Investigate and prosecute corruption, economic crimes, and transnational organized crime*. In particular, they will allow the U.S. Government to:

- Develop the capacity of nations in several important regions to combat intellectual property and computer crimes;
- Increase the number and scope of cooperative international prosecutions targeting high-tech and intellectual property crimes;
- Increase coordination of international cases involving computer crimes, intellectual property crimes, and digital evidence;
- Build upon the successful integration of intellectual property and cybercrime expertise that currently exists in the domestic Computer Hacking and Intellectual Property (CHIP) Network;
- Strengthen the DOJ Attaché program's ability to address transnational organized crime.

Funding**Base Funding**

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
22	18	18	\$4,875	22	18	18	\$5,173	22	18	18	\$5,218

Personnel Increase Cost Summary

Type of Position/Series	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Attorneys (0905) (Domestic)	\$119	5	\$595	\$560	\$0
Attorneys (0905) (Foreign)	\$504	2	\$1,008	\$472	\$0
Paralegals / Other Law (0900-0999)	\$67	4	\$268	\$188	\$
Total Personnel		11	\$1,871	\$1,220	\$228

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
FSN	\$60	2	\$120	\$0	\$0
Travel	n/a	n/a	\$214	\$214	\$0
Total Non-Personnel	n/a	n/a	\$334	\$214	\$0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Current Services	22	18	18			\$5,218		
Increases	11	7	6	\$1,871	\$334	\$2,205	\$1,434	\$228
Grand Total	33	25	24	\$1,871	\$334	\$7,423	\$1,434	\$228

A: Organizational Chart

CRIMINAL DIVISION

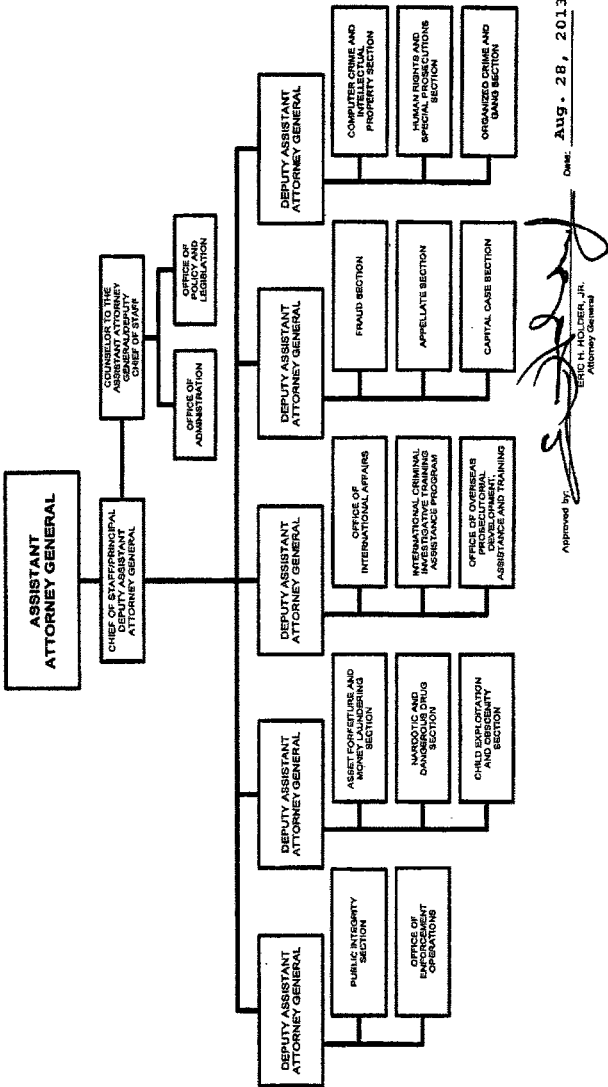


Exhibit A - Organizational Chart

B. Sumr | Requirements

Summary of Requirements
 Criminal Division
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted	761	669	177,202
2013 Reactions (1.877% & 0.2%)			-3,674
2013 Sequester			-8,738
Total 2013 Enacted (with Reactions and Sequester)	761	669	164,792
2014 Enacted	760	674	174,199
Base Adjustments			
Pay and Benefits	0	0	2,704
Domestic Rent and Facilities	0	0	1,243
Total Base Adjustments	0	0	3,947
2015 Current Services	760	674	178,136
Program Changes			
Increases:			
MLAT Reform	141	71	19,566
Cyber Security	25	14	2,960
Intellectual Property Crime	11	6	2,205
Subtotal, Increases	177	91	24,351
Total Program Changes	177	91	24,351
2015 Total Request	927	765	202,487
2014 - 2015 Total Change	177	91	28,288

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Recissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Enforcing Federal Criminal Laws	751	689	164,792	750	674	174,189	0	0	3,947	750	674	178,136
Total Direct	751	689	164,792	750	674	174,189	0	0	3,947	750	674	178,136
Balance Recission			0			0			0			0
Total Direct with Recission			164,792			174,189			3,947			178,136
Reimbursable FTE		285			297			0			297	
Total Direct and Reimb. FTE		954			971			0			971	
Other FTE:												
LEAP		0			0			0			0	
Overtime		121			121			0			121	
Grand Total, FTE		954			971			0			971	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Enforcing Federal Criminal Laws	177	91	24,351	0	0	0	927	765	202,487
Total Direct	177	91	24,351	0	0	0	927	765	202,487
Balance Recission			0			0			0
Total Direct with Recission			24,351			0			202,487
Reimbursable FTE		0			0			297	
Total Direct and Reimb. FTE		91			0			1,062	
Other FTE:									
LEAP		0			0			0	
Overtime		0			0			0	
Grand Total, FTE		91			0			1,062	

C. Program Changes by Decision Unit

FY 2015 Program Changes by Decision Unit

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Program Increases	Location of Description in Narrative	Enforcing Federal Criminal Laws				Total Increases			
		Direct Pos.	Ag/L Atty.	Est. FTE	Amount	Direct Pos.	Ag/L Atty.	Est. FTE	Amount
MLAT Reform	18	141	77	71	19,566	141	77	71	19,566
Cyber Security	28	25	9	14	2,580	25	9	14	2,580
Intellectual Property Crime	36	11	7	6	2,205	11	7	6	2,205
Total Program Increases		177	93	91	24,351	177	93	91	24,351

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Revisions and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct Reimb FTE	Direct Amount		Direct Reimb FTE	Direct Amount		Direct Reimb FTE	Direct Amount		Direct Reimb FTE	Direct Amount		Direct Reimb FTE	Direct Amount		Direct Reimb FTE	Direct Amount	
Goal 1 Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law																		
1.1 Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve coordinated response to terrorist threats	27	2,760		29	2,917		20	2,094		0	0		0	0		20	2,094	
1.2 Prosecute threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors	10	2,257		10	2,385		7	2,440		0	0		0	0		7	2,440	
1.3 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors	36	7,643		37	8,080		25	8,261		7	2,086		0	0		32	10,347	
1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors	72	12,660		76	13,352		52	13,685		7	2,086		0	0		59	15,771	
Subtotal, Goal 1																		
Goal 2 Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law																		
2.1 Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers	131	27,377		136	28,637		142	29,593		11	3,102		0	0		153	32,695	
2.2 Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America's crime victims	74	17,491		77	18,469		80	18,807		5	1,432		3	3		85	20,339	
2.3 Disrupt and dismantle major drug trafficking organizations to combat the threat, trafficking, and use of illegal drugs and the diversion of illicit drugs	192	31,758		195	33,669		200	34,330		24	6,881		0	0		224	41,011	
2.4 Investigate and prosecute corruption, economic crimes, and transnational organized crime	377	62,049		375	65,603		384	67,091		42	10,572		0	0		426	77,663	
2.5 Promote and protect American civil rights by preventing and prosecuting discriminatory practices	2	535		2	595		3	579		0	0		0	0		3	579	
Subtotal, Goal 2	776	139,226		785	147,163		809	150,489		82	21,787		0	0		891	172,266	

Resources by Department of Justice Strategic Goal/Objective

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct FTE	Reimb Amount	Direct FTE	Reimb Amount	Direct FTE	Reimb Amount	Direct FTE	Reimb Amount	Direct FTE	Direct FTE	Reimb Amount	Direct Amount	Direct FTE	Reimb Amount	Direct Amount	Direct FTE	Reimb Amount	Direct Amount
Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels																		
3.1 Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs	78	6,939	81	7,336	81	7,336	81	7,336	1	239	0	0	0	0	0	82	0	7,740
3.2 Prevent and respond to genocide and mass atrocities and ensure that perpetrators of such crimes are held accountable in the United States, and if appropriate, their home countries	28	5,967	29	6,309	29	6,451	29	6,451	1	239	0	0	0	0	0	30	0	6,690
Subtotal, Goal 3	106	12,906	110	13,644	110	13,844	110	13,844	2	478	0	0	0	0	0	112	0	14,430
TOTAL	964	164,792	971	174,189	971	174,189	971	174,189	91	24,351	0	0	0	0	0	1,062	0	202,487

Note: Excludes Balance Recession and/or Supplemental Appropriations.

E. Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Pay and Benefits			
1 2015 Pay Raise: This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$741,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$585,360 for pay and \$155,610 for benefits.)			741
2 Annualization of 2014 Pay Raise: This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested \$273,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$215,670 for pay and \$57,330 for benefits.)			273
3 FEERS Regular/Law Enforcement Retirement Contribution: Effective October 1, 2014 (FY 2015), the new agency contribution rates of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 28.8% for law enforcement personnel (up from the current 26.3%, or an increase of 2.5%). The amount requested, \$1,295,000, represents the funds needed to cover this increase.			1,295
4 Employees Compensation Fund: The \$11,000 request reflects anticipated changes in payments to the Department of Labor for injury benefits under the Federal Employee Compensation Act.			11
5 Health Insurance: Effective January 2015, the component's contribution to Federal employees' health insurance increases by 3.8 percent. Applied against the 2014 estimate of \$5,246,000, the additional amount required is \$172,000.			172
6 Retirement: Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$212,000 is necessary to meet our increased retirement obligations as a result of this conversion.			212
Subtotal, Pay and Benefits			2,704
Domestic Rent and Facilities			
1 General Services Administration (GSA) Rent: GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$1,203,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.			1,203
2 Guard Services: This includes Department of Homeland Security (DHS) Federal Protective Service charges, Justice Protective Service charges and other security services across the country. The requested increase of \$40,000 is required to meet these commitments.			40
Subtotal, Domestic Rent and Facilities			1,243

E. Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Foreign Expenses			
1 Education Allowance: For employees stationed abroad, components are obligated to meet the educational expenses incurred by an employee in providing adequate elementary (grades K-8) and secondary (grades 9-12) education for dependent children at post. \$47,000 reflects the increase in cost to support existing staffing levels.			47
2 Government Leased Quarter (GLQ) Requirements: GLQ is a program managed by the Department of State (DOS) and provides government employees stationed overseas with housing and utilities. DOS exercises authority for leases and control of the GLQs and negotiates the lease for components. \$313,000 reflects the change in cost to support existing staffing levels.			313
3 International Cooperative Administrative Support Services (ICASS): The Department of State charges agencies for administrative support provided to staff based overseas. Charges are determined by a cost distribution system. The FY 2015 request is based on the projected FY 2014 bill for post invoices and other ICASS costs.			139
4 Capital Security Cost Sharing (CSCS): Per P.L. 108-447 and subsequent acts, "all agencies with personnel overseas subject to chief of mission authority, shall participate and provide funding in advance for their share of costs of providing new, safe, secure U.S. diplomatic facilities without offsets on the basis of the total overseas presence of each agency as determined by the Secretary of State." Originally authorized for FY 2000-2004, the program has been extended annually by OMB and Congress and has also been expanded beyond new embassy construction to include maintenance and renovation costs of the new facilities. For the purpose of this program, State's personnel totals for DOS include current and projected staffing. The estimated cost to the Department, as provided by State, for FY 2015 is \$123,700,000.			-499
TOTAL DIRECT TECHNICAL AND BASE ADJUSTMENTS	0	0	0
Subtotal, Foreign Expenses	0	0	3,947

Crosswalk of 2013 Availability
Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted into Balance Reallocation ¹			Supplementals			Balance Reallocation			Sequester			Reallocation			Carryover		Reversion/ Refunds		2013 Actual				
	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount			
Enforcing Federal Criminal Laws	751	669	173,038	0	0	0	0	0	0	0	0	-4,736	0	0	1,900	30	751	669	167,146	30	751	669	167,146	
Total Direct	751	669	173,038	0	0	0	0	0	0	0	0	-4,736	0	0	1,900	30	751	669	167,146	30	751	669	167,146	
Reimbursable FTE		245			0			0			0			0				245				245		
Total Direct and Reimb FTE		914			0			0			0			0				914				914		
Other FTE:																								
LEAP		0			0			0			0			0				0				0		
Overtime		21			0			0			0			0				21				21		
Grand Total FTE		954			0			0			0			0				954				954		

¹⁾ The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Reallocation
\$1,900,000 was reprogrammed from ALS to the Division.

Carryover:
Funding includes \$443,000 for ALS and \$261,000 for Deepwater Horizon Fraud Task Force Supplemental.
Reversion/Refunds:
Funding includes \$28,000 for ALS and \$2,000 from Deepwater Horizon Fraud Task Force Supplemental

G. Crosser 2014 Availability

Crosswalk of 2014 Availability
Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount		Direct Pos.	Estim. FTE	Amount
Enforcing Federal Criminal Laws	750	674	174,189		0	0	0	1,351	0		750	674	175,540
Total Direct	750	674	174,189		0	0	0	1,351	0		750	674	175,540
Balance Rescission			0										0
Total Direct with Rescission			174,189					0					175,540
Reimbursable FTE		297			0			1,351				297	
Total Direct and Reimb. FTE		971										971	
Other FTE:													
LEAP		0			0			0				0	
Overtime		121						0				121	
Grand Total FTE		971			0			1,351				971	

Carryover:
Funding includes \$1,351,000 for ALS.

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources

Criminal Division

Salaries and Expenses

(Dollars in Thousands)

Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
U.S. Department of State	183	152	145,102	184	150	300,000	184	150	200,000	0	0	-100,000
Interagency Crime and Drug Enforcement	13	13	1,949	13	13	2,064	13	13	2,025	0	0	0
Asset Forfeiture Fund	90	78	29,984	103	86	38,409	103	86	38,409	0	0	0
All Other Sources	57	44	19,339	70	48	54,738	70	48	54,777	0	0	0
Budgetary Resources	343	288	196,374	370	297	395,211	370	297	295,211	0	0	-100,000

Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Enforcing Federal Criminal Law	343	285	196,374	370	297	395,211	370	297	295,211	0	0	-100,000
Budgetary Resources	343	285	196,374	370	297	395,211	370	297	295,211	0	0	-100,000

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Reversions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Miscellaneous Operations (010-099)	1	0	1	0	0	0	1	2	0
Security Specialists (080)	20	0	20	0	0	0	0	20	0
Intelligence Series (132)	1	0	1	0	0	0	0	1	0
Personnel Management (200-299)	10	0	10	0	0	0	0	11	0
Clerical and Office Services (300-399)	148	84	148	78	0	18	0	168	78
Accounting and Budget (500-599)	10	33	10	36	0	0	0	11	36
Attorneys (905)	440	195	439	225	0	93	0	532	225
Paralegals / Other Law (900-999)	90	26	90	25	0	57	0	147	25
Information & Arts (1000-1099)	1	1	1	1	0	0	0	1	1
Business & Industry (1100-1199)	2	1	2	1	0	0	0	2	1
Forensic/Physical Sciences (1300-1399)	0	1	0	1	0	0	0	0	1
Library (1400-1499)	4	0	4	0	0	0	0	4	0
Education/Training (1700-1799)	0	1	0	1	0	0	0	0	1
Criminal Investigative Series (1811)	0	0	0	0	0	0	0	0	0
Travel Services (2101)	0	1	0	0	0	0	0	0	0
Information Technology Maint. (2210)	24	1	24	1	0	0	0	30	1
Total	751	343	750	370	0	177	0	927	370
Headquarters (Washington, D.C.)	737	210	736	237	0	168	0	904	237
U.S. Field	0	0	0	0	0	0	0	0	0
Foreign Field	14	133	14	133	0	9	0	23	133
Total	751	343	750	370	0	177	0	927	370

Footnotes:

J. Financial Analysis of Program Changes

Financial Analysis of Program Changes
Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Grades	Enforcing Federal Criminal Laws						Total Program Changes	
	MLAT Reform			Cyber Security			IP Enforcement	
	Direct Pos.	Amount	Pos.	Direct Pos.	Amount	Pos.	Direct Pos.	Amount
SES	1	193	0	0	0	0	1	193
GS-15	0	0	0	0	0	0	0	0
GS-14	76	13,268	9	1,456	7	1,412	92	16,135
GS-13	0	0	4	548	0	0	4	548
GS-12	0	0	0	0	0	0	0	0
GS-11	0	0	0	0	0	0	0	0
GS-10	0	0	0	0	0	0	0	0
GS-9	62	4,385	9	636	4	283	75	5,304
GS-8	0	0	0	0	0	0	0	0
GS-7	2	116	3	174	0	0	5	290
GS-6	0	0	0	0	0	0	0	0
GS-5	0	0	0	0	0	0	0	0
Total Positions and Annual Amount	141	17,962	25	2,813	11	1,695	177	22,470
Lapse (c)	-70	-8,981.00	-11	-1,406	-5	-847	-86	-11,234
11.5 Other Personnel Compensation							0	0
Total FTEs and Personnel Compensation	71	8,981	14	1,407	6	848	91	11,236
13.0 Benefits for former personnel							0	0
21.0 Travel and Transportation of Persons		555			115	259		928
22.0 Transportation of Things		166			28	13		208
23.1 Rental Payments to GSA		0			0	0		0
23.3 Communications, Utilities, and Miscellaneous Charges		705			68	119		892
24.0 Printing and Reproduction		9			1	1		11
25.1 Advisory and Assistance Services		0			0	0		0
25.2 Other Services from Non-Federal Sources		3,908			47	189		4,144
25.3 Other Goods and Services from Federal Sources		2,485			128	661		3,175
25.6 Medical Care		11			1	1		13
25.7 Operation and Maintenance of Equipment		0			0	0		0
26.0 Supplies and Materials		114			20	9		143
31.0 Equipment		2,632			783	205		3,600
Total Program Change Requests	71	19,556	14	2,880	6	2,205	91	24,351

K. Summary Requirements by Object Class

Summary of Requirements by Object Class

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	590	71,494	595	75,567	668	94,000	91	18,433
11.3 Other than Full-Time Permanent	79	7,149	79	6,907	79	8,500	0	1,593
11.5 Other Personnel Compensation	0	1,183	0	1,022	0	1,150	0	128
Overtime	0	0	0	0	0	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	2,308	0	0	0	0	0	0
Total	669	82,134	674	83,498	766	103,650	91	20,156
Other Object Classes								
12.0 Personnel Benefits		22,683		20,123		24,900		4,777
13.0 Benefits for former personnel		395		20		0		-20
21.0 Travel and Transportation of Persons		3,330		4,716		5,500		764
22.0 Transportation of Things		2,328		781		800		19
23.1 Rental Payments to GSA		22,557		24,564		25,000		336
23.2 Rental Payments to Others		1,470		1,513		1,550		37
23.3 Communications, Utilities, and Miscellaneous Charges		4,129		2,960		1,900		-960
24.0 Printing and Reproduction		60		110		150		40
25.1 Advisory and Assistance Services		-952		6,101		6,100		-1
25.2 Other Services from Non-Federal Sources		17,400		17,895		16,600		-1,295
25.3 Other Goods and Services from Federal Sources		6,723		7,717		7,800		83
25.8 Medical Care		76		68		100		32
25.7 Operation and Maintenance of Equipment		209		211		250		39
26.0 Supplies and Materials		712		1,488		2,500		1,012
31.0 Equipment		1,823		3,777		5,687		1,910
Total Obligations		164,632		175,540		202,487		26,947
Subtract - Unobligated Balance, Start-of-Year		-424		-1,351		0		1,351
Subtract - Reallocations		-1,900		0		0		0
Subtract - Recoveries/Refunds		-30		0		0		0
Add - Unobligated End-of-Year, Available		1,351		0		0		0
Add - Unobligated End-of-Year, Expired		1,163		0		0		0
Total Direct Requirements		164,792		174,189		202,487		28,298
Reimbursable FTE								
Full-Time Permanent	265		297		297		0	
23.1 Rental Payments to GSA (Reimbursable)		2,640		2,657		2,657		0
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)		0		0		0		0

U.S. Department of Justice

CIVIL DIVISION

FY 2015 Budget And Performance Plans

Submitted to the Congress of the United States
March 2014

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OVERVIEW

The Civil Division is the largest headquartered litigating component of the U.S. Department of Justice and represents the legal interests of the United States, safeguards taxpayer dollars, and protects the health, safety, and economic security of Americans. Typically, Civil represents some 200 client agencies in approximately 50,000 different matters each year. Civil protects the public fisc from meritless claims against the U.S., recovers money for the Federal Government, and protects the intent of Congress and the Executive Branch by defending federal laws, regulations, and policies.

Nearly 90% of the Civil Division's caseload is defensive suits where the Federal Government has been sued. In FY 2013, Civil represented the Federal Government in litigation where opposing parties sought well over \$100 billion from the Federal Government. These defensive suits do not solely involve monetary claims. In fact, each year, Civil defends tens of thousands of immigration removal orders being contested in federal appellate courts, numerous challenges to laws passed by Congress, and the confidentiality of national security information.

Civil also seeks to recover money owed to the Federal Government. In FY 2013 alone, Civil, working with U.S. Attorneys, secured over \$4.1 billion in settlements and judgments for the U.S. Treasury. From FY 2009 through the end of FY 2013, Civil and U.S. Attorneys secured over \$20 billion. Civil's work has led to billions in additional recoveries already in FY 2014. While the money recovered in these cases is a great source of revenue for the Federal Government, these cases also protect the health, safety, and economic security of Americans. Punishing hospitals that bill Medicare for unnecessary services and procedures will protect Americans from invasive and useless medical tests, while fines for unsafe prescription drugs will deter other companies from selling dangerous chemicals to consumers.

The President's 2015 Budget includes an Opportunity, Growth, and Security Initiative (OGSI) that supports the Department's responsibility to enforce laws and defend the interests of the United States. The OGSI would provide additional resources to improve the Department's capacity for financial fraud law enforcement, including hiring additional criminal prosecutors, civil litigators, in-house investigators, and forensic accountants.

The FY 2015 President's Budget and the FY 2014 omnibus appropriations bill will ensure a partial restoration of some critical attorney and support staff that has been lost to attrition in recent years. This hiring is vital to maintaining focus on priority cases and continuing to defend the Federal Government with the strength and enthusiasm for which Civil is renowned.

**Justice announces record
\$13 billion settlement with
JPMorgan**

The Washington Post, 11/19/2013

**Johnson & Johnson in \$2.2
billion settlement over drugs
marketing**

Business Week, 11/4/2013

FULL PROGRAM COSTS

The FY 2015 President's Budget request provides for 1,425 funded positions, including 1,025 attorneys, and \$298,394,000. Base adjustments total \$12,862,000. In addition, the budget includes a program offset of \$395,000 for miscellaneous program and administrative reductions. Civil also has reimbursable agreements with other Department of Justice components and with other federal agencies. The FY 2015 budget also assumes 155 reimbursable positions, including \$119,418,000 in reimbursable resources.

RESULTS & ACCOMPLISHMENTS

Recovering Billions of Dollars for the U.S. Treasury

Civil continues its mission to represent the Federal Government in affirmative litigation. Civil's FY 2013 affirmative caseload, handled in conjunction with U.S. Attorneys, includes hundreds of fraud cases and billions of dollars in recoveries for the U.S. Treasury that were lost due to health care fraud, financial fraud, and procurement fraud.

Major Recoveries in FY 2013

Abbott Labs Settles Unlawful Promotion Allegations for \$1.5 Billion

Drug manufacturer Abbott Laboratories Inc. paid \$1.5 billion to resolve allegations that it illegally promoted the drug Depakote to treat agitation and aggression in elderly dementia patients and schizophrenia while the FDA did not approve either of these uses as safe and effective.

Judgment Against Defense Contractor United Technologies for \$664 Million

A federal court found United Technologies Corporation liable for inflating prices of aircraft engines sold to the U.S. Air Force, as well as submitting false claims to the government. The amount awarded for damages and penalties under the False Claims Act is the highest recovery ever obtained in a case tried under this Act.

Generic Drug Manufacturer Ranbaxy Pays \$505 Million

In the largest drug safety settlement to date with a generic drug manufacturer, Ranbaxy plead guilty to charges relating the manufacture and distribution of certain adulterated drugs made at two manufacturing facilities in India, as well as making false, fictitious, and fraudulent statements to the FDA.

Saving the U.S. Treasury Billions of Dollars

Each year, Civil defends the United States in a wide range of contract, tort, and constitutional takings cases where plaintiffs seek tens of billions of dollars in damages. In all of Civil's defensive cases in FY 2013, the opposing parties sought a total of more than \$100 billion. Litigation in these complex matters can last for several years or even for decades and require tremendous amounts of attorney time and litigation support resources. A loss in a single case can cost taxpayers billions of dollars and set a negative precedent, making it far easier for other plaintiffs to prevail against the United States in the future.

Civil's success in these cases is evident by the following matters:

- After **23 years of litigation** surrounding the Navy's 1991 default termination of a \$4.8 billion contract to develop the A-12 carrier-based stealth aircraft, the Boeing Company, General Dynamics Corporation, and the United States formally asked the U.S. Court of Federal Claims to dismiss the claims as part of a settlement. Under the settlement, the contractors will provide aircraft and services to the military valued at \$400 million, and the **Federal Government will not pay any money** in connection with the contractors' claims against the United States.
- Following the 1980s savings and loan crisis, several savings and loan institutions were failing. Several healthy savings and loan institutions acquired some of the failing entities but later sued the Federal Government for allegedly breaching contracts that granted the acquiring institutions favorable regulatory treatment. Civil defended the Government in 122 such suits over the past few decades. All but one has been resolved, and Civil has defeated more than **\$32 billion in alleged damages**.

Protecting the Health, Safety, and Economic Security of the American People

While Civil's litigation recovers billions of dollars and prevents the loss of billions of dollars in unwarranted damages, its litigation also protects the health, safety, and economic security of American citizens. Civil's litigation ends dangerous practices that harm some of America's most vulnerable populations, including the elderly, infirm citizens, immigrants, and struggling middle class families.

Examples of Civil Division cases involving public health and safety include:

- A medical device manufacturer agreed to pay \$30 million to settle allegations that it **knowingly sold defective defibrillators to health care facilities** that in turn implanted the devices into Medicare patients who were at risk of cardiac arrest due to an irregular heartbeat.

- A corporation that develops and sells medical products agreed to pay \$48.26 million for **illegally offering kickbacks to health providers to promote the use of radiation seeds, which were inserted into the prostate gland, to treat prostate cancer.** As part of the agreement, the corporation agreed to improve its compliance program to prevent future misconduct.
- A Florida dermatologist agreed to pay \$26.1 million to resolve allegations that he engaged in a kickback scheme and performed **thousands of unnecessary, painful, and time-consuming skin surgeries** on elderly patients and Medicare beneficiaries. This is one of the largest False Claims Act settlements ever achieved against an individual.

INTERNAL & EXTERNAL CHALLENGES

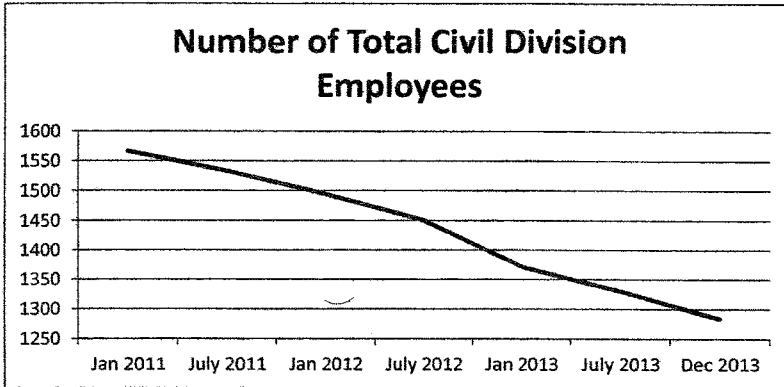
Civil's Litigation Is Driven By Factors Beyond Its Control

An infinite, unpredictable number of events can lead the Federal Government into litigation. When an oil well explodes off America's coast, the Federal Government must bring suit to recuperate recovery expenses, as well as restitution for affected citizens. When a whistleblower files a False Claims Act case claiming a person defrauded a federal health care program, the Federal Government is mandated under the False Claims Act to diligently investigate the matter. If Congress passes a new law that is challenged in court, the statute in question must be defended in court. When a dispute arises over the terms of an agreement and a contractor sues the Federal Government for breaching the contract, the Federal Government must defend its interpretation to avoid paying unmerited damages to the contractor. The one common element to these matters is that Civil, which represents the Federal Government in all of these matters, has no control over these matters, cannot foresee most of these events, and certainly is not consulted beforehand.

At the same time, defensive cases comprise the overwhelming majority of Civil's caseload. In recent years, these defensive cases have consumed 90% of Civil's docket. In these matters, some other party sues the Federal Government and decides the timing and location of the litigation. When sued, the United States faces two choices – either robustly and effectively represent the interests of the United States, or risk default judgments and legal sanctions.

Civil's High Quality Legal Staff is Suffering

From January 2011, when the Department-wide hiring freeze began, through December 2013, Civil's net loss in personnel (including personnel funded from base resources as well as reimbursable resources) was 265 staff. During this three-year time period, Civil's workforce shrunk from 1,566 to 1,301. This represents a loss of almost 17% Civil's total staff.



With the FY 2014 omnibus appropriations bill (P.L. 113-76), the FY 2015 President's Budget Request, and the Attorney General's recent announcement lifting the hiring freeze, Civil will begin to reverse this downward trend. In FY 2014, Civil will be able to fill critical vacancies and increase its total staffing. However, even with this increase, Civil's staffing will remain below its January 2011 level. Going forward, it will take time for Civil's managers to fully train and prepare these new hires.

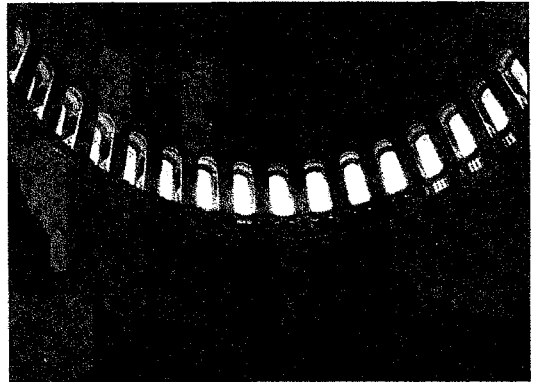


Civil's accomplishments only are possible due to the skill, commitment, and professionalism of its attorneys and staff. Every day, Civil's personnel work with the single-minded determination to advocate the legal interests of the United States. More often than not, Civil litigates against well-financed opponents who employ the nation's best law firms. As shown by the billions of dollars in affirmative recoveries and the billions of dollars defeated in unwarranted claims each year, Civil often prevails in litigation. Having a sufficient number of attorneys and support professionals with the right technological resources will aid in the continued success of the Civil Division.

Complex Litigation Requires Superior Technology & Litigation Support Resources

Currently, modern day litigation requires that attorneys use cutting-edge, state-of-the-art technology. Automated Litigation Support (ALS) services consist of a number of programs and functions. Electronic discovery tools are needed to sort, categorize, and link to other documents. Data mining programs are needed to de-duplicate, extract text, and accumulate metadata from subpoenaed documents. Predictive coding programs identify privileged document classifications and apply them to millions of pages of documents. Data analytics programs slice and re-organize logistics data, giving attorneys a birds-eye view of the most complex financial transactions involved in financial fraud cases.

Civil's documentation requiring ALS support is estimated to reach 650 terabytes by the end of FY 2014. If this volume of material was printed on paper and placed in standard bankers boxes, it would fill the equivalent of more than 21 U.S. Capitol Rotundas. Importantly, it is estimated that 99% of all the data in any one case is ultimately not relevant and only looked at once. It is that 1% of the valuable data that Civil is searching for – the needle in the haystack that means the difference of billions of dollars in federal recoveries.



The introduction of these tools and the volume of data the Civil Division receives in litigation has radically altered the required skillset of the ALS support staff, requiring a legal understanding of the cases and contract management skills, as well as a technological understanding of how best to structure the use of electronic discovery technology. ALS support staff work hand-in-hand with the attorneys to craft the most effective, efficient, and cost-conscious solutions. This is achieved by assisting with the case strategies, advising what can be done with existing resources, assisting in identifying which new avenues of investigation may be warranted, and how to enact cost savings for litigation.

Civil's litigation support services provide attorneys with modern tools to succeed in litigation. Civil's opponents will use the best information technology in litigation, and Civil must match these services.

ENVIRONMENTAL ACCOUNTABILITY

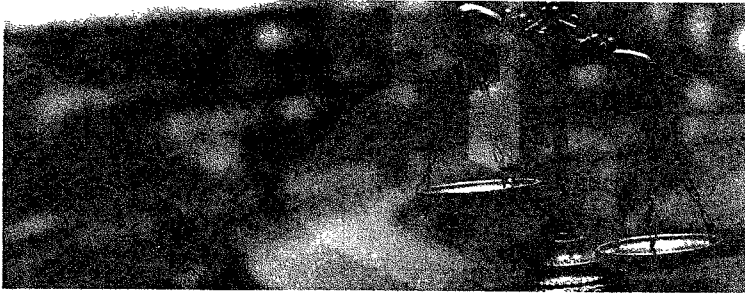
The Civil Division is working toward meeting all Administration and Department of Justice guidelines for improving environmental and energy performance. Civil is moving toward full compliance with efforts to achieve reductions in greenhouse gas emissions, acquire green products and services, and establish cost-effective waste prevention and recycling programs. Examples of Civil's environmentally sound practices include: using teleconferencing options to reduce travel costs, expanding recycling programs, installing motion detector lighting systems, using 25 watt "green" lighting, and reducing overtime use of heating and air conditioning.

ELECTRONIC COPIES OF BUDGET

Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

SUMMARY OF PROGRAM CHANGES

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Miscellaneous Program and Administrative Reductions	Miscellaneous program and administrative reductions to be identified once funds are appropriated.			-\$395	29



LEGAL REPRESENTATION

The Civil Division represents the United States in litigation and investigations involving the Federal Government's laws, regulations, and policies, including domestic and foreign operations, immigration enforcement, suits against government personnel and members of the Armed Forces, law enforcement initiatives, and counterterrorism efforts.

The Civil Division is composed of six litigating branches:

- Appellate Staff,
- Commercial Litigation Branch,
- Consumer Protection Branch,
- Federal Programs Branch,
- Office of Immigration Litigation, and
- Torts Branch.

Each of these litigating branches and the Office of Management Programs, which provides administrative and support services to all of the litigating branches, are described below.

Appellate Staff

The Appellate Staff represents the interests of the United States in federal circuit courts of appeals and, at times, in state appellate courts. These cases involve complex, sensitive, and novel legal questions that set far-reaching precedents. A significant amount of Appellate's caseload involves representing national security policies in federal appellate courts, such as Guantanamo Bay detainees challenging the lawfulness of their detentions. Appellate's monetary cases involve billions of dollars with outcomes that determine how a law or policy in question will affect millions of Americans.

Commercial Litigation Branch

The Commercial Litigation Branch is organized into five sections:

- Fraud Section
- Corporate/Financial Litigation Section
- Intellectual Property Section
- National Courts Section
- Office of Foreign Litigation

Fraud Section

The Fraud Section, working with U.S. Attorneys' Offices around the country, recovers billions of dollars annually by investigating and litigating matters involving fraud against the Federal Government. This Section handles fraudulent activity regarding health care, loan programs, defense contracting, grants, construction of federal buildings and prisons, and foreign aid. Most of the Fraud Section's litigation takes place under the False Claims Act.

The False Claims Act is the Federal Government's primary civil remedy to redress false claims for government funds and property under government contracts, including national security and defense contracts, as well as under government programs as varied as Medicare, Medicaid, TRICARE (which provides benefits for military personnel and their families), veterans benefits, federally insured loans and mortgages, and disaster assistance. Most false claims actions are filed as whistleblower, or *qui tam*, claims in which private citizens may file lawsuits on behalf of the Federal Government, and if the Government prevails the whistleblower may receive up to 30% of the recovery.

The Fraud Section's litigation brings in billions of dollars for the U.S. Treasury each year. Between FY 2009 and FY 2013, the collaborative efforts of the Civil Division, Criminal Division, FBI, and U.S. Attorneys, while working with the U.S. Department of Health and Human Services and other government entities, recovered over \$17 billion under the False Claims Act. In FY 2013, \$3.8 billion was recovered under the Act. These recoveries dwarf the entire budget of the Civil Division.

Additionally, the Fraud Section houses the **Elder Justice and Nursing Home Initiative**, which protects seniors and infirm citizens. Through this initiative, Civil enforces the False Claims Act against nursing facilities and other medical providers that knowingly bill Medicare or Medicaid for inadequate or deficient services. An example of the work performed by attorneys for this Initiative include a January 2014 agreement in which several nationwide contract therapy providers paid \$30 million to resolve claims that they violated the False Claims Act by engaging in a kickback scheme related to the referral of nursing home business. The parties will restructure their business arrangement as part of the settlement. Another example is a November 2013 settlement with a nursing home operator who agreed to pay \$48 million to settle allegations that it billed Medicare for medically unnecessary therapy services and services that were never provided.

Overall, the litigation undertaken by this Initiative brings in impressive financial returns each year. However, this litigation also highlights an equally important facet of Civil's work – protecting the American people. If the defendant stops such misconduct, then current and future patients of the defendant will be protected. This litigation also helps deter other providers who contemplate similar illegal and unethical actions.

National Courts Section

The National Courts Section is one of the largest and most active litigating sections of the Department of Justice. It handles government contracts, takings disputes, pay claims, international trade matters, personnel appeals, and veterans' benefits appeals. The diverse litigation handled by National Courts is mostly argued before three specialized courts – the U.S. Court of Appeals for the Federal Circuit, the U.S. Court of Federal Claims, and the U.S. Court of International Trade.

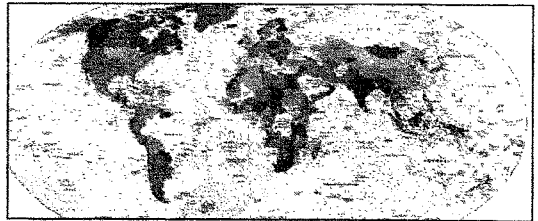
Litigation handled by the National Courts Section is often high-stakes and protracted. Over the past 23 years, National Courts defended the Federal Government in litigation surrounding the Navy's 1991 termination of the A-12 stealth fighter contract. This litigation recently concluded with the contractor agreeing to provide \$400 million in goods to the military and the Federal Government paying nothing.

Corporate and Financial Litigation Section

The Corporate and Financial Litigation Section handles unique nationwide matters involving money and property, representing the Federal Government's interests in complex Chapter 11 bankruptcies and other contractual disputes litigated in the federal district courts. These cases involve a variety of diverse industries, including those involving health care providers, communications companies, energy suppliers, and commercial airlines.

Office of Foreign Litigation

The Office of Foreign Litigation handles all types of cases in courts of foreign countries – whether civil or criminal, affirmative or defensive. At any given time, the Office handles approximately 1,000 civil and criminal matters in over 100 different countries. While Office of Foreign Litigation



attorneys do not practice law in foreign countries, the Office retains attorneys to represent the United States and its interests. To reduce future litigation, the Office of Foreign Litigation also provides counsel on international public and private legal matters to U.S. agencies operating overseas. In 2013, the Office of Foreign Litigation's work led the United States to join, as an injured party, the criminal prosecution in a Serbian court of 12 suspects charged for their role in the burning of the U.S. Embassy in Belgrade in February 2008.

Intellectual Property Section

The Intellectual Property Section represents the U.S. in all intellectual property matters where a patent, copyright, or trademark is at issue. Many of the cases this Section handles involve complex technologies, such as pharmaceutical compositions and highly sophisticated electronic devices. To meet the challenges presented by these cases, all attorneys assigned to the Section have a degree in one of the physical sciences or in an engineering field. Many of the Section's attorneys are U.S. Patent and Trademark bar members.

Consumer Protection Branch

The Consumer Protection Branch protects the health, safety, and economic security of American consumers through criminal prosecutions and civil enforcement actions under national consumer protection statutes. Consumer Protection is unusual within Civil because it has both criminal and civil jurisdiction. By conducting investigations and litigating cases, the Consumer Protection Branch protects Americans in the areas of food, drugs, consumer goods and services, and financial fraud.

These cases generate hundreds of millions of dollars in revenue for the U.S. Treasury. The largest dollar cases tend to be prosecuted under the Federal Food, Drug and Cosmetic Act. In July 2013, Wyeth Pharmaceuticals, Inc. agreed to a \$490.9 million settlement involving its marketing of a prescription drug, Rapamune, for unapproved purposes. As part of the settlement, Wyeth agreed to pay \$233.5 million in criminal fines and forfeiture under the Federal Food, Drug and Cosmetic Act.

The Consumer Protection Branch also plays a critical role in Civil's financial and mortgage fraud litigation. These efforts are evident in Consumer Protection leading the litigation, seeking \$5 billion in damages, against Standard and Poor's Rating Services for fraud in its rating of mortgage-backed securities in the years before the 2008 financial crisis.

**"Judge lets U.S. pursue
\$5 billion fraud lawsuit vs
S&P"**

Chicago Tribune 7/13/2013

Consumer Protection's work also involves numerous cases that reflect Civil's commitment to protecting the American people from practices that endanger their health, safety, and economic security. In FY 2013, Consumer Protection prosecuted four individuals who allegedly manufactured and sold industrial bleach as a supposed medical cure for cancer, arthritis, and the flu. Additionally, Consumer Protection secured sentences totaling 224 months for three individuals that defrauded consumers seeking immigration services. The court ordered the three defendants to pay \$613,969 in restitution to the victims of their scheme.

Federal Programs Branch

The Federal Programs Branch defends the laws, regulations, and policies of the Federal Government. In total, Federal Programs is involved in matters encompassing approximately 100 federal agencies. Many of Federal Programs' cases include complex questions of constitutional law, including the scope of the powers of Congress, the President, and the federal courts, as well as the limitations imposed by the Constitution. Federal Programs also represents the Federal Government, as the nation's largest employer, in employment litigation.



Recently, Federal Programs prevailed in defending a First Amendment challenge to a federal law requiring producers of sexually explicit material to maintain documents verifying the ages of the performers.

Office of Immigration Litigation

The Office of Immigration Litigation is organized into two sections – the District Court Section and the Appellate Section – and handles federal immigration litigation nationwide.

District Court Section

The Office of Immigration Litigation's District Court Section represents government agencies challenged in federal district courts on matters involving the Immigration and Nationality Act. These include Homeland Security agencies handling immigration matters, the Department of State on cases involving passports and visas, the Department of Labor on employment-related visas, and the Federal Bureau of Investigation on background and other security checks conducted for immigration purposes. A large percentage of this Section's litigation is defensive, although it affirmatively files and prosecutes denaturalization cases.

Recently, the District Court Section's litigation has involved several national security cases. The Section defended numerous cases brought by known or suspected terrorists and convicted criminals attempting to acquire immigration benefits, thwart removal, or avoid mandatory detention pending removal, including naturalization claims of members of Hamas, Al-Qaeda, and Al-Shabab.

Appellate Section

The Office of Immigration Litigation's Appellate Section defends the United States in immigration litigation before the federal appellate courts. Appellate attorneys handle removal cases in the Courts of Appeals and support the Office of the Solicitor General's immigration litigation efforts in the U.S. Supreme Court. These cases comprise challenges related to whether an individual is subject to removal from the U.S. or is eligible for some form of benefit, relief, or protection that would allow him or her to remain in the United States.

The caseload is almost entirely defensive and is directly tied to the enforcement efforts of other government offices. First, U.S. Immigration and Customs Enforcement (ICE) initiates administrative removal actions against individuals. After ICE takes action, individuals may appeal to the DOJ's Board of Immigration Appeals (BIA). After the BIA takes action, individuals may appeal to federal circuit courts of appeals, where the Office of Immigration Litigation steps in and handles the matter. Thus, increased enforcement by ICE and BIA will undoubtedly increase the number of cases handled by the Appellate Section. Given the defensive nature of the Appellate Section's litigation, Civil Division attorneys must respond to each challenge or risk immigration enforcement actions being negated.

The Office of Immigration Litigation's Appellate Section also provides advice and counsel to U.S. Attorneys' offices prosecuting criminal immigration issues that overlap with the Office's civil litigation. The Appellate Section provides support and counsel to all federal agencies involved in the admission, regulation, and removal of aliens under U.S. immigration and nationality statutes, as well as related areas of border enforcement and national security, and participates in public outreach activities.

Torts Branch

The Torts Branch is comprised of four litigating sections:

- Aviation & Admiralty Section,
- Constitutional & Specialized Tort Litigation Section,
- Environmental Tort Litigation Section, and
- Federal Tort Claims Act Litigation Section

This Branch also is home to tort reform programs, including the National Childhood Vaccine Injury Program and the Radiation Exposure Compensation Program. Although a majority of the Torts Branch's workload involves defensive matters in which other parties have sued the Federal Government, the Torts Branch litigates one of the Federal Government's largest affirmative cases – Deepwater Horizon. In FY 2013, the Torts Branch handled cases worth billions of dollars.

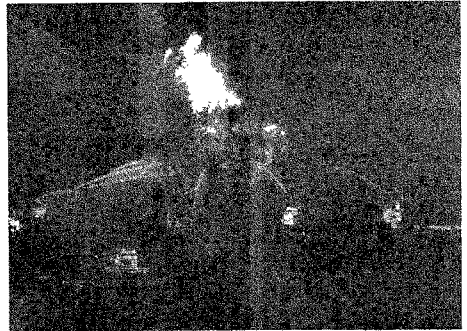
Aviation & Admiralty Section

The Aviation & Admiralty Litigation Section handles matters surrounding aviation and maritime accidents. The **Aviation** caseload is comprised of activities such as air commerce regulation, air traffic control, aviation security, provision of weather services, and aeronautical charting. When aircraft accidents occur, the Aviation and Admiralty Litigation Section handles litigation involving the Federal Aviation Administration's air traffic control, weather dissemination services, and its certification of airports, aircraft, and air personnel.

The **Admiralty** caseload involves the Federal Government's role as ship-owner, regulator, and protector of the nation's waterways. Cases relate to collisions involving government vessels and challenges to the boarding of vessels on the high seas during national security activities. Affirmative admiralty actions seek compensation for the loss of government cargo and the costs associated with maritime pollution cleanups.

Deepwater Horizon. The Aviation & Admiralty Section represents the Federal Government in litigation arising from the explosion on the drilling rig Deepwater Horizon and the resulting oil spill in the Gulf of Mexico in 2010. This multi-district litigation is the largest oil pollution case ever filed. Since the day of the sinking, the Aviation & Admiralty Section has advised numerous federal agencies involved and is leading the United States' affirmative litigation against responsible parties – BP, Transocean, and Anadarko. Aviation & Admiralty works in tandem with the Department's Environment and Natural Resources Division (ENRD) and Criminal Division on the environmental damage aspects.

In the ongoing litigation, Civil is responsible for recovering the billions of dollars spent by numerous Government agencies in response costs, as well as assessing and pursuing damages and civil penalties authorized under existing statutes. Aviation & Admiralty Section attorneys and staff continue to participate in that litigation. The Section's primary involvement was leading the liability trial phase of the litigation. That liability trial lasted eight weeks, from February 25 to April 17, 2013, but the Court has not yet issued its decision on fault for the explosion and spill. Civil Division attorneys also participated in the "Phase II" trial to determine the quantity of oil spilled; that phase lasted three weeks, from September 30 to October 18, 2013. Civil's attorneys and support staff continue to participate in discovery and trial preparation for "Phase III," in which parties will address appropriate civil penalties, if any. This Phase is expected to be set for trial in 2014, and appellate litigation over all trial results is anticipated to continue into 2015 and potentially beyond. Civil and ENRD continue to share funding responsibilities for the very extensive document and personnel discovery in this affirmative litigation. The matter will continue to require significant staffing, funding, and technological resources.



Constitutional & Specialized Tort Litigation Section

Constitutional & Specialized Torts consists of three groups: the Constitutional Torts Staff, the Office of Vaccine Litigation, and the Radiation Exposure Compensation Act Program.

The core mission of the **Constitutional Torts Staff** is to provide legal representation to federal employees in cases filed against them for actions they perform as part of their official duties. The Staff focuses on cases with critical and sensitive Executive Branch functions, cutting-edge questions of law affecting the federal workforce, and difficult personal liability cases. Many cases encompass national security or law enforcement activity.

The **Office of Vaccine Litigation** was established pursuant to the National Childhood Vaccine Injury Act of 1986, which created a unique mechanism for adjudicating claims of injury resulting from immunizations. As a "no-fault" system, claimants need only establish causation and not prove that a vaccine was defective, or that there was any degree of negligence in its administration.



The **Radiation Exposure Compensation Act Program** administers a compensation program created by the Radiation Exposure Compensation Act, which provides limited financial compensation for individuals who have developed certain serious illnesses after radiation exposure arising from the mining, milling, and transporting of uranium, as well as atmospheric testing of nuclear weapons during the Cold War era.

Environmental Tort Litigation Section

The Environmental Tort Litigation Section defends the United States in high-stakes and complex environmental tort litigation involving alleged exposure to toxic substances in the environment, the workplace, and government-owned housing. These cases often cover complex scientific and medical issues requiring the presentation of expert testimony.

Past litigation efforts include cases involving hundreds of property damage and personal injury claims allegedly due to contamination from a United States Army chemical warfare research facility during World War I, thousands of personal injury and property damage claims allegedly caused by the military exercises occurring over a thirty-year period on the island of Vieques, Puerto Rico, hundreds of property damage claims allegedly caused by the Department of Interior's use of herbicides to prevent wildfires on federal land, and thousands of alleged personal injury claims due to contaminated drinking water from Camp Lejeune.

This Section successfully defended the FEMA Trailer Litigation, a multi-district litigation action that consolidated lawsuits filed in Alabama, Mississippi, Louisiana, and Texas, which involved nearly 100,000 individual administrative claims seeking well in excess of \$100 billion, and

nearly 2,000 individual lawsuits against the United States that asserted claims on behalf of more than 33,000 plaintiffs, where the plaintiffs sought to recover for alleged personal injuries from exposure to formaldehyde in emergency housing units provided by FEMA in response to Hurricanes Katrina and Rita in 2005. The Environmental Tort Litigation Section has saved the Federal Government billions of dollars.

Federal Tort Claims Act Litigation Section

The Federal Tort Claims Act (FTCA) Section litigates complex and controversial cases under the Federal Tort Claims Act, a statute first passed by Congress in 1946 to provide damages for certain injuries and property damage caused by federal employees. Today, FTCA litigation typically arises from medical care, regulatory activities, law enforcement, and maintenance of federal lands.

For nearly a decade, the FTCA Section has been defending hundreds of cases that seek to hold the Government liable for more than a hundred billion dollars of damage and other losses caused by Hurricane Katrina flooding. On December 20, 2013, a U.S. district judge dismissed the vast majority of the pending lawsuits. This dismissal came on the heels of the FTCA Section's success in a bellwether trial of claims challenging an Army Corps of Engineers project near flood-wall breaches in the Lower Ninth Ward. Shortly before these successes, a federal appeals court held the Government to be immune from tort claims alleging that other breaches were caused by Corps activities.



Office of Management Programs

The Office of Management Programs supports Civil Division attorneys in all aspects of their work. Whether helping an employee prepare a presentation for trial, maintaining and updating discovery software, selecting a life insurance plan, or developing Civil's annual budget, Management Programs staff of analysts, accountants, and information technology specialists provides the technological, analytical, and litigation tools necessary for Civil Division attorneys to compete against the best law firms in the world.



Performance and Resources										
Decision Unit: Civil Division - Legal Representation										
DOJ Strategic Goal II: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.										
Objective 2.4: Combat corruption, economic crimes, and international organized crime.										
Objective 2.6: Protect the Federal fisc and defend the interests of the United States.										
WORKLOAD/RESOURCES										
Workload		Target		Actual		Projected		Changes		Requested (Total)
		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes	FY 2015 Request	
	1. Number of cases pending beginning of year	31,215		27,750		27,923		N/A	26,118	
	2. Number of cases received during the year	15,809		15,566		15,709		N/A	16,744	
	3. Total Workload	47,024		43,316		43,632		N/A	42,862	
Total Costs and FTE (Reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
		1,348	270,555 (106,486)	1,314	270,038 (106,586)	1,344	285,927 (119,418)	0	12,467 (0)	
Type	Strategic Objective	Performance		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		
Output	2.6	1. Number of cases terminated during the year		14,380		17,514		N/A		
								FY 2015 Request		
								18,087		
Civil Division Performance (Excludes VICP and RECA)										
Outcome	2.6	2. Percent of civil cases favorably resolved		80%		98%		N/A		80%
	2.6	3. Percent of defensive cases in which at least 85 percent of the claim is defeated		80%		87%		N/A		80%
	2.4	4. Percent of affirmative cases in which at least 85 percent of the claim is recovered		60%		64%		N/A		60%
	2.6	5. Percent of favorable resolutions in non-monetary trial cases		80%		90%		N/A		80%
	2.6	6. Percent of favorable resolutions in non-monetary appellate cases		85%		94%		N/A		85%

PERFORMANCE		Target	Actual	Projected	Changes Current Services Adjustments and FY 2015 Program Changes	Requested
Type	Strategic Objective	Performance	FY 2013	FY 2013	FY 2014	FY 2015 Request
	Vaccine Injury Compensation Program Performance					
Outcome	2.6	7. Percentage of cases where the deadline for filing the government's response to Petitioner's complaint (the Rule 4(b) report) is met once the case has been deemed complete	86%	95%	86%	86%
	2.6	8. Percentage of cases in which judgment awarding compensation is rejected and an election to pursue a civil action is filed	0%	0%	0%	0%
	2.6	9. Percentage of cases in which settlements are completed within the court-ordered 15 weeks	92%	100%	92%	92%
	Radiation Exposure Compensation Program Performance					
Outcome	2.6	10. Reduce average claim processing time to 200 days by FY 2016	200	247	200	200
	2.6	11. Percentage of claims paid within six weeks of program receipt of acceptance form	90%	86%	90%	90%
	2.6	12. Percentage of claim appeals adjudicated within 90 days of filing administrative appeal	95%	96%	95%	95%
Efficiency	2.6	13. Percentage of claims adjudicated within 12 months or less	80%	75%	80%	80%

History of Performance												
Decision Unit: Civil Division - Legal Representation												
Type	Strategic Objective	Performance	FY 2006 Actual	FY 2007 Actual	FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Actual	FY 2014 Target	FY 2015 Target
Output	2.6	1. Number of cases terminated during the year	15,435	17,147	22,939	17,088	17,538	17,330	20,378	14,380	17,514	18,087
Civil Division Performance (Excludes VICP and RECA)												
Outcome	2.6	2. Percent of cases favorably resolved	93%	89%	91%	93%	93%	96%	96%	80%	80%	80%
	2.6	3. Percent of defensive cases in which at least 85 percent of the claim is defeated	91%	91%	90%	88%	85%	86%	90%	80%	80%	80%
	2.4	4. Percent of affirmative cases in which at least 85 percent of the claim is recovered	72%	68%	64%	63%	74%	66%	73%	60%	60%	60%
	2.6	5. Percent of favorable resolutions in non-monetary trial cases	92%	86%	90%	90%	93%	92%	90%	80%	80%	80%
	2.6	6. Percent of favorable resolutions in non-monetary appellate cases	87%	87%	90%	92%	92%	92%	94%	85%	85%	85%
Vaccine Injury Compensation Program Performance												
Outcome	2.6	7. Percentage of cases where the deadline for filing the Government's response to Petitioner's complaint (the Rule (4b) report) is met once the case has been deemed complete	82%	83%	95%	94%	96%	97%	95%	86%	86%	86%
	2.6	8. Percentage of cases in which judgment awarding compensation is rejected and an election to pursue a civil action is filed	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	2.6	Median time to process an award for damages (in days)*	484	335	483	445	637	N/A	N/A	N/A	N/A	N/A
Efficiency	2.6	Average claim processing time (in days)*	738	894	834	1,337	1,280	1,269	N/A	N/A	N/A	N/A
	2.6	9. Percentage of cases in which settlements are completed within the court-ordered 15 weeks	98%	96%	100%	100%	100%	100%	100%	92%	92%	92%
*Discontinued Measure												

*Discontinued Measure

Performance Report		FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
		Actual	Actual	Actual	Actual	Actual	Actual	Actual	Target	Target	Target
Radiation Exposure Compensation Program Performance											
Outcome	2.6	339	298	156	127	100	100	116	200	200	200
	2.6	71%	91%	89%	94%	90%	91%	92%	90%	90%	90%
	2.6	100%	97%	100%	100%	100%	100%	100%	100%	95%	95%
Efficiency	2.6	2,021	2,032	807	618	558	N/A	N/A	N/A	N/A	N/A
	2.6	66%	71%	93%	96%	96%	94%	97%	75%	80%	80%

*Discontinued Measure

DATA DEFINITION, VALIDATION, VERIFICATION, AND LIMITATIONS

- **All Workload and Performance Indicators:** The data source for all indicators is CASES, the Civil Division's automated case management system. Quality assurance efforts include regular interviews with attorneys to review data listings; program input screens designed to preclude incorrect data; exception reports listing questionable or inconsistent data; attorney manager review of monthly reports for data completeness and accuracy; and verification of representative data samples by an independent contractor.
- **Limitations:** Incomplete data may cause the system to under-report case terminations and attorney time. These numbers will be updated prior to the end of the fiscal year. Some performance successes can be attributed to litigation where the U.S. Attorneys' Offices were involved.
- **Performance Indicators 2, 5, and 6:** Favorable resolutions include court judgments in favor of the Government, as well as settlements.
- **All Workload and Performance Indicators:** All workload actuals and workload estimates exclude nearly 500,000 Hurricane Katrina administrative claims and approximately 100,000 FEMA Hurricane Katrina/Rita trailer-related administrative claims. These claims have been removed to avoid skewing the data.

ISSUES AFFECTING SELECTION OF FY 2013 and FY 2014 ESTIMATES

- **Performance Indicators 2 and 3:** Vaccine Injury Compensation Program cases are excluded from these measures.

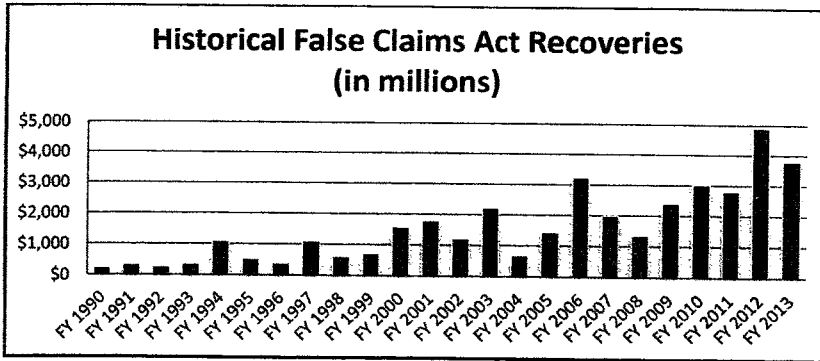
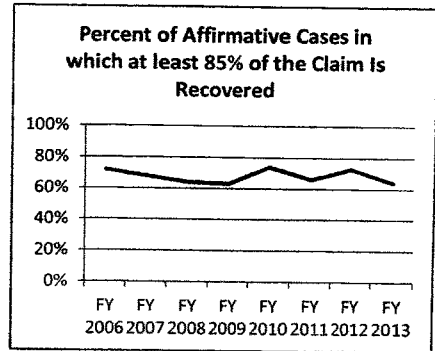
PERFORMANCE, RESOURCES, AND STRATEGIES

The data in the preceding Performance and Resources tables detail Civil's performance. Civil's workload is directly tied to two of the Department's strategic objectives – 2.4 ("combat corruption, economic crimes, and international organized crime") and 2.6 ("protect the federal fisc and defend the interests of the United States"). Generally, Civil's performance can be broken down into two key areas – affirmative and defensive litigation.

Performance Plan and Report for Outcomes

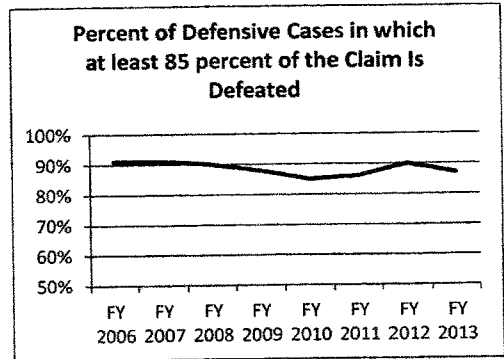
Recover Billions of Dollars in Affirmative Cases

Civil litigates hundreds of cases each year that, in the aggregate, bring in billions of dollars for the U.S. Treasury. As shown in the chart, Civil's performance measure of recovering at least 85% percent of the Government's claim has been met or exceeded consistently each year. Since FY 2009, Civil's litigation has generated more than \$20 billion in revenue for the U.S. Treasury. Looking at FY 2013, Civil, working with U.S. Attorneys, secured over **\$4 billion in federal judgments and settlements** on behalf of the United States. Looking forward, billions of dollars in additional recoveries are expected in FY 2014 and beyond. The Civil Division's largest recoveries typically occur in cases litigated under the False Claims Act, as well as the Federal Food, Drug and Cosmetic Act.



Defeat Billions of Dollars of Claims in Defensive Cases

Civil also defeats billions of dollars in unmerited damages. As shown in the chart, Civil routinely meets its performance measure of defeating at least 85% of these defensive claims. Each year, thousands of lawsuits are filed against the United States, in which the opposing parties seek, in total, tens of billions of dollars. Historically, in litigation handled by Civil, the U.S. Treasury has paid a very small percentage of the total dollars claimed – often only pennies for each dollar claimed.



The Federal Government engages in countless transactions annually such as purchasing and leasing goods or services, offering loan guarantees, signing contracts, and issuing payroll. Inevitably, disagreements arise over the terms of these agreements and parties will sue the Federal Government seeking damages. Meanwhile, Civil represents the Federal Government in the broad range of tort litigation arising from the Federal Government's operation including suits that seek personal monetary damages against individual officers and employees. Civil represents the Federal Government in litigation associated with these diverse financial interests.

Strategies to Accomplish Outcomes

Achieving favorable outcomes in some of the Government's most complex cases requires high caliber attorney and non-attorney personnel, as well as cutting edge litigation support services. Given that major cases typically take several years to investigate and litigate, Civil's current success is a result of investments made in previous years. Continuing to invest in technology and personnel resources, particularly to pursue priority financial litigation, will ensure that Civil's performance in these key areas remains strong.

1. Aggressively Represent the Federal Government When Sued

Civil continues to aggressively represent the Federal Government, its agencies, and employees when sued. The litigation related to the 2008 economic crisis demonstrates the importance of these types of cases. In that crisis, the Federal Government provided assistance to many companies so that they would not fail and America's economy would not crater any further. Today, shareholders and others associated with these companies are suing the Federal Government for billions of dollars.

AIG (Plaintiffs Seek \$40.1 billion plus prejudgment interest from the Treasury). In 2008, at the height of the economic crisis and when American International Group, Inc. (AIG) was facing a liquidity crisis and potential collapse, AIG and the Federal Reserve Bank of New York, pursuant to an authorization from the Federal Reserve Board of Governors, agreed to a deal in which AIG provided 79.9% of its stock while receiving an \$85 billion loan. The Treasury later invested billions of additional dollars in AIG. In November 2011, after these transactions saved AIG, AIG's shareholders filed suit alleging that the Government's actions were an unconstitutional taking or illegal exaction. Initially, these shareholders demanded at least \$23 billion in damages tied to the alleged dilution of their shares.

Shareholders then sought to file a derivative claim on behalf of AIG. Had AIG succeeded, the damages sought would have swelled to over \$50 billion. Civil opposed this derivative claim and prevailed in court. Currently, only the original \$23 billion is at issue. However, potential damages may rise based on expert review of valuation documents. Based upon the plaintiffs' expert reports, it appears that the plaintiffs will claim \$40 billion in damages. A trial will likely occur later in 2014. Before any trial, expert discovery will be necessary; Civil will review millions of pages of documents, take depositions, analyze expert reports, and engage experts to help ensure this claim against the Government is defeated.

Fannie Mae and Freddie Mac (Plaintiffs Seek \$63.8 billion from the Treasury). During the 2008 economic crisis, two Government-sponsored enterprises, Fannie Mae and Freddie Mac (the Enterprises) faced failure as the value of real estate plummeted. In September 2008, the Enterprises consented to placement into conservatorships under the supervision of the Federal Housing Finance Agency. Shortly thereafter, the Treasury agreed to invest hundreds of billions of dollars in the Enterprises in exchange for preferred stock with a fixed dividend and other consideration, including a liquidation preference equal to the amount invested. In 2012, after the Enterprises were repeatedly required to fund the quarterly dividends owed to the Treasury by obtaining additional funding from the agency, the preferred stock agreements were amended. The amended agreements eliminated the fixed dividend, and instead require the Enterprises to pay virtually all of their net profits as dividends.

In 2013, shareholders of the Enterprises filed suit in district courts and the U.S. Court of Federal Claims, alleging that (1) placement of the Enterprises into conservatorship effected an unconstitutional taking or illegal exaction, (2) the amended agreement requiring the Enterprises to pay virtually all of their profits to the Government effected an unconstitutional taking or illegal exaction, and (3) the amended agreement lacked statutory authorization or constituted arbitrary and capricious Government action. The shareholders are seeking in excess of \$63.8 billion in damages. While the litigation is in its early stages, the Government has begun collecting relevant documents. Should the case proceed to discovery, it likely will be a mammoth undertaking, involving millions of pages of documents and requiring extensive technological, expert, and staff resources.

Autos Cases (Plaintiffs Seek \$3-5 billion from the Treasury). In 2008-2009, Chrysler and General Motors underwent structured bankruptcies. In this process, the Federal Government lent large sums of money to these automobile manufacturers, and, as part of the bankruptcy reorganization, hundreds of Chrysler and GM dealership agreements were terminated.

Over 150 of these dealerships, including a putative class, have filed suit claiming that the termination of their dealership agreements effected an uncompensated – and therefore unconstitutional – taking. Three suits were filed in the U.S. Court of Federal Claims. While Civil did not prevail in its motion to dismiss the suits at the trial court, the U.S. Court of Appeals for the Federal Circuit heard arguments in interlocutory appeals of the trial court's dismissal of two of the cases on November 6, 2013. The third case is stayed pending issuance of the appellate decision. In the event that these cases move forward, discovery will be extremely complicated, requiring intensive fact development and expert assistance in ascertaining the economic value of the plaintiff dealerships.

A defeat in any of these cases tied to the 2008 economic crisis will be devastating to the Federal Government. First, the Treasury would be forced to pay billions of dollars. Second, any defeat will only encourage similar suits. Many financial institutions received assistance during the 2008 economic crisis, and these shareholders may rush to file suit if there is favorable precedent in this area. Third, if these plaintiffs prevail, future efforts by the Federal Government to rescue companies from economic crises will likely be hampered by any adverse precedent resulting from the pending cases. Finally, protecting companies, or their investors, from the costs of their investment mistakes will create moral hazard, whereby future market participants will take even greater risks with the expectation that the Government will protect them from loss.

2. Aggressively Pursue Affirmative Cases in Priority Areas, including Financial Fraud

Vigorous enforcement of financial and mortgage fraud laws is essential to bring perpetrators of fraud to justice – especially those responsible for the 2008 economic crisis and those who would attempt to take advantage of the efforts at economic recovery. Ultimately, financial and mortgage fraud litigation will increase recoveries for the Federal Government, provide relief to victims, and deter future fraud. Although cases in this area are often extremely complex – comprising of sophisticated actors, millions of documents and financial transactions, and large numbers of witnesses – the potential recoveries also are large. The cases already resolved have involved very large recoveries. The dollars spent on these efforts have been returned manifold to the U.S. Treasury, and each additional successful case has the potential to yield substantial returns.

The Civil Division serves a leadership role in President Obama's Financial Fraud Enforcement Task Force. Civil's Assistant Attorney General serves as co-chair of the Residential Mortgage-Backed Securities (RMBS) Working Group. This role reflects the commitment Civil has made to the collaborative efforts to investigate false or



misleading statements, deception, or other misconduct by market participants in the creation, packaging, and sale of mortgage-backed securities. The RMBS Working Group and its attorneys are continuing investigations of large financial institutions. Civil's Assistant Attorney General is also the co-chair of two other working groups – the Consumer Protection Working Group and the Mortgage Fraud Working Group.

In addition to investigating large financial institutions for their role in the 2008 economic crisis, Civil has made protecting individual consumers a centerpiece of DOJ's anti-fraud efforts. Civil investigates those who prey on vulnerable Americans, such as those facing foreclosure, the elderly, and families of service members who have been deployed in the military. Examples of these predatory practices include fraudulent foreclosure rescue and debt relief. These practices defraud victims of their money, their time, and their credit. Often, these scams take advantage of consumers' desperate conditions. Civil is dedicated to investigating, prosecuting, and deterring these predatory practices that harm American consumers.

3. Utilize the Best Technology to Improve Efficiency

Civil's complex investigations and litigation require state-of-the art technology. One of most important technology programs that Civil utilizes is its ALS program. With ALS, Civil can use technology to conduct discovery, manage pre-trial activities, aid attorneys in their motions practices, and assist with trial preparation – saving time, money, and resources. One of the most important uses for ALS is reviewing and analyzing documents and electronic media. In a large-scale investigation or case, massive amounts of information will be collected and produced.

Civil is the Leader of ALS Technology in the RMBS Working Group. As part of its role in the RMBS Working Group, Civil is hosting data and providing technological infrastructure and advanced tools for all members of the working group, playing a major role in its efficiency. If all of the data was printed on paper and put in standard bankers boxes, then it would fill more than 1.1 million boxes. By internally hosting the data, not using outside vendors, and making the data available to other participants, Civil is saving millions of dollars for the RMBS Working Group and avoiding needless duplication of these services.

Obviously, with this quantity of documents, data analysis tools are absolutely essential. Without databases and search tools, attorneys would be forced to manually review billions of pages of documents. Manual review would not only be costly, slow, and subject to unavoidable human error, but it would render attorneys unavailable to work on other matters, further crippling the Department's mission.

4. *Contribute to Professional Development of Attorney and Staff Resources*

As the hiring freeze is lifted, Civil will be able to hire new attorneys and support staff. Civil will hire bright and promising attorneys and non-attorneys, to ensure having a staff that brings passion to public service and defending the Federal Government. The new staff will require advanced training programs and professional development resources to fulfill their true potential. Senior attorneys and managers will need to mentor and coach new attorneys on the complexity of Civil's caseload to fully prepare them for these landmark cases.

Priority Goals

The Civil Division contributes data to the Department's priority goal of reducing the number of financial and healthcare fraud investigations pending longer than two years by three percent over FY 2013 levels, to efficiently and effectively drive cases to resolution. When deciding how to complete an investigation, Civil attorneys carefully consider a number of factors, including: litigation resources needed, amount of federal funds at issue, and potential public impact or harm. Many investigations are time-consuming because attorneys must interview potential witnesses, master complex regulatory or statutory schemes, and analyze technical financial documents, detailed health utilization records, and other complex evidence to determine the likelihood of the Government's success. Managers review lists of ongoing investigations to decide how to best complete (*i.e.*, make a decision pertaining to charging or intervention) the investigation based on interests of the Government and the public.

(Note: Representatives from Civil compile priority goal data on a quarterly basis and the Justice Management Division combines Civil's data with data from other components to report progress for the Department of Justice.

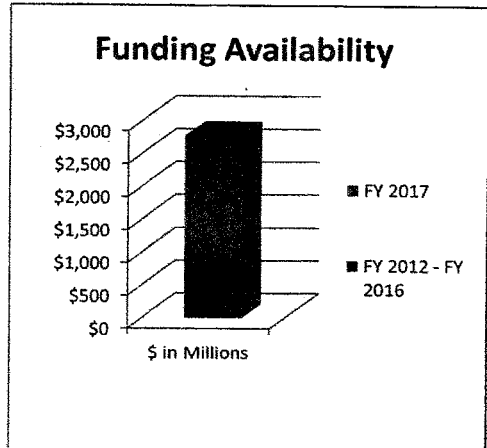
September 11th Victim Compensation Fund

Background

The James Zadroga 9/11 Health and Compensation Act of 2010 ("the Act") became law on January 2, 2011. Title II of the Act reopened the September 11th Victim Compensation Fund (the "VCF"). The Act required a Special Master, appointed by the Attorney General, to provide compensation to any individual or personal representative of a deceased individual who suffered physical harm as a result of the terrorist-related aircraft crashes of September 11, 2001, or the debris removal efforts that took place in the immediate aftermath. Sheila Birnbaum, the appointed Special Master, issued final regulations that reopened the VCF, on October 3, 2011. Currently, the Act authorizes the VCF to accept claims for five years, beginning in October 2011 and ending in October 2016. Additionally, the Act amended the original statute by adding new categories of beneficiaries and setting new filing deadlines.

Program Funding

The Act provides a limited \$2.775 billion appropriation with \$875 million available in the first five years to provide compensation to claimants, as well as to cover the VCF's administrative costs. To ensure that the \$875 million cap is not exceeded during the five-year period and that all eligible claimants receive some award, the Special Master will prorate and reduce the initial compensation payment. The VCF will issue a second payment during the sixth year, when the additional money may be spent.



Administrative Costs

The Civil Division provides administrative support for the Special Master and her staff. Civil oversees a variety of support services, such as database development and maintenance, claims intake, case management, staffing a call center, statistical analysis and reporting, and other vital activities. Administrative funding for the VCF is paid for by the VCF's total appropriation. The total appropriation is the same capped pool of funds available for awards. As such, every effort is made to keep administrative costs to a minimum while maintaining an effective and efficient operation.

Claims Activity

Before a potential claimant can receive an award for compensation, the potential claimant must register with the VCF, submit completed Eligibility Forms, and submit completed Compensation Forms.

According to the Act, claimants have two years to register with VCF if they knew of their illness or injury at the time of the VCF's reopening, meaning claimants who were diagnosed with physical harm resulting from the September 11th attacks on or before October 3, 2011, should have registered by October 3, 2013. However, the registration deadlines for several groups of people are after October 3, 2013. Potential claimants diagnosed with any 9/11-related condition after October 3, 2011, must register within two years of the date of their diagnosis. Additionally, the final rule adding certain types of cancer to the List of WTC-Related Health Conditions took effect on October 12, 2012. Therefore, potential claimants diagnosed with one of the covered cancers on the list on or before October 12, 2012, must register with the VCF by October 12, 2014. Moreover, the WTC Health Program continues to examine the science behind covered diseases. The VCF will continue to follow their determinations and may add conditions based on these determinations.

Registration with the VCF requires answering a few questions online or completing and mailing Part I of the Eligibility Form. Prior to the October 3, 2013, deadline, the VCF anticipated that some individuals would have difficulty completing the registration process before the deadline. To ease the burden of registration for potential claimants, the VCF made available an Interim Registration Form. As of January 28, 2014, the VCF received 53,497 registrations in total.

Most registrants have not yet submitted Eligibility or Compensation Forms. The final deadline for submitting completed Eligibility and Compensation Forms is October 3, 2016. FY 2015 is expected to be an active year for the VCF as it processes additional Eligibility and Compensation Forms. The VCF regularly updates program statistics, which are available at www.vcf.gov.

Program Offsets

Item Name: Miscellaneous Program and Administrative Reductions

Strategic Goal & Objectives: Strategic Goal II: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.

Objective 2.4: Combat corruption, economic crimes, and international organized crime.

Objective 2.6: Protect the federal fisc and defend the interests United States.

Budget Decision Unit: Legal Representation

Program Offset: Positions 0; Agt/Atty 0; FTE 0; Dollars -\$395,000

Description of Item

Program and administrative reductions to be identified once funds are appropriated.

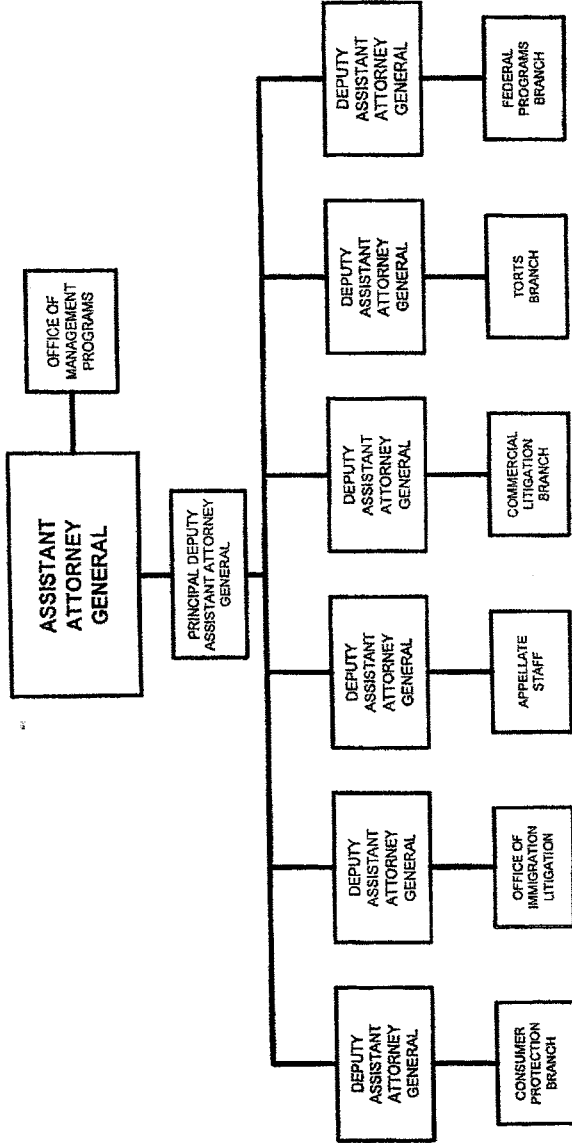
Justification

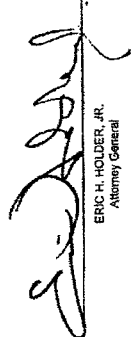
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, State Department charges, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Impact on Performance

Performance impact information is not yet available for this offset.

CIVIL DIVISION



Approved by: 
ERIC H. HOLDER, JR.
Attorney General

Date: April 3, 2012

B. Summary of Requirements

Summary of Requirements
Civil Division
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Revisions and Sequencer			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Legal Representation	1,425	1,154	270,655	1,425	1,189	285,927	0	0	12,862	1,425	1,189	298,789
Total Direct	1,425	1,154	270,655	1,425	1,189	285,927	0	0	12,862	1,425	1,189	298,789
Reimbursable FTE		170			155						155	
Total Direct and Reimb. FTE		1,324			1,344						1,344	
Other FTE												
Overtime		3			3						3	
Grand Total, FTE		1,327			1,347						1,347	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Legal Representation	0	0	0	0	0	-395	1,425	1,189	-298,394
Total Direct	0	0	0	0	0	-395	1,425	1,189	-298,394
Reimbursable FTE		0			0			155	
Total Direct and Reimb. FTE		0			0			1,344	
Other FTE									
Overtime		0			0			3	
Grand Total, FTE		0			0			1,347	

FY 2015 Program Changes by Decision Unit
Civil Division
Salaries and Expenses
(Dollars in Thousands)

Program Offsets	Location of Description in Narrative	Legal Representation				Total Offsets			
		Direct Pos.	Agt./ Atty.	Est. FTE	Amount	Direct Pos.	Agt./ Atty.	Est. FTE	Amount
Miscellaneous Program and Administrative Reductions	Legal Representation	0	0	0	-395	0	0	0	-395
Total Program Offsets		0	0	0	-395	0	0	0	-395

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective
Civil Division
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct/ Reimb FTE	Direct Amount	Reimb FTE	Direct/ Reimb FTE	Direct Amount	Reimb FTE	Direct/ Reimb FTE	Direct Amount	Reimb FTE	Direct/ Reimb FTE	Direct Amount	Reimb FTE	Direct/ Reimb FTE	Direct Amount	Reimb FTE	Direct/ Reimb FTE	Direct Amount	Reimb FTE
Goal 2 Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law	83	20,338	93	93	20,541		93	20,746		0	0		0	0		93	20,746	
2.4 Combat corruption, economic crimes, and international organized crime.	1,231	250,217	1,251	1,251	265,396		1,251	279,043		0	0		0	-395		1,251	277,648	
2.6 Protect the Federal fisc and defend the interests of the United States.																		
Total, Goal 2	1,314	270,555	1,344	1,344	285,937		1,344	299,789		0	0		0	-395		1,344	299,394	

E. Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

Civil Division
Salaries and Expenses
(Dollars in Thousands)

Pay and Benefits	Direct Pos.	Estimate FTE	Amount
1 2015 Pay Rates This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$1,334,000, represents the pay amounts for 344 of the fiscal year plus appropriate benefits (\$1,041,000 for pay and \$293,000 for benefits).	0	3	1,334
2 Annualization of 2014 Pay Rates This pay annualization represents first quarter amounts (October through December) of the 2014 pay increases of 1 percent included in the 2014 President's Budget. The amount requested \$471,000, represents the pay amounts for 14 of the fiscal year plus appropriate benefits (\$357,000 for pay and \$104,000 for benefits).	0	0	471
3 FERS Retirement/Law Enforcement Retirement Contribution Effective October 1, 2014 (FY 2015), the new agency contribution rate of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 28.6% for law enforcement personnel (up from the current 26.3%, or an increase of 2.3%). The amount requested, \$1,912,000, represents the funds needed to cover this increase.	0	0	1,912
4 Health Insurance Effective January 2015, the component's contribution to Federal employees' health insurance increases by 2.3 percent. The additional amount required is \$180,000.	0	0	180
5 Retirement Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$284,000 is necessary to meet our increased retirement obligations as a result of this conversion.	0	0	284
Subtotal, Pay and Benefits			4,181
Domestic Rent and Facilities			
1 General Services Administration (GSA) Rent GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$1,458,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.	3	0	1,458
2 Guard Services This includes Department of Homeland Security (DHS) Federal Protective Service charges, Justice Protective Service charges and other security services across the country. The requested increase of \$32,000 is required to meet these commitments.	0	0	32
3 Moves (Lease Expirations) GSA requires all agencies to pay relocation costs associated with lease expirations. This request provides for the costs associated with new office relocations caused by the expiration of leases in FY 2015.	0	0	7,200
Subtotal, Domestic Rent and Facilities			8,721
Foreign Expenses			
1 International Cooperative Administrative Support Services (ICASS) The Department of State charges agencies for administrative support provided to staff based overseas. Charges are determined by a cost distribution system. The FY 2015 request is based on the projected FY 2014 bill for post invoices and other ICASS costs.	0	0	45
2 Capital Security Cost Sharing (CSCS) Per P.L. 105-447 and subsequent acts, "all agencies with personnel overseas subject to chief of mission authority, shall participate and provide funding in advance for their share of costs of providing new, safe, secure U.S. diplomatic facilities, without offsets, on the basis of the total overseas presence of each agency as determined by the Secretary of State." Originally authorized for FY 2000-2004, the program has been extended annually by OMB and Congress and has also been expanded beyond new embassy construction to include maintenance and renovation costs of the new facilities. For the purpose of this program, State's personnel totals for DOJ include current and projected staffing. The estimated cost to the Department, as provided by State, for FY 2015 is \$123.7 million. The Civil Division currently has one position overseas, and a funding decrease of \$95,000 is requested for this account.	3	3	-85
Subtotal, Foreign Expenses			-40
TOTAL DIRECT TECHNICAL AND BASE ADJUSTMENTS			12,882

Exhibit E - Justification for Technical and Base Adjustments

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
Civil Division
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted w/o Balance Rescission			Sequester			Reallocations			Carryover		Recoveries/Refunds		2013 Actual		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Amount		Amount		Direct Pos.	Actual FTE	Amount
Legal Representation	1,425	1,154	284,898	0	0	-14,343	0	0	10,520	518		151		1,425	1,154	281,744
Total Direct	1,425	1,154	284,898	0	0	-14,343	0	0	10,520	518		151		1,425	1,154	281,744
Reimbursable FTE		170			0			0							170	
Total Direct and Reimb. FTE		1,324			0			0							1,324	
Other FTE:																
LEAP		0			0			0							0	
Overtime		3			0			0							3	
Grand Total FTE		1,327			0			0							1,327	

Footnotes:

1) The 2013 Enacted appropriation includes the 2 across-the board rescissions of 1.877% and 0.2%.

Reallocations:

Funding of \$10,520,000 was distributed from GLA's ALS account to Civil Division's ALS account.

Carryover:

Funds were carried over into FY 2013 from GLA's 2012 no-year account (\$288K) and GLA's VCRP no-year account (\$232K).

Recoveries/Refunds:

Recoveries from GLA's no-year account total \$151K.

Crosswalk of 2014 Availability

Civil Division
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2014 Enacted			Reprogramming/Transfers			Carryover		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Direct Pos.	Estim. FTE	Amount	
Legal Representation	1,425	1,189	285,927	0	0	0	8,969	1,425	1,189	294,896	
Total Direct	1,425	1,189	285,927	0	0	0	8,969	1,425	1,189	294,896	
Reimbursable FTE		155			0				155		
Total Direct and Reimb. FTE		1,344			0				1,344		
Other FTE:											
LEAP		0			0				0		
Overtime		3			0				3		
Grand Total, FTE		1,347			0				1,347		

Carryover:

Funds were carried over into FY 2014 from GLA's 2013 no-year account

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources

Civil Division
Salaries and Expenses
(Dollars in Thousands)

	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Collections by Source												
Bureau of Alcohol, Tobacco, Firearms and Explosives	0	0	0	0	0	15	0	0	15	0	0	0
Commodity Futures Trading Commission	0	0	940	0	0	123	0	0	123	0	0	0
Consumer Financial Protection Bureau	0	0	1,557	0	0	8,222	0	0	8,222	0	0	0
Consumer Product Safety Commission	0	0	32	0	0	15	0	0	16	0	0	0
Courts of Engineers	0	0	0	0	0	4,700	0	0	4,700	0	0	0
Defense Contract Management Agency	0	0	0	0	0	200	0	0	200	0	0	0
Department of Agriculture	0	0	413	0	0	5	0	0	5	0	0	0
Department of the Air Force	0	0	0	0	0	230	0	0	230	0	0	0
Department of Commerce	0	0	30	0	0	0	0	0	0	0	0	0
Department of Defense	0	0	3,190	0	0	0	0	0	0	0	0	0
Department of Education	0	0	12	0	0	0	0	0	0	0	0	0
Department of Energy	0	0	2,257	0	0	826	0	0	826	0	0	0
Department of Health and Human Services	0	0	3	0	0	650	0	0	650	0	0	0
Department of Homeland Security	0	0	340	0	0	100	0	0	100	0	0	0
Department of the Interior	0	0	200	0	0	2,338	0	0	2,338	0	0	0
Department of Justice	0	0	7,620	0	0	1,122	0	0	1,122	0	0	0
Department of the Navy	0	0	0	0	0	50	0	0	50	0	0	0
Department of State	0	0	20	0	0	0	0	0	0	0	0	0
Department of Transportation	0	0	1,121	0	0	0	0	0	0	0	0	0
Department of the Treasury	0	34	7,671	0	34	7,833	0	34	7,833	0	34	7,833
Department of the Treasury, Vaccine Injury Compensation	0	0	146	0	0	1,300	0	0	1,300	0	0	0
Department of Veterans Affairs	0	0	700	0	0	712	0	0	712	0	0	0
District of Columbia	0	0	2,000	0	0	1,500	0	0	1,500	0	0	0
Federal Bureau of Investigation	0	0	0	0	0	32	0	0	32	0	0	0
Federal Communications Commission	0	0	0	0	0	1,428	0	0	1,428	0	0	0
Federal Housing Finance Agency	0	0	150	0	0	0	0	0	0	0	0	0
Federal Reserve Board	0	0	23,353	0	80	25,288	0	80	25,288	0	80	25,288
Health Care Fraud and Abuse Account	0	69	262	0	0	0	0	0	0	0	0	0
National Aeronautics and Space Administration	0	0	262	0	0	100	0	0	100	0	0	0
National Labor Relations Board	0	0	138	0	41	59,399	0	41	59,399	0	41	59,399
Office of Debt Collection	0	67	47,096	0	67	30	0	0	30	0	0	0
US Attorneys	0	0	3,105	0	0	119,418	0	155	119,418	0	155	119,418
Budgetary Resources	0	170	104,595	0	155	119,418	0	155	119,418	0	155	119,418

	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Obligations by Program Activity												
Debt Collection	0	67	47,096	0	41	59,399	0	41	59,399	0	0	0
Health Care Fraud	0	69	25,353	0	80	25,288	0	80	25,288	0	0	0
Vaccine Injury Compensation Program	0	34	7,671	0	34	7,833	0	34	7,833	0	0	0
Miscellaneous	0	0	24,565	0	0	23,938	0	0	23,938	0	0	0
Budgetary Resources	0	170	104,595	0	155	119,418	0	155	119,418	0	155	119,418

i. Det. Permanent Positions by Category

Detail of Permanent Positions by Category

Civil Division

Salaries and Expenses

(Dollars in Thousands)

Category	2013 Enacted with Revisions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb Pos.
Attorneys	1,025	126	1,025	115	0	0	0	1,025	115
Paralegals	150	18	150	16	0	0	0	150	16
Clerical and Other	250	26	250	24	0	0	0	250	24
Total	1,425	170	1,425	155	0	0	0	1,425	155
Headquarters (Washington, D.C.)	1,403	170	1,403	155	0	0	0	1,403	155
U.S. Field	21	0	21	0	0	0	0	21	0
Foreign Field	1	0	1	0	0	0	0	1	0
Total	1,425	170	1,425	155	0	0	0	1,425	155

J. Financial Analysis of Program Changes

Financial Analysis of Program Changes
Civil Division
Salaries and Expenses
(Dollars in Thousands)

Grades	Legal Representation	
	Program Offsets	
	Direct Pos.	Amount
SES	0	0
GS-15	0	0
GS-14	0	0
GS-13	0	0
GS-12	0	0
GS-11	0	0
GS-10	0	0
GS-9	0	0
GS-8	0	0
GS-7	0	0
GS-6	0	0
GS-5	0	0
Total Positions and Annual Amount	0	0
Lapse (-)		0
11.5 Other Personnel Compensation		0
Total FTEs and Personnel Compensation		0
12.0 Personnel benefits		0
21.0 Travel and Transportation of Persons		0
22.0 Transportation of Things		0
23.1 Rental Payments to GSA		0
23.3 Communications, Utilities, and Miscellaneous Charges		0
24.0 Printing and Reproduction		0
25.1 Advisory and Assistance Services		0
25.2 Other Services from Non-Federal Sources		-395
25.3 Other Goods and Services from Federal Sources		0
25.5 Research and Development Contracts		0
25.7 Operation and Maintenance of Equipment		0
26.0 Supplies and Materials		0
31.0 Equipment		0
Total Program Change Requests	0	-395

K. Sur of Requirements by Object Class

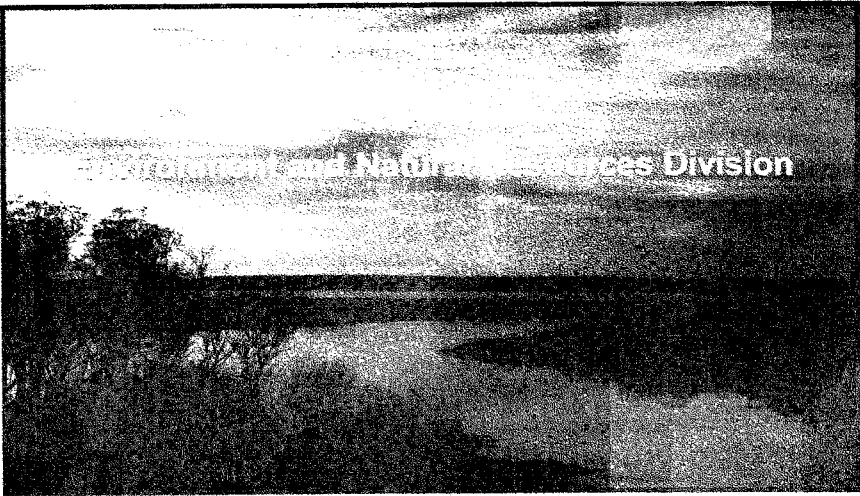
Summary of Requirements by Object Class

Civil Division
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	1,097	135,450	1,139	142,966	1,139	157,450	0	14,484
11.3 Other than Full-Time Permanent	57	4,617	50	4,896	50	4,789	0	93
11.5 Other Personnel Compensation	[3]	454	[3]	1,956	[3]	1,956	0	0
Overtime	[3]	185	[3]	185	[3]	200	0	15
Other Compensation	0	269	0	1,771	0	1,756	0	-15
11.8 Special Personal Services Payments	0	37	0	410	0	200	0	-210
Total	1,154	140,558	1,189	150,028	1,189	164,395	0	14,367
Other Object Classes								
12.0 Personnel Benefits		39,945		42,282		46,455		4,173
13.0 Benefits for former personnel		7		10		10		0
21.0 Travel and Transportation of Persons		2,897		3,390		3,390		0
22.0 Transportation of Things		909		895		895		0
23.1 Rental Payments to GSA		31,980		31,687		33,156		1,469
23.2 Rental Payments to Others		498		511		511		0
23.3 Communications, Utilities, and Miscellaneous Charges		5,006		4,691		4,735		44
24.0 Printing and Reproduction		718		716		716		0
25.1 Advisory and Assistance Services		715		1,000		1,000		0
25.2 Other Services from Non-Federal Sources		36,531		49,072		25,727		-23,345
25.3 Other Goods and Services from Federal Sources		8,000		7,670		8,161		481
25.6 Medical Care		117		117		117		0
25.7 Operation and Maintenance of Equipment		154		156		156		0
26.0 Supplies and Materials		991		905		905		0
31.0 Equipment		1,012		1,360		875		-475
32.0 Land and Structures		0		0		7,200		7,200
42.0 Insurance Claims and Indemnities		0		436		0		-436
Total Obligations		270,038		294,896		296,394		3,498
Subtract - Unobligated Balance, Start-of-Year		(518)		(8,969)		0		8,969
Subtract - Reallocations		(10,520)		0		0		0
Subtract - Recoveries/Refunds		(151)		0		0		0
Add - Unobligated End-of-Year, Available		8,969		0		0		0
Add - Unobligated End-of-Year, Expiring		2,737		0		0		0
Total Direct Requirements		270,555		285,927		296,394		12,467
Reimbursable FTE	170		155		155		0	
Full-Time Permanent								
23.1 Rental Payments to GSA (Reimbursable)		3,383		3,715		3,715		0
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)		117		122		122		0

Exhibit K - Summary of Requirements by Object Class

U.S. Department of Justice



FY 2015

PERFORMANCE BUDGET

CONGRESSIONAL SUBMISSION

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Cover photo of Assateague Island from DOJ/ENRD Employee Photo Contest. Text boxes and photos are from the National Park Service's Assateague Island National Seashore website. <http://www.nps.gov/asis/index.htm>

I. Overview of the Environment and Natural Resources Division

A. Introduction:

Environment and Natural Resources Division (ENRD) Mission: The Environment and Natural Resources Division is a core litigating component of the U.S. Department of Justice. Founded more than a century ago, it has built a distinguished record of legal excellence. The Division functions as the Nation's environmental and natural resources lawyer, representing virtually every federal agency in courts across the United States, and its territories and possessions in civil and criminal cases that arise under more than 150 federal statutes. Key client agencies of the Division include the U.S. Environmental Protection Agency (EPA), the U.S. Department of the Interior, the U.S. Army Corps of Engineers, the U.S. Department of Commerce, the U.S. Department of Agriculture, the U.S. Department of Homeland Security, the U.S. Department of Energy and the U.S. Department of Defense, among others. The Division's litigation docket is comprised of nearly 7,000 active cases and matters.

The Division is currently organized into nine litigating sections (Appellate; Environmental Crimes; Environmental Defense; Environmental Enforcement; Indian Resources; Land Acquisition; Law and Policy; Natural Resources; and Wildlife and Marine Resources), and an Executive Office that provides administrative support. ENRD has a staff of nearly 650, more than 400 of whom are attorneys.

The Division is guided by its core mission, which has four key elements:

- Strong enforcement of civil and criminal environmental laws to ensure clean air, clean water, and clean land for all Americans;
- Vigorous defense of environmental, wildlife and natural resources laws and agency actions;
- Effective representation of the United States in matters concerning the stewardship of our public lands and natural resources; and
- Vigilant protection of tribal sovereignty, tribal lands and resources, and tribal treaty rights.

To accomplish this mission in FY 2015, the Division is requesting a total of \$112,487,000 including 537 positions (370 attorneys), and 526 Full-Time Equivalents (FTE). ENRD also has 115 reimbursable FTE.

All communities deserve clean air, water and land in the places where they live, work, play and learn. The Division strives to ensure that all communities are protected from environmental harms, including those low-income, minority and tribal communities that too frequently live in areas overburdened by pollution. ENRD pursues the goals of Environmental Justice by ensuring that everyone enjoys the benefit of a fair and even-handed application of the nation's environmental laws, and affected communities have a meaningful opportunity for input in the consideration of appropriate remedies for violations of the law.

ENRD also litigates to protect the Nation's public lands and resources, ensuring that that these lands are protected and the Treasury collects the royalties and payments owed to the United

States. The Division also litigates to protect almost 60 million acres of land, and accompanying natural resources, that the United States holds in trust for tribes and their members.

ENRD's work furthers the Department's strategic goals to prevent crime and enforce federal laws, defend the interests of the United States, promote national security, and ensure the fair administration of justice at the federal, state, local, and tribal levels. Most important, the Division's efforts result in significant public health and other direct benefits to the American people through the reduction of pollution across the Nation and the protection of important natural resources.

Every day, the Division works with client agencies, U.S. Attorneys' Offices, and state, local and tribal governments, to enforce federal environmental, natural resources, and wildlife laws. It also defends federal agency actions and rules when they are challenged in the courts, working to keep the Nation's air, water and land free of pollution, advancing military preparedness and national security, promoting the nation's energy independence, and supporting other important missions of our agency clients. The Division acquires land for purposes ranging from national parks to national security, protects tribal lands and natural resources, and works to fulfill the United States' trust obligations to Indian tribes and their members.

ENRD performs its work with the constant understanding that our operations are funded by limited taxpayer dollars. Over the past few years, as described below, we have taken deliberate steps to reduce costs and limit resource expenditures. We take our role as responsible custodians of the public fisc very seriously; and we are proud of the short and long-term cost saving measures and efficiencies we have implemented to date.

Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.



Assateague Island stretches for 37 miles along the Atlantic coasts of Maryland and Virginia and is part of a vast chain of barrier islands extending from Maine to Texas. Changing sea level and migration of offshore sediments play vital roles in forming and maintaining these important coastal features. Barrier islands can form when offshore sand deposits accumulate sufficiently to break the water surface or when sea level rise causes inland dunes to become separated from the mainland. Others form when "spits" deposited across the mouth of a bay eventually break from the mainland.

B. Issues, Outcomes, and Strategies:

As the Nation's chief environmental and public lands litigator, ENRD primarily supports the Justice Department's Strategic Goal Two: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.

The Division initiates and pursues legal action to enforce federal pollution abatement laws and obtain compliance with environmental protection and conservation statutes. ENRD also represents the United States in all matters concerning protection, use, and development of the nation's natural resources and public lands. The Division defends suits challenging all of the foregoing laws, and fulfills the federal government's responsibility to litigate on behalf of Indian

tribes and individual Indians. ENRD's legal efforts protect the federal fisc, reduce harmful discharges into the air, water, and land, enable clean-up of contaminated waste sites, and ensure proper disposal of solid and hazardous waste.

In affirmative litigation, ENRD obtains redress for past violations harming the environment, ensures that violators of criminal statutes are appropriately punished, establishes credible deterrents against future violations of these laws, recoups federal funds spent to abate environmental contamination, and obtains money to restore or replace natural resources damaged by oil spills or the release of other hazardous substances into the environment. ENRD also ensures that the federal government receives appropriate royalties and income from activities on public lands and waters.

By prosecuting environmental criminals, ENRD spurs improvements in industry practice and greater environmental compliance. Additionally, the Division obtains penalties and fines against violators, thereby removing the economic benefits of non-compliance and leveling the playing field so that companies complying with environmental laws do not suffer competitive disadvantages.

In defensive litigation, ENRD represents the United States in challenges to federal environmental and conservation programs and all matters concerning the protection, use, and development of the nation's public lands and natural resources. ENRD faces a growing workload in a wide variety of natural resource areas, including litigation over water quality and watersheds, the management of public lands and natural resources, endangered species and sensitive habitats, and land acquisition and exchanges. The Division is increasingly called upon to defend Department of Defense training and operations necessary to military readiness and national defense.

The Division's current top enforcement priority is to hold accountable those responsible for the tragic loss of life and disastrous oil spill in the Gulf of Mexico. This priority stems from the impact of the oil spill on the environment and the economy and from the potential scale of civil penalties and natural resource damages due the United States – billions of dollars. Those sums could: (a) benefit natural resources damaged by the spill, (b) fund environmental and economic projects in the Gulf States through the RESTORE Act, and (c) reimburse the Oil Spill Liability Trust Fund (which funds the majority of the federal clean-up and monitoring work necessary to responding to the spill).

While the failures and other un-workmanlike acts that caused this massive oil spill began well before the spill did, the discharges commenced April 20, 2010, with the destruction of the drilling rig Deepwater Horizon, the principal vessel used in constructing the Macondo Well, which is located about 50 miles south of the Louisiana shore. Our enforcement action centers on the discharge of millions of barrels of hydrocarbons into the Gulf of Mexico. Before the three-month-long discharge was halted, millions of barrels of oil (along with large amounts of natural gas) escaped into the Gulf of Mexico and reached, among other places: thousands of square miles of the Gulf, various depths of the water column, the sea floor, shorelines of Gulf States, and many flora and fauna. These discharges caused immense environmental and economic harm to the entire region, on land and in the water. We aim to secure both appropriate civil penalties

for these illegal, avoidable discharges and compensation for damages to natural resources for which federal agencies are trustees under the law. (The Gulf States are co-trustees for some of these resources.)

For over three years, DOJ - principally ENRD in collaboration with the Civil Division - has remained central to the federal response and investigation of this spill. The center of DOJ's work is the ongoing civil enforcement action in district court, in which we have produced some one hundred million pages of documents and completed more than 600 days of deposition. However, such results do not account for the lion's share of necessary case development and trial preparation. Because the defendants face civil penalty and damages judgments that could amount to billions of dollars, the breadth and depth of the defense being mounted is massive. Our principal defendant, BP, has noted to the district court that more than 300 lawyers are working on BP's interests in this litigation.

In the litigation, Phase One and Two of discovery and trial are complete. The trial for the first phase began on February 25, 2013, and lasted for about two months. This phase provided an opportunity for the United States to prove that violations of federal safety operational regulations caused or contributed to the oil spill and that the named defendants (not including insurers) were jointly and severally liable, without limitation, under the Oil Pollution Act for government removal costs, economic losses, and damage to natural resources due to the oil spill. The United States is seeking civil penalties under the Clean Water Act, which prohibits the discharge of oil into the nation's waters. Post-trial submissions were completed during June 2013. All parties await the rulings of the district court.

Phase Two of the trial, focusing on efforts to control the blowout and the amount of oil discharged, concluded in October 2013, with post-trial briefing for that phase concluded in January 2014.

Phase Three is also active and will grow in intensity and cost throughout fiscal year 2014. This phase will focus on the eight penalty factors set out in the Clean Water Act, which will control the ultimate assessment of the specific penalty amounts to be paid by defendants BP and Anadarko. We are working to keep the cost of Phase Three below that of Phases One and Two, but it is unclear whether the defendants will accept streamlined discovery and other pre-trial activities or try to expand them to the extent possible. Factors such as the volume of material potentially subject to discovery and the wide gap in the parties' view of the case continue to drive up the expense of this litigation. At a status conference set for late March 2014, the Court will consider the parties' competing motions and case management plans, which will lead to setting the scope and schedule of Phase Three.

A later phase likely will determine the amount of damages for injuries to natural resources caused by the spill. We know from prior "NRD" cases that they typically involve scores of expert witnesses, and we know from prior document management in Phases One and Two that the amount of documents and data potentially discoverable in this phase could rival the prior phases combined. Phase NRD pre-trial activities are likely to commence before Phase Three is complete. It is anticipated that Phase NRD could last some years. Under any likely scenario we can see, this phase could be tremendously expensive for DOJ, both in terms of DOJ time and

effort and in cash outlays necessary to fund litigation support, for example, document handling and analysis, expert witnesses, and a base of operations in New Orleans. Unlike some earlier phases of the case, we cannot expect help from the private plaintiffs in pre-trial and trial activities, and the range of facts which we may need to prove (spanning whole ecosystems of the Gulf of Mexico and its shores) will rival the amount of proof necessary in any earlier phase of the case. We expect this phase to be the longest running and most expensive. While a number of the States will join us as co-plaintiffs in this phase, it is unclear at this time whether their efforts will lessen ours. DOJ work will continue to take the forms of both (a) advising to the federal-and-state council of natural resource trustees charged by law with assessing the extent of natural resource damages and (b) developing the most effect case possible for proving injury and entitlement to damages needed to restore such injury. It is unclear whether sources that have funded work on the earlier phases of the massive case will be available for the NRD Phase.

The Division is also handling appeals related to the Gulf Oil Spill. BP and Anadarko have also brought an interlocutory appeal from the district court's order holding them liable as owners of the Macondo well for Clean Water Act civil penalties. We are currently in the process of briefing that appeal. In addition, depending on how the trial proceeds, there is the potential for additional appeals because of a statutory provision (28 U.S.C. 1292(a)(3)) allowing certain interlocutory appeals implicating admiralty jurisdiction.

In addition to the ongoing, civil-side efforts, in February 2013, the U.S. District Court for the Eastern District of Louisiana approved a civil enforcement settlement and a criminal-plea agreement proposed by the United States for various Transocean companies – the owners and operators of the Deepwater Horizon. Under those settlements, the Transocean entities will pay penalties and fines totaling \$1.4 billion – a record-setting, \$1 billion in civil penalties (exclusive of the value of injunctive relief) plus another \$400 million in criminal fines and related criminal relief.

Additionally, the Division supported the ongoing interagency administrative response critical to avoiding future disasters and to continuing responsible and safe drilling in the Gulf of Mexico and elsewhere. We successfully resolved a number of high profile and contentious cases filed against client agencies arising from the Deepwater Horizon oil spill.

Finally, ENRD continues to support implementation of the RESTORE Act, under which Congress directed that about 80 percent of all civil penalty proceeds arising from the Deepwater Horizon / Macondo Well disaster be spent by federal or state officials on environmental or economic recovery in the Gulf region. ENRD support takes the form principally of legal advice and coordination.

More than half of Assateague Island National Seashore's 48 000 acres is comprised of near-shore and estuarine waters, and the interplay between these waters and the barrier island affects nearly every aspect of life in this dynamic coastal environment. Powerful storms can dramatically alter the shoreline in a matter of hours, as waves wash over the beach and reshape the island from ocean to bay. Salt spray, lack of fresh water, and isolation from the mainland are subtle, but powerful influences on the island's species composition. These conditions have produced a community of plants and animals uniquely suited to the extremes found at the edge of the sea.

C. Performance Challenges:

External Challenges

The Division has limited control over the filing of defensive cases, which make up nearly half of our workload. Court schedules and deadlines drive the pace of work and attorney time devoted to these cases. ENRD's defensive caseload is expected to continue to increase in FY 2015 as a result of numerous external factors.

- The Division faces a huge influx of litigation under a 19th Century federal statute, commonly known as "R.S. 2477," which "recognized" the "right of way for the construction of highways over public lands, not reserved for public uses." The largest component of this docket is defensive litigation under the Quiet Title Act, 28 U.S.C. § 2409a, in which ENRD defends against claims, mostly by western states and counties, to R.S. 2477 rights-of-way on lands owned by the United States and managed by federal agencies. Since 2011, our R.S. 2477 case load has grown from 12 cases covering 114 roads, to 40 cases – 31 of which are in Utah, but also involving Alaska, California, Idaho, Nevada and North Dakota – covering over 12,000 roads. Our local federal partners have indicated that they do not have resources available to help us litigate these important and time-consuming cases. This caseload involves extensive discovery, 'ancient' historical facts, significant motion practice, and *de novo* trials.
- The Division represents the United States in 26 presently pending Tribal Trust cases in which 46 Indian tribes demand "full and complete" historical trust accountings, monetary compensation for various breaches and mismanagement of trust, and trust reform measures relating to the United States' management of the tribes' trust funds and non-monetary assets. Many of these cases are in settlement negotiations, and others are in varying stages of trial preparation. In FY 2015, for example, the Division expects to face trial in at least three cases. Trials in these cases will require substantial resources not presently available within the Division to conduct extensive discovery and trial related to claims for alleged mismanagement of not only innumerable tribal trust accounts but also extensive non-monetary tribal trust resources between 1946 and the present. The damages sought by the three tribes in the cases on the trial track exceed \$1.4 billion.
- The Environment and Natural Resources Division continues to devote significant resources to condemnation proceedings along the U.S. border with Mexico in support of DHS's Customs and Border Patrol (CBP) efforts to secure the border. In order to build the Southwest border fence, ENRD's Land Acquisition Section exercised the government's eminent domain powers (under the Fifth Amendment of the Constitution) to acquire hundreds of miles of privately-owned property on behalf of the Department of Homeland Security and the Army Corps of Engineers. Valuation litigation, which will proceed into FY 2015, is the most resource-intensive stage of these actions, and we are currently in the midst of that process. This demanding project will continue for the foreseeable future.
- ENRD supports the defense and security missions of the Department of Defense and the Department of Homeland Security. From defending environmental challenges to critical training programs that ensure military preparedness, to acquiring strategic lands needed

to fulfill the government's military and homeland security missions, ENRD makes a unique and important contribution to defense and national security while ensuring compliance with the country's environmental laws. The Division expects its **Military Readiness Docket** – to include litigation to defend training missions and strategic initiatives, expand military infrastructure, and defend chemical weapons demilitarization – to continue and expand in FY 2015.

- The Division continues to deal with a dramatic expansion of its **Rails-to-Trails litigation**, in which property owners along railroad corridors allege a taking of their property interests in violation of the Fifth Amendment as a result of the operation of the National Trails System Act ("Trails Act"). The courts have held that the Trails Act precludes abandonment of the corridors under state law, and results in the conversion of the railroad line into thousands of miles of recreational trails, which are also "railbanked" for possible future railroad reactivation. The Division presently defends more than 80 such suits, involving approximately 10,000 properties in over 30 states, with estimated aggregate claims in the hundreds of millions of dollars. These cases present considerable legal challenges, as both the underlying facts and the relevant property law in the various states are generally unfavorable to the United States. These cases also present considerable resource challenges, since each property conveyance and each property valuation must be analyzed on an individual basis. The number of hours the Division devotes to these cases has more than tripled in the past few years and, with many of these cases moving into the valuation stage, the portion of the Division's expert witness funds being applied to these cases has increased several-fold. Given the complexity of the cases, our current rails-to-trails docket will not be fully resolved for several years, and we expect to see many additional such cases being brought against the United States in the coming years.
- ENRD also expects to receive a number of new, unusually cumbersome and increasingly complex civil and criminal environmental enforcement referrals from EPA under the Clean Water Act and Clean Air Act in FY 2014 and FY 2015. For the past decade, the Division has invested significant resources in litigating civil enforcement actions under the Clean Air Act's New Source Review provisions against operators of coal fired power plants. These facilities are the largest stationary sources of air pollution in the country, emitting millions of tons of sulfur dioxide, nitrogen oxides, and particulate matter each year – much of which is illegal. Bringing these plants into compliance with the Act continues to be one of EPA's highest enforcement priorities. Work on these and other power plant cases will continue in earnest in FY 2014 and into 2015. In addition to the reduction of harmful emissions, these cases will continue to result in the imposition of sizeable civil penalties as well as requirements to install important corrective pollution controls.
- The Division continues to be involved in water rights litigation in nearly every western state, protecting the water rights associated with public lands and tribal reservations. These adjudications generally involve thousands of claimants and, in one instance, all of the water rights claimants in a state, and are extremely resource intensive. This litigation is generally non-discretionary, since the United States has waived its sovereign immunity to suit in general stream adjudications. As a result, the United States must assert its water rights claims in such an adjudication.



Plants living on the beach and dunes must withstand some of the harshest conditions. Continuous exposure to strong, salt-laden winds, constantly shifting sands, low substrate moisture, and intense summer heat all contribute to a landscape that is less than 1% vegetated. Plants like sea rocket have fleshy, thick-skinned leaves to store water and withstand the salty environment of the beach and lower dunes. Higher up the dunes, American beachgrass adapts to shifting sands by growing additional stems when buried, thus helping to bind the substrate and reduce erosion.

Internal Challenges

With the introduction of new technologies and new requirements in the legal industry – such as e-filing, on-line document repositories, electronic trials, extranet docketing systems, etc. – we need to ensure our workforce has access to hardware and systems to keep pace.

ENRD expects to refresh aging hardware, develop and implement required tracking systems, and comply with Department security mandates in FY 2015. For example, in 2015, ENRD will replace network printers, our case management system (CMS), and our records management system (RMS). In addition, ENRD will be using a cloud-based email system in FY 2015.



Located along the Atlantic migratory flyway, Assateague Island plays host to a wide variety of both migratory and resident bird species. Because its mid-latitude location is within the migratory routes of both northern and southern species, the island provides a unique opportunity for birders. The island's rich mosaic of forest, dune, and marsh habitats offers feeding and nesting opportunities for a wide array of shorebirds, songbirds, raptors, waterfowl, and waders.

D. Environmental Accountability

The Department's Environment and Natural Resources Division maintains a "Greening the Government" initiative in response to Executive Order 13423 (January 24, 2007), which requires all federal agencies to meet benchmarks for reductions in energy usage, water consumption, paper usage, solid waste generation, and other areas. Among other things, through the Executive Order, government agencies have been directed to reduce energy consumption by 30 percent by 2015. Congress mandated compliance with this Executive Order in recent appropriations legislation (Omnibus Appropriations Act, P. L. 111-8, §748 [2009]).

Energy Use at ENRD

Through ENRD's Greening the Government Committee, and through other management and staff efforts, ENRD continued to push *Best Practices* which help the Division to minimize energy use, encouraging employees to turn off lights, computer monitors, and other electronic devices when not needed.

In addition, ENRD's Executive Office, in conjunction with building management, had over 1,200 motion-activated lighting sensors installed in Patrick Henry Building (PHB) ENRD offices and common areas. This improvement has helped reduce energy levels within the building to FY 2006 levels of less than 8,000 kWh in keeping with Executive Order 13514, which focuses on Federal Leadership in Environmental, Energy, and Economic Performance.

The Environment Division's Information Technology (IT) staff is keenly aware of its environmental responsibilities, buying energy efficient hardware before Energy Star became a Federal government mandate. To maximize energy efficiency, our virtual server infrastructure was expanded to our COOP site and field offices (reducing the count of physical servers by 37 percent). In addition, the Division purchased servers with an energy-saving technology that exceeds EPA's Energy Star requirements. Together, these purchases have reduced the Division's power requirements and heat output by 50 percent.



Wildflowers play an important role in the coastal ecosystem of Assateague Island. They serve as food sources for many animals, and their roots aid in the stabilization of sand, securing substrates that might otherwise be eroded by wind. Wildflowers flourish in every habitat on Assateague. Because of continuously changing habitat conditions, plants that can rapidly adjust tend to survive well on the island. Many of Assateague's wildflowers species flourish in disturbed areas such as roadsides. In summer, hundreds of rose mallow line the entrance road with large white blooms. These are joined by collections of yellow, white, purple, or pink flowers produced by various members of the aster family.

E. Achieving Cost Savings and Efficiencies in a Challenging Budget Environment

The Division has demonstrated a commitment to achieve cost savings and has attained impressive measurable results. In the area of litigation support, ENRD has been innovative and forward-thinking with its cost-effective, in-house litigation support computer lab, which provides a wide range of services, such as scanning, OCR-processing, e-Discovery/data processing, email threading, and database creation and Web hosting. In FY 2013, the Division recognized savings of over \$10.2 million, compared to what the in-house services provided would have cost, if outsourced to a contractor/vendor.

By looking at targeted, one-time cost-saving opportunities, as well as implementing a number of long-term operational savings, the Division identified close to \$700,000 in cost-cutting measures during FY 2013. This is on top of the savings carried forward from the Division's earlier cost savings exercise initiated in FY 2011. The Division has realized approximately \$500,000 in savings as a result of cut-backs on monetary performance awards. We have also implemented a number of IT and telecom cost reductions as well as additional subscriptions and publications reductions.

In the area of training, ENRD has not only increased use of in-house resources to conduct legal, technological, and other types of training, but also has aggressively promoted on-line training courses that are no- or low-cost alternatives to more expensive classroom courses. In addition, the Division continues to observe a moratorium on all internal off-site retreats and conferences. Finally, the Division was able to employ additional parking savings measures which over two years will result in cost savings of close to \$100,000.

As a leader employing technological solutions, ENRD has successfully reduced travel by using cost-effective alternatives such as videoconferencing and web-based applications for meetings and limiting travel to only that which is mission critical. We continue to push the use of on-line travel reservations, as opposed to using agent assisted booking services, leading to additional cost savings.



Barrier islands like Assateague are highly dynamic places, as currents and storms work to continuously reshape the land form. Though changing course periodically throughout the year, long shore currents continuously transport sand south along the coast. On a seasonal basis, harsh winter weather pulls sand from dunes and upper beaches, depositing it into offshore sand bars and reducing beach width. This process is reversed during milder summer weather, as gentler wave action acts to restore the shoreline.

II. Summary of Program Changes

	Description				Page
		Pos.	FTE	Dollars (\$000)	
Program Offset	Miscellaneous Program and Administrative Reductions			-\$6,478	34

III. Appropriations Language and Analysis of Appropriations Language

Please refer to the General Legal Activities Consolidated Justifications.

IV. Decision Unit Justification

Environment and Natural Resources Division -	Perm. Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequester	537	526	101,836
2014 Enacted	537	526	107,643
Adjustments to Base and Technical Adjustments	0	0	11,322
2015 Current Services	537	526	118,965
2015 Program Offsets	0	0	-6,478
2015 Request	537	526	112,487
Total Change 2014-2015			4,844

1. Program Description

As stated in the Department of Justice Strategic Plan, ENRD works to:

- Investigate and prosecute environmental crimes, including both pollution and wildlife violations;
- Pursue cases against those who violate laws that protect public health, the environment, and natural resources;
- Defend against suits challenging federal statutes, regulations, and agency actions;
- Develop constructive partnerships with other federal agencies, state and local governments, and interested parties to maximize environmental compliance and stewardship of natural resources;

- Act in accordance with United States trust responsibilities to Indian tribes and individual Indians in litigation involving the interests of Indians. The United States holds close to 60 million acres of land and associated natural resources in trust for tribes and has a duty to litigate to protect this land and resources.

The Division focuses on both civil and criminal litigation regarding the defense and enforcement of environmental and natural resources laws and regulations, and represents many federal agencies in litigation (e.g., the Environmental Protection Agency, Department of Agriculture, Department of the Interior, Department of Defense, and Department of Homeland Security).

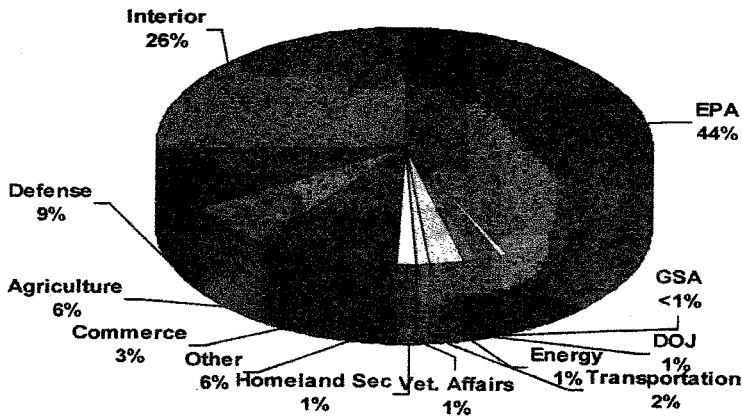
As the nation's chief environmental litigator, ENRD strives to obtain compliance with environmental and conservation statutes. To this end, we seek to obtain redress of past violations that have harmed the environment, establish credible deterrence against future violations of these laws, recoup federal funds spent to abate environmental contamination, and obtain money to restore or replace natural resources damaged through oil spills or the release of other hazardous substances. The Division ensures illegal emissions are eliminated, leaks and hazardous wastes are cleaned up, and drinking water is safe. Our actions, in conjunction with the work of our client agencies, enhance the quality of the environment in the United States and the health and safety of its citizens.

Civil litigating activities include cases where ENRD defends the United States in a broad range of litigation and enforces the nation's environmental and natural resources laws. Nearly one-half of the Division's cases are defensive or non-discretionary in nature. They include claims alleging noncompliance with federal, state and local pollution control and natural resources laws. Civil litigating activities also involve the defense and enforcement of environmental statutes such as the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Clean Air Act (CAA), the Clean Water Act (CWA), the National Environmental Policy Act (NEPA), and the Endangered Species Act (ESA).

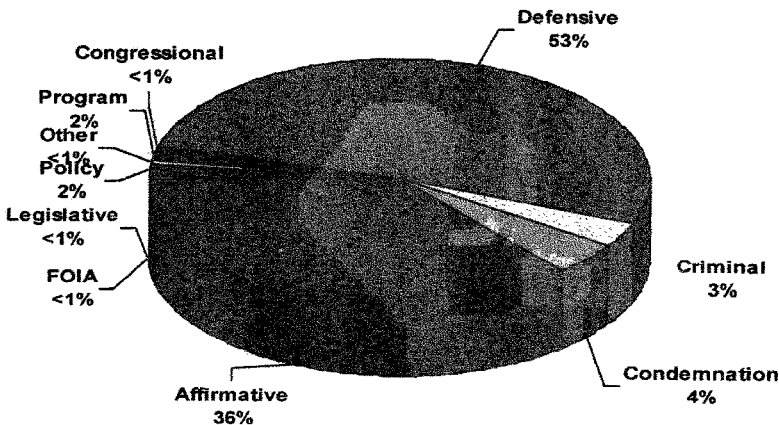


A number of species also find shelter and feeding opportunities in Assateague's forests. During daylight hours, ruby-crowned kinglets, downy woodpeckers, and white-eyed vireos can be found feasting on the abundant insect life. After sunset, several species of owls become active, preying on small mammals, snakes, and birds. They include the great horned owl, one of North America's largest species of owl, as well as the northern saw-whet owl. This diminutive owl (only one-third the size of the great horned owl) overwinters at Assateague. Little is known about the species, and the island serves as the site of several scientific studies on its migratory habits.

ENRD's Cases/Matters Pending By Client Agency (FY 2013)



ENRD's Cases/Matters Pending By Case Type (FY 2013)



The Division defends Fifth Amendment taking claims brought against the United States alleging that federal actions have resulted in the taking of private property without payment of just compensation, thereby requiring the United States to strike a balance between the interests of property owners, the needs of society, and the public fisc. ENRD also brings eminent domain cases to acquire land for congressionally authorized purposes ranging from national defense to conservation and preservation. Furthermore, the Division assists in fulfillment of the United States trust responsibilities to Indian Tribes. ENRD is heavily involved in defending lawsuits alleging the United States has breached trust responsibilities to Tribes by mismanaging Tribal

resources and failing to properly administer accounts that receive revenues from economic activity on Tribal lands. The effectiveness of our defensive litigation is measured by the percentage of cases successfully resolved and savings to the federal fisc.

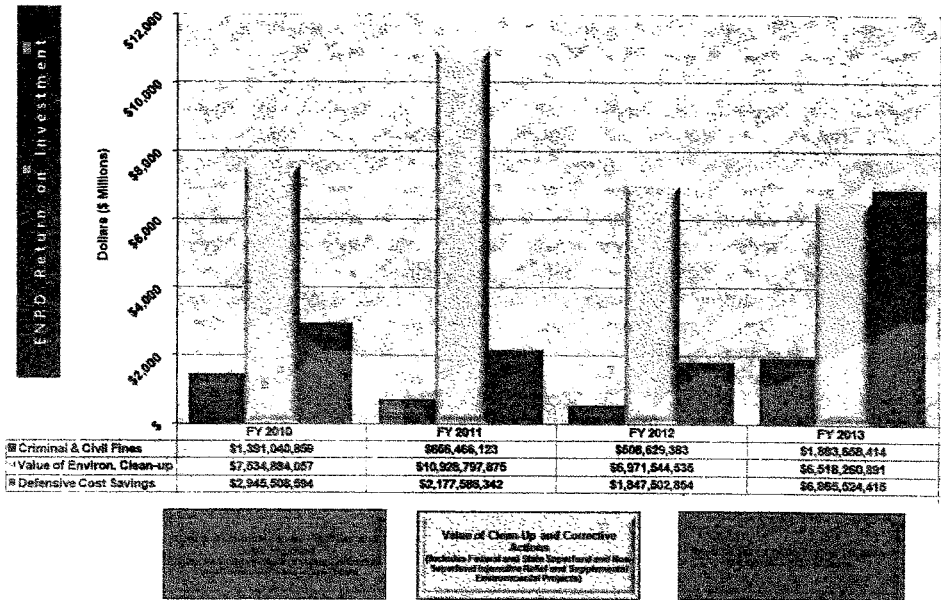
Criminal litigating activities focus on identifying and prosecuting violators of laws protecting wildlife, the environment, and public health. These cases involve issues such as fraud in the environmental testing industry, smuggling of protected species, exploitation and abuse of marine resources through illegal commercial fishing, and related criminal activity. ENRD enforces criminal statutes designed to punish those who pollute the nation's air and water; illegally store, transport and dispose of hazardous wastes; illegally transport hazardous materials; unlawfully deal in ozone-depleting substances; and lie to officials to cover up illegal conduct. The effectiveness of criminal litigation is measured by the percentage of cases successfully resolved. ENRD's case outcome performance results are included in the Performance and Resources Table contained in this submission.



In early spring, piping plovers arrive at Assateague and begin to perform their elaborate territorial and courtship displays. These threatened birds are attracted to the island's sandy, storm washed beaches which they use to both nest and feed. After spending the summer months hatching and fledging their chicks, the plovers will depart in late August for their wintering grounds in the Bahamas and southeastern United States. Rather than needing to keep her eggs warm, the beach-nesting piping plover will stand over her eggs on hot days to shade them and keep them cool.

ACCOMPLISHMENTS

In FY 2013, the Division successfully litigated 959 cases while working on a total of 6,702 cases, matters, and appeals. We recorded over \$1.8 billion in civil and criminal fines, penalties, and costs recovered. The estimated value of federal injunctive relief (i.e., clean-up work and pollution prevention actions by private parties) obtained in FY 2013 exceeded \$6.5 billion. ENRD's defensive litigation efforts avoided costs (claims) of over \$6.8 billion in FY 2013. The Division achieved a favorable outcome in 92 percent of cases resolved in FY 2013. In sum, ENRD continues to be a valuable investment of taxpayer dollars as the number of dollars returned to the Treasury exceeds ENRD's annual appropriation many times over.



Below are notable successes from the Division's civil and criminal litigation dockets during FY 2013.

Civil Cases

- Deepwater Horizon Oil Spill**

In February 2013, the U.S. District Court for the Eastern District of Louisiana approved settlements fashioned by the Department and federal agency partners to punish various Transocean companies involved in the Deepwater Horizon oil spill. The total civil penalty, criminal fine, and related criminal payments total \$1.4 billion, comprised of a civil penalty of \$1.0 billion, the largest civil penalty ever secured under any federal environmental law, and another \$400 million to be paid under a cooperation-and-guilty-plea agreement with the Transocean company known as Transocean Deepwater, Inc.

Under the civil settlement, the \$1 billion civil penalty will be paid under the Clean Water Act and the Resources and Ecosystems Sustainability, Tourist Opportunities and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE Act). The RESTORE Act provides that 80 percent of the civil penalty collected here will be used to fund projects in the five Gulf States, to benefit environmental and economic benefit in that Region. Also under the civil enforcement settlement, which is embodied in a court order, the Transocean Defendants must implement

measures to improve the operational safety and emergency response capability of all their drilling rigs working in the waters of the United States. The Transocean Defendants will be required to conduct these operational measures under court order for at least five years and possibly longer, depending on quality of performance.

The \$400 million, criminal-side payment includes: 1) A criminal fine; 2) Funds to improve environmental resources in the five Gulf States (Alabama, Florida, Louisiana, Mississippi, and Texas); and 3) A fund that will be used by the National Academy of Sciences to select and support research, development, education, and training calculated to reduce the chance of oil spills and to improve capacities for responding to such spills.

On February 17, 2012, the Department and federal agency partners announced an agreement with MOEX Offshore to settle its liability in the Deepwater Horizon oil spill. MOEX is one of eight parties sued by the Department in 2010 in connection with the Deepwater Horizon oil spill. According to the terms of the settlement, MOEX will pay \$70 million in civil penalties to resolve alleged violations of the Clean Water Act—the largest to date under the Clean Water Act—and will spend \$20 million on supplemental environmental projects to facilitate land acquisition projects in several Gulf states that will preserve and protect in perpetuity habitat and resources important to water quality.

• *Tribal Trust Cases*

The extraordinarily complex and multifaceted Tribal Trust cases command a large portion of ENRD's time and resources. The Division represents the United States in 26 presently pending cases in which 46 Indian tribes demand "full and complete" historical trust accountings, monetary compensation for various breaches and mismanagement of trust, and trust reform measures relating to the United States' management of the tribes' trust funds and trust lands, as well as the non-monetary resources (such as timber, oil, gas, coal, agricultural, range, easements, and rights of way) on those lands. Many of the currently pending cases are in settlement negotiations, while others are in varying stages of trial preparation, and three are proceeding down parallel pre-trial preparation and settlement discussion tracks simultaneously. The Division has enjoyed success in the past two fiscal years by negotiating and reaching settlements with 76 tribes in 46 cases, while also conducting active litigation, including a full-blown trial, in several other cases. It has done so by balancing its duties to defend client programs with a commitment to make whole any tribe that has suffered financial injury as a result of any trust fund or trust resource management practices. The Division is prepared to proceed with alternative dispute resolutions or, if necessary, trial preparations and trial in the remaining 26 cases.

• *Addressing Air Pollution from Power Plants*

In November 2012, the Division and EPA reached a settlement with Louisiana Generating, an electric generating company owned by NRG Energy Inc., to settle violations of the Clean Air Act at its Big Cajun II coal-fired power plant in New Roads, La. Louisiana Generating is alleged to have violated federal and state law by continuing to operate Big Cajun II Units 1 and 2 without getting the required permits and installing modern air pollution controls after performing

the largest boiler modifications in the history of the plant. The settlement will result in the elimination of over 27,300 tons of harmful emissions per year. Louisiana Generating is required to spend approximately \$250 million to reduce air pollution and pay a civil fine of \$3.5 million. Louisiana Generating will achieve these reductions through a combination of new pollution controls, natural gas conversion and annual emission caps at all three units at the Big Cajun II plant. The state of Louisiana joined in the settlement and will receive \$1.75 million, one-half of the \$3.5 million civil penalty.

Louisiana Generating will also spend \$10.5 million on environmental mitigation projects that will further reduce emissions and benefit communities adversely affected by pollution from the Big Cajun II plant. The numerous projects include: restoring watersheds and forests; installing solar panels at local schools, government-owned facilities or buildings owned by nonprofit groups; creating charging stations for electric vehicles in the South Louisiana area that are supplied with zero emission renewable energy sources; conducting energy efficiency projects, which could include voltage optimization, residential energy efficiency and assistance with commercial or industrial energy efficiency improvements. The state of Louisiana will receive \$1.5 million to implement projects which could include the following: retrofitting vehicles with pollution controls, truck stop electrification, purchase and installation of photo-voltaic cells on buildings, building energy conservation and efficiency, buyback programs for dirty old motors and removal or replacement of oil-fired home heaters with ultra-low sulphur oil and outdoor wood-fired boilers.

The settlement is one of 26 achieved by the federal government under its national enforcement initiative to reduce emissions from coal-fired power plants under the Clean Air Act's New Source Review requirements. SO_2 and NO_x , two key pollutants emitted from power plants, have numerous adverse effects on human health and the environment. These pollutants are converted in the air to fine particles of particulate matter that can cause severe respiratory and cardiovascular impacts, and premature death. SO_2 and NO_x are also significant contributors to acid rain, smog and haze. In addition, air pollution from power plants can drift significant distances downwind, thereby affecting not only local communities, but also communities in a much broader area.

- ***Enforcement Under Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA" or "the Superfund Act")***

In December 2012, ENRD and EPA reached two settlements worth more than \$50 million to clean up contamination from the B.F. Goodrich Superfund Site in San Bernardino County, Calif. There are a dozen settling parties, including Emhart Industries and Pyro Spectaculars, Inc. (PSI), as well as the cities of Rialto and Colton and the County of San Bernardino. The Superfund site has been used to store, test and manufacture fireworks, munitions, rocket motors and pyrotechnics and was added to the EPA's National Priorities List in September 2009. The area's groundwater is contaminated with trichloroethylene (TCE) and perchlorate, which have resulted in the closure of public drinking water supply wells in the communities of Rialto and Colton. TCE is an industrial cleaning solvent. Drinking or breathing high levels may cause damage to the nervous system, liver and lungs. Perchlorate is an ingredient in many flares and fireworks, and in rocket propellant, and may disrupt the thyroid's ability to produce hormones needed for

normal growth and development.

In the first agreement, Emhart is required to perform the first portion of the cleanup, estimated to cost \$43 million over the next 30 years to design, build and operate groundwater wells, treatment systems and other equipment needed to clean up the contaminated groundwater at the site. A significant portion of these funds will come from other settling parties, including the Department of Defense. The cities of Rialto and Colton will receive \$8 million. In the second agreement, six entities, including PSI and its former subsidiary, will pay a combined \$4.3 million to the EPA toward cleanup at the site and \$1.3 million to the cities of Rialto and Colton and San Bernardino County.

EPA used government funds to pay for investigation and clean up work at the site while investigating potentially responsible parties for their role in the contamination. The United States, on behalf of EPA, sued Emhart and PSI, as well as the Goodrich Corporation, and other parties in 2010 and 2011 to require cleanup and recover federal money spent at the site. Prior to EPA's lawsuit, the cities of Rialto and Colton initiated litigation against many of the settling parties, including the Department of Defense, in 2004.

A company acquired by Emhart manufactured flares and other pyrotechnics at the site for the military in the 1950s. PSI has operated at the site since 1979, designing fireworks shows produced throughout the United States.

• *Addressing Air Pollution From Oil Refineries and other Clean Air Act Cases*

In February 2013, EPA, the Justice Department, and the State of Indiana reached an agreement with CountryMark Refining and Logistics LLC (CountryMark) for the company to pay a \$167,000 civil penalty, perform environmental projects totaling more than \$180,000, and spend \$18 million on new pollution controls to resolve Clean Air Act (CAA) violations at its refinery in Mount Vernon, Indiana. The company is alleged to have made modifications that increased emissions without first obtaining pre-construction permits and installing required pollution control equipment, as required by the CAA. The settlement requires new and upgraded pollution controls, more stringent emission limits, and aggressive leak detection and repair (LDAR) practices. New controls are also required on the refinery's flaring devices, which are used to burn-off waste gases. The amount of pollution that flares emit depends on the total amount of waste gases sent to a flare and the efficiency at which the flare is operated when burning those gases. The settlement will ensure proper combustion efficiency for any gases that are sent to a flare and will also cap the total amount of waste gases that can be sent to a flare at the refinery. The state of Indiana actively participated in the settlement and has received over \$110,000 to fund a supplemental environmental project to remove asbestos-containing material from an old grain elevator in downtown Mount Vernon. CountryMark must provide at least \$70,000 in funding for a supplemental environmental project that will install diesel retrofit and/or idle reduction technologies on school buses and/or non-school bus, publicly-owned vehicles located within 50 miles of the refinery. Once fully implemented, the pollution controls required by the settlement will reduce emissions of harmful air pollution that can cause respiratory problems, such as asthma, and are significant contributors to acid rain, smog, and haze, by an estimated 1,000 tons or more per year.

The settlement with CountryMark is the 32nd under the EPA initiative, which has resulted in 109 refineries operating in 32 states and territories – more than 90 percent of the total refining capacity in the United States – are under judicially enforceable agreements to significantly reduce emissions of pollutants. As a result of the settlement agreements, refiners have agreed to invest more than \$6 billion in new pollution controls designed to reduce emissions of sulfur dioxide, nitrogen oxides, and other pollutants by over 360,000 tons per year.

• ***Enforcement of the Clean Water Act Through Publicly Owned Sewer Cases***

In November 2012, the Division, EPA, and the Mississippi Department of Environmental Quality (MDEQ) reached a comprehensive Clean Water Act settlement with the city of Jackson, Miss. Jackson has agreed to make improvements to its sewer systems to eliminate unauthorized overflows of untreated raw sewage and unauthorized bypasses of treatment at the Savanna Street Wastewater Treatment Plant (WWTP), the city's largest wastewater treatment facility. Jackson is required to implement specific programs designed to ensure proper management, operation and maintenance of its sewer systems. In order to address the problem of wet weather overflows of raw sewage from the sewer lines, Jackson will develop and implement a comprehensive sewer system assessment and rehabilitation program. The city will also develop and implement a comprehensive performance evaluation and composite correction program to reduce the bypasses of treatment at the Savanna Street WWTP. Jackson must develop and implement numerous sewer system capacity, management, operations and maintenance programs, including a pump station operation and preventive maintenance program, a WWTP operation and maintenance program and a water quality monitoring program.

Jackson must pay a civil penalty of \$437,916, and implement a supplemental environmental project valued at \$875,000 that will provide additional environmental benefits to the local community. The project involves reducing the flow of water from entering the sewer system by eliminating illicit stormwater connections and repairing defective private lateral sewer lines from the low-income residential properties.

The Division continues to reach agreements with municipalities to upgrade their sewage treatment plants. EPA's Clean Water Act initiative focuses on reducing discharges from sewer overflows by obtaining cities' commitments to implement timely, affordable solutions, including the increased use of green infrastructure and other innovative approaches. Raw sewage contains pathogens that threaten public health, leading to beach closures and public advisories against fishing and swimming. This problem particularly affects older urban areas, where minority and low-income communities are often located. The United States has reached similar agreements in the past with numerous municipal entities across the country including Mobile and Jefferson County, Alabama (Birmingham); Atlanta and DeKalb County, Georgia; Knoxville and Nashville, Tennessee; Miami-Dade County, Florida; New Orleans, Louisiana; Hamilton County (Cincinnati), Ohio; Northern Kentucky Sanitation District #1; and Louisville, Kentucky.

• ***Ensuring Industry Focuses on the Safety of the Public and Protection of the Environment***

In November 2012, the Division and EPA reached an agreement with grain processor Roquette America, Inc., for the company to pay a \$4.1 million civil penalty to settle alleged violations of

the Clean Water Act and its National Pollutant Discharge Elimination System (NPDES) permit at its facility in Keokuk, Iowa. As early as 2008, Roquette was aware that its waste water treatment plant was marginally adequate and that it could not handle spills or surges in loading. Instead of constructing additional containment structures for waste water surges, or routing spills to the waste water treatment plant, Roquette allowed the industrial waste to be discharged directly into the Mississippi River and Soap Creek, in violation of the Clean Water Act. Roquette had received numerous administrative orders and notices of violation from the Iowa Department of Natural Resources since 2000, but continued to overload its waste water treatment plant and illegally discharge untreated industrial waste. The Keokuk facility violated its NPDES permit at least 1,174 times, and on at least 30 occasions illegally discharged via storm drains resulting in at least 250,000 gallons of industrial waste being released into the Mississippi River and Soap Creek. Roquette will complete requirements valued at more than \$17 million to further protect the Mississippi River and Soap Creek, including the completion of a sewer survey to identify possible discharge locations, the implementation of sewer modifications, the construction of upgrades to the wastewater treatment plant, and the performance of enhanced effluent monitoring. Roquette will also obtain annual third party audits of its compliance with the operations and maintenance program, the Storm Water Pollution Prevention Program, the company's NPDES permits, and the compliance requirements set out in the agreement.



The "wild" horses on Assateague are actually feral animals, meaning that they are descendants of domestic animals that have reverted to a wild state. Local folklore describes the Assateague horses as survivors of a shipwreck off the Virginia coast. While this dramatic tale of struggle and survival is popular, there are no records yet that confirm it. They are more likely the descendants of horses that were brought to barrier islands like Assateague in the late 17th century by mainland owners to avoid fencing laws and taxation of livestock. Horses tough enough to survive the scorching heat, abundant mosquitoes, stormy weather and poor quality food have formed a unique wild horse society.

Criminal Cases

• *Vessel Pollution Cases*

Over the past decade, working in conjunction with the U.S. Coast Guard (USCG), ENRD, through the Environmental Crimes Section (ECS), has built a successful vessel pollution prosecution practice, focusing on the prosecution of individuals and corporations involved in pollution from ships and the deliberate falsification of official ship records designed to conceal illegal pollution. The Vessel Pollution Program is an ongoing, concentrated effort to detect, deter, and prosecute those who illegally discharge pollutants from ships into the oceans, coastal waters and inland waterways. Over the past 10 years, the criminal penalties imposed in such cases have totaled more than \$200 million, and responsible shipboard officers and shore-side officials have been sentenced to more than 17 years of incarceration. The initiative has resulted in a number of important criminal prosecutions of key segments of the commercial maritime industry, including cruise ships, container ships, tank vessels, and bulk cargo vessels.

In March 2013, in a multi-district plea agreement, two shipping firms based in Germany and Cyprus pleaded guilty to felony obstruction of justice charges and violating the Act to Prevent Pollution from Ships related to the deliberate concealment of vessel pollution from four ships that visited U.S. ports in New Jersey, Delaware and Northern California. Columbia

Shipmanagement (Deutschland) GmbH (CSM-D), a German corporation, and Columbia Shipmanagement Ltd. (CSM-CY), a Cypriot company, have agreed to pay a \$10.4 million penalty and be placed on probation for four years. During probation, the companies will be subject outside audits by an independent company and oversight by a court appointed monitor. The shipping firms admitted that four of their ships (three oil tankers and one container ship) had intentionally bypassed required pollution prevention equipment and falsified the oil record book, a required log regularly inspected by the U.S. Coast Guard. In pleading guilty, the defendants admitted that illegal discharges occurred, including a discharge of five tons of sludge and oily bilge waste within the Exclusive Economic Zone of Costa Rica where a national park is located.

The case is the largest vessel pollution settlement in either New Jersey or Delaware. The proposed penalty includes \$2.6 million in organizational community service payments to assist the coastal maritime environment in New Jersey and Delaware damaged by Hurricane Sandy.

• *Enforcing Laws Protecting Wildlife*

In order to protect certain species of wildlife against over-exploitation, the United States is a signatory to an international treaty known as the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), under which trade in certain threatened species is regulated or even prohibited for commercial purposes. Federal law also prohibits the importation of fish or wildlife into the United States without proper declaration to both U.S. Customs and Border Protection (CBP) and the Fish & Wildlife Service (FWS).

In May 2013, two defendants were sentenced to prison for crimes related to illegal international trafficking of rhinoceros, including conspiracy, smuggling, violations of the Lacey Act, money laundering and tax fraud. The defendants and their company were ordered to pay criminal fines, a tax fraud penalty and assessment, and a total of \$800,000 in restitution to the Multinational Species Conservation Fund, a statutorily created fund that is managed by the U.S. Fish and Wildlife Service (FWS) to support international efforts to protect and conserve rhinos and other critically endangered species around the world. The defendants conspired with individuals throughout the United States to purchase white and black rhinoceros horn despite knowing that these animals were protected by federal law as endangered and threatened species. Although they paid on average, from \$5,000 to \$7,000 per pound of rhinoceros horn, the horn acquired by the defendants had a fair market value of at least \$1 million to \$2.5 million. FWS agents seized rhinoceros mounts and horns, \$1 million in cash, approximately \$1 million in gold ingots, jewelry, watches and precious stones, and two vehicles from the defendants and their co-conspirators. The defendants admitted that they purchased the horns in order to export them overseas to be sold and made into libation cups or used for traditional medicine; made illegal payments to Vietnamese customs officials to ensure clearance of horn shipments to that country; and knowingly evaded income taxes owed in 2009 and 2010. This prosecution is the result of "Operation Crash," an ongoing FWS-led investigation of the black market rhino horn trade named for the term used to describe a herd of rhinoceros.

With no known predators other than humans, rhinoceros are a prehistoric species and one of the largest herbivores on earth. All rhinoceros species are protected under U.S. and international law, and the black rhinoceros is listed as endangered. Despite national and international

protection efforts dating back to 1976, the demand for rhino horn and black market prices have skyrocketed in recent years due to the value that some cultures have placed on the horns for ornamental carvings, good luck charms or alleged medicinal purposes. This has led to a decimation of the global rhinoceros population, which has declined by more than 90 percent since 1970.

- ***Protecting the Public from Fraud***

In May 2013, a Louisiana woman was sentenced to 57 months in prison for providing fraudulent hazardous waste safety training in the wake of the Deepwater Horizon explosion and spill. The defendant had previously pleaded guilty to impersonating a high-ranking Occupational Safety and Health Administration (OSHA) hazardous waste safety instructor and inspector. In reality, the defendant had no connection to OSHA, to the cleanup effort, nor did she have training in hazardous waste safety. According to court documents, she targeted the Southeast Asian fishing communities in southern Louisiana, many of whom did not speak or read English, and who were seeking other means of employment after the closure of many shrimp grounds. After convincing young bilingual individuals from Southern Louisiana that she could be a source of employment for their struggling communities, she used those individuals to publicize her fraudulent trainings throughout the Vietnamese, Cambodian and Laotian neighborhoods, charging at least 950 victims between \$150 and \$300 cash per class. The defendant claimed her classes satisfied the various safety requirements that all individuals were to complete in order to be employed at a Deepwater Horizon hazardous waste cleanup site. Her classes lasted as little as two hours, while the legitimate certifications would take at least six days of classroom training followed by three days of on-site training. After a short presentation in English, attendees received false completion certifications and were told to ready their vessels for BP cleanup work, which she claimed would be coming any day. At least some attendees later gained access to hazardous waste cleanup sites based on these fraudulent certifications.

- ***Enforcing the Clean Water Act***

In May 2013, Mississippi-based Hancock County Land LLC (HCL) pleaded guilty to the unpermitted filling of wetlands near Bay St. Louis, Miss., and agreed to pay a \$1 million fine and take remedial measures for two felony violations of the Clean Water Act. HCL admitted causing the unauthorized excavation and filling of wetlands on a 1,710 acre parcel of undeveloped property in Hancock County. Despite knowing that as much as 80 percent of the land was federally protected wetland connected by streams and bayous to the Gulf of Mexico, HCL hired an excavation contractor to trench, drain and fill large portions of the property. Without having obtained a permit from the Army Corps of Engineers as required under the Clean Water Act, this activity destroyed the wetland. Such permits typically require that developers protect and preserve other wetlands to compensate for those they are permitted to fill and destroy. HCL agreed and was ordered to pay to the federal government a total penalty of \$1 million, and to restore and preserve the damaged wetlands, and to donate property to be preserved in perpetuity. HCL is also required to fund its management and maintenance, to pay \$100,000 toward the litigation costs of the Gulf Restoration Network, and to pay a civil penalty to the U.S. Treasury of \$95,000.

2. Performance and Resources Table

Performance and Resources Table (\$000's)										
Division Unit: Environment & Natural Resources Division										
Program Activity	Strategic Objective	Target	Actual		Projected		Changes		Requests (Total)	
		FY 2013	FY 2013	FY 2014	FY 2014	Current Services Adjustments and FY 2016 Program Changes	FY 2016 Request			
DIVISION TOTAL WORKLOAD	# of Cases & Matters (Active & Closed)	5,418	5,702	5,418						5,418
	# of Cases Successfully Resolved/Success Rate	no estimate	88%	86%	no estimate	83%	no estimate	83%		no estimate
	1. Number of cases (active & closed)	4,864	5,086	4,864						4,864
	2. Number of matters (active & closed)	200	379	200						200
	3. Number of cases (active & closed)	500	269	330						500
CHIRIMAL	4. Number of matters (active & closed)	14	46	14						14
	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE
		926 \$	101,036	626 \$	101,036	641 \$	107,643	4,844	112,487	641 \$
		[23,000]	[23,000]		[23,000]		[23,000]			[23,000]
DIVISION RESOURCES - Total Year Costs & FTEs (Remembering FTE are included, not remuneration costs are backloaded and not included in the total)										
PERFORMANCE/RESOURCES		FY 2013	FY 2015		FY 2014		FY 2016 Request			
		FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE
CIVIL	TOTAL COSTS & FTE	668 \$	91,652	663 \$	94,652	656 \$	96,679	4,550	101,226	656 \$
	OUTPUT MEASURES 1/	Active	Closed	Active	Closed	Active	Closed	Active	Closed	Active
	1. Number of cases successfully resolved	3,221	1,657	3,441	1,762	3,320	1,650	3,202	1,650	3,202
	2. Number of matters successfully resolved	171	85	138	111	140	80	140	80	140
	EFFICIENCY MEASURES									
	1. Total Dollar Value Awarded per \$1 of Expenditure (All-inclusive)	\$	81	\$	109	\$	81	\$	81	\$
	2. Total Dollars Saved (Government per \$1 of Expenditure) (All-inclusive)	\$	22	\$	26	\$	22	\$	22	\$
	OUTCOMES 2/	# Resolved	Success Rate	# Resolved	Success Rate	# Resolved	Success Rate	# Resolved	Success Rate	# Resolved
	1. Alternative cases successfully resolved	85%	325	88%	325	85%	325	85%	325	85%
	2. Delinquent cases successfully resolved	75%	511	59%	511	75%	511	75%	511	75%
	3. Penalties Awarded 3/	Superfund 3/	Non-Superfund	Superfund 3/	Non-Superfund	Superfund 3/	Non-Superfund	Superfund 3/	Non-Superfund	Superfund 3/
	- Federal	no estimate	41,000 \$	252,567,765	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate
	- State	no estimate	no estimate	127,120	65,110,208	no estimate	no estimate	no estimate	no estimate	no estimate
	4. Clean-up Costs Awarded 4/	Superfund 3/	no estimate	132,442,538	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate
	- CERCLA Federal Cost Recovery 5/	no estimate	no estimate	32,753,974	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate
	- CERCLA Inoperative Relief	no estimate	no estimate	6,294,037,613	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate
	- CERCLA State Cost Recovery	no estimate	no estimate	1,544,013	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate
- State Inoperative Relief	no estimate	no estimate	500,000	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate	
5. Supplemental Environmental Projects (SEPs) 6/	Superfund 3/	no estimate	34,276,251	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate	
- Value of Federal SEPs	no estimate	no estimate	1,381,000	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate	
- Value of State SEPs	no estimate	no estimate	17,100,000	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate	
6. Environmental Program Projects 7/	Superfund 3/	no estimate	1,547,002,564	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate	
7. Costs Awarded (Saved) The U.S. in Defense Cases 7/	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate	no estimate	

Performance and Resources Table (Cont.)

Program Activity	PERFORMANCE SOURCES	FY 2015			FY 2013			FY 2014			FY 2015 Request		
		FTE	\$000		FTE	\$000		FTE	\$000		FTE	\$000	
CRIMINAL	TOTAL COSTS & FTE												
			\$			\$			\$			\$	
			52	16,104		62	18,104		10,734		44	11,360	
	OUTPUT MEASURES H												
	1. Number of cases adjudicated	2.6, 3.8	206	Closed	202	Closed	106	226	106	Active	Closed	226	Closed
	2. Number of inmates authorized	2.6, 3.8	1		1								
	OUTCOMES*												
	1. Number of criminal cases successfully resolved	2.6, 3.8		90%									
	2. Dollars Awarded												
	- Court Costs	2.6, 3.8		Non-Supervised									

Cost Description, Verification, and Limitations:
* FY 2015 is defined as the amount requested during FY 2015. It is not requested if legislative requires, if defined as FY 2016, or if not requested.
1. Amount of funding for the program is determined by the amount of funding for the program. The amount of funding for the program is determined by the amount of funding for the program.
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Performance Measure Table

PERFORMANCE MEASURE TABLE												
Decision Unit: Environment and Natural Resources Division												
Strategic Objectives	Performance Report and Performance Plan Targets	FY 2009										
		Actual		FY 2010		FY 2011		FY 2012		FY 2013		FY 2015
				Actual		Actual		Actual		Target	Actual	Target
2.6, 3.8	EFFICIENCY Measure Total dollar value awarded per \$1 of expenditures (Affirmative)			\$46	\$125	\$174		\$109		\$81	\$117	\$81
2.6, 3.8	EFFICIENCY Measure Total dollars saved the government per \$1 of expenditures (Defensive)			\$27	\$43	\$30		\$26		\$22	\$107	\$22
2.6, 3.8	OUTCOME Measure Civil affirmative cases successfully resolved			97%	96%	98%		98%		85%	98%	85%
2.6, 3.8	OUTCOME Measure Civil defensive cases successfully resolved			96%	88%	92%		92%		75%	87%	75%
2.6, 3.8	OUTCOME Measure Criminal cases successfully resolved			91%	86%	96%		98%		90%	95%	90%
2.6, 3.8	OUTCOME Measure Cases and Matters (Active & Closed)			6,948	6,589	6,363		5,782		5,418	6,702	5,418

3. Performance, Resources, and Strategies

The Environment and Natural Resources Division contributes to the Justice Department's Strategic Goal Two: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law. The Division focuses on both civil and criminal litigation within this strategic objective. An explanation by litigating activity follows.

Criminal Litigating Activities

A. Performance Plan and Report for Outcomes

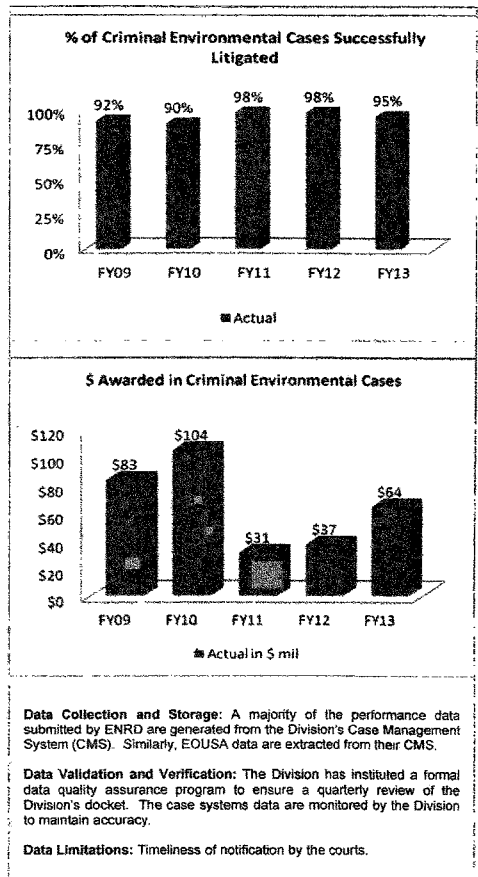
Vigorous prosecution remains the cornerstone of the Department's integrated approach to ensuring broad-based environmental compliance. It is the goal of investigators and prosecutors to discover and prosecute criminals before they have done substantial damage to the environment (including protected species), seriously affected public health, or inflicted economic damage on consumers or law-abiding competitors. The Department's environmental protection efforts depend on a strong and credible criminal program to prosecute and deter future wrongdoing. Highly publicized prosecutions and tougher sentencing for environmental criminals are spurring improvements in industry practice and greater environmental compliance. Working together with federal, state and local law enforcement, the Department is meeting the challenges of increased referrals and more complex criminal cases through training of agents, officers and prosecutors, outreach programs, and domestic and international cooperation.

Performance Results

I. Performance Measure - Percent of Criminal Environmental Cases Successfully Resolved

❖ **FY 2013 Target: 90%**

❖ **FY 2013 Actual: 95%**



Discussion: In FY 2013, ENRD's Environmental Crimes Section (ECS) had a strong year for criminal enforcement, successfully prosecuting 80 defendants and imposing fines and penalties totaling over \$63 million.

In FY 2013, ECS successfully prosecuted a number of wildlife cases, including one involving illegal trade in black coral. The former president and CEO of GEM Manufacturing LLC, a U.S. Virgin Islands-based company, was the last defendant to be sentenced as the result of a far-reaching investigation. The scheme cost GEM millions of dollars in financial penalties and sent two coral suppliers to prison. The defendant was sentenced to a criminal fine of \$918,950 and one month in jail, to be followed by one month of home confinement and one year of supervised release, including community service and a ban from any business venture involving coral or coral products. He must pay \$229,687 to the University of the Virgin Islands for community service projects designed to research and protect black corals. During his term as CEO, the defendant was responsible for ensuring the continued supply of raw black coral for the manufacture of high-end jewelry. He admitted that he knew his Taiwanese suppliers of black coral could not obtain legitimate CITES certificates. The Taiwanese suppliers would label the coral shipments to GEM as "plastic" in order to fool customs authorities in Hong Kong and the United States.

Black corals are considered important habitat for the deep sea marine environment and are protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Many species have long life spans and are slow-growing. Each of the species of black coral is listed in Appendix II of CITES and is subject to strict trade regulations.

FY 2012 Performance Plan Evaluation: Our success rate of 95 percent exceeded our goal of 90 percent. Proposed legislation and judicial calendars can affect our overall performance, which can then realize peaks and valleys when large cases are decided. Our goal is to improve overall performance in a 5-year span.

FY 2014/2015 Performance Plan: We have set our target at 90 percent of cases successfully litigated for FY 2014 and FY 2015. ENRD targets are generally set at an attainable performance level so that there is no incentive to ramp up prosecutions or lawsuits against insignificant targets for "easy" wins solely to meet higher targets. Such an approach would do a disservice to the public by steering litigation away from more complicated problems facing the country's environment and natural resources.

Public Benefit: The Division continues to produce successful criminal prosecutions relating to environmental statutes. These successes ensure compliance with the law and lead to specific improvements in the quality of the environment of the United States, and the health and safety of its citizens. Additionally, ENRD has had numerous successes in prosecuting vessels for illegally disposing of hazardous materials into United States waterways. These successes have improved the quality of our waterways and promoted compliance with proper disposition of hazardous materials. Also, the Division has successfully prosecuted numerous companies for violations of environmental laws which endangered their workers. Our successes lead to safer workplaces and fewer lives lost to hazardous conditions.

II. Performance Measure - \$ Awarded in Criminal Environmental Cases

❖ *FY 2013 Target: In accordance with Department guidance, targeted levels of performance are not projected for this indicator.*

❖ *FY 2013 Actual: \$64 million*

Discussion: The Environmental Crimes Section continued to prosecute criminal violations of environmental statutes, including the case of *U.S v Watkins Street Project, LLC*. In October 2012, three men were sentenced to federal prison, supervised release, and criminal fines for violations of the Clean Air Act as well as obstruction of justice in relation to salvage and demolition of the former Standard Coosa Thatcher plant. The defendants entered into a year-long scheme in which the plant was illegally demolished while still containing extensive amounts of asbestos. Additionally, they hired homeless and untrained day laborers and paid low wages to them to improperly remove asbestos-containing materials without following federal regulations that were intended to keep the asbestos, a known carcinogen, from becoming airborne where it could be inhaled. Witnesses testified that dust from the salvage and demolition activities frequently wafted onto neighboring properties. The defendants attempted to cover up their illegal activities by falsifying documents and lying to federal authorities investigating the case.

FY 2014/2015 Performance Plan: Not Applicable. In accordance with Department guidance, levels of performance for FY 2014 and FY 2015 are not projected for this indicator. Many factors affect our overall performance, such as proposed legislation, judicial calendars, etc. The performance of the Division tends to reflect peaks and valleys when large cases are decided. Therefore, we do not project targets for this metric annually, but our goal is to improve overall performance over a 5-year span.

Public Benefit: The Division continues to obtain criminal fines from violators, thereby removing economic benefits of non-compliance and leveling the playing field for law-abiding companies. Our prosecutorial efforts deter others from committing crimes and promote adherence to environmental and natural resources laws and regulations. These efforts result in the reduction of hazardous materials and wildlife violations and improve the quality of the United States' waterways, airways, land, and wildlife, thereby enhancing public health and safety.

B. Strategies to Accomplish Outcomes

The Division will continue efforts to obtain convictions and to deter environmental crimes through initiatives focused on vessel pollution, illegal timber harvesting, laboratory fraud, chlorofluorocarbon (CFC) smuggling, wildlife smuggling, transportation of hazardous materials, and worker safety. ENRD will also continue to prosecute international trafficking of protected species of fish, wildlife, and plants with a host of international treaty partners.

Illegal international trade in wildlife is second in size only to the illegal drug trade, and our criminal prosecutors work directly on these cases, as well as assist United States Attorneys Offices and share ENRD expertise nationwide with state and federal prosecutors and

investigators. We will focus on interstate trafficking and poaching cases on federal lands, and seek to ensure that wildlife conservation laws are applied uniformly and enforced across the country, seeking consistency in these criminal prosecutions and a vigorous enforcement program that serves as an international role model.

ENRD has partnered with other federal agencies, such as EPA, to pursue litigation against criminal violators of our nation's environmental policies. Egregious offenders are being brought to justice daily. The Division has worked collaboratively to identify violators who pose a significant threat to public health. By prosecuting criminal violations of regulations, ENRD is forcing compliance and discouraging continued disregard for public health.

Civil Litigating Activities

A. Performance Plan and Report for Outcomes

The Department enforces environmental laws to protect the health and environment of the United States and its citizens, defends environmental challenges to government programs and activities, and represents the United States in all matters concerning the protection, use, and development of the nation's natural resources and public lands, wildlife protection, Indian rights and claims, and the acquisition of federal property.

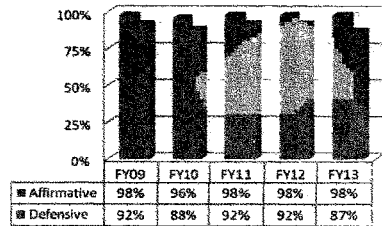
Performance Results

I. Performance Measure - Percent of Civil Environmental Cases Successfully Resolved

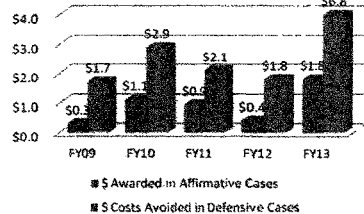
- ❖ **FY 2013 Target:**
85% Affirmative; 75% Defensive
- ❖ **FY 2013 Actual**
98% Affirmative; 87% Defensive

Discussion: In FY 2013, ENRD ensured that harmful sediments are removed from rivers, state-of-the-art pollution control devices are added to factories to provide cleaner air, sewage discharges are eliminated, and damaged land and water aquifers are restored. ENRD also worked successfully to ensure the integrity of municipal wastewater treatment systems. Each year, hundreds of billions of gallons of untreated sewage are discharged into the nation's waters from municipal wastewater treatment systems that are overwhelmed by weather conditions they are not designed to handle.

% of Civil Environmental Cases Successfully Resolved



Cost Avoided and \$ Awarded (\$Bil) in Civil Environmental Cases



Data Collection and Storage: A majority of the performance data submitted by ENRD is generated from the Division's Case Management System (CMS).

Data Validation and Verification: The Division has instituted a formal data quality assurance program to ensure a quarterly review of the Division's docket. The systems data is constantly being monitored by the Division to maintain accuracy.

Data Limitations: Timeliness of notification by the courts

In one such case, ENRD, EPA, and the State of Pennsylvania reached an agreement with the Scranton Sewer Authority (SSA) resolving alleged Clean Water Act violations involving sewer overflows to the Lackawanna River and its tributaries. In December 2012, SSA agreed to implement a 25-year plan to control and significantly reduce overflows of its sewer system, thereby helping improve water quality of the Lackawanna River and local streams. The plan is estimated to cost \$140 million to implement. The settlement also requires SSA to pay a \$340,000 civil penalty, which will be split evenly between the United States and Pennsylvania. The settlement addresses problems with SSA's combined sewer system, which when overwhelmed by stormwater, frequently discharges raw sewage, industrial waste, nitrogen, phosphorus and polluted stormwater into the Lackawanna River and its tributaries, part of the Chesapeake Bay Watershed. The volume of combined sewage that overflows from the system is approximately 700 million gallons annually. The agreement requires the installation of a state-of-the-art biological treatment system to reduce discharges of nitrogen and phosphorus pollution.

FY 2013 Performance Plan Evaluation: We exceeded our affirmative and defensive civil litigation goals – affirmative by 13 percent, and defensive by 12 percent. The Division continues its strong record of success in civil environmental enforcement of federal pollution abatement laws, and compliance with environmental protection and conservation statutes. ENRD obtains redress for past violations harming the environment and establishes credible deterrents against future violations of these laws, recoups federal funds spent to abate environmental contamination, and obtains money to restore or replace natural resources damaged by oil spills or the release of other hazardous substances into the environment.

FY 2014/2015 Performance Plan: Considering our past performance, we aim to achieve litigation success rates of 85 percent Affirmative and 75 percent Defensive (average of 80 percent) for FY 2014 and FY 2014. ENRD's targets are set lower than the actual performance so that there is no incentive to ramp up prosecutions or lawsuits against easy targets solely to meet an "ambitious" goal. This sort of easy approach would do a disservice to the public by steering litigation away from more difficult problems facing the country's environment and natural resources. Several years of data demonstrate that our targets are set at achievable levels and do not deter high performance.

Public Benefit: The success of the Department ensures the correction of pollution control deficiencies, reduction of harmful discharges into the air, water, and land, clean-up of chemical releases, abandoned waste, and proper disposal of solid and hazardous waste. In addition, the Department's enforcement efforts help ensure military preparedness, safeguard the quality of the environment in the United States, and protect the health and safety of its citizens.

II. Performance Measure - Costs Avoided and \$ Awarded in Civil Environmental Cases

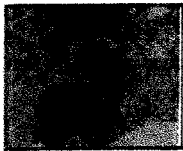
- ❖ ***FY 2013 Target: In accordance with Department guidance, targeted levels of performance are not projected for this indicator.***
- ❖ ***FY 2013 Actual: \$6.8 billion avoided; \$1.8 billion awarded***

Discussion: The Division had several important civil litigation successes in FY 2013 in cases seeking civil penalties and other monetary recoveries. We continued to successfully litigate

Clean Air Act (CAA) claims against operators of coal-fired electric power generating plants and cement manufacturers. These types of violations, litigated by ENRD's Environmental Enforcement Section (EES), arise from companies engaging in major life extension projects on their facilities without installing required state-of-the-art pollution controls. The resulting tens of millions of tons of excess air pollution has adversely affected human health, degraded forests, damaged waterways, and contaminated reservoirs.

In April 2013, the Division and EPA reached an agreement with CEMEX, Inc., the owner and operator of a Portland cement manufacturing facility in Lyons, Colo., for the company to operate advanced pollution controls on its kiln and pay a \$1 million civil penalty to resolve alleged violations of the Clean Air Act (CAA). Between 1997 and 2000, CEMEX is alleged to have unlawfully made modifications at its Lyons plant that resulted in significant net increases of nitrogen oxide (NOx) and particulate matter (PM) emissions. As part of the settlement, CEMEX will install advanced pollution control technology designed to reduce NOx emissions at their Lyons facility. This will reduce their NOx emissions by approximately 870 to 1,200 tons per year. The initial capital cost is approximately \$600,000, and the annual cost of the process is anticipated to be about \$1.5 million per year. The settlement is part of EPA's national enforcement initiative to control harmful air pollution from the largest sources of emissions, including Portland cement manufacturing facilities. NOx emissions may cause severe respiratory problems and contribute to childhood asthma. These emissions also contribute to acid rain, smog, and haze which impair visibility in national parks. CEMEX's facility is located within 20 miles of Rocky Mountain National Park, and its emissions may contribute to visibility impairment and to the nitrogen pollution problem that is affecting the park's vegetation, water quality, and trout populations. Air pollution from Portland cement manufacturing facilities can also travel significant distances downwind, crossing state lines and creating region-wide health problems.

FY 2014/2015 Performance Plan: Not Applicable. In accordance with Department guidance, levels of performance are not projected for this indicator. There are many factors that affect our overall performance, including proposed legislation and judicial calendars. The overall performance of the Division can be affected when large cases are decided, so we do not project annually, but our goal is to improve overall performance in a 5-year span.



A wide variety of animal species have managed to find a niche on Assateague Island. Each of the island's different ecological zones provides habitat for a multitude of animals, including birds, mammals, reptiles, amphibians, and invertebrates. Two species of deer take advantage of the island's interior forests and shrub habitats, the native white-tailed deer and the non-native sika deer actually a diminutive species of oriental elk. Ongoing research is evaluating the ecological effects of sika deer on both native vegetation communities and other wildlife such as the white-tailed deer.

III. Efficiency Measures

1) Total Dollar Value Awarded per \$1 Expenditures [Affirmative]

2) Total Dollars Saved the Government per \$1 Expenditures [Defensive]

- ❖ *FY 2013 Target: \$81 awarded; \$22 saved*
- ❖ *FY 2013 Actual: \$111 awarded; \$107 saved*

Discussion: The Division had a commendable FY 2013 in its efforts to secure commitments by polluters to take action to remedy their violations of the nation's environmental laws. Actions taken by the Division in federal courts resulted in over \$6.5 billion in settlements and court ordered injunctive relief. Additionally, the Division saved the government more than \$6.8 billion in defensive litigation. These successes and the Division's enforcement work have produced significant gains for the public fisc, public health, and the environment. The Division routinely saves the American taxpayers hundreds of millions of dollars each year – many times the Division's annual budget.

FY 2014/2015 Performance Plan: The Division has an exemplary record in protecting the environment, Indian rights, and the nation's natural resources, wildlife, and public lands, and will continue to establish ambitious targets through FY 2015. The Division will monitor future year performance levels and make the necessary adjustments so that targets reflect actual performance levels. The Division anticipates continued success through vigorous enforcement efforts which generally will produce settlements and significant gains for the public and the public fisc.

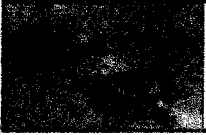
Public Benefit: The Division's efforts to defend federal programs, ensure compliance with environmental and natural resource statutes, win civil penalties, recoup federal funds spent to abate environmental contamination, ensure military preparedness, and ensure the safety and security of our water supply, demonstrate that the United States' environmental laws and regulations are being vigorously enforced. Polluters who violate these laws are not allowed to gain an unfair economic advantage over law-abiding companies. The deterrent effect of the Division's work encourages voluntary compliance with environmental and natural resources laws, thereby improving the environment, the quality of our natural resources, and the safety and health of U.S. citizens.

B. Strategies to Accomplish Outcomes

As our environment changes, so do the actions we take to preserve the health and life of those residing within the borders of the United States. Environmental groups and other interested parties challenge Administration policies every year. ENRD is responsible for defending federal agencies carrying out Administration policies every day. The Division has realized some remarkable successes to date. In an effort to continue our successful record of litigation, the Division has sought new and creative ways to utilize our limited resources. For example, ENRD has adopted a policy of "porosity," whereby cases involving the responsibilities of different sections within ENRD can be litigated by a single attorney, rather than two of three attorneys

from different sections. As such, ENRD's porosity policy allows us to litigate case in a manner that conserves resources, without regard to bureaucratic distinctions within the Division. This policy has also resulted in more flexibility to shift workloads between attorneys when they become overburdened. Although cross-training staff grows our workforce's skills and abilities, it does not address long-term caseload issues.

The Division works collaboratively with client agencies towards adjudications, mediations, alternative dispute resolution (ADR), and settlements. These alternative methods of resolution are less contentious and save the government expenses associated with full-blown litigation. Water rights adjudications, reclamations, and inverse takings cases are typically handled in settlement mode versus litigation mode. Settlements often result in the most favorable outcome, and reach the largest number of people.



Water temperature in the surrounding ocean fluctuates throughout the year. In winter temperatures dip to near 40 °F, while during a warm summer the water can reach into the middle to upper 70's. As the temperature and weather conditions change, so do the animals inhabiting the offshore waters. Many species of fish, birds, marine mammals, and sea turtles migrate up and down the coast, following the most favorable conditions.

VI. Program Offsets by Item

Item Name: Miscellaneous Program and Administrative Reductions

Strategic Goal: Goal 2. Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law
 Goal 3. Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.

Strategic Objective: Objective 2.6 Protect the federal fisc and defend the interests of the United States
 Objective 3.8 Strengthen the government-to-government relationship between tribes and the United States, improve public safety in Indian Country, and honor treaty and trust responsibilities through consistent, coordinated policies, activities, and litigation

Budget Decision Unit: Environment and Natural Resources Division
 Organizational Program: Land, Natural Resources, and Indian Matters

Program Offset: Positions ____ Agt/Atty ____ FTE ____ Dollars -\$6,478,000

Description of Item

Program and administrative reductions to be identified once funds are appropriated.

Justification

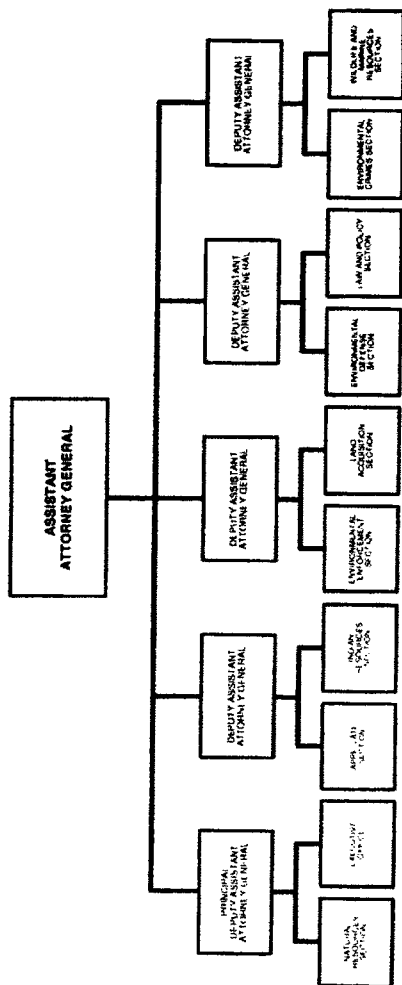
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others.

Impact on Performance

Performance impact information is not yet available for this offset.

A. Organization Chart

ENVIRONMENT AND NATURAL RESOURCES DIVISION



Approved: *[Signature]* Date: April 26, 2010
ERIC H. FOLGER, JR.
Notary General

Exhibit A

B. Summary of Requirements

Summary of Requirements
 Environment and Natural Resources Division
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted	537	526	109,504
2013 Rescissions (1.877% & 0.2%)			-2,270
2013 Sequester			-5,388
Total 2013 Enacted (with Rescissions and Sequester)	537	526	101,836
2014 Enacted	537	526	107,643
Base Adjustments			
Pay and Benefits	0	0	1,853
Domestic Rent and Facilities	0	0	9,489
Total Base Adjustments	0	0	11,322
2015 Current Services	537	526	118,965
Program Changes			
Offsets:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	6,478
Subtotal, Program Changes	0	0	-6,478
2015 Total Request	537	526	112,487
2014 - 2015 Total Change	0	0	4,844

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements - Continued

Summary of Requirements Environment and Natural Resources Division Salaries and Expenses (Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Environment and Natural Resources	537	526	101,836	537	526	107,643		0	11,322	537	526	118,965
Total Direct	537	526	101,836	537	526	107,643	0	0	11,322	537	526	118,965
Balance Rescission			0			0			0			0
Total Direct with Rescission			101,836			107,643			11,322			118,965
Reimbursable FTE		100			115			0			115	
Total Direct and Reimb. FTE		626			641			0			641	
Other FTE:												
LEAP		0			0			0			0	
Overtime		0			0			0			0	
Grand Total, FTE		626			641			0			641	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Environment and Natural Resources	0	0	0	0	0	-6,478	537	526	112,487
Total Direct	0	0	0	0	0	-6,478	537	526	112,487
Balance Rescission			0			0			0
Total Direct with Rescission			0			-6,478			112,487
Reimbursable FTE		0			0			115	
Total Direct and Reimb. FTE		0			0			641	
Other FTE:									
LEAP		0			0			0	
Overtime		0			0			0	
Grand Total, FTE		0			0			641	

Exhibit B

C. FY 2015 Program Changes by Decision Unit

FY 2015 Program Changes by Decision Unit
 Environment and Natural Resources Division
 Salaries and Expenses
 (Dollars in Thousands)

Program Offsets	Location of Description in Narrative	Environment and Natural Resources					Total Offsets				
		Direct Pos.	Agt./ Atty.	Est. FTE	Amount	Direct Pos.	Agt./ Atty.	Est. FTE	Amount		
		0	0	0	-6,478	0	0	0	-6,478		
Miscellaneous Program and Administrative Reductions		0	0	0	-6,478	0	0	0	-6,478		
Total Program Offsets		0	0	0	-6,478	0	0	0	-6,478		

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective Environment and Natural Resources Division Salaries and Expenses (Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Recissions and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct/ Reimb FTE	Amount		Direct/ Reimb FTE	Amount		Direct/ Reimb FTE	Amount		Direct/ Reimb FTE	Amount		Direct/ Reimb FTE	Amount		Direct/ Reimb FTE	Amount	
Goal 2 Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law																		
2.6 Protect the federal fisc and defend the interests of the United States	583	91,417		601	97,230		601	107,457		0	0		0	-5,851		601	101,606	
Subtotal, Goal 2	583	91,417		601	97,230		601	107,457		0	0		0	-5,851		601	101,606	
Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.																		
3.8 Strengthen the government-to-government relationship between tribes and the United States, improve public safety in Indian Country, and honor treaty and trust responsibilities through consistent, coordinated policies, activities, and litigation	43	10,419		40	10,413		40	11,508										
Subtotal, Goal 3	43	10,419		40	10,413		40	11,508										
TOTAL	626	101,836		641	107,643		641	118,965		0	0		0	-6,278		641	112,487	

Note: Excludes Balance Recission and/or Supplemental Appropriations.

E. Justification for Base Adjustments

Justifications for Technical and Base Adjustments

Environment and Natural Resources Division

Salaries and Expenses

(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Pay and Benefits			
1 2015 Pay Raise: This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$513,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$403,000 for pay and \$110,000 for benefits.)			513
2 Annualization of 2014 Pay Raise: This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested \$193,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$151,000 for pay and \$42,000 for benefits)			193
FERS Retirement Contribution: Effective October 1, 2014 (FY 2015), the new agency contribution rates are 13.2% (up from the current 11.9%, or an increase of 1.3%) The amount requested, \$988,000, represents the funds needed to cover this increase.			888
5 Employee Compensation Fund: The \$2,000 request reflects anticipated changes in payments to the Department of Labor for injury benefits under the Federal Employee Compensation Act.			2
6 Health Insurance: Effective January 2015, the component's contribution to Federal employees' health insurance increases by 3 percent. Applied against the 2014 estimate, the additional amount required is \$96,000.			96
7 Retirement: Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$151,000 is necessary to meet our increased retirement obligations as a result of this conversion.			151
Subtotal, Pay and Benefits	0	0	1,853
Domestic Rent and Facilities			
1 General Services Administration (GSA) Rent: GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$630,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.			630
2 Guard Services: This includes Department of Homeland Security (DHS) Federal Protective Service charges, Justice Protective Service charges and other security services across the country. The requested increase of \$11,000 is required to meet these commitments.			11
3 Moves (Lease Expirations): GSA requires all agencies to pay relocation costs associated with lease expirations. This request provides for the costs associated with new office relocations caused by the expiration of leases in FY 2015.			8,028
Subtotal, Domestic Rent and Facilities	0	0	9,469
TOTAL DIRECT TECHNICAL and BASE ADJUSTMENTS	0	0	11,322

Exhibit E

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
 Environment and Natural Resources Division
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Appropriation Enacted w/o Balance Rescission ¹			Supplementals			Sequester			Reallocations			Carryover Amount	Recoveries/ Refunds Amount	2013 Actual	
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount			Direct Pos.	Actual FTE
Land, natural resources and Indian matters	537	526	107,234	0	0	0	0	0	-5,398	0	0	5,400	2,004	0	537	526
Total Direct	537	526	107,234	0	0	0	0	0	-5,398	0	0	5,400	2,004	0	537	526
Reimbursable FTE																
Total Direct and Reimb. FTE		100			0			0			0					100
Other FTE:																
LEAP		0			0			0			0					0
Overtime					0			0			0					0
Grand Total FTE		626			0			0			0					626
Footnotes:																

¹⁾ The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%

Reprogramming/Transfers

Funding of \$5,400,000 was distributed from GLA's ALS account to ENRD.

Carryover:

Funds were carried over into 2013 from GLA's 2012 no-year account (\$2,004k)

G. Crosswalk of 2014 Availability

Crosswalk of 2014 Availability Environment and Natural Resources Division Salaries and Expenses (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/ Refunds	2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount		Direct Pos.	Estim. FTE	Amount
Land, natural resources and Indian matters	537	526	107,643		0	0	2,004	0		537	526	109,647
Total Direct	537	526	107,643		0	0	2,004	0		537	526	109,647
Balance Rescission Total Direct with Rescission			0				2,004					109,647
Reimbursable FTE		115			0						115	
Total Direct and Reimb. FTE		641			0						641	
Other FTE: LEAP		0			0						0	
Overtime		0			0						0	
Grand Total, FTE		641			0						641	

Carryover:

Funds were carried over from into FY 2014 from
GLA's 2013 no-year account

H. Reimbursable Resources

Summary of Reimbursable Resources Environment and Natural Resources Division Salaries and Expenses (Dollars in Thousands)

Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Department of Agriculture			21			118			118			0
Department of Commerce			0			14			14			0
Department of Defense			673			1,873			1,873			0
Department of Energy			160			315			315			0
Department of Health and Human Services			2,841			3,100			3,100			0
Department of Homeland Security			196			600			600			0
Department of the Interior			2,106			6,200			5,730			-470
Department of Justice			21,029			29,530			28,000			-1,530
Department of State			8			500			500			0
Department of the Treasury			100			10			10			0
Environmental Protection Agency	100		23,855		115	25,970		115	25,970	0	0	0
Federal Trade Commission			1,455			1,200			1,200			0
Securities and Exchange Commission			14,360			17,070			17,070			0
Others			1,028			500			500			0
Budgetary Resources	0	100	67,832	0	115	87,000	0	115	85,000	0	0	-2,000

Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Environment and Natural Resources	100	100	67,832	115	115	87,000	115	115	85,000	0	0	-2,000
Budgetary Resources	100	100	67,832	115	115	87,000	115	115	85,000	0	0	-2,000

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category
 Environment and Natural Resources Division
 Salaries and Expenses
 (Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		ATBs	2015 Request			
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.		Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Security Specialists (080)	1	0	1	0	0	0	0	1	0
Personnel Management (200-299)	5	2	5	2	0	0	0	5	2
Clerical and Office Services (300-399)	52	20	52	20	0	0	0	52	20
Accounting and Budget (500-599)	4	1	4	1	0	0	0	4	1
Attorneys (905)	370	69	370	69	0	0	0	370	69
Paralegals / Other Law (900-998)	88	19	88	19	0	0	0	88	19
Business & Industry (1100-1199)	3	1	3	1	0	0	0	3	1
Information Technology Mgmt (2210)	14	3	14	3	0	0	0	14	3
Total	537	115	537	115	0	0	0	537	115
Headquarters (Washington, D.C.)	460	99	460	99	0	0	0	460	99
U.S. Field	77	16	77	16	0	0	0	77	16
Total	537	115	537	115	0	0	0	537	115

Footnotes:

J. Financial Analysis of Program Changes

Financial Analysis of Program Changes
 Environment and Natural Resources Division
 Salaries and Expenses
 (Dollars in Thousands)

Grades	Environment and Natural Resources		Total Program Changes	
	Program Offsets		Direct Pos.	
	Direct Pos.	Amount	Direct Pos.	Amount
SFS	0	0	0	0
GS-15	0	0	0	0
GS-14	0	0	0	0
GS-13	0	0	0	0
GS-12	0	0	0	0
GS-11	0	0	0	0
GS-10	0	0	0	0
GS-9	0	0	0	0
GS-8	0	0	0	0
GS-7	0	0	0	0
GS-6	0	0	0	0
GS-5	0	0	0	0
Total Positions and Annual Amount	0	0	0	0
Lapse (-)	0	0	0	0
11.5 Other Personnel Compensation	0	0	0	0
Total FTEs and Personnel Compensation	0	0	0	0
13.0 Benefits for former personnel	0	0	0	0
21.0 Travel and Transportation of Persons	0	0	0	0
22.0 Transportation of Things	0	0	0	0
23.1 Rental Payments to GSA	0	0	0	0
23.3 Communications, Utilities, and Miscellaneous Charges	0	0	0	0
24.0 Printing and Reproduction	0	0	0	0
25.1 Advisory and Assistance Services	0	0	0	0
25.2 Other Services from Non-Federal Sources	0	0	0	0
25.3 Other Goods and Services from Federal Sources	0	0	0	0
25.5 Research and Development Contracts	0	0	0	0
25.7 Operation and Maintenance of Equipment	0	0	0	0
26.0 Supplies and Materials	0	0	0	0
31.0 Equipment	0	0	0	0
Total Program Change Requests	0	0	0	-6,478

Exhibit J

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class
 Environment and Natural Resources Division
 Salaries and Expenses
 (Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	492	49,670	482	53,535	492	54,241	0	706
11.3 Other than Full-Time Permanent	34	4,115	34	4,058	34	4,058	0	0
11.5 Other Personnel Compensation	0	227	0	744	0	744	0	0
Overtime	0	0	0	0	0	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	137	0	281	0	281	0	0
Total	526	54,149	526	58,617	526	59,323	0	706
Other Object Classes								
12.0 Personnel Benefits		18,292		20,545		21,692		1,147
13.0 Benefits for former personnel		5		0		0		0
21.0 Travel and Transportation of Persons		2,037		2,268		2,268		0
22.0 Transportation of Things		282		316		316		0
23.1 Rental Payments to GSA		12,056		11,768		12,398		630
23.3 Communications, Utilities, and Miscellaneous Charges		1,086		1,220		1,220		0
24.0 Printing and Reproduction		82		92		92		0
25.1 Advisory and Assistance Services		470		527		527		0
25.2 Other Services from Non-Federal Sources		9,421		8,087		8,087		0
25.3 Other Goods and Services from Federal Sources		7,538		4,406		4,763		357
26.0 Supplies and Materials		313		352		352		0
31.0 Equipment		1,209		1,352		1,352		0
42.0 Insurance Claims and Indemnities		84		97		97		0
Total Obligations		107,023		109,647		112,487		2,840
Subtract - Unobligated Balance, Start-of-Year		-2,004		-2,004		0		2,004
Subtract - Transfers/Reprogramming		0		0		0		0
Subtract - Reallocations		-5,400		0		0		0
Add - Unobligated End-of-Year, Available		2,004		0		0		0
Add - Unobligated End-of-Year, Expiring		213		0		0		0
Total Direct Requirements	0	101,836	0	107,643	0	112,487	0	4,844
Reimbursable FTE								
Full-Time Permanent	100		115		115		0	
23.1 Rental Payments to GSA (Reimbursable)		2,326		2,354		2,455		
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)		35		35		37		

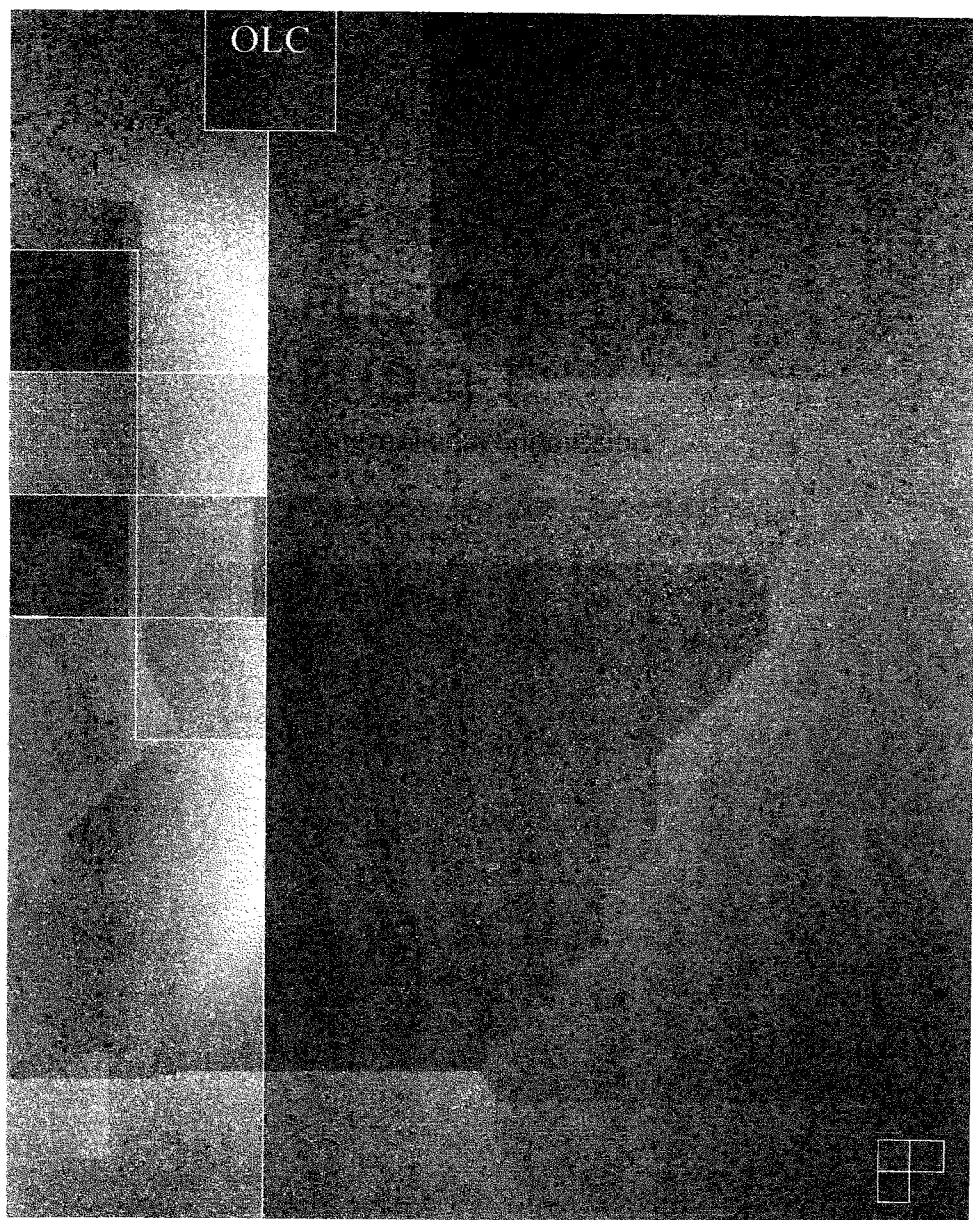


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I. Overview for the Office of Legal Counsel

1. Introduction

In FY 2015, the Office of Legal Counsel (OLC) requests a total of \$7,742,000, 33 positions (of which 27 are attorneys), and 27 FTEs.

With the requested FY 2015 resources, OLC will be able to continue to provide top-quality legal advice on matters related to national security, civil rights, crime fighting programs, and legislative and regulatory initiatives, as well as a range of other legal issues concerning constitutional, regulatory, and statutory authority. Although specifically included only under Strategic Goal II ("Enforce Federal Laws and Represent the Rights and Interests of the American People"), OLC is involved in every aspect of the Department's Strategic Plan. OLC has issued opinions or otherwise rendered legal advice touching on virtually every aspect of the Department's overall work and mission.

2. Issues, Outcomes and Strategies

OLC's mission remains highly critical and urgent as the Department confronts national security and intelligence challenges, continues vigorous federal civil rights enforcement, and advises Executive Branch departments and agencies in promoting the recovery from the economic crisis.

OLC is headed by an Assistant Attorney General who is appointed by the President and confirmed by the Senate. The Office provides formal opinions and informal advice in response to requests from the Counsel to the President, the various Departments and Agencies of the Executive Branch, and offices within the Department, including the offices of the Attorney General and Deputy Attorney General. Such requests frequently deal with legal issues about which two or more agencies are in disagreement.

Because formal Attorney General Opinions, which OLC would draft, are so rare, requests for opinions typically result in the preparation of legal opinions signed by OLC's Assistant Attorney General or one of the Office's Deputies. Opinions are based upon the research of one or more of the Office's staff attorneys and review by at least two Deputies. OLC has already published 49 of its opinions issued in this Administration. Additionally OLC provides informal legal advice on hundreds of matters each year.

The opinions and legal advice cover constitutional and statutory questions from a wide range of fields, including national security, criminal law, civil rights, fiscal law, and appointment and removal authorities. OLC gives critical advice on how the Executive Branch organizes itself and carries out its missions.

OLC also reviews hundreds of pieces of pending legislation annually for constitutionality and reviews all proposed Executive Orders and proclamations, as well as proposed regulations and Orders of the Attorney General, for form and legality. Finally, there continues to be an increase in congressional oversight of the activities of the Executive

Branch. This in turn has resulted in a significant increase in this aspect of OLC's separation of powers work, because OLC is the principal office providing legal advice to the White House and Executive Branch agencies concerning their responses to congressional oversight.

Beginning in FY 2012, OLC has been working on and updating a series of presidential emergency action documents (PEADs), first prepared by OLC in 1989 and updated pursuant to presidential directive in 2008. PEADs are pre-coordinated legal documents designed to implement a Presidential decision or transmit a Presidential request when an emergency disrupts normal governmental or legislative processes. A PEAD may take the form of a Proclamation, Executive Order, or Message to Congress. The PEAD Portfolio as an entirety is classified Secret; however, after signature by the President, individual PEADs are unclassified. OLC has been charged by the National Security Staff with conducting its current legal review of the PEADs, expected to be completed by June 2015, to ensure that each of the current 56 documents reflects current law and adequately addresses the emergencies for which it was prepared. OLC's detailed PEAD review involves original legal research, review of other agencies' legal work, and a substantial amount of legal writing and editing.

In recent years, OLC has been the subject of a large number of Freedom of Information Act requests and lawsuits, particularly concerning OLC's work in the national security area, but also including domestic affairs. This entails a significant commitment of time and effort from a team of attorneys and paralegals.

Since 1977, at the direction of the Attorney General, OLC has published selected formal opinions. Volumes covering the years 1977 through 2002 have already been issued in hardback and production of the volumes for 2003, 2004, and 2005 is in progress. In addition, OLC recently published a volume of opinions from the period 1939 until 1977, the first in a supplemental opinion series the Office intends to issue. As an interim step, OLC has also published opinions from 1992 to 2012 on its website <http://www.usdoj.gov/olc/opinions.htm>. In addition, OLC has accelerated the timeliness by which it publishes opinions on its website. The rate of publication has increased, and the time between opinion signing and publication has decreased. Work on this effort will continue into FY 2015.

DOJ Strategic Goal 2: Enforce Federal Laws and Represent the Rights and Interests of the American People (FY 2015 Request: \$7,742,000)

- **Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States.**

3. Performance Challenges

OLC's ability to accomplish its mission centers primarily on its ability to maximize resources to meet the demands of an externally-driven workload.

External Challenges: OLC generally does not initiate any programs, nor does it have control over the volume of its work. The work results from requests for opinions and legal advice from the Counsel to the President; general counsels of OMB and other Executive Office of the President components; general counsels of Executive Branch Departments and Agencies;

and the Attorney General and other Department of Justice officials. The lack of control over this externally-driven workload has been and is likely to remain a constant challenge to OLC's mission, and is inherent in all aspects of the Office's work in reviewing legislation, testimony, and Presidential and Attorney General documents.

Internal Challenges: Because it is a relatively small component, representing only a single decision unit, OLC has little flexibility in responding to unexpected surges in workload, such as those created by national security matters and the financial crisis.

4. Environmental Accountability

In compliance with Executive Order 13423, OLC is striving to integrate environmental accountability into its strategic management plans with the inclusion of procurement governance on Sustainable Buildings, Energy Management, Transportation, Recycling, Water Management, Environmental Management Systems, Electronics Stewardship, and the reduction of Toxic and Hazardous Chemicals.

II. Summary of Program Changes

N/A

III. Appropriations Language and Analysis of Appropriations Language

N/A

IV. Program Activity Justification

A. Office of Legal Counsel

<i>Office of Legal Counsel</i>	Perm. Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequester	29	25	6,783
2014 Enacted	33	27	7400
Adjustments to Base and Technical Adjustments			342
2015 Current Services	29	22	7,742
2015 Program Increases			0
2015 Program Offsets			0
2015 Request	33	27	7,742
Total Change 2014-2015			342

1. Program Description

Playing a major role in advising on intelligence and national security issues following September 11 events, OLC has continued to devote a significant portion of its resources to providing legal advice to the White House, the Attorney General, and other Executive Branch agencies in these areas, and this is not likely to change. The Office is also taxed by the demands placed upon it by handling the legal issues that have arisen in relation to pending legislation and regulatory initiatives, as well as the ongoing recovery from the financial crisis.

In addition to these responsibilities, OLC will continue its principal duty of assisting the Attorney General in his role as legal advisor to the President and Executive Branch agencies. OLC will also continue in FY 2015 to serve as arbiter of legal disputes within the Executive Branch, to provide general legal assistance to other components of the Department, including where litigation or proposed legislation raises constitutional issues or general issues of executive authority, and to review for form and legality all Executive Orders and Proclamations to be issued by the President, as well as all proposed Orders of the Attorney General and all regulations requiring Attorney General approval.

OLC's role in the Department's legislative program is substantial, and includes drafting extensive comments on pending legislation and testimony. OLC regularly receives legislation for review from both OMB and the Department's Office of Legislative Affairs, in addition to specific requests from other agencies and the White House; the volume is high and the deadlines usually urgent. OLC also occasionally assists in the drafting of legislation.

In addition, because of its expertise in certain areas, OLC has assumed an on-going advisory role to other Department components, including the Office of the Solicitor General, the National Security Division, and the litigating divisions, on issues relating to, among other things, constitutional rights, national security, and immigration matters.

2. Performance and Resource

PERFORMANCE AND RESOURCES TABLE									
Decision Unit: Office of Legal Counsel: 2.6 Protect the federal fisc and defend the interests of the United States.									
RESOURCES	Target		Actual		Projected		Changes		Requested (Total)
	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FY 2016 Request
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)									
	25	6,783	25	6,238	27	7,400	0	342	27 7,742
TYPE/ STRATEGIC OBJECTIVE	FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2016 Request
Program Activity	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE \$000
	25	6,783	25	6,238	27	7,400	0	342	27 7,742
Performance Measure: Output	1700		1700		1700				1700
Performance Measure: Efficiency	190		190		190				190
Performance Measure: Outcome									

PERFORMANCE MEASURE TABLE

Decision Unit: Office of Legal Counsel													
Performance Report and Performance Plan Targets		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015				
		Actual	Actual	Actual	Actual	Target	Actual	Target	Target				
Performance Measure	Provision of Legal Opinions on Constitutional questions from the President and Executive Branch	1700	1700	1700	1700	1700		1700	1700				
Performance Measure	Review form and legality of all proposed Executive Orders and Proclamations to be issued by the President	180	190	190	190	190		190	190				
Performance Measure													
Efficiency Measure													
OUTCOME Measure													

N/A = Data unavailable

* Denotes Inclusion in the DOJ Annual Performance Plan

3. Performance, Resources, and Strategies

The Office of Legal Counsel represents a single decision unit. Given its primary mission ("assisting the Attorney General in his role as legal advisor to the President and Executive Branch agencies"), OLC is involved in every aspect of the Department's Strategic Plan. OLC has issued opinions or otherwise rendered legal advice touching on virtually every aspect of the Department's overall work and mission.

a. Performance Plan and Report for Outcomes

Because of the legal advisory nature of its mission and workload, OLC is not included for review in the Department's Performance and Accountability Report (PAR). This budget submission is part of the Department's Performance Plan since we are reporting targets through FY 15. However, OLC does not have measures in the PAR.

b. Strategies to Accomplish Outcomes

Since September 11, 2001, OLC has had to realign its priorities in terms of workload and assignments in order to meet the variety of new challenges, while still endeavoring to meet its ongoing workload demands to the greatest extent possible with existing resources.

c. Priority Goals

OLC's general goals for FY 2015 are as follows:

- Provide critical legal advice to the White House, the Attorney General, other components of DOJ, and other Executive Branch agencies
- Resolve intra-Executive Branch disputes over legal questions
- Advise on whether litigation or proposed legislation raises constitutional issues or other legal issues of general concern to the Executive Branch
- Approve for form and legality all Executive Orders, other Presidential documents, and Orders and regulations issued by the Attorney General.

V. Program Increases by Item: N/A

VI. Program Offsets by Item: N/A

A: Organizational Chart

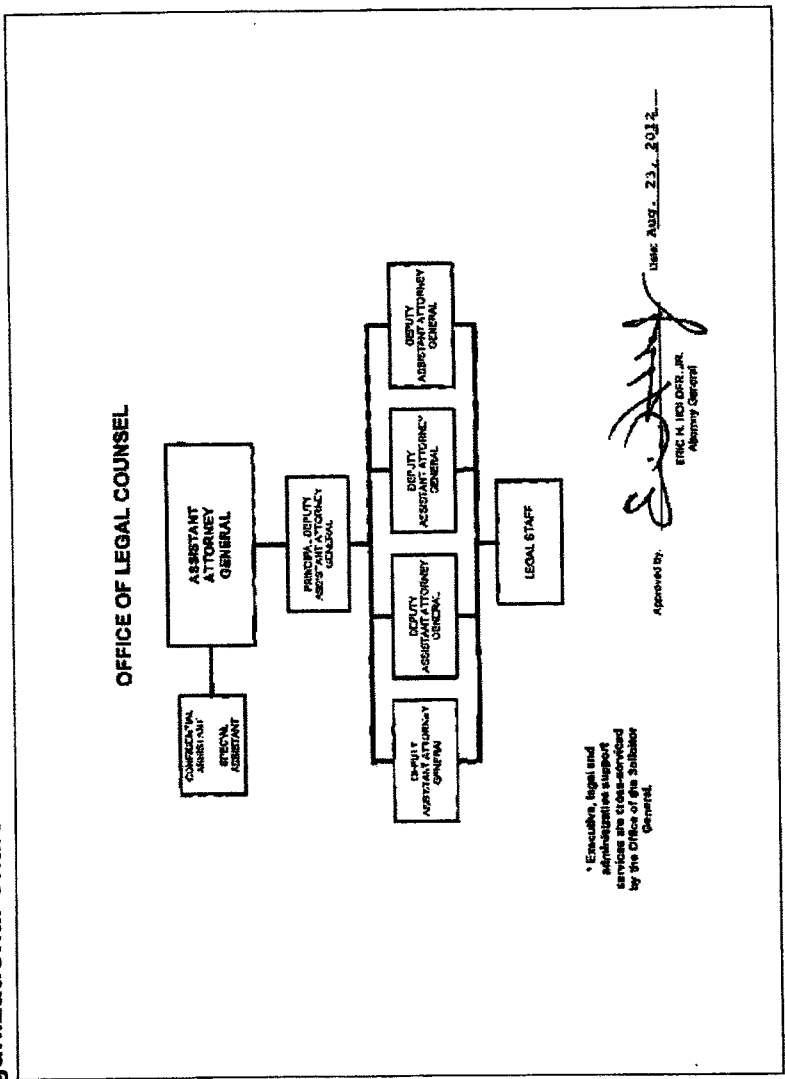


Exhibit A - Organizational Chart

B. Summary of Requirements

Summary of Requirements
Office of the Solicitor General
Salaries and Expenses
(Dollars in Thousands)

	FY 2016 Request		
	Direct Pos.	Estimate FTE	Amount
2013 Enacted	64	48	11,854
2013 Revisions (1.87% & 0.2%)			-238
2013 Sequester Cut			-543
Total 2013 Enacted (Revisions and Sequester)	64	48	10,812
2014 Enacted	4	7	11,198
Base Adjustments			
Pay and Benefits	1	1	394
Domestic Rent and Facilities	0	0	202
Other Adjustments	0	0	0
Total Base Adjustments	1	1	596
2015 Current Services	61	66	11,794
Program Changes			
Officer:			
Administrative Function Consolidation	0	0	-102
Subtotal Officer	0	0	-102
Total Program Changes	0	0	-102
2016 Total Request	61	66	11,692
2014 - 2016 Total Change	1	1	484

Exhibit B - Summary of Requirements

B. Summary of Requirements

Summary of Requirements
Office of the Solicitor General
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2016 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Federal Appellate Activity	54	48	10,812	50	55	11,198	1	56	11,794	51	56	11,794
Total Direct	54	48	10,812	50	55	11,198	1	56	11,794	51	56	11,794
Balance Rescission			0			0			0			0
Total Direct with Rescission			0			0			0			0
Reimbursable FTE		0	10,812		0	11,198		0	588		0	11,794
Total Direct and Reimb. FTE		48			55			1			56	
Other FTE:												
LEAP		0			0			0			0	
Overtime		0			0			0			0	
Grand Total, FTE		48			55			1			56	

Program Activity	2016 Increases			2015 Offsets			2016 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Federal Appellate Activity	0	0	0	0	0	-102	51	56	11,692
Total Direct	0	0	0	0	0	-102	51	56	11,692
Balance Rescission			0			0			0
Total Direct with Rescission			0			0			0
Reimbursable FTE		0	0		0	-102		0	11,692
Total Direct and Reimb. FTE		0			0			56	
Other FTE:									
LEAP		0			0			0	
Overtime		0			0			0	
Grand Total, FTE		0			0			56	

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective
 Office of Legal Counsel
 Salaries and Expenses
 (Dollar in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct/ Reimb FTE	Amount		Direct/ Reimb FTE	Amount		Direct/ Reimb FTE	Amount		Direct/ Reimb FTE	Amount		Direct/ Reimb FTE	Amount		Direct/ Reimb FTE	Amount	
Goal 2 Prevent Crime, Protect the Rights of the American People, and enforce Federal Law																		
2.6 Protect the federal fisc and defend the interests of the United States.	25	6,793		27	7,400		27	7,742		0	0		0	0		27	7,742	
	26	6,793		27	7,400		27	7,742		0	0		0	0		27	7,742	
Subtotal, Goal 2	25	6,793		27	7,400		27	7,742		0	0		0	0		27	7,742	
TOTAL																		

Note: Excludes Balance Rescission and/or Supplemental Appropriations.

E. Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

Office of Legal Counsel
Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Pay and Benefits			
1 2015 Pay Raise: This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$36,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$27,000 for pay and \$9,000 for benefits).	0	0	36
2 Annualization of 2014 Pay Raise: This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0%, included in the 2014 President's Budget. The amount requested \$14,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$10,500 for pay and \$3,500 for benefits).	0	0	14
3 FERS Regular/Law Enforcement Retirement Contribution: Effective October 1, 2014 (FY 2015), the new agency contribution rates of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 28.5% for law enforcement personnel (up from the current 26.3%, or an increase of 2.2%). The amount requested, \$42,000, represents the funds needed to cover this increase.	0	0	42
4 Health Insurance: Effective January 2015, the component's contribution to Federal employees' health insurance decreased by 3.6 percent. Applied against the 2014 estimate of \$3,834, the amount increased by \$9,000.	0	0	9
5 Retirement: Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$9,000 is necessary to meet our increased retirement obligations as a result of this conversion.	0	0	9
Subtotal, Pay and Benefits			135
Domestic Rent and Facilities			
1 General Services Administration (GSA) Rent: GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$207,000 is required to meet our commitment to GSA. The costs associated with GSA rental rates are projected through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.	0	0	207
Subtotal, Domestic Rent and Facilities			207
Subtotal, Other Adjustments			0
TOTAL DIRECT TECHNICAL AND BASE ADJUSTMENTS			342

F. Cr k of 2013 Availability

Crosswalk of 2013 Availability
Office of Legal Counsel
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted			Balance Reclassification			Sequestration			Reprogramming/Transfers			Recoveries/Refunds			2013 Estimate		
	Direct	Estim.	Amount	Direct	Estim.	Amount	Direct	Estim.	Amount	Direct	Estim.	Amount	Direct	Estim.	Amount	Direct	Estim.	Amount
Office of Legal Counsel	31	25	7,773	0	0	0	0	0	0	0	0	0	0	0	0	31	25	8,763
Reimbursable FTE	31	25	7,773	0	0	0	0	0	0	0	0	0	0	0	0	31	25	8,763
Total Direct	31	25	7,773	0	0	0	0	0	0	0	0	0	0	0	0	31	25	8,763
Other FTE:																		
LEAP																		
Overtime																		
Grants Total: FTE		25			0			0			0						25	
Expenses:																		

1) The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Reprogramming/Transfers

Carryover:

Recoveries/Refunds:

G. Crosswalk of 2014 Availability

Crosswalk of 2014 Availability
Office of Legal Counsel
Salaries and Expenses
(Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover Amount	Recoveries/ Refunds Amount	2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount			Direct Pos.	Estim. FTE	Amount
Office of Legal Counsel	33	27	7,400	0	0	0	0	0	33	27	7,400
Total Direct	33	27	7,400	0	0	0	0	0	33	27	7,400
Balance Rescission			0								0
Total Direct with Rescission			7,400								7,400
Reimbursable FTE		0			0		0			0	
Total Direct and Reimb. FTE		27			0		0			27	
Other FTE:											
LEAP		0			0		0			0	
Overtime		0			0		0			0	
Grand Total, FTE		27			0		0			27	

Reprogramming/Transfers

Carryover:

Recoveries/Refunds:

I. Det Permanent Positions by Category

Detail of Permanent Positions by Category
Office of Legal Counsel
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Clerical and Office Services (300-389)	2	0	3	0	0	0	0	3	0
Attorneys (905)	27	0	27	0	0	0	0	27	0
Paralegals / Other Law (900-998)	2	0	3	0	0	0	0	3	0
Total	31	0	33	0	0	0	0	33	0
Headquarters (Washington, D.C.)	31	0	33	0	0	0	0	33	0
U.S. Field	0	0	0	0	0	0	0	0	0
Foreign Field	0	0	0	0	0	0	0	0	0
Total	31	0	33	0	0	0	0	33	0

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class
Office of Legal Counsel
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	23	3,268	25	4,010	25	4,332	0	322
11.3 Other than Full-Time Permanent	2	271	2	323	2	274	0	-49
11.5 Other Personnel Compensation	0	0	0	241	0	218	0	-23
Overtime	0	0	0	0	0	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	0	0	0	0	0	0	0
Total	25	3,607	27	4,574	27	4,824	0	250
Other Object Classes								
12.0 Personnel Benefits	967		1,072			1,113		41
21.0 Travel and Transportation of Persons	1		1			5		4
22.0 Transportation of Things	29		33			34		1
23.1 Rental Payments to GSA	1,128		1,130			1,170		40
23.2 Rental Payments to Others	47		47			49		2
23.3 Communications, Utilities, and Miscellaneous Charges	71		85			88		3
24.0 Printing and Reproduction	32		33			75		42
25.2 Other Services from Non-Federal Sources	100		104			55		-49
25.3 Other Goods and Services from Federal Sources	139		161			167		6
25.6 Medical Care	4		4			4		0
25.7 Operation and Maintenance of Equipment	10		10			12		2
26.0 Supplies and Materials	78		120			120		0
31.0 Equipment	28		28			28		0
Total Obligations	6,239		7,400			7,742		342
Subtract - Unobligated Balance, Start-of-Year	0		0			0		0
Subtract - Transfers/Reprogramming	0		0			0		0
Subtract - Recoveries/Refunds	0		0			0		0
Add - Unobligated End-of-Year, Available	0		0			0		0
Add - Unobligated End-of-Year, Expiring	544		0			0		0
Total Direct Requirements	0	6,783	0	7,400	0	7,742	0	342
Reimbursable FTE								
Full-Time Permanent	0		0		0		0	
23.1 Rental Payments to GSA (Reimbursable)		0		0		0		0
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)		0		0		0		0

U.S. Department of Justice
FY 2015 PERFORMANCE BUDGET
Congressional Submission

Civil Rights Division

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I. Overview for the Civil Rights Division

1. Introduction

In FY 2015, the Civil Rights Division (CRT) requests a total of \$161,881,000, 787 positions, 643 direct FTE, and 419 attorneys to enforce the Country's civil rights laws in a fair and uniform manner. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

The President's 2015 Budget includes an Opportunity, Growth, and Security Initiative (OGSI) that supports the Department's responsibility to enforce laws and defend the interests of the United States. The OGSI would provide additional resources to improve the Department's capacity for financial fraud law enforcement, including hiring additional criminal prosecutors, civil litigators, in-house investigators, and forensic accountants.

The Civil Rights Division does not have regional offices. All Division employees are stationed in Washington D.C. Because of this, nearly all Division attorneys and, occasionally, some non-attorney personnel are required to travel since litigation activities occur in all parts of the United States.

2. Background

The Civil Rights Division of the Department of Justice was established in 1957. The Division is the program institution within the Federal Government responsible for enforcing Federal statutes prohibiting discrimination on the basis of race, sex, gender preference, disability, religion, and national origin. Since its establishment, the Division's enforcement responsibilities have grown dramatically to include enforcing anti-discrimination protections in education, employment, credit, housing, public accommodations and facilities, voting, and certain federally funded and conducted programs. In addition, the Division's role in prosecuting actions under criminal civil rights statutes designed to preserve personal liberties and safety has expanded substantially.

Our Nation's civil rights laws prohibit discriminatory conduct in a wide variety of settings, such as housing, employment, voting, mortgage lending, education, public accommodations, access by the disabled to services and facilities, activities that receive Federal Financial Assistance (FFA), and the treatment of juvenile and adult detainees as well as residents of public institutions. The Federal civil rights laws also provide safeguards against criminal actions such as official misconduct by law enforcement personnel, trafficking in persons, and bias motivated crimes. DOJ ensures compliance with basic Federal civil rights protections through a multifaceted program of criminal and civil enforcement designed to target and deter discriminatory conduct. CRT also seeks voluntary compliance with civil rights statutes through a variety of educational, technical assistance, and outreach programs.

CRT has three significant goals: (1) to fulfill the promise of basic civil rights protections through effective and vigorous enforcement of the law; (2) to deter and remedy discriminatory and illegal conduct through the successful prosecution of these federal laws; and (3) to promote voluntary compliance and civil rights protection through a variety of educational, technical assistance, and outreach programs.

CRT is comprised of 11 program-related sections, the Professional Development Office, the Office of Employment Counsel, and the Administrative Management Section. A description of responsibilities and activities, as well as accomplishments for CRT's program-related sections is presented below. The Criminal Section falls under Criminal Enforcement. The other ten program-related sections fall under the Civil Enforcement program area.

In July 2010, the Administration released the *National HIV/AIDS (NHAS) Strategy for the United States*, the nation's first comprehensive plan for responding to the domestic HIV epidemic. The President designated the Department of Justice (DOJ) as one of six executive agencies responsible for implementing the Strategy at the Federal level. DOJ has produced an operational plan and responsibility for taking steps to achieve the goals of the Strategy is dispersed across the department with lead responsibility for coordinating efforts delegated to the Assistant Attorney General for Civil Rights. The Strategy focuses on three overarching goals: reducing the number of new HIV infections, increasing access to care for people living with HIV, and reducing HIV-related health disparities. DOJ has an essential role to play in meeting these NHAS goals because it is one of the leading Federal partners on the efforts to reduce stigma and illegal discrimination experienced by those with HIV. Pursuant to the Strategy and DOJ's operational plan, DOJ has entered into ten settlement agreements to resolve complaints of discrimination on the basis of HIV under the Americans with Disabilities Act (ADA) and currently has nine active investigations into allegations of HIV discrimination under the ADA. In June 2012, DOJ published an updated technical assistance piece related to HIV discrimination under the ADA. Finally, the Department has launched a new website, www.ada.gov/aids that provides information on DOJ's work related to HIV discrimination, technical assistance on the issue, and examples of enforcement actions DOJ has taken.

3. Challenges

Despite all the civil rights laws guaranteeing equal justice for all, the reality of today's society demonstrates that discrimination still exists. CRT's work is far from complete. The long journey toward equal justice is not over. CRT has reached some remarkable milestones along the way toward this most worthy goal. However, discrimination and bigotry persist. They persist in blatant forms—burned crosses, burned churches, hate-fueled assaults. They also persist in more subtle, yet equally devastating ways in many American communities and institutions. For example, in FY 2012, the FBI documented 5,796 hate crime incidents involving 7,164 victims and 6,718 offenses. Nearly 50 percent of the reported hate crime incidents in 2012 were motivated by racial bias.

Discrimination persists in the education system—many children still go to schools that are all too frequently substandard. It persists in the foreclosure crises, where communities of color were preyed upon by lenders who used the corrosive power of fine print, and bait and switch tactics—i.e. discrimination with a smile—to transform the American dream into a nightmare. It persists in America's workplaces, where glass ceilings still shatter opportunities for qualified women and minorities. It persists in the voting booth, where poll tests and taxes have been replaced by more subtle tactics that dilute voting strength.

Performance Challenges

The challenges that impede progress toward achievement of CRT's goals are complex and ever changing. Internal agency dynamics, technological developments, and compliance with civil rights statutes are only a few factors that can impact a litigating component's practices and pose challenges that demand attention. The following are challenges that CRT sees as potential obstacles.

External Challenges:

- Hate crimes are violent and intimidating acts motivated by animus based on race, ethnicity, national origin, religious beliefs, gender, gender identity, sexual orientation, or disability. Bias motivated violence remains prevalent across the United States. The Matthew Shepard-James Byrd, Jr. Hate Crimes Prevention Act significantly expanded Federal jurisdiction to investigate and prosecute crimes that have targeted whole communities. This law gives law enforcement authorities the tools they need to effectively investigate, prosecute and deter bias-motivated violence. Since its enactment in 2009, the Division has received over 291 new matters that must be investigated and analyzed. Many

of these matters, such as hate crimes based on sexual orientation or gender identity, would not have been addressed by CRT before the passage of the Act.

- CRT's human trafficking caseload essentially tripled between FY 2001–FY 2013. These cases are extremely labor-intensive and require significant resources after indictment, thus creating a challenge to bring new cases in times of static resources. Strategic partnerships with the United States Attorneys' offices (USAOs) and with anti-trafficking task forces have substantially increased the program's workload. The task forces have begun to produce high volume and complex trafficking cases, often involving multiple districts and requiring significant coordination efforts by CRT.
- The Department's efforts to investigate and prosecute unsolved civil rights homicide cases predate the Emmett Till Unsolved Civil Rights Crime Act of 2007. For example, the FBI in 2006 began its Cold Case Initiative to identify and investigate the murders committed during the Civil Rights Movement. Each of the 56 field offices was directed to identify cases within its jurisdiction that might warrant inclusion on a list of cold cases meriting additional investigation. In FY 2010, the Cold Case Unit was created within the Civil Rights Division and continues to work on cases related to Emmett Till. When the Initiative began, the Department had identified 95 matters and that number has now grown to 113 as of January 2014. The Department continues to dedicate resources to Emmett Till related matters as necessary.
- The recent housing crisis has adversely impacted countless communities across the nation, and predominantly minority areas have been particularly affected. The impact of lending discrimination and the resulting harm to an individual's credit can affect a person's ability to find housing, employment, or access higher education. In addition to individual harm, widespread patterns of discrimination cause collateral damage to entire communities, depriving those areas of economic opportunities. The Division's strengthened relationships with governmental and community partners have resulted in record-breaking fair lending cases over the past four years. Since 2010, the Division has filed or resolved 32 lending discrimination matters under the Fair Housing Act, Equal Credit Opportunity Act, and Servicemembers Civil Relief Act (SCRA). The settlements in these matters provide for over \$800 million in monetary relief for impacted communities and individual borrowers. In FY 2014 and 2015, the lending market will continue to change, especially in light of new regulatory developments enacted in response to the financial crisis. CRT must ensure that it has sufficient resources and well-trained staff to identify and investigate new types of lending abuses that may be targeted or have an impact on vulnerable populations, such as predatory auto loans and stricter underwriting standards that may be applied in a discriminatory manner.
- DOJ's role in enforcing the SCRA brings to CRT a considerable number of referrals from DOD and from servicemembers. CRT has targeted abuses in lending and foreclosure with its groundbreaking SCRA settlements requiring the nation's five largest mortgage servicers to identify and compensate servicemembers who were foreclosed on, or did not receive a reduction to 6% mortgage interest, in violation of the SCRA. In light of the publicity surrounding these mortgage settlements and the centralized collection of servicemember complaints by the Consumer Financial Protection Bureau, CRT expects to continue to receive substantial numbers of SCRA complaints. Full implementation of this enforcement authority will continue to affect the workload of CRT for the foreseeable future.
- There has been significant emphasis on law enforcement fatal shootings, especially cross-border shootings by Customs and Border Patrol Agents working the US-Mexico border. CRT investigates and writes detailed decision-memoranda on these matters, the vast majority of which are closed without prosecution after extensive investigations. These matters consume significant resources without generating case statistics. In fact, the Criminal Section has devoted four prosecutors (out of approximately 50 non-manager prosecutors) to exclusively handle these death-resulting high profile law enforcement shootings. After a decision is reached, prosecutors and managers are often involved

in a "roll out" of the decision that requires extensive planning and coordination with the US Attorney's Office, FBI, victim's surviving family, public officials, and community groups.

- The Supreme's Court 2011 decision in *Walmart v. Dukes*, as interpreted by the lower courts, has made it considerably more difficult for private plaintiffs to bring class action civil rights cases, particularly lending discrimination cases like those CRT has brought against national mortgage lenders. As private actions are foreclosed, CRT is called on ever more frequently to bring the resource intensive cases necessary to protect consumers from discriminatory practices.
- Despite decades of enforcement through the Federal Housing Administration (FHA), levels of racial segregation remain persistently high in numerous areas of the country. CRT has filed several cases challenging local governmental decisions to block affordable housing developments that likely would provide housing for minority families and potentially decrease levels of segregation in the affected communities. While the Department of Housing and Urban Development (HUD) is actively considering whether to amend its regulations regarding the requirement that recipients of federal funds affirmatively further fair housing, in the interim, CRT is being called upon more frequently to investigate and bring these resource intensive cases.
- Employers' increasing use of the Department of Homeland Security's E-Verify program as well as DHS's increasing enforcement related to employers who hire undocumented workers has substantially increased the workload for CRT's Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC). CRT anticipates that higher penalties and enhanced enforcement of employer sanctions by DHS will lead to an increase in discrimination charges filed with OSC against employers who are more hesitant about hiring workers who look or sound "foreign." Similarly, OSC anticipates that the volume of E-Verify related allegations of discrimination will increase as more employers enroll in E-Verify, thereby increasing its overall workload.
- Pursuant to CRT's Memorandum of Agreement with U.S. Citizenship and Immigration Services (USCIS), entered into in 2010, OSC has experienced a sharp increase in referrals of E-Verify-related discrimination from DHS, leading to a substantial increase in OSC's overall workload. As USCIS expands the number of discriminatory behaviors that it monitors and refers to OSC, this will further increase OSC's case load. Finally, in the comprehensive immigration reform bill passed by the Senate Judiciary Committee during the week of May 20, 2013, OSC's jurisdiction would be dramatically expanded to include protection for all work-authorized individuals for all types of discrimination covered by the statute OSC enforces; a broader category of unfair documentary practices; and 10 new unfair immigration-related employment practices related to employer misuse of E-Verify. Were this bill enacted into law, OSC's budgetary needs, including staffing needs, would exponentially multiply. Even if the immigration reform bill were to be enacted in a modified version or in a piece-meal fashion, OSC faces a great likelihood of expanded jurisdiction and authority.
- On June 25, 2013, in *Shelby County v. Holder*, the Supreme Court held that the coverage formula in Section 4(b) of the Voting Rights Act can no longer be used as basis for subjecting jurisdictions to the preclearance requirement of Section 5 of the Voting Rights Act. Because of the *Shelby County* case, the Voting Section's work will shift to greater affirmative efforts to detect and investigate voting practices that violate federal law, to more affirmative litigation to enjoin such practices, and to additional monitoring of elections throughout the country each year. Resources previously devoted to Section 5 reviews are being shifted to monitoring, identifying and investigating voting changes that may violate federal law, as well as assisting with litigation challenging such practices. These monitoring, investigative and litigation efforts will be very resource intensive.

Internal Challenges:

- DOJ needs to continue its efforts to attract the “best and brightest” of all talents and should continue its efforts to build and maintain a positive working environment that encourages retention.
- Many of CRT’s responsibilities are not performed by any other Government agency. The loss of numerous senior staff has impacted CRT on many levels particularly in the loss of institutional memory, expertise, and skill, all of which have been integral to our enforcement, training and outreach efforts due to extremely limited training, conference and travel funding.
- Training has increasingly become a challenge. While many of our incoming attorneys come to CRT with strong educational backgrounds, they have little or no litigation or substantive experience. The demands of our workload, which include investigations, negotiations, and litigation, require that attorneys broaden their skill sets. We have staffed our cases very leanly. This has had an impact on our ability to provide professional development opportunities and to grow staff skills. If we can only send a single attorney to a hearing, or to negotiations, a junior member of the team cannot participate and loses the opportunity to participate under close supervision.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Civil Rights Enforcement	Restore and strengthen civil rights enforcement.	50	25	\$5,072	50
Police Misconduct Enforcement	To combat abuse, discriminatory policing, and other unconstitutional actions by law enforcement officials.	20	10	\$1,928	53
E-Verify	Implementation of an E-Verify Administration Review.	3	2	\$305	58
Total		73	37	\$7,305	

III. Appropriations Language and Analysis of Appropriations Language**Appropriations Language**

The 2015 Budget request includes proposed changes in the appropriations language listed and explained below. New language is *italicized and underlined*.

General Legal Activities
Salaries and Expenses

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, [\$867,000,000] *\$935,854,000*, of which not to exceed [\$10,000,000] *\$20,000,000* for litigation support contracts shall remain available until expended:

Provided, That, of the amount provided for INTERPOL Washington dues payments, not to exceed \$685,000 shall remain available until expended: Provided further, That of the total amount appropriated, not to exceed \$9,000 shall be available to INTERPOL Washington for official reception and representation expenses: Provided further, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section [505] 504 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That of the amount appropriated, such sums as may be necessary shall be available to [reimburse the Office of Personnel Management] the Civil Rights Division for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f) and to reimburse the Office of Personnel Management for such salaries and expenses: Provided further, That of the amounts provided under this heading for the election monitoring program, \$3,390,000 shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

Analysis of Appropriations Language

The Civil Rights Division directs and manages the election monitoring provisions of the Voting Rights Act of 1965 (42 U.S.C. 1973f) and provides significant annual resources on behalf of election monitoring efforts in addition to reimbursing the Office of Personnel Management for salaries and expenses. The appropriations language change allows for more efficient use and deployment of election monitoring resources by allowing the Civil Rights Division more flexibility in the management of the funding.

IV. Program Activity Justification

Civil Rights Division	Perm Pos.	Estimate FTE	Amount
2013 Enacted w/Balance Rescissions and Sequester	715	607	\$136,341
2014 Enacted	714	606	144,173
Adjustments to Base and Technical Adjustments	0	0	10,403
2015 Current Services	714	606	154,576
2015 Program Increases	73	37	7,305
2015 Request	787	643	161,881
Total Change 2014-2015	73	37	\$ 17,708

Civil Rights Division

1. Program Description

CRT is a single decision unit within the General Legal Activities appropriation. Within that decision unit, CRT's responsibilities and activities fall into two programmatic areas - criminal enforcement and civil enforcement.

- Criminal cases are investigated and prosecuted differently from civil cases. Stronger and more definitive evidence is needed to obtain a criminal conviction than to win a civil suit. Should the defendant be acquitted, the Government has no right of appeal. A Federal criminal conviction also requires a unanimous decision by 12 jurors (or by a judge only if the defendant chooses not to have a jury).
- Civil cases are usually heard by a judge, but occasionally a jury will decide the case. Both criminal and civil cases can be resolved without a trial where both sides agree and with the concurrence of the judge. In criminal cases, judges must use the Federal Sentencing Guidelines in determining the defendant's punishment; judges in civil suits may or may not adopt remedies as recommended by the Government when it wins.

Criminal Enforcement (113 positions, \$21,749,000)

The Criminal Section (CRM) of the Civil Rights Division prosecutes cases involving the violent interference with liberties and rights defined in the constitution or Federal law. The rights of both citizens and non-citizens are protected. The majority of the Section's indicted cases involve the use of force, threats, or intimidation by a law enforcement officer, human trafficking, or threats or force by a person motivated by racial bias. Cases often involve incidents that are invariably of intense public interest. While some violations may most appropriately be pursued by the Federal Government, others can be addressed by either the Federal Government or by state or local prosecutors. CRM ensures that acts constituting Federal criminal civil rights violations are sufficiently remedied, whether prosecuted federally or by local authorities. The types of acts that may involve violations of Federal criminal civil rights laws are:

Hate Crimes—violent and intimidating acts motivated by animus based on race, ethnicity, national origin, religious beliefs, gender, gender identity, sexual orientation, or disability. The Criminal Section prosecutes incidents of bias-motivated violence generally. The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009 created a new Federal criminal prohibition against willfully causing bodily injury (or attempting to do so using fire, a firearm, or another dangerous weapon), when (1) the crime was committed because of the actual or perceived race, color, religion, national origin of any person, or (2) the crime was committed because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person and the crime affected interstate or foreign commerce or occurred within Federal special maritime and territorial jurisdiction.

The September 11, 2001, terrorist attacks brought an increase of incidents of violence, threats and other forms of discrimination against Arabs, Muslims, and south Asians, many of whom are American citizens. The Criminal Section spearheaded the Department's law enforcement response to the nationwide increase in "backlash" threats and attacks against individuals who are or are perceived to be Muslim, Sikh, or of Arab or South Asian origin.

Official Misconduct—intentional acts by law enforcement officials who misuse their positions to unlawfully deprive individuals of constitutional rights, such as the right to be free from excessive force, sexual assaults, illegal arrests and searches, and theft of property. Allegations of official misconduct constitute the majority of all complaints reviewed by the Criminal Section. The officials who have been

defendants include state and local police officers, prison superintendents and correctional officer, Federal law enforcement officers, and state and county judges.

Under the Deprivation of Rights under Color of Law provision of Title 18, Section 242, it is a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States. Acts under "color of law" include acts not only done by Federal, State, or local officials within their lawful authority, but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under color of law within the meaning of this statute include police officers, prison guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus toward the race, color, religion, sex, handicap, familial status or national origin of the victim. The offense is punishable by a range of imprisonment up to a life term, or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.

Human Trafficking—use of force or threats of force or other forms of coercion to compel labor, services, commercial sex acts, from victims. Modern day slavery can involve migrant farm laborers, sweat shop workers, domestic servants, and persons forced into prostitution. Victims may be U.S. citizens, aliens, adults or children.

The Trafficking Victims Protection Act of 2000 (TVPA), a comprehensive approach to trafficking strengthens existing Federal civil rights laws against involuntary servitude, created new Federal offenses for forced labor and sex trafficking, and increased the penalties for these offenses. The TVPA of 2008 further strengthened these states and added new statutes for human trafficking conspiracies, obstruction of trafficking investigations, and benefitting financially from trafficking. The TVPA of 2008 also clarified that psychological and economic harms, not just uses of force, amount to actionable coercion under the statutes.

The Criminal Section has spearheaded a number of other initiatives to obtain information from the public concerning potential trafficking situations, to train Federal, state and local law enforcement officers regarding human trafficking, and to address the needs of victims. The Section also works with the FBI, the Department of Homeland Security, and other Departments to identify and prosecute complex, international, and organized crime human trafficking cases. The Section has created a specialized Human Trafficking Prosecution Unit that is a global leader in trafficking prosecutions, and its representatives train foreign investigators and prosecutors at the United Nations and across the globe. The Criminal Section and other Justice Department components also collaborate with the Departments of State, Health and Human Services, and Labor to develop brochures on trafficking in persons and one that is given to law enforcement to provide to trafficking victims. The Section is instrumental in developing a national human trafficking training curriculum for state and local law enforcement and in drafting model legislation for states to implement their own anti-trafficking laws. Criminal Section attorneys also participate in training and outreach programs both in the United States and overseas to provide expertise and assistance to law enforcement personnel, community groups, victim service providers, immigrants' rights organizations and others to combat human trafficking.

Interference with Access to Reproductive Health Care—violence directed at abortion clinics or health care providers, such as doctors or nurses. The Freedom of Access to Clinic Entrances Act (FACE) prohibits anyone from intentionally injuring, intimidating or interfering (or attempting to do so), by force, threat of force or physical obstruction, with a person who is or has been seeking or providing reproductive health services. The Act also prohibits damaging or destroying property of a facility (or attempting to do so) because the facility provides reproductive health services. Prosecutions brought under the Act have included clinic blockades; phone, mail, and email threat cases; assaults on clinic personnel, including murder; and arson and bombing incidents.

The Section continues its commitment to ensuring the safety of patients and providers at family clinics by vigorously enforcing the FACE. In addition, it continues to lead the Task Force on Violence against Reproductive Health Care Providers, working closely with the FBI, ATF, USMS, U.S. Postal Inspection Service, and attorneys from the Criminal Division to ensure unified, consistent, and responsive Federal involvement when FACE Act violations occur.

Interference with the Exercise of Religious Beliefs and Destruction of Religious Property—violent conduct targeting religious houses of worship, usually involving the arson of churches or synagogues. Section 247 of Title 18 prohibits anyone from intentionally defacing, damaging or destroying religious real property because of the religious nature of the property, so long as the crime is committed in or affects interstate commerce. The statute also prohibits anyone from intentionally obstructing or attempting to obstruct, by force or threat of force, a person in the enjoyment of that person's religious beliefs, where the crime is committed in or affects interstate commerce. Finally, the statute prohibits anyone from intentionally defacing, damaging or destroying any religious real property because of the race, color, or ethnic characteristics of any individual associated with the property, regardless of any connection to interstate or foreign commerce. Section 247 also prohibits attempts to do any of the above. The offense is punishable by a range of imprisonment up to a life term or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any.

Civil Rights Era Unsolved Crimes—unsolved racially motivated crimes that occurred during the Civil Rights, commonly referred to under the umbrella of the Cold Case Initiative. In October 2008, the Emmett Till Unsolved Civil Rights Crime Act of 2007 was signed into law directing CRT to coordinate the investigation and prosecution of civil rights era homicides, and a Supervisory Special Agent in the FBI's Civil Rights Unit to investigate those cases. CRT and the FBI were also given the authority to coordinate their activities with State and local law enforcement officials.

The Department has always been willing to reassess and review cold cases when new evidence came to light, and, as set forth below, played a major role in: successfully prosecuting three such cold cases prior to the Cold Case Initiative. In order to further the Department's mission, in 2006, the FBI began its Cold Case Initiative to identify and investigate the murders committed during our nation's civil rights era. In addition to prosecuting cases, the Criminal Section actively participates in providing technical assistance and information to the public, law enforcement and other Government agencies regarding the Federal criminal civil rights laws by attending conferences, providing training, and making recommendations for legislation to further the protection of individual rights and liberties.

Civil Enforcement (674 positions, \$140,132,000)

Appellate Section (APP)

APP has primary responsibility for handling civil rights cases in the courts of appeals and, in cooperation with the Solicitor General, in the Supreme Court. APP provides legal counsel to other components of DOJ regarding civil rights law and appellate litigation. Many of APP's appeals are from district court judgments in cases originally handled by trial sections within CRT. APP handles appeals from both favorable and adverse judgments in cases in which CRT participates.

A significant part of APP's work involves participation as amicus curiae (friend of the court) or as intervener in civil rights cases that have the potential for affecting CRT enforcement responsibilities. In this capacity, APP closely monitors civil rights cases in which the United States is not a party. In many of these cases, especially those concerned with developing or problematic areas of civil rights law, APP uses the Federal Government's authority to file an amicus curiae brief to set forth the United States' position. APP also intervenes in a substantial number of cases to defend the constitutionality of Federal civil rights statutes.

Disability Rights Section (DRS)

The goal of the ADA is to achieve equal opportunity in all areas of American life for people with disabilities throughout the country. The Section's enforcement, statutorily mandated technical assistance activities, certification, regulatory, coordination efforts, and an innovative mediation program, provide a cost-effective and dynamic approach for carrying out the ADA's mandates.

The Section's responsibilities are somewhat different under each title of the ADA. Under title I (employment), the Section is the only government entity with authority to initiate litigation against state and local government employers. Under titles II (state and local government) and III (private businesses and non-profit social service providers), the Section investigates complaints and conducts compliance reviews. The Section may initiate litigation in title II matters arising from its own investigations or upon referral from other Federal agencies. The Section may also intervene in ongoing title II suits brought by private parties. Under title III, the Section initiates litigation in cases involving private entities (public accommodations, commercial facilities, and certain professional certification and licensing entities) where there is a pattern or practice of discrimination or discrimination involving an issue of general public importance.

The ADA specifically encourages the use of Alternative Dispute Resolution (ADR) methods, including mediation, to resolve disputes arising under the ADA. Since 1994, the Section has promoted the use of ADR by supporting a project to provide mediation services to resolve ADA complaints filed with the Section.

The Technical Assistance Program carries out the ADA's statutory charge that the Department provide technical assistance to businesses, state and local governments, people with disabilities, non-profit agencies, architects and builders, attorneys, and others who have responsibilities or rights under Titles II and III of the ADA. Specific activities include the creation and dissemination of a vast array of technical assistance materials; operation of the nationwide toll-free ADA Information Line and the ADA website; educational efforts that include presentations and training sessions; and specific outreach initiatives targeted to specific audiences, including businesses, state and local governments, people with disabilities, and under and unrepresented minority groups and geographic locations. The goal of the Program is to provide access to accurate, understandable, and timely information to people across the country, in the manner that best meets their individual needs, to increase understanding of, and voluntary compliance with the ADA.

The Section also carries out responsibilities under other federal statutes that prohibit discrimination on the basis of disability. These include the ADA, the ADA Amendments Act, Sections 504 and 508 of the Rehabilitation Act, the Genetic Information Non-Discrimination Act (GINA), the Small Business Regulatory Flexibility Enforcement Fairness Act (SBREFA), parts of Help America Vote Act (HAVA), and Executive order 12250.

Educational Opportunities Section (EOS)

In its landmark decision in *Brown v. Board of Education*, the Supreme Court held that the intentional segregation of students on the basis of race in public schools violates the Fourteenth Amendment to the U.S. Constitution. Subsequent federal civil rights laws and court decisions prohibit schools and institutions of higher education from discriminating against students on the basis of sex, race, color, national origin, language, religion, or disability.

The Educational Opportunities Section (EOS) enforces Title IV of the Civil Rights Act of 1964, the Equal Educational Opportunities Act of 1974 (EEOA), and Titles II and III of the Americans with Disabilities Act, as well as Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act, and the Individuals with Disabilities

Education Act, with respect to schools receiving financial assistance from the Department of Justice or upon referral from other federal funding agencies. The Section also may intervene in private suits alleging violations of federal civil rights laws and/or the Equal Protection Clause of the Fourteenth Amendment to the Constitution. The Section also represents the Department of Education in lawsuits.

EOS is involved in approximately 190 school desegregation cases to which the United States is a party. EOS monitors compliance with these desegregation orders and enforces them where needed. EOS also seeks to ensure that schools respond appropriately to harassment of students on the basis of sex, race, national origin, disability, and religion. EOS enforces the EEOA against state and local education agencies to ensure English Language Learner (ELL) students have an equal opportunity to participate in instructional programs. EOS combats the school-to-prison pipeline by addressing disparities in school discipline. EOS also works to ensure that students with disabilities are better integrated into general education programs and receive the necessary supports to be successful in the community with their non-disabled peers.

Employment Litigation Section (ELS)

ELS enforces federal statutes that prohibit employment discrimination on the basis of race, sex, religion, national origin, and military affiliation. These statutes include Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq. (Title VII), which ELS enforces as to state and local government employers, and the Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. 4301, et seq. (USERRA), which ELS enforces as to private, state, and local government employers. USERRA matters are referred to ELS for litigation consideration after they are investigated by the Department of Labor (DOL). The Section initiates Title VII litigation in two ways. First, pursuant to § 706, ELS may file suit on an individual charge of discrimination against a state or local government employer upon receiving a referral from the Equal Employment Opportunity Commission (EEOC) with a finding of reasonable cause to believe that discrimination has occurred. Second, the Attorney General may initiate Title VII investigations and authorize lawsuits pursuant to § 707 against state or local government employers where there is reason to believe that a "pattern or practice" of discrimination exists. Generally, these are factually and legally complex cases that seek to alter an employment practice, such as recruitment, hiring, assignment and promotions that have the purpose or effect of denying employment or promotional opportunities to a class of individuals. Under its "pattern or practice" authority, the Section obtains relief in the form of offers of employment, back pay and other equitable relief for individuals who have been victims of the unlawful employment practices challenged. These cases often are resolved by consent decree prior to trial.

The Section also shares enforcement authority with DOL under Executive Order 11246, which prohibits discrimination by Federal Government contractors and subcontractors based on race, color, national origin, sex and religion, and ELS also defends federal agencies in lawsuits that challenge the constitutionality of the federal government's disadvantaged business enterprise (DBE) contracting programs.

Federal Coordination and Compliance Section (FCS)

FCS operates a comprehensive, government-wide program of technical and legal assistance, training, interagency coordination, and regulatory, policy and program review, to ensure that federal agencies consistently and effectively enforce various landmark civil rights statutes and related Executive Orders that prohibit discrimination in federally assisted programs and in the federal government's own programs and activities.

Under Executive Order (EO) 12250, the Section has a leadership role in the coordination and review of civil rights enforcement by the 30 federal agencies that provide federal financial assistance to state and local governments, and to community, nonprofit, and other organizations nationwide. In particular,

FCS's core mission is to engage these agencies in regulatory, enforcement, policy, outreach, and technical assistance efforts to ensure that programs operated with their funds and other assistance comply with the provisions of Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of sex in federally assisted education and training programs; and similar program statutes which prohibit discrimination on the basis of race, color, national origin, sex, and religion.

FCS's responsibilities also include oversight and coordination of EO 13166, which requires that federal agencies ensure meaningful access to persons who are limited English proficient (LEP) in federally-assisted and federally-conducted programs. In addition, FCS has implementation and interagency coordination responsibility with respect to EO 13160, which prohibits discrimination in the federally conducted education and training programs of 85+ Federal agencies based on race, sex, color, national origin, disability, religion, age, sexual orientation, or status as a parent.

Housing and Civil Enforcement Section (HCE)

The Fair Housing Act (FHA) prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, familial status, or disability by housing providers, such as landlords and real estate companies, as well as other entities, such as municipalities, banks or other lending institutions, and homeowners' insurance companies.

Under the FHA, the Department of Justice may initiate a lawsuit where it has reason to believe that a person or entity is engaged in a "pattern or practice" of discrimination or where a denial of rights to a group of persons raises an issue of general public importance. Through these lawsuits, the Department can obtain monetary damages for persons harmed by a defendant's discriminatory actions as well as injunctive relief to correct past discriminatory conduct or prevent further discriminatory conduct. The defendant may also be required to pay civil penalties to the United States. CRT also brings suits on behalf of individuals based on referrals from HUD.

For over 20 years, CRT has conducted a fair housing testing program within HCE. Testing refers to the use of individuals who, without any bona fide intent to rent or purchase a home, apartment, or other dwelling, pose as prospective buyers or renters of real estate for the purpose of gathering information, which may indicate whether a housing provider is complying with fair housing laws. The Department has demonstrated that testing can be a valuable tool to investigate housing market practices and to document illegal housing discrimination.

The Equal Credit Opportunity Act (ECOA) prohibits creditors from discriminating against applicants on the basis of race, color, religion, national origin, sex, marital status, age, or because an applicant receives income from a public assistance program, or exercises rights protected under the Consumer Credit Protection Act. The Consumer Financial Protection Bureau (CFPB) has issued regulations under ECOA, which provide the substantive and procedural framework for fair lending enforcement. In 2010, CRT created a Fair Lending Unit within HCE and a Special Counsel for Fair Lending in the Office of the Assistant Attorney General for Civil Rights to enhance enforcement under ECOA. Each year, the Department files a report with Congress on its activities under the statute.

Other federal agencies have general regulatory authority over certain types of lenders and they monitor creditors for their compliance with ECOA. ECOA requires these agencies to refer matters to the Justice Department when there is reason to believe that a creditor is engaged in a pattern or practice of discrimination that violates ECOA. The Division and its partners, including the CFPB, have enhanced joint investigative efforts and improved our information sharing procedures, all of which will assist us in further expanding fair lending enforcement.

The Servicemembers Civil Relief Act (SCRA) provides for the temporary suspension of judicial and administrative proceedings and civil protections in areas such as housing and credit for military personnel

while they are on active duty. The Department of Justice can file suit under the SCRA to obtain relief for servicemembers.

The land use provisions of the Religious Land Use and Institutionalized Persons Act (RLUIPA) protect individuals, houses of worship, and other religious institutions from discrimination in zoning and landmarking laws. Religious assemblies, especially new, small, or unfamiliar ones, may be illegally discriminated against on the face of zoning codes and also in the highly individualized and discretionary processes of land use regulation. Zoning codes and landmarking laws may illegally exclude religious assemblies in places where they permit theaters, meeting halls, and other places where large groups of people assemble for secular purposes, or they may permit religious assemblies only with individualized permission from the zoning board or landmarking commission, and zoning boards or landmarking commission may use that authority in illegally discriminatory ways.

Title II of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, religion, and national origin in places of public accommodation including restaurants, certain clubs, and hotels. The Department of Justice can investigate alleged systemic violations of Title II and can bring lawsuits to enforce the statute.

Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC)

OSC is responsible for enforcing the anti-discrimination provision of the Immigration and Nationality Act (INA), which protect U.S. citizens and certain work-authorized individuals from employment discrimination based upon citizenship or immigration status. The INA also protects all individuals, authorized to work, from national origin discrimination, unfair documentary practices relating to the employment eligibility verification process, and from retaliation. OSC also initiates independent investigations based on information developed during individual charge investigations, or leads provided by other government agencies and the general public. Independent investigations normally involve alleged discriminatory policies that potentially affect many employees or applicants. These investigations may result in complaints alleging a pattern or practice of discriminatory activity.

OSC conducts an extensive, nationwide public education campaign to teach workers, employers, and concerned organizations about the anti-discrimination provision of the INA. Additionally, OSC's staff directly participates in many public education and outreach activities, including joint presentations with other agencies, such as USCIS and the EEOC. OSC employees conduct presentations at conferences, seminars, and meetings held by interested groups regarding employee and employer rights and obligations under INA, and conduct regularly scheduled webinars for the public. OSC further educates the public through the distribution of educational videos, quarterly electronic newsletters and other multilingual outreach materials. OSC also operates an employer and employee hotline, fielding thousands of calls in English and other languages and providing guidance to employers, employees and their representatives in an effort to avoid discrimination or remedy possible discrimination without formal investigation or litigation.

In an effort to increase accessibility to its services and resources, OSC has also signed and/or reinvigorated memoranda of understanding with numerous state and local fair employment practices agencies, allowing individuals to obtain information about OSC and file charges of immigration related employment discrimination with OSC more easily.

OSC's investigations cover the full gamut of employers, from the nation's largest employers to small businesses with only a few employees. Investigations also included a broad range of industries, including food processing, restaurant and hospitality, retail, information technology, and job referral agencies. OSC's successful resolutions include charges filed by U.S. citizens and work-authorized immigrants who alleged adverse treatment in favor of temporary visa holders or undocumented workers who allege that

they were denied hire, or were fired, because of their citizenship or immigration status, or discrimination in the employment eligibility verification (Form I-9 and E-Verify) process.

Policy and Strategy Section (POL)

POL is responsible for analyzing policy matters relating to CRT's enforcement authority, developing legislative and regulatory priorities for CRT, coordinating CRT's responses to requests for comments and technical assistance on legislative matters from the Administration and members of Congress, and developing sustained relationships with other Federal agencies, such as Education, HUD, EEOC, Transportation, and Defense, in furtherance of civil rights issues.

POL is the central coordinator of CRT's review of Executive and Legislative Branches' legislative, regulatory, and other policy proposals. POL fulfills this function through review of proposals to determine whether any civil rights laws or goals would be advanced, contradicted, omitted or undermined by these proposals. Materials for review are transmitted by the Office of Management and Budget through the Office of Legislative Affairs (OLA) or the Office of Legal Policy. Materials for review are also generated through POL's internal legislative tracking, as well as requests for technical assistance and/or guidance from Congress, other federal agencies, other DOJ components, other sections within the Division and the civil rights community. POL vets the large volume of clearance material, works with the Division's enforcement sections to coordinate comments and prepares the official Division response on matters affecting civil rights.

Under the direction of the Office of the Assistant Attorney General (OAAG), POL also works in close collaboration with CRT sections to develop initiatives that will more fully realize the promise of the civil rights laws. Those initiatives may take the form of legislation, regulations, non-regulatory policy guidance, issue-based initiatives and Executive Orders. POL provides critical expertise in legislative drafting; analyzing the relative merits of pursuing legislative initiatives; identifying legislation that may serve as a vehicle for advancement of Division initiatives; shepherding legislative proposals through the process of drafting and administrative clearance; strategic planning and development during the Congressional process; and, under the direction of the OAAG, coordinating with OLA and CRT sections to provide direct technical assistance to Congress and the Administration. On non-legislative matters, including regulations, non-regulatory policy guidance, issue-based initiatives, and Executive Orders, POL works closely with sections to develop and clear non-legislative matters that implicates the equities of multiple sections.

POL also prepares responses, on behalf of CRT, to requests for information from Congress, the White House and internal Department components, as well as fulfills reporting requirements pursuant to federal statute. POL works with other sections to gather responsive information, and subsequently drafts memoranda or reports that are responsive to this request. Past examples of Division-wide reporting fulfilled by POL include: the Unified Regulatory Agenda; Section 530D report to Congress regarding settlements and judgments; the Attorney General's Report on Efforts to Combat Human Trafficking; the Department-wide Policy Grid; projected monthly reporting to the House Judiciary Committee on Division activities and Questions for the Record.

Additionally, POL organizes convenings and meetings with government agencies, practitioners, academics and advocates. These convenings and meetings may serve multiple purposes, including: (1) public education to prevent future violations of civil rights and to disseminate the work of the Division; (2) gathering information from stakeholders and affected communities; and (3) generating solutions to civil rights problems that law enforcement may be unable to address.

Special Litigation Section (SPL)

SPL protects the constitutional and federal statutory rights of persons confined in certain institutions owned or operated by, or on behalf of, state or local governments. These institutions include facilities for individuals who have mental illness or developmental disabilities, nursing homes, juvenile justice facilities, and adult jails and prisons. The Section derives its primary authority in this area from the Civil Rights of Institutionalized Persons Act (CRIPA), enacted in 1980. CRIPA gives the Attorney General the authority to investigate institutional conditions and file lawsuits to remedy a pattern or practice of unlawful conditions. In addition, the Section enforces a provision of the Violent Crime Control and Law Enforcement Act of 1994, which authorizes the Attorney General to file lawsuits to seek judicial remedies when administrators of juvenile justice systems engage in a pattern or practice of violating institutionalized juveniles' federal rights. The Section is also responsible for enforcing Title III of the Civil Rights Act of 1964, which prohibits discrimination in public facilities on the basis of race, religion, or national origin. As a result of the Department's CRIPA efforts, tens of thousands of institutionalized persons who were living in dire, often life-threatening, conditions now receive adequate care and services.

The Section's institutional work has focused recently on significant problems, such as sexual victimization of women prisoners, use of solitary confinement for inmates with mental illness, and the unmet mental health needs of inmates and pre-trial detainees. In addition, the Section has been active in enforcing the rights of institutionalized persons with disabilities to be served in the most integrated setting appropriate to their needs.

Section staff members are involved in a broad array of activities to vindicate the federal rights of institutionalized persons. These activities range from reviewing complaints and conducting investigations to monitoring and enforcing court orders, litigating large, complex institutional reform cases, and writing statements of interest on issues of national import. The Section works closely with nationally renowned experts to evaluate institutional conditions by touring the facilities, observing relevant practices and procedures at the facilities, evaluating records, and interviewing residents, staff, and other individuals knowledgeable about the conditions at the institutions. To date, the Section has been successful in resolving the vast majority of CRIPA investigations that have uncovered unlawful conditions by obtaining voluntary correction or a judicially enforceable settlement designed to improve conditions to ensure the provision of appropriate services. If state or local officials fail to correct the deficiencies or to agree to an appropriate settlement, CRIPA authorizes the Attorney General to file suit. The Section has concentrated on obtaining widespread relief, where possible.

The Section is actively involved both with other components of the Justice Department as well as other federal agencies that regulate, fund, and provide technical assistance to institutions. For example, Section staff works with the Office of Juvenile Justice and Delinquency Prevention, the National Institute of Justice, the Bureau of Prisons, the United States Department of Education, and the United States Department of Health and Human Services.

SPL also enforces the police misconduct provision of the Violent Crime Control and Law Enforcement Act of 1994, which authorizes the Attorney General to seek equitable and declaratory relief to redress a pattern or practice of conduct by law enforcement agencies that violates federal law. The Section is also responsible for enforcing the Omnibus Crime Control and Safe Streets Act of 1968, which authorizes the Attorney General to initiate civil litigation to remedy a pattern or practice of discrimination based on race, color, national origin, gender, or religion involving services by law enforcement agencies receiving FFA. Section staff investigates police departments by interviewing police officials and witnesses of alleged wrongdoing, reviewing numerous records, and evaluating departmental practices. As with the Section's CRIPA work, the staff works with nationally renowned experts who assist with evaluating investigative

material and developing and monitoring remedies to address deficiencies. SPL is an integral part of the Division's Police Misconduct Initiative, along with representatives from various sections in the Division, the Office of Justice Programs, and the FBI. This initiative was created at the Attorney General's request to coordinate Department-wide enforcement efforts to combat police misconduct. The Chief of the Special Litigation Section serves as the Co-Chair for Civil Enforcement of the Initiative.

SPL enforces the civil provisions of the Freedom of Access to Clinic Entrances Act (FACE). This Act prohibits the use or threat of force and physical obstruction that injures, intimidates, or interferes with a person seeking to obtain or provide reproductive health services or to exercise the First Amendment right of religious freedom at a place of religious worship. It also prohibits intentional property damage of a facility providing reproductive health services or a place of religious worship. FACE authorizes the Attorney General to seek injunctive relief, statutory or compensatory damages, and civil penalties against individuals who engage in conduct that violates the Act. Section attorneys work closely with the offices of the United States Attorneys providing technical assistance and conducting joint FACE prosecutions. In addition, the Section serves on the Attorney General's National Task Force on Violence against Health Care Providers.

SPL enforces the provision of the Religious Exercise of Institutionalized Persons Act (RLUIPA) that protects the religious exercise of persons confined to institutions covered by the Civil Rights of Institutionalized Persons Act (CRIPA). This provision prohibits a state or local government from substantially burdening the religious exercise of such an institutionalized person, unless the government demonstrates that imposition of the burden furthers a compelling governmental interest and is the least restrictive means available to further that interest. The Department of Justice is authorized to investigate alleged violations of RLUIPA and to file civil lawsuits seeking injunctive or declaratory relief. In addition, RLUIPA enables private individuals to seek judicial remedies for violations of the statute.

Voting Section (VOT)

The Voting Rights Act (VRA) was enacted in 1965. The VRA effectuates the 15th Amendment's permanent guarantee that, throughout the nation, no person shall be denied the right to vote based on race or color. Pursuant to the Act, the Voting Section undertakes investigations and litigation all throughout the United States and its territories and monitors elections around the country. The VRA includes a nationwide prohibition against voting practices and procedures, including redistricting plans and at-large election systems, poll worker hiring, and voter registration procedures that discriminate on the basis of race, color or membership in a language minority group. It prohibits not only election-related practices and procedures that are intended to be racially discriminatory, but also those practices that are shown to have a racially discriminatory result. The VRA also includes the language minority requirements for covered jurisdictions. These provisions require certain jurisdictions with significant populations of language minority voters to provide bilingual written materials and other assistance to voters who speak covered minority languages and have limited English proficiency.

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) was enacted in 1986. It requires that the states and territories allow uniformed servicemembers, their families, and overseas U.S. citizens, to register and vote absentee in elections for Federal office. In 2009, the Military and Overseas Voter Empowerment Act (MOVE Act) amended UOCAVA to establish new voter registration and absentee ballot procedures which states must follow in Federal elections, including the requirement to transmit ballots to UOCAVA voters 45 days before Federal elections where a request has been made by that date.

The National Voter Registration Act (NVRA) was enacted in 1993. NVRA facilitates voter registration in elections for Federal office by allowing voters to register by mail, when they obtain driver's licenses, or when they obtain services from various offices that provide public assistance or serve persons with disabilities. It also helps ensure that eligible voters are added to the voting rolls in a timely manner and provides rules for maintaining voter registration lists.

The Help America Vote Act (HAVA) was enacted in 2002. It is designed to improve the administration of elections for Federal office in the United States by establishing minimum standards for states to follow in several key areas of election administration, including statewide registration databases, provisional balloting, voting systems, voter information postings and voter identification for first time registrations by mail.

2. Performance and Resources Tables

DECISION UNIT: CIVIL RIGHTS DIVISION											
RESOURCES											
	Target		Actual		Enacted		Changes		Requested (Total)		
	FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request		
	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	659	\$136,341 [\$10,075]	635 [\$10,075]	\$136,341 [\$10,075]	635	\$144,173 [\$10,041]	37	\$17,708 [\$17]	672	\$161,881 [\$10,056]	
STRATEGIC OBJECTIVE: 2.5	FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request		
Program Activity	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
	659	\$136,341 [\$10,075]	636 [\$10,075]	\$136,341 [\$10,075]	635	\$144,173 [\$10,041]	37	\$17,708 [\$17]	672	\$161,881 [\$10,056]	
Performance Measure	N/A		N/A		150		0		154		
Number of matters opened concerning human trafficking *											
% of criminal cases favorably resolved	80		84		85		0		85		
% of civil cases favorably resolved	80		84		85		0		85		
Number of matters/investigations resolved concerning human trafficking	75		124		0		0		0		
Number of complaints offered mediation	500		594		525		0		525		
Number of mediation complaints completed	207		282		225		0		225		
% of matters successfully resolved through mediation	75		78		75		0		75		
- CRT Performance Goal in support of the Department's Priority Goal to protect Vulnerable People. This is a new measure that is starting to be tracked in 2014. Data Definition, Validation, Verification, and Limitations: The data source for all measures is the Civil Rights Division's (CRT) Interactive Case Management System (ICM). The ICM is the official workload system of record for CRT and is used to generate key data for both internal and external inquiries. The ICM captures and reports on the level of effort that attorneys and professionals dedicate to matters and case-related tasks. Senior managers of CRT are responsible for ensuring the accuracy of the data contained in the ICM.											

PERFORMANCE MEASURE TABLE													
CIVIL RIGHTS DIVISION													
Strategic Objective	Performance Report and Performance Plan Targets												
	Performance Measure	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013		FY 2014 Target	FY 2016 Target				
2.5	Number of matters resolved concerning human trafficking *					Target	Actual	160	164				
2.5	% of criminal cases favorably resolved	89	89	84	94	80	84	85	85				
2.5	% of civil cases favorably resolved	100	96	97	98	80	84	85	86				
2.5	Number of matters fully resolved concerning human trafficking			71	98	75	124						
2.5	Number of complaints offered mediation	693	618	860	800	500	584	525	525				
2.5	Number of mediation complaints completed	211	307	340	328	207	282	225	225				
2.5	% of matters fully resolved through mediation	79	81	76	77	75	79	78	76				
*Denotes Inclusion in the DOJ Annual Performance Plan													

3. Performance Resources and Strategies

a. Performance Plan and Report for Outcomes

Criminal Enforcement

Career prosecutors in the Criminal Section of the Civil Rights Division (CRM) continue to achieve remarkable prosecution results, keeping pace with the record-setting levels of productivity and effectiveness demonstrated in recent years. Each year, CRM receives more than 10,000 complaints alleging criminal interference with civil rights. In FY 2013, the Criminal Section filed 141 cases, which is a record for the section. Further, the Criminal Section filed 20% more criminal civil rights prosecutions in the last four fiscal years (FY 2010 - FY 2013), as compared to the previous four years (FY 2006 - FY 2009), without an increase in staff.

In FY 2012 and FY 2103, the Section exceeded its performance goals to include:

- The Section, in conjunction with the United States Attorneys' Offices, charged more defendants with criminal civil rights violation than in any prior year since counting began in 1993 (279).
- In FY 2013, the Section charged the highest number of criminal civil rights cases than in any prior year since the counting began in 1993 (141).
- In FY 2012, the Section charged the third highest number of criminal civil rights cases than in any prior year since counting began in 1993 (124), with the second highest year being FY 2010 (129).
- In FY 2012, the Section charged more human trafficking cases than in any prior year (56); charged the highest number of hate crimes defendants since the year 2000 (48), which is equivalent to those charged in 2009; and convicted the most defendants on hate crimes charges in over a decade.

The Section has also dedicated significant resources to combat hate crimes. For example, the Section is actively and effectively implementing the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009. Since the statute was enacted, the Section has prosecuted 57 defendants under the Act and convicted 39 defendants, with ten defendants pending trial. The Section also has led and participated in dozens of law enforcement and community trainings across the country aimed at educating local law enforcement officials and identifying hate crimes cases.

Finally, the statistics alone do not tell the full story of the Criminal Section's performance in FY 2012. The quality of the prosecutions continues to be extraordinary. The Section's hard working and dedicated staff has successfully prosecuted a number of complex and high profile civil rights cases during this fiscal year.

Color of Law

The Criminal Section maintained a robust docket of color of law cases. Allegations of police abuse and other official misconduct, which comprise the majority of complaints reviewed by CRM, continue to be a high priority. In FY 2013, 83 law enforcement officers, including police officers, deputy sheriffs, and State prison correctional officials, were charged with using their positions to deprive individuals of their constitutional rights, such as the right to be free from unwarranted assaults and illegal arrests and searches. FY 2013, the number of defendants charged in this area exceeded the FY 2012 level.

- *United States v. Hinton, et al.*, (M.D.Ga.). (Indicted April 15, 2013) The indictment charged Macon State Prison Deputy Warden James Hinton and seven former members of the Correctional Emergency Response Team (CERT) with civil rights, conspiracy, and/or

obstruction offenses arising out of four separate incidents in 2010 in which CERT members assaulted an inmate in order to punish him for striking another officer in a prior incident. The indictment further alleges that the defendants conspired to cover up these assaults by providing false information to investigators, and by writing false witness statements and use of force reports.

- *United States v. Bloodsworth, et al. (M.D. Ga.)*

On May 8, 2013, defendant Stacy Bloodsworth was sentenced to fifteen years incarceration for various charges stemming from an incident that occurred on July 23, 2009, in which he, his son Austin Bloodsworth, Wilcox County Jailer Owens, and trustee Caruthers, along with a fifth individual, assaulted three inmates inside of the Wilcox County Jail in Abbeville, Georgia, because they were angry that the inmates had a cell phone in violation of the jail's regulations. As a result of this assault, two inmates sustained scratches, bruises, and pain. The third inmate suffered a broken jaw, which Sheriff Bloodsworth attempted to fix by hitting the inmate in the face with a wrench. Following the assault, Sheriff Bloodsworth concocted a false cover story, which he instructed all of the subjects to relay to investigators, in order to cover up the assault. Austin Bloodsworth was sentenced to eighteen months incarceration. Caruthers was sentenced to eighteen months incarceration, Casey Owens was sentenced to three years' Probation and Tim King was sentenced to six months incarceration for their involvement.

Hate Crimes

The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009 strengthened the Department's ability to prosecute hate crimes at the Federal level. The Department continues to make the prevention and prosecution of hate crimes a top civil rights priority. Since passage of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (HCPA or Act), 18 U.S.C. § 249, the Civil Rights Division has brought 24 cases and charged 57 defendants. Of those 57 defendants, 44 have been convicted. The Department has prosecuted cases under the Shepard-Byrd Act in Arkansas, California, Georgia, Kentucky, Michigan, Minnesota, Mississippi, New Mexico, New Jersey, New York, Ohio, Oregon, Pennsylvania, South Carolina, Texas and Washington.

Moreover, as part of CRM's hate crime enforcement responsibility, it has spearheaded DOJ's law enforcement response to address post-September 11th "backlash" violence and threats against Arabs, Muslims and South Asians. Federal charges have been brought in 46 cases against 60 defendants, yielding the convictions of 50 defendants.

- *United States v. Dedmon, et al., (S.D. Miss.)* March 23, 2012, three defendants pleaded guilty in the Southern District of Mississippi to the fatal assault of James Craig Anderson, an African-American man. In December 2012, a fourth defendant pled guilty for his role in the fatal assault and a fifth defendant pled guilty for participating in a number of racially motivated attacks that preceded the murder of Anderson. The defendants admitted that on numerous occasions leading up to the fatal assault, they, along with other co-conspirators still under investigation, assaulted African Americans with beer bottles, sling shots, and other weapons. In the early morning of June 26, 2011, after having spent the preceding evening talking about committing another assault, several of the co-conspirators drove around West Jackson throwing beer bottles at African-American pedestrians from the windows of moving vehicles. At approximately 5:00 a.m., some of these conspirators spotted the victim in a motel parking lot and decided he would be a good target for an assault. One of the defendants punched the victim in the face, knocking him to the ground. Another defendant punched him multiple times while he was on the ground. After the assault, various conspirators yelled, "White Power!" as they got back into their vehicles. One of the defendants admitted that he deliberately used his truck to run over the victim, causing his death. Extensive investigation into other defendants is ongoing.

- *United States v. Mullet*, (N.D. OH) On September 20, 2012, following a three-week trial, a jury convicted all 16 defendants of conspiracy and convicted each defendant of one or more substantive violations of 18 U.S.C. § 249 with sentences ranging from 12 to 84 months, with subsequent two year supervised release and a special assessment from \$200 to \$400. Indictment arose from a series of incidents that took place in the fall of 2012 in which members of the Bergholz settlement forcibly restrained and physically assaulted members of other Ohio Amish communities who had expressed religious disagreements with Samuel Mullet, Sr., the Bishop of the Bergholz Settlement. The defendants aided and abetted each other in forcibly removing the head and beard hair of their Amish victims, an act the defendants themselves referred to as a "religious degrading." In doing so, the defendants willfully caused bodily injury to the victims including cuts, abrasions, bruises, and disfigurement. Evidence developed during the investigation and presented at trial demonstrated that defendant Samuel Mullet, Sr. was at odds with the majority of the Ohio Amish community over practices he encouraged and allowed in his settlement, including acts of self-deprivation, corporal punishment, and sexual abuse, and that the beard-cutting assaults were carried out to avenge the Ohio Amish community's rejection of Samuel Mullet, Sr.'s religious rulings and practices.
- *United States v. Larson*, (Indicted April 2, 2013) On October 17, 2012, the defendant assaulted the victim, based upon the victim's actual and perceived, race, color and national origin, which included Middle Eastern and Arab descent. The victim was a Sikh man; however the defendant perceived the victim to be an Arab and a Muslim.
- *United States v. Ising, Gunar*, (Indicted December 18, 2012) On December 31, 2011, the defendants drove out to an apartment complex with the purpose of assaulting random, non-white individuals. While at the complex, the defendants attacked three Middle-Eastern men, shouting anti-Arab slurs, brandishing a knife and brass knuckles, and injuring two of the victims. On April 2, 2013, Gunar plead guilty to both counts of the indictment. In August 2013, both defendants were sentenced to 33 months imprisonment on each of two counts to run concurrently and was ordered to serve three years supervised release.

Human Trafficking

CRM continues to prosecute record numbers of human trafficking cases. Over the last three years, the Section has noted an increase in the number of human trafficking cases. In FY 2013, 162 defendants were charged with forced labor or sex trafficking. The Section also spearheaded the creation of the Department's Human Trafficking Enhanced Enforcement Initiative to streamline coordination both within the Department, and among Federal law enforcement agencies. The Department, in collaboration with the Departments of Homeland Security and Labor, launched Anti-Trafficking Coordination Teams (ACTeams) in select pilot districts nationwide during 2011 to respond to identified human trafficking threats with a coordinated, pro-active, interagency Federal law enforcement strategy aimed at developing high-impact human trafficking investigations and prosecutions.

Also in FY 2012 and continuing to the present, the Section has led the U.S./Mexico Human Trafficking Bilateral Enforcement Initiative, which has contributed significantly to restoring the rights and dignity of human trafficking victims through outreach, inter-agency coordination, international collaboration, and capacity-building in both countries. Through this initiative, U.S. and Mexican law enforcement have worked together to identify and prosecute several sex trafficking cases with operations in both countries. This initiative has established enduring partnerships, bringing together law enforcement agencies and non-governmental organizations across international lines. These efforts have already resulted in three cross-border collaborative prosecutions, involving defendants who have been sentenced in Mexico and United States to terms of imprisonment ranging up to 37.5 years, and resulting in the vindication of the rights of dozens of sex trafficking victims.

- *United States v. Toviave* (E.D. Mich.). On March 25, 2013, the defendant Jean Claude Kodjo Toviave was sentenced to 135 months incarceration and restitution totaling more than \$130,000. On October 30, 2012, the defendant was convicted of violating forced labor statutes. The defendant, who is originally from Togo, was indicted on August 8, 2011 and charged with forced labor, visa fraud, mail fraud, and immigration-related offenses. The defendant smuggled several young children from Togo into the United States under the false pretenses that they were his children. He then compelled them to work as domestic servants through force and threats of force.

Cold Case Initiative

CRM continues to expend significant time and resources to meet the Department's mandate under the Emmett Till Unsolved Civil Rights Crime Act of 2007 to assess the viability of prosecuting 112 cold case matters. The Section has concluded its review of more than half of these matters, and efforts to identify cases for prosecution continue. The Section is partnering with the FBI, United States Attorney's Offices, and District Attorney's offices in actively and aggressively investigating those cases in the hopes that justice can be served. CRM prepared the 5th Annual Report to Congress Pursuant to the Emmett Till Unsolved Civil Rights Crimes Act of 2007, which was submitted to Congress on January 24, 2014.

Outreach and Training

In FY 2013, CRM conducted 34 outreach and training programs: seven on hate crimes, 18 on human trafficking, and nine on police practices or civil rights criminal litigation.

Civil Enforcement

Appellate Section (APP)

In Fiscal Year 2013, the Appellate Section filed 62 briefs and substantive papers in the Supreme Court, courts of appeals, district courts, and state courts. The courts of appeals rendered 37 merits decisions, 33 of which were in accord with our contentions. The district courts rendered seven merits decisions, all of which were in accord with our contentions. In FY 2013, the Appellate Section achieved a success rate of 89% in the courts of appeals, and a combined rate of 88% in all cases handled by the Section.

The importance of the Section's civil rights enforcement efforts is demonstrated by the positions taken in the briefs we file and by the record of success achieved in the cases we litigate. The summaries below of decisions issued so far in FY 2013 demonstrate the widespread effect these cases have on the civil rights of all Americans.

Supreme Court

On June 17, 2013, the Supreme Court issued its decision in *Arizona v. The Inter Tribal Council of Arizona, Inc.*, No. 12-71, affirming the judgment of the court of appeals. In 2004, Arizona adopted Proposition 200, under which (1) voter applicants are required to submit evidence of United States citizenship with any voter registration application; and (2) in-person voters are required to present certain forms of identification. Plaintiffs challenged, among other things, the proof-of-citizenship requirement as preempted by the National Voter Registration Act of 1993 (NVRA). The district court granted judgment to Arizona on the NVRA claim. On appeal, a divided panel of the Ninth Circuit reversed, concluding that Proposition 200 conflicted with the language and purpose of the NVRA. The Division filed an amicus brief at the en banc stage, arguing Arizona's proof-of-citizenship requirement conflicts with the NVRA and therefore is invalid. In an 8-2 ruling on the NVRA issue, the Ninth Circuit agreed that the requirement is preempted by the NVRA. Arizona subsequently filed a petition for a writ of certiorari in the Supreme Court, which was granted. As amicus curiae, the United States argued that the NVRA

preempts Arizona's proof-of-citizenship requirement, and that allowing Arizona to graft a proof-of-citizenship requirement onto the Federal Form used for voter registration would displace the Election Assistance Commission's authority to determine the contents of that Form and upset the NVRA's streamlined registration process. In its decision, the Supreme Court agreed with the United States' analysis, holding that "the fairest reading of the statute is that a state-imposed requirement of evidence of citizenship not required by the Federal Form, and is 'inconsistent with' the NVRA's mandate that States 'accept and use' the Federal Form."

Courts of Appeals

On August 22, 2013, the Eleventh Circuit issued its decision in *United States v. McQueen, et al.*, Nos. 12-10840 & 12-10841. Defendants McQueen and Dawkins, two former correctional officers, were charged with conspiracy and obstruction of justice after they physically abused inmates at a correctional facility and submitted false reports to cover up their abuse. McQueen was convicted on both counts; Dawkins was acquitted on the conspiracy count but convicted on the obstruction count. They were sentenced to twelve months' and one month's imprisonment, respectively. These sentences reflect considerable downward variances granted by the district court to avoid a disparity with the sentence of a co-defendant who pleaded guilty to a misdemeanor after his jury failed to reach a unanimous verdict on a felony charge. Defendants raised numerous issues on appeal, including sufficiency of the evidence, improper jury instructions, improper bolstering of a government witness, and evidentiary errors. The government responded that none of these issues has merit. In its cross-appeal, the government argued that defendants' sentences are substantively unreasonable because McQueen and Dawkins were not similarly situated with their co-defendant, and therefore there was no requirement to avoid a disparity with his sentence. The Eleventh Circuit upheld defendants' convictions but vacated their sentences, concluding, as the government argued, that the sentences were substantively unreasonable.

On August 6, 2013, the Ninth Circuit issued a decision in *K.M. v. Tustin Unified School District, No. 11-56259*. K.M. is a deaf high-school student who relies on her cochlear implants and lip-reading skills to communicate with others. K.M. sued the school district and alleged that the district denied her a free appropriate public education under the Individuals with Disabilities Education Act (IDEA), Section 504, and Title II of the ADA when it refused to provide her Communication Access Real-time Translation (CART) services. The district court held that the school district complied with the IDEA, and therefore automatically satisfied Section 504 and Title II. The Division argued that the IDEA and the ADA have different statutory standards, and so compliance with IDEA standards does not automatically satisfy Title II. The court, relying significantly on our amicus brief, concluded that the ADA and IDEA requirements are not the same. Pursuant to regulations implementing Title II, a public entity must provide communication to a person with a disability that is equal to that afforded persons without a disability. In contrast, under the IDEA, a school district must develop and implement an individual education program that addresses a child with a disability's unique needs and provides a meaningful education. The district court remanded for further proceedings tied to ADA requirements.

Disability Rights Section (DRS)

The Section continues to aggressively enforce the ADA to combat discrimination against people with HIV. On March 13, 2013, the Section reached a settlement with Glenbeigh Hospital of Rock Creek, Ohio, under the Americans with Disabilities Act (ADA). The settlement resolves allegations that Glenbeigh violated the ADA by denying admission to someone because of HIV. The Section found that Glenbeigh unlawfully refused to admit someone with HIV into its alcohol treatment program because of the side effects of his HIV medication. Glenbeigh's alcohol treatment program consists of helping patients through the physical aspects of recovery, as well as providing counseling and incorporating spiritual healing. The Section determined that Glenbeigh cannot show that treating the complainant would have posed a direct threat to the health or safety of others. Under the settlement, Glenbeigh must

train its staff on the ADA, develop and implement an anti-discrimination policy, and pay \$32,500 to the complainant and \$5,000 in civil penalties.

The Section also works to protect the rights of people with hepatitis B. On March 13, 2013, the Section reached a settlement with the University of Medicine and Dentistry of New Jersey School (UMDNJ) under the Americans with Disabilities Act (ADA), resolving complaints that the UMDNJ School of Medicine and the UMDNJ School of Osteopathic Medicine unlawfully excluded applicants because they have hepatitis B. In 2011, the two complainants applied and were accepted to the UMDNJ School of Osteopathic Medicine, and one of them was also accepted to the UMDNJ School of Medicine. The schools later revoked the acceptances when the schools learned that the applicants have hepatitis B. The Section determined that the schools had no lawful basis for excluding the applicants, and that the exclusion of the applicants contradicts the Centers for Disease Control and Prevention's (CDC) updated guidance on this issue. The UMDNJ agreed to adopt a disability rights policy based on the CDC's Hepatitis B recommendations, permit the applicants to enroll in the schools, provide ADA training to their employees, and provide the applicants a total of \$75,000 in compensation and tuition credits. This is the first ADA settlement ever reached by the Justice Department on behalf of people with hepatitis B.

On December 20, 2012, the Section entered into a settlement agreement with Lesley University in Cambridge, Massachusetts, resolving a complaint that the university refused to accommodate students with Celiac Disease and other food allergies in its mandatory meal plan and refused to allow them to be exempted from the meal plan. The agreement requires the university, which has approximately 8,000 students, to prepare allergen-free foods in its kitchens, take precautions to protect against cross-contamination from other foods, identify these foods in all food service lines, allow students the choice to pre-order allergen-free meals or select them from the food lines, post notices advising students to inform the food server if they have food allergies, train staff on the terms of the settlement agreement, and pay a total of \$50,000 in compensation to students identified by the Section as having been aggrieved by the university's previous policies.

On January 28, 2013, the Section reached an agreement with the city of Memphis, Tennessee to improve physical accessibility for people with disabilities at Liberty Bowl Memorial Stadium, home of the AutoZone Liberty Bowl, Memphis Tigers and Southern Heritage Classic football games. Under the settlement agreement, Memphis will install a total of 282 wheelchair spaces and an equal number of companion seats around the stadium and in the upper concourses on both the home and away sides of the Liberty Bowl. The agreement requires installation of additional wheelchair spaces in seating areas renovated in the future, such as the suites and press boxes. The 282 wheelchair spaces will be dispersed vertically and horizontally throughout the Liberty Bowl, and will provide people who use wheelchairs with lines of sight over standing spectators that are comparable to those offered to individuals without disabilities. In addition, Memphis will ensure ADA compliance for concession stands, gates, elevators, suites and press boxes, ramps, and restrooms throughout the stadium, retain an architect to certify that the city has corrected each ADA violation, and report its progress to the United States.

In March 2013, the Section reached cooperative settlement agreements with the Arapahoe, Colo., County Sheriff's Office and the City of Englewood Police Department, resolving complaints that law enforcement officers for Arapahoe County and the City of Englewood were not providing qualified sign language interpreters and other auxiliary aids and services when needed for effective communication with people who are deaf, including arrestees, victims and witnesses. Under the settlements, the city of Englewood and Arapahoe County will each pay \$35,000 to the private plaintiffs. In addition, they will enter into contracts with qualified sign language interpreters to ensure ready availability, train their staff on the ADA, appoint ADA coordinators, post signs indicating the availability of sign language interpreters and other auxiliary aids and services for people who are deaf or hard of hearing, provide text telephones and volume control telephones, modify their handcuffing policies for people who use sign language or hand writing to communicate, stock and provide hearing aid and cochlear implant processor batteries in the detention facility, and adopt policies consistent with the ADA. The complainants had also

filed a private lawsuit based on the same allegations in federal district court. The Section reached out to the parties to see if there were grounds for a cooperative resolution. All parties expressed a commitment to ensure full compliance with the ADA. The private plaintiffs also signed these agreements, which resolved the Section's investigations as well as the private lawsuit.

On June 24, 2013, the State of Connecticut, the City of Hartford, and the management companies associated with the XL Center entered into a settlement agreement with the Department to remedy numerous ADA violations, including barriers in the toilet rooms, accessible seating without proper sight lines, general mobility barriers, concession stand barriers, and ticketing violations. The XL Center is an arena seating 16,000+ that hosts various sporting events and concerts, including the University of Connecticut's men's and women's basketball games. The Department also provided ADA training to the university's box office ticket staff.

On July 10, 2013, the Section filed a lawsuit under title I of the ADA in the U.S. District Court for the Western District of New York against Erie County, N.Y., alleging that the county discriminated against an employee with a disability. The Section simultaneously filed a consent decree to resolve the claims. In its lawsuit, the Section alleges that the county violated the ADA by refusing to promote a maintenance worker with monocular vision because he did not have a commercial driver's license. The Section found that the employee was qualified for the promotion and that he could perform all the important job duties associated with the promotion. The Section also found that there were other employees who did not have a commercial driver's license who had been promoted to the position. The consent decree requires the county to pay the employee \$22,486 in back pay and interest, offer him a promotion with remedial seniority, provide training on the ADA and file periodic reports with the Section.

On July 12, 2013, the Section filed a Statement of Interest in support of the plaintiff's opposition to partial summary judgment in *Argenyi v. Creighton University*, which is a Section 504 of the Rehabilitation Act case challenging Creighton University's failure to provide needed auxiliary aids and services to a medical student who has a hearing impairment. The case which pending in the District of Nebraska is currently on remand from the Eighth Circuit, at which stage the Department participated as amicus curiae. In the Statement, we urged the court to reject Creighton's argument that deliberate indifference (the established standard in the Eighth Circuit for monetary damages) requires the plaintiff to show not only that a violation of a federal right was a plainly obvious consequence of the defendant's actions, but also that it was plainly obvious that a defendant's affirmative defenses of fundamental alteration and undue burden would fail. We also asked the court to reject Creighton's reliance on academic deference principles in support of its motion, explaining that genuine issues of material fact exist as to whether Creighton's decisions regarding the plaintiff are entitled to academic deference, and that, where liability is established, a reasonable juror could find that Creighton's continued failure to provide needed auxiliary aids and services based on unsupported or discriminatory opinions by University faculty constitutes deliberate indifference. On July 19, 2013, the Court denied Creighton's motion.

On July 23, 2013, the Section reached a settlement with Louisiana Tech University and the Board of Supervisors for the University of Louisiana System to remedy alleged violations of the Americans with Disabilities Act (ADA). The settlement resolves allegations that the University violated the ADA by using a version of an online learning product that was inaccessible to a blind student. The student could not access course and homework materials for nearly one month into the University quarter, at which point the student was so far behind in his coursework that he felt compelled to withdraw from the course. The settlement also resolves allegations that in a subsequent course, the same student was not provided accessible course materials for in-class discussion or exam preparation in a timely manner.

On July 29, 2013, the Section filed a complaint in *United States v. Dr. Brown, et al*, a case alleging violations of Titles III and V of the ADA by Dr. Hal W. Brown and the Primary Care of the Treasure Coast, Inc. (PCTC). The complaint alleges that Dr. Brown and PCTC terminated an elderly married couple, who are deaf, as patients because the couple had, in May 2009, written a letter to a nearby

hospital affiliated with Dr. Brown and PCTC threatening to file a lawsuit for failure to ensure effective communication as required under the ADA. Upon learning of the lawsuit, PCTC and Dr. Brown, who was the couple's primary doctor at PCTC, immediately terminated the couple as patients. The lawsuit alleges retaliation and interference by Dr. Brown and PCTC. Litigation is ongoing.

On July 26, 2013, the Section filed a Statement of Interest in, *Hunter v. District of Columbia, et al.*, in opposition to the District of Columbia's motion to dismiss. This is a title II case against the District of Columbia regarding its Shelter Programs, in which plaintiffs allege a failure to accommodate and a failure to maintain accessible shelter units for persons with immune system and mobility impairments in violation of Section 504, title II, and the FHA. In the Statement of Interest, the Section explains that the District's motion should be denied because the District may be held liable under Title II for the actions of its contractors, and that shelters are covered by the FHA. The District and shelter operator also filed motions to strike arguing that the Section was not permitted to file such a Statement of Interest, and that the Statement of Interest was untimely. The Section filed oppositions rebutting these arguments and the court ultimately denied the Defendants' motion to strike. The court has not yet ruled on the motion to dismiss.

On August 20, 2013, the Court in *Colorado Cross Disability Coalition (CCDC) v. Abercrombie & Fitch, et al.* entered a permanent injunction requiring Abercrombie & Fitch to make all of its Hollister clothing stores in the U.S. with elevated entrances accessible before January 1, 2017, by ramping or removing the elevated entrances or closing them off to public access. The Section filed two statements of interest in support of CCDC's motion for summary judgment that was granted by the Court. At issue are over 200 Hollister stores with raised entrances containing two steps, making them inaccessible to people who use wheelchairs and requiring them to use a secondary entrance. The Court relied upon the statements filed by the Section.

The U.S. Attorney Program for ADA Enforcement ("USA Program") continues to expand our ADA enforcement efforts through the contributions of U.S. Attorney's Offices across the nation, with nearly 90 of the nation's U.S. Attorney's Offices participating in the program. Not only has the number of participating offices grown over this period, but the volume of cases and the impact of particular matters have grown as well. USAOs have entered into a high volume of settlement agreements and consent decrees. In FY 2013, USAOs have initiated ADA investigations or compliance reviews of more than 400 matters and entered into more than 20 settlements and five consent decrees and filed four lawsuits. The Section also implemented the recently announced Barrier-Free Health Care Initiative with USAOs, with approximately 45 Districts committed to working to eradicate discrimination in health care settings against individuals who are deaf or have hearing loss. Already, USAOs have entered into more than 15 settlements, resolutions or consent decrees under this initiative.

In FY 2013, the Section entered into two settlement agreements with bus companies in Florida and New Jersey regarding compliance with Title III of the ADA, based on compliance reviews and referrals from the Federal Motor Carrier Safety Administration (FMCSA) of the U.S. Department of Transportation (DOT). The agreements require that the companies comply with all applicable requirements of accessible service and operations and not exclude persons with disabilities from their public transportation services. These agreements reflect the successful ongoing coordination between DOT and the Department. Since 2011, 22 matters have been resolved through settlement agreements and letters of resolution.

The Section has built an impressive mediation program to assist with the disposition of the thousands of complaints received each year. In FY 2013, the ADA Mediation Program referred 357 matters, completed 282 matters, and successfully resolved 79% of these cases. The overall success rate since the inception of the program is 78%.

In addition, DOJ's ADA Technical Assistance Program carries out a wide variety of activities to promote voluntary compliance with the ADA, providing free information and technical assistance directly to

businesses, State and local governments, people with disabilities, and the general public. The demand for complex technical assistance continues to increase in response to the implementation of the revised Title II and Title III regulations and the 2010 Standards for Accessible Design. Highlights of the Sections work in FY 2013 include:

- Approximately 57,000 calls to the ADA Information Line were answered by ADA Specialists who assisted callers in applying the ADA to their own unique situations.
- The ADA Website, www.ada.gov, was visited more than 8.5 million times and more than 10.2 million pages were viewed. The ADA Home Page was the Department's fourth most visited web destination, with more than 1.47 million visits.
- On May 17, 2013, the Section launched its updated and redesigned ADA website, which includes over 5,000 pages. This represents the first major re-design of the ADA website since 2002 and incorporates improved navigation and usability features making it easier to find information on ADA technical assistance, enforcement, and regulations.
- Creating new technical assistance materials explaining the revised title II and III regulations and 2010 Standards for Accessible Design (2010 Standards). The Section published a new technical assistance documents: *Questions and Answers About the Lesley University Agreement and Potential Implications for Individuals with Food Allergies (January 2013)*, designed to assist the public to understand how the Lesley University settlement agreement applies in a variety of settings. The Section also completed Spanish translations of two new technical assistance documents and updated an existing document. The Section expect to continue our work in this area for the foreseeable future.
- Providing outreach by participating in speaking and outreach events. In FY 2013, the Section presented 52 speeches, workshops, and training sessions to an audience of approximately 4,500.

The Section continues to remain very active in developing new ADA regulations. Highlights of the Section's ADA regulations work in FY 2013 includes:

- Continued its work on additional proposed ADA rules related to the accessibility of web information and services of State and local governments and public accommodations; the accessibility of medical equipment and furniture; the accessibility of hotel beds in places of lodging; and the accessibility of next generation 9-1-1 emergency services.
- Made proposed changes to the ADA implementing regulation for title III related to move captioning and video description; submitted to OMB for Executive Order 12866 review prior to publication.
- Incorporated changes required by the ADA Amendments Act of 2008 (ADAAA) into the ADA implementing regulations for titles II and III; received OMB clearance in August 2013. The NPRM is expected to be published in the near future.
- The Section continued to play a vital role on an interagency team headed by U.S. Department of State staff on the United Nations Convention on the Rights of Persons with Disabilities (treaty). The Section assisted with preparation of briefing materials for Division leadership.
- Processed 398 pieces of "controlled correspondence" from Congressional offices, the White House, and the Attorney General's office.

In FY 2014 and FY 2015, the Section will continue its innovative and multi-faceted approach toward achieving compliance with the ADA. Activities will include:

- Continuing to vigorously enforce the ADA and to increase voluntary compliance with the law using the statutory and regulatory means available to the Section;
- Continuing to draft new technical assistance materials explaining the Department's revised regulations and 2010 Standards and revising more than 40 existing technical assistance documents to ensure consistency with the new regulation;
- Identifying alternative, cost effective methods to continue to carry out our statutory authority to educate and reach out to groups affected by the revised regulations, including small businesses, State and local governments, individuals with disabilities, and professional and trade associations;
- Drafting and publishing six NPRMs regarding (1) incorporating changes required by the ADAAA into the Department's section 504 implementing regulations for federally conducted and federally assisted programs; (2) the accessibility of web information and services of State and local governments; (3) the accessibility of web information and services of public accommodations; (4) accessible hotel beds, (5) Next Generation 9-1-1 Services, and (6) non-medical equipment and furniture. This includes evaluating the cost impact of the revisions for each NPRM;
- Drafting a proposed ANPRM on medical equipment and furniture;
- Continuing its successful PCA initiative, including training local communities to conduct their own accessibility surveys, to ensure that cities, counties, towns, and villages throughout the United States comply with the ADA;
- Increasing compliance with the new construction requirements of the 2010 Standards and ensuring that covered entities meet all applicable accessibility obligations;
- Providing free information and technical assistance directly to businesses, State and local governments, people with disabilities, and the general public;
- Providing ongoing training for mediators on the requirements of the revised regulations and 2010 Standards; and
- Offering more complainants and respondents the opportunity to resolve complaints through participation in mediation

Employment Litigation Section (ELS)

In FY 2013, ELS has filed eight suits alleging discrimination against an individual pursuant to Section 706 of Title VII. In addition, ELS is litigating one large Title VII pattern or practice case, and three defensive cases regarding challenges to DOT's Disadvantaged Business Enterprises (DBE) program. ELS is also handling "stage 2" relief distribution in several large pattern or practice cases. Also in FY 2013, ELS has obtained six consent decrees; three court-approved settlement agreements; seven out-of-court settlements; and initiated 23 investigations (15 under § 706; eight under § 707). ELS has received a total of 83 USERRA referrals this fiscal year from the Department of Labor for litigation consideration, 21 of which included a finding of "merit," and ELS has filed, or worked collaboratively with United States Attorney's Offices in filing, six USERRA lawsuits. ELS has also been actively monitoring compliance with consent decrees that resolved numerous Title VII pattern or practice and individual lawsuits.

On April 23, 2012, ELS filed *United States v. City of Jacksonville*, alleging that the examinations used by the City to promote firefighters to four supervisory positions have an adverse impact against African Americans and are not lawful under Title VII. Discovery in the case has been delayed as the Court sorted through a series of motions regarding intervention and consolidation. ELS finalized its report on adverse impact in the Fall, filed a preliminary injunction motion regarding a new examination in October, and is currently conducting expert discovery on disparate impact and fact discovery on other aspects of the case.

On July 3, 2012, ELS filed suit against the City of Corpus Christi, Texas, alleging that the physical examination used by the City to select entry-level police officers has a disparate impact on women and is not lawful under Title VII. The Court approved the consent decree on May 16, 2013. ELS has made its relief determinations and has asked the Court to set a hearing to approve them.

As noted above, ELS is defending three cases that challenge federal disadvantaged business enterprise programs. ELS has filed expert reports in all of these cases and rebuttal reports when necessary. ELS filed a motion for summary judgment in one case on June 14, 2013 and is awaiting the Court's decision.

Finally, ELS continues to engage in substantial "Stage 2" activities in *United States v. New Jersey Civil Service Commission, et al.*, *United v. Commonwealth of Massachusetts, et al.*, and *United States v. City of New York (FDNY)*. In all three pattern or practice cases involving allegations of testing discrimination, the United States is in the process of administering claims procedures involving screening thousands of candidates to determine eligibility for remedial relief and priority hiring or promotions. In *FDNY*, the Court's current orders require individual discovery and/or hearings for approximately 1,400 candidates who are eligible for relief. In addition, ELS is obligated by the Court orders in these cases to work with the defendants on the process of developing and implementing new, lawful selection procedures, which requires the engagement of experts in the fields of disparate impact and validity.

During FY 2014 and FY 2015, ELS will increase the overall level of its Title VII and USERRA enforcement activity. ELS will increase, in particular, the number of its § 707 investigations and suits and enhance its *amicus curiae* practice. Further, ELS will continue to maintain a productive working relationship with the EEOC to increase the quality of the EEOC's investigation of the charges the EEOC refers to us pursuant to § 706, and increase its outreach efforts to Title VII stakeholder organizations.

Education Opportunities Section (EOS)

EOS addresses discrimination and harassment in public schools and universities. Between October 1, 2012 and December 11, 2013, EOS negotiated a total of ten consent decrees and seven out-of-court settlement agreements, obtained litigated relief in seven desegregation cases, secured modifications to school desegregation plans in five desegregation cases, and opened 13 investigations regarding alleged discrimination on the basis of race, national origin, sex, religion, disability, and language services.

In the race and national origin context, EOS monitors approximately 190 active school desegregation cases to which the United States is a party, and has negotiated 19 court-ordered consent decrees to date. In one case, the court approved a consent decree requiring the school district to implement a robust four-year plan to comply with its longstanding desegregation obligations. The decree addresses student assignment and transportation, and requires measures to support academic achievement and student engagement, and to promote effective, non-discriminatory discipline practices. In another desegregation case, the court approved a comprehensive consent decree to prevent and address racial harassment in school discipline practices, including suspension, expulsion, and school based arrest. In a third case, the court modified zoning to promote desegregation and addressed faculty hiring and assignment, the gifted program, student discipline, and transportation. In another, the court approved a consent decree governing student transfers and faculty hiring and assignment. EOS also continues to work with school districts to achieve unitary status.

Between October 1, 2012 and December 11, 2013, EOS opened six investigations to combat race and/or national origin discrimination. Additionally, EOS negotiated four out-of-court settlements on race and national origin discrimination: one to address student harassment on the basis of race at a high school; another to address national origin and religion-based student harassment in a middle school; and two settlements to address practices that deny students from immigrant families access to public schools. All of these agreements require modifications to policies, systemic training, and other relief to improve school climate.

Between October 1, 2012 and December 11, 2013, to ensure equal educational opportunities for English Language Learners (ELL) and as part of a nationwide effort, EOS initiated four new investigations and is actively pursuing 14 ongoing investigations with states and school districts. These districts have significant or new ELL populations, and both district- and state-level investigations have involved substantial Native American populations. The purpose of the investigations is to ensure that ELL students are receiving appropriate language acquisition services to enable them to overcome language barriers that impede equal participation in the school districts educational programs.

In FY 2013, EOS negotiated a court-ordered consent decree in a large school district that requires the district to take a number of specific steps to ensure that ELLs overcome language barriers within a reasonable period of time. The decree includes provisions on identification and enrollment of ELLs in the English language acquisition programs, teacher training, teacher and principal appraisal, and longitudinal evaluation of ELLs' performance over time to determine whether the ELL programs are effective.

EOS also secured a significant out-of-court settlement to benefit thousands of ELLs, requiring a district to, among other things, makes sure ELLs receive instruction from qualified teachers; monitor and evaluate the effectiveness of its ELL programs; provide ELL students and Limited English Proficient parents meaningful access to information, such as discipline and special education forms and meetings; and take measures to ensure discipline is administered in a nondiscriminatory manner.

EOS also negotiated two out-of-court settlement agreements that benefit ELLs and their families in the context of school registration and discipline. One agreement aims to prevent and address discrimination against the district's tens of thousands of ELLs in the administration of discipline. The agreement requires significant measures, including policy changes, training, and parent and community engagement, to make ensure that ELLs are not unfairly disciplined or removed from classrooms based on language barriers. EOS continues to monitor compliance with three consent decrees and is actively monitoring eleven out-of-court agreements that impact ELL students and their parents.

Between October 1, 2012 and December 11, 2013, to protect and address sex discrimination of students in schools, EOS opened two investigations; in another, issued findings and negotiated a landmark, comprehensive out-of-court agreement to address how a public university has responded to allegations of sexual assault and harassment; and in a third, reached an out-of-court settlement agreement to resolve a complaint of sex-based discrimination against a transgender middle school student. The agreement involving the public university requires the university to: revise its policies and grievance procedures to ensure that they promptly and effectively address sexual harassment and assault; train all members of the campus community; improve coordination of Title IX compliance; create a resource guide for victims of sexual assault; conduct campus climate surveys to ensure that the learning environment is not hostile to female students; follow up with complainants to see if they are free of harassment and retaliation; and establish a system to track sexual harassment complaints and evaluate the university's handling of such complaints and reforms to improve the campus climate for women. The second agreement contained both specific provisions to protect the student, as well as district-wide relief, including policies and training to create a safe, nondiscriminatory learning environment for students who do not conform to gender stereotypes.

In the area of religion, EOS opened three investigations to protect students from harassment on the basis of religion. EOS also reached an out-of-court settlement to address imminent safety issues facing a Sikh middle school student. The settlement requires the district to implement a safety plan for the student, and to provide anti-harassment training that addresses religious and national origin bias for all students and staff who interact with students at the complainant's middle school and high school where he will be enrolled next year.

In FY 2013, through December 11, 2013, EOS expanded its disability advocacy docket in a variety of ways. EOS has opened five new investigations, and, in coordination with the local U.S. Attorney's Office, is conducting a statewide investigation of the segregation of students with emotional and behavioral disabilities. In addition, EOS carried out a major investigation of a large county school district in response to complaints of discrimination on the basis of race and disability leading to disproportionate discipline for these students. Through this work, EOS seeks to better integrate students with disabilities into general education programs and provide the necessary supports for these students to be successful in the community with their non-disabled peers.

With respect to legislation and policy, EOS has spent considerable time commenting on proposed policy initiatives, guidance related to the Administration's "Now is the Time" proposals and food allergies, as well as proposed legislation, including comprehensive immigration reform, the reauthorization of the Elementary and Secondary Education Act, the Student Non-Discrimination Act, the Perkins Career and Technical Education Act Reauthorization, mental health related bills. EOS collaborated with the Office for Civil Rights (OCR) at the Department of Education to issue civil rights guidance on school discipline and questions and answers in response to the Supreme Court's decision in *Fisher v. Texas*. EOS actively participates in cross-Sectional working groups on particular topics, including issues relating to school discipline, and persons with disabilities, and coordinated closely with the Department of Education on these same concerns.

In FY 2014 and FY 2015, EOS will continue to vigorously enforce Title IV, through both continued enforcement of its desegregation matters and through new investigations. EOS plans to initiate, through outreach, additional Title IV investigations and compliance reviews under Titles IV and IX in the areas of race, national origin, religion, and sex. Particularly, EOS plans to further examine: school discipline as it affects students of color and students with disabilities; discrimination and the denial of access to educational services for Native American students; the harassment of students on the bases of race, national origin, sex, religion, and disability; allegations involving more than one of these factors; and conduct that denies national origin minority students access to school in contravention of Title IV and *Plyler v. Doe*. EOS plans to initiate new EEOA investigations at both the district and state level and to secure broad-impact relief at the state level where possible. EOS will also catalyze efforts to address discrimination against students with disabilities under Title II of the ADA; EOS has been actively reviewing complaints of harassment, restraint and seclusion, and disproportionate discipline on the basis of disability, and is working closely with other CRT Sections to identify cases that will promote efficient use of resources across the Division.

Additionally, EOS plans to continue through *amicus* and intervention to ensure that the appropriate legal standards are applied under Title IV, the EEOA, and Title II of the ADA, as well as laws enforced by the Section through referrals, including Title VI, Title IX, and Section 504 of the Rehabilitation Act.

Federal Coordination and Compliance Section (FCS)

FCS continues its robust coordination and oversight responsibilities under EO 12250, providing on-going training and technical assistance to federal agency civil rights offices. FCS provides in-depth Title VI technical assistance on various issues to the Departments of Agriculture, Homeland Security, and Transportation, and the Environment Protection Agency, work that will continue and expand to other agencies throughout FY 2015. FCS also has worked with other federal departments and agencies on

ensuring robust enforcement of Title VI, sharing ideas and best practices. These efforts will continue through FY 2014 and FY 2015.

In FY 2012, FCS planned and launched an Interagency Working Group (IWG) on Title VI, bringing together federal departments and agencies that provide federal financial assistance (FFA). Through FY 2015, the Working Group will continue to examine Title VI enforcement and assist in the development of more comprehensive training. FCS is engaged in an interagency review of issues attendant to benefits verification procedures, assessing compliance with Title VI. FCS also leads the Environmental Justice (EJ) Interagency Working Group's Title VI Committee, which is establishing an EJ/Title VI page on the IWG's website to facilitate improved coordination between agencies' environmental justice and civil rights offices.

FCS provides significant training and technical assistance on Title VI and EO 13166, which requires federal agencies to ensure that their recipients provide LEP individuals with meaningful access to their services, programs, and activities. In this regard, the Section provides guidance, training, and oversight to agencies and stakeholder communities. FCS regularly responds to agency inquiries on Titles VI & IX and LEP obligations. These are core functions of the Section and will continue through FY 2015. In addition, FCS is revising the Title VI Legal Manual, which provides an overview of legal issues attendant to the scope and enforcement of Title VI.

DOJ is a major provider of Federal Financial Assistance (FFA). Under agreements reached with certain DOJ funding components, FCS conducts administrative investigations of selected discrimination complaints against and compliance reviews of their recipients. FCS will also conduct joint investigations with other federal agencies where a complaint alleges discrimination against a shared recipient. DOJ recipients include state and local law enforcement agencies, courts, corrections systems, juvenile justice systems, and a variety of non-governmental entities. One of FCS's major investigations of a sheriff's department has led to a Title VI civil action seeking a judicial determination of noncompliance against the sheriff's office.

The FCS Courts Initiative continues, working to ensure that LEP individuals receive meaningful access to court services. FCS conducts systemic investigations of state courts for failure to provide interpretation and translation assistance in domestic violence, child custody, criminal, and other matters. FCS issued the first Title VI violation letter of finding in such a matter, has reached formal agreement in two states, and is moving toward resolution in two other investigations. Meanwhile, FCS has investigations ongoing in several other states and continues to receive interpretation and translation complaints. FCS provides guidance, training (in-person and webinar), and technical assistance to promote the provision of language access in courts consistent with Title VI and regulations, participated in the development of the American Bar Association Standards on language access to courts, and harnesses partnerships including United States Attorney's Office, Access to Justice Initiative, Office of Violence Against Women, and Office of Justice Programs, to leverage Departmental expertise and resources to improve access to justice for LEP individuals. FCS also engages frequently with the Conference of Chief Justices, the Conference of State Court Administrators, the National Center for State Courts, and the National Council of Family and Juvenile Court Judges, and is pursuing potential additional policy options. This work will continue through FY 2015.

FCS continues to staff language access initiatives. The Attorney General signed the Department's language access plan during FY 2012 and the CRT Assistant Attorney General issued the Division's plan shortly thereafter. Continuing through FY 2015, FCS will provide training and train-the-trainer programs for both Division and component staff and will work with the components on review and monitoring mechanisms to ensure that LEP individuals have meaningful access to Departmental programs and services. FCS also will provide an assessment of the Department's compliance with its language assistance obligations during FY 2015.

FCS has an active LEP outreach program through which it maintains regular contact with affected communities concerning LEP issues. As part of this important effort, FCS staff provides LEP training for community groups, as well as to various recipient organizations and other federal agencies. The Federal IWG on LEP, which functions under FCS leadership, has active members from more than 35 federal agencies. During FY 2013, FCS led an IWG project that created videos for use in training federal agency staff on how to provide language assistance. During FY 2014 and 2015, FCS will be engaged in distribution of the videos and will provide additional training as necessary. FCS also maintains the LEP.gov website, which contains extensive information about LEP issues and assists federal agencies, recipients, and the community in the quest for meaningful language access.

In FY 2013, FCS launched a Child Welfare Initiative. Working with other federal agencies, including the U.S. Department of Health and Human Services, the Initiative focuses on a broad range of issues related to discrimination based on race, color, and national origin. These issues include disproportionate minority involvement in the child welfare system, failure to ensure language access, and the separation of children from undocumented parents and Native American communities. In addition, FCS plans to undertake an inter-agency effort to examine issues attendant to discrimination in the providing of municipal services to minority communities. In some areas, sewer, water, and other municipal services are not provided to economically and socially disadvantaged communities, many of which are minority-majority. This initiative will examine these communities and determine whether Title VI provides a mechanism through which improvements may be effected.

During FY 2013, FCS's workload included increases in incoming correspondence, requests for legal opinions, requests for intensive technical assistance and training from federal agencies, and requests to address numerous legally challenging issues. The Division expects this trend to continue through FY 2014 and 2015. FCS's work will be tailored to increase its effectiveness by: (1) targeting substantive areas and agencies where FCS can be most effective through providing technical assistance, training, policy guidance, and oversight; and (2) engaging in activities that will benefit multiple agencies and their beneficiaries at the same time, such as coordination of more complex investigations involving multiple agencies and cross-cutting barriers. FCS's language access initiative will focus on: (1) improving DOJ's compliance with the language access requirements of EO 13166; (2) bringing the nation's court systems into compliance with Title VI language access requirements; and (3) improving language access in other federal agencies and recipients of FFA. FCS also is exploring use of technology, such as webinars, to provide training on a broader scale to both the federal agency and recipient communities.

Housing and Civil Enforcement Section (HCE)

HCE's enforcement activities in the critical areas of fair lending, the rights of servicemembers, and exclusionary zoning have produced many significant, path-breaking settlements. As of February 18, 2014, the Section had 11 pattern or practice cases in pre-suit negotiations. From FY 12 to the present, HCE obtained settlements totaling well over \$756 million in monetary relief.

Recent highlights of the Section's fair housing litigation efforts include:

- After 14 months of trial, resolving *City of Joliet v. New West, et al.*, a condemnation action against Evergreen Terrace, a HUD-subsidized affordable housing complex, and an affirmative lawsuit against Joliet, which alleged that the City's effort to condemn Evergreen Terrace was discriminatory on the basis of race. The consent decree preserves affordable housing for low-income residents by placing limitations on redevelopment by Joliet should the City acquire the property through condemnation or otherwise (Nov. 2013);
- Resolving *United States v. Rosewood Park Apartments*, which alleged that the owners and operators of the largest apartment complex in Reno, Nevada denied housing to persons with disabilities who use assistance animals. Under the agreement, defendants will pay \$127,500 to a family that was prevented from moving into the complex and a non-profit organization that conducted testing to

investigate the rental practices of the complex, as well as \$25,000 to compensate other victims and \$15,000 in civil penalties (Oct. 2013);

- Resolving *United States v. Townhomes of Kings Lake HOA, Inc.*, which alleged that a homeowners association and property manager discriminated against families with children. The consent decree provides for \$45,000 in damages to the named aggrieved persons, \$85,000 for a settlement fund, and \$20,000 in civil penalties (Aug. 2013);
- Filing and resolving *United States v. Wilson*, which was developed by the Division's Fair Housing Testing Program and alleged that defendants discriminated against African-American apartment seekers and indicated a preference for families without children (Sept. 2013);
- Filing *United States v. Toone*, alleging that the owners of an RV park discriminated on the basis of sex against a transgender RV resident and her roommate (Oct. 2013); and
- Filing *United States v. Housing Authority of the City of Ruston*, alleging that the Housing Authority has engaged in a pattern or practice of racial discrimination in the placement of new residents in its public housing complexes and in the granting of transfers to residents of the authority's properties (Sept. 2013).

Significant fair housing outcomes to date include:

- Two sexual harassment consent decrees for more than \$2 million each in total monetary relief, the largest recoveries ever in FHA sexual harassment suits brought by the United States, *United States v. Sorensen* (Sept. 2012) and *United States v. Barnason* (May 2012);
- A multifamily housing accessibility consent decree providing for a \$10.25 million accessibility fund and a \$250,000 civil penalty, the largest monetary settlement ever in an accessibility suit brought by the United States under the FHA, *United States v. JPI* (July 2012);
- Filing and resolving *United States v. St. Bernard Parish*, alleging that the Parish engaged in a multi-year campaign to limit rental housing opportunities for African-Americans through exclusionary zoning practices in the aftermath of Hurricane Katrina. The settlement provides more than \$2.5 million in relief (May 2013);
- Filing and resolving *United States v. Sussex Co.*, alleging that the County blocked an affordable housing development based on race and national origin stereotypes of prospective residents. The consent decree requires the County to pay the developer \$750,000 and allow the development to proceed through the approval process (Nov. 2012);
- A partial design and construct consent decree in a disability-based housing discrimination case, providing for a \$865,000 accessibility fund and \$60,000 for aggrieved persons, *United States v. Bryan Company* (May 2013);

The Section's Fair Lending Unit continues to bring important enforcement actions in a variety of areas. Recently-filed cases include:

- *United States v. Plaza Home Mortgage*, alleging that from 2006 to 2010, Plaza charged higher prices on wholesale mortgage loans made to African-American and Hispanic borrowers than to non-Hispanic white borrowers. The consent decree requires Plaza to pay \$3 million to victims of discrimination and implement new pricing policies and practices (Sept. 2013);
- *United States v. Chevy Chase Bank*, alleging that from 2006 to 2009, Chevy Chase charged elevated prices on retail and wholesale mortgage loans to African-American and Hispanic borrowers as compared to non-Hispanic white borrowers. The consent decree requires Capital One, Chevy Chase's successor in interest, to pay \$2.85 million to African-American and Hispanic victims of discrimination (Sept. 2013); and
- *United States v. Southport Bank*, alleging that in 2007 and 2008, the bank charged higher prices on wholesale mortgage loans made to African-American and Hispanic borrowers than to non-Hispanic white borrowers. The consent decree requires Southport to pay \$687,000 to victims of discrimination (Sept. 2013).

The precedent-setting cases brought in the previous two years have required extensive compliance work in the areas of victim identification, location, and compensation. In our three largest fair lending cases, we have invested considerable staff time to identify and include the largest number of victims possible:

- *United States v. Wells Fargo Bank, N.A.*, alleging that between 2004 and 2009, Wells Fargo engaged in a nationwide pattern or practice of discrimination in its residential lending activities, in violation of both the FHA and the ECOA. The consent decree requires the bank to pay nearly \$185 million to compensate victims of its discrimination and provide \$50 million in direct down payment assistance to borrowers in selected metropolitan areas. As of December 2013, 82% of all victims and 88% of steering victims have elected to participate in the settlement. We will begin mailing payments to victims in early 2014. (July 2012).
- In *United States v. Countrywide Financial Corporation*, the complaint alleges that between 2004 and 2008, Countrywide and its subsidiaries engaged in a widespread pattern or practice of mortgage lending discrimination against qualified African-American and Hispanic borrowers. The consent decree requires the bank to pay \$335 million to victims of steering and pricing discrimination, making this settlement the largest in Division history. We began mailing payments to victims in October 2013 and expect to distribute \$250 million by the end of the year. (Dec. 2011).
- In *United States v. SunTrust Mortgage, Inc.*, the complaint alleges that SunTrust engaged in a pattern or practice of mortgage pricing discrimination against African-American and Hispanic borrowers. The consent decree creates a \$21 million settlement fund and requires the company to maintain its revised loan pricing policies. We will begin mailing payments to victims in January 2014. (Sept. 2012).

The Section obtained eight settlements in significant matters under the Servicemembers Civil Relief Act (SCRA) in FY 2012 and FY 2013. As with the ECOA cases, the precedent-setting SCRA cases have required extensive compliance work in the areas of victim identification, location, and compensation, as well as the review of new policies and training:

- The consent decree in *United States v. Capital One* requires the bank to pay an estimated \$15 million to compensate servicemembers for violations of several SCRA provisions. (July 2012)
- Consent decrees in *United States v. Bank of America Corp.*; *Citibank, NA*; *JPMorgan Chase & Co.*; *Ally Financial, Inc.*; and *Wells Fargo & Co.*, require independent reviews to determine if servicemembers were foreclosed on in violation of the SCRA since 2006, and if servicemembers were unlawfully charged mortgage interest in excess of 6% since 2008. Most victims of illegal foreclosures will receive a minimum of \$125,000 plus lost equity. These settlements cover the vast majority of foreclosures in the country and require significant resources to implement the policy changes and victim identification. (April 2012).

Under the Religious Land Use and Institutionalized Persons Act, the Section filed a complaint in *United States v. City of Lomita, CA*, alleging that the city violated the statute when it denied the Islamic Center of the South Bay's application to tear down aging structures on its property and construct a new mosque. The consent decree requires the city to consider a renewed application by the Islamic Center on an expedited schedule. (Mar. 2013).

Office of the Special Counsel for Immigration-Related Unfair Employment Practices (OSC)

Since the beginning of FY 2014, OSC received 100 charges, which includes complete and incomplete charges filed by U.S. citizens and legal immigrants (or their representatives) alleging unlawful employment discrimination based upon citizenship status or national origin, unfair documentary practices during the employment eligibility process, or retaliation, independent investigations initiated, or pre-investigations opened. During this period, OSC opened 10 investigations, issued letters of resolution or entered into settlement agreements in 54 charges, and recovered approximately \$13,490 in back pay for victims and \$985 in civil penalties. Employers also agreed to change discriminatory practices so that all

U.S. workers, both U.S. citizens and legal immigrants, would not face unnecessary hurdles in seeking or retaining employment.

OSC also conducts an extensive, nationwide public education campaign to teach workers, employers and concerned organizations about the anti-discrimination provision of the INA. In FY 2014 to date, OSC has participated in 34 public outreach sessions and webinars, and handled 866 calls through its employer and worker hotlines.

In FY 2014 and FY 2015, OSC's workload may increase significantly based upon a number of factors that portend increased discrimination against U.S. citizens and legal immigrants. DHS is expected to continue its expanded efforts to address the large number of undocumented workers in the United States, including heightened enforcement of employer sanctions. In previous studies, GAO has linked employer sanctions with increased employment discrimination, primarily against Hispanics and Asians. Thus, heightened enforcement of employer sanctions is likely to lead to an increase in discrimination charges and hotline calls received by OSC.

This phenomenon is expected to be magnified by greater (and sometimes mandatory) use by employers of DHS' E-Verify program, an electronic employment eligibility verification system used to determine whether new hires are authorized to work in the United States. E-Verify allows an employer to confirm the employment eligibility of new hires online by comparing information from an employee's employment eligibility verification Form I-9 against Social Security Administration and DHS databases. Already, nearly 500,000 employers have enrolled in E-Verify, representing more than 1.4 million locations nationwide. DHS-commissioned studies have concluded that use of E-Verify results in increased discrimination against workers who look or sound foreign. The studies have also found that employers took prohibited adverse actions against employees receiving tentative non-confirmations, including restricting work assignments, delaying training, reducing pay, requiring longer hours in poorer conditions, and otherwise assuming that these workers were unauthorized. The rapid expansion of E-Verify use over the past several years has exacerbated this problem. Since OSC has jurisdiction over discrimination in the employment eligibility verification process, the rapid expansion of E-Verify has resulted in an expansion of the breadth and scope of cases within OSC's jurisdiction.

Currently, OSC has a Memorandum of Agreement (MOA) in place with U.S. Citizenship and Immigration Services providing for sharing of information and cross-referrals. In FY 2013, OSC received 198 referrals of potential E-Verify related discrimination or document abuse pursuant to the MOA and thus far in FY 2014, OSC has received 65 referrals. OSC is expecting a sharp increase in these referrals in the near future based on the continued refinement of automated reports that detect potential discrimination and the development of new reports to capture additional forms of discriminatory behavior. OSC also responds to many E-Verify-related requests for assistance from workers and employers calling OSC's toll-free hotlines. In FY 2013, the percentage of E-Verify related hotline calls constituted 13 percent of OSC's total calls. OSC expects this demand to continue, particularly in light of the rise in the number of states now requiring—either explicitly or implicitly—that certain employers within those states participate in E-Verify. OSC's experience has been that following passage of state legislation mandating that employers use E-Verify, OSC's E-Verify-related hotline calls noticeably increase.

Special Litigation Section (SPL)

FY 2013 was both a busy and successful for the Special Litigation Section. The Section has had a significant number of critical findings and settlements; engaged in increasingly aggressive decree enforcement, and has more matters in active litigation than at any time in the history of the Section. There have been important victories in each of the areas in which the Section practices. The Section anticipates that FY 2015 will be similarly busy and successful, if not more so. This is because the vast majority of our cases are large pattern or practice cases involving several years of systemic reform

following lengthy investigations and, sometimes, trials. Below is a review of SPL programs and highlights of the Section's operational plan for FY 2015.

Police Accountability

The Section's enforcement of the pattern and practice provisions of 42 U.S.C. § 14141 has continued to expand. Over the last year, the Section has completed comprehensive investigations and negotiated innovative consent decrees and other resolutions. Through strategic priority setting, the Section has selected cases and fashioned remedies to address issues that will have the broadest impact both in the communities affected and across the Nation.

The following are highlights of the Section's work:

- **New Orleans Police Department:** The Section negotiated a detailed consent decree to address the widespread problems in the New Orleans Police Department. The decree is the most comprehensive in the history of the Section's work. Key innovations include a focus on outcome measures as well as meaningful community oversight and engagement.
- **Portland Police Bureau:** The Section issued findings that the Portland Oregon Police Bureau engages in a pattern or practice of excessive uses of force during interactions with people who are, or are perceived to be, in mental health crisis. This investigation was conducted parallel to the Section's investigation of the State's mental health system. The delivery of police services to people with mental illness has become a national crisis. The Portland findings letter, and the remedies we negotiated, will hopefully not only address the issues in Portland, but provide guidance to police departments across the Nation. The agreement is pending court approval, and the parties, including the union intervenor and community group amici, have negotiated a resolution to their objections. The court will evaluate the agreement in a fairness hearing in early 2014.
- **Alamance County Sheriff, North Carolina:** The Section issued a findings letter that the Alamance County Sheriff engages in a pattern or practice of discrimination against Latinos. The investigation revealed that Latinos are ten times more likely to be stopped on the roads than white traffic law violators, that they will receive harsher treatment than similarly situated whites and that these practices are the direct result of racial and ethnic bias. After negotiations failed, the Section filed suit against the Sheriff in December 2012, and that litigation is ongoing.
- **Puerto Rico Police Department:** In December 2012, the Section entered into a comprehensive agreement to resolve widespread constitutional violations and profound deficiencies with the police department, including findings that the department engages in a pattern or practice of use of excessive force, unconstitutional searches and seizures, and biased policing. The innovative agreement, which was approved by the court in July 2013, will transform the department into a contemporary law enforcement agency and is tailored to the unique needs and challenges of Puerto Rico and its police department, which is the second largest police force in the country.
- **East Haven Police Department:** The Section entered into a court-enforceable agreement to reform the police department after finding that it engages in discriminatory policing against Latinos. The Section found that the department unlawfully relied on race, color, or national origin to stop, question, and detain Latino motorists in East Haven. The agreement also resolves claims that officers engage in use of excessive force and unlawful searches and seizures. The department has made significant progress implementing the agreement and has worked collaboratively with the Joint compliance Expert to overhaul its policies and practices.
- **Missoula Police Department, the University of Montana, and the Missoula County Attorney:** In May 2013, the Section issued findings concluding that the Missoula Police Department, the University of

Montana, and the County Attorney engaged in a pattern or practice of gender discrimination by failing to investigate sex crimes against women. Shortly thereafter, the Section entered into agreements with the Missoula Police Department and the University of Montana that will comprehensively address the violations.

- **Los Angeles Police Department:** The Section oversaw the implementation of a transition agreement and order that resolved the Section's police misconduct case against the City of Los Angeles and its police department in its entirety. Reports from various stakeholders, including civil rights organizations, consistently hailed the police department's vast improvements under the comprehensive consent decree that stemmed from the Section's investigation. The court dismissed the case in May 2013.
- **Statements of Interest:** The Section filed statements of interest in several cases brought by private litigants on issues of police accountability, including:
 - *Floyd v. City of New York:* The Section filed a statement of interest in a private lawsuit pending in federal court regarding appropriate remedies in the event the Court found that the New York Police Department's stop-and-frisk policies and practices violated federal law. The statement set forth the proper remedies for these violations, particularly the importance of an independent monitor to oversee the reforms. The private case will set the standard for how stop and frisk is administered nationwide and how constitutional violations in this area can be remedied.
 - *Garcia v. Montgomery County:* Following up on its Statement of Interest in *Sharp v. City of Baltimore* filed last year, the Section filed a statement of interest in a private lawsuit pending in the federal court in Baltimore, Maryland, regarding the rights of people to videotape police officers performing their duties in a public setting. The statement laid out the First Amendment rights at stake and provided the court with our view of the proper rule of decision. Like the Statement in *Sharp*, this Statement has received attention by police departments and media across the country.
- **New Investigations:** The Section opened new police investigations, including: In November 2012, the Section opened an investigation of the Albuquerque Police Department to determine whether officers engage in a pattern or practice of use of excessive force, including use of unreasonable deadly force.
- **Matters Pending Resolution:** The Section has several police cases in active negotiations. The Section expects to resolve or bring litigation in these matters in coming months. Examples include:
 - **Los Angeles County Sheriff's Office:** In June 2013, the Section issued findings concluding that two sub-stations of the sheriff's office engaged in a pattern or practice of discriminatory policing, unlawful searches and seizures, and excessive force. The parties have entered into a statement of intent to enter a settlement that will remedy the violations, and negotiations with the sheriff's office are ongoing.
 - **Miami Police Department:** In July 2013, the Section concluded its investigation and found that the police department engaged in a pattern or practice of excessive force, particularly the use of unreasonable deadly force, in violation of the Fourth Amendment. The Section is negotiating with the police department to address the violations.
- **Enforcement of Existing Agreements:** The Section has committed significant resources to the enforcement of existing agreements in the Virgin Islands, Los Angeles, Detroit, and elsewhere. The emphasis on enforcement will increase dramatically with the entry of decrees in new matters,

including a comprehensive agreement to reform the Puerto Rico Police Department with a police force of 17,000 officers. Examples include:

Juvenile Justice

The Section has engaged in a strategic priority setting process with regard to its juvenile justice practice. As a result, the focus of the work has shifted from an emphasis on reforming conditions of detention to addressing constitutional and law violations that might lead to the unnecessary incarceration of children. This shift in focus has had two effects on the Section's work. First, the Section has undertaken investigation of juvenile justice systems, including courts, indigent defense, probation, and other players. Second, in existing conditions cases, the Section has worked with jurisdictions to create alternatives to incarceration that permit children to be served in the homes and communities rather than in detention facilities.

Highlights of the work include:

- **Shelby County, Tennessee:** The Section completed a comprehensive review of the Shelby County juvenile justice system and issued a findings letter. The letter concluded that there was a pattern or practice of violations of the due process and equal protection rights of youth involved in the system. This was the first ever investigation of a juvenile justice court system by the Section. The Section negotiated and is currently enforcing a remedial agreement with the Shelby Court that will serve as a model for future reform efforts. In early FY 2014, the Office of the Public Defender began representing a portion of the children appearing before the juvenile court. This groundbreaking development is the lynchpin of the reform effort. In FY 2015, the Section expects to closely monitor this effort and continue to closely oversee ongoing reform, interacting with the community and the court to ensure lasting change.
- **Meridian, Mississippi:** The Division's Educational Opportunities Section (EOS) has a long standing desegregation lawsuit against the Meridian school system, which includes issues of racially disparate discipline. The EOS case revealed dramatic evidence of an interplay between school discipline and the juvenile justice system that appeared to violate the due process and equal protection rights of youth in the system. Special Litigation opened an investigation to look at the behavior of the police, probation and the local juvenile court. The court refused to cooperate in the investigation or provide access to records or proceedings, and the probation and police agencies similarly withheld information about individual children. Despite this obstruction, the Section developed sufficient evidence to make findings that there is probable cause to believe that there is a pattern or practice of violations of due process. After our request to engage in meaningful negotiations to address these findings was rebuffed, in October 2012, the Section sued the local police department, the youth court, and the State youth probation agency. Having defeated a motion to dismiss in late FY 2013 and obtained a FY 2015 trial date, the Section expects in FY 2015 to either to be actively litigating this case, or enforcing a settlement with some or all defendants. Either litigation or enforcement work will be time-intensive, and will test some of the novel claims asserted in our complaint. In addition, we expect in FY 2015 to continue our collaboration with EOS, which settled its discipline claims in March 2013. Among other things, we expect to review and make use of data about disciplinary referrals to law enforcement and school-based arrests that the School District must collect as part of the settlement.
- The Section is also likely to pursue additional investigations and litigation regarding the civil rights implications of the "school-to-prison pipeline," in which students, frequently, disproportionately students of color and those with disabilities, are referred to the juvenile justice system for often minor school-based offenses.

- **Prevention as an integral part of detention reform:** In several existing cases, the Section has worked with jurisdiction to include strategies to reduce detention as part of addressing conditions in juvenile facilities. Diversion and other strategies to prevent detention have become a significant part of the Section's discussions to resolve its findings of unconstitutional conditions of detention in Indiana and part of the efforts to achieve compliance with agreements in New York, Puerto Rico, and Los Angeles. These approaches are innovative and designed to ensure better outcomes for youth involved in the system as well as public safety. In 2015, the Section expects to build on the successes of these diversion efforts, by incorporating fact-finding about diversion into investigations, and by pursuing and enforcing agreements that, wherever feasible, help to close the "front door" of juvenile detention facilities.
- In FY 2013, the Section, on behalf of the Department of Justice, filed a Statement of Interest in a federal case involving the Sixth Amendment rights of indigent defendants to counsel. The Section did not take a position on the facts of the case, but for the first time, went on record as concerned about the state of right to counsel in the United States, 50 years after the Supreme Court held in *Gideon* that all defendants facing the loss of liberty are entitled to the assistance of counsel. The Section expects to continue to participate in litigation opportunities to support this important right into FY 2015 and beyond.

Olmstead Integration Mandate

A major priority of the Section is to ensure that people with disabilities are not subjected to unnecessary confinement to an institution. The principle of integration embodied in the Americans with Disabilities Act and the *Olmstead* decision drives this work. The Section has had several critical successes, including the following:

- **Virginia Developmental Disabilities:** In 2011, the Section issued finding that the State was violating the Americans with Disabilities Act and the *Olmstead* decision. That finding letter launched a year of difficult and intensive settlement negotiations. Those negotiations resulted in a consent decree that has now been entered by the court. The consent decree will create community services for thousands of Virginia residents over the next nine years. It contains innovative provisions regarding housing supports and employment as well as the most comprehensive system of quality assurance yet developed as part of an *Olmstead* reform case.
- **Enforcement of Existing Decrees:** In addition to the Virginia agreement, the Section is enforcing comprehensive deinstitutionalization decrees in Georgia and Delaware. Both cases are now in the middle years of decree implementation and require investments of Section resources. The Delaware decree has moved forward largely without difficulty. Indeed, Delaware is ahead of the requirements imposed by the consent decree in the case. However, in Georgia, the litigation team has been engaged with the State in resolving significant non-compliance issues and is increasingly required to engage the court in enforcement proceedings. In addition, the Section completed enforcement work in Tennessee, in a case that Section staff successfully transformed from one focused on conditions into one that resulted in the closing of a large State institution and the provision of community-based services to several hundred individuals with developmental disabilities.

Conditions in Health Care Facilities

While the Section's disability practice has shifted to focus on deinstitutionalization, the Section has continued to enforce critical settlements that ensure that persons with disabilities are not subjected to unconstitutional conditions while confined. Significant efforts have been invested in our settlements in Tennessee, Texas, California, the District of Columbia and Puerto Rico, for example. Several of these cases have required active litigation to ensure that decree provisions have been implemented. The Section also entered a new court-enforceable agreement with a County-run nursing facility that requires the

County to enhance diversion and discharge planning to ensure that potential residents receive care in the most integrated settings appropriate to their needs, while also improving conditions of care at the facility.

Corrections

The Section has an active docket to protect the rights of persons confined to correctional institutions, including:

- **Prison Rape Elimination Act (PREA) regulations:** Section staff continues to play a critical role in designing the PREA audit process and in regulatory interpretation. The Section has maintained its influence in ensuring that the regulations reflect civil rights concerns. In FY 2015, the Section will continue to guide PREA enforcement to ensure the sexual safety of women, men and children confined to correctional facilities across the Nation.
- **Orleans Parish Prison:** The Section has had a longstanding investigation of the Orleans Parish Prison. This Jail is among the most dangerous and violent on the Section's docket. Over the course of the year, we reinvestigated key conditions, issued updated findings and negotiated a comprehensive consent decree, which was ordered by the district court in October 2013.
- **St Tammany Parish, Louisiana:** The Section issued findings regarding the Jail in St. Tammany Parish Louisiana. The Section found that the Jail engages in a pattern or practice of constitutional violations by failing to provide prisoners with access to adequate health care. Appallingly, the Jail confined prisoners who were suicidal to small cages, known as squirrel cages, and engaged in grossly inadequate monitoring of prisoners at risk of suicide. They have ceased these practices since our intervention. We entered an agreement with the jurisdiction in August 2013.

Religious Practices for Institutionalized Persons

The Special Litigation Section is responsible for enforcing portions of the Religious Land Use and Institutionalized Persons Act relating to people in correctional and other institutions. Over the last two years, this portion of the docket has grown significantly, including the following:

- **Florida Kosher Diet Litigation:** The Section is engaged in litigation with the State of Florida to ensure that prisoners have access to Kosher diets. As a result of this suit, the State recently changed its policies to provide some access to Kosher diets, although the State continues to contest its obligation to do so and continues to unnecessarily burden religious practice. In April 2013, the Section filed a Preliminary Injunction Motion against the State. The Motion was granted on December 6, 2013, ensuring that prisoners are provided with a Kosher diet while the litigation proceeds.
- **Access to Religious Materials:** The Section intervened in *Prison Legal News v. DeWitt*, a case brought against a jail that restricted a breathtaking array of publications and religious material. On January 13, 2012, the Section entered into a consent injunction with Berkeley County, South Carolina, to resolve the case. The injunction requires that prisoners be permitted access to religious and other First Amendment related materials, and the Section continues to enforce this injunction to ensure that prisoners' First Amendment rights are upheld.

Freedom of Access to Clinic Entrances Act

In FY 2015, the Section will continue to maintain connections with the communities affected by FACE violations, to monitor compliance with existing injunctions, and to conduct trainings for reproductive health care providers and law enforcement communities. We anticipate filing additional FACE cases if the need arises.

Voting Section (VOT)

In FY 2014 and FY 2015, VOT will continue to place major emphasis on affirmative litigation, defending non-discretionary litigation, and monitoring of elections throughout the country. In FY 2012 and FY 2013, VOT participated in 60 new cases.

In FY 2012 and FY 2013, VOT devoted significant time to reviewing more than 9,600 administrative submissions of voting changes under Section 5 of the Voting Rights Act, to defending non-discretionary defensive litigation (including 14 new judicial preclearance cases under Section 5 of the Voting Rights Act, 17 new bailout cases under Section 4 of the Voting Rights Act, and seven new constitutional challenges to various provisions of the Voting Rights Act) and to handling ongoing proceedings in a number of earlier-filed defensive cases in each of these categories.

On June 25, 2013, in *Shelby County v. Holder*, the Supreme Court held that the coverage formula in Section 4(b) of the Voting Rights Act can no longer be used as basis for subjecting jurisdictions to the preclearance requirement of Section 5 of the Voting Rights Act. As a consequence, VOT has ceased reviewing administrative submissions under Section 5, but will continue to review administrative submissions under Section 3 of the Voting Rights Act, where jurisdictions are designated for preclearance coverage by court order. Moreover, while some defensive litigation will abate, such as Section 5 declaratory judgment actions, certain other defensive litigation is likely to continue.

Because of the *Shelby County* case, the Voting Section's work will necessarily shift to greater affirmative efforts to detect and investigate voting practices that violate federal law, to more affirmative litigation to enjoin such practices, and to additional monitoring of elections throughout the country each year. Resources previously devoted to Section 5 reviews are being shifted to monitoring, identifying and investigating voting changes that may violate federal law, as well as assisting with litigation challenging such practices. These monitoring, investigative and litigation efforts will be very resource intensive.

VOT will place major emphasis going forward on affirmative enforcement of Section 2 of the VRA, which prohibits voting practices that are discriminatory in purpose or effect. VOT has opened a number of new investigations under Section 2 as a result of its initiative to identify election systems that may dilute minority voting strength, in light of the new decennial census data released in 2011, as well as investigation of voting practices that may deny or abridge the right to vote. In FY 2013, VOT has filed a Section 2 case against Texas challenging its 2011 photo identification requirement for voters, and VOT filed a complaint in intervention under Section 2 in a case against Texas challenging its 2011 statewide redistricting plans. The D.C. District Court had previously found Texas had failed to meet its burden of proving that its voter identification law and its statewide redistricting plans were not discriminatory under Section 5 of the Voting Rights Act. Those decisions were vacated after the decision in *Shelby County*. Also, in FY 2013, VOT filed a Section 2 case against North Carolina challenging its 2013 photo identification requirement for voters and new procedures regarding early voting, same day voter registration and provisional balloting. In these new cases under Section 2, VOT is also seeking to have the federal courts impose a new preclearance requirement on Texas and North Carolina under Section 3(c) of the Act to prevent implementation of new discriminatory voting changes. The Department also has filed amicus briefs on Section 2 issues.

VOT will also continue its emphasis on the enforcement of the language minority requirements of the VRA, which require certain jurisdictions to provide assistance and information in minority languages to affected communities. In FY 2012 and 2013, VOT resolved cases against Lorain County, Ohio, and Orange County, New York, requiring additional steps to ensure voting access for limited English proficient, Spanish-speaking, Puerto Rican voters, and also resolved a case against Colfax County, Nebraska to ensure voting access for limited English proficient, Spanish-speaking voters. VOT has continued to monitor compliance with additional pending consent agreements in language minority matters. VOT has also continued outreach and monitoring with jurisdictions newly covered by the minority language requirements of the VRA after new coverage determinations made by the Census Bureau in 2011.

In the MOVE Act, Congress enacted major amendments to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). In FY 2012, in already pending cases, VOT obtained a comprehensive remedy in its New York case, including an order advancing the date of New York's 2012 Federal primary election, and VOT also filed supplemental consent agreements with Illinois and Guam. In FY 2012 and FY 2013, VOT filed eight new UOCAVA cases to ensure military and overseas voters the opportunity to vote (Virgin Islands, Alabama, Georgia, Vermont, Wisconsin, California, Michigan and Illinois). Favorable resolutions or orders granting preliminary relief were obtained in each of these cases; and two of these cases remain in litigation. In one of these still pending cases, VOT obtained a remedy adjusting the election schedule in Georgia to allow for 45 days transmission time for UOCAVA ballots when runoff elections for Federal office occur, and the State has appealed that decision. In the run-up to the 2012 Federal primary and general elections, and throughout a number of special elections for Federal office in 2013, VOT devoted considerable resources to outreach and monitoring and litigation with election officials concerning compliance. Enforcement of UOCAVA will continue to be a major priority going forward.

Under the National Voter Registration Act (NVRA), VOT continued its litigation against Louisiana and filed a lawsuit against Florida. The Department has filed amicus briefs in a number of NVRA cases, including a case in the Supreme Court. In FY 2013, a case was filed challenging the constitutionality of the NVRA, as applied which VOT is defending. VOT continues to review state compliance with all of the requirements of the NVRA, which require that states provide voter registration opportunities at driver license, public assistance and disability service offices, and through the mail, and requires that states conduct list maintenance according to specific rules.

Under the Help America Vote Act (HAVA), VOT continues to place emphasis on ensuring compliance with its requirements, such as statewide voter registration lists, provisional ballot procedures, voter information and identification procedures, and new accessible voting systems in polling places.

VOT continues to place major emphasis on the monitoring of elections around the country each year. In FY 2012 and FY 2013, VOT monitored 141 elections, using 1,622 Federal observers from the Office of Personnel Management (OPM) and 371 DOJ staff.

VOT expects to continue vigorous enforcement activity under the VRA, UOCAVA, NVRA, and HAVA in FY 2014 and FY 2015. VOT will continue to prioritize the monitoring of elections throughout the country each year.

b. Strategies to Accomplish Outcomes

Strategic Objective 2.5: Promote and protect Americans' civil rights.

The Department is committed to upholding the civil and Constitutional rights of all Americans, including some of the most vulnerable members of society. In 2015, the Division will continue to reach its performance goals by vigorously enforcing the civil rights laws to ensure equal treatment and equal justice under the law; reflecting the country's highest ideals and aspirations. These statutes not only aim to protect the civil rights of racial and ethnic minorities, but also those of religious minorities, women, persons with disabilities, servicemembers, individuals housed in public institutions, and individuals who come from other nations and speak other languages. CRT will be prepared to address both long-standing civil rights issues as well as to confront emerging civil rights challenges. CRT intends to achieve its objective by enforcing each of the laws within the scope of its responsibility fairly and evenhandedly, and is committed to ensuring equal opportunity for all through its litigation, prevention efforts, outreach initiatives, technical assistance, and partnerships.

The Civil Rights Division is working to ensure it is positioned to tackle both existing and emerging challenges for civil rights in the 21st Century.

CRT's 2015 strategic focus areas include:

Strengthen and Restore Civil Rights Enforcement. The Civil Rights Division is committed to a broad and multi-focused approach to achieving civil rights protections and compliance. As a result of the FY 2015 program increase of \$5.1 million and 50 positions across all mission and program areas, the Division will be better positioned to strengthen civil rights enforcement efforts that the Attorney General has identified as part of his Vulnerable People Priority Goal and for other programs that require renewed emphasis.

E-Verify. CRT's Office of Special Counsel will expand its capacity to assist with resolving complaints associated with immigration and employment authorization status queries run through the E-Verify process. The \$305,000 and three positions will support the implementation of an E-Verify administrative review process to be deployed by U.S. Citizenship and Immigration Services (USCIS) in concert with interagency stakeholders.

Police Misconduct. Law enforcement officers who use their positions to deprive individuals of their civil rights undermine the integrity of the Nation's entire criminal justice system. While the Department recognizes that law enforcement officers put their lives on the line to protect public safety every day and take seriously their oaths to uphold the Constitution, the Department is committed to holding law enforcement officers accountable when violations occur. The Division actively investigates and evaluates the pattern or practice of discriminatory policing in violation of section 14141 of the Violent Crime Control and Law Enforcement Act of 1994, and brings criminal prosecutions where appropriate. Criminal prosecutions will focus on the conduct of individuals and address the most egregious incidents of police misconduct. Civil pattern or practice investigations will focus on systemic problems within police departments and unlawful conduct. The Division currently has more active police pattern or practice investigations of law enforcement agencies than any other time in the Division's history.

Additionally, CRT will initiate Title VII litigation against police departments where there is reason to believe that a "pattern or practice" of discrimination exists. Such actions can address employment practices, such as recruitment, hiring, assignments and promotions which have the purpose or effect of denying employment or promotional opportunities to a class of individuals. The Division will use every tool in its law enforcement arsenal to ensure police officers, and the police department as a whole, is carrying out its mission in a lawful manner. Effective policing and constitutional policing go hand in hand. The Department owes it to the communities, and all law abiding police officers who put their lives

on the line every day, to address the serious challenges confronting police departments across our great country.

The Civil Rights Division's mission also includes enforcement and outreach under a number of civil rights programmatic areas, and CRT will continue to apply its efforts in areas such as:

Outreach and Education. CRT will continue to expand outreach to communities and stakeholders to ensure the Division's work is informed not only by statistics and complaints, but also by understanding how CRT can positively impact the lives of those individuals and communities that are affected by our work. Additionally, the Division is working to build and maintain positive relationships with its Federal agency partners in order to better protect the civil rights of all individuals. CRT will continue to work collaboratively with federal, state and local agencies, where appropriate, in order to ensure increased coordination and partnership. This will expand the reach of the Division in its critical protection of the rights of all Americans.

Defend Victims of Human Trafficking. Trafficking in humans stands among the most offensive moral scourges in America and is equivalent to modern-day slavery. The victims endure sexual assault, brutality and fear. The crimes often last for months or years, involving complex facts and international organized criminal networks. There are unique challenges in prosecuting such investigations, as each is time- and labor-intensive, and demand specialized skills and the ability to conduct these investigations across jurisdictions and international borders.

Target Hate Crimes. Hate crimes are a significant investigative priority because they impact not only the victims, but an entire community. Conservative estimates indicate that the level of voluntarily reported hate crimes is less than half of the actual hate crimes that occur annually in the United States. The Department's authority to prosecute hate crime cases expanded considerably with enactment of the Matthew Shepard Hate Crime Prevention Act in 2009. The Act expands the statute to allow Federal prosecutions of hate crimes committed against victims because of their actual or perceived sexual orientation, gender, gender identity, or disability. CRT works with Federal judicial districts to coordinate the efforts of Federal and state, state and local district attorneys, and community-based organizations.

In 2008, the Emmett Till Unsolved Civil Rights Crime Act of 2007 was enacted to investigate and prosecute 113 previously unresolved civil rights era "cold cases," through a partnership among CRT, USAOs, and the FBI. To further advance this initiative, the Division intends to conduct extensive public outreach to encourage witnesses to come forward and develop other investigative leads to help solve the cold cases.

Ensure Voting Rights. The Department enforces a number of federal laws designed to protect the right to vote, including the Voting Rights Act, the Uniformed and Overseas Citizens Absentee Voting Act, the National Voter Registration Act and the Help America Vote Act. The Department will continue to place a high priority on the protection of voting rights through efforts to detect and investigate voting practices that violate the federal laws it enforces, through affirmative litigation to enjoin such practices, and through monitoring of elections all throughout the country each year. One of these high priorities is to detect and challenge practices that violate Section 2 of the Voting Rights Act, which is the permanent nationwide prohibition against voting practices that are intended to be racially discriminatory, or that have a racially discriminatory result.

Special Litigation. Enhanced Civil Rights of Institutionalized Persons Act (CRIPA) enforcement efforts will combat abuse and neglect in institutions, protect the rights of nursing home residences and youth in juvenile detention and correctional facilities, and address the mental health needs of individuals in correctional and health care facilities. To this end, the Division will significantly enhance our law enforcement efforts by increasing the number of investigations, settlements, and cases and by strengthening our monitoring of settlements to ensure compliance.

Fight Employment Discrimination Through a Renewed Use of Pattern and Practice Litigation. Pattern or practice cases are particularly important civil rights enforcement tools because they lead to systemic reforms that remedy and prevent future discrimination, benefiting large numbers of minority and/or female applicants and employees. The Department is committed to the use of this tool on behalf of minorities and women. It will institute and apply principles for targeting employers most likely to be engaging in pattern or practice discrimination, leverage joint resources, collaborate on investigations, and policy development, as well as to bring lawsuits under Section 707.

Protect the Rights of Persons with Disabilities. CRT will continue its innovative and multi-faceted approach toward achieving compliance with the Americans with Disabilities Act (ADA) and increasing access for persons with disabilities. The Disabilities Rights Section will ensure new facilities are constructed in compliance with ADA Standards for Accessible Design; continue its successful Project Civic Access initiative in bringing entire cities, counties and towns in compliance with ADA; and assist states in fulfilling their obligations under the Supreme Court's *Olmstead* decision, which requires that people with disabilities receive state services and treatment in the most integrated setting appropriate. The Department is committed to fully aligning its enforcement activities with the scope and reach of the decision. In order to leverage the *Olmstead* decision's potential, CRT continues to participate, through intervention or amicus briefs, in ongoing *Olmstead* litigation on behalf of individuals with disabilities, both in and out of institutions; initiate its own *Olmstead* cases; and work cooperatively with HHS and HUD to ensure that the resources of the Federal Government are used to promote the treatment of individuals with disabilities in adequate and appropriate community settings.

Protect Religious Liberty. The Department enforces a wide range of laws protecting religious liberty: barring discrimination based on religion in employment, public education, housing, credit, and access to public facilities and public accommodations; barring zoning authorities from discriminating against houses of worship and religious schools; protecting the religious rights of institutionalized persons; and criminal statutes such as the Church Arson Prevention Act, which makes it a Federal crime to attack persons or institutions based on their religion or otherwise interfere with religious exercise.

Expand Equality for Lesbian, Gay, Bisexual, and Transgender (LGBT) Americans. As the needs of the 21st century emerge, it is critical that the Department explore new ways to expand civil rights and protect all Americans from discrimination. LGBT individuals often find themselves the victims of discrimination and violence, but many jurisdictions and existing Federal, state, and local laws fail to offer basic civil rights protections. CRT plays a role in advancing the rights of all individuals using its existing authorities as well as the new authorities it seeks to combat hate crimes and employment discrimination targeting LGBT Americans.

Meet New Challenges to Educational Equity. Providing each of the Nation's children with equal access to a quality education is essential to ensuring that they can develop their full potential, obtain meaningful work, support themselves and their families, and fully participate in democracy. To supplement CRT's historic focus on entering into and enforcing desegregation decrees, the Division will enforce states' and schools' obligations under the Equal Educational Opportunities Act to overcome language barriers faced by English Language Learners; address discrimination in schools, based on race, sex, national origin, disability, and religion, including student harassment such as sex stereotyping of LGBT students; and improve educational equity for students with disabilities who are often subject to multiple forms of discrimination, (e.g., minority students are over- or under-referred for special education services) through investigations, intervention, in private lawsuits, amicus briefs, or statements of interest.

c. Priority Goals

The Civil Rights Division contributes to the Department's Vulnerable People Priority Goal which emphasizes protection of those most in need of help. The Division is committed to the aggressive investigation and prosecution of human trafficking cases in support of this goal, and has led a number of initiatives which contribute to the restoration of the rights and dignity of human trafficking victims, including the Department's Human Trafficking Enhanced Enforcement Initiative and the U.S./Mexico Human Trafficking Bilateral Enforcement Initiative.

In both FY 2012 and FY2013, the Civil Rights Division exceeded the performance measure for matters/investigations resolved concerning human trafficking.

V. Program Increases by Item

Item Name: Civil Rights Enforcement

Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law

Strategic Objective 2.5: Promote and protect Americans' civil rights

Budget Decision Unit(s): Civil Rights Division

Organizational Program: Civil Rights Division

Component Ranking of Item: 1 of 3

Program Increase: Positions 50 Agt/Atty 25 FTE 25 Dollars \$5,072,000

Description of Item

The Department is requesting additional resources of 50 positions (25 attorneys) and \$5.1 million to strengthen the civil rights enforcement efforts that the Attorney General has identified as part of his Vulnerable People Priority Goal and for other programs that require renewed emphasis. While the requested increase would benefit all programmatic areas, it would specifically allow CRT to increase its efforts against civil rights violations associated with human trafficking, hate crimes, and enforcement of CRIPA. In addition, CRT would be able to expand opportunities for people with disabilities, and broaden overall protections for equal education, equal housing, and equal employment. These are areas that the Attorney General has determined warrant specific attention and has identified as part of his Vulnerable People Priority Goal.

Support of the Department's Strategic Goals

The Attorney General's Strategic Goal 2 and Vulnerable People Priority Goal correlate directly with CRT's request to restore and strengthen civil rights enforcement. The Attorney General is strongly committed to providing civil rights protections for all people, especially those who are part of the Nation's most vulnerable populations. Increased efforts to eradicate discrimination play an integral role in DOJ's Strategic Plan.

Justification

Human Trafficking. Trafficking in humans stands among the most offensive moral scourges in America and is equivalent to a modern-day slave trade. Each year, an estimated six to eight hundred thousand victims, many of them children, are brutalized, traumatized, and isolated, leaving them bereft of hope of escape or rescue. There are unique challenges in prosecuting such investigations, as each is time and labor intensive; demanding of both specialized skills and the ability to conduct the investigations across jurisdictions and international borders.

Hate Crimes. Hate crimes enforcement is one of the Administration's and the Department's top civil rights priorities. Perpetrators of these crimes victimize not only individuals but families and even entire communities. Prosecuting persons committing these crimes has remained at the core of the Civil Rights Division since its inception in 1957. The incidence of these hate crimes continues to rise and additional resources are desperately needed to investigate and prosecute those who engage in these atrocious acts. Additionally, CRT must extend its outreach efforts to mitigate these crimes and their impacts through education, awareness, and intervention.

Special Litigation. Enhanced CRIPA enforcement efforts will combat abuse and neglect in institutions, protect the rights of nursing home residents and youth in juvenile detention and correctional facilities, and address the mental health needs of individuals in correctional and health care facilities. To this end, the Division will enhance significantly our law enforcement efforts by increasing the number of investigations, settlements, and cases and by strengthening our monitoring of settlements to ensure compliance.

Funding**Base Funding**

2013 Enacted				FY 2014 Enacted				FY 2015 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
715	384	607	\$136,341	714	383	606	\$144,173	714	383	606	\$154,576

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)
Attorneys (905)	\$125	25	\$3,121	\$2,600
Civil Rights Analyst (160)	85	2	170	114
EO Specialist (010- 099)	85	9	766	522
Economist (110)	85	1	85	55
Statistician (1529)	85	2	170	112
Investigator (010-099)	71	4	286	184
Personnel Specialist (010-099)	80	2	160	100
Budget Analyst (500- 599)	80	1	80	50
Paralegal (900-998)	63	3	188	138
Clerical (300-399)	46	1	46	28
Total Personnel	\$805	50	\$5,072	\$3,903

Total Request for this Item

	Pos	Agt/ Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)
Current Services	714	383	606	\$154,576	\$0	\$154,576	\$0
Increases	50	25	25	\$ 5,072	\$0	\$ 5,072	\$3,903
Grand Total	764	408	631	\$159,648	\$0	\$159,648	\$3,903

Item Name: **Police Misconduct Enforcement**

Strategic Goal 2: **Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law**

Strategic Objective 2.5: **Promote and protect Americans' civil rights**

Budget Decision Unit(s): **Civil Rights Division**

Organizational Program: **Civil Rights Division**

Component Ranking of Item: 2 of 3

Program Increase: Positions 20 Agt/Atty 9 FTE 10 Dollars \$1,928,000

Description of Item

The aggressive protection of the public's trust in the integrity of law enforcement is critical to effective policing. The public, along with the law enforcement community, recognize the need to establish the highest levels of confidence in the integrity and full accountability of police work. In the past year, initiations of inquiries into systemic deficiencies in police departments reached the highest number in the history of the Division. The request for \$1,928,000 will provide for 20 new positions, including 9 attorneys, 5 paralegals, and 6 investigators to provide the capacity to effectively address this expansion in workload.

Support of the Department's Strategic Goals

This enhancement links to the FY 2012-2016 Strategic Plan, Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law; Objective 2.5: Promote and Protect American's Civil Rights.

The Federal government has a compelling interest in establishing and maintaining trust in the Country's public institutions, especially those vested with the mission to protect and defend its citizens. The Division's law enforcement work is designed to target unconstitutional conduct, while at the same time increasing community confidence in the police and improving public safety. Building on the experience of prior cases, the Division's investigations are more comprehensive, the findings are more thorough, and the remedies sought more detailed than ever before.

The additional positions funded through the program increase will allow the Division to enhance its multi-faceted approach to enforcement, specifically through improved performance capabilities in the Division's Criminal, Special Litigation, and Employment Sections as follows:

Criminal (CRM)

CRM enforces the Nation's criminal laws penalizing law enforcement misconduct, hate crimes, and human trafficking, among other crimes. Criminal indictments and criminal prosecutions address the most egregious incidents of individual police misconduct, and can be the impetus for widespread, positive change across entire departments. The Section's total attorney staffing ceiling is 60 attorneys who devote approximately 40% of their time to police misconduct enforcement. The program increase will add four attorneys, two investigators, and two paralegals in support of CRM's police misconduct enforcement efforts.

Section investigators prepare case files for attorney review by working with the FBI to ensure proper evidence has been collected and ensuring that case files are complete. The addition of two investigators will increase productivity by allowing the investigative staff to carry a more manageable docket of about

100 cases each. The reduction in docket size enables more efficiency in the preparation of files for prosecutor review and handling, resulting in a 4% increase in attorney productivity for each additional investigator added to the staff. Currently, a shortage of investigative staff has created backlogs as investigators struggle to develop the case files for prosecutor review.

Along with the increased productivity resulting from the additional investigative and paralegal staff, the three new attorney positions funded through the increase should help return the section to an overall 2.4 case/attorney ratio, reducing attorney burn-out and resulting in the Section bringing nine additional police prosecutions each fiscal year.

Special Litigation (SPL)

SPL's law enforcement work focuses on patterns or practices of police misconduct, and both broad investigations of departments with deeply-rooted and/or widespread structural breakdowns as well as targeted, issue-focused initiatives. Investigations always involve the use of police experts; often require the review of tens of thousands of pages of documents; and routinely involve repeated site-visits and hundreds of interviews with police officials, line officers, victims of civil rights violations, community leaders and elected officials. If violations are found, SPL seeks durable, sustainable remedies, often embodied in an injunction. Implementation of reforms is a long-term and time intensive process often lasting a decade. The Section currently has nine law enforcement related cases with injunctions or agreements that are being enforced. SPL's total attorney staffing level is 43 line attorneys, who devote approximately 33% of their time to police misconduct enforcement. The program increase will add four attorneys, three investigators, and two paralegals in support of SPL's police misconduct litigation efforts.

As with CRM, the addition of investigative staff increases efficiency through production of more timely and complete case files. The increased productivity gained through additional support staff will enhance the level of police misconduct cases the attorneys will be able to initiate. In SPL, statistics show that for each additional attorney, one additional large investigation is possible in the first year. Resource needs diminish as the emphasis shifts from investigations to enforcement; however, as the docket of cases with consent decrees grows, more resources must be committed to ensure compliance. Over time, equilibrium is reached resulting in a smaller ratio of attorneys to cases after the first year of an investigation.

Employment Litigation (ELS)

The Employment Litigation Section (ELS) enforces Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, et seq., ("Title VII") against state and local government employers. As stated by a comprehensive report on police misconduct:

A police agency whose officers reflect the racial demographics of the community they serve fulfills several important purposes in reducing racial bias in policing. First, it conveys a sense of equity to the public, especially to minority communities. Second, it increases the probability that, as a whole, the agency will be able to understand the perspectives of its racial minorities and communicate effectively with them. Third, it increases the likelihood that officers will come to better understand and respect various racial and cultural perspectives through their daily interactions with one another.¹

ELS is a recognized leader in bringing challenges to public employer practices that unnecessarily screen out minorities and women. These large cases usually result in the employer changing its employment processes so that the new examinations or criteria actually evaluate candidates for what is necessary for the job and have less disparate impact on minorities and women. ELS's total attorney staffing ceiling is

¹ Lorie Fridell, Robert Lunney, Drew Diamond and Bruce Kubu, *Racially Biased Policing: A Principled Response*, Police Executive Research Forum, 68-69 (2001), <http://www.policeforum.org/library/?folderPath=/library/racially-biased-policing/a-principled-response/#documents>

45 attorneys and approximately 33% of ELS's cases and investigations involve police departments. The program increase will add one attorney, one investigator, and one paralegal in support of ELS's mission to reduce police misconduct through equity in hiring practices. Cases that challenge a department's hiring or promotion policies are significant undertakings that require a large commitment of resources. Because of the large volume of documents and data that must be analyzed, the Section usually assigns two attorneys and a paralegal to this type of investigation and may increase the team to three attorneys if the case is litigated. These investigations can take over a year to complete and during that year can take approximately half of an attorney's time. One additional attorney position will permit ELS to increase its caseload regarding police hiring and promotion practices and increase the ability to find, investigate, and litigate potential violations. The added attorney position will allow the Section to investigate a minimum of two additional police departments a year and expect to resolve 2-3 cases annually.

ELS's additional investigator position would be filled by an individual who would assist in identifying and investigating police departments for enforcement actions by conducting statistical analyses of the departments' workforces and hiring practices and analyzing the hiring practices at issue to see if they actually evaluate candidates on job-related criteria. Additionally, ELS will use this investigator to conduct statistical analyses regarding disparate treatment claims of minorities in hiring and promotion. Currently, ELS is forced to rely on consultants for these types of analyses. Having the capacity to conduct this work in-house would significantly increase ELS's efficiency.

In summary, the additional resources will allow CRT to make changes in policies and practices related to the use of force; stops, searches and arrests; custodial interrogations; photographic line-ups; prevention of discriminatory policing; community engagement; recruitment; training; officer assistance and support; performance evaluations and promotions; supervision; and misconduct investigations. The work will encourage greater civilian oversight and will foster community interaction and partnerships.

Effective policing and constitutional protections go hand in hand. We owe it to the communities, and to the law-abiding officers who put their lives on the line every day, to address the serious challenges confronting too many police departments. The Division is committed to working alongside its law enforcement partners in a spirit of fairness and professionalism, to ensure that all necessary reforms are achieved, and the public is effectively and honorably served.

Justification

The Civil Rights Division enforces both the criminal and civil statutes that protect the civil rights of persons in their interactions with law enforcement officers. As a result of the complexity of these matters, the lack of private right of action under Section 14141, and the cost of investigation and litigation, the Civil Rights Division plays a unique and critical role in ensuring that police practices across the United States are constitutional. CRT's unique mission within the Department also alleviates conflict of interest in the prosecution of local police departments by the U.S. Attorneys' Offices, and protects their role as partners in local enforcement.

Over the last three years, the Division's overall workload has increased in both complexity and scope while staffing ratios have been dramatically reduced. The Criminal Section (CRM) maintained a robust docket of color of law cases. Allegations of police abuse and other official misconduct, which comprise the majority of complaints reviewed by CRM, continue to be a high priority. In FY 2013, 83 law enforcement officers, including police officers, deputy sheriffs, and State prison correctional officials, were charged with using their positions to deprive individuals of their constitutional rights, such as the right to be free from unwarranted assaults and illegal arrests and searches. The number of cases indicted by the CRM Section has grown from a low in 2003 of 63 cases (of which 27 were police cases) to 141 in 2013 (of which 47 were police cases). From 2003 to 2013, the Section essentially doubled its case load with the same staff. In FY 2014 to date, the number of defendants charged in this area is already 10.

The investigations conducted by CRT's Special Litigation Section (SPL) have similarly increased in both number and scope. The Section has more active police pattern or practice investigations of law enforcement agencies than any other time in the Division's history. The Section has 25 active law enforcement pattern or practice cases: nine open investigations, five matters in litigation, and 11 matters that have been resolved by an agreement that SPL is enforcing.

With the combined growth in the overall docket, the increase in demand for action on police misconduct matters has outstripped the level of resources available to the Division. On average, each large, civil police investigation or matter in enforcement requires 1,900 hours of attorney time in the first year of an investigation. From initiation to conclusion, these cases often take years to complete. While the workload requirements fluctuate over time, a significant commitment of resources is required throughout. On at least a weekly basis, the Division is contacted by community groups, public officials or, in some cases, police leaders asking SPL to open a pattern or practice investigation. Preliminary reviews of these matters have identified very serious concerns that would benefit from the Division's intervention.

Funding**Base Funding**

FY 2013 Enacted				FY 2014 Enacted				FY 2015 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
71	52	71	\$11,928	71	52	71	\$11,928	71	52	71	\$12,174

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)
Attorneys (0905)	\$121	9	\$1,089	\$1,031
Investigators (010-099)	74	6	444	324
Paralegals (0900-0999)	65	5	325	225
Total Personnel	\$260	20	\$1,858	\$1,580

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)
Litigative Consultants	\$0	0	\$70	\$71

Total Request for this Item

	Pos	Agt/ Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)
Current Services	71	52	71	\$12,174	\$0	\$12,174	\$0
Increases	20	9	10	\$ 1,858	\$70	\$ 1,928	\$1,651
Grand Total	91	61	81	\$14,032	\$70	\$14,102	\$1,651

Item Name: E-Verify

Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law

Strategic Objective 2.5: Promote and protect Americans' civil rights

Budget Decision Unit(s): Civil Rights Division

Organizational Program: Civil Rights Division

Component Ranking of Item: 3 of 3

Program Increase: Positions 3 Agt/Atty 2 FTE 3 Dollars \$305,000

Description of Item

To date, more than 500,000 employers throughout the United States use E-Verify, an Internet-based electronic verification system administered by the Department of Homeland Security that allows employers to confirm an individual's employment eligibility. The number of employers enrolling in E-Verify has been increasing at a staggering rate, as has E-verify-related discrimination against work-authorized employees.

The Civil Rights Division's Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) enforces the anti-discrimination provision of the Immigration and Nationality Act (INA). This provision prohibits employers from discriminating on the basis of national origin and citizenship or immigration status in the employment eligibility verification process, which includes the E-Verify process. In large part because of the increase in E-Verify-related discrimination in FY13, the Division collected nearly \$900,000 in civil penalties from employers who were violating the statute.

Pursuant to a Memorandum of Understanding entered into by U.S. Citizenship and Immigration Services (USCIS) within the Department of Homeland Security and OSC in 2010, USCIS has been referring to OSC an increasing number of matters involving E-Verify-related discrimination over the past two years. However, the Division is unable to investigate the vast majority of cases referred. Moreover, OSC has received an increasing number of E-Verify-related charges and has had to devote significant resources to E-verify related policy work and hotline calls, through which OSC staff provides assistance and information to the public regarding the INA. The additional resources requested would be used to enforce the laws that protect employees from E-verify-related discrimination and supplement its enforcement efforts with critical E-Verify policy and hotline work.

The Civil Rights Division's request includes a program enhancement of 3 positions (including 2 attorneys and 1 paralegal) and \$305,000. These resources will enable the Department to open more investigations and hold more employers accountable for violating the INA.

Support of the Department's Strategic Goals

The Division's enhancement request seeks to direct greater resources to fighting discrimination that violates the INA, including E-verify-related discrimination, which relates directly to The Attorney General's Strategic Goal 2. This type of discrimination disproportionately affects minority, disadvantaged and immigrant populations, and increased resources are necessary to investigate, prosecute and seek redress on behalf of those who are harmed.

Justification

The Civil Rights Division will expand civil enforcement efforts, including investigations and cases of E-verify-related discrimination, in order to protect work-authorized employees from being discriminated against in violation of the anti-discrimination provision of the INA.

Funding**Base Funding**

FY 2013 Enacted				FY 2014 Enacted				FY 2015 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
11	7	8	\$1,298	11	7	8	\$1,304	11	7	8	\$1,311

Personnel Increase Cost Summary

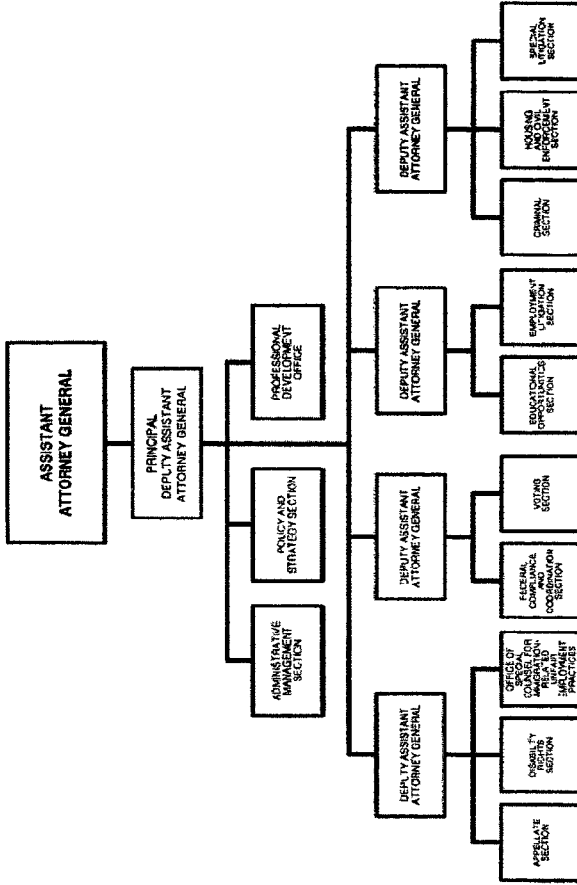
Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)
Attorneys (0905)	\$121	2	\$242	\$115
Paralegal (900-998)	63	1	63	\$45
Total Personnel	\$305	3	\$305	\$161


Total Request for this Item

	Pos	Agt/ Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)
Current Services	11	7	8	\$1,311	\$0	\$1,311	\$0
Increases	3	2	2	\$305	\$0	\$305	\$161
Grand Total	14	9	10	\$1,616	\$0	\$1,616	\$161

A: Organizational Chart

CIVIL RIGHTS DIVISION



Approved by  Date April 22, 2010
ERIC H. HOLDER, JR.
Attorney General

Summary of Requirements

Summary of Requirements
 Civil Rights Division
 Salaries and Expenses
 (Dollars in Thousands)

	Direct Pos.	FY 2015 Request FTE	Amount
2013 Enacted	715	607	146,608
2013 Rescissions (1.87% & 0.2%)	0	0	-3,040
2013 Sequester	0	0	-7,227
Total 2013 Enacted (with Rescissions and Sequester)	715	607	136,341
2014 Enacted	714	606	144,173
Base Adjustments			
Pay and Benefits	0	0	2,005
Domestic Rent and Facilities	0	0	8,365
Total Base Adjustments	0	0	10,405
2015 Current Service	714	606	154,576
Program Changes			
Increases:			
E-Verify Administrative Review	3	2	305
Civil Rights Enforcement	50	25	5,072
Police Misconduct Enforcement	20	10	1,928
Subtotal, Increases	73	37	7,305
Total Program Changes	73	37	7,305
2015 Total Request	787	643	161,881
2014 - 2015 Total Change	73	37	17,708

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
 Civil Rights Division
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Civil Rights Division	715	607	138,341	714	606	144,173	0	0	10,403	714	606	154,576
Total Direct	715	607	138,341	714	606	144,173	0	0	10,403	714	606	154,576
Balance Rescission			0			0			0			0
Total Direct with Rescission												
Reimbursable FTE		29	136,341		29	144,173			10,403		29	154,576
Total Direct and Reimb. FTE		636			635				0		635	
Other FTE:												
LEAP		0			0				0		0	
Overtime		4			4				0		4	
Grand Total, FTE		640			639				0		639	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Civil Rights Division	73	37	7,305	0	0	0	787	643	161,881
Total Direct	73	37	7,305	0	0	0	787	643	161,881
Balance Rescission			0			0			0
Total Direct with Rescission									
Reimbursable FTE		0				0			161,881
Total Direct and Reimb. FTE		37							161,881
Other FTE:									
LEAP		0			0			29	0
Overtime		0			0			672	0
Grand Total, FTE		37			0			676	4

Program Changes by Decision Unit

FY 2015 Program Changes by Decision Unit

Civil Rights Division
Salaries and Expenses
(Dollars in Thousands)

Program Increases	Location of Description by Program Activity	Civil Rights Division				Total Increases			
		Direct Pos.	Ag'l/ Atty.	Est. FTE	Amount	Direct Pos.	Ag'l/ Atty.	Est. FTE	Amount
Civil Rights Enforcement	Civil Rights Division	50	25	25	5,072	50	25	25	5,072
Police Misconduct Enforcement	Civil Rights Division	20	9	10	1,928	20	9	10	1,928
E-Verify	Civil Rights Division	3	2	2	305	3	2	2	305
Total Program Increases		73	36	37	7,305	73	36	37	7,305

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

Civil Rights Division
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester		2014 Enacted		2015 Current Services		2015 Increases		2015 Offsets		2015 Total Request	
	Direct Amount FTE	Direct Amount FTE	Direct Amount FTE	Direct Amount FTE	Direct Amount FTE	Direct Amount FTE	Direct Amount FTE	Direct Amount FTE	Direct Amount FTE	Direct Amount FTE	Direct Amount FTE	Direct Amount FTE
Goal 2 Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law												
2.5 Promote and protect American civil rights by preventing and prosecuting discriminatory practices	636	136,341	635	144,173	635	154,576	37	7,305	0	0	672	161,881
	636	136,341	635	144,173	635	154,576	37	7,305	0	0	672	161,881
TOTAL	636	136,341	635	144,173	635	154,576	37	7,305	0	0	672	161,881

Note: Excludes Balance Rescission and/or Supplemental Appropriations.

E - Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

Civil Rights Division
Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Pay and Benefits			
1 2015 Pay Raise This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$653,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$457,100 for pay and \$195,900 for benefits).			653
2 Annualization of FY 2014 Pay Raise This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested, \$222,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$155,400 for pay and \$66,600 for benefits).			222
3 FERS Regular Law Enforcement Retirement Contribution Effective October 1, 2014 (FY 2015), the new agency contribution rates are 13.2% (up from the current 11.9%, or an increase of 1.3%) and 26.8% for law enforcement personnel (up from the current 26.3%, or an increase of 0.5%). The amount requested, \$889,000, represents the funds needed to cover this increase.			889
4 Health Insurance Effective January 2015, the component's contribution to Federal employees' health insurance increases by 3 percent. Applied against the 2014 estimate of \$4,329,000, the additional amount required is \$128,000.			128
5 Retirement Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$143,000 is necessary to meet our increased retirement obligations as a result of this conversion.			143
	0	0	2,035
Domestic Rent and Facilities			
1 General Services Administration (GSA) Rent GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$1,106,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.			1,106
2 Moves (Lease Expirations) GSA requires all agencies to pay relocation costs associated with lease expirations. This request provides for the costs associated with new office relocations caused by the expiration of leases in FY 2015.			7,262
	0	0	8,368
TOTAL DIRECT BASE ADJUSTMENTS			
	0	0	10,403

Exhibit E - Justification for Technical and Base Adjustments

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
 Civil Rights Division
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Appropriation Enacted w/o Balance Reallocation			Supplementals			Sequester			Reprogramming/Transfers			Reallocations			Carryover		Reclassified Refunds		2013 Actual			
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Amount	Actual Pos.	Actual FTE	Amount	Actual Pos.	Actual FTE		
Civil Rights Division	715	607	143,568	0	0	-7,227	0	0	-7,227	0	0	0	0	0	0	0	715	607	138,665	0	715	607	138,665
Reimbursable FTE		29				0			0			0			0			29				29	
Total Direct and Reimb. FTE		636										0			0			636				636	
Other FTE:																							
LEAD		4				0			0			0			0			4				4	
Training						0			0			0			0								
Grand Total FTE		640										0			0			640				640	

1) The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Reprogramming/Transfers

Reallocations:

\$2,525,000 was reallocated from GLA's ALS account to the Civil Rights Division for Automated Litigation Support.

Crosswalk of 2014 Availability

Crosswalk of 2014 Availability
 Civil Rights Division
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Supplemental Appropriation Amount	Reprogramming/Transfers			Carryover Amount	Recoveries/ Refunds Amount	2014 Availability		
	Direct Pos.	Estim. FTE	Amount		Direct Pos.	Estim. FTE	Amount			Direct Pos.	Estim. FTE	Amount
Civil Rights Division	714	606	144,173	0	0	0	0	0	0	714	606	144,173
Total Direct	714	606	144,173	0	0	0	0	0	0	714	606	144,173
Balance Rescission			0									0
Total Direct with Rescission			144,173									144,173
Reimbursable FTE		29				0		0			29	
Total Direct and Reimb. FTE		635				0		0			635	
Other FTE:												
LEAP		0				0		0			0	
Overtime		4				0		0			4	
Grand Total FTE		639				0		0			639	

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources Civil Rights Division Salaries and Expenses (Dollars in Thousands)												
Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
ROP	0	10	1,320	0	10	1,208	0	10	1,209	0	0	1
FBI			479			730			733			3
DEA			173			170			173			3
EOUSA			257			179			180			1
USMS			100			82			82			0
CRS			0			21			21			0
OIG			0			10			10			0
OJP			307			350			351			1
JMD			72			45			45			0
EOIR			37			50			50			0
ATF			222			138			145			7
ATR			0			5			5			0
HHS	19		5,478	19		6,800		19	6,800		0	0
OVC/NAVC			3			42			42			0
VW/WEF			0			10			10			0
OARM			6			14			14			0
UPSC			0			0			0			0
NDIC			0			0			0			0
NSD			111			110			111			1
CFPB			67			67			67			0
OPM			18			10			10			0
DHS			0			0			0			0
Budgetary Resources	0	29	8,650	0	29	10,041	0	29	10,058	0	0	17
Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Civil Rights Division	0	29	8,650	0	29	10,041	0	29	10,058	0	0	17
Budgetary Resources	0	29	8,650	0	29	10,041	0	29	10,058	0	0	17

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

Civil Rights Division
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions and Sequester		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Miscellaneous Operations (010-099)	7	0	7	0	0	0	0	7	0
Economist (110)	3	0	3	0	0	0	0	3	0
Civil Rights Analyst (160)	16	0	16	0	0	0	0	16	0
Personnel Management (200-299)	11	0	11	0	0	0	0	11	0
Clerical and Office Services (300-399)	151	0	151	0	0	0	0	151	0
Accounting and Budget (500-599)	7	0	7	0	0	0	0	7	0
Architect (600)	10	0	10	0	0	0	0	10	0
Attorney (800)	384	0	383	0	0	0	0	383	0
Paralegal / Other Law (900-999)	24	0	24	0	0	0	0	24	0
Information & Arts (1000-1099)	102	0	102	0	0	0	0	102	0
Mathematical Statistics (1529)	3	0	3	0	0	0	0	3	0
Information Technology Mgmt. (2210)	18	0	18	0	0	0	0	18	0
Total	715	29	714	29	0	73	0	787	29
Headquarters (Washington, D.C.)	715	29	714	29	0	73	0	787	29
U.S. Field	0	0	0	0	0	0	0	0	0
Foreign Field	0	0	0	0	0	0	0	0	0
Total	715	29	714	29	0	73	0	787	29

Exhibit I - Details of Permanent Positions by Category

J. Financial Analysis of Program Changes

Financial Analysis of Program Changes

Civil Rights Division
Salaries and Expenses
(Dollars in Thousands)

Grades	Civil Rights Division								Total Program Changes	
	Civil Rights Enforcement		Police Misconduct Enforcement		E-Verify					
	Direct Pos.	Amount	Direct Pos.	Amount	Direct Pos.	Amount	Direct Pos.	Amount		
GS-14	25	2,931	9	1,078	2	239	36	4,248		
GS-13	0	0	0	0			0	0		
GS-12	17	1,491	0	0			17	1,491		
GS-11	4	264	6	396			10	660		
GS-9	3	162	5	272	1	51	9	485		
GS-7	1	42	0	0	0		1	42		
Total Positions and Annual Amount	50	4,890	20	1,746	3	290	73	6,928		
Lapse (-)	-25	-2,445	-10	-873	-2	-145	-37	-3,463		
11.5 Other Personnel Compensation		0		0	0		0	1		
Total FTEs and Personnel Compensation	25	2,445	10	873	2	146	37	3,464		
12.0 Personnel Benefits		664		272		43		979		
21.0 Travel and Transportation of Persons		156		69		10		235		
22.0 Transportation of Things		16		7		8		31		
23.1 Rental Payments to GSA		31		12		0		43		
23.3 Communications, Utilities, and Miscellaneous Charges		12		4		2		18		
24.0 Printing and Reproduction		22		9		1		32		
25.1 Advisory and Assistance Services		243		174		21		438		
25.2 Other Services from Non-Federal Sources		563		61		8		632		
25.3 Other Goods and Services from Federal Sources		20		83		13		116		
25.5 Research and Development Contracts		12		5		0		17		
25.7 Operation and Maintenance of Equipment		53		21		0		74		
26.0 Supplies and Materials		462		186		3		651		
31.0 Equipment		373		152		50		575		
Total Program Change Requests	25	5,072	10	1,928	2	306	37	7,305		

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class
 Civil Rights Division
 Salaries and Expenses
 (Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	553	65,294	552	69,125	599	73,411	37	4,286
11.3 Other than Full-Time Permanent	54	5,047	54	4,900	54	4,900	0	0
11.5 Other Personnel Compensation		138		660		703		53
Over-time	4	20	4	50	4	60	0	10
11.8 Special Personal Services Payments	0	0	0	224	0	224	0	0
Total	607	70,479	606	74,899	643	79,238	37	4,339
Other Object Classes								
12.0 Personnel Benefits		19,643		20,972		23,111		2,139
13.0 Benefits for former personnel		8		8		8		0
21.0 Travel and Transportation of Persons		2,946		3,650		3,685		235
22.0 Transportation of Things		656		657		688		31
23.1 Rental Payments to GSA		16,005		16,637		17,743		1,106
23.2 Rental Payments to Others		381		400		443		43
23.3 Communications, Utilities, and Miscellaneous Charges		2,173		2,263		2,281		18
24.0 Printing and Reproduction		72		120		152		32
25.1 Advisory and Assistance Services		1,589		1,790		2,228		438
25.2 Other Services from Non-Federal Sources		17,365		13,285		13,817		632
25.3 Other Goods and Services from Federal Sources		5,027		8,287		8,403		116
25.4 Operation and Maintenance of Facilities		21		32		32		0
25.5 Research and Development Contracts		0		0		0		0
25.6 Medical Care		61		62		62		0
25.7 Operation and Maintenance of Equipment		95		115		132		17
29.0 Supplies and Materials		383		396		473		77
31.0 Equipment		1,322		900		1,298		808
32.0 Land and Structure		0		0		7,787		7,787
Total Obligations		138,856		144,173		161,881		17,708
Subtract - Unobligated Balance, Start-of-Year		0		0		0		0
Subtract - Reallocation/Reprogramming		0		0		0		0
Subtract - Recoveries/Refunds		-2,525		0		0		0
Add - Unobligated End-of-Year, Available		0		0		0		0
Add - Unobligated End-of-Year, Expiring		10		0		0		0
Total Direct Requirements	0	136,341	0	144,173	0	161,881	0	17,708
Reimbursable FTE								
Full-Time Permanent	29		29		29		0	
23.1 Rental Payments to GSA (Reimbursable)		178		187		187		0
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)		12		12		12		0

Exhibit K - Summary of Requirements by Object Class

INTERNATIONAL CRIMINAL POLICE ORGANIZATION

**INTERPOL WASHINGTON
U.S. NATIONAL CENTRAL BUREAU**

**U.S. DEPARTMENT OF JUSTICE (DOJ)
WASHINGTON, D.C.**

FY 2015 PERFORMANCE BUDGET

CONGRESSIONAL SUBMISSION

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I. Overview for INTERPOL Washington, the U.S. National Central Bureau

A. Introduction

In FY 2015, INTERPOL Washington, the U.S. National Central Bureau, requests a total of \$32,000,000, 69 FTE, and 77 direct positions to prevent crime, enforce federal laws and prevent terrorism. This request includes an Adjustment-to-Base (ATB) increase of \$268,000, as well as a corresponding decrease of \$268,000 for Miscellaneous Program and Administrative Reductions. With these resources, INTERPOL Washington (IPOL) will be able to continue its efforts in cases related to terrorism, violent crime, drug trafficking, and cybercrime.

Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

B. Background

INTERPOL Washington, the United States National Central Bureau, is the statutorily-designated representative to the International Criminal Police Organization (INTERPOL) on behalf of the Attorney General. As such, it is the official U.S. Point of Contact in INTERPOL's world-wide, police to police communications and criminal intelligence network. INTERPOL Washington is co-managed by the U.S. Department of Justice (DOJ) and the Department of Homeland Security (DHS) pursuant to a Memorandum of Understanding that ensures a continuing commitment to the guidance and oversight of the organization and reinforces its role in effectively sharing and exchanging international criminal investigate and humanitarian assistance information. Consequently, its mission encompasses a broad spectrum of activities and responsibilities that support the effective administration of justice and security of the homeland – an end-state that fully reflects the Administration's strategic approach to combating transnational criminal threats. In carrying out these wide-ranging responsibilities, INTERPOL Washington utilizes a highly integrated, multi-sector workforce that includes analysts and agents detailed from both DOJ and DHS, including: the FBI, DEA, ATF, U.S. Marshals Service, ICE Homeland Security Investigations, U.S. Customs and Border Protection, U.S. Border Patrol, and the United States Secret Service, among others.

As the National Central Bureau for the United States, INTERPOL Washington is authorized unrestricted access to INTERPOL's secure, encrypted communications network, as well as its entire array of investigative databases. Populated with millions of records contributed by INTERPOL's 190 member countries, these databases contain vital investigative information on international fugitives; stolen and lost travel documents; stolen administrative documents; missing persons; unidentified bodies; images of child sexual abuse, and other matters of investigative interest. This capability facilitates law enforcement interaction in real time on investigative matters ranging from simple criminal history checks to the sharing of sensitive criminal intelligence and investigative leads targeting transnational organized crime groups.

In addition, INTERPOL Washington is exclusively responsible for securing the publication of INTERPOL Notices – a system of international lookouts or advisories used to assist law enforcement authorities in locating fugitives, identifying suspects, and other investigative purposes – on behalf of U.S. law enforcement agencies, and for ensuring that such Notices published on behalf of other member countries are entered and maintained in U.S. indices including the Federal Bureau of Investigation's (FBI) National Crime Information Center

(NCIC) and the Department of Homeland Security's Treasury Enforcement Communications System (TECS). It also supports the exchange of international humanitarian assistance requests involving such matters as threatened suicides, death notifications, and health and welfare checks on U.S. citizens overseas, as well as foreign nationals in the U.S.

Operating 24/7/365, INTERPOL Washington is solely dedicated and equipped to assist the more than 18,000 US law enforcement agencies and their foreign counterparts in overcoming the very real cultural, linguistic, and legal barriers that complicate the exchange of criminal investigative information and support across national administrations and boundaries – including situations where diplomatic relations may not exist. Even for U.S. law enforcement agencies with a well-developed international criminal investigative presence, INTERPOL Washington's services are complementary, not competitive or duplicative.

In all instances, INTERPOL Washington serves to coordinate U.S. law enforcement actions and responses, ensuring that it is consistent with U.S. interests and law, as well as INTERPOL policies, procedures, and regulations. This includes strict adherence to Article 3 of the INTERPOL Constitution, which expressly forbids the Organization to "...undertake any intervention or activities of a political, military, religious or racial character."

C. Full Program Costs

INTERPOL Washington is one decision unit, and all requested funds must sustain operations that support DOJ's key priorities, as well as those of DHS and INTERPOL. Therefore, each performance objective is linked with the costs of critical strategic actions that necessarily reflect the diverse requirements of all three organizations. Moreover, through its on-going communications with its domestic and foreign counterparts, INTERPOL Washington continues to identify service gaps and emerging needs that will require additional investment. The total costs include the following (Figure 1):

- Operating costs
 - The direct costs of all outputs, and
 - Common administrative systems
- Indirect costs
 - Contribution of U.S. dues to INTERPOL

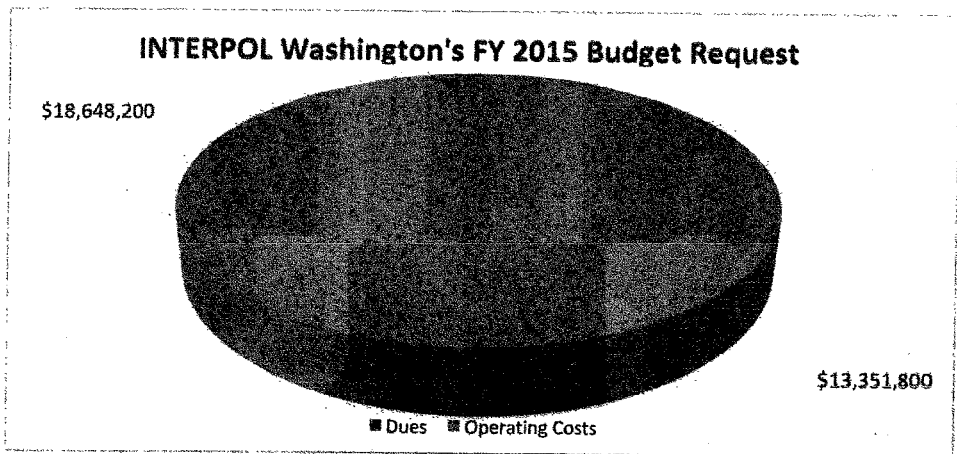


Figure 1

Both performance and resource tables define the total cost of achieving the strategies INTERPOL Washington will implement in FY 2015. Also included are the indirect costs of continuing activities, which are central to its operations.

D. Challenges

The Administration's *National Security Strategy* explicitly recognizes that transnational crime is a serious and growing threat to public safety and national security. Similarly, the *Worldwide Threat Assessment of the US Intelligence Community* cites transnational organized crime as "...an abiding threat to US economic and national security interests..."^[1] Of particular concern, both documents point to an increasing convergence between transnational crime and terrorism. In order to combat these threats, the United States government is seeking to integrate elements from within the homeland security and national security mission spaces into a whole-of-government approach designed to disrupt, defeat, and dismantle transnational criminal and terrorist organizations.^[2]

Performance Challenges

The challenges that impede progress toward achieving the strategic goals of DOJ and DHS are complex and ever-changing. Developments in technology, enforcement priorities, and shifting patterns of criminal behavior are only a few factors that impact law enforcement practices and pose challenges that demand attention. The following challenges are among those that INTERPOL Washington views as highly significant, and as having the greatest potential to impact its budget, operations, and resources.

External Challenges: The unprecedented growth of transnational criminal and terrorist organizations has created a corresponding demand for international law enforcement cooperation and access to law enforcement information worldwide. Consequently, INTERPOL Washington's requirement to respond to all requests for assistance from its domestic and international law enforcement partners continues to place substantial and increasing demands on its fiscal and operational resources. INTERPOL Washington anticipates that the volume of requests for assistance will continue to increase as its outreach efforts and information technology initiatives develop and take hold.

- Member countries expansion of INTERPOL databases to border points has led to a significant increase in cases and message traffic across the network (Figure 2).
- INTERPOL has ceased translating all messages - especially noteworthy are notices and diffusions. As a consequence, INTERPOL Washington has absorbed the cost of translating diffusions, notices, and other INTERPOL message traffic.
- INTERPOL Washington receives no funding from participating agencies for operating expenses (such as rent, guard service, telecommunication, equipment, and supply expenses) for their detailed personnel.

^[1] Unclassified Statement for the Record on the *Worldwide Threat Assessment of the US Intelligence Community* for the Senate Select Committee on Intelligence, James R. Clapper, Director of National Intelligence, January 31, 2012

^[2] *National Security Strategy*, p.15

- Enhancing U.S. domestic agencies' access to INTERPOL databases involves a number of technical, administrative, and legal agreements that are slow to implement.
- Federal, state, local and municipal law enforcement agencies are not taking full advantage of important information and communications tools available through INTERPOL Washington.

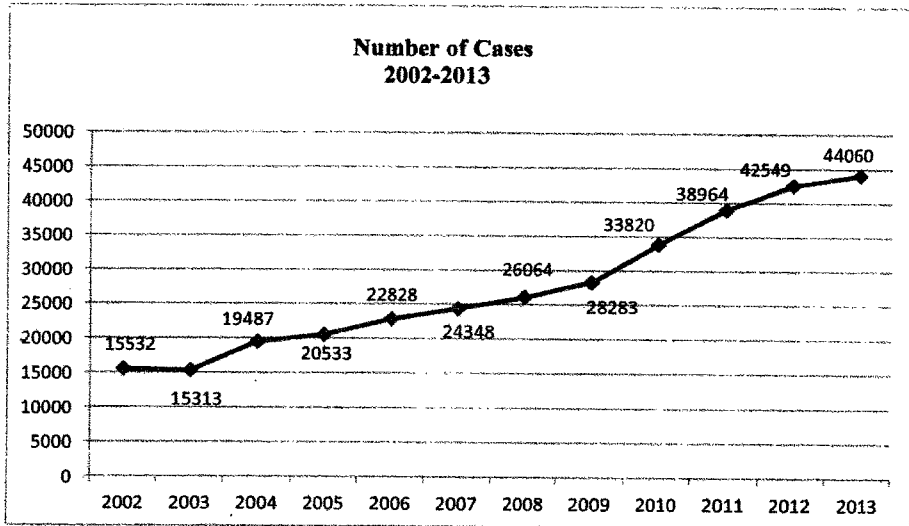


Figure 2

Funding U.S. Dues to the INTERPOL Organization

In October 2013, the INTERPOL General Assembly (GA) adopted a new model for the distribution of statutory contributions among INTERPOL member countries. This new scale incorporates the economic performance of member countries by averaging the INTERPOL scale and the United Nation's scale. The United Nation's scale includes various economic indicators including, Gross Domestic Product (GDP). Under the new dues structure, not only will the United States continue to pay the largest percentage but our contribution percentage will escalate markedly from 17.4 percent in 2014 to 19.4 percent by 2017 (Figure 3).

The U.S. dues contribution is paid in Euros (€) from INTERPOL Washington's budget, and has increased from €1.23 million in 2001 to €9.54 million in 2015. The estimated dues contribution, as paid in U.S. dollars in 2015, represents **42 percent** of INTERPOL Washington's annual budget. Moreover, the newly adopted scale will raise the U.S. dues contribution to €10.1 million by 2016, assuming that INTERPOL's budget increases are consistent with inflationary rates. Although INTERPOL is pursuing alternative funding streams, it has indicated that it will seek additional annual increases to its budget to fund inflationary costs. The budgetary effect of these annual increases may be further compounded by the value of the U.S. dollar relative to the Euro, which impacts INTERPOL Washington's ability to pay its dues commitment at either an advantageous or disadvantageous rate of exchange.

U.S. Statutory Contribution as Percentage of INTERPOL Statutory Contributions

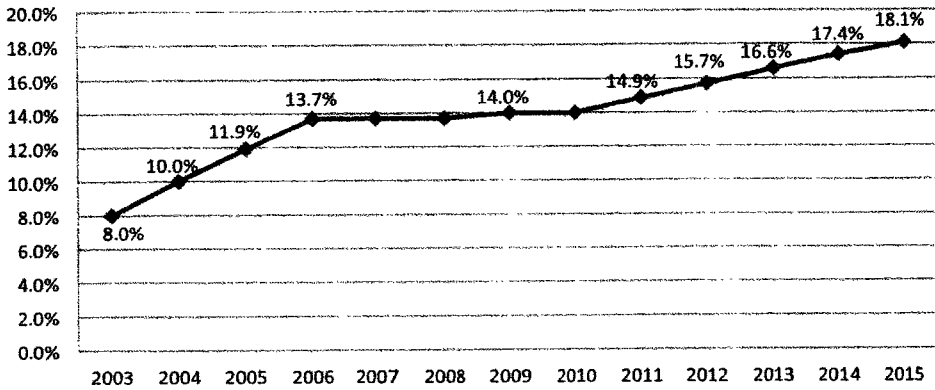


Figure 3

Internal Challenges: INTERPOL Washington faces many internal challenges in FY 2015, primarily in regards to its analytical capacity and Information Technology (IT) infrastructure. These challenges also present INTERPOL Washington with considerable risks, such as an over-reliance on contractors in key analytical and IT positions. This practice makes INTERPOL Washington susceptible to factors such as annual contract renewals, and the challenges are exacerbated by an increase in the volume of information and data received from foreign and domestic law enforcement partners as a result of outreach efforts. This increase in volume has significantly outpaced INTERPOL Washington's analytical capabilities, resulting in costly delays and backlogs.

A foreseeable shortage of analytical and IT staff exists, as approximately **20 percent** of INTERPOL Washington's current permanent workforce will be eligible to retire over the next three years. Another internal challenge is that **45 percent** of its on-board, federal workforce (excluding interns) is detailed from domestic law enforcement partner agencies. To mitigate the skills gap that may result from the retirement of its employees and the turnover of detailees, INTERPOL Washington must further develop the tools necessary to recruit, hire, train, and retain qualified applicants. In response to this urgent business requirement, INTERPOL Washington conducted a comprehensive assessment of its human capital and information technology program, which resulted in the publication of human capital, IT, and mission strategic plans to guide the organization through FY 2016.

E. Strategic Goals and Objectives

This request identifies specific outcome-based, strategic mission objectives that will continue to advance the mission of INTERPOL Washington. Achieving these objectives will move the agency toward fulfilling its statutory mandate to secure greater cooperation and share information among law enforcement organizations throughout the world.

Linking INTERPOL Washington to the Department of Justice's Strategic Plan	
Goal #1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law	Objective 1.4 Combat cyber-based threats and attacks through the use of all available tools, strong private-public partnerships, and the investigation and prosecution of cyber threat actors
Goal #2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law	Objective 2.1 Combat the threat, incidence, and prevalence of violent crime
	Objective 2.2 Prevent and intervene in crimes against vulnerable populations; uphold the rights of, and improve services to, America's crime victims
Goal #3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels	Objective 3.5 Apprehend fugitives to ensure their appearance for federal judicial proceeding or confinement

F. Environmental Management System

INTERPOL Washington will continue to implement its agency-wide Environmental Management System. The agency has adopted a policy whereby INTERPOL Washington personnel incorporate environmental stewardship into their decision-making and day-to-day activities. The policy mandates *inter alia*:

- Incorporation of environmental management principles into planning and budget preparation.
- Promotion and encouragement for all employees to practice energy conservation, waste stream reduction, and recycling.
- Compliance with applicable federal, state, and local environmental laws and regulations.
- Identification and reporting to the agency leadership any unsafe working conditions or environmental concerns.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Miscellaneous Program Administrative Reductions	Program and administrative reductions to be identified once funds are appropriated.	0	0	-268	12

III. Appropriations Language and Analysis of Appropriations Language

For proposed language change, please refer to the General Legal Activities Consolidated Justification.

IV. Program Activity Justification

A. INTERPOL Washington

<i>INTERPOL Washington</i>	Direct Pos.	Estimate FTE	Amount
2013 Enacted with Rescissions and Sequestration	77	69	29,349
2014 Enacted	77	69	32,000
Adjustments to Base and Technical Adjustments	0	0	268
2015 Current Services	77	69	32,268
2015 Program Increases	0	0	0
2015 Program Offsets	0	0	-268
2015 Request	77	69	32,000
Total Change 2014-2015	0	0	0

<i>INTERPOL Washington Technology Breakout</i>	Direct Pos.	Estimate FTE	Amount
2013 Enacted with Rescissions and Sequestration	5	4	1,764
2014 Enacted	5	4	2,150
Adjustments to Base and Technical Adjustments	0	0	250
2015 Current Services	5	4	2,400
2015 Program Increases	0	0	0
2015 Program Offsets	0	0	0
2015 Request	5	4	2,400
Total Change 2014-2015	0	0	250

1. Program Description

INTERPOL is the world's largest international police organization and coordinates information sharing between its 190 member countries, providing a neutral venue where jurisdictions and mandates are interwoven to permit cooperation and assistance in combating international crime. Pursuant to its statutory authority, INTERPOL Washington, the U.S. National Central Bureau, facilitates international law enforcement cooperation by serving as a police-to-police communications and intelligence network for both American and foreign police seeking assistance in criminal investigations. In addition INTERPOL transmits information of a criminal justice, humanitarian, or other law enforcement related nature between domestic and foreign law enforcement agencies in INTERPOL member countries, and coordinates and integrates information in investigations of an international nature.

2. Performance and Resources Table

PERFORMANCE AND RESOURCES TABLE

Decision Unit: INTERPOL Washington

Strategic Objectives: 1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors; 2.1 Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers; 2.2 Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to, America's crime victims; 3.5 Apprehend fugitives to ensure their appearance for federal judicial proceedings or confinement

RESOURCES		Target	Actual		Projected		Changes		Requested (Total)	
		FY 2013	FY 2013		FY 2014		Current Services Adjustments and FY 2016 Program Changes		FY 2016 Request	
		FTE	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Program Activity	1.4, 2.1, 2.2, & 3.5	Exchange of International Information/ Assistance	69	29,349	69	32,000	0	0	69	32,000
Performance Measure:	New cases initiated		42,974	44,060	43,403				44,271	
Performance Measure:	Number of TECS/NCIC "lookouts" entered/updated		21,766	22,495	21,766				22,408	
Performance Measure:	Number of U.S. requested INTERPOL Notices issued		1,506	1,436	1,581			31	1,612	
Performance Measure:	Number of INTERPOL diffusions issued		644	647	240			0	240	
Performance Measure:	Number of "lookouts" issued to domestic and foreign law enforcement agencies on INTERPOL identifying persons and suspects within 48 hours		8356	9334	8874			283	9037	
Performance Measure:	Number of locates on fugitives obtained through database queries or lead information provided by a foreign NCB		436	441	449			9	458	
Performance Measure:	Number of red notices published on U.S. fugitives and sex offenders		473	473	487			14	501	
Performance Measure:	Number of green notices published on U.S. fugitives and sex offenders		769	789	792			24	816	
Outcome	Arrests, extraditions, and deportations on INTERPOL Notices/Diffusions with a U.S. nexus		160	145	168			4	172	

TECS/NCIC "Lookouts" are defined as records created by the **IPOL** in the Department of Homeland Security's Treasury Enforcement Communications System and the Federal Bureau of Investigation's National Crime Information Center system. Both systems are checked at U.S. border entry points. By placing the entries, IPOL is able to alert U.S. law enforcement to international wanted persons who may attempt to enter the U.S. IPOL considers "locates" to be the identification, through queries or lead information provided by another country, of a potential address or location of a wanted fugitive. IPOL Workload and Performance data is collected from IPOL systems and the INTERPOL General Secretariat. Data is validated through manual random sampling. A continuing data limitation is the fact that IPOL is sometimes left out of the information loop once a fugitive is located and/or arrested by national authorities, making it difficult to track and report final outcome. IPOL continues to make improvements to its statistical reporting.

PERFORMANCE MEASURE TABLE																	
Strategic Objective	Decision Unit:	INTERPOL Washington															
		Performance Report and Performance Plan Targets		FY 2009		FY 2010		FY 2011		FY 2012		FY 2013		FY 2014		FY 2015	
		Performance Measure	Number of lookouts within 48 hours	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target
1.4, 2.1, 2.2, & 3.5		Performance Measure	Number of INTERPOL Diffusions issued	6310		7537		8882		8036		8356		8774		9037	
1.4, 2.1, 2.2, & 3.5		Performance Measure	New cases initiated	N/A		N/A		460		585		644		240		240	
1.4, 2.1, 2.2, & 3.5		Performance Measure	Number of U.S. requested INTERPOL Notices	28283		33820		38964		42549		42947		43403		44271	
1.4, 2.1, 2.2, & 3.5		Performance Measure	TECS/NCIC "lookouts" entered/updated	N/A		N/A		1272		1818		1506		1581		1612	
1.4, 2.1, 2.2, & 3.5		Performance Measure	Number of locales on fugitives obtained through database queries or lead information provided by a foreign NCB	N/A		N/A		21165		20720		217561		21756		22408	
1.4, 2.1, 2.2, & 3.5		Performance Measure	Number of notices published on U.S. fugitives and sex offenders	461		374		390		439		436		441		458	
1.4, 2.1, 2.2, & 3.5		Performance Measure	Number of green notices published on U.S. fugitives and sex offenders	N/A		N/A		N/A		N/A		473		487		501	
1.4, 2.1, 2.2, & 3.5		Performance Measure	Arrests, extraditions, and deportations on INTERPOL Notices/Diffusions with a U.S. nexus	N/A		N/A		N/A		N/A		769		792		816	
1.4, 2.1, 2.2, & 3.5		OUTCOME Measure		125		143		146		165		160		168		172	
N/A = Data unavailable																	

3. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

INTERPOL Washington will support DOJ's strategic priorities by executing the following functions:

- Coordinating arrangements for payment of mandatory INTERPOL member dues;
- Communicating and exchanging information between international and domestic law enforcement agencies;
- Ensuring that the interests of the United States are represented to the international law enforcement community;
- Identifying trends and patterns in international criminal activity;
- Providing leadership and expertise at global law enforcement symposia, conferences, and meetings;
- Ensuring access to INTERPOL data for U.S. federal, state, local, and tribal law enforcement agencies, and,
- Championing the greater use by U.S. federal, state, local, and tribal law enforcement agencies of information and communication tools through INTERPOL Washington.

INTERPOL Washington will continue to facilitate cooperation among foreign and domestic law enforcement by making it easier to obtain information and evidence needed to pursue fugitives and track criminal activity by leveraging authorized and existing information sharing environments.

b. Strategies to Accomplish Outcomes

INTERPOL Washington has formed strategic partnerships with U.S. law enforcement agencies that have assigned agents to INTERPOL Washington to initiate and respond to international inquiries. INTERPOL Washington further participates in such international law enforcement initiatives as: Fusion Task Force (provides link analysis on terrorist groups and individuals); Human Trafficking Programs; Project Rockers (International Outlaw Motorcycle Gangs); Project Geiger (radiological materials); Project Cargo Net (maritime piracy); International Stolen Motor Vehicle Program; Cultural Antiquities Program; Stolen/Lost Travel Documents Program; International Child Sexual Exploitation Program, and the INTERPOL Bioterrorism Program. The Notice and Diffusion program builds member countries' capacity to rapidly identify and arrest known and internationally wanted individuals leading to their eventual extradition, deportation or prosecution.

INTERPOL Washington will also continue to use its expertise to assist in halting international parental abductions in progress, pursue child abductors, and locate child victims.

Through INTERPOL, every law enforcement agency in the United States can contact police, customs, and immigration authorities in 189 other member countries. The anticipated outcome is the reduction of crime domestically and internationally.

V. Program Increases by Item

Not Applicable.

VI. Program Offsets by Item

Item Name:	<u>Miscellaneous Program Administrative Reductions</u>
Strategic Goal:	<u>Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law</u>
Strategic Objective:	<u>Objective 2.1: Combat the threat, incidence, and prevalence of violent crime</u>
Budget Decision Unit(s):	<u>INTERPOL Washington</u>
Organizational Program:	<u>INTERPOL Washington</u>

Program Offset: Positions 0 Agt/Atty 0 FTE 0 Dollars (\$268,000)

Description of Item

Program and administrative reductions to be identified once funds are appropriated.

Justification

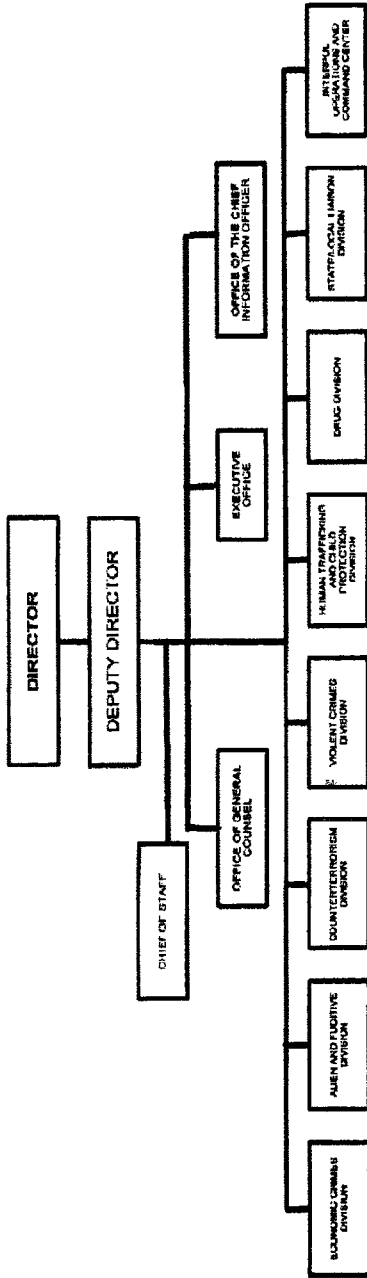
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Impact on Performance

Performance impact information is not yet available for this offset.

VII. EXHIBITS

INTERPOL WASHINGTON
U.S. National Central Bureau



Approved by: *[Signature]* 5/16/13

Summary of Requirements

Summary of Requirements
INTERPOL WASHINGTON
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted			
2013 Rescissions (1.877% & 0.2%)	77	69	31,559
2013 Sequester			-854
Total 2013 Enacted (with Rescissions and Sequester)	77	69	-1,558
			29,349
2014 Enacted	77	69	32,000
Base Adjustments			
Pay and Benefits	0	0	189
Domestic Rent and Facilities	0	0	79
Total Base Adjustments	0	0	268
2015 Current Services	77	69	32,268
Program Changes			
Program Offsets:			
Miscellaneous Program and Administration Reductions			
Subtotal, Program Offsets	0	0	-288
Total Program Changes	0	0	-288
2015 Total Request	77	69	32,000
2014 - 2015 Total Change	0	0	0

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
INTERPOL WASHINGTON
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
INTERPOL WASHINGTON	77	69	29,349	77	69	32,000		0	268	77	69	32,268
Total Direct	77	69	29,349	77	69	32,000	0	0	268	77	69	32,268
Total Direct with Rescission			29,349			32,000			268			32,268
Total Direct and Reimb. FTE		69			69			0			69	
Other FTE: LEAP		0			0			0			0	
Overtime		0			0			0			0	
Grand Total, FTE		69			69			0			69	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
INTERPOL WASHINGTON	0	0	0	0	0	-268	77	69	32,000
Total Direct	0	0	0	0	0	-268	77	69	32,000
Total Direct with Rescission			0			-268			32,000
Total Direct and Reimb. FTE		0			0			69	
Grand Total, FTE		0			0			69	

FY 2015 Program Changes by Decision Unit

INTERPOL WASHINGTON
Salaries and Expenses
(Dollars in Thousands)

Program Offsets	Location of Description in Narrative	INTERPOL WASHINGTON				Total Offsets			
		Direct Pos.	Ag./ Atty.	Est. FTE	Amount	Direct Pos.	Ag./ Atty.	Est. FTE	Amount
Miscellaneous Program Administrative Reductions	Page 12	0	0	0	-268	0	0	0	-268
Total Program Offsets		0	0	0	-268	0	0	0	-268

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

INTERPOL WASHINGTON
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Revisions and Sequencer			2014 Enacted			2015 Current Services			2015 Increases			2016 Offsets			2016 Total Request		
	Direct/ Reimb. FTE	Direct Amount	Reimb. Amount	Direct/ Reimb. FTE	Direct Amount	Reimb. Amount	Direct/ Reimb. FTE	Direct Amount	Reimb. Amount	Direct/ Reimb. FTE	Direct Amount	Reimb. Amount	Direct/ Reimb. FTE	Direct Amount	Reimb. Amount	Direct/ Reimb. FTE	Direct Amount	Reimb. Amount
Goal 1 Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law																		
1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors	14	5,955		14	6,493		17	7,950		0	0	0	0	0	0	17	7,950	
	14	5,955		14	6,493		17	7,950		0	0	0	0	0	0	17	7,950	
Goal 2 Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law																		
2.1 Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers	33	14,036		33	15,304		30	14,030		0	0	0	0	-269	0	30	13,762	
2.2 Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America's crime victims	12	5,104		12	5,585		12	5,612		0	0	0	0	0	0	12	5,612	
	45	19,140		45	20,889		42	19,642		0	0	0	0	-269	0	42	19,374	
Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.																		
3.5 Apprehend fugitives to ensure their appearance for federal judicial proceedings or confinement	10	4,254		10	4,538		10	4,676		0	0	0	0	0	0	10	4,676	
	10	4,254		10	4,538		10	4,676		0	0	0	0	0	0	10	4,676	
TOTAL	68	29,346		69	32,000		69	32,248		0	0	0	0	-269	0	69	32,000	

NOTE: Excludes Balance Rescission and/or Supplemental Appropriations.

Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

INTERPOL WASHINGTON

Salaries and Expenses

(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Pay and Benefits			
1 2015 Pay Raise: This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount request, <u>\$56,000</u> , represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$39,200 for pay and \$16,800 for benefits.)			56
2 Annualization of 2014 Pay Raise: This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested <u>\$21,000</u> , represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$14,700 for pay and \$6,300 for benefits).			21
FERS Regular/Law Enforcement Retirement Contribution: Effective October 1, 2014 (FY 2015), the new agency contribution rates of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 24.8% for law enforcement personnel (up from the current 24.3%, or an increase of 0.5%). The amount requested, <u>\$77,000</u> , represents the funds needed to cover this increase.			77
6 Health Insurance: Effective January 2015, the component's contribution to Federal employees' health insurance increases by 5.5 percent. Applied against the 2014 estimate of <u>\$387,000</u> , the additional amount required is <u>\$21,000</u> .			21
7 Retirement: Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of <u>\$14,000</u> is necessary to meet our increased retirement obligations as a result of this conversion.			14
Subtotal, Pay and Benefits	0	0	189
Domestic Rent and Facilities			
1 General Services Administration (GSA) Rent: GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of <u>\$79,000</u> is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.			79
Subtotal, Domestic Rent and Facilities	0	0	79
TOTAL DIRECT TECHNICAL and BASE ADJUSTMENTS	0	0	268

Exhibit E - Justification for Technical and Base Adjustments

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
INTERPOL WASHINGTON
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Appropriation Enacted w/o Balance Rescission 1			Sequester			Reprogramming/Transfers			Carryover		Recoveries/ Refunds		2013 Actual	
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Amount	Amount	Amount	Direct Pos.	Actual FTE	Amount
INTERPOL WASHINGTON	77	69	30,905	0	0	-1,558	0	0	0	0	0	0	0	69	29,349
Total Direct	77	69	30,905	0	0	-1,558	0	0	0	0	0	0	0	69	29,349
Total Direct and Reimb. FTE		69			0			0						69	
Grand Total FTE		69			0			0						69	

Footnotes:

1) The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Crosswalk of 2014 Availability
INTERPOL WASHINGTON
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
INTERPOL WASHINGTON	77	69	32,000		0	0	0	0	0	0	77	69	32,000
Total Direct	77	69	32,000		0	0	0	0	0	0	77	69	32,000
Total Direct with Recession													
Total Direct and Reimb. FTE		69	32,000		0	0	0	0	0	0		69	32,000
Grand Total, FTE		69			0	0	0	0	0	0		69	

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources
INTERPOL WASHINGTON
 Salaries and Expenses
 (Dollars in Thousands)

Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
U.S. Marshals Service	0	0	13	0	0	0	15	0	0	21	0	6
U.S. Secret Service	0	0	3	0	0	0	3	0	0	3	0	0
U.S. Treasury #2	0	0	0	0	0	3,800	0	0	0	2,000	0	-1,800
Department of State	0	0	0	0	0	82	82	0	0	0	0	-82
Asset Forfeiture	0	0	147	0	0	320	320	0	0	320	0	0
Budgetary Resources	0	0	163	0	0	4,220	0	0	2,344	0	0	-1,876

Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
INTERPOL Washington	0	0	163	0	0	4,220	4,220	0	0	2,344	0	-1,876
Budgetary Resources	0	0	163	0	0	4,220	0	0	2,344	0	0	-1,876

Detail of Permanent Positions by Category
INTERPOL WASHINGTON
 Salaries and Expenses
 (Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Clerical and Office Services (300-399)	67	0	66	0	0	0	0	66	0
Accounting and Budget (500-599)	3	0	3	0	0	0	0	3	0
Attorneys (905)	1	0	2	0	0	0	0	2	0
Information & Arts (1000-1099)	1	0	1	0	0	0	0	1	0
Information Technology Mgmt. (2210)	5	0	5	0	0	0	0	5	0
Total	77	0	77	0	0	0	0	77	0
Headquarters (Washington, D.C.)	77	0	77	0	0	0	0	77	0
Total	77	0	77	0	0	0	0	77	0

J. Financial Analysis of Program Changes

Financial Analysis of Program Changes

INTERPOL WASHINGTON

Salaries and Expenses
(Dollars in Thousands)

Grades	INTERPOL WASHINGTON	
	Miscellaneous Program and Administrative Reductions	Amount
	Direct Pos.	
13.0 Benefits for former personnel		0
21.0 Travel and Transportation of Persons		0
22.0 Transportation of Things		0
23.1 Rental Payments to GSA		0
23.3 Communications, Utilities, and Miscellaneous Charges		0
24.0 Printing and Reproduction		0
25.1 Advisory and Assistance Services		0
25.2 Other Services from Non-Federal Sources		0
25.3 Other Goods and Services from Federal Sources		-268
25.5 Research and Development Contracts		0
25.7 Operation and Maintenance of Equipment		0
26.0 Supplies and Materials		0
31.0 Equipment		0
Total Program Change Requests	0	-268

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class
INTERPOL WASHINGTON
 Salaries and Expenses
 (Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	69	6,092	69	6,865	69	7,136	0	271
11.5 Other Personnel Compensation	0	143	0	0	0	0	0	0
Other Object Classes	69	6,235	69	6,865	69	7,136	0	271
12.0 Personnel Benefits		1,841		2,028		2,208		180
21.0 Travel and Transportation of Persons		223		305		350		45
22.0 Transportation of Things		1,941		84		84		0
23.1 Rental Payments to GSA		3,137		3,169		3,288		118
23.2 Rental Payments to Others		117		122		134		12
23.3 Communications, Utilities, and Miscellaneous Charges		489		475		311		-154
24.0 Printing and Reproduction		0		7		7		0
25.1 Advisory and Assistance Services		507		3,164		3,447		283
25.2 Other Services from Non-Federal Sources		2,243		1,203		573		-630
25.3 Other Goods and Services from Federal Sources		1,349		1,487		877		-610
25.4 Operation and Maintenance of Facilities		6		6		6		0
25.6 Medical Care		6		7		7		0
25.7 Operation and Maintenance of Equipment		30		55		55		0
26.0 Supplies and Materials		32		65		65		0
31.0 Equipment		43		48		100		-368
41.0 Grants, Subsidies, and Contributions		11,008		12,500		13,352		852
Total Obligations		29,187		32,000		32,000		0
Add - Unobligated End-of-Year, Expiring	0	162	0	0	0	0	0	0
Total Direct Requirements	0	29,349	0	32,000	0	32,000	0	0



ANTITRUST DIVISION

**CONGRESSIONAL SUBMISSION
FY 2015 PERFORMANCE BUDGET**

Antitrust Division

FY 2015 Congressional Budget Submission

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I. Overview

A. Introduction

The Antitrust Division is committed to its mission to promote economic competition through enforcing and providing guidance on antitrust laws and principles. Its vision is an environment in which U.S. consumers receive goods and services of the highest quality at the lowest price and sound economics-based antitrust enforcement principles are applied.

The Division supports the Department's Strategic Goal II, Objective 2.6, "Protect the federal fisc and defend the interests of the United States." In recent years, the Division has aggressively pursued far-reaching criminal cartel activity and important civil matters while reviewing a large number of premerger filings, many involving complex issues and global conglomerates. Merger volume has steadily regained momentum since global economic conditions caused a downturn in 2008 and volume is projected to continue climbing in fiscal years 2014 and 2015. To administer its caseload, the President's Budget includes \$162,246,000 in FY 2015, reflecting annual cost adjustments of \$1,846,000 over the FY 2014 enacted level.

It is critical that the Division have adequate resources to keep abreast of a workload, which more and more involves large, multi-national corporations and anticompetitive behaviors that are pervasive and difficult to detect. By protecting competition across industries and geographic borders, the Division's work serves as a catalyst for economic efficiency and growth with benefits accruing to both American consumers and American businesses.

Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp1.htm>.

- From FY 2009 through the end of FY 2013, as a result of the Division's efforts, over **\$4.2 billion in criminal fines** were obtained from antitrust violators.
- The Division is a key participant on the **President's Financial Fraud Enforcement Task Force**, detecting and prosecuting mortgage fraud, securities and commodities fraud, and illegal schemes preying on funds designated to assist in America's ongoing **economic recovery** as part of the **American Recovery and Reinvestment Act**. (see pg. 36)
- **Intellectual property** issues involving patents, copyrights, trademarks, or trade secrets are instrumental in the Division's work. Invention and innovation are critical in promoting economic growth, creating jobs, and maintaining our competitiveness in the global economy. Antitrust laws ensure new proprietary technologies, products, and services are bought, sold, traded and licensed in a competitive environment.

B. Issues, Outcomes, and Strategies

Fundamental changes continue in the business marketplace, including the expanding globalization of markets, increasing economic concentration across industries, rapid technological change, significantly expanding numbers of business bankruptcies and failing firms, and substantial government investment in business enterprise. These factors, added to the existing number and intricacy of our investigations, significantly impact the Division's overall workload. Many current and recent matters demonstrate the increasingly complex, large, and international nature of the matters encountered by the Division, as the following table and exemplars indicate.

Enforcement Program	Major Matter Exemplars
Criminal DOJ Strategic Goal II Objective 2.6	Financial Fraud Enforcement (see Exemplar - pg. 36) (Real Estate, Municipal Bonds and Economic Recovery) Automobile Parts (see Exemplar - pg. 40)
Civil Merger/Non-Merger DOJ Strategic Goal II Objective 2.6	American Airlines/US Airways (see Exemplar - pg. 42) Bazaarvoice, Inc./PowerReviews, Inc.- pg. 43) American Express, MasterCard and Visa - Credit Card Merchant Restraints (see Exemplar - pg. 45) eBooks (see Exemplar - pg. 46)

Globalization

Corporate leaders continue to seek a global presence as an element of long-term economic success, and more companies are transacting a significant portion of their business in countries outside of where they are located. For example, in the United States international trade (defined as exports and imports of goods and services) was \$5 trillion in FY 2013.¹



The internationalization of the business marketplace has had a direct and significant impact on antitrust enforcement in general, and specifically, on the Antitrust Division's workload. A significant number of the premerger filings received by the Division involve foreign acquirers, acquirees, major customers and competitors, and/or divestitures.

¹United States Department of Commerce, Bureau of Economic Analysis, "U.S. International Trade in Goods and Services", <http://www.bea.gov/newsreleases/international/trade/2013/pdf/trad1013.pdf>, December 2013.

This also impacts our criminal enforcement program. The Division has witnessed a tremendous upsurge in international cartel activity in recent years. The Division places a particular emphasis on combating international cartels that target U.S. markets because of the breadth and magnitude of the harm that they inflict on American businesses and consumers. Of the grand juries opened through the end of FY 2013, approximately **85 percent** were associated with subjects or targets located in foreign countries. Of the approximate **\$8.1 billion** in criminal antitrust fines imposed by the Division between FY 1997 and the end of FY 2013, approximately **97 percent** were imposed in connection with the prosecution of international cartel activity. In addition, approximately **76 foreign defendants** from France, Germany, Japan, South Korea, Taiwan, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom have served, or have been sentenced to serve, prison sentences in the United States as a result of the Division's cartel investigations.

The Division's criminal enforcement program overall, including enforcement against international cartels, has resulted in an increase in criminal fines. Up until 1994, the largest corporate fine imposed for a single Sherman Act count was \$6 million. Today, fines of \$10 million or more are commonplace, including many fines in excess of \$100 million. In FY 2013, total criminal antitrust fines obtained reached over **\$1 billion**.

As a result of the Division's ongoing investigation into price fixing and bid rigging in the auto parts industry, nine Japan-based companies and two executives agreed in September 2013 to pay a total of more than **\$740 million** in criminal fines for their roles in separate conspiracies to fix the prices of more than 30 different products sold to U.S. car manufacturers and installed in cars sold in the United States and elsewhere. The impact of these heightened penalties has been an increase in the participation of large firms in the Division's Corporate Leniency Program, bringing more and larger conspiracies to the Division's attention before they can inflict additional harm on U.S. businesses and consumers.

As discussed above, our work no longer takes place solely within the geographic borders of the U.S. In our enforcement efforts we find parties, potential evidence, and impacts abroad, all of which add complexity, and ultimately cost, to the pursuit of matters. Whether that complexity and cost results from having to collect evidence overseas or from having to undertake extensive inter-governmental negotiations in order to depose a foreign national, it makes for a very different, and generally more difficult investigatory process than would be the case if our efforts were restricted to conduct and individuals in the U.S. The markets and competitors affecting U.S. businesses and consumers are more international in scope, and the variety of languages and business cultures that the Division encounters has increased. Consequently, the Division must spend more for translators and translation software, interpreters, and communications, and Division staff must travel greater distances to reach the people and information required to conduct an investigation effectively and expend more resources to coordinate our international enforcement efforts with other countries and international organizations.

International Competition Advocacy - The Antitrust Division is actively working with international organizations to encourage the adoption, regulation, and enforcement of competition laws as worldwide consensus continues to grow that international cartel activity is pervasive and is victimizing consumers everywhere. Total cartel sales of \$1.2 trillion in 2005 contained illegal overcharges of \$300 billion, a 25 percent premium paid for by consumers and businesses worldwide.² The Antitrust Division's commitment to detect and prosecute international cartel activity is shared with foreign governments throughout the world, resulting in the establishment of antitrust cooperative agreements among competition law enforcement authorities across the globe. To date, the Division has entered into antitrust cooperation agreements with twelve foreign governments - Australia, Brazil, Canada, Chile, China, the European Union, Germany, India, Israel, Japan, Mexico and Russia.

In addition, antitrust authorities globally are becoming increasingly active in investigating and punishing cartels that adversely affect consumers. The Division is a strong advocate for effective anti-cartel enforcement around the world. As effective global cartel enforcement programs are implemented and criminal cartel penalties adopted, the overall detection of large, international cartels increases along with the Division's ability to collect evidence critical to its enforcement efforts on behalf of American consumers. In the past decade, dozens of jurisdictions have increased penalties for cartel conduct, improved their investigative powers and introduced or revised amnesty programs. For example, Canada and Mexico have recently adopted or strengthened criminal sanctions for hard core cartel conduct. In addition, jurisdictions such as Australia, Canada and New Zealand have made revisions to their cartel amnesty policies making them more consistent with the United States.



² Connor, John M. "Statistics on Modern Private International Cartels, 1990-2005", *The American Antitrust Institute - Working Paper 07-01*, January 10, 2007

Efforts such as these help enhance global antitrust enforcement and reduce the burden on law abiding companies that operate in international markets. In addition, they promote international uniformity and help bring cartel prosecution in line with international best practices.

The Division continues to prioritize international cooperation, procedural fairness and, where appropriate, antitrust policy convergence and pursues these goals by working closely with multilateral organizations, strengthening its bilateral ties with antitrust agencies worldwide, and working with countries that are in the process of adopting antitrust laws.

In October 2001, with leadership from the Antitrust Division, the International Competition Network (ICN), comprised of competition authorities from 14 jurisdictions, was launched. The Division continues to play an important role in achieving consensus, where appropriate, among antitrust authorities on sound competition principles and also provides support for new antitrust agencies in enforcing their laws and building strong competition cultures. As of 2013, the ICN has grown to include 127 agencies from 111 jurisdictions. The 12th annual conference of the ICN was held in Warsaw, Poland in April 2013 where ICN members adopted new materials on economic analysis in merger review, analysis of exclusive dealing arrangements, international cooperation and information sharing in cartel enforcement, competition agency engagement with courts and judges, and investigative processes in competition cases.

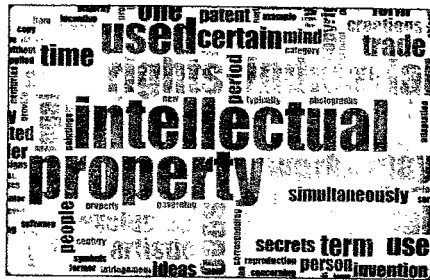


Intellectual Property

Invention and innovation are critical in promoting economic growth, creating jobs, and maintaining our competitiveness in the global economy. Intellectual property (IP) laws create exclusive rights that provide incentives for innovation. Antitrust laws ensure that new proprietary technologies, products, and services are bought, sold, traded and licensed in a competitive environment. Together, antitrust enforcement and the protection of intellectual property rights create an environment that promotes the innovation necessary for economic success. Issues involving patents, copyrights, trademarks, or trade secrets, arise in the Division's antitrust enforcement investigations, international competition advocacy, interagency initiatives, business review letters, and amicus filings in court cases. A number of these areas are highlighted below.

Patent Assets in Antitrust Cases and Business Reviews - Over the past few years the Division has reviewed a number of proposed acquisitions that involved significant patent assets. The Division analyzes these acquisitions closely to ensure competition is protected and invention and innovation are advanced. The Division also investigates allegations that companies are using their intellectual property in a way that violates the antitrust laws, and challenges those activities where appropriate.

In addition, the Division has a business review process that enables companies concerned about the legality of proposed activity under the antitrust laws to ask the Department of Justice for a statement of its current enforcement intentions with respect to that activity. After completing an investigation, the Department publishes its business review letter. This procedure provides the business community an important opportunity to receive guidance from the Department with respect to the scope, interpretation, and application of the antitrust laws to particular proposed activity. The Department has issued a number of business reviews relating to intellectual property. Most recently, the Division analyzed a new patent licensing model developed by Intellectual Property Exchange International, Inc. (IPXI). In the past, the Division has analyzed a number of patent pooling agreements and proposed IP policies of standard-setting organizations.



International Advocacy - The Division regularly engages in international competition advocacy projects promoting the use of sound analysis of competition complaints involving intellectual property rights in multinational fora, such as the World Intellectual Property Organization, the Organization for Economic Cooperation and Development, and the Asian Pacific Economic Cooperation, and in foreign jurisdictions, such as China.

To ensure that U.S. businesses may appropriately utilize their important intellectual property rights, it is crucial that other jurisdictions approach the intersection of antitrust and intellectual property in ways that promote both competitive markets and respect for intellectual property rights. The Division devotes substantial time and effort to advocating that all jurisdictions enforce competition laws in ways that create the right incentives for innovative activity to take place. The Division continues to focus on best practices to analyze the competitive impact of standard-setting activities involving intellectual property rights and of the pooling of patents.

Interagency Initiatives - The Division regularly participates in interagency activities that promote competition advocacy where antitrust and intellectual property law and policy intersect.

- ❖ Patent Assertion Entities - In December 2012, the Department of Justice and the Federal Trade Commission (FTC) held a joint public workshop to explore the impact of Patent Assertion Entity (PAE) activities on innovation and competition. Along with many others in Congress and the White House, the Antitrust Division is working to better understand the impacts of PAEs, and to figure out where to draw the line between effective monetization of patent rights and activities that are harmful. After the workshop, the division joined other experts from across the federal government on the White House Task Force on High-Tech Patent Issues. In June 2013, the Task Force announced a number of important executive actions and legislative policy recommendations to protect innovators from frivolous patent litigation and ensure the issuance of high quality patents.
- ❖ DOJ-PTO Policy Statement - In January 2013, the Division and the U.S. Patent & Trademark Office (PTO) issued a policy statement recommending that the U.S. International Trade Commission (ITC) undertake fact-based, case-specific decisions regarding the enforcement of a patent essential to a standard that is encumbered by a commitment to license that patent on reasonable and non-discriminatory (RAND) or fair, reasonable, and nondiscriminatory (FRAND) terms to those implementing the standard. The ITC must consider the effect of its exclusion order remedies on competitive conditions in the U.S. economy and on U.S. consumers as part of its public-interest analysis. The agencies advised that an exclusion order based on

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RMZSGVBJ
GRCGOHQWJINN
QOOGNPSVUCUKBMFER
IYPRMFMJXIAIPAZRG
MIYAMCYFPAFPHGS
XTRXTLSSZACKANIRT
IVRINTELECTUALKFG
OTZGARENUCECEDARIC
PCPHOPDRWYUARRZE
LPTTSAOOPROBEATVS
CDCFDWWRECYCLEWIT
CROVKXHLMUCEWCU
XZUWUXAJSHC
NAQN

such patents may be in the public interest in limited circumstances. However, the public interest may be inconsistent with the issuance of an exclusion order in cases where the infringer is acting within the scope of the patent holder's F/RAND commitment and is able, and has not refused, to license the patent on F/RAND terms. In a well-publicized matter, the U.S. Trade Representative recently cited extensively to the statement when disapproving an ITC exclusion order for the first time in over two decades.

- ❖ DOJ-FTC Comments – In early 2013, the Division participated in the PTO's roundtable on its proposed regulations requiring periodic and timely recordation of a patent's real-party-in-interest. After that roundtable, the Division submitted joint comments with the FTC supporting the PTO's efforts and proposed regulations. One serious question—but by no means the only one—that technology companies confront is who owns the patents that they may want to use. The answer is often unclear because there is no requirement to use the PTO's system of recording patent assignments and transfers and no requirement that the true, controlling entity be disclosed. Faced with uncertainty, companies designing new products may find it difficult to weigh the relative merits, likelihood of licensing, and licensing costs of competing technologies. Requiring the disclosure of the real-party-in-interest will help improve the efficiency of the IP licensing marketplace. Advocacy in support of more efficient IP licensing furthers the Division's mission to promote competition across industries. These sorts of changes have the potential to enhance competition by improving the efficiency of patent notice and discouraging abuses of the process.
- ❖ Appellate Filings – The Division often participates in appellate matters that involve intellectual property issues, including working with other government agencies and the Department of Justice's Office of the Solicitor General in filing briefs.

For example, in October 2012 the Division joined a petition that sought Supreme Court review of a case involving an agreement between a manufacturer of a brand-name drug on which the manufacturer assertedly held a patent and potential generic competitors who, in response to potential infringement litigation, defended on the ground that their products would not infringe the patent and that the patent was invalid. The patent litigation ended with a settlement under which the brand-name manufacturer agreed to pay its would-be competitors, and the competitors agreed not to sell competing drugs for a number of years. The action arose out of an FTC complaint claiming that these particular "pay-for-delay" settlement agreements violated the antitrust laws. The Supreme Court agreed to hear the matter and in January 2013 the Division joined the brief for the petitioner, FTC. In the brief, the Government argued that pay-for-delay agreements frustrate the procompetitive purposes of legislation aimed at facilitating generic drug entry, and, absent unusual circumstances, disserve the purposes of patent law. In June of 2013 the U.S. Supreme Court expanded the scope of agreements that can be challenged under the antitrust laws (*Federal Trade Commission v. Actavis*).

Economic Concentration

Ongoing economic concentration across industries and geographic regions also increases the Division's workload. Where there is a competitive relationship between or among the goods and/or services produced by the parties, the analysis necessary for thorough merger review becomes more complex. Competitive issues and efficiency defenses are more likely to surface in such reviews, adding complexity and cost to the Division's work.

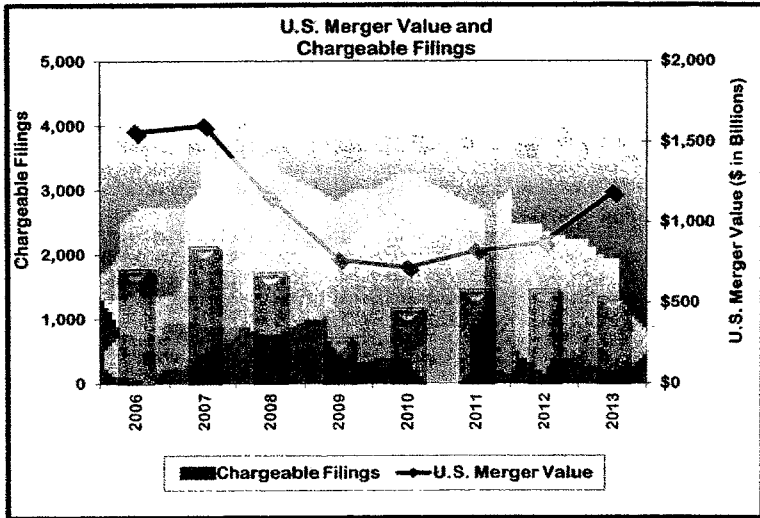


Figure 1

As shown in Figure 1, the overall economic downturn that began in calendar year 2008 resulted in a drop in merger deals in 2009 and the year finished with \$767 billion in U.S. merger value. However, merger and acquisition activity improved in calendar year 2010 and has steadily increased each year since. In calendar year 2013, worldwide merger and acquisition volume reached \$2.9 trillion, the highest annual total since 2008 and U.S. volume reached its highest level since 2007, with an annual total of \$1.18 trillion.³

³ Dealogic Quarterly Reviews, Global M&A Review - Full Year 2013, http://www.dealogic.com/media/59104/dealogic_global_m_a_review_-_full_year_2013_-_final.pdf, viewed on 2/13/2013.

Relative stability around the globe as well as moderate growth from corporations has created a level of optimism among investment bankers not seen in recent years. According to a recent Wall Street Journal article, Blair W. Effron, co-founder of Centerview Partners, an independent investment bank said, "There's a feeling of a more stable backdrop that executives think will be with us for the foreseeable quarters."⁴

Technological Change and the Changing Face of Industry

Technological change continues to create new businesses and industries virtually overnight, and its impact on the overall economy is enormous. The emergence of new and improved technologies in robotics, transportation, wireless communications, Over-the-Top (OTT) services such as Voice over Internet Protocol (VoIP) and mobile collaboration, biometrics and online security continues and intensifies.

We will see even more advances in technology in coming years as the telecommunications upheaval continues to transform services traditionally offered to subscribers by network operators, such as voice calls, messaging and video content delivery. Global mobile subscriptions reached around 6.6 billion in 2013 and global subscriptions expect to grow to 9.3 billion by 2019 according to the Ericsson Mobility Report, published by Ericsson in November 2013.⁵



Clearly, being 'connected' while on-the-go has become essential to the American daily lifestyle, and this connectivity demand continues to result in rapidly emerging newer and faster networks, services, applications and equipment. In 2013, for the first time, total mobile traffic generated by mobile phones exceeded that from mobile PCs, tablets and mobile routers. Traffic in the mobile phone segment is primarily generated by smartphones and by 2019, global smartphone subscriptions are expected to triple, resulting in rapid traffic growth, especially in streaming video which is expected to grow by around 55 percent annually up until the end of 2019 at which point it will account for more than 50 percent of global mobile traffic.⁶

⁴ Gelles, David "Markets Buoyant, Merger Activity Picks Up" *The New York Times*, January 1, 2014, retrieved January 2, 2014 <http://nyti.ms/1xLVu88>

⁵ Gilstrap, Douglas "Ericsson Mobility Report – On the Pulse of the Networked Society" www.ericsson.com, November 2013, pgs 4-6 retrieved February 13, 2014 <http://www.ericsson.com/res/docs/2013/ericsson-mobility-report-november-2013.pdf>

⁶ Gilstrap, Douglas, "Ericsson Mobility Report – On the Pulse of the Networked Society" www.ericsson.com, November 2013, pgs. 11-13 retrieved February 13, 2014 <http://www.ericsson.com/res/docs/2013/ericsson-mobility-report-november-2013.pdf>

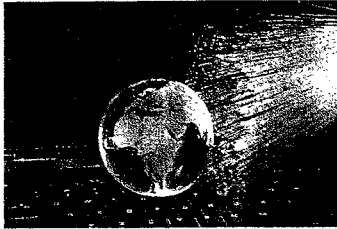
As more consumers turn to Over-the-Top services (Internet or broadband-based services that replicate services traditionally offered to subscribers by network operators, such as messaging, voice calls and video content delivery) expanding technologies such as wireless video streaming and Voice over Internet Protocol (VoIP), stand to grow dramatically over the next several years. According to Chetan Sharma Consulting, OTT services grew 50% more than any other telecom service in 2013 and they predict it will be the biggest growth segment for the next decade.⁷



The continuing evolution of technology, as it reshapes both industries and business processes worldwide, creates new demands on the Antitrust Division. The economic paradigm is shifting so rapidly that the Division must employ new analytical tools, which allow it to respond quickly and appropriately. It must be vigilant against anticompetitive behavior in the new economy where the Internet and cutting-edge information technology may facilitate the rapid entry and dominance of emerging markets.

Technological Change and Information Flows

Technological change is occurring at a blistering pace, as evidenced by the proliferation of wireless communication enhancements; the near daily evolution of mobile handheld devices, computer components, peripherals and software; and the growing use of video teleconferencing technology to communicate globally.



As the tools of the trade become more sophisticated, there appears to be a corresponding growth in the subtlety and complexity with which prices are fixed, bids are rigged, and market allocation schemes are devised. The increased use of electronic mail, and even faster, more direct methods of communication, such as text and instant messaging, has fostered this phenomenon. Moreover, the evolution of electronic

communication results in an increase in the amount and variety of data and materials that the Antitrust Division must obtain and review in the course of an investigation. In addition to hard-copy documents, telephone logs, and other information from public sources, including the Internet, the Division now regularly receives magnetic tapes, CD's, and computer servers containing the e-mail traffic and documents of companies under investigation.

⁷ Sharma, Chetan. "2013 - The Year in Mobile". *Chetan Sharma Consulting*. 2013, December 23, 2013, retrieved February 13, 2014 <http://www.chetansharma.com/blog/2013/12/23/2013-the-year-in-mobile/>

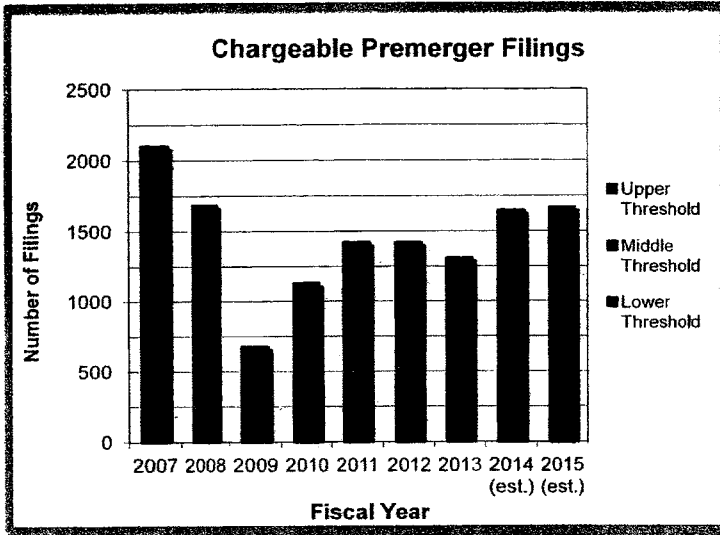
Results

While specific GPRA Performance Measures are addressed in the Decision Unit Justification section of this submission, several interesting statistics relative to the Division's performance include:

- From FY 2009 through the end of FY 2013, as a result of the Division's efforts, over **\$4.2 billion in criminal fines** were obtained against antitrust violators. In FY 2013 alone the Division obtained just over **\$1 billion in criminal fines**, the fourth time the Division has reached this level of obtained fines in its history.
- In the area of criminal enforcement, the Division continues to move forcefully against hard-core antitrust violations such as price-fixing, bid rigging and market allocation agreements. A significant number of our prosecutions have involved international price-fixing cartels, impacting billions of dollars in U.S. commerce. **Since FY 1997, defendants have been sentenced to pay approximately \$8.1 billion in criminal fines to the U.S. Treasury, including more than \$4.1 billion just since the beginning of FY 2008.**
- The Division believes that individual incarceration has a greater deterrent effect than fines alone and continues to emphasize prison terms for individuals who participate in antitrust criminal behavior. In FY 2013, as the result of Division enforcement efforts, 25 corporations and 36 individuals were sentenced due to antitrust violations. Prison sentences between FY 2000 and the end of FY 2013 were an average of **approximately 22 months**, more than twice the 8-month average sentence of the 1990's. Prison sentences since FY 1990 have resulted in approximately **666 years** of imprisonment in cases prosecuted by the Antitrust Division, with **228 defendants** sentenced to imprisonment of one year or longer.
- Coupled with the increasing frequency and duration of defendants' incarceration was a rise in monetary restitution by criminal defendants. From FY 2004 through the end of FY 2013, restitution generated by the Division was approximately **\$99 million.**
- Despite a workload of increasingly complex cases, the Antitrust Division has made great strides in combating anticompetitive behavior across industries and geographic borders and has saved consumers billions of dollars by ensuring a competitive and innovative marketplace. **Since FY 1998, the first year for which data is available, the Division, through its efforts in all three enforcement areas - merger, criminal and civil non-merger - is estimated, conservatively, to have saved consumers \$37.3 billion.**

Revenue Assumptions

Estimated FY 2014 - 2015 filings and fee revenue take into account the relative optimism of current medium-range economic forecasts. The February 2014 Congressional Budget Office, Budget and Economic Outlook anticipates that economic activity will expand at a solid pace in calendar year 2014, and the next few years to come.⁸



Premerger Filing Fee Thresholds Effective Feb 24, 2014	
Value of Transaction	Filing Fee
Lower: \$75.9M - <\$151.7M	\$45,000
Middle: \$151.7M - <\$758.6M	\$125,000
Upper: \$758.6M plus	\$280,000

Figure 2

(Consistent with statutory direction, pre-merger filing fee threshold amounts are adjusted annually based on the U.S. Gross Domestic Product Index and are reflected in the table above)

Renewed confidence in economic conditions beginning in late 2009 resulted in a 67 percent increase in Hart-Scott-Rodino (HSR) filings and a 73 percent increase in fee revenue in FY 2010. An increased level of merger activity is expected in fiscal year 2014 and throughout fiscal year 2015.

Based upon estimates calculated by the Congressional Budget Office and the Federal Trade Commission (FTC), fee collections of \$206 million for FY 2014 and \$209 million for FY 2015 are expected. HSR filing fee revenue is collected by the FTC and divided evenly with the Antitrust Division.

⁸ "The Budget and Economic Outlook: Fiscal Years 2014 to 2024," *Congressional Budget Office*, February 2014, p.33, <http://cbo.gov/sites/default/files/cbofiles/attachments/45010-Outlook2014.pdf>

The Budget proposes to increase the HSR fees and index them for the percentage annual change in the gross national product. The fee proposal would also create a new merger fee category for mergers valued at over \$1 billion. Under the proposal, the fee increase would take effect in 2016.

Environmental Accountability

The Antitrust Division is mindful of responsible environmental management and has implemented processes to encourage awareness throughout the Division, including:



- Adherence to environmental standards during the procurement process to ensure products meet the recommended guidelines of the Department of Energy's energy efficiency standards, the Environmental Protection Agency's designated recovered material and bio-based products specifications, and the Department of Justice's Green Purchase Plan requirements.
- The Antitrust Division's central Washington D.C. Liberty Square building meets many LEED (Leadership in Energy and Environmental Design) criteria and includes many environmentally sound features including: zoned climate control for efficiencies in heating and air conditioning, motion sensed overhead lighting to minimize wasted energy in unoccupied space, and a recycling program throughout the building for paper, plastic, glass, and newspaper.
- The Division encourages employees to print documents only when absolutely necessary and, whenever possible, print double-sided in an effort to save paper.

The Division will continue to implement additional programs as further guidance is received from the Department, Administration and Congress.

Summary

The Division is continually challenged by an increasingly international and complex workload that spans enforcement areas and requires considerable resources to manage. With our children destined to inherit the resulting markets, the importance of preserving economic competition in the global marketplace cannot be overstated. The threat to consumers is very real, as **anticompetitive behavior leads directly to higher prices and reduced efficiency and innovation**. In recognition of the importance of its mission, the Antitrust Division requests an FY 2015 budget increase of \$1,846,000 to address annual cost adjustments and a total appropriation of \$162,246,000 in support of 830 positions.

The FY 2015 Antitrust Division budget request of \$162,246,000 supports Departmental Strategic Goal II: Prevent Crime, Protect the Rights of the American People and Enforce Federal Law. The Division's criminal and civil programs are both included in Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States.

**FY2015 Total Budget Request by Strategic Goal
Strategic Goal II - Strategic Objective 2.6**

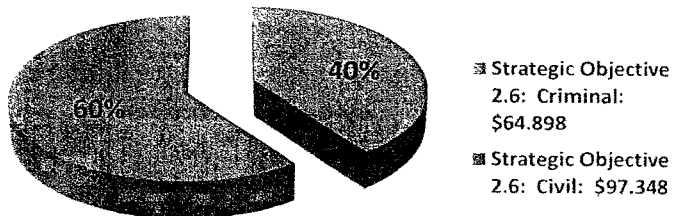


Figure 3

C. Full Program Costs

The Antitrust Division contains one Decision Unit (Antitrust). Within this Decision Unit the Division supports the Department's Strategic Goal II: Prevent Crime, Protect the Rights of the American People and Enforce Federal Law. This Strategic Goal defines the two broad program areas:

- Criminal Enforcement
- Civil Enforcement

In recent years, approximately 40 percent of the Division's budget and expenditures can be attributed to its criminal program and approximately 60 percent of the Division's budget and expenditures can be attributed to its civil program. The FY 2015 budget request assumes this same allocation.

This budget request incorporates all costs to include mission costs related to cases and matters, mission costs related to oversight and policy, and overhead.

D. Performance Challenges

External Challenges

As detailed in the Issues, Outcomes, and Strategies section, the Antitrust Division faces many external challenges that require flexibility and adaptability in order to pursue its mission. These external challenges include:

- Globalization of the business marketplace
- Increasing economic concentration across industries and geographic regions
- Rapid technological change

Internal Challenges

Much like its external challenges, highly unpredictable markets and economic fluctuations influence the Division's internal challenges. To accommodate these ever-changing factors, the Division must continuously and diligently ensure proper allocation and prudent use of its resources.

Information Technology (IT) Expenditures

The Antitrust Division's IT budget will continue to support several broad Information Technology areas essential to carrying out its mission. These Information Technology areas include:

- *Data Storage* –Electronic storage and processing capability, vital to the mission of the Antitrust Division, continues to expand, growing exponentially since FY 2003, when 12 terabytes (12 trillion bytes) of capacity readily satisfied Division demands. By FY 2010 requirements surpassed 100 terabytes and the Division expects electronic analytical capacity needs to reach 745 terabytes (TB) by FY 2015 and 1016 TB by FY 2016.

- *Data Security* - - Monitoring and effecting actions to ensure that system design, implementation, and operation address and minimize vulnerabilities to various threats to computer security, including carrying out security planning, risk analysis, contingency planning, security testing, intrusion detection, and security training.
- *Litigation Support Systems* - - Providing litigation support technologies that encompass a wide range of services and products that help attorneys and economists acquire, organize, develop, and present evidence. Providing courtroom presentation and related training to the legal staff to develop staff courtroom skills and practice courtroom presentations using state-of-the-art technology.
- *Office Automation* - - Providing staff technological tools comparable to those used by opposing counsel, thereby ensuring equitable technological capabilities in antitrust litigation. These tools are used for desktop data review and analysis, computer-based communication, the production of time-critical and sensitive legal documents, and preparing presentations and court exhibits.
- *Management Information Systems* - - Developing, maintaining, and operating data and information systems which support management oversight, direction of work, budget, and resources of the Division. Various tracking systems help ensure timely and efficient conduct of the Division's investigations through use of automated, web-based tools.
- *Telecommunications* - - Developing, providing, maintaining, and supporting networks and services required for voice and data communications among the Division's offices, with outside parties, and in support of federal telework objectives.
- *Web Support* - - Developing and maintaining the Division's Internet and internal ATRnet site. Posting case filings, documents and data related to cases and investigations; designing and developing new applications, providing public access to key Division information, and ensuring compliance with web standards and guidelines, including guidelines for usability and accessibility.

II. Summary of Program Changes

Item Name	Description				See Page
	Antitrust Division	Pos.	FTE	Dollars (\$000)	
Miscellaneous Program and Administrative Reductions		0	0	-\$281	47

III. Appropriations Language and Analysis of Appropriations Language

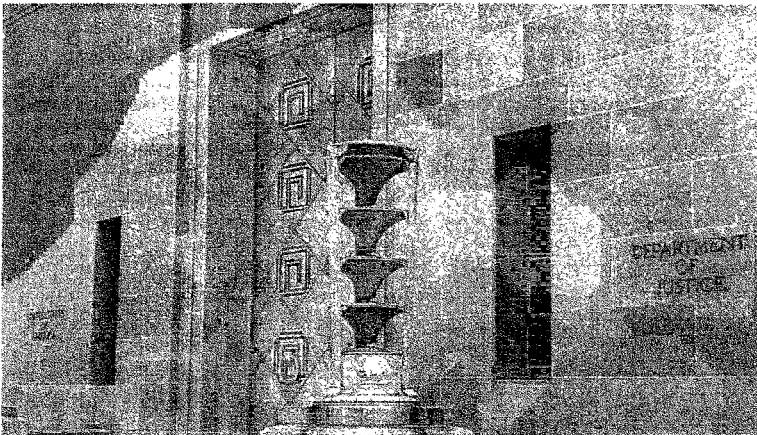
Appropriations Language

Salaries and Expenses, Antitrust Division

For expenses necessary for the enforcement of antitrust and kindred laws, [\$160,400,000] \$162,246,000 to remain available until expended: Provided, That, notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be [\$103,000,000] \$104,500,000 in fiscal year [2014] 2015), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year [2014] 2015; so as to result in a final fiscal year [2014] 2015 appropriation from the general fund estimated at [\$57,400,000] \$57,746,000.

Analysis of Appropriations Language

No substantive changes proposed.



IV. Program Activity Justification

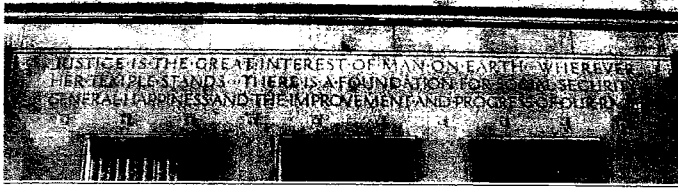
A. Decision Unit: Antitrust

Antitrust Division Fiscal Year 2015 Congressional Budget Submission Decision Unit Justification (dollars in thousands)			
Decision Unit: Antitrust - TOTAL	Direct Positions	Estimate FTE	Amount
2013 Enacted with Rescissions and Sequestration	880	654	\$159,039
2014 Enacted	830	654	\$160,400
Adjustments to Base and Technical Adjustments	0	0	\$2,127
2015 Current Services	830	654	\$162,527
2015 Program Offsets			\$-281
2015 Request	830	654	\$162,246
Total Change 2014 - 2015	0	0	\$1,846

1. Program Description

The Antitrust Division promotes competition and protects consumers from economic harm by enforcing the Nation's antitrust laws. Free and open competition benefits consumers by ensuring lower prices and new and better products. The perception and reality among consumers and entrepreneurs that the antitrust laws will be enforced fairly and fully is critical to the economic freedom of all Americans. Vigorous competition is also critical to assure the rapid innovation that generates continued advances in our standard of living and our competitiveness in world markets.

At its highest level, the Division has two main strategies - Criminal and Civil. All of the Division's activities can be attributed to these two strategies and each strategy includes elements related to investigation, prosecution, and competition advocacy. To direct its day-to-day activities, the Division has established five supervisory Deputy Assistant Attorney General (DAAG) positions reporting directly to the Assistant Attorney General. Each of these DAAGs has oversight of a specific program including Civil Enforcement, Criminal Enforcement, Litigation, Operations, and Economic Analysis.



Criminal Enforcement - Within the Criminal strategy, the Antitrust Division must address the increased globalization of markets, constant technological change, and a large number of massive criminal conspiracies the Division is encountering. These matters transcend national boundaries, involve more technologically advanced and subtle forms of criminal behavior, and impact more U.S. businesses and consumers than ever before. The requirements -- whether in terms of staff time, travel and translation costs, or automated litigation support -- of fighting massive criminal conspiracies effectively is great. Matters such as the Division's ongoing investigation in the auto parts industry (page 40) exemplify the increasingly complex nature of Division workload in the criminal area and demonstrate that successful pursuit of such matters takes time and resources.

Civil Enforcement - Under the Civil strategy, the Division seeks to promote competition by blocking potentially anticompetitive mergers before they are consummated and pursuing non-criminal anticompetitive behavior such as group boycotts and exclusive dealing. The Division's Civil strategy seeks to maintain the competitive structure of the national economy through investigation and litigation of instances in which monopoly power is sought, attained, or maintained through anticompetitive conduct and by seeking injunctive relief against mergers and acquisitions that may tend substantially to lessen competition. The Division's Merger Review work can be divided into roughly three categories:

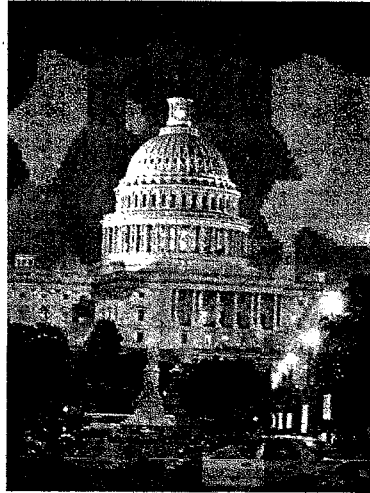
- Review of HSR transactions brought to our attention by statutorily mandated filings
- Review of non-HSR transactions (those not subject to HSR reporting thresholds); and
- Review of bank merger applications.

Competition Advocacy - As an advocate of competition, the Antitrust Division seeks the elimination of unnecessary regulation and the adoption of the most competitive means of achieving a sound economy through a variety of activities on the national and international stages. Areas in which the Division pursues competition advocacy initiatives include:

Regulatory Issues - The Antitrust Division actively monitors the pending actions of federal, state, and local regulatory agencies either as statutorily mandated, as in the case of telecommunication and banking markets, or through review of those agencies' dockets and industry or other publications and through personal contacts in the industries and in the agencies. Articulation of a pro-competitive position may make the difference between regulations that effectively do no antitrust harm and actively promote competitive regulatory solutions and those that may negatively impact the competitiveness of an industry. Examples of regulatory agencies before which the Division has presented an antitrust viewpoint include the Federal Communications Commission, Securities and Exchange Commission and the Federal Energy Regulatory Commission.

Review of New and Existing Laws - Given the dynamic environment in which the Antitrust Division must apply antitrust laws, refinements to existing law and enforcement policy are a constant consideration. Division staff analyze proposed legislation and draft proposals to amend antitrust laws or other statutes affecting competition. Many of the hundreds of legislative proposals considered by the Department each year have profound impacts on competition and innovation in the U.S. economy. Because the Division is the Department's sole resource for dealing with competition issues, it significantly contributes to legislative development in areas where antitrust law may be at issue.

For example, the Division has filed numerous comments and provided testimony before state legislatures and real estate commissions against proposed legislation and regulations that forbid buyers' brokers from rebating a portion of the sales commission to the consumer or that require consumers to buy more services from sellers' brokers than they may want, with no option to waive the extra items.



Education, Speeches, and Outreach – The Division seeks to reach the broadest audience in raising awareness of competition issues and, to do so, provides guidance through its business review program, outreach efforts to business groups and consumers, and the publication of antitrust guidelines and policy statements aimed at particular industries or issues. Division personnel routinely give speeches addressing these guidelines and policy statements to a wide variety of audiences including industry groups, professional associations, and antitrust enforcers from international, state, and local agencies.

In addition, the Division seeks opportunities to deploy its employees to serve the needs of the federal government for a broad variety of policy matters that involve competition policy to include:

- Detailing Division employees to Congressional committees, federal agencies and other parts of the Administration and
- Actively participating in White House interagency task forces in areas such as Internet Policy Principles, standard setting, and Accountable Care Organization (ACO) implementation.

International Advocacy – The Antitrust Division continues to work toward bringing greater cooperation to international enforcement, promoting procedural fairness and transparency both at home and abroad, and achieving greater convergence, where appropriate, to the substantive antitrust standards used by agencies around the world.

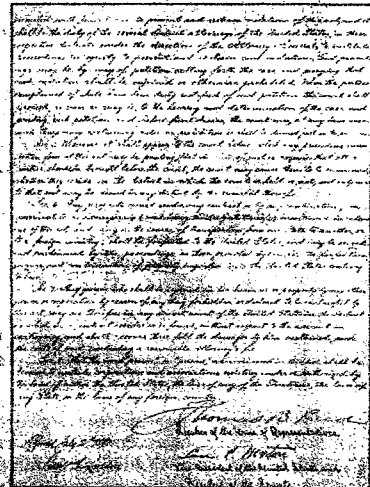
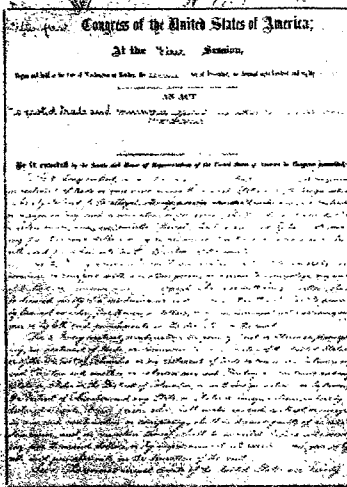


The Division pursues these goals by working closely with multilateral organizations, strengthening its bilateral ties with antitrust agencies worldwide, and working with countries that are in the process of adopting antitrust laws. One of the most notable examples of the Division's international efforts includes its participation in the International Competition Network (ICN). In April 2013, at its 12th annual conference in Warsaw, Poland with more than

500 delegates and competition experts from more than 80 antitrust agencies in attendance, members adopted new materials on economic analysis in merger review, analysis of exclusive dealing arrangements, international cooperation and information sharing in cartel enforcement, competition agency engagement with courts and judges, and investigative processes in competition cases.

With support from the Antitrust Division, the Organization for Economic Cooperation and Development (OECD) and the International Competition Network (ICN) are assisting substantially in Division efforts to achieve a more transparent, and where appropriate, uniform worldwide application of central antitrust enforcement principles.

Laws Enforced: There are three major federal antitrust laws: the Sherman Antitrust Act (pictured below), the Clayton Act and the Federal Trade Commission Act. The Sherman Antitrust Act has stood since 1890 as the principal law expressing the United States' commitment to a free market economy. The Sherman Act outlaws all contracts, combinations and conspiracies that unreasonably restrain interstate and foreign trade. The Department of Justice alone is empowered to bring criminal prosecutions under the Sherman Act. The Clayton Act is a civil statute (carrying no criminal penalties) that was passed in 1914 and significantly amended in 1950. The Clayton Act prohibits mergers or acquisitions that are likely to lessen competition. The Federal Trade Commission Act prohibits unfair methods of competition in interstate commerce, but carries no criminal penalties.



(An Act to protect trade and commerce against unlawful restraints and monopolies ("Sherman Antitrust Act"), July 2, 1890; 51st Congress, 1st Session, Public Law #190; Record Group 11, General Records of the U.S.)

J. Performance and Resource Tables										
Decision Unit/Program: Antitrust										
DOJ Strategic Goal II: Strategic Objective 2a: Criminal, Civil										
WORKLOAD/RESOURCES		Target	Actual		Projected		Changes		Requested (Total)	
		FY 2013	FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2016 Request	
Workload - Number of HSR Transactions Received		1,635	1,317		1,535		0		1,635	
Total Costs and FTE			FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Antitrust			676	\$155,039	654	\$160,400	0	\$1,946	654	\$162,240
PERFORMANCE/RESOURCES		FY 2013	FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
TYPE/ Strategic Objective Program Activity	1. Criminal		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		270	\$63,616	262	\$63,422	262	\$64,160	0	262	\$64,898
Performance Measure - Criminal	Number of Active Grand Juries	75	75		75		0		75	
			\$2,296		Not Projected		Not Projected		Not Projected	
Program Activity	2. Civil		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		406	\$65,423	392	\$65,134	392	\$66,240	0	392	\$67,346

TYPE/Strategic Objective	PERFORMANCE/RESOURCES	Target	Actual	Projected	Changes	Requested (Total)
		FY 2013	FY 2013	FY 2014	Current Services Adjustments and FY 2015 Program Changes	FY 2015 Request
Performance Measure - Merger	Number of Preliminary Inquiries Opened	70	64	70	0/0	70
Performance Measure - Civil Non-Merger	Number of Active Investigations	70	38	70	0/0	70
Performance Measure - Civil Merger and Non-Merger	Dollar Volume of U.S. Commerce Affected in Relevant Markets for all Merger Wins and All Non-Merger Pleas/Cases Favorably Resolved (\$ in millions)	Not Projected	\$46,457	Not Projected	Not Projected	Not Projected
Outcome - Criminal, Civil (Merger and Civil Non-Merger)						
Consumer Savings	Criminal - Total Dollar Value of Savings to U.S. Consumers (\$ in millions)	Not Projected	\$230	Not Projected	Not Projected	Not Projected
	Civil - Total Civil (Merger and Non-Merger) Dollar Value of Savings to U.S. Consumers (\$ in millions)	Not Projected	\$909	Not Projected	Not Projected	Not Projected
Success Rates	Criminal - Percentage of Cases Favorably Resolved	90%	100%	90%	0	90%
	Civil - Percentage of Cases Favorably Resolved	80%	90%	80%	0	80%

TABLE DATA DEFINITIONS:

Program Activity Data Definition, Validation, Verification, and Limitations:

Criminal, Civil Merger and Civil Non-Merger performance measure target adjustments for FY 2014 through FY 2015 projections are based on an analysis of FY 2005 through FY 2013 actual amounts.

Criminal Performance Measure:

During the course of the year, if the Antitrust Division subpoenas individuals to, questions witnesses before, presents information to, or otherwise has contact with a grand jury for one of our investigations, it is considered an Active Grand Jury. In some instances, the Division may conduct an investigation during the course of the year, but not bring witnesses before or present evidence to the applicable grand jury until a subsequent year. For example, it may require a significant amount of investigatory time or coordination with foreign enforcement authorities to obtain critical evidence for presentation to a grand jury. Such instances are also considered Active Grand Juries.

The Dollar Volume of U.S. Commerce Affected is estimated by the Antitrust Division based upon the best available information from investigative and public sources. It serves as a proxy for the potential effect of anticompetitive behavior. Suspect conspiracies are more extensive, sometimes for more extensive, than are formally charged in an indictment, hence we believe that the Dollar Volume of U.S. Commerce Affected is an underestimate of the actual value. In estimating the Dollar Volume of Commerce Affected in a criminal investigation, staffs include the sales of all products affected by the conspiracy.

Civil Performance Measures:

When a merger-filing initially is received through the HSR process, or the Antitrust Division identifies a potentially anticompetitive Non-HSR merger, we develop information from the filing, the parties or complainant, trade publications, and other public sources. Once we develop a sufficient factual and legal basis for further investigation, a Preliminary Inquiry (PI) may be authorized. Once authorized, we investigate further and make a determination about whether to proceed by Second Request or Civil Investigative Demand (CID), or to close the PI. A PI may take from a few weeks to several months to conduct. Thus a PI is often more than a quick assessment, which is usually done when a matter is initially received or identified, and necessarily precedes a Second Request or CID investigation. It is a critical step in the investigatory process and the Number of PIs Opened is indicative of the Division's baseline workload.

Number of Active Investigations is indicative of Division's baseline civil non-merger workload. Staff identifies and investigates alleged violations of Section 1 and 2 of the Sherman Act and Section 3 of the Clayton Act. Many civil non-merger investigations take more than a year to develop sufficient evidence to file a case or close the investigation. Because staff may be working on an investigation for more than a year, this indicator accounts for the number of investigations with hours actually reported during the fiscal year, as opposed to the number of open investigations during the fiscal year.

The Dollar Volume of U.S. Commerce Affected in Relevant Markets for All Merger Wins and all Non-Merger Pleas/Cases Favorably Resolved are estimated by the Antitrust Division based upon investigative information and credible public sources. The volume of commerce serves as a proxy for the potential effect of possibly anticompetitive behavior. This indicator has been revised to reflect only those HSR and Non-HSR merger cases in which the Division's efforts led to a reduction in anticompetitive behavior. This indicator includes the Dollar Volume of U.S. Commerce Affected in Relevant Markets for All Merger Wins, which are the dollar volume of sales in the relevant market in the United States to complete the merger. The Dollar Volume of U.S. Commerce Affected in Relevant Markets for All Merger Wins acknowledges some limitations: our data that we use are not comprehensive, and some of the data are not reported in the HSR. In the HSR, the Division is required to review a significant number of applications, many of which are determined to pose no competitive issues. No Preliminary Inquiry is opened in these cases, but Division resources are still employed to ensure that the transactions being proposed will do no harm to the competitive environment.

In estimating the Dollar Volume of U.S. Commerce Affected in a civil non-merger case, staffs estimate an aggregate volume of commerce for each relevant domestic market affected by the anticompetitive practice or agreement. Obviously, many anticompetitive practices or agreements are more extensive, sometimes for more extensive, than are formally charged; hence we believe that the Dollar Volume of U.S. Commerce Affected is an underestimate of the actual value.

Outcome:

It is difficult to fully or precisely capture in a single number, or even a variety of numbers, the ultimate outcome of our Enforcement Strategy. It is not always clear just how far-reaching the effects of a particular conspiracy are. It is not always possible to determine the magnitude of the price increase that relates directly to a particular conspiracy; we cannot consistently translate into numbers the competitive impact of a given conspiracy; nor can we gauge the deterrent effects of our enforcement efforts, though we and those who have written on the subject believe that such effects exist and are strong. Nonetheless, we believe that an end outcome, if not the ultimate outcome, of our work in this area is the savings to U.S. Consumers that arise from our successful elimination and deterrence of criminal conspiracies, the protection of competition in the U.S. economy, and our deterrence of anticompetitive behavior.

Comment: There are two components to our estimate of consumer savings: the price effect of the conspiracy and the annual volume of commerce affected by the conspiracy. Volume of commerce is estimated based on the best available information from investigative and public sources. This results in an underestimate of consumer savings, as the vast majority of conspiracies exist for well over a year. The savings is estimated by multiplying the volume of commerce affected by the conspiracy by the average price increase. The savings is then divided by the number of consumers (See Application Note 3, page 227) as the "average gain from price-fixing" (used in determining fines for price-fixing violations) for a given conspiracy. The savings is then divided by the number of consumers. Although there are significant limitations to this estimate (as with any estimate), we believe it goes a long way toward describing the outcome of our work and the directly to our vision of an environment in which U.S. consumers receive goods and services of the highest quality at the lowest price and sound economics-based antitrust enforcement principles are applied.

Cost. Our estimates of consumer savings derive initially from our best measurement of volume of commerce in the relevant markets with which we were concerned. For the majority of merger matters, we calculated consumer savings by also using a formula that makes a realistic assumption about the oligopolistic interaction among rival firms and incorporates estimates of pre-merger market shares and of market demand elasticity. In a few merger wins, primarily vertical mergers and those in which the anticompetitive effects included predicted reductions in innovation or other special considerations, it would not have been appropriate to apply that formula. For those wins, we developed conservative estimates of consumer benefits drawing on the details learned in the investigation. We note that the volume of commerce component of the calculation is estimated based on the best available information from investigative and public sources, and it is annualized and confined to U.S. commerce. Given the roughness of our methodology, we believe our consumer savings figure to be a conservative estimate in that it attempts to measure direct consumer benefits. That is, we have not attempted to value the deterrent effects (where our challenge to or expression of concern about a specific proposed or actual transaction prevents them), or the benefits to consumers from the fact that the merger is not consummated, or the benefits to consumers from the fact that the merger is consummated with any equality at the lowest price and sound economics-based antitrust enforcement principles are applied. The end outcome of our work in the Civil Non-Merger Enforcement Strategy is the Savings to U.S. Consumers that arise from our successful elimination and deterrence of anticompetitive behavior. There are two components to our estimate of consumer savings: the volume of commerce affected by the anticompetitive behavior and the price effect of the behavior. Volume of commerce is estimated based on the best available information from investigative and public sources, and it is annualized and confined to U.S. commerce. We are more limited in our ability to estimate price effect, and thus rely on a conservative one percent figure for our estimate. We believe our consumer savings figure to be a very conservative estimate.

The Success Rate for Criminal Matters provides an overall view of the Division's record, looking at situations where the Division determines there to be anticompetitive issues and seizing our "success rate" in the prosecution of those issues. The Success Rate for Criminal Matters provides the following information for the calendar year in which the case was filed: (1) all cases filed in the given fiscal year in which there was either a guilty plea, conviction at trial, acquittal at trial, directed verdict, dismissal of charges or other final disposition of the matter in the same fiscal year, plus (2) all cases filed in prior years in which there was either a guilty plea, conviction at trial, acquittal at trial, directed verdict, dismissal of charges or other final disposition of the matter in the given fiscal year. The numerator includes only those cases from the denominator that resulted in guilty pleas or convictions at trial, subtracting those cases that resulted in acquittals, directed verdicts, or the dismissal of charges. Cases are defined here as every individual or corporation charged by either information or indictment. Note that these statistics do not include cases that are pending, such as pending indictments of foreign nationals who remain fugitives in our international criminal prosecutions. This measure is part of a consolidated DOJ litigating component data element and actual performance is reported as a consolidated measure in the annual Performance & Accountability Report.

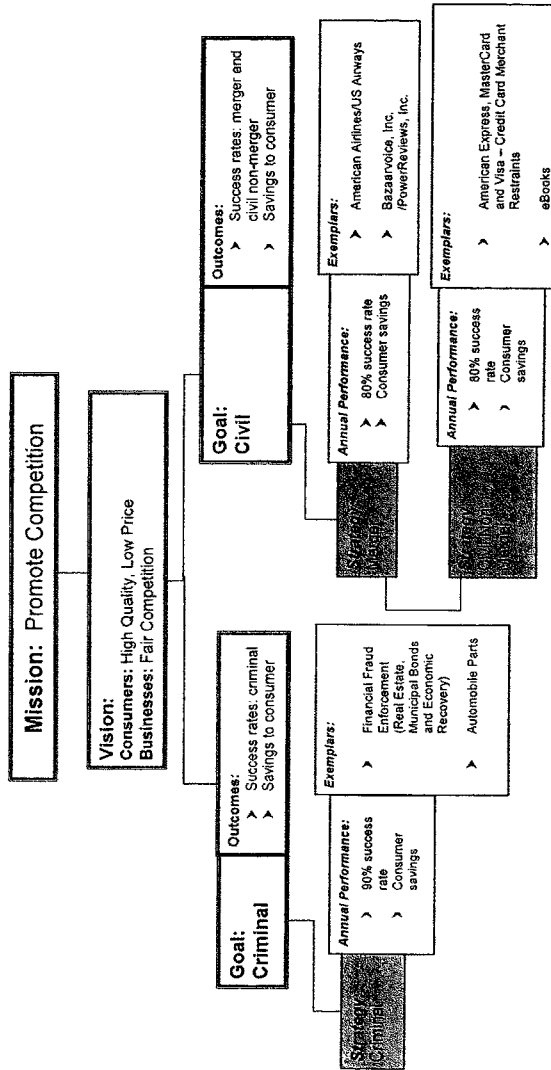
The Success Rate for Civil Matters is determined Number of Merger "Successes" Challenges provides an overall view of the Division's record, looking at situations where the Division determines there to be anticompetitive issues and seizing our "success rate" in the outcomes for those situations. A success in this context may be any one of the positive outcomes that includes the Number of Mergers Abandoned Due to Division Actions Before Compulsory Process Initiated, Number of Mergers Abandoned Due to Division Actions After Compulsory Process Initiated Without Case Filed, Number of Mergers "Fixed First" Without Case Filed, Number of Mergers Cases Filed with Consent Decree, Number of Merger Cases Filed but Resolved Prior to Conclusion of Trial, and Number of Merger Cases Litigated Successfully to Judgment with No Pending Appeals. This measure is part of a consolidated DOJ litigating component data element and actual performance is reported as a consolidated measure in the annual Performance & Accountability Report.

Matters Challenged Where the Division Expressed Concern include those in which: a complaint has been filed; the subject or target of an investigation has been informed that the Assistant Attorney General (AAG) has authorized the filing of a complaint; the subject or target of an investigation has been informed that the staff is recommending that a complaint be filed; and the subject or target challenges its practices in a way that causes the matter to be closed before the AAG makes a decision whether to file a complaint; or the subject or target of an investigation has been recommended to file a complaint. This measure is part of a consolidated DOJ litigating component data element and actual performance is reported as a consolidated measure in the annual Performance & Accountability Report.

Performance Measure Report - Historical Data																	
Decision Unit: Antitrust		Performance Report and Performance Plan Targets				FY 2010		FY 2011		FY 2012		FY 2013		FY 2014		FY 2015	
			Actual	Target		Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target
Performance Measure: Criminal	Number of Active Grand Juries		168		141		87		75		75		75		75		75
Performance Measure: Criminal	Dollar Volume of U.S. Commerce Affected in Relevant Markets Where Pleas/Cases Favorably Resolved (\$ in millions)		\$502		\$2,486.4		\$4,489		Not Projected		Not Projected		\$2,296		Not Projected		Not Projected
Performance Measure: Civil Merger	Number of Preliminary Inquiries Opened		64		90		74		70		64		70		70		70
Performance Measure: Civil Non-Merger	Number of Active Investigations		61		50		46		70		38		70		70		70
Performance Measure: Civil (Merger and Non-Merger)	Dollar Volume of U.S. Commerce Affected in Relevant Markets for all Merger Wins and All Non-Merger Pleas/Cases Favorably Resolved (\$ in millions)		\$3,114		\$123,089		\$437,410		Not Projected		\$46,457		Not Projected		Not Projected		Not Projected
Outcome Measure: Consumer Savings - Criminal	Criminal - Total Dollar Value of Savings to U.S. Consumers (\$ in millions)		\$50.2		\$248.6		\$447		Not Projected		\$230		Not Projected		Not Projected		Not Projected
Outcome Measure: Consumer Savings - Civil	Civil (Merger and Non-Merger) - Total Dollar Value of Savings to U.S. Consumers (\$ in millions)		\$186.7		\$1431.1		\$3,965.6		Not Projected		\$909		Not Projected		Not Projected		Not Projected
Outcome Measure: Success Rate - Criminal	Criminal - Percentage of cases favorably resolved		93%		97%		93%		90%		100%		90%		90%		90%
Outcome Measure: Success Rate - Civil (Merger and Non-Merger)	Civil - Percentage of cases favorably resolved		100%		98%		100%		80%		90%		80%		80%		80%

3. Performance Measurement Framework

Antitrust Division, Department of Justice Performance Measurement Framework FY 2015



4. Performance, Resources, and Strategies

The Antitrust Decision Unit contributes to the Department's Strategic Goal II: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law. Within this Goal, the Decision Unit's resources specifically address Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States.

a. Performance Plan and Report for Outcomes

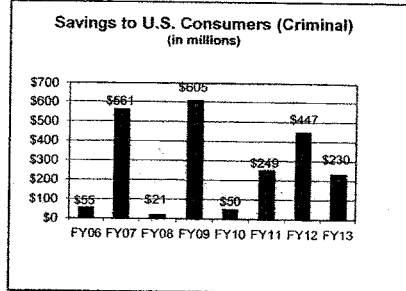
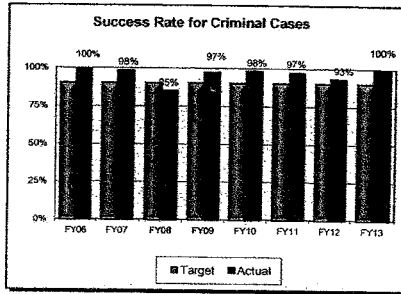
Prosecute International Price Fixing Cartels

The charts below illustrate the Criminal Outcome Performance Measures for the Antitrust Decision Unit, to include: Success Rate for Antitrust Criminal Cases and Savings to U.S. Consumers (as a result of the Antitrust Division's criminal enforcement efforts). It is the Division's goal to achieve a successful outcome in every case it tries. The Antitrust Division has been aggressive in its pursuit of criminal anticompetitive behavior.

In the criminal enforcement area, the Division continues to provide economic benefits to U.S. consumers and businesses in the form of lower prices and enhanced product selection by dismantling international private cartels and restricting other criminal anticompetitive activity.

In FY 2013, the Division successfully resolved 100 percent of criminal matters. This measure is a consolidated measure shared with all other litigating components within the Department. As a whole, the Department exceeded its target by successfully resolving 92 percent of its cases. The Division expects to meet or exceed its goals for FY 2014 through FY 2015.

The estimated value of consumer savings generated by the Division's criminal efforts is contingent upon the size and scope of the matters resolved each year and thus varies significantly.



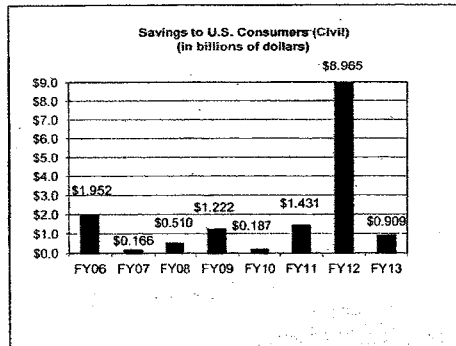
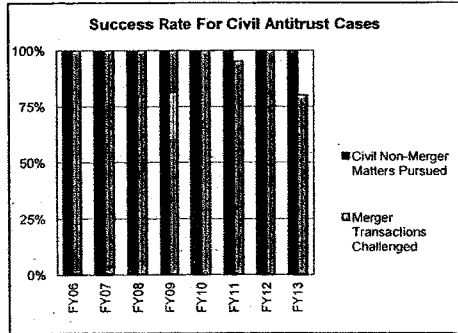
Civil Enforcement

The charts below illustrate the Civil Outcome Performance Measures for the Antitrust Decision Unit, to include: Success Rate for Civil Antitrust Cases and Savings to U.S. Consumers (as a result of the Antitrust Division's Civil enforcement efforts).

The success rate for civil non-merger matters includes investigations in which business practices were changed after the investigation was initiated, a case was filed with consent decree, or a case was filed and litigated successfully. The Division's success in preventing anticompetitive behavior in the civil non-merger area has been notable. The Division successfully resolved every matter it challenged in FY 2013 and expects to meet or exceed its goals for FY 2014 through FY 2015.

The success rate for merger transactions challenged includes mergers that are abandoned, fixed before a complaint is filed, filed as cases with consent decrees, filed as cases but settled prior to litigation, or filed and litigated successfully. Many times, merger matters involve complex anticompetitive behavior and large, multinational corporations and require significant resources to review. The Division's Civil Merger Program successfully resolved 80 percent of the matters it challenged in FY 2013 and expects to meet or exceed its goals for FY 2014 and FY 2015.

The estimated value of consumer savings generated by the Division's civil enforcement efforts in any given year depends upon the size and scope of the matters proposed and resolved and thus varies considerably. Targeted levels of performance are not projected for this indicator.





b. Strategies to Accomplish Outcomes

Prosecute International Price Fixing Cartels

Utilizing geographically dispersed field offices and one section in Washington, DC, the Antitrust Division deters private cartel behavior by investigating and challenging violations of Section 1 of the Sherman Act, including such *per se* (in and of themselves, clearly illegal) violations as price fixing, bid rigging, and horizontal customer and territorial allocations. Wide ranges of investigatory techniques are used to detect collusion and bid rigging, including joint investigations with the FBI and grand jury investigations. When businesses are found actively to be engaged in bid rigging, price fixing, and other market allocation schemes that negatively affect U.S. consumers and businesses (no matter where the illegal activity may be taking place), the Division pursues criminal investigations and prosecutions.

The global reach of modern cartels and their significant effects on U.S. consumers highlights the critical importance of international advocacy and coordination efforts. Increased cooperation and assistance from foreign governments continues to enhance the Division's ability to detect and prosecute international cartel activity. In addition, the Division's Individual and Corporate Leniency Programs, revised in recent years for greater effectiveness, have proven critical in uncovering criminal antitrust violations. Greater time and resources are devoted to investigation-related travel and translation, given the increasingly international operating environment of the criminal conspiracies being encountered. In all instances, if the Division ultimately detects market collusion and successfully prosecutes, the Division may obtain criminal fines and injunctive relief.

Civil Enforcement

The Division's Civil strategy is comprised of two key activities - Merger Review and Civil Non-Merger work. Six Washington, DC sections and two field offices participate in the Division's civil work. This activity

serves to maintain the competitive structure of the national economy through investigation and litigation of instances in which monopoly power is sought, attained, or maintained through anticompetitive conduct and by seeking injunctive relief against mergers and acquisitions that may tend substantially to lessen competition.



Section 7 of the Clayton Act, as amended by the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (HSR), requires certain enterprises that plan to merge or to enter into acquisition transactions to notify the Antitrust Division and the Federal Trade Commission (FTC) of their intention and to submit certain information. These HSR premerger notifications provide advance notice of potentially anticompetitive transactions and allow the Division to identify and block such transactions before they are consummated. HSR premerger reviews are conducted under statutorily mandated time frames. This workload is not discretionary; it results from the number of premerger filings we receive.

The number of merger transactions reviewed includes all HSR filings the Division receives and, also, reviews of proposed or consummated mergers that are below HSR filing thresholds but which present possible anti-competitive issues. HSR and non-HSR transactions may be investigated and prosecuted under Section 7 of the Clayton Act, or under Sections 1 and 2 of the Sherman Act. Referrals for non-HSR matters come from both outside the Division, via competitors or consumers, and from within the Division, based on staff knowledge of industries and information about current events.

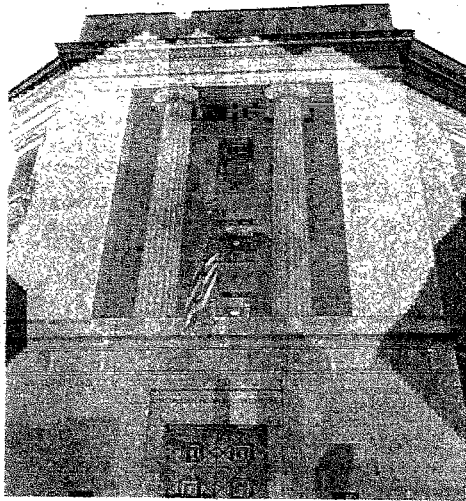
Bank merger applications, brought to the Division's attention statutorily via the Bank Merger Act, the Bank Holding Company Act, the Home Owners Loan Act, and the Bridge Bank Section of the Federal Deposit Insurance Act, are reviewed through a somewhat different process.

The majority of the Division's Civil Non-Merger work is performed by four litigating sections in Washington, DC, although other Washington sections and some field offices provide support as necessary. Our Civil Non-Merger activities pick up, to some degree, where the Antitrust Division's Criminal strategy leaves off, pursuing matters under Section 1 of the Sherman Act in instances in which the allegedly illegal behavior falls outside bid rigging, price fixing, and market allocation schemes, the areas traditionally covered by criminal prosecutory processes. Other behavior, such as group boycotts or exclusive dealing arrangements, that constitutes a "...contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce..." is also illegal under Section 1 of the Sherman Act. It is typically prosecuted through the Division's Civil Non-Merger Enforcement Strategy.

A distinction between the Criminal and Civil Non-Merger activities is that conduct prosecuted through the Criminal strategy is considered a *per se* violation of the law, whereas conduct reviewed under the Civil Non-Merger activity may constitute a *per se* violation of the law or may be brought using a rule-of-reason analysis. *Per se* violations are violations considered so clearly anticompetitive that the Division must prove only that they occurred. Violations brought under a rule-of-reason analysis, on the other hand, are those that may or may not, depending on the factual situation, be illegal. In these instances, the Division must not only prove that the violation occurred, but must also demonstrate that the violation resulted in anticompetitive effects. In addition to pursuing matters under Section 1 of the Sherman Act, the Division's Civil Non-Merger component also prosecutes violations of Section 2 of the Sherman Act, which prohibits monopolization and attempted monopolization, and Section 3 of the Clayton Act, which prohibits tying. Tying is an agreement by a party to sell one product on the condition that the buyer also purchase a different or *tied* product, or at least agree that he will not purchase that *tied* product from any other supplier. Whether addressing matters under Sections 1 or 2 of the Sherman Act or Section 3 of the Clayton Act, our Civil Non-Merger enforcement activities rely upon civil compulsory process to investigate the alleged violation.

c. Priority Goals

The Antitrust Division contributes to the FY 2014-2015 Priority Goal, "Reduce financial and healthcare fraud." In order to efficiently and effectively drive those investigations to resolution, by September 30, 2015, the Department of Justice will reduce by 3 percent, the number of financial and healthcare fraud investigations pending longer than 2 years.



5. Exemplar - Criminal

A. Financial Fraud Enforcement

Introduction and Background

Rigorous enforcement of the Sherman Antitrust Act, which authorizes the Antitrust Division to bring criminal prosecutions against those that are involved in conspiracies with competitors to fix prices, rig bids, or allocate customers, territories, markets, or sales or production volumes, is a critical component of the Department's overall battle against financial fraud. Indeed, in FY 2013, the Division filed 50 criminal cases and obtained over \$1 billion in criminal fines. In these cases, 21 corporations and 34 individuals were charged, and courts imposed 28 jail terms totaling 20,999 days of jail time. These cases and the underlying investigations were brought in a range of key industries, including real estate, auto parts, and financial services, to name a few.



Because of the importance of criminal antitrust enforcement to the fight against financial fraud, the Antitrust Division has played, and continues to play, a prominent role in the President's Financial Fraud Enforcement Task Force, Exec. Order No. 13519, 74 Fed. Reg. 60, 123 (Nov. 17, 2009). In particular, the Division is a key contributor to the efforts of the Task Force to detect and prosecute mortgage frauds, securities and commodities frauds, and frauds preying on funds dedicated to assist in the economic recovery pursuant to the American Recovery and Reinvestment Act.

Mortgage and Foreclosure Fraud

Since the beginning of calendar year 2011, the Antitrust Division has identified a pattern of collusive schemes among real estate speculators aimed at eliminating competition at real estate foreclosure auctions around the country. Instead of competitively bidding at public auctions for foreclosed properties, groups of real estate speculators work together to keep prices at public foreclosure auctions artificially low by paying each other to refrain from bidding or holding unofficial "knockoff" auctions among themselves. While the country continues to face unprecedented home foreclosure rates, the collusion taking place at public auctions on the steps of courthouses and municipal buildings around the country is artificially driving down foreclosed home prices and enriching the colluding real estate speculators at the expense of homeowners, municipalities and lending institutions. The impact of these collusive schemes is far-reaching because they negatively affect home prices in the neighborhoods where the foreclosed properties are located. Similar collusive conduct has also been detected among bidders for public tax liens.



To combat this anticompetitive epidemic, the Antitrust Division, in conjunction with the FBI, developed a Real Estate Foreclosure Initiative. The initiative includes outreach and training efforts designed to raise awareness of the investigative community and public about bid rigging and fraud at real estate foreclosure and tax lien auctions. The initiative also includes information sharing and coordinated enforcement efforts with our law enforcement partners meant to facilitate the identification, investigation, and prosecution of bid-rigging and collusive conduct at public auctions.

As of January 2014, as a result of the Division's efforts, 82 defendants have pleaded guilty to real estate foreclosure and tax liens conspiracies across the United States that suppress and restrain competition in ways that harm our communities and already-financially distressed homeowners. The Division is coordinating its initiative through the Mortgage Fraud Working Group of the Financial Fraud Enforcement Task Force.

Securities and Commodities Fraud

The Antitrust Division has also been integral to the Department's efforts to combat securities, commodities, and corporate and investment frauds. These so called "Wall Street" frauds are at the root of many of the problems that have plagued the nation's markets, businesses and consumers, and continue to act as a drag on the nation's ability to sustain a full economic recovery.

Of particular note are the Financial Fraud Enforcement Task Force's prosecutions involving manipulation of benchmark interest rates which undermined financial markets worldwide, directly affecting the rates referenced by financial products held by and on behalf of companies and investors around the world.



One of these benchmark interest rates, LIBOR (London InterBank Offered Rate), serves as the primary benchmark for short-term interest rates globally and is used as a reference rate for many interest rate contracts, mortgages, credit cards, student loans and other consumer lending products. The Antitrust Division's investigation of LIBOR manipulation, pursued jointly with the Criminal Division, has resulted in deferred prosecution agreements with two banks (Rabobank and the Royal Bank of Scotland), charges filed against a Japanese subsidiary of RBS, and criminal complaints filed against three former brokers and five former traders, all for their roles in manipulating LIBOR and related benchmark interest rates.

The Division has obtained \$475 million in criminal fines and penalties in this ongoing investigation, and the total of global criminal and regulatory fines, penalties and disgorgement obtained by authorities is over \$3.7 billion.

The broader investigation relating to LIBOR and other benchmark rates has benefited from a wide-ranging cooperative effort among various enforcement agencies both in the United States and abroad. The FBI, SEC, the Commodity Futures Trading Commission, the U.K. Financial Conduct Authority and Serious Fraud Office, the Japanese Ministry of Justice, the **Japan Financial Services Agency**, the Swiss Financial Market Supervisory Authority, the Dutch Public Prosecution Service, and the Dutch Central Bank have played a major role in the LIBOR investigation.

Another key effort are the investigations by the Division and other federal agencies of criminal conspiracies involving bid-rigging in the municipal bond investments market. The schemes under investigation involve unlawful agreements to manipulate the bidding process on municipal investment and related contracts – financial instruments which were

used to invest the proceeds of, or manage the risks associated with, bond issuances by municipalities and other public entities. Critical municipal infrastructure, like roads, schools, and other projects, are supported by the bonds affected by these crimes.



As of January 2014, the Division's ongoing investigation has resulted in criminal charges against 20 former executives of various financial services companies and one corporation. Sixteen of the 20 executives charged have pleaded guilty or were convicted at trial. One executive awaits trial.

The investigation has also produced numerous resolutions with large financial institutions implicated in the schemes, including JPMorgan Chase, UBS AG, Wachovia Bank N.A., Bank of America, and GE Funding Capital Market Services, Inc. These financial institutions have agreed to pay a combined total of nearly **\$750 million in restitution**, penalties and disgorgement to federal and state agencies for their roles in the conduct.

The Division is coordinating its municipal bonds investigation and other efforts in the financial services industries with other members of the Securities, Commodities and Investment Fraud Working Group of the Financial Fraud Enforcement Task Force.

Economic Recovery Fraud

With the passage of the American Recovery and Reinvestment Act of 2009, signed by President Obama in February 2009, the Division's role to uphold the American public's expectation that our nation's \$787 billion investment in economic recovery will not fall victim to fraud and other illegal activity was clearly evident. Accordingly, within one month of the Recovery Act becoming Public Law, the Antitrust Division launched an "Economic Recovery Initiative" to assist in ensuring successful results from implementation of the Recovery Act.

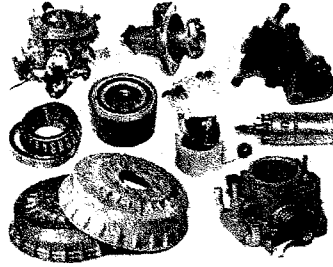
The Economic Recovery Initiative represents the Antitrust Division's commitment to assist federal, state, and local agencies receiving Recovery Act funds to ensure that measures are in place to protect procurement and program funding processes from bid-rigging and other fraudulent conduct, as well as to ensure that those who seek to corrupt the competitive bidding process are prosecuted to the fullest extent of the law. A principal aim of the Initiative is training government officials to prevent, detect, and report efforts by parties to unlawfully profit from stimulus awards before those awards are made and taxpayer money is wasted. This focus reflects the Antitrust Division's experience from investigating and prosecuting fraud that the potential risk of collusion and fraud relating to lucrative government contracts is dramatically minimized when an early and strong emphasis is placed on prevention and detection. Another cornerstone of the Initiative is promoting holistic enforcement of Recovery Act frauds – that is, ensuring that enforcement in this area not be limited to merely criminal and/or civil prosecution, but also includes potential administrative action and suspension and debarment measures.

The Division's Initiative remains a central part of the efforts of the Recovery Act Fraud Working Group of the Financial Fraud Enforcement Task Force. The Task Force's Recovery Act Fraud Working Group, which is co-chaired by the Assistant Attorney General for the Antitrust Division, is responsible for coordinating a national strategy to draw on all the resources and expertise of the Department, as well as other partner agencies, regulatory authorities, and Inspectors General throughout the Executive Branch, to ensure that taxpayer funds are safeguarded from fraud and abuse and that the Recovery Act effort is conducted in an open, competitive, and non-discriminatory manner.

B. Automobile Parts Investigation

Introduction

In an investigation spanning three continents and involving the Federal Bureau of Investigation (FBI), the European Union, Canada's Competition Bureau and the Japanese Fair Trade Commission, the Antitrust Division is investigating the alleged illegal business practices of major automobile parts suppliers. Initially, the investigation centered primarily on wire harnesses used in auto bodies and related products but has since expanded into many other automobile parts. This investigation and the resulting penalties impact American automobile manufacturing companies and many foreign producers.



The automobile parts investigation is the **largest criminal investigation the Antitrust Division has ever pursued**, both in terms of its scope and the potential volume of commerce affected by the alleged illegal conduct. The ongoing cartel investigation of price-fixing and bid-rigging in the automobile parts industry has yielded **charges against 26 companies and 28 individuals and over \$2 billion in criminal fines** in the investigation thus far. Two of the executives charged have agreed to serve two years in prison—the **longest prison terms** imposed on foreign nationals voluntarily submitting to U.S. jurisdiction for an antitrust violation.

Background and Investigation

Though the Division's investigation initially examined just "wire harnesses" that are the distribution system of cables and connectors that carry electronic information through the car, the investigation has now expanded to include instrument panel clusters, fuel senders, electronic control units, heater control panels, speed sensor wire assemblies, seatbelts, airbags, and steering wheels, among others.

The Antitrust Division is investigating whether the auto parts companies that provide component parts to vehicle manufacturers such as Chrysler, Ford, General Motors, Honda and Toyota participated in illegal anti-competitive cartel conduct, with some suspected activity dating back to 2000. Specific charges to date include price-fixing and bid-rigging conspiracies.

In some cases, conspirators that have plead guilty to-date carried out the conspiracies by agreeing during meetings and conversations to allocate the supply of the automobile products on a model-by-model basis and to coordinate price adjustments requested by automobile manufacturers in the United States and elsewhere. They sold the auto parts to manufacturers at non-competitive, rigged and fixed prices and monitored the prices to make sure those involved in the conspiracies adhered to the agreed upon bid-rigging and price-fixing schemes.

Results

Individual corporate fines in excess of \$50 million and the associated jail sentences for corporate executives in the auto parts investigation since the beginning of FY 2011 include:

Yazaki Corporation	<ul style="list-style-type: none"> • \$470 million — the second largest criminal fine ever for an antitrust violation • Wire harnesses and related products, instrument panel clusters, fuel senders • 6 executives ranging from 14 months to 2 years
Bridgestone Corporation	<ul style="list-style-type: none"> • \$425 million • Anti-vibration rubber parts
Purakawa Electric Company Ltd.	<ul style="list-style-type: none"> • \$200 million • Wire harnesses and related products • 3 executives ranging from one year and one day to 18 months
Hitachi Automotive Systems, Ltd.	<ul style="list-style-type: none"> • \$195 million • Starter motors, alternators, and other products
Mitsubishi Electric Corporation	<ul style="list-style-type: none"> • \$190 million • Starter motors, alternators, ignition coils
Mitsuba Corporation	<ul style="list-style-type: none"> • \$135 million • Windshield wiper systems and other products
Itekt Corporation	<ul style="list-style-type: none"> • \$103 million • Bearings, steering assemblies
DENSO Corporation	<ul style="list-style-type: none"> • \$78 million • Electronic control units and heater control panels • 2 executives ranging from one year and one day to 14 months
NSK Ltd.	<ul style="list-style-type: none"> • \$68 million • Bearings

Conclusion

The criminal activity associated with the automobile parts investigation had a significant impact on automotive manufacturers in the United States, some of which had been occurring for at least a decade. The conduct also potentially affected commerce on a global scale in other markets where automobiles are manufactured and/or sold.

Criminal antitrust enforcement remains a top priority of the Antitrust Division. The automobile parts investigation continues and additional fines and jail sentences are expected to follow. The importance of rooting out this type of illegal criminal conduct cannot be overstated as it negatively impacts the United States economy and results in higher prices for consumers and businesses.

6. Exemplars – Civil

A. American Airlines / US Airways



Introduction

As airlines increase fares and raise fees, the Antitrust Division continues to pay very close attention to potential antitrust violations in the airline industry in order to protect American consumers. In 2012, business and leisure airline travelers spent more than \$70 billion on airfare for travel throughout the United States – a sizable portion of the U.S. economy.

Early in 2013 US Airways Group, Inc. and American Airlines' parent corporation, AMR Corp., proposed an \$11 billion merger of the two airlines, resulting in the world's largest airline. In August 2013 the Antitrust Division (joined by several plaintiff states), filed an antitrust lawsuit to challenge the proposed merger, stating that it would substantially lessen competition for commercial air travel in local markets throughout the United States and result in passengers paying higher airfares and receiving less service.

Background

As alleged in the Complaint, this merger would combine two of the four major "legacy" carriers, leaving "New American," Delta, and United as the remaining major national network carriers. The merger would make it easier for these remaining legacy airlines to cooperate – rather than compete – on price and service, reduce head-to-head competition between U.S. Airways and American on numerous non-stop and connecting routes, and entrench the merged airline as the dominant carrier at Washington Reagan National Airport, where it would control 69 percent of the take-off and landing slots.

In contrast to the legacy carriers, other carriers (commonly referred to as "LCCs") such as Southwest Airlines ("Southwest"), JetBlue Airways ("JetBlue"), and Virgin America, have less extensive networks and tend to focus more heavily on lower fares and other value propositions. For example, Southwest carries the most domestic passengers of any airline, however, its route network is limited compared to the four current legacy carriers, especially to significant business-oriented markets. Although the LCCs serve fewer destinations than the legacy airlines, they generally offer important competition on the routes that they do serve.

Conclusion

In November 2013, to settle the merger challenge, the Division announced that it would require US Airways and American Airlines to divest slots and gates at seven key airports in order to enhance system-wide competition. The divested slots and gates would pass to low cost carrier airlines such as JetBlue and Southwest, resulting in more choices and more competitive airfares for consumers. The merged airline, known as American Airlines Group, Inc., became official in December 2013.

When fully implemented, and including oversight and approval by the Antitrust Division, the divestitures will increase the presence of low cost carrier airlines at Boston Logan International, Chicago O'Hare International, Dallas Love Field, Los Angeles International, Miami International, New York LaGuardia International and Ronald Reagan Washington National airports.

The access to key airports made possible by the divestitures will create network opportunities for the purchasing carriers that would otherwise have been out of reach for the foreseeable future. Those opportunities will provide increased incentives for those carriers to invest in new capacity and expand into additional markets. Moreover, the settlement not just prevents the increased dominance of US Airways at Reagan National, it provides for expanded competition at this airport.

By challenging this merger and requiring divestitures, the ability of low cost carrier airlines will be greatly enhanced to compete, ultimately savings consumers millions of dollars in lower airfares and ancillary fees.

B. Bazaarvoice, Inc. / PowerReviews, Inc.

Introduction

American consumers continue to rely more and more on technological tools when making purchasing decisions. To ensure that appropriate competition exists in the online marketplace, the Antitrust Division makes a concerted effort to monitor merger activity among high tech companies, investigating those mergers which appear to violate antitrust law.

In June 2012 Bazaarvoice, Inc., the dominant commercial supplier of product ratings and reviews platforms in the U.S., acquired PowerReviews, Inc., its closest rival. Consumer-generated product ratings and reviews are a ubiquitous part of the online shopping experience and are displayed on retailers' and manufacturers' websites. This feature allows consumers to read feedback from authentic product owners before making a purchasing decision. This content is also a valuable asset for retailers and manufacturers because it can increase sales, decrease product returns and provide valuable data about consumer preferences and behaviors.

Background

Bazaarvoice's acquisition of PowerReviews was not required to be reported under the Hart-Scott-Rodino Antitrust Improvements Act of 1976, which requires companies to notify and provide information to the Division and Federal Trade Commission before consummating certain acquisitions.

The Division began its investigation shortly after the transaction closed and in January 2013 filed a civil antitrust lawsuit in the Northern District of California stating that the \$168.2 million transaction substantially lessened competition in the market for product ratings and reviews platforms in the U.S., resulting in higher prices and diminished innovation. The Division's lawsuit sought to restore the competition that was extinguished by the transaction.

The complaint alleged that before the merger transaction took place, PowerReviews was an aggressive price competition and Bazaarvoice routinely responded to competitive pressure from PowerReviews. As a result of the competition between Bazaarvoice and PowerReviews, many retailers and manufacturers received substantial price discounts. As the complaint described, Bazaarvoice sought to stem competition through the acquisition of PowerReviews.

Conclusion

The three week trial began in September 2013. In January 2014, the U.S. District Court for the Northern District of California sided with the Division in finding that Bazaarvoice violated Section 7 of the Clayton Act by acquiring PowerReviews. The litigation is currently in the remedy phase. The impending remedy will help to ensure that consumers shopping for products and services using web-based applications are protected.

C. Non-Merger: American Express, MasterCard, and Visa: Credit Card Merchant Restraints

Introduction

In 2009, consumers used credit and charge cards issued by American Express, MasterCard, and Visa to make more than \$1.7 trillion in purchases. Merchants paid these three companies an estimated \$35 billion in acceptance costs or 'swipe fees'. A swipe fee is paid every time a credit card is used and merchants must agree to certain rules, or restraints, in order to accept the cards for payment of purchases.



In October 2010, the Antitrust Division and seven states (Connecticut, Iowa, Maryland, Michigan, Missouri, Ohio, and Texas) filed a complaint against American Express, MasterCard, and Visa (the defendants) to prevent them from imposing on

merchants certain restraints that insulate the defendants from competition in violation of the Sherman Act.

Background

The three defendants provide network services for general purpose credit and charge cards. They operate the infrastructure necessary to authorize, settle, and clear payments made with their cards. Millions of merchants around the United States that accept these cards are consumers of network services.

According to the complaint, American Express, MasterCard and Visa maintained rules that prohibited merchants from encouraging consumers to use lower-cost payment methods when making purchases. For example, the rules prohibited merchants from offering discounts or other incentives to consumers in order to encourage them to pay with credit cards that cost the merchant less to accept. Ultimately, these rules result in consumers paying more for their purchases and increase merchants' costs of doing business.

These restraints allow the defendants to maintain high prices for network services with confidence that no competitor will take away significant transaction volume through competition in the form of merchant discounts or benefits to customers that use lower cost payment options. The defendants' prices for network services to merchants are therefore higher than they would be without the restraints. Because the restraints result in higher merchant costs, and merchants pass these costs on to consumers, retail prices are higher generally for consumers.

Conclusion

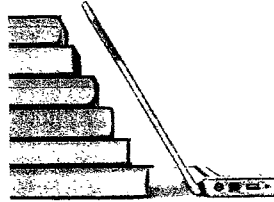
Shortly after filing the complaint, the Division reached a final judgment agreement with Visa and MasterCard. Defendant American Express was not a party to the settlement, and the litigation against it is continuing. The final judgment generally prohibits Visa and MasterCard from enforcing any rule or agreement that prevents merchants from offering customers a discount for using a particular card for payment, expressing a preference for the use of a particular card, promoting a particular card, or communicating to customers the estimated costs incurred by the merchant when a customer pays with a particular card.

In July 2011, the Court agreed to the final judgment, agreeing that the Division had demonstrated that "the Proposed Final Judgment furthers the public interest by removing the anticompetitive impact of Visa's and MasterCard's anti-steering rules"

D. Non Merger: eBooks

Introduction

On April 11, 2012, the Department filed a civil antitrust lawsuit in the U.S. District Court for the Southern District of New York against Apple and five of the six major U.S. trade book publishers – Hachette Book Group (USA), HarperCollins Publishers L.L.C., Holtzbrinck Publishers LLC, which does business as Macmillan, Penguin Group (USA) Inc. and Simon & Schuster Inc. – for conspiring to end e-book retailers' freedom to compete on price by taking control of pricing from e-book retailers and substantially increasing the prices that consumers paid for e-books.



At the same time that it filed the lawsuit, the Department reached settlements with three of the publishers—Hachette, HarperCollins and Simon & Schuster. The two remaining publishers, Penguin and Macmillan, settled with the Department during discovery. Apple proceeded to trial, where the Department was joined by 33 states prosecuting parallel state claims.

Background

In close collaboration with both state attorneys general and the European Commission's Directorate General for Competition, the Department uncovered compelling evidence that the publishers' fear of the digital world led them to conspire with each other to raise retail prices and slow consumers' migration to e-books. Apple assisted and orchestrated the publishers' efforts, in exchange for a guaranteed 30 percent margin and protection from having to compete against Amazon on price. As a result, on the day that Apple began selling its iPad with iBookstore capability, the prices that consumers paid for the publisher defendants' e-books shot up at all outlets—by 30-50 percent for the most popular titles.

Conclusion

In a 160-page opinion issued following a June 2013 trial, the court found that “the Publisher Defendants conspired with each other to eliminate retail price competition in order to raise e-book prices, and that Apple played a central role in facilitating and executing that conspiracy” in violation of Section 1 of the Sherman Act. The court noted that the Department made that showing “not just by a preponderance of evidence” but rather “through compelling direct and circumstantial evidence.”

The publisher settlements ensured that e-book retailers again would be able to compete on price, with consumers enjoying markedly lower e-book prices as a result. The injunction ultimately ordered against Apple, assuming it is upheld on appeal, will serve to enhance and safeguard that relief. In addition, the states secured well over \$150 million in consumer damages from the publishers and now are very well positioned to secure hundreds of millions more from Apple.

V. Program Offsets by Item

Item Name: Miscellaneous Program and Administrative Reductions

Budget Decision Unit(s): **Antitrust**

Strategic Goal(s) & Objective(s): **Strategic Goal II: Prevent Crime, Protect the Rights of the American People and Enforce Federal Law.**

Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States

Organizational Program: **Antitrust Division's Enforcement Programs**

Component Ranking of Item: **1**

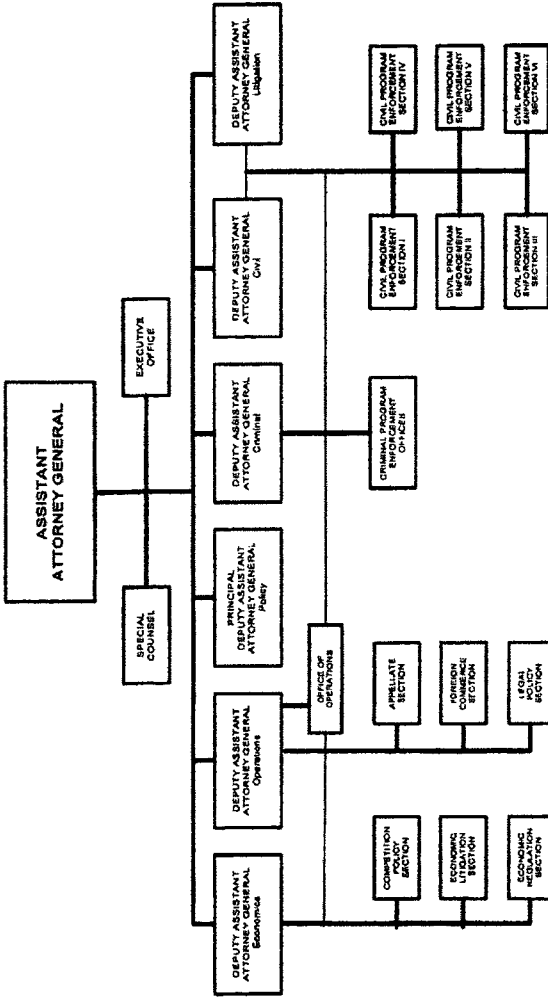
Program Reduction: Positions 0 Atty 0 FTE 0 Dollars **-\$281**

Description of Item

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Impact on Performance

Performance impact information is not yet available for this offset.



1

ERIC H. WOLDER, JR.
Attorney General

Summary of Requirements

Artifit Division
Salaries and Expenses
(Dollars in Thousands)

	FY 2015 Request	
Direct Positions	FTE	Amount
2013 Enacted	830	162,170
2013 Rescissions (1.877% & 0.2%)		(1,578)
2013 Sequester		(2,183)
Total 2013 Enacted (with Rescissions and Sequester)	830	158,399
2014 Enacted	830	160,400
Base Adjustments:		
Pay and Benefits	0	0
Total Base Adjustments	0	0
2015 Current Services	830	162,527
Program Changes		
Offsets:		
Miscellaneous Program and Administrative Reductions	0	0
Subtotal, Offsets	0	-281
Total Program Changes	0	-281
2015 Total Request	830	162,246
2014 - 2015 Total Change	0	1,846

Note: The FTE for FY 2013 is actual and estimated for FY 2014 and FY 2015.

B. Summary of Requirements

Summary of Requirements
 Antitrust Division
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Base Adjustments			2015 Current Services		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Antitrust Division	880	654	158,338	830	654	160,400	0	0	2,127	830	654	162,527
Total Direct	880	654	158,338	830	654	160,400	0	0	2,127	830	654	162,527
Grand Total, FTE		654			654			0			654	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Antitrust Division	0	0	0	0	0	-281	830	654	162,246
Total Direct	0	0	0	0	0	-281	830	654	162,246
Grand Total, FTE		0			0			654	

FY 2015 Program Changes by Decision Unit
Antitrust Division
Salaries and Expenses
(Dollars in Thousands)

Program Offsets	Location of Description in Narrative	Antitrust Division			Total Offsets		
		Direct Pos.	Ag. / Atty.	Est. FTE Amount	Direct Pos.	Ag. / Atty.	Est. FTE Amount
Miscellaneous Program and Administrative Reductions	47	0	0	0	-281	0	0
Total Program Offsets		0	0	0	-281	0	0

-281

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

Antitrust Division
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount
Goal 2 Prevent Crime, Protect the Rights of the American People, and enforce Federal Law																		
2.8 Protect the federal fisc and defend the interests of the United States.	854	158,335	854	854	160,400	854	854	162,527	0	0	0	0	0	0	0	854	162,527	0
Subtotal, Goal 2	854	158,335	854	854	160,400	854	854	162,527	0	0	0	0	0	0	0	854	162,527	0
TOTAL	854	158,335	854	854	160,400	854	854	162,527	0	0	0	0	0	0	0	854	162,527	0

Justifications for Technical and Base Adjustments
 Antitrust Division
 Salaries and Expenses
 (Dollars in Thousands)

Pay and Benefits	Direct Pos.	Estimate FTE	Amount
<p>1. 2015 Pay Raise. This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The increase only includes the general pay raise. The amount requested, \$700,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$532,000 for pay and \$168,000 for benefits).</p>			700
<p>2. Annualization of 2014 Pay Raise. This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.5% included in the 2014 President's budget. The amount requested, \$198,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$ 150,480 for pay and \$47,520 for benefits).</p>			198
<p>3. FERS Required and Enforcement Retirement Contributions. Effective October 1, 2014 (FY 2015), the new agency contribution rates of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 28.8% for law enforcement personnel (up from the current 28.3%, or an increase of 0.5%). The amount requested, \$864,000, represents the funds needed to cover this increase.</p>			864
<p>4. Health Insurance. Effective January 2015, the component's contribution to Federal employees' health insurance increases by 5.2 percent. Applied against the 2014 estimate of \$4,251,000, the additional amount required is \$219,000.</p>			219
<p>5. Retirement. Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$146,000 is necessary to meet our increased retirement obligations as a result of this conversion.</p>			146
TOTAL DIRECT BASE ADJUSTMENTS	0	0	2,127
Subtotal, Pay and Benefits	0	0	2,127

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
 Antitrust Division
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Appropriation Enacted w/o Balance Recession ¹			Balance Recession			Sequester			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2013 Actual	
	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Amount	Amount	Direct	Actual	Amount	Amount
	Pos	FTE		Pos	FTE		Pos	FTE		Pos	FTE				Pos	FTE		
Antitrust Division	880	654	182,431	0	0	0	0	0	0	0	0	0	0	0	1,138	880	654	179,420
Total Direct	880	654	182,431	0	0	0	0	0	0	0	0	0	0	0	1,138	880	654	179,420
Total Direct and Reimb FTE				0	0	0	0	0	0	0	0	0	0	0				
Grand Total FTE			654			0			0			0					654	
Excluded:																		

1) The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.87% and 0.2%.

Carryover:

FY 2012 funds were carried over from the 156/0319 account. The Division brought forward \$19,944 from prior years' salaries and expenses funding and \$0 was made available for obligation in FY 2013. The \$19,944 in carry forward is comprised of \$15,120 in FY 2007 HSR Fee collections in excess of the FY 2007 authorized level of \$129,000 and the remaining \$4,824 was not made available for obligation in FY 2013.

Recoveries/Refunds:

As of September 30, 2013, ATR recoveries totaled \$1,138, of which \$0 was made available in FY 2013.

Crosswalk of 2014 Availability
 Antitrust Division
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
Antitrust Division	830	654	160,400	0	0	0	0	24,634	2,238	654	830	654	187,272
Grand Total, FTE	830	654	160,400	0	0	0	0	24,634	2,238	654	830	654	187,272

Carryover:

FY 2013 funds were carried over from the 15X019 account. The Division brought forward \$24,634 from prior years' salaries and expenses funding and \$9,914 was made available for obligation in FY 2014. The remaining balance of \$15,720 is FY 2007 HSR Fee collections in excess of the FY 2007 authorized level and cannot be made available.

Recoveries/Refunds:

As of December 31, 2013, ATR recoveries totaled \$2,238, of which \$0 has been made available in FY 2014.

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources

Antitrust Division
Salaries and Expenses
(Dollars in Thousands)

Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Environment and Natural Resources Division	0	0	121	0	0	200	0	0	200	0	0	0
Civil Division	0	0	8	0	0	0	0	0	0	0	0	0
Office of Attorney Recruitment/Management	0	0	20	0	0	0	0	0	0	0	0	0
JMD - Debt Collection Management	0	0	2,297	0	0	0	0	0	0	0	0	0
US Attorney's - PA	0	0	5	0	0	0	0	0	0	0	0	0
Federal Trade Commission	0	0	20	0	0	0	0	0	0	0	0	0
Budgetary Resources	0	0	2,471	0	0	200	0	0	200	0	0	0

Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Antitrust Division	0	0	2,471	0	0	200	0	0	200	0	0	0
Budgetary Resources	0	0	2,471	0	0	200	0	0	200	0	0	0

I. ■■■ of Permanent Positions by Category

Detail of Permanent Positions by Category

Antitrust Division
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration			2014 Enacted			2015 Request				
	Direct Pos.	Reimb. Pos.		Direct Pos.	Reimb. Pos.	ATBS	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.	
Security Specialists (090)	1	0		3	0	0	0	0	3	0	0
Social Science, Economics and Kindred (100 - 199)	66	0		60	0	0	0	0	60	0	0
Personnel Management (200-299)	11	0		11	0	0	0	0	11	0	0
Clerical and Office Services (300-399)	154	0		138	0	0	0	0	138	0	0
Accounting and Budget (500-599)	9	0		9	0	0	0	0	9	0	0
Attorneys (905)	390	0		380	0	0	0	0	380	0	0
Paralegals / Other Law (900-998)	200	0		180	0	0	0	0	180	0	0
Business & Industry (1100-1199)	5	0		5	0	0	0	0	5	0	0
Library (1400-1499)	3	0		3	0	0	0	0	3	0	0
Mathematics and Statistics (1500 - 1599)	9	0		9	0	0	0	0	9	0	0
Information Technology Mgmt. (2210)	32	0		32	0	0	0	0	32	0	0
Total	880	0		830	0	0	0	0	830	0	0
Headquarters (Washington, D.C.)	633	0		645	0	0	0	0	645	0	0
U.S. Field	247	0		185	0	0	0	0	185	0	0
Total	880	0		830	0	0	0	0	830	0	0

Exhibit I - Details of Permanent Positions by Category

Financial Analysis of Program Changes

Amtrak Division
Surface Operations
(Dollars in Thousands)

	Amtrak Division				Program Offset			
	Program Increase 1		Program Increase 2		Direct		Program Offset	
	Direct	Amount	Direct	Amount	Amount	POS	Amount	POS
GS-5	0	0	0	0	0	0	0	0
GS-15	0	0	0	0	0	0	0	0
GS-14	0	0	0	0	0	0	0	0
GS-13	0	0	0	0	0	0	0	0
GS-12	0	0	0	0	0	0	0	0
GS-11	0	0	0	0	0	0	0	0
GS-10	0	0	0	0	0	0	0	0
GS-9	0	0	0	0	0	0	0	0
GS-8	0	0	0	0	0	0	0	0
GS-7	0	0	0	0	0	0	0	0
GS-6	0	0	0	0	0	0	0	0
GS-5	0	0	0	0	0	0	0	0
Total Positions and Annual Amount	0	0	0	0	0	0	0	0
Liabilities (-)	0	0	0	0	0	0	0	0
11.5 Other Personnel Compensation	0	0	0	0	0	0	0	0
Total FTEs and Personnel Compensation	0	0	0	0	0	0	0	0
12.0 Other Compensation	0	0	0	0	0	0	0	0
21.0 Travel and Transportation of Persons	0	0	0	0	0	0	0	0
22.0 Transportation of Things	0	0	0	0	0	0	0	0
23.1 Rental Payments to GSA	0	0	0	0	0	0	0	0
23.3 Communications, Utilities, and Miscellaneous Charges	0	0	0	0	0	0	0	0
24.0 Printing and Reproduction	0	0	0	0	0	0	0	0
25.1 Other Services from Federal Sources	0	0	0	0	0	0	0	0
25.2 Other Services from Non-Federal Sources	0	0	0	0	0	0	0	0
25.3 Other Goods and Services from Federal Sources	0	0	0	0	0	0	0	0
25.5 Research and Development Contracts	0	0	0	0	0	0	0	0
25.7 Operation and Maintenance of Equipment	0	0	0	0	0	0	0	0
26.0 Supplies and Materials	0	0	0	0	0	0	0	0
31.0 Equipment	0	0	0	0	0	0	0	0
Total Program Change Requests	0	0	0	0	0	0	0	0
								-387

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class

Antitrust Division
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	504	64,375	504	65,700	604	68,632	0	932
11.3 Other than Full-Time Permanent	150	8,707	150	9,700	150	10,000	0	300
11.3 Other Personnel Compensation	0	1,596	0	1,000	0	1,000	0	0
Overtime	0	646	0	550	0	550	0	0
Other Compensation	0	950	0	450	0	450	0	0
11.8 Special Personal Services Payments	188	0	0	250	0	250	0	0
Total	654	74,864	654	76,650	654	77,882	0	1,232
Other Object Classes								
12.0 Personnel Benefits	20,727	0	20,800	0	21,500	0	700	0
13.0 Benefits for former personnel	518	0	200	0	200	0	0	0
21.0 Travel and Transportation of Persons	1,638	0	2,000	0	1,800	0	-200	0
22.0 Transportation of Things	772	0	800	0	800	0	0	0
23.1 Rental Payments to GSA	22,806	0	21,900	0	21,900	0	0	0
23.2 Rental Payments to Others	198	0	200	0	200	0	0	0
23.3 Communications, Utilities, and Miscellaneous Charges	2,080	0	2,100	0	2,200	0	100	0
24.0 Printing and Reproduction	617	0	700	0	700	0	0	0
25.1 Advisory and Assistance Services	187	0	300	0	300	0	0	0
25.2 Other Services from Non-Federal Sources	29,232	0	31,030	0	31,000	0	-30	0
25.3 Other Goods and Services from Federal Sources	2,220	0	2,500	0	2,500	0	0	0
25.4 Operation and Maintenance of Facilities	81	0	100	0	100	0	0	0
25.5 Research and Development Contracts	0	0	0	0	0	0	0	0
25.6 Medical Care	70	0	100	0	100	0	0	0
25.7 Operation and Maintenance of Equipment	810	0	814	0	814	0	0	0
25.8 Substance and Support of Persons	0	0	0	0	0	0	0	0
26.0 Supplies and Materials	973	0	2,000	0	1,000	0	-1,000	0
31.0 Equipment	780	0	5,338	0	1,000	0	-4,338	0
32.0 Land and Structures	153	0	200	0	200	0	0	0
41.0 Grants, Subsidies, and Contributions	0	0	0	0	0	0	0	0
42.0 Insurance Claims and Indemnities	0	0	50	0	50	0	0	0
Total Obligations	158,558	0	167,782	0	164,246	0	-3,536	0
Subtract: Unobligated Balance, Start-of-Year		-19,944		-20,864		-15,720		5,144
Subtotal: Recoveries/Refunds		-1,138		-2,238		-2,000		238
Add: Unobligated End-of-Year, Available		20,864		15,720		15,720		0
Total Direct Requirements	0	168,338	0	160,400	0	162,246	0	1,846

Exhibit K - Summary of Requirements by Object Class

**UNITED STATES
DEPARTMENT OF JUSTICE**

UNITED STATES ATTORNEYS



**FY 2015 PERFORMANCE BUDGET
CONGRESSIONAL SUBMISSION**

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- I. Detail of Permanent Positions by Category
- J. Financial Analysis of Program Changes
- K. Summary of Requirements by Object Class
- L. Status of Congressionally Requested Studies, Reports, and Evaluations





I. Overview for the United States Attorneys

A. Introduction

The United States Attorneys' mission supports two of the Department of Justice's strategic goals - (1) to prevent terrorism and promote the nation's security consistent with the rule of law, and (2) to prevent crime, protect the rights of the American people, and enforce federal law. In FY 2015, the United States Attorneys' request \$1,955,327,000 and 10,637 positions, of which 5,454 are attorneys. The budget request includes the following program increases: [103] positions (including [60] attorneys), [52] FTE, and [\$15,000,000] in support of the *Smart on Crime* initiative; and, 13 positions (including 8 attorneys), 7 FTE, and \$1,327,000 in support of Mutual Legal Assistance Treaty (MLAT) reform.

Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

The United States Attorneys serve as the nation's principal litigators. In response to the mandates of the Constitution that required establishment of a system of federal courts, Congress enacted the Judiciary Act of 1789 directing the President to appoint, in each federal district, "a person learned in the law to act as an attorney for the United States." Before 1870, the United States Attorneys acted independently, but since then they have worked under the direction of the U.S. Department of Justice.

There are 94 United States Attorneys' Offices (USAOs) located throughout the United States, Puerto Rico, the Virgin Islands, Guam, and the Northern Mariana Islands. The 93 United States Attorneys (Guam and the Northern Mariana Islands are under the direction of a single U.S. Attorney) are appointed by, and serve at the discretion of, the President of the United States, with the advice and consent of the United States Senate. The map on page 3 depicts the United States Attorneys' current district and branch office locations.

The United States Attorneys report to the Attorney General through the Deputy Attorney General. Each United States Attorney serves as the chief federal law enforcement officer within his or her judicial district and, as such, is responsible for the prosecution of criminal cases brought by the federal government; the litigation and defense of civil cases in which the United States is a party; and the handling of criminal and civil appellate cases before United States Courts of Appeals.

The United States Attorneys and their Assistant United States Attorneys (AUSAs) serve in small towns and big cities, representing the interests of the United States. Through their hard work and dedication, justice is served throughout the nation. The USAOs conduct most of the trial work in

which the United States is a party. Although caseloads vary by districts, each USAO has a diverse docket of cases and a mix of simple and complex litigation. Each United States Attorney exercises wide discretion in the use of his or her resources to further local priorities and serve community needs.

United States Attorneys provide advice and counsel to the Attorney General and senior policy leadership through the Attorney General's Advisory Committee (AGAC) and its various subcommittees and working groups. The AGAC was established in 1973 to give United States Attorneys a voice in Department policies and to advise the Attorney General. The Committee is comprised of approximately 19 members, including 16 United States Attorneys, a Criminal Chief, a Civil Chief and an Appellate Chief. The Committee members meet regularly with the Deputy Attorney General and Attorney General, and represent various federal judicial districts, geographic locations, and different sized offices. The AGAC has subcommittees and working groups to address the Administration's priorities.

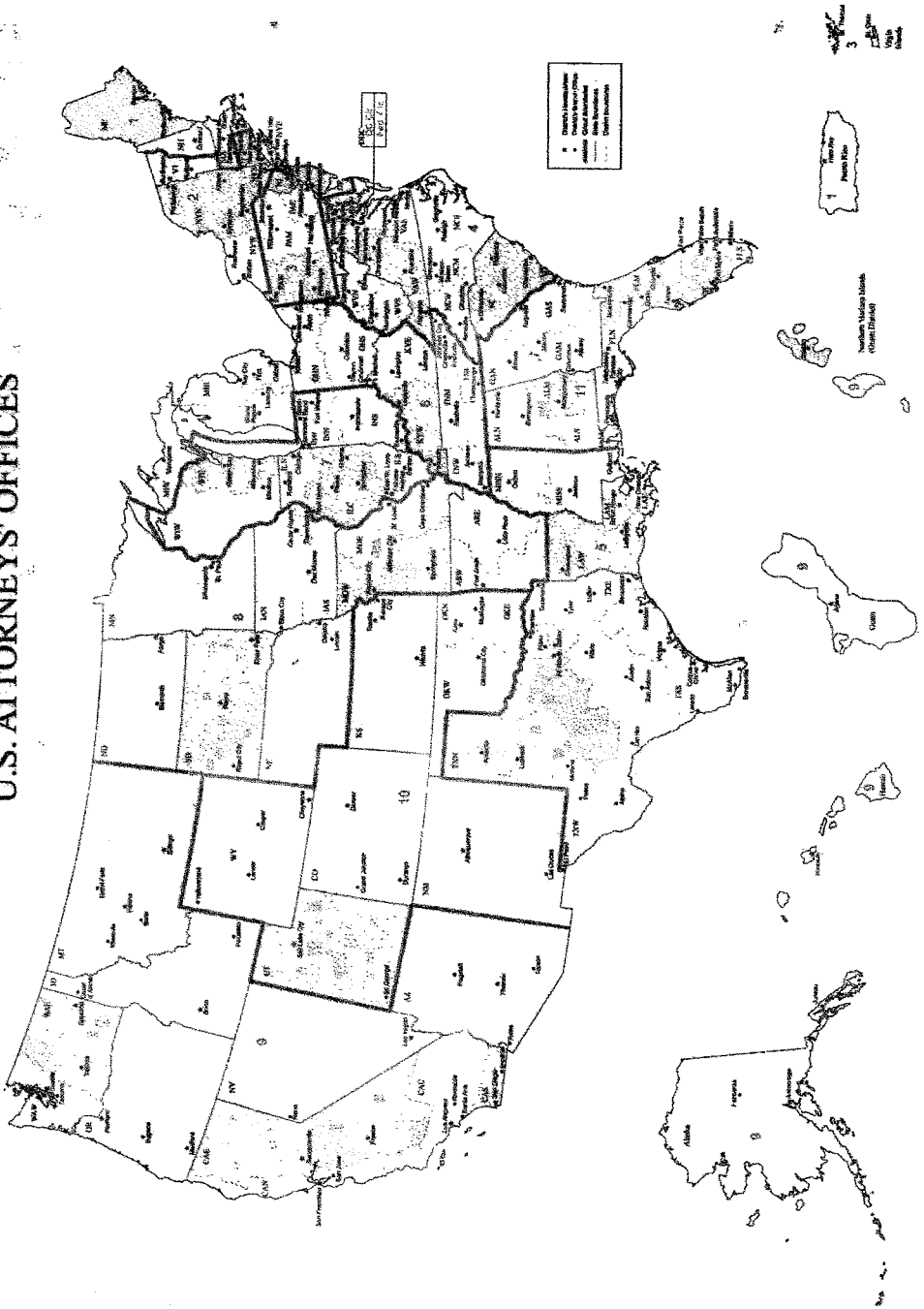
The subcommittees include:

- Border and Immigration Law Enforcement
- Civil Rights
- Criminal Practice Subcommittee
- Cyber/Intellectual Property
- LECC/Victim/Community Issues
- Native American Issues
- Office Management and Budget
- Terrorism/National Security
- Violent and Organized Crime
- White Collar/Fraud

The working groups include:

- Administrative Officers
- Appellate Chiefs
- Child Exploitation and Obscenity
- Civil Chiefs
- Controlled Substances and Asset Forfeiture
- Criminal Chiefs
- Domestic Terror
- Environmental Issues
- Forensic Science
- Health Care Fraud
- Local Government Coordination
- Medical Marijuana
- Security
- Service Members and Veterans Rights

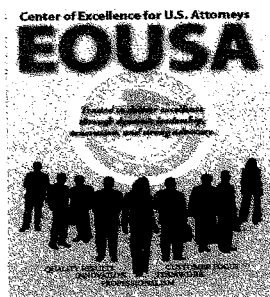
U.S. ATTORNEYS' OFFICES





EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS

In 1953, Attorney General Order No. 8-53 established the Executive Office for United States Attorneys (EOUSA) to "provide general executive assistance and supervision to the offices of the United States Attorneys." One of the original directives instructed the Executive Office to "serve as liaison, coordinator, and expeditor with respect to the Offices of the United States Attorneys, and between these offices and other elements of the Department [of Justice]." Under the guidance of the Director of EOUSA, EOUSA staffs provide the 94 United States Attorneys' Offices with general executive assistance and supervision; policy development; administrative management direction and oversight; operational support; and coordination with other components of the Department and other federal agencies. These responsibilities include legal, budgetary, administrative, and personnel services, as well as continuing legal education. EOUSA provides support and assistance to approximately 11,600 employees in 250 staffed offices throughout the country. See Exhibit A for an organization chart of EOUSA. As depicted in the organization chart, specific offices and functions of EOUSA fall under the Director of EOUSA. The Director has a Principal Deputy Director and Chief of Staff and three Deputy Directors.

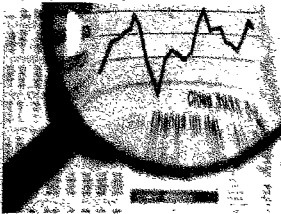


The **Principal Deputy Director and Chief of Staff** has responsibility and oversight of the three **Deputy Directors** and the **Office of Planning, Evaluation, and Performance (PEP)**. The PEP office comprises three staffs: the **Evaluation and Review Staff (EARS)**; the **Data Analysis Staff**; and the **Planning and Performance Staff**. Functions of these three staffs are outlined below:

- Evaluation and Review Staff (EARS):** The Director of EOUSA is required under 28 C.F.R. Part 0.22 to evaluate the performance of the USAOs, to make appropriate reports, and to take corrective actions if necessary. An evaluation program enables EOUSA to fulfill this responsibility. Important to meeting these regulatory and statutory requirements, the evaluation program provides on-site management assistance to United States Attorneys, as well as a forum for evaluators and the office being evaluated to share information and innovative ideas. The feedback provided to EOUSA and the Department assists in future planning on possible improvements, and provides information about the work being performed in offices around the country.



- The **Data Analysis Staff** is the primary source of statistical information and analysis for EOUSA. The staff provides data and analysis to EOUSA components allowing them to respond to requests from, among others, the Department, the White House, Congress, and the public. The staff also provides the United States Attorney community comprehensive quarterly analysis of work-year, caseload and workload information and produces the United States Attorneys' Annual Statistical Report. During FY 2013, the Data Analysis Staff responded to 4,216 requests for statistical, narrative and analytical information. In FY 2015, the United States Attorneys' community will continue to assess data analysis capabilities to identify cost-effective crime reduction strategies.



- The **Planning and Performance Staff** serves as both the forward-looking evaluator of USAO needs, as well as the assessor of USAO performance relative to allocated staffing resources. This unit's work introduces into the decision-making process a metrics-based foundation which allows USAO management to evaluate the work of line AUSAs by utilizing objective data.

The **Deputy Director for Administration and Management** has responsibility over four program/functional areas; these include **Financial Management and Planning, Information Technology, Human Resources, and Operations**. Specific functions of these program areas are outlined below:

- The **Chief Financial Officer (CFO)**, through the **Financial Management and Planning Staff (FMP)**, is responsible for budget formulation, budget execution, financial management, audit reviews, the detailee program, and long-range planning. The CFO is a key advisor to the Director of EOUSA. The CFO also provides the Director of EOUSA with expert advice on an annual budget of approximately \$2 billion, full-time equivalent (FTE) allocations, and reimbursable agreements with the Department and other federal agencies. The FMP staff consolidates resource needs and formulates an annual budget submission for presentation to the Department, the Office of Management and Budget (OMB), and Congress. It also manages the day-to-day financial operations through daily contact with the USAOs and through review of regular accountability reports. An internal Audit and Review Staff participates with the EARS in evaluating internal controls in the USAOs and is also responsible for preparing districts for the annual independent federal financial audit. The Detailee Program Staff initiates and coordinates all detail assignments, both internal and external to our community. The Financial Systems Support Group (FSSG) provides financial systems support and expertise to the USAOs on all Departmental and EOUSA automated financial and accounting systems. FMP also develops performance measures for the United States Attorneys in accordance with the Government Performance and Results Act (GPRA) and coordinates quarterly status reporting and program assessments.



- The **Chief Information Officer (CIO)** is responsible for providing advice and assistance to the Director of EOUSA and the senior staff to ensure that Information Technology (IT) is acquired and managed according to Department and EOUSA policies and procedures. The CIO ensures the integration of IT into strategic planning, acquisition, and program management processes to support the mission of the United States Attorney community. The CIO directs and manages the following staffs: The **Case Management Staff** provides case management systems. The **Office Automation Staff** supports the purchase and installation of computer systems, equipment and software, maintenance of hardware and software, and end-user training. The **Telecommunications and Technology Development Staff** provides administrative and technical support to the USAOs in all telecommunications activities, including voice, data and video. The **Information Security Staff** ensures the confidentiality, integrity, and availability of information and information systems to best support the mission of the United States Attorneys. Currently, the **Records Information Management Staff** is developing an Enterprise Information Management (EIM) system to both expand and reorganize the electronic records and document management capabilities of all USAOs. The **Enterprise Voice-over Internet Protocol (EVoIP) Staff** implements and maintains the next generation telephone service/system that integrates into the computer system, creating a more effective method of communication to maximize return on investment and contribute to the mission statement of the United States Attorneys organization at approximately 250 sites worldwide.
- The **Human Resources Staff** assists EOUSA and the USAOs by providing employment services in such areas as position classifications, staffing, compensation, employee benefits, performance management, pre-employment security, and employee assistance. Staff members are responsible for policy, guidance, personnel actions, training, resources, and initiatives related to these programs and activities.
- The **Operations Section** is made up of three functional areas as follows: The **Facilities and Support Services (FASS) Staff** provides direct support and oversight of all USAOs in the areas of real property management, including space acquisition, relocation, design, repair, and management of rent payments. Support services include forms management, printing, and mail metering. The **Acquisitions Staff** supports both EOUSA and the USAOs by issuing contracts for supplies/services nationwide in compliance with applicable federal, departmental, and other regulations, policies, and procedures. The **Security Programs Staff** provides security program support for the USAOs, including policy and procedural assistance, training, education and awareness efforts, and emergency and contingency planning.



The Deputy Director and Counsel to the Director oversees the Legal and Victim Programs Staff as well as the Communications and Law Enforcement Coordination Staff.

- The Office of Legal and Victim Programs (OLVP) includes four staffs: Asset Recovery, White Collar and Civil Litigation, Victim-Witness and Indian, Violent and Cyber Crimes. The Asset Recovery Staff (ARS) supports the collection and enforcement efforts of district financial litigation programs, asset forfeiture programs and bankruptcy. ARS assists in the development of financial litigation policy, development and implementation of procedures and programs, and provides liaison functions within the Department and with outside agencies. The White Collar and Civil Litigation Staff (WCCL) provides guidance and support to the USAOs in the areas of health care fraud, white collar crime and civil defensive litigation and assist in the development of national policies and initiatives. In addition, WCCL coordinates the activities of the Affirmative Civil Enforcement Program, which uses civil statutes for federal law enforcement efforts in fighting economic fraud. The Indian, Violent and Cyber Crimes Staff (IVCC) provides guidance and support to the USAOs in the areas of Native American issues, computer crime and intellectual property, immigration and border security, violent crime and gangs, and narcotics. The staff also provides management support for Project Safe Neighborhoods and Project Safe Childhood.

The Victim-Witness Staff provides guidance and support for personnel in the USAOs who handle victim notification, explain to victims the criminal justice process, prepare victims and witnesses for testimony and allocution, coordinate and accompany victims and witnesses to court proceedings, and provide victims with service referrals and emergency assistance. Victims' rights have taken on new importance since the passage of the Crime Victims' Rights Act of 2004, which provided victims with enumerated rights and, for the first time at the federal level, the mechanisms to enforce their rights. Victims are now playing a more central role in the criminal process and exercising their rights in greater numbers than ever before.

- The Communications and Law Enforcement Coordination Staff (CLEC) supports EOUSA and the USAOs in the coordination of key initiatives with federal, state, local, and tribal law enforcement partners, works closely with the Department's Office of Public Affairs, handles external communication responsibilities, and conducts outreach to community groups. Community outreach activities and crime prevention and reduction efforts are examples of the many priorities within the United States Attorney community. In FY 2015, the United States Attorneys will continue to expand district community outreach and engagement efforts.


The CLEC also manages the Law Enforcement Coordination (LEC) Program in the USAOs. At the district level, LEC coordinators carry out the important role of coordination and liaison with federal, state, and local law enforcement, and with members of the community on various crime reduction programs. Each district's LEC Committee is under the supervision of the United States Attorney, who serves as the committee chairperson or co-chairperson. Through the LEC program, training is provided to federal, state, and local law




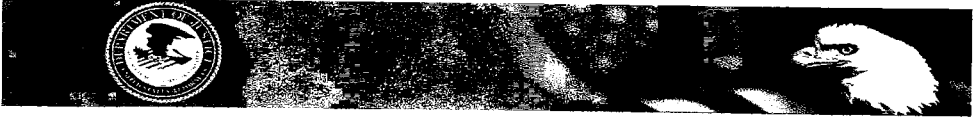
enforcement in areas such as anti-terrorism, gun crime, asset forfeiture, gang investigations, racial profiling, domestic violence, emerging drug trends, community policing, victim issues, and officer safety.

The **Deputy Director for Legal Management** provides managerial guidance to the following offices and staffs:

- **The Office of Legal Education (OLE)** develops, conducts, and authorizes the training of all federal legal personnel. OLE coordinates legal education and attorney training for the Department of Justice, other federal departments and agencies, as well as state and local law enforcement. OLE is a separate decision unit of the budget and its functions and mission, which are largely completed at the National Advocacy Center (NAC) in Columbia, South Carolina, are discussed in greater detail in Section IV.


- **The Freedom of Information and Privacy Act (FOIA) Staff** processes all FOIA and Privacy Act requests for records located throughout EOUSA and the USAOs, provides legal guidance to the USAOs concerning FOIA/Privacy Act issues, represents them in administrative appeals, and assists AUSAs and Department of Justice attorneys in litigation in federal courts by providing draft pleadings and preparing legal documents.
- **The Equal Employment Opportunity (EEO) Staff** which provides centralized leadership, coordination, and evaluation of all equal employment efforts within EOUSA and the USAOs is comprised of two components – Complaint Processing and Affirmative Employment/Special Emphasis Programs. The EEO mission supports the USAOs and EOUSA by providing timely and impartial customer service in the areas of conflict resolution; EEO complaint processing; civil rights policy development and training; language assistance plans; and by conducting proactive diversity initiatives through outreach and recruitment.
- **The General Counsel's Office (GCO)** provides advice to the USAOs and EOUSA on a broad array of legal and ethical issues. The GCO provides guidance to USAOs and EOUSA personnel regarding ethics and standards of conduct matters including conflicts of interest, recusals, outside activities, gifts and financial disclosures, allegations of misconduct, personnel legal issues, discovery requests and compliance with subpoenas. The GCO is also responsible for the employee relations programs of EOUSA and the USAOs.





CRIMINAL PROSECUTIONS

The USAOs investigate and prosecute the vast majority of criminal cases brought by the federal government – representing a more diverse workload than ever before. The types of cases include international and domestic terrorism; immigration; child exploitation and obscenity; firearms and violent crime; identity theft; public corruption; procurement, securities and mortgage fraud; gangs and organized crime; drug enforcement; human trafficking; and criminal civil rights. Many of these cases involve multiple defendants and are extremely complex. The nature of today's crimes has required the United States Attorney community to become conversant in a wide range of fields, such as banking and health care, computer technology, securities, foreign cultures and languages, and manufacturing processes affected by environmental and other federal regulations.



The United States Attorneys receive most of their criminal referrals, or "matters," from federal investigative agencies, including the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the United States Immigration and Customs Enforcement (ICE), the United States Secret Service, and the United States Postal Inspection Service. The USAOs also receive criminal matters from state and local investigative agencies, as well as violations reported by private citizens. Following careful consideration of each criminal matter, the United States Attorneys decide the appropriateness of bringing criminal charges and, when deemed appropriate, initiate prosecution. Except for misdemeanor offenses and instances in which an alleged offender waives the right to a grand jury indictment, the United States Attorneys present evidence against an alleged offender to a grand jury. The grand jury then decides whether to return an indictment and, if so, the United States Attorney then presents the criminal charges in open court at the defendant's arraignment.

Federal Law Enforcement Partners





Although historically a large number of criminal defendants plead guilty prior to trial, a United States Attorney must always fully investigate the crime, prepare the charging document, and be ready to go to trial. Consistent preparation for trial minimizes the risk of dismissal for noncompliance with the Speedy Trial Act and strengthens the government's position in negotiations with defense counsel for a guilty plea. Pre-trial discovery practice also strengthens the government's position. When a defendant does not plead, a trial is necessary. The United States Attorney then presents factual evidence to the jury, or to the judge in a non-jury (bench) trial. If the defendant is convicted, the United States Attorney must prepare and present evidence at the defendant's sentencing hearing and defend the conviction at post-trial hearings and on appeal. The USAOs handle most criminal appeals at the intermediate appellate level. After filing an appeal brief, the United States Attorney may be required to participate in oral argument before a United States Court of Appeals. If there is a further appeal, the United States Attorney may be called upon to assist the Solicitor General in preparing the case for review by the United States Supreme Court.

CIVIL LITIGATION

The United States Attorneys initiate civil actions, referred to as affirmative litigation, to assert and protect the United States' interests. They also defend the United States' interests in lawsuits filed against the government, referred to as defensive civil litigation. In other civil cases, the United States is a third party, creditor, or intervener.

Examples of affirmative litigation include civil actions brought to: enforce the nation's environmental, admiralty, and civil rights laws; represent the government's interests in bankruptcy actions; recoup money and recover damages resulting from federal program and other fraud; enforce administrative summonses; and forfeit assets seized by federal, state, and local law enforcement.

Defensive litigation includes actions seeking monetary damages for alleged torts, contract violations, and discrimination by the United States, its agents and employees. It also includes defending: suits challenging government administrative actions, including Social Security disability determinations; habeas corpus petitions, and constitutional challenges to statutes and other federal policies. The USAOs represent and defend the government in its many roles – as employer, regulator, law enforcer, medical care provider, revenue collector, contractor, procurer, property owner, judicial and correctional systems managers, and administrator of federal benefits. When the United States is sued, the Department of Justice must be its legal representative.

Civil defensive work is unique because it is non-discretionary and non-delegable. Unlike criminal matters, civil defensive cases cannot be declined to manage or reduce an office's caseload. All cases filed against the United States, its agencies, and employees in their official capacities must be defended.



CRIMINAL AND CIVIL APPEALS

Appeals are generally time-consuming, requiring a thorough review of the entire record in the case, the filing of a brief and reply brief, and, in many cases, participation in oral argument before the Court of Appeals in the city where the circuit is based. Furthermore, the complexity of appellate work and the time required to handle that work increases when convictions are based on complex facts, such as those commonly found in cases involving drug trafficking, organized crime, financial and mortgage fraud, and public corruption.

The appellate workload of the United States Attorneys fluctuates due to appeals and post-sentencing motions prompted by Supreme Court rulings, legislative changes, and amendments to the United States Sentencing Guidelines (Guidelines). For example, in FY 2008, the Guidelines were amended to increase the amount of crack cocaine needed to trigger offense levels under USC§-2D1.1.

CRIMINAL AND CIVIL DEBT COLLECTION

The USAOs are responsible for collecting both criminal and civil debt for the federal government. Each USAO has a Financial Litigation Unit (FLU) responsible for criminal and civil debt collection activities as well as an Affirmative Civil Enforcement staff devoted to civil debt collection.

Debts are ordered to be collected from a criminal defendant when the defendant is sentenced by the court. These debts may be in the form of restitution to crime victims, fines imposed by the court to penalize criminals, special assessments on each criminal conviction count, costs of prosecution and other costs, or forfeitures of appearance bonds. Interest may also be collected in certain cases. When restitution is ordered, the USAOs are involved in collecting federal restitution payments, or restitution which is owed to the United States, and in collecting non-federal restitution, or that which is owed to private individuals and entities. As a result of the Mandatory Victims Restitution Act (MVRA), courts must impose monetary restitution orders in all violent crimes and most property crimes. United States Attorneys are required to enforce restitution orders on behalf of all federal crime victims.

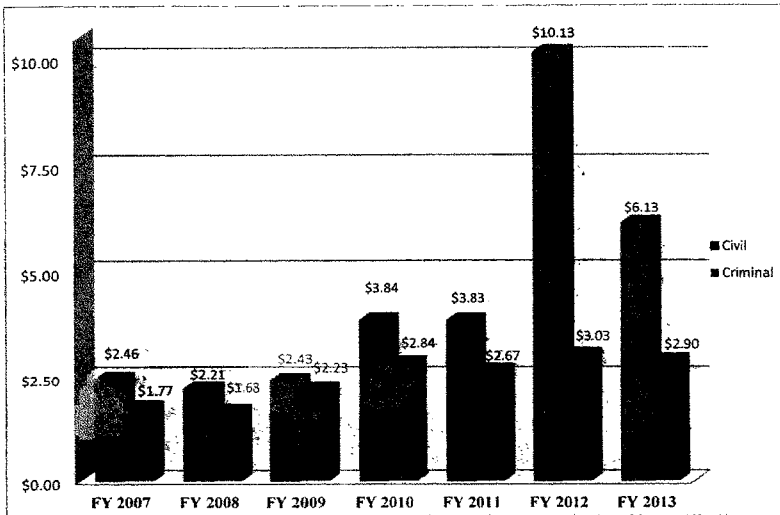
The United States Attorneys are also the legal representatives for other federal agencies to pursue repayment of debts. For example, when federal agencies lend money and the recipients default on repayment, or when federal agencies have paid on guaranteed loans that have not been repaid as provided for in the lending agreement, the United States Attorneys pursue repayment of the debt. The Departments of Agriculture, Education, Health and Human Services, Housing and





Urban Development, Transportation, Veterans Affairs, and the Small Business Administration are some of these client agencies. The United States Attorneys file suit to obtain judgments to collect debts, foreclose on real property, compel physicians to repay or fulfill their commitment to the Public Health Service in return for education grants, sue to set aside fraudulent transfers of property which could be used to satisfy defaulted loans, and manage debtor repayment schedules. The table below illustrates the significant amount of debts collected each year from FY 2007 through FY 2013.

Debt Collection Chart (in billions)



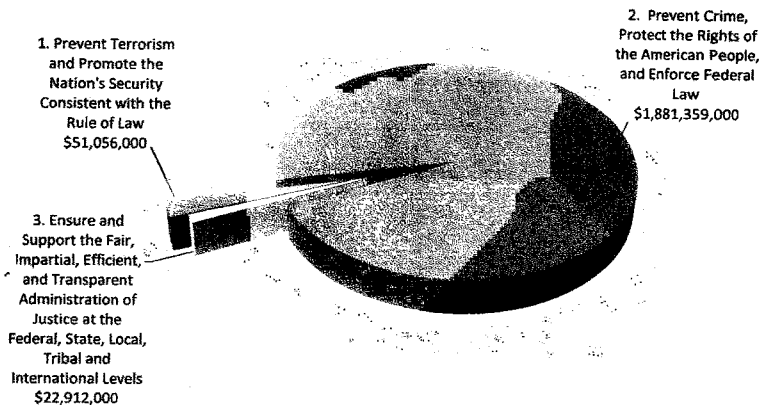
In FY 2013, the USAOs collected \$9.0 billion of criminal and civil debts owed. Of the total debts collected, USAOs recovered: (1) \$2.9 billion in criminal debts; and (2) \$6.1 billion in civil debts. The United States Attorneys' FY 2013 collection efforts, handled by a very small percentage of the total workforce, returned to the Treasury over four times the \$1.83 billion appropriated in the FY 2013 budget for the entire United States Attorney community.



B. Issues, Outcomes, and Strategies

The following chart and descriptions are a brief summary of the Department's Strategic Goals and Objectives in which the United States Attorneys play a role.

FY 2015 Total Request by DOJ Strategic Goal



DOJ Strategic Goal 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law (\$51,056,000)

- Prosecute those involved in terrorist acts (1.2).

DOJ Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law (\$1,881,359,000)

- Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers (2.1).
- Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America's crime victims (2.2).
- Disrupt and dismantle major drug trafficking organizations to combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs (2.3).
- Investigate and prosecute corruption, economic crimes, and transnational organized crime (2.4).



- Promote and protect American civil rights by preventing and prosecuting discriminatory practices (2.5).
- Protect the federal fisc and defend the interests of the United States (2.6).

DOJ Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels (\$22,912,000)

- Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs (3.1).
- Reform and strengthen America's criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in reentering society (3.4).
- Strengthen the government-to-government relationship between tribes and the United States, improve public safety in Indian Country, and honor treaty and trust responsibilities through consistent, coordinated policies, activities, and litigation (3.8).

USAO Success Story

- Combatting Violent and Organized Crime -

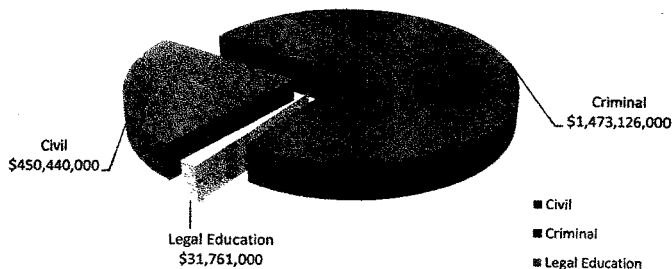
The U.S. Attorney's Office for the District of Massachusetts successfully brought justice to James J. "Whitey" Bulger, a notorious mob boss whose Winter Hill Gang terrorized South Boston and its surrounding areas during the 1970s and '80s. In order to generate money and maintain dominance among other criminal enterprises, Bulger and his associates engaged in numerous illegal activities such as loansharking, extortion of local business owners and bookmakers, trafficking of narcotics and firearms, and murder. Bulger and associates under his direction, used violence, threats, and intimidation to carry out these illegal activities. Bulger was responsible for the murders of at least 11 victims. Fearing an impending indictment in 1994, Bulger fled Massachusetts. After more than 16 years on the run, he was finally apprehended in California in 2011. After a two-month trial, on August 23, 2013, a jury found Bulger guilty of racketeering conspiracy and numerous racketeering acts of murder, extortion, narcotics distribution, money laundering, and possession of firearms including machineguns. At his sentencing on November 14, 2013, U.S. District Court Judge Denise J. Casper sentenced Bulger to two consecutive life terms plus five years, and \$19.5 million in restitution. During the sentencing hearing, Judge Casper told Bulger, "The scope, the callousness, the depravity of your crimes is almost unfathomable."



C. Full Program Costs

The United States Attorneys' \$1,955,327,000 budget request for FY 2015 is divided into three decision units: criminal, civil, and legal education.

FY 2015 Budget Request by Decision Unit



Some programs, as well as management and administration costs, cross decision units. Both performance and resource tables within each decision unit define the total costs of achieving the strategies the United States Attorneys will employ in FY 2015. The various resource and performance charts incorporate the costs of lower level strategies which also contribute to the achievement of objectives, but which may not be highlighted in detail in order to provide a concise narrative. Also included are the indirect costs of continuing activities, which are central to the operations of each decision unit. This request will fund the United States Attorneys' role in supporting the Department's Strategic Plan. We will continue to provide federal leadership in preventing and controlling crime and seeking just punishment of those guilty of unlawful behavior.

D. Performance Challenges

The challenges that impede progress toward the achievement of agency goals are complex and ever-changing. National priorities were shifted after September 11th as resources and personnel were redirected to prosecute the Global War on Terror, impacting everyone in the law enforcement and intelligence community. The current economic climate requires that the United States Attorney community continue to focus attention on financial fraud, including corporate fraud, securities fraud, and mortgage fraud. Technological developments and criminal behavior are factors that broadly impact law enforcement practices and pose challenges that demand attention.



External Challenges

The United States Attorneys, as with other federal organizations throughout the entire federal government, continue to face external challenges.

Coordination activities with federal, state, and local agencies involve non-traditional roles for AUSAs and present challenges as we continue to coordinate efforts in areas such as combating terrorism, financial and mortgage fraud, border enforcement/prosecution, gun violence reduction, disrupting and dismantling drug organizations, and child exploitation. In FY 2015, the United States Attorneys will continue to expand district community outreach and engagement efforts.

In addition, the economy and emerging criminal activities, many of which are often driven by technology such as cybercrime, are external challenges beyond our control. Downturns in the economy often correlate with increases in criminal activity, especially financial fraud. Fraud schemes, which have become more sophisticated over time, are continually evolving in response to law enforcement efforts. The USAOs and their investigative partners must identify developing trends in economic crime and address it accordingly.

We will continue to focus on areas within our spheres of influence and control, concentrating on coordination efforts with federal, state, and local agencies, and ensuring our workforce is trained for emerging and complex issues.

Internal Challenges

One internal challenge to the United States Attorney community is keeping the workforce flexible and adaptable. Over the past few years, terrorism, financial and mortgage fraud, violent crime and gangs, immigration, internet-related crime, and child exploitation have emerged as important national priorities. The United States Attorney community needs to be able to shift resources in order to respond to changes in case type and case load. The United States Attorneys have developed an effective allocation process that distributes new positions and funding to districts with the greatest demonstrated need. Necessary training is provided through the NAC to ensure that attorneys and support staff have the necessary expertise in these areas. Regular reviews and monitoring of case work, resources and USAOs' needs are essential to continued responsiveness.

USAO Success Story - Indian Country -

In just the last three and a half years, U.S. Attorneys' Offices with responsibility for Indian Country prosecutions have seen their caseload of prosecutions for crimes committed on tribal lands increase by more than 54 percent. This increase was reported to Congress in our *Indian Country Investigation and Prosecution Report*, and it shows the fruits of our labor. The districts focused on fully leveraging vital partnerships with tribal, local, and state agencies to address violent crime and victimization in tribal communities. The notable increase in prosecutions of Indian Country crime is the direct result of the many initiatives by U.S. Attorney's Offices across the country, including strategies that place federal prosecutors on the reservations on a frequent basis to enhance criminal investigations and communication.



II. Summary of Program Changes

In FY 2015, the United States Attorneys' budget request is \$1,955,327,000, which includes the following program changes: 103 positions (including 60 attorneys), 52 FTE, and \$15,000,000 in existing base resources to support of the *Smart on Crime* initiative; and, 13 positions (including 8 attorneys), 7 FTE, and \$1,327,000 in support of Mutual Legal Assistance Treaty (MLAT) reform. The following program changes are outlined in the chart below:

Item Name	Description				Page
	Purpose	Pos.	FTE	Dollars (\$000)	
Smart on Crime	These resources will support the implementation of the Department's Smart on Crime initiative. This includes prevention and reentry work, such as outreach and training events, and casework which focuses on ensuring that: federal prosecutions implicate substantial federal interests; severe drug sentences are reserved for the most serious offenders; and violent crime is pursued strategically.	[103]	[52]	[15,000]	43
Mutual Legal Assistance Treaty (MLAT) Reform	These resources will support the Department's efforts to centralize and improve the process for handling foreign requests for legal assistance, as promised in the President's January 17, 2014 speech on signals intelligence. This includes the personnel and technological resources required to enable a robust centralized system, reduce backlog, and improve MLAT response time.	13	7	1,327	47
TOTAL		13	7	1,327	



III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, [\$1,944,000,000] \$1,955,327,000: *Provided*, That of the total amount appropriated, not to exceed \$7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$25,000,000 shall remain available until expended [*Provided further*, That each United States Attorney shall establish or participate in a United States Attorney-led task force on human trafficking].

Analysis

The FY 2015 request proposes to delete language requiring each U.S. Attorney to establish or participate in a U.S. Attorney-led human trafficking task force, U.S. Attorneys have established task forces and remain committed to enforcing Anti-Human Trafficking Laws.



IV. Program Activity Justification

A. CRIMINAL

Criminal Litigation	Direct Pos.	Estimated FTE	Amount
2013 Enacted with Rescissions and Sequester	8,098	7,437	1,430,923,000
2014 Enacted	8,093	7,432	1,464,362,000
Adjustments to Base and Technical Adjustments	0	0	30,369,000
2015 Current Services	8,093	7,432	1,494,731,000
2015 Program Increases	12	6	1,201,000
2015 Program Offsets	0	0	-22,806,000
2015 Request	8,105	7,438	1,473,126,000
Total Change 2014-2015	12	6	(21,605,000)

1. Program Description—Criminal Decision Unit

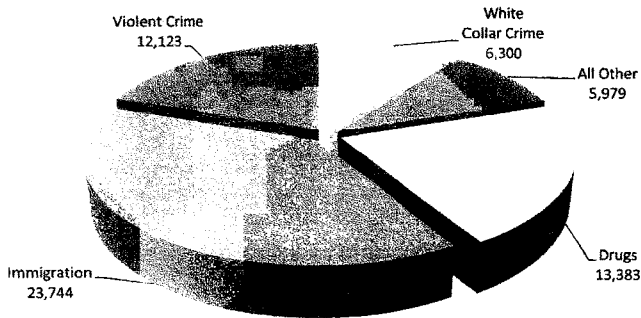
The USAOs investigate and prosecute the vast majority of criminal cases brought by the federal government - with a more diverse and complex workload than ever before. For example, criminal caseloads include: international and domestic terrorism, immigration and border security, firearms and gangs, child exploitation and obscenity, complex fraud schemes (including health care fraud, financial and mortgage fraud and computer fraud), environmental crime, public corruption, organized crime, drug enforcement, civil rights violations, human trafficking and cases involving multiple defendants and international organizations.

The USAOs receive most of their criminal referrals, or "matters," from federal investigative agencies or become aware of criminal activities in the course of investigating or prosecuting other cases. They also receive criminal matters from state and local investigative agencies, as well as those reported to the USAOs by citizens. After careful consideration of each criminal matter, the United States Attorney decides the appropriateness of bringing criminal charges and initiates prosecution.



Criminal Workload

FY 2013 Cases Filed – 61,529



During FY 2013, the USAOs filed 61,529 criminal cases against 83,825 defendants in United States District Court. The number of new cases filed decreased by approximately two percent from FY 2008 to FY 2013 – declining from 63,042 cases to 61,529.

A total of 61,528 cases against 82,092 defendants were closed during FY 2013. Of the 82,092 defendants whose cases were closed, 92 percent or 75,718, either pled guilty or were found guilty. Of these, 60,748 received prison sentences, and 136 guilty defendants received sentences of life imprisonment. The rate of convicted defendants who received prison sentences has been 80 percent over the last two years.

USAO Success Story

- Cyber Crime -

On June 11, 2013, Xiang Li, of Chengdu, China, was sentenced to 12 years in prison for conspiracy to commit wire fraud and criminal copyright infringement based on cyber-theft and online piracy of over \$100 million worth of sensitive, industrial-grade software and confidential data stolen from the internal server of a cleared defense contractor. Between April 2008 and June 2011, Xiang Li engaged in over 700 transactions through which he distributed over \$100 million pirated software to over 400 customers located in at least 28 states and over 60 foreign countries. These software products were owned by approximately 200 different American software manufacturers, ranging from large corporations to small businesses. The investigation, conducted in the District of Delaware, revealed that Xiang Li was part of a larger cybercrime organization based in China.

PERFORMANCE AND RESOURCES TABLE

PERFORMANCE AND RESOURCES TABLE									
Decision Unit: Criminal									
RESOURCES									
		Target		Actual		Projected		Changes	
		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes	
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		7,684	1,430,923	7,437	1,430,923	7,432	1,464,362	6	8,764
		1,210	[282,282]	1,136	[254,206]	1,136	[254,206]	0	[-31]
TYPE	STRATEGIC OBJECTIVE	FY 2013		FY 2013		FY 2014		FY 2015 Program Changes	
Program Activity	1.2 Terrorism/Terrorist-Related	356	52,069	356	52,069	345	51,056	0	0
Performance Measure:	2.1,2.2,3.2,4. Measure: 2.5,2.6,3.1,3.4, 3.8	Number of Cases - Defendants Handled		181,606		181,606		181,606	
Output Measure:	2.1,2.2,3.2,4. Measure: 2.5,2.6,3.1,3.4, 3.8	Total Defendants Terminated		90,461		90,461		90,461	
Performance Measure:	2.1,2.2,3.2,4. Measure: 2.5,2.6,3.1,3.4, 3.8	Total Defendants Guilty		83,860		83,860		83,860	
Outcome Measure:	2.1,2.2,3.2,4. Measure: 2.5,2.6,3.1,3.4, 3.8	Percentage of Cases Favorably Resolved		90.00%		90.00%		90.00%	

PERFORMANCE MEASURE TABLE													
Decision Unit: Criminal													
Strategic Objective	Performance Report and Performance Plan Targets	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015				
		Actual	Actual	Actual	Actual	Target	Actual	Target	Target				
1.2,2.1,2.2,2.3,2.4, 2.5,2.6;3.1, 3.4, 3.8	Performance Measure Total Defendants Terminated	88,821	88,369	90,461	87,709	90,461	87,709	90,461	90,461				
1.2,2.1,2.2,2.3,2.4, 2.5,2.6;3.1, 3.4, 3.8	Performance Measure Total Defendants Guilty	81,577	81,934	83,360	80,963	83,860	74,712	83,860	83,860				
1.2,2.1,2.2,2.3,2.4, 2.5,2.6;3.1, 3.4, 3.8	OUTCOME Measure Percentage of Cases Favorably Resolved	91.8%	92.7%	92.7%	92.0%	90.0%	90.59%	90.0%	90.0%				
N/A = Data unavailable													



3. Performance, Resources, and Strategies

The Criminal Decision Unit contributes to the following Department's Strategic Goals:

Goal I: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law. Within this goal, the decision unit's resources address the Department's Strategic Objective: 1.2 - Prosecute those involved in terrorist acts.

Goal II: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law. Within this goal, the decision unit's resources address six of the Department's Strategic Objectives: 2.1 - Combat the threat, incidence, and prevalence of violent crime; 2.2 - Prevent, and intervene in crimes against vulnerable populations; uphold the rights of, and improve services to, America's crime victims; 2.3 - Combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs; 2.4 - Combat corruption, economic crimes, and international organized crime; 2.5 - Promote and protect Americans' civil rights; and 2.6 - Protect the federal fisc and defend the interests of the United States.

Goal III: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels. Within this goal, the decision unit's resources address the Department's Strategic Objectives: 3.1 - Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs; 3.4 - Reform and strengthen America's criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in reentering society; 3.8 - Strengthen the government-to-government relationship between tribes and the United States, improve public safety in Indian Country, and honor treaty and trust responsibilities through consistent, coordinated policies, activities, and litigation.

a. Performance Plan and Report for Outcomes

In the criminal area, the performance measure for the United States Attorneys is the percentage of criminal cases favorably resolved.

The USAOs handle the majority of criminal cases prosecuted by the Department of Justice, most of which are received as criminal referrals from federal investigative agencies, including the FBI, DEA, ATF, ICE, and the United States Secret Service. Criminal referrals may also be received from state and local investigative agencies or United States Attorneys may become aware of criminal activities in the course of investigating or prosecuting other cases.

The United States Attorneys are called upon to respond to changing priorities and to become involved in specific crime reduction programs. After the events of September 11, 2001, the number one priority of the United States Attorneys became the prevention of terrorist acts and the investigation and prosecution of those involved in plotting and carrying out terrorist attacks.



Financial industry fraud has shaken the world's confidence in the United States financial system. Losses in financial fraud cases have ranged from millions of dollars to billions of dollars. Mortgage fraud and foreclosure rescue scams routinely involve millions of dollars in losses and multiple defendants, including mortgage brokers, real estate agents, appraisers, closing agents, and false buyers and sellers who receive kickbacks. In recent years, the United States Attorneys have seen a dramatic increase in the number of financial and mortgage fraud cases filed, with a record number of cases and defendants charged in FY 2010. Since then, the number of financial and mortgage fraud cases filed and pending has remained high. These complex cases are resource intensive and often take years to resolve. Efforts to combat financial and mortgage fraud will continue to play a key role not only in ensuring that those who have engaged in fraudulent activities will be held accountable for their illegal conduct, but in deterring future fraudulent conduct and in recovering funds for fraud victims. In FY 2013, cases involving 75,718 defendants were favorably resolved, resulting in 92 percent criminal cases favorably resolved. This outcome surpassed the 90 percent goal by almost two percent.

b. Strategies to Accomplish Outcomes

In FY 2015, the United States Attorneys will continue to place a high priority on prosecution related to national security as well as addressing other important priorities such as financial and mortgage fraud, identity theft, immigration, child exploitation, violent crime and gangs, cybercrime and intellectual property, and drug trafficking.

The United States Attorneys are adjusting to the increased use of technology in the practice of law. While technology provides a means to increase productivity with existing resources, some USAO personnel have difficulty transitioning to new technological solutions. As criminal cases are increasingly "electronic" – meaning that technology plays a major role in areas such as electronic case filing and e-discovery, technical training and hiring employees with the appropriate skill sets are critical to the successful furtherance of our mission.

Other strategies include:

- Regular reviews and monitoring of case and workload data.
- Leveraging technology to improve efficiency and enhance information flow organization-wide and with our partners.
- Continue to look at operational efficiencies in order to preserve human capital which is our most valuable resource.
- Continue to address emerging training needs through the Office of Legal Education.

USAO Success Story

- Child Pornography Conviction -

On June 5, 2013, John William Hudson II of Bedford, IN was sentenced to 22 years in federal prison following his conviction of child pornography offenses. Hudson was engaged in a peer-to-peer file sharing network, which enabled him to share hundreds of images and videos depicting the sexual abuse of children. Hudson also admitted the sexual abuse of a male relative over a ten-year period, beginning when the relative was five years old. This abuse included Hudson making still images and video files of the victim.



c. Priority Goals

The United States Attorneys contribute to three priority goals:

Financial Fraud and Healthcare Fraud: Protect the American people from financial and healthcare fraud: In order to reduce financial and healthcare fraud, by September 30, 2015, the Department will reduce by 3 percent over FY 2013 levels, the number of financial and healthcare fraud investigations pending longer than 2 years to efficiently and effectively drive those investigations to resolution.

Vulnerable People: Protect vulnerable populations by increasing the number of investigations and litigation matters concerning child exploitation, human trafficking, and non-compliant sex offenders; and by improving programs to prevent victimization, identify victims, and provide services.

By September 30, 2015, by working with federal, state, local, and tribal partners, the Department will protect potential victims from abuse and exploitation through three sets of key indicators:

- Open investigations concerning non-compliant sex offenders (4% over average of FYs 2012, 2013), sexual exploitation of children (3% over average of FYs 2011, 2012, 2013), and human trafficking (2% over FY 2013).
- Open litigation matters concerning sexual exploitation of children and human trafficking (5% increase over baseline).
- Percent of children recovered within 72 hours of issuance of an AMBER alert (90%).

Violent Crime: Protect our communities by reducing gun violence using smart prevention and investigative strategies in order to prevent violent acts from occurring.

By September 30, 2015, the Department will:

- Increase the number of records submitted to the National Instant Criminal Background Check System (NICS) Index by states and federal agencies by 10%;
- Increase the number of records entered into the National Integrated Ballistic Information Network (NIBIN) by 3%; and
- Increase the number of NIBIN "hits", that is, the linkage of two or more separate crime scene investigations, based upon comparisons of the markings made on fired ammunition recovered from crime scenes by 3%.

The United States Attorneys' progress regarding these three goals is reported quarterly to the Department.



B. CIVIL

Civil Litigation	Perm. Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequester	2,478	2,276	380,121,000
2014 Enacted	2,478	2,276	448,000,000
Adjustments to Base and Technical Adjustments	0	0	9,293,000
2015 Current Services	2,478	2,276	457,293,000
2015 Program Increases	1	1	126,000
2015 Program Offsets	0	0	-6,979,000
2015 Request	2,479	2,277	450,440,000
Total Change 2014-2015	1	1	(6,853,000)

1. Program Description—Civil Decision Unit

Civil litigation pursued by the United States Attorneys falls into two basic categories: (1) affirmative civil litigation, in which the United States is the plaintiff; and (2) defensive civil litigation, in which the United States is the defendant. Affirmative civil litigation cases are actions taken by United States Attorneys to assert and protect the government's interests. They include such issues as the enforcement of the nation's environmental, admiralty, and civil rights laws, as well as the recovery of damages sustained by the government through fraud. United States Attorneys also use affirmative civil litigation to recoup money owed and recover damages sustained by the government. Defensive civil litigation includes actions seeking monetary damages for alleged torts, contract violations, and alleged discrimination by the United States, its agencies and employees. The United States Attorneys may also be called upon to represent the United States in cases which are not clearly defined as either affirmative or defensive civil litigation, but in which the government has an interest, such as bankruptcy cases in which the United States is a party. One key difference between affirmative and defensive civil litigation is that while United States Attorneys have some discretion in deciding which affirmative civil cases they will pursue, they must defend the government in all defensive civil litigation.

Affirmative civil cases can return substantial monies to the federal Treasury. In FY 2013, USAOs collected \$6.1 billion in civil debts, which is more than three times the United States Attorneys' budget. The following cases are just a few examples of the United States Attorneys' affirmative civil successes in FY 2013:

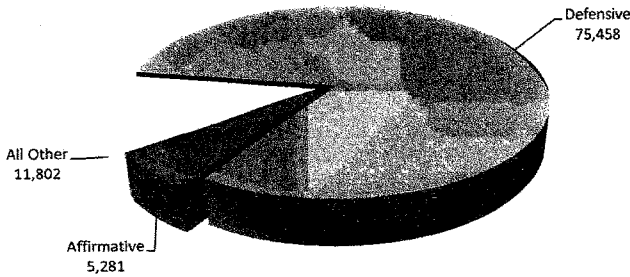


- The Financial Fraud Enforcement Task Force's efforts resulted in a landmark settlement with JPMorgan - the largest settlement with a single entity in American history - to resolve federal and state civil claims arising out of the packaging, marketing, sale and issuance of residential mortgage-backed securities (RMBS) by JPMorgan, Bear Stearns and Washington Mutual prior to Jan. 1, 2009. As part of the settlement, JPMorgan acknowledged it made serious misrepresentations to the public - including the investing public - about numerous RMBS transactions. The resolution also requires JPMorgan to provide much needed relief to underwater homeowners and potential homebuyers, including those in distressed areas of the country.
- In December 2012, Amgen Inc. pleaded guilty to illegally introducing a misbranded drug into interstate commerce. The plea was part of a global settlement with the United States in which Amgen agreed to pay \$762 million to resolve criminal and civil liability arising from its sale and promotion of certain drugs. The settlement represents the single largest criminal and civil FCA settlement involving a biotechnology company in United States history. Amgen agreed to pay \$612 million to resolve claims that it caused false claims to be submitted to Medicare, Medicaid and other government insurance programs. The civil settlement resolved claims contained in ten *qui tam* lawsuits against Amgen that were filed in the Eastern District of New York, the District of Massachusetts, and the Western District of Washington.
- In August 2013, RPM International, Inc. agreed to pay \$61.2 million to resolve allegations that the roofing division of RPM's Building Solutions Group, which includes Tremco Inc., violated pricing terms and conditions of Multiple Award Schedule contracts with the General Services Administration (GSA) for facilities and maintenance management and for building materials and industrial services and supplies. Specifically, it was alleged that Tremco and RPM violated the contracts' Price Reduction Clause, and that they failed to disclose to GSA the discounts they provided to certain categories of customers. The settlement also resolved claims that Tremco marketed and sold certain products as "superior" although such products were identical to those sold at a lower cost. The investigation and successful resolution of this case was handled by the USAO for the District of Columbia.

Civil matters and cases represent a significant part of the U.S. Attorneys' workload. In FY 2013, U.S. Attorneys received 102,281 civil matters, which represented 38 percent of all of the 269,496 criminal and civil matters received during the fiscal year. Of the civil matters received, 74 percent or 76,021 were defensive matters, 10,720 or 10 percent were affirmative matters, and 15,540 or 15 percent were other civil matters. The United States Attorneys filed or responded to 92,541 civil cases in FY 2013, which represented 60 percent of the 154,070 criminal and civil cases filed during the fiscal year. Of the civil cases filed, 75,458 or 82 percent were defensive cases; 5,281 or six percent were affirmative cases; and 11,802 or 13 percent were other civil cases.



Civil Workload
FY 2013 Cases Filed/Responded To – 92,541



Between FY 2008 and FY 2013, the number of civil cases filed or responded to decreased by eight percent or 8,528 - from 101,069 cases to 92,541, and the number of civil cases referred to United States Attorneys decreased by seven percent or 7,579 - from 109,860 in FY 2008 to 102,281 cases in FY 2013. The number of defensive civil cases filed decreased by seven percent or 6,017 - from 81,475 cases in FY 2008 to 75,458 in FY 2013. Through affirmative litigation, the United States Attorneys collected \$6.1 billion in civil debts owed to the United States, which is vastly more than the United States Attorneys' entire FY 2013 budget.

USAO Success Story

- Health Care and Pharmaceutical Fraud -

Johnson & Johnson (J&J) and its subsidiaries will pay more than \$2.2 billion to resolve criminal and civil liability arising from allegations relating to the prescription drugs Risperdal, Invega and Natrecor, including promotion for uses not approved as safe and effective by the Food and Drug Administration and payment of kickbacks to physicians and to the nation's largest long-term care pharmacy provider. The global resolution is one of the largest health care fraud settlements in U.S. history, including criminal fines and forfeiture totaling \$485 million and civil settlements with the federal government and states totaling \$1.72 billion. In addition to imposing substantial monetary sanctions, the resolution will subject J&J to stringent requirements under a Corporate Integrity Agreement (CIA) with the Department of Health and Human Services Office of Inspector General (HHS-OIG). This agreement is designed to increase accountability and transparency and prevent future fraud and abuse. The global resolution was the result of the efforts of the U.S. Attorney's Offices for the Eastern District of Pennsylvania, the Northern District of California, and the District of Massachusetts, and the Civil Division's Consumer Protection Branch and Commercial Litigation Branch.

PERFORMANCE MEASURE TABLE

Decision Unit: Civil

Strategic Objective

Performance Report and Performance Plan Targets

Performance Measure

Number of Total Judgements and Settlements

Performance Measure

Number of Judgements in favor of the U.S. and Settlements

OUTCOME Measure

Percentage of Cases Favorably Resolved

FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015
				Target	Actual		
2.5, 2.6	45,892	40,241	39,416	42,618	40,241	39,416	39,416
2.5, 2.6	36,104	32,976	31,856	32,619	32,976	31,856	31,856
2.5, 2.6	78.7%	81.9%	80.0%	82.0%	80.0%	80.0%	80.0%

N/A = Data unavailable

3. Performance, Resources, and Strategies

The Civil Decision Unit contributes to the Department's Strategic Goal II: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law. Within this goal, the Civil Decision Unit's resources specifically address two of the Department's Strategic Objectives: 2.5 – Promote and protect American' civil rights; and 2.6 – Protect the federal fisc and defend the interests of the United States.

a. Performance Plan and Report for Outcomes

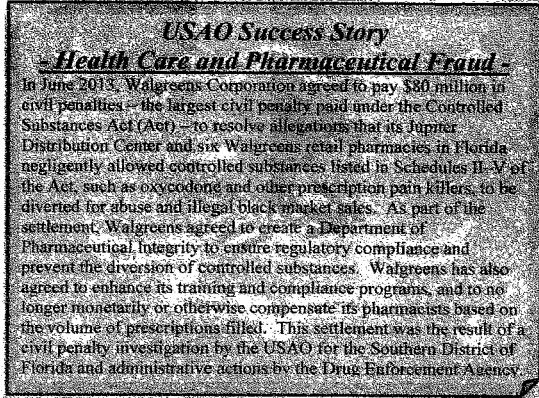
Prosecution of civil litigation is an essential and vital component of the mission of the United States Attorneys. Civil affirmative litigation seeks redress for fraud, waste, and abuse in federal programs and ensures that the government is fully compensated for the losses and damages caused by those who have enriched themselves at the government's expense. In addition, all lawsuits filed against the federal government must be defended. United States Attorneys represented the federal government in 75,458 defensive civil cases that were filed in court during FY 2013. The United States Attorneys' successes in civil litigation preserve taxpayer dollars and uphold the requirements and intent of federal laws and programs. The performance measure for civil litigation relates to the percentage of judgments and settlements resolved in favor of the government.

b. Strategies to Accomplish Outcomes

As civil cases are increasingly "electronic" – meaning that technology plays a major role in areas such as electronic case filing and e-discovery, the technological and resource needs of our civil cases continue to grow. While technology provides a means to increase productivity with existing resources, some USAO personnel have difficulty transitioning to new technological solutions thereby placing greater demands on technical training and hiring employees with the appropriate skill sets.

Other strategies include:

- Regular reviews and monitoring of case and workload data.
- Leveraging technology to improve efficiency and enhance information flow organization-wide and with our partners.
- Continue to look at operational efficiencies in order to preserve human capital.
- Continue to address emerging training needs through the Office of Legal Education.





C. LEGAL EDUCATION

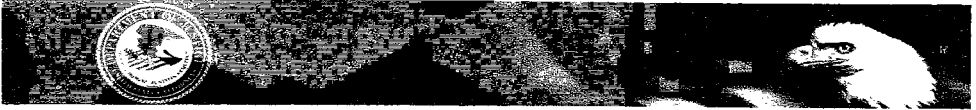
Legal Education	Perm. Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequester	53	53	19,207,000
2014 Enacted	53	53	31,638,000
Adjustments to Base and Technical Adjustments	0	0	497,000
2015 Current Services	53	53	32,135,000
2015 Program Offsets	0	0	-374,000
2015 Request	53	53	31,761,000
Total Change 2014-2015	0	0	(374,000)

1. Program Description—Legal Education

The Office of Legal Education (OLE) develops, conducts, and authorizes the training of all federal legal personnel [28 C.F.R. §0.22 (1990)]. OLE coordinates legal education and attorney training for the Department of Justice (DOJ) and other departments and agencies of the Executive Branch. Virtually all of OLE's classroom training is conducted at the National Advocacy Center (NAC), a premier federal training facility in Columbia, South Carolina. The NAC features an integrated instructional and residential facility augmented by a conference and research center with student and support services on site.

In FY 2013, OLE was responsible for the management of 154 courses and events at the NAC, as well as offsite locations, including traditional advocacy skills training, seminars on substantive areas of the law, leadership training, as well as automated litigation and legal support training. In FY 2013, 17,994 individuals participated in training hosted by OLE, including 10,572 who attended live training through courses or other events and 7,422 individuals who received training through one of OLE's distance education offerings, including 6,592 individuals who received continuing legal education (CLE) viewing programs broadcast via satellite on OLE's Justice Television Network (JTN), or CLE programs co-sponsored by OLE in USAOs using OLE training modules and materials. Eighty-four percent of the 17,994 individuals trained were DOJ employees, while the other 16 percent were non-DOJ employees with various federal agencies or state and local governments.

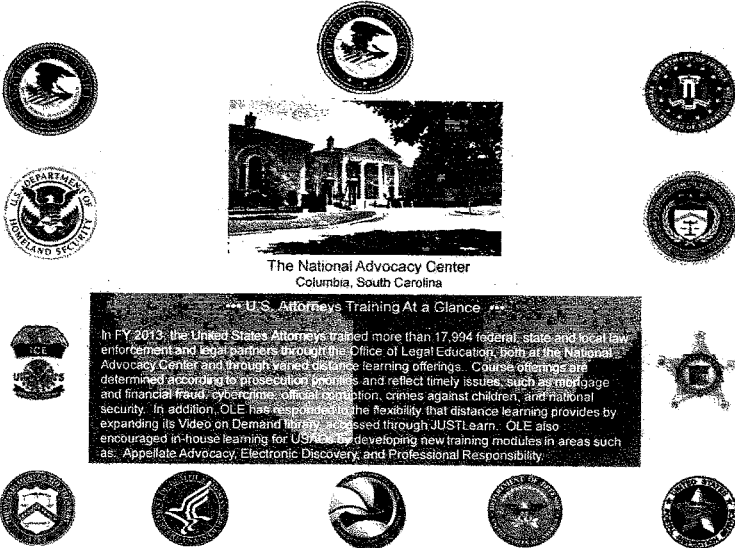
More than 5,702 individuals received training in areas covered in the Department's Strategic Plan, including Financial and Mortgage Fraud and Cybercrime, Crimes Against Children, Anti-



Terrorism, Violent Crime/Gun Violence Reduction, Crimes in Indian Country, Drug Enforcement, Official Corruption, Bankruptcy and Sound Management.

Recognizing the need to provide more distance learning opportunities, OLE continued to update and expand its Video on Demand (VOD) library, permitting USAO and DOJ litigating division employees to view OLE programming "on demand" at their desktop through OLE's Learning Management System, LearnDOJ. There are currently more than 500 programs available, including programs on *Brady/Giglio*, E-Discovery, and a New Employee Orientation. In FY 2013, approximately 41,292 DOJ employees accessed the VOD library, completing available videos more than 119,830 times. OLE's Learning Management System, LearnDOJ is utilized by other DOJ components and is administered by the Justice Management Division. LearnDOJ gives OLE increased functionality to build Individual Development Plans, assessment tools, and greater compliance management. It is also available via the Internet and can function as a virtual training system with the ability to integrate technologies such as Adobe Connect.

*** PARTNERS IN LEGAL EDUCATION ***





OLE's Publications Unit edits and publishes the United States Attorneys' Manual, the United States Attorneys' Bulletin, and a number of practical skills manuals. OLE published six editions of the United States Attorneys' Bulletin on a variety of topics, including Export Control Laws, Violent Crimes, Financial Intelligence, Community Outreach, Environmental Crimes and Criminal Discovery, all of which are accessible on the DOJ Internet website. The Publications Unit continued to maintain and update the USABook, an online legal resource available on the Department intranet that includes electronic versions of all OLE publications, forms including indictment and jury instructions for all circuits, and many significant monographs and policy manuals, and has become a federal practice encyclopedia. They also published Blue Books on Immigration Law and the National Security Prosecutor's Manual. In FY 2013, the USABook site experienced millions of page views. Its front page alone received over 495,000 page views in FY 2013, making it the most viewed page on DOJNet.

OLE's Justice Television Network (JTN) is a satellite-based IP video network with over 260 locations, including 92 USAOs. This delivery method to the desktop currently reaches all USAOs (Guam/Northern Marianas excluded), all FBI Field and international offices, and most DOJ components, including major bureau headquarters in the DC metro area, reaching approximately 60,000 DOJ employees. During its 25 hours of weekly broadcasts, JTN broadcasted 803 programs, including 41 live events, and 58 programs eligible for Continuing Legal Education (CLE).



OLE also broadcast events held at Main Justice, including press conferences by the Attorney General and other key Department officials and ceremonies commemorating other significant events. In an effort to enhance distance learning options for USAOs and provide needed mandatory training, OLE developed new training modules on Professionalism for DOJ Attorneys, and Legal Ethics for Agency Counsel. A copy of each module was sent to every district and to eight federal agencies outside the Department to be used for in-house training.

CLE credit is provided through OLE for many OLE-sponsored courses. OLE is the primary source of instruction for DOJ attorneys and AUSAs from the 94 USAOs. Basic programs for newly hired attorneys include criminal and civil trial advocacy; federal practice seminars; and, specialty courses in priority substantive areas of the law. Advocacy skills programs are available to new and experienced trial attorneys. The Intermediate Criminal Trial Advocacy course is designed for attorneys with litigation experience who are new to the federal civilian legal system (e.g., former state and military prosecutors), and as continuing training for Department of Justice attorneys after the basic criminal trial advocacy course. In FY 2013, OLE continued to provide additional web-based CLE through its contract with West Legal Ed Center, offering 24-hours a day access to more than 7,000 CLE programs from more than 50 leading CLE providers. During



FY 2013, Department attorneys viewed 10,305 West Legal Ed programs, earning over 9,300 CLE credits, further expanding OLE's ability to provide needed training.

OLE continued its tradition of providing training support to Department of Justice personnel assisting foreign prosecutors through the Criminal Division's Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT). In FY 2013, OLE hosted visiting delegations from Bulgaria, Colombia, Georgia, Malaysia, Pakistan, Palestine, the Philippines, Singapore and Thailand. OLE staff assisted OPDAT by teaching a trial advocacy class in Bangladesh. OLE staff represented the DOJ at a symposium of international prosecution trainers convened in Brussels, Belgium, to design a training program for counter-terrorism prosecutions in northern African countries. OLE drafted and printed a brochure on OLE's international programs and provided English and Spanish versions of this brochure to DOJ leadership for meetings with foreign counterparts.

OLE conducts programs on federal criminal, civil, and administrative law practices for attorneys in the Department of Justice and other Executive Branch agencies. Attorneys from the Department of Justice and other federal agencies are participants as well as advisors and instructors. Course instruction emphasizes the realities of federal practice providing training on pretrial practice, discovery obligations, trial techniques, negotiation techniques, and administrative law areas. For all its advocacy skills training, OLE uses experienced federal trial and appellate attorneys as instructors to present lectures, lead discussion groups, direct evidentiary exercises, and offer personalized critiques. Federal judges also participate in OLE's advocacy courses, presiding over mock trials and mock appellate arguments. The caliber of the OLE faculty and the use of sophisticated videotaping facilities provide students with unique training experiences in trial and appellate advocacy. A significant feature of the advocacy training is the use of "learn-by-doing" exercises which concentrate on courtroom skills. These exercises simulate courtroom activities and provide students with classroom critiques and individual video replay analysis. The Justice Leadership Institute provides leadership training to DOJ attorney and support staff supervisors.

OLE develops and administers paralegal courses covering basic and advanced skills in civil, criminal, and appellate practice. Training for other support staff personnel (e.g., systems managers, Administrative Officers and Budget Officers) in USAOs is provided through OLE, which develops the curriculum and recruits instructors.

USAO Success Story
- Insider Trading -

On December 18, 2013, Michael Steinberg, portfolio manager of Sigma Capital Management, LLC ("Sigma"), a division of the Connecticut-based hedge fund S.A.C. Capital, was found guilty by a jury for his participation in an insider trading scheme. Steinberg was convicted after a five-week jury trial in the Southern District of New York, for trading in the securities of two publicly traded technology companies, Dell, Inc. ("Dell") and NVIDIA Corporation ("NVIDIA"), based on inside information. Steinberg's trading in Dell and NVIDIA resulted in approximately \$1.9 million in illegal profits for his hedge fund.

PERFORMANCE AND RESOURCES TABLE												
Decision Unit: Legal Education												
RESOURCES												
		Target		Actual		Projected		Changes		Requested (Total)		
		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request		
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
		53	19,207	53	19,207	53	31,638	0	123	53	31,761	
LEGAL EDUCATION												
Reimbursable FTE and Costs (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)												
TYPE		4		3		[4,223]		0		3		[4,265]
STRATEGIC OBJECTIVE		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request		
Performance Measure: Outcome		1.2;2.1,2.2,2.3,2.4, 2.5,2.6; 3.1,3.4,3.8		17,994		24,000				24,000		
		20,800										

3. Performance, Resources, and Strategies

The Legal Education Decision Unit contributes to the Department's Strategic Goals:

Goal I: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law.

Within this goal, the decision unit's resources address the Department's Strategic Objective: 1.2 - Prosecute those involved in terrorist acts.

Goal II: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.

Within this goal, the decision unit's resources address six of the Department's Strategic Objectives: 2.1 - Combat the threat, incidence, and prevalence of violent crime; 2.2 - Prevent, and intervene in crimes against vulnerable populations; uphold the rights of, and improve services to, America's crime victims; 2.3 - Combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs; 2.4 - Combat corruption, economic crimes, and international organized crime; 2.5 - Promote and protect Americans' civil rights; and 2.6 - Protect the federal fisc and defend the interests of the United States.

Goal III: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.

Within this goal, the decision unit's resources address the Department's Strategic Objectives: 3.1 - Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs; 3.4 - Reform and strengthen America's criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in reentering society; 3.8 - Strengthen the government-to-government relationship between tribes and the United States, improve public safety in Indian Country, and honor treaty and trust responsibilities through consistent, coordinated policies, activities, and litigation.

a. Performance Plan and Report for Outcomes

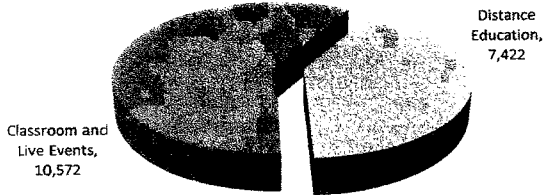
The performance measure for this decision unit is the number of students trained. In FY 2013, OLE sponsored classroom training and other live events for 10,572 individuals. In addition, approximately 7,422 individuals were trained through one of OLE's distance education offerings, including programs providing continuing legal education to 6,592 individuals for a total of 17,994 students trained in FY 2013.

USAO Success Story

- Intellectual Property Crime -

On December 17, 2013, Bruce Alan Edward was convicted by a jury of criminal copyright infringement and mail fraud in the Eastern District of Michigan for selling more than 2,500 counterfeit copies of copyrighted Microsoft software valued at more than 1 million dollars retail. After a one-week trial, a jury found that from May 2008, until September 2010, Edward purchased counterfeit Microsoft software from various suppliers located primarily in China, Singapore, and the United States, and sold them on eBay to unwitting buyers.

FY 2013 Individuals Trained



This compares with a total of 23,115 in FY 2012 – 16,479 individuals trained in-person and 6,636 individuals trained by satellite, videotape and other training. Seventy-nine percent of the individuals trained in-person were DOJ employees in legal positions while the other 21 percent were non-DOJ employees in legal positions with various federal agencies or state and local government.

Overall in FY 2013, OLE was responsible for the management of 154 courses and events, including traditional advocacy training, seminars and educational forums on substantive areas of the law. During FY 2013, OLE expanded VOD and approximately 41,292 DOJ employees accessed the VOD library viewing available programs more than 119,830 times. There are now over 500 separate programs available through VOD.

b. Strategies to Accomplish Outcomes

The United States Attorneys will continue to ensure that high quality legal education is available for basic and advanced legal training through traditional classroom instruction and expanded use of JTN and distance learning.

USAO Success Story
- Domestic Violence/Stalking -

In a Northern District of Iowa domestic violence case, the evidence presented at trial established that the defendant tracked his estranged wife's movements with a GPS application that he had secretly placed in her car while she was at work. When her car stopped at her new residence, the defendant armed himself with a handgun, drove from Iowa to Nebraska, entered her home without permission, punched, kicked, and pistol-whipped one of the people at the house at the time, and took his estranged wife to his house in Iowa where he further assaulted her. He was convicted of interstate stalking and possession of a firearm by a felon and sentenced to 37 months' imprisonment.



V. Program Increases by Item

Item Name: Smart on Crime

Budget Decision Unit(s): Criminal and Civil Litigation

Strategic Goal(s) & Objective(s):

Goals II: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.

Objective 2.1: Combat the threat, incidence, and prevalence of violent crime.

Objective 2.2: Prevent and intervene in crimes against vulnerable populations; uphold the rights of, and improve services to, America's crime victims.

Objective 2.3: Combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs.

Goals III: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.

Objective 3.4: Reform and strengthen America's criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in reentering society.

Component Ranking of Item: 1

Program Increase: Positions [103] Attorney [60] FTE [52] Dollars [\$15,000,000]

Description of Item

Over the last 30 years, the federal prison population has grown by nearly 800 percent, leaving today's federal prisons operating at 40 percent above capacity and incurring a significant and rising cost to the taxpayer. While these increases have corresponded with an overall drop in national crime rates, the question the Smart on Crime initiative seeks to address is whether or not a better criminal justice strategy exists to deter crime, reduce recidivism, and ensure fairness in sentencing.

The Smart on Crime initiative is a multi-pronged approach to prioritizing the work of the United States Attorneys' offices (USAOs) and finding solutions to reducing the rates of recidivism by those reentering our communities. The Smart on Crime initiative consists of the following five principles:

- I) Prioritize prosecutions to focus on most serious cases.
- II) Reform sentencing to eliminate unfair disparities and reduce overburdened prisons.
- III) Pursue alternatives to incarceration for low-level, non-violent crimes.
- IV) Improve reentry to curb repeat offenses and re-victimization.
- V) 'Surge' resources to violence prevention and protecting most vulnerable populations.



The FY 2015 President's Budget includes a reprioritization of base resources totaling 103 positions (including 60 attorneys) and \$15,000,000 – including \$5,521,000 in non-personnel funding to support the United States Attorneys' implementation of the Attorney General's *Smart on Crime* initiative. This includes prevention and reentry work, such as outreach and training events, and casework that focuses on ensuring: federal prosecutions implicate substantial federal interests; severe drug sentences are reserved for the most serious offenders; and violent crime is pursued strategically. These dedicated resources will be available to the USAOs that develop action plans to prioritize the *Smart on Crime* initiative and its related action items. Some districts may choose to dedicate a full-time position to serve as Prevention and Reentry Coordinator.

Justification

In order to fully implement the Attorney General's Smart on Crime initiative, USAOs need both prosecutorial and support staff resources. Prioritization of prosecutorial resources will enable USAOs to expand their commitment to larger, more complex cases, while at the same time dedicating time and resources to prevention and reentry efforts. The first of five Smart on Crime principles requires USAOs to prioritize their criminal cases and to focus USAO resources on the most serious prosecutions that implicate clear, substantial federal interests. These interests include protecting Americans from national security threats, violent crime, and financial fraud, and protecting the most vulnerable members of society. National security cases, high level drug conspiracies, complex white collar fraud cases, and large scale human trafficking cases, for example, all typically require lengthy investigations and a significant commitment of prosecutorial time. USAOs will use the proposed *Smart on Crime* attorney resources to carry out prevention and reentry efforts in the context of their casework.

Smart on Crime also recognizes that federal prosecution is necessary and appropriate for some who commit offenses of lesser magnitude and for whom alternatives to incarceration may be appropriate. USAOs will use both attorney and support staff resources in connection with reentry courts, drug or other specialized courts, diversion programs, and prevention and outreach activities designed to lower recidivism and prevent crime.

The United States Attorneys have already begun to embrace prevention and reentry as an important element of their larger public safety and community outreach mission. Currently, each USAO has designated a Prevention and Reentry Coordinator. There are two basic types of reentry programs in the USAO community, reentry outreach and reentry courts. A reentry outreach event is any meeting, forum, summit, or other initiative that brings together key stakeholders in the criminal justice process to focus on improving reentry. These efforts may include job fairs for recently released offenders; summits or meetings involving federal or state probation, parole, and corrections officials, along with non-profit service providers and others; and "call-in programs" where law enforcement and public service providers address offenders together and provide the support the offenders need to become productive citizens.

In addition, USAOs are actively engaged in reentry courts. There are over 50 reentry courts currently in operation around the country. These courts provide intensified supervision, overseen by the court, for recently released federal offenders who are typically at medium or high risk to



commit new crimes. Some of these courts focus on offenders with substance abuse issues while others focus on offenders who are veterans or gang members, or have mental health issues.

Apart from more than 50+ post-incarceration reentry courts, there are a number of prevention and diversion programs that provide alternatives to incarceration. In addition to drug courts, the USAOs' prevention and diversion efforts include traditional pre-trial diversion, call-in programs, violence prevention programs, presentations at schools and prisons, and support to state and local law enforcement in a myriad of crime prevention initiatives.

The new Smart on Crime resources will be used to further all these efforts.

Impact on Performance

This initiative will address Strategic Goal II, Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law, including Objective 2.1: *Combat the threat, incidence, and prevalence of violent crime*; Objective 2.2: *Prevent and intervene in crimes against vulnerable populations; uphold the rights of, and improve services to, America's crime victims*; and Objective 2.3: *Combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs*. This initiative will also address Strategic Goal III: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels, including Objective 3.4: *Reform and strengthen America's criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in reentering society*.

Smart on Crime Initiative

Funding

Base Funding

FY 2013 Enacted				FY 2014 Enacted				FY 2015 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
0	0	0	0	10	7	9	1,704	10	7	9	1,704

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Attorney	115,468	60	6,928	5,204	0
Re-entry Coordinator	58,825	40	2,353	1,782	651
Professional Support	65,937	3	198	161	56
Total Personnel		103	9,479	7,147	707

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)	FY 2017 Net Annualization (Change from 2016) (\$000)
Miscellaneous	N/A	N/A	5,521	(2,021)	0
Total Non-Personnel	N/A	N/A	5,521	(2,021)	0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)	FY 2017 Net Annualization (Change from 2016) (\$000)
Current Services	10	7	9	1,704	0	1,704	0	0
Increases	103	60	52	9,479	5,521	15,000	5,126	707
Grand Total	113	67	61	11,183	5,521	16,704	5,126	707



Item Name: Mutual Legal Assistance Treaty (MLAT) Reform

Budget Decision Unit(s): Criminal and Civil Litigation

Strategic Goal(s) & Objective(s): **Goals II:** Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.
Objective 2.3: Combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs.
Objective 2.4: Combat corruption, economic crimes, and international organized crime.
Objective 2.6: Protect the federal fisc and defend the interests of the United States.

Component Ranking of Item: 2

Program Increase: Positions 13 Attorney 8 FTE 7 Dollars \$1,327,000

Description of Item

These resources will support the Department's efforts to centralize and improve the process for handling foreign requests for legal assistance, as promised in the President's January 17, 2014 speech on signals intelligence. This includes the United States Attorneys to support the Department's efforts to reform the MLAT process. The funds support centralizing, streamlining, and expediting the Department's responses to foreign government requests for assistance.

Justification

In order to fulfill the President's National Security Strategy, the Department of Justice (DOJ) international mutual legal assistance process must be transformed. The President's National Security Strategy calls for U.S. law enforcement agencies to "cooperate effectively with foreign governments" in order to "provide safety and security," so that the U.S. will "strengthen our international partnerships" and specifically counter cyber security threats. Moreover, in his January 17th speech on the review of signals intelligence, the President stated that he "will devote the resources to centralize and improve the process we use to handle foreign requests for legal assistance, keeping our high standards for privacy while helping foreign partners fight crime and terrorism."

In order to protect our national security, it is essential that we transform the manner in which we conduct international mutual legal assistance in criminal and counterterrorism matters. Without such a transformation, our international law enforcement relationships, our internet service providers (ISPs), and the multi-stakeholder model of internet governance are all at risk.



The resources and personnel requested here for the U.S. Attorneys support this needed transformation. This reform will allow for a paradigm shift and allow the Department to address a critical vulnerability: the Department's difficulty in responding in a timely manner to foreign requests for assistance, particularly in cases involving ISP records.

Requests for mutual legal assistance have grown dramatically, particularly related to ISP records; however, Department resources, including AUSAs and support personnel, to address the influx of new requests are woefully inadequate. Additional resources will allow U.S. Attorneys to dedicate AUSA and support personnel in the District of Columbia and the Northern District of California to support the Criminal Division's Office of International Affairs (OIA) in the execution of foreign assistance requests and assists with coordination and litigation. These resources will align with OIA's centralization project and will provide a dedicated workforce to support these efforts, where one does not currently exist. There are no FY 2014 current services dedicated for this activity within the U.S. Attorneys.

Impact on Performance

This initiative will address Strategic Goal II, Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law, including Objective 2.3, *Combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs*; Objective 2.4, *Combat corruption, economic crimes, and international organized crimes*; and Objective 2.6, *Protect the federal fisc and defend the interests of the United States*.

Mutual Legal Assistance Treaty (MLAT) Reform

Funding

Base Funding

FY 2013 Enacted				FY 2014 Enacted				FY 2015 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
0	0	0	0	0	0	0	0	0	0	0	0

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Attorney	115,468	8	923,744	693,824	
Paralegal	58,825	5	294,125	222,725	81,420
Total Personnel		13	1,217,869	916,579	81,420

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)	FY 2017 Net Annualization (Change from 2016) (\$000)
Miscellaneous Costs	N/A	N/A	109,131	0	0
Total Non-Personnel	N/A	N/A	109,131	0	0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)	FY 2017 Net Annualization (Change from 2016) (\$000)
Current Services	0	0	0	0	0	0	0	0
Increases	13	8	7	1,217,869	109,131	1,327,000	916,579	81,420
Grand Total	13	8	7	1,217,869	109,131	1,327,000	916,579	81,420



VI. Program Offsets by Item

Item Name: Miscellaneous Program and Administrative Reductions

Strategic Goal(s): **Goals I, II and III:** Prevent terrorism, and Promote the Nation's Security Consistent with the Rule of Law; Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law; and Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.

Strategic Objective(s): All

Budget Decision Unit(s): Criminal, Civil and Legal Education

Program Offset: Positions 0 Agt/Atty 0 FTE 0 Dollars \$30,159,000

Description of Item

Program and administrative reductions to be identified once funds are appropriated.

Justification

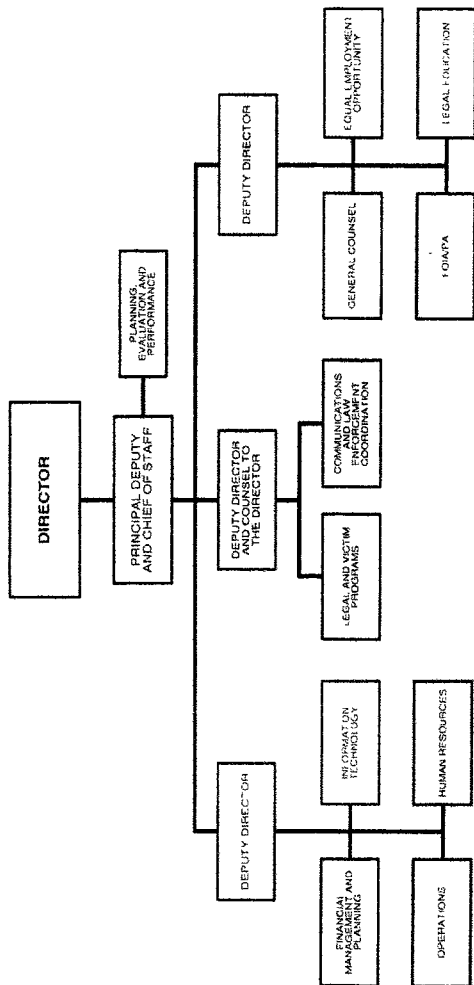
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once the funds are appropriated.


Impact on Performance

Performance impact information is not yet available for this offset.

A: Organizational Chart

EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS



Approved by:  Date: June 8, 2010
 ERIC M. LOCHER, JR.
 Attorney General

B. Summary of Requirements

Summary of Requirements
United States Attorneys
Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	FY 2015 Request Estimate FTE	Amount
2013 Enacted	10,629	9,766	1,969,697
2013 Rescissions (1.877% & 0.2%)			-40,839
2013 Sequester Cut			-98,600
Total 2013 Enacted (with Rescissions and Sequester)	10,629	9,766	1,830,251
2014 Enacted	10,624	9,781	1,844,000
Base Adjustments			
Pay and Benefits	0	0	30,473
Domestic Rent and Facilities	0	0	9,686
Total Base Adjustments	0	0	40,159
2015 Current Services Program Changes	10,624	9,781	1,884,159
Increases:			
Mutual Legal Assistance Treaty (MLAT) Processing	13	7	1,327
Smart on Crime Initiative	11033	152	15,000
Subtotal, Increases	13	7	1,327
Offsets:			
Miscellaneous Program and Administrative Reductions	0	0	-30,159
Subtotal, Offsets	0	0	-30,159
Total Program Changes	13	7	-28,832
2015 Total Request	10,637	9,788	1,955,327
2014 - 2015 Total Change	13	7	11,327

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements

United States Attorneys
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Criminal Litigation	8,098	7,437	1,430,923	8,093	7,432	1,464,362	0	0	30,369	8,093	7,432	1,494,731
Civil Litigation	2,478	2,276	380,121	2,478	2,276	448,000	0	0	9,283	2,478	2,276	457,283
Legal Education	53	53	19,207	53	53	31,638	0	0	497	53	53	32,135
Total Direct	10,629	9,766	1,830,251	10,624	9,761	1,944,000	0	0	40,159	10,624	9,761	1,984,159
Balance Rescission			0			0			0			0
Total Direct with Rescission			1,830,251			1,944,000			40,159			1,984,159
Reimbursable FTE		1,559			1,559			0			1,559	
Total Direct and Reimb. FTE		11,325			11,320			0			11,320	
Other FTE:												
Overtime		71			71			0			71	
Grand Total, FTE		11,396			11,391			0			11,391	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Criminal Litigation	12	6	1,201	0	0	-22,806	8,105	7,438	1,473,126
Civil Litigation	1	1	126	0	0	-6,979	2,479	2,277	450,440
Legal Education	0	0	0	0	0	-374	53	53	31,761
Total Direct	13	7	1,327	0	0	-30,159	10,637	9,768	1,955,327
Balance Rescission			0			0			0
Total Direct with Rescission			1,327			-30,159			1,955,327
Reimbursable FTE		0			0			1,559	
Total Direct and Reimb. FTE		0			0			11,327	
Other FTE:									
Overtime		0			0			71	
Grand Total, FTE		0			0			11,391	

FY 2015 Program Changes by Decision Unit

United States Attorneys
Salaries and Expenses
(Dollars in Thousands)

Program Increases	Location of Description In Narrative	Criminal Litigation			Civil Litigation			Legal Education			Total Increases					
		Direct Pos.	Agt./ Atty.	Est. FTE Amount	Direct Pos.	Agt./ Atty.	Est. FTE Amount	Direct Pos.	Agt./ Atty.	Est. FTE Amount	Direct Pos.	Agt./ Atty.	Est. FTE Amount			
Smart on Crime Initiative	Page 43	[103]	[60]	[52]	[15,000]		0	0	0	0	0	[103]	[60]	[52]	[15,000]	
Mutual Legal Assistance Treaty (MLAT) Processing	Page 47	12	7	6	1,201	1	1	1	126	0	0	0	13	8	7	1,327
Total Program Increases		12	7	6	1,201	1	1	1	126	0	0	0	13	8	7	1,327

Program Offsets	Location of Description in Narrative	Criminal Litigation			Civil Litigation			Legal Education			Total Offsets		
		Direct Pos.	Agt./ Atty.	Est. FTE Amount	Direct Pos.	Agt./ Atty.	Est. FTE Amount	Direct Pos.	Agt./ Atty.	Est. FTE Amount	Direct Pos.	Agt./ Atty.	Est. FTE Amount
Miscellaneous Program and Administrative Reductions	Page 50	0	0	0	-22,806	0	0	-6,979	0	0	-374	0	0
Total Program Offsets		0	0	0	-22,806	0	0	-6,979	0	0	-374	0	0

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective
 United States Attorneys
 Salaries and Expenses
 (Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Recissions and Sequeler			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2016 Total Request		
	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount
Goal 1 Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law																		
1.2 Prosecute those involved in terrorist acts.	336	52,059	345	345	51,056	345	345	51,056	0	0	0	0	0	0	0	345	51,056	0
Subtotal, Goal 1	336	52,059	345	345	51,056	345	345	51,056	0	0	0	0	0	0	0	345	51,056	0
Goal 2 Prevent Crime, Protect the Rights of the American People, and enforce Federal Law																		
2.1 Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders in crimes against vulnerable populations, and uphold the rights of, and improve services to America's crime victims	879	142,562	879	879	151,642	879	879	154,859	0	0	0	0	0	0	0	879	152,441	0
2.3 Disrupt and dismantle major drug trafficking organizations to combat the threat, trafficking, and use of illegal drugs and the diversion of illicit drugs	2,760	450,671	2,779	2,779	479,373	2,779	2,779	489,543	3	569	3	569	0	0	0	2,782	482,469	0
2.4 Investigate and prosecute corruption, economic crimes, and transnational organized crime	2,865	464,392	2,864	2,864	493,958	2,864	2,864	504,447	3	569	3	569	0	0	0	2,867	497,139	0
2.5 Promote and protect American civil rights by preventing and prosecuting discriminatory practices	72	11,614	72	72	12,354	72	72	12,616	0	0	0	0	0	0	0	72	12,419	0
2.8 Protect the federal fisc and defend the interests of the United States	3,280	531,659	3,278	3,278	565,519	3,279	3,279	577,516	1	189	1	189	0	0	0	3,280	568,899	0
Subtotal, Goal 2	10,846	1,756,201	10,843	10,843	1,870,177	10,843	10,843	1,909,853	7	1,327	7	1,327	0	-39,821	-39,821	10,850	1,881,388	0
Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.																		
3.1 Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3.4 Reform and strengthen America's criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in reentering society	0	0	0	0	1,552	3	1,552	3	1,552	0	0	0	0	0	0	3	1,552	0
3.8 Strengthen the government-to-government relationship between tribes and the United States, improve public safety in Indian Country, and honor treaty and trust responsibilities through consistent, coordinated policies, activities, and litigation	123	19,991	123	123	21,215	123	123	21,665	0	0	0	0	0	0	0	123	21,327	0
Subtotal, Goal 3	123	19,991	123	123	22,767	123	123	23,860	0	0	0	0	0	0	0	123	22,912	0
TOTAL	11,325	1,830,281	11,320	11,320	1,944,000	11,320	11,320	1,984,168	7	1,327	7	1,327	0	-39,189	-39,189	11,327	1,955,377	0

Exhibit D - Resources by DOJ Strategic Goal and Strategic Objective

Justifications for Technical and Base Adjustments

United States Attorneys

Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Pay and Benefits			
1 2015 PAY CHANGES The requested pay raises for a proposed 1 percent pay rate to be effective in January of 2015. The amount requested, \$10,150,000, represents the pay amounts for 244 of the fiscal year plus appropriate benefits (\$7,808,000 for pay and \$2,342,000 for benefits).			10,150
Annualization of 2014 Pay Rates: This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested \$2,976,000, represents the pay amounts for 114 of the fiscal year plus appropriate benefits (\$2,286,000 for pay and \$687,000 for benefits).			2,976
FERS Required Law Enforcement Retirement Contribution: Effective October 1, 2014 (FY 2015), the new agency contribution rates of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 28.8% for law enforcement personnel (up from the current 26.3%, or an increase of 2.5%). The amount requested, \$11,655,000, represents the funds needed to cover this increase.			13,655
2 Health Insurance: Effective January 2015, the component's contribution to Federal employees' health insurance increases by 3.1 percent. Applied against the 2014 estimate of \$71,250,000, the additional amount required is \$2,222,000.			2,222
3 Reassignment: Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$1,470,000 is necessary to meet our increased retirement obligations as a result of this conversion.			1,470
Domestic Rent and Facilities			
1 General Services Administration (GSA) Rent: GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The increased costs of \$39,473,000 are being passed on to GSA. The costs associated with GSA rent are being passed through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.	0	0	39,473
2 Guard Stations: This includes Department of Homeland Security (DHS) Federal Protective Service charges, Justice Protective Service charges and other security services across the country. The requested increase of \$679,000 is required to meet these commitments.			679
3 Moving Lease Expenses: GSA requires an agency to pay relocation costs associated with lease expirations. This request provides for the costs associated with new office relocations caused by the expiration of leases in FY 2015.			3,118
TOTAL DIRECT TECHNICAL AND BASE ADJUSTMENTS			
	0	0	9,996
	0	0	40,159

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
 United States Attorneys
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Appropriation Enacted w/o Balance Rescission			Sequester			Reprogramming/Transfers			Carryover		Recoveries/ Refunds		2013 Actual		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Amount	Amount	Amount	Direct Pos.	Actual FTE	Amount	Amount
Criminal Litigation	8,098	7,437	1,497,949		0	-76,572		0	32,487	13,249	1,698	1,698	8,098	7,437	1,468,811	
Civil Litigation	2,478	2,276	397,924	0	0	-20,341	0	0	9,622	0	0	0	2,478	2,276	387,205	
Legal Education	53	53	32,978	0	0	-1,687	0	0	(5,096)	0	0	0	53	53	26,195	
Total Direct	10,629	9,766	1,928,851	0	0	-98,600	0	0	37,013	13,249	1,698	1,698	10,629	9,766	1,882,211	
Reimbursable FTE		1,559			0			0						1,559		
Total Direct and Reimb. FTE		11,325			0			0						11,325		
Other FTE:																
Overline		71												71		
Grand Total FTE		11,396			0			0						11,396		

1) The 2013 Enacted Appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Reprogramming/Transfers

In FY 2013, the United States Attorneys transferred \$37,000,000 in prior year unobligated balances into the No-Year account to cover operational expenses.

In FY 2013, the United States Attorneys submitted and Congress approved a reprogramming request to transfer funding of up to \$13,900,000 from the Legal Education Program Activity to the Criminal and Civil Program Activities in an effort to avoid furloughing the entire United States Attorney community. Of the \$13,900,000 that was approved, \$5,100,000 was actually reprogrammed from the Legal Education Program Activity.

Carryover:

The United States Attorneys used \$13,249,000 in Direct unobligated balances in FY 2013. The amount came from these sources:

(1) \$12,753,000 from the No-Year Salaries and Expenses account; (2) \$119,000 from the ONDCP HDTA to support mission related activities of the United States Attorneys; (3) \$377,000 from the Violent Crime Reduction Program.

Recoveries/Refunds:

The United States Attorneys had recoveries of \$1,527,000 in the No-Year account and \$171,000 in the 12/13 account for a total of \$1,698,000.

Crosswalk of 2014 Availability
 United States Attorneys
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount		Direct Pos.	Estim. FTE	Amount
Criminal Litigation	8,093	7,432	1,464,362	0	0	400	7,484	825			8,093	7,432	1,473,071
Civil Litigation	2,478	2,276	448,000	0	0	0	0	0			2,478	2,276	448,000
Legal Education	53	53	31,638	0	0	0	0	0			53	53	31,638
Total Direct	10,624	9,761	1,944,000	0	0	400	7,484	825			10,624	9,761	1,952,709
Reimbursable FTE		1,559			0							1,559	
Total Direct and Reimb. FTE		11,320			0							11,320	
Other FTE:													
Overline		71			0							71	
Grand Total, FTE		11,391			0							11,391	

Reprogramming/Transfers

In FY 2014, \$400,000 is the anticipated amount that will be transferred from the ONDCP HIDTA to United States Attorneys.

Carryover:

The United States Attorneys carried a Direct Unobligated balance of \$7,484,000 into FY 2014. The amount came from these sources:

- (1) \$7,154,000 is from the No-Year Salaries and Expenses account; and (2) \$330,000 is the remaining balance from the ONDCP HIDTA.

The \$7,154,000 in unobligated balances in the No-Year account is comprised of: (1) \$1,500,000 to fund expenses at the National Advocacy Center (NAC) located in Columbia, South Carolina; and (2) \$5,600,000 to be used primarily for inflationary adjustments in FY 2014 and to offset "front-loaded" obligations like JMD library costs, while operating under a CR.

Recoveries/Refunds:

Anticipated Recoveries of prior year unpaid obligations in the amount of \$925,000 was carried forward into FY 2014.

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources
United States Attorneys
Salaries and Expenses
(Dollars in Thousands)

Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Estim. Reimb. FTE	Amount	Reimb. Pos.	Estim. Reimb. FTE	Amount	Reimb. Pos.	Estim. Reimb. FTE	Amount	Reimb. Pos.	Estim. Reimb. FTE	Amount
Executive Office for OODETF	1,027	836	\$138,424	1,027	839	\$145,535	1,027	936	\$147,086	0	0	1,451
Executive Office for OODETF (AFF, Strike Force, FAC)			3,094			3,900			9,696	0	0	96
Debt Collection 3% Fund-Permanence/Special Projects	153	147	30,841	153	147	30,841	153	147	31,149	0	0	308
Debt Collection 3% Fund-Enhancements	19	16	9,853	19	16	11,647	19	16	11,783	0	0	116
3% Funded HCF-Pharmaceutical Fraud	13	12	2,665	13	12	2,665	13	12	2,665	0	0	0
3% Funded HCF-Civil Cases			2,000			2,000			2,000	0	0	0
Health Care Fraud and Abuse Control (Mandatory Funding)	177	171	31,168	177	171	31,400	177	171	31,714	0	0	314
Health Care Fraud and Abuse Control (Discretionary Funding)	67	62	13,088	67	62	11,269	67	62	11,382	0	0	113
Office of Victims of Crimes	182	169	22,574	182	169	22,890	182	169	22,907	0	0	227
Office of Victims of Crimes (VMS)			4,616			5,025			5,025	0	0	0
Bureau of Indian Affairs	1	1		1	1		1	1		0	0	0
ATF			203			96			56			0
Other Misc. Enacted agreements			140			1			1			0
DOJ/Civil Rights Division			3			1			1			0
DOJ/OIG			151			68			68			0
Bureau of Justice Assistance			68			600			600			0
OC, Navy Litigation Office			600			600			600			0
Environment and Natural Resources Division			51			44			44			0
Executive Office for U.S. Trustees			40			161			161			0
Federal Bureau of Investigation			787			351			351			0
Federal Bureau of Prisons			28			28			28			0
Department of Interior			531			150			150			0
Department of Housing & Urban Development			27			200			200			0
Department of Homeland Security - Border Fence	1	1	295	1	1	333	1	1	333	0	0	0
Federal Housing Finance Agency - OIG			200			150			150			0
Criminal Division			68			21			21			0
DOJ Asset Forfeiture Maint Staff	44	42	45,140	46	42	48,385	46	42	49,679	0	0	484
Center for Disease Control			187			187			187			0
Office of Attorney Recruitment & Management			149			149			149			0
Justice Management Division			12			12			12			0
Office of Violence Against Women			68			68			68			0
Department of Treasury/IRS			207			207			207			0
Department of Treasury/OIG			85			85			85			0
Civil Division			1,704			1,704			1,704			0
Tax Division			3			3			3			0
National Security Division			545			545			545			0
CMS/MSO Medicaid Integrity Group	4	3	1,658	4	3	4,223	4	3	4,265	0	0	42
Consumer Financial Protection Bureau			0			72			72			0
Dept of Health and Human Services			162			162			162			0
U.S. Forest Service			1			1			1			0
Other Workyears Provided	38	0	0	36	0	20,718	36	0	17,558	0	0	(3,161)
Budgetary Resources	1,725	1,559	309,422	1,725	1,559	352,450	1,725	1,559	352,450	0	0	0

Summary of Reimbursable Resources

Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Estim. Reimb. FTE	Amount	Reimb. Pos.	Estim. Reimb. FTE	Amount	Reimb. Pos.	Estim. Reimb. FTE	Amount	Reimb. Pos.	Estim. Reimb. FTE	Amount
Criminal Litigation	1,236	1,136	224,683	1,236	1,136	254,200	1,236	1,136	254,175	0	0	(31)
Civil Litigation	465	420	85,096	465	420	94,021	465	420	94,010	0	0	(11)
Legal Education	4	3	1,658	4	3	4,223	4	3	4,265	0	0	42
Budgetary Resources	1,705	1,559	309,422	1,725	1,559	352,450	1,725	1,559	352,450	0	0	0

Table Resources

Table H - Summary

I. Det permanent Positions by Category

Detail of Permanent Positions by Category

United States Attorneys
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration			2014 Enacted			2015 Request			
	Direct Pos.	Reimb. Pos.		Direct Pos.	Reimb. Pos.		Program Increases	Total Direct Pos.	Total Reimb. Pos.	
Miscellaneous Operations (010-099)	38	0		38	0		0	38	0	
Security Specialists (080)	31	4		31	4		0	31	4	
Intelligence Series (132)	68	0		68	0		0	68	0	
Social Sciences (100-199)	8	17		8	17		0	8	17	
Personnel Management (200-299)	209	1		209	1		0	209	1	
Criminal Justice Services (300-399)	1,459	232		1,459	229		0	1,459	229	
Accounting and Budget (500-599)	275	66		275	66		0	275	66	
Attorneys (605)	5,451	775		5,446	775		8	5,454	775	
Paralegals (650)	941	210		941	213		0	946	213	
Other Law (900-999)	1,588	353		1,588	353		0	1,588	353	
Information & Arts (1000-1099)	51	0		51	0		0	51	0	
Business & Industry (1100-1199)	43	8		43	8		0	43	8	
Library (1400-1499)	14	0		14	0		0	14	0	
General Investigative Series (1801-1810)	49	52		49	52		0	49	52	
Criminal Investigative Series (1811)	22	1		22	1		0	22	1	
Supply Services (2000-2099)	8	0		8	0		0	8	0	
Information Technology Mgmt. (2210)	373	6		373	6		0	373	6	
Total	10,829	1,725		10,824	1,725		0	10,837	1,725	
Headquarters (Washington, D.C.)	356	10		356	10		0	356	10	
U.S. Field	10,273	1,715		10,268	1,715		0	10,281	1,715	
Foreign Field	0	0		0	0		0	0	0	
Total	10,829	1,725		10,824	1,725		0	10,837	1,725	

Note: The Total Reimbursable column reflects USA's authorized reimbursable position totals.

Financial Analysis of Program Changes

United States Attorneys
Salaries and Expenses
(Dollars in Thousands)

Grades	Criminal Litigation		Civil Litigation		Total Program Changes	
	MLAT		MLAT			
	Direct Pos.	Amount	Direct Pos.	Amount	Direct Pos.	Amount
SES	0	0	0	0	0	0
GS-15	0	0	0	0	0	0
GS-14	0	0	0	0	0	0
GS-13	0	0	0	0	0	0
GS-12	0	0	0	0	0	0
GS-11	0	0	0	0	0	0
GS-10	0	0	0	0	0	0
GS-9	0	0	0	0	0	0
GS-8	5	261	0	0	5	261
GS-7	0	0	0	0	0	0
GS-6	0	0	0	0	0	0
GS-5	0	0	0	0	0	0
Ungraded	7	843	1	120	8	963
Total Positions and Annual Amount	12	1,104	1	120	13	1,224
Lapse (-)	-6	-552	0	-60	-6	-612
11.5 Other Personnel Compensation		172		18		190
Total FTEs and Personnel Compensation	6	724	1	79	7	803
21.0 Travel and Transportation of Persons		29		3		32
22.0 Transportation of Things		3				3
23.3 Communications, Utilities, and Miscellaneous Charges		23		2		25
24.0 Printing and Reproduction		1				1
25.2 Other Services from Non-Federal Sources		163		21		184
25.3 Other Goods and Services from Federal Sources		87		5		92
26.0 Supplies and Materials		9		1		10
31.0 Equipment		162		15		177
Total Program Change Requests	6	1,201	1	126	7	1,327

K. Sur | Requirements by Object Class

Summary of Requirements by Object Class

United States Attorneys
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Enacted		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	9,233	930,023	9,227	953,033	9,234	952,894	7	9,961
11.3 Other than Full-Time Permanent	533	53,630	534	55,154	534	55,706	0	552
11.5 Other Personnel Compensation	0	2,154	0	12,210	0	12,210	0	0
Overtime	0	0	0	0	0	0	0	0
Other Compensation	0	2,154	0	12,210	0	12,210	0	0
11.8 Special Personal Services Payments	0	1,391	0	1,477	0	1,477	0	0
Total	9,766	987,198	9,761	1,021,874	9,768	1,032,387	7	10,513
Other Object Classes								
12.0 Personnel Benefits		297,528		300,092		317,406		17,313
13.0 Benefits for former personnel		402		338		338		0
21.0 Travel and Transportation of Persons		20,070		23,018		20,083		-2,925
22.0 Transportation of Things		4,140		4,262		4,265		3
23.1 Rental Payments to GSA		253,365		280,905		280,189		-716
23.2 Rental Payments to Others		2,632		4,372		7,490		3,118
23.3 Communications, Utilities, and Miscellaneous Charges		31,052		34,638		30,606		-4,032
24.0 Printing and Reproduction		1,716		1,737		1,737		1
25.1 Advisory and Assistance Services		45,312		47,385		45,023		-2,363
25.2 Other Services from Non-Federal Sources		128,945		136,654		127,617		-9,037
25.3 Other Goods and Services from Federal Sources		44,806		50,505		45,531		-4,974
25.4 Operation and Maintenance of Facilities		2,257		2,324		2,324		0
25.5 Research and Development Contract		32		0		0		0
25.6 Medical Care		1,295		1,445		1,445		0
25.7 Operation and Maintenance of Equipment		7,129		7,942		6,310		-1,032
25.8 Subsistence and Support of Persons		112		1		1		0
28.0 Supplies and Materials		12,588		13,813		11,920		-1,993
31.0 Equipment		13,665		14,207		12,948		-1,258
32.0 Land and Structures		6,397		7,588		7,588		0
42.0 Insurance Claims and Indemnities		108		109		109		0
Total Obligations		1,880,646		1,952,709		1,955,327		2,618
Subtract - Unobligated Balance, Start-of-Year		-13,249		-7,484		0		7,484
Subtract - Transfers/Reprogramming		-37,013		-400		0		400
Subtract - Recoveries/Refunds		-1,898		-825		0		825
Add - Unobligated End-of-Year, Available		7,484		0		0		0
Add - Unobligated End-of-Year, Expiring		14,181		0		0		0
Total Direct Requirements	0	1,830,261	0	1,944,009	0	1,955,327	0	11,327
Reimbursable FTE								
Full-Time Permanent	1,559		1,559		1,559		0	
23.1 Rental Payments to GSA (Reimbursable)		20,000		20,000		20,000		0
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)		0		0		0		0

United States Attorneys

Salaries and Expenses

(Dollars in Thousands)

Status of Congressionally Requested Studies, Reports, and Evaluations

The Senate Report language associated with the FY 2014 Consolidated Appropriations Act, page 54, directs the Department and the United States Attorneys to submit a report, not more than 180 days from the date of enactment of this act, to the Committee on its strategy to combat gangs of national significance, including violent street gangs. The report shall discuss strategies and best practices for arresting and prosecuting individuals from large gangs, as well as the most effective prevention and intervention techniques. The report should identify emerging trends in gang activity including cyber and human trafficking crimes, as well as more traditional activities such as gun trafficking, and identify the geographic areas with the highest rate of such activities. Finally, the report shall include the number of gang cases, gun cases, and criminal Racketeer Influenced and Corrupt Organizations [RICO] cases tried by each U.S. Attorney's office over the last 5 years, as well as a listing of any cases in which there was coordination with States attorneys' offices.

The House Committee Report language associated with the FY 2014 Consolidated Appropriations Act, page 33, directs the Department to submit a comprehensive report, not later than 120 days after the enactment of this Act, on its efforts to counter terrorism financing, including its investigation and prosecution of cases, since 2001. The report, which may be submitted in both classified and unclassified form, should include a description of terrorism financing trends, and annual statistics on the types of cases brought by year; list organizational changes to units within DOJ responsible for investigating and prosecuting terrorist finance cases; and describe how such reorganization may have affected the number and type of cases handled. In addition, the report should describe steps taken by the Department to address recommendations made by the Office of Inspector General (OIG) in its March 2013 report (OIG 13-17), Efforts to Coordinate and Address Terrorist Financing.

The Managers Statement associated with the FY 2014 Consolidated Appropriations Act, directs the Department to provide reports to the Committees on Appropriations on at least a semi-annual basis with regard to work of U.S. Attorneys on human trafficking task forces, and continue outreach efforts as specified in the House report.

U.S. Department of Justice

United States Trustee Program



FY 2015 Performance Budget Congressional Submission

United States Trustee Program

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United States Trustee Program

I. Overview of the United States Trustee Program

A. Introduction

The United States Trustee Program ("USTP" or "Program") is a litigating component of the Department of Justice whose mission is to promote the integrity and efficiency of the nation's bankruptcy system for the benefit of all stakeholders – debtors, creditors, and the public. The USTP mission supports the Department of Justice's strategic objective 2.6 - Protect the federal fisc and defend the interests of the United States by ensuring the just, speedy and economical resolution of cases filed under the Bankruptcy Code; monitoring the conduct of bankruptcy parties and private trustees; and acting to ensure compliance with applicable laws and regulations.

The nation's bankruptcy laws are premised on the notion that honest, but unfortunate debtors should be able to receive a fresh start and return to becoming economically productive members of society.

B. Program Overview

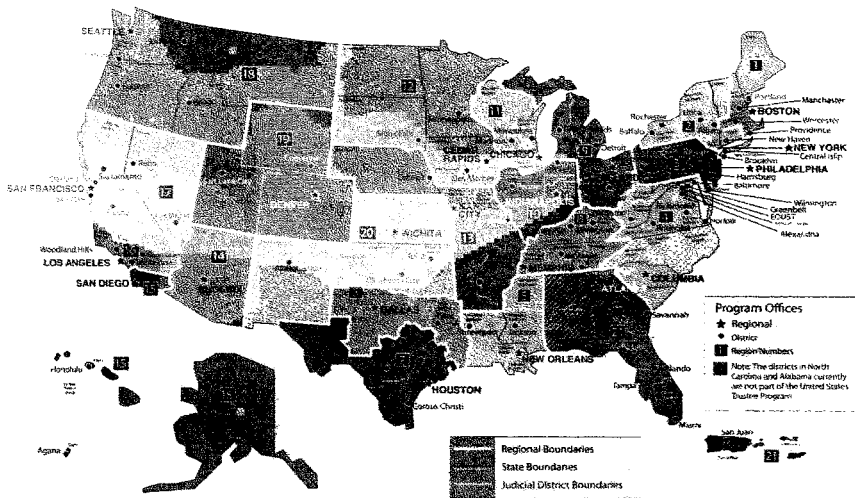
The United States Trustee Program is responsible for overseeing the administration of bankruptcy cases and private trustees under 28 U.S.C. §586 and 11 U.S.C. §101, et seq. The Program was established by the Bankruptcy Reform Act of 1978 (11 U.S.C. § 101, et seq.) as a pilot effort encompassing 18 districts. It was expanded to 21 regions nationwide, covering all Federal judicial districts except Alabama and North Carolina, by enactment of the Bankruptcy Judges, U.S. Trustees, and Family Farmer Bankruptcy Act of 1986. The Program is fully funded by the United States Trustee System Fund, which consists primarily of fees paid by parties and businesses invoking bankruptcy protection.

The Program has a headquarters office in Washington, D.C., led by a Director; 21 regions managed by U.S. Trustees; and 92 district office locations in 46 states supervised by Assistant U.S. Trustees.¹ In FY 2013, the Program had 1,169 full time equivalent employees, consisting of attorneys, financial analysts, paralegals, and support staff. More than 90 percent of the Program's employees are located in the district offices.

¹ The Program will complete the consolidation of three offices during FY 2014 and FY 2015 (Brooklyn with Manhattan, Woodland Hills with Los Angeles. Oakland with San Francisco). This reduces the number of district office locations reported in prior years from 95 to 92.

United States Trustee Program

1. U.S. Trustee Program Map of Regions and Offices



2. Executive Office for United States Trustees

The USTP's Executive Office for U.S. Trustees (EOUST) sets policy, directs legal matters, and provides management direction to the U.S. Trustees and their staff. The Office of the Director directly supervises the U.S. Trustees and the operations of the EOUST and has the primary responsibility for liaison with the Department, Congress, the Judiciary, private trustee organizations, and other stakeholders in the bankruptcy system (e.g., professional associations; debtors and creditors). EOUST also includes the Office of the General Counsel, the Office of Oversight, the Office of Criminal Enforcement, the Office of Planning and Evaluation, the Office of Administration and the Office of Information Technology.

United States Trustee Program

3. Enforcement and Oversight Activities

By statute, the Program has standing to participate in every bankruptcy case filed within its jurisdiction. To ensure the integrity of the bankruptcy system, the Program employs a broad range of enforcement and oversight activities. These activities include:

- Conducting tens of thousands of civil enforcement actions each year, including those not requiring formal resolution by a court, for a monetary impact of more than \$1 billion.
- Protecting consumer debtors from being victims of unscrupulous creditors, bankruptcy petition preparers or attorneys, and those who use the bankruptcy system to perpetrate fraud.
- Protecting thousands of distressed homeowners victimized by improper mortgage servicer practices that may cause unnecessary loss of the family home or family business.
- Providing oversight of chapter 11 cases, taking actions that range from objecting to excessive professional fees and improper management bonuses to reviewing debtors' disclosure statements and proposed reorganization plans.
- Promulgating and enforcing professional fee guidelines to ensure transparency and limit fees to market rates.
- Supervising private trustees who administer chapter 7, 12 and 13 bankruptcy cases and distribute over \$10 billion in assets each year. This duty involves reviewing more than 140,000 case reports per year, reviewing hundreds of trustee operations, and performing other trustee oversight and auditing tasks.
- Participating in over 100 appeals to the district courts, circuit courts of appeals, and the U.S. Supreme Court. The USTP works closely with the Office of the Solicitor General in the Department of Justice on Supreme Court cases involving bankruptcy.
- Identifying and referring cases of potential criminal wrongdoing to law enforcement and assisting in prosecuting cases through Program attorneys who are cross-designated by the United States Attorneys.
- Training law enforcement who investigate bankruptcy crimes, and communicating with the bankruptcy bench and bar throughout the 88 judicial districts in which the USTP litigates.
- Annually approving and monitoring over 400 credit counseling agencies and debtor education providers that provide mandatory pre-filing counseling and post-filing education.

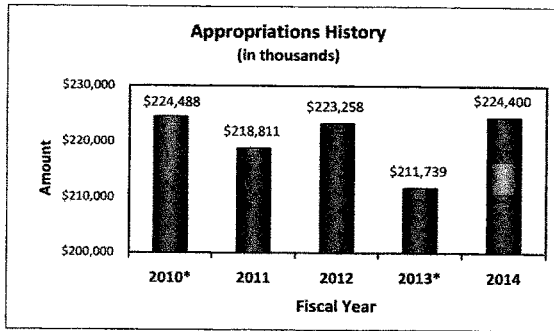
For more information on Program activities see the Annual Report of Significant Accomplishments: http://www.justice.gov/ust/ea/public_affairs/annualreport/index.htm.

United States Trustee Program

C. Appropriation History and FY 2015 Budget Request

1. Appropriation History

The following chart reflects USTP enacted appropriations for FY 2010 through FY 2014.



*Note: The FY 2010 amount was augmented with \$5.2 million in prior year unobligated balances. FY 2013 amount reflects the appropriation less sequestration reductions. In FY 2013 the Program also received a transfer of \$5.343 million from the United States Marshals Service which is not reflected in this chart.

The Program's FY 2013 appropriation after sequestration was \$11.5 million less than appropriated in FY 2012. The Program responded by cutting virtually every non-personnel category including facilities, travel, training, regional operating budgets, equipment, information technology and debtor audits.

Other examples of Program efforts to proactively reduce costs over the past three years include:

- Reduced staffing by over 100 positions.
- Moved the Executive Office in Washington DC from commercial space to the General Accounting Office building while also reducing space allocation by over 20%.
- Decreased operational travel spending by 30%. This is not sustainable for a field-based program supporting 92 district office locations and over 300 hearing rooms.

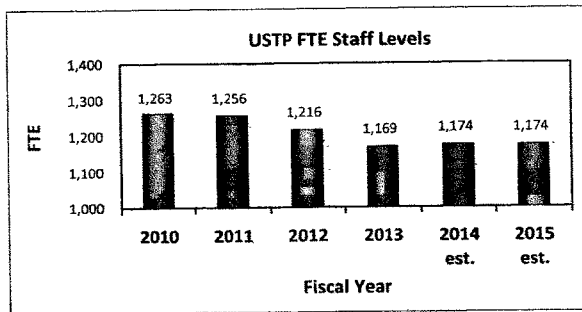
In addition, during FY 2014 and FY 2015, the Program anticipates consolidating three District Offices (Oakland, Brooklyn, and Woodland Hills) with other offices.

United States Trustee Program

2. FY 2015 Budget Request

The Program's FY 2015 budget request of \$225,908,000 supports 1,314 permanent positions (436 attorneys) and 1,174 work years. The FY 2015 request supports the Program's most critical operational needs and provides funds for mortgage fraud and creditor abuse enforcement activities -- an area that continues to grow in terms of case complexity. The FY 2015 request includes critical funding to backfill mission essential positions, restore funding for travel and facility maintenance, and support the Program's most critical operational needs. The USTP budget request will be fully offset by bankruptcy fees collected and deposited into the United States Trustee System Fund. The United States Trustee System Fund ended FY 2013 with a fund balance of \$215 million.

The following chart reflects actual USTP staffing levels in full-time equivalents (FTE) for FY 2010 through FY 2013, and estimates for FY 2014 and FY 2015.



D. Challenges

The United States Trustee Program, as with other federal organizations, faces several external and internal challenges.

1. External Challenges

There are a number of external factors that impact the operations of the United States Trustee Program.

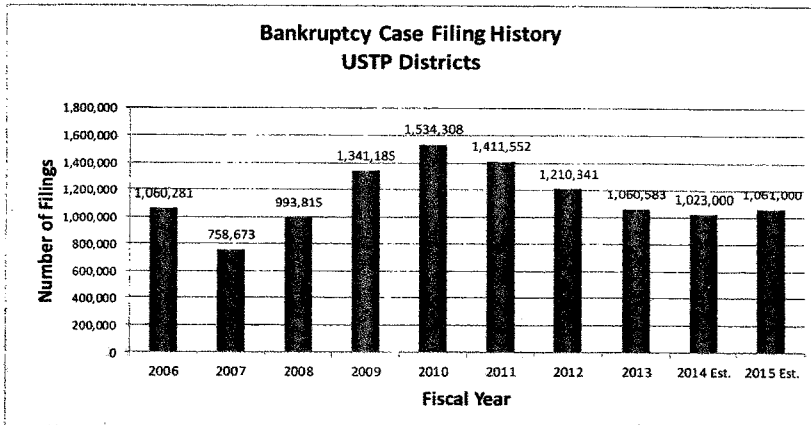
United States Trustee Program

Coordination with the Judicial Branch. The Program depends on the exchange of electronic data with the U.S. Bankruptcy Courts to ensure timely processing of bankruptcy cases. The Program must work cooperatively with the Administrative Office of the U. S. Courts to ensure the systems in place support an effective and efficient bankruptcy process.

Unpredictable Legal Challenges. Legal challenges to the bankruptcy code are unpredictable in scope and number. The USTP enforces and defends challenges to provisions of the Bankruptcy Code, including by litigating issues of first impression.

Evolving and Complex Caseload. The sustained heavy workload in civil enforcement along with the sheer sophistication of mortgage fraud schemes and creditor abuse activities place an incredible burden on USTP staff to move cases through the system efficiently. While continuing to carry out statutory duties, to include means testing and credit counseling oversight, the Program remains very much involved in new and complex issues associated with national mortgage servicers, other consumer protection issues and large chapter 11 bankruptcy filings.

Bankruptcy Filings. The volatility in the number and location of bankruptcy filings creates challenges in case management. For the past century, filings have generally increased about two thirds of the time and decreased during the other one third. Although filings in FY 2015 are estimated to be down about 31% from FY 2010, they are 40% higher than the FY 2007 low. The following chart reflects actual and projected filings for fiscal years 2006 through 2015 estimated.²



² Reflects bankruptcy filings under all chapters of the bankruptcy code, as reported by the Administrative Office of the U.S. Courts (AOUSC).

United States Trustee Program

2. Internal Challenges

The Program's FY 2013 appropriation after sequestration was \$11.5 million less than appropriated in FY 2012. The Program responded to the budgetary challenges by significantly reducing hiring, resulting in a loss of more than 100 Program staff over three years through attrition and retirements. In FY 2013, the Program also cut virtually every non-personnel category including facilities, travel, training, regional operating budgets, equipment, information technology and debtor audits. During FY 2014, the Program plans to backfill critical positions and restore funding to the most mission essential activities.

The Program manages 92 office locations nationwide, the Executive Office, and over 300 public hearing rooms. In any given year, forced move costs and associated renovations can exceed \$1 to \$2 million. In addition, there are inflationary pressures that gradually increase lease and utility expenditures.

In FY 2013, the Program did not have funding to refresh the Program's aging information technology infrastructure. Program operations rely heavily on core infrastructure from computers, printers, telecommunications, servers, software, to scanners and copiers.

E. Program Efforts Towards Integrating Environmental Accountability

The USTP continues its work toward improving its environmental management activities. The Program actively participates in a number of recycling and other greening initiatives and ensures compliance with existing Federal Acquisition Regulations. The following activities reflect the Program's continuing efforts toward managing and improving its environmental and health safety matters:

- The USTP's Facilities Management Division works with the General Services Administration (GSA) to ensure the use of environmentally preferable building products and materials for the design, construction and operation of commercially owned office space occupied by the Program.
- As required by Federal Acquisition Regulation (FAR) 23.705, the Program makes every effort to purchase electronic products which are Electronic Product Environmental Assessment Tool (EPEAT) registered, or EnergyStar Compliant products. Such products include computer monitors, desktop computers, notebook computers, printers and copiers.
- As required by FAR Subpart 23, the Program purchases supplies that are environmentally preferable products made from recycled content, such as copier paper, file folders, pens and remanufactured toner cartridges.

United States Trustee Program

- Recycling of paper products, cans, bottles and plastics is encouraged throughout the Program -- an effort highlighted through the use of signage, posters, and the continual availability of appropriate recycling receptacles.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Miscellaneous Program and Administrative Reductions	Program and administrative reductions to be identified once funds are appropriated.	0	0	-3,002	22

III. Appropriations Language

The FY 2015 budget request includes proposed changes in the appropriations language set forth and explained below. New language is *italicized and underlined*, and language proposed for deletion is bracketed.

United States Trustee System Fund

For necessary expenses of the United States Trustee Program, as authorized, [\$224,400,000] \$225,908,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, [\$224,400,000] \$200,658,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year [2014] 2015, so as to result in a final fiscal year [2014] 2015 appropriation from the Fund estimated at [\$0] \$25,250,000.

Analysis of Appropriation Language

No other substantive changes are proposed.

United States Trustee Program

IV. Decision Unit Justification

A. Administration of Cases

The USTP budget is contained in one decision unit, the Administration of Cases, which encompasses all operational activities and includes the direct cost of all outputs, indirect costs, and common administrative systems. There are two main Program activities: 1) enforcement and 2) case and trustee administration. The work years and associated funding are allocated to these Program activities based upon the direct, productive hours of USTP staff performing enforcement and case administration activities, as well as resources directly related to the performance of these activities. Administrative and other overhead costs are allocated based upon the direct hours expended for the two Program activities.

<i>Administration of Cases</i>	Direct Pos.	Estimated FTE	Amount
2013 Enacted with rescission and sequestration	1,314	1,169	\$211,739
2014 Enacted	1,314	1,174	224,400
Base and Technical Adjustments	0	0	1,508
2015 Request	1,314	1,174	225,908
Total Change 2014-2015	0	0	1,508

General Civil Enforcement

Since the USTP began tracking its civil enforcement and related actions in 2003, it has taken more than 619,000 actions with a monetary impact in excess of \$14 billion. During FY 2013, the USTP's offices reported taking over 44,000 formal and informal civil enforcement actions, yielding over \$1.6 billion in debts not discharged in chapter 7, fines and other remedies. The USTP's attorneys prevailed in 98.2 percent of the actions resolved by judicial decision or consent in the fundamental areas of dismissal for abuse (11 U.S.C. § 707(b)), denial of discharge (11 U.S.C. § 727), fines and injunctions against bankruptcy petition preparers (11 U.S.C. § 110), and disgorgements of attorney's fees (11 U.S.C. § 329).

The Program's special concentrated effort and investigation into mortgage servicers' policies and procedures directly contributed to a \$25 billion national mortgage settlement agreement. In his announcement of the settlement, the Attorney General singled out the USTP, stating:

"The U.S. Trustees Program . . . was one of the first federal agencies to investigate mortgage servicer abuse of homeowners in financial distress. As part of their investigation, Trustees reviewed more than 37,000 documents filed by major mortgage servicers in federal bankruptcy court—and took discovery in more than 175 cases across the country. These efforts were advanced by several United States Attorneys They have worked

United States Trustee Program

tirelessly to seek justice for homeowners who were treated unfairly and taxpayers who footed the bill. And the information and evidence that these teams compiled—and the expertise they provided—was essential in reaching this historic settlement.”

A representative of the United States Trustee Program serves as the Department’s representative and co-chair on the Monitoring Committee created pursuant to the settlement. The Monitoring Committee is comprised of representatives from the Department of Justice, HUD, state attorneys general and state mortgage regulatory agencies. The Program continues to investigate and take actions against non-settling mortgage servicers.

Criminal Referrals

The Program has a statutory duty to refer matters to the United States Attorney’s Offices for investigation and prosecution that “related to the occurrence of any action which may constitute a crime.” 28 U.S.C. § 586(a)(3)(F). The statute also requires that each United States Trustee shall assist the United States Attorney in carrying out prosecutions. The Program submits an annual report to the Congress which details the number and types of criminal referrals made by the Program. In FY 2013, the USTP made 2,074 criminal referrals.

*For more information on criminal referrals see the annual public reports to Congress:
http://www.justice.gov/ust/ea/public_affairs/reports_studies/index.htm*

Financial Fraud

The Program participates in the President’s Financial Fraud Enforcement Task Force (FFETF). The FFETF was established by President Obama in November 2009. The USTP is a member of the FFETF’s Mortgage Fraud Working Group, the Securities Fraud Working Group, and the Consumer Protection Working Group.

In FY 2012 the Program identified and referred a nationwide foreclosure rescue scam to its law enforcement partners. Glen Alan Ward pleaded guilty on April 8, 2013 in the Central District of California to aggravated identity theft and bankruptcy fraud in connection with a nationwide foreclosure rescue scam involving approximately 824 properties and at least 414 bankruptcy cases filed in 26 judicial districts. Ward solicited homeowners whose properties were in danger of foreclosure, promising to delay foreclosure for a monthly fee. The U.S. Trustee Program helped to uncover Ward’s scheme and provided substantial assistance to law enforcement in the matter. Two USTP Bankruptcy Analysts received an award from the Council of the Inspectors General on Integrity and Efficiency for their work in the case.

United States Trustee Program

Chapter 11 Oversight

In addition to monitoring and taking action on financial reports, disclosure statements, applications to employ professionals, and carrying out other Chapter 11 statutory duties required by 28 U.S.C. Section 586(a), the U.S. Trustee has responsibility for ensuring accountability by company management and professionals employed in chapter 11 cases in such areas as:

Executive Bonuses: The USTP reviews executive bonuses and other compensation for compliance with section 503(c) and is often the only participant in the bankruptcy case that is willing or well-positioned to seek enforcement of that section. In the 2005 bankruptcy reform law, Congress sought to curtail the practice of chapter 11 debtors' executives awarding themselves lavish bonuses during the bankruptcy case, which were often styled as "retention programs" that ostensibly dissuaded those executives from seeking employment elsewhere. In many cases, such as Borders, Inc., the U. S. Trustee's formal or informal objections have resulted in substantial voluntary changes to the debtor's proposed executive compensation programs. Courts have also sustained the U.S. Trustee's objections in cases such as Hawker Beechcraft (court denied \$5.3 million in incentive bonuses for eight executives), Fountainebleau Las Vegas Holdings (court denied incentive bonus payments of \$1.069 million) and GPX International Tire Corp (court denied bonuses of \$1.65 million to two senior executives).

Independent Trustees and Examiners: The Program's responsibilities in business reorganization cases also include such matters as the appointment of trustees when there are grounds to suspect that current management has participated in gross mismanagement, fraud, dishonesty, or other improper activity. The U.S. Trustee also seeks the appointment of examiners when independent investigations are needed. The U.S. Trustee has appointed independent examiners to investigate the financial affairs of the Tribune Company, Dynegy Holdings, LLC, and other chapter 11 debtors. U.S. Trustee also appointed Chapter 11 trustees in cases such as Rothstein Rosenfeld Adler (an out-of-trust law firm), M.W. Sewall (an oil company with highly-conflicted management), The Vaughan Company Realtors (where the debtor allegedly participated in a pre-bankruptcy Ponzi scheme involving approximately 600 investors with over \$80 million in claims being asserted) and MF Global (parent and affiliates of the commodities brokerage with an estimated \$1.2 billion in missing customer funds).

Professional Fee Guidelines: The USTP also focuses on compensation issues and continues to monitor professional fees in large chapter 11 cases at the time of retention. In an effort to enhance transparency in professional fees, in particular attorneys' fees in large chapter 11 cases, the USTP issued new attorney fee guidelines for large corporate reorganization cases. The Guidelines establish the standards that USTP offices are to follow in reviewing fee applications. These revisions seek information establishing that the fees charged by the bankruptcy lawyers are comparable to what non-bankruptcy lawyers would charge for work of similar complexity. Among additional guidelines are those seeking fee statements in computerized formats, seeking an increased use of and adherence to budgets, and seeking additional disclosures with respect to some potentially abusive billing practices. The USTP completed the Guidelines after conducting an extensive public comment process and issued the guidelines in June 2013. The guidelines were effective in cases filed on or after November 1, 2013.

United States Trustee Program

Appellate Practice and Challenges to the Bankruptcy Code

One of the Program's most important roles has been to develop consistent case law. The USTP is the only participant in the bankruptcy system with a national perspective and a responsibility to develop coherent case law in all jurisdictions. The USTP has been handling an increasing number of appeals, many of which may have a profound and long-standing effect on the bankruptcy system. In FY 2013, the Program participated in 119 appeals beyond the bankruptcy court, including nearly two dozen cases at the United States court of appeals level.

In addition, the Program devotes significant resources to ensure parties adhere to the Bankruptcy Code and other applicable statutes. Sophisticated parties in the larger bankruptcy cases frequently develop creative strategies to achieve their intended goals. Occasionally, these strategies run afoul of the Code and can sometimes place other stakeholders with fewer available resources at a significant disadvantage. The Program exercises discretion and does not seek to intervene in every instance, but Program attorneys will object to actions that undermine the integrity of the bankruptcy system.

Trustee Administration

The Program appoints and supervises private trustees, who are not government employees, to administer bankruptcy estates and distribute payments to creditors in cases filed under chapters 7, 12, and 13. At the end of FY 2013, the Program supervised the activities of 1,066 chapter 7 trustees, 42 chapter 12 trustees, and 180 chapter 13 trustees. The chapter 7 trustee collects the debtor's assets that are not exempt from creditors, liquidates the assets, and distributes the proceeds to creditors. Chapter 12 and chapter 13 trustees evaluate the financial affairs of the debtor, make recommendations to the court regarding confirmation of the debtor's repayment plan, and administer the court-approved plan by collecting payments from the debtor and disbursing the funds to creditors.

The Program instructs trustees concerning their duties to debtors, creditors, other parties in interest, and the U.S. Trustee; trains trustees and evaluates their performance; reviews their financial operations; ensures the effective administration of estate assets; and intervenes to investigate and recover the loss of estate assets when embezzlement, mismanagement, or other improper activity is suspected or alleged. During FY 2013, chapter 7 trustees administered about 70,700 asset cases that generated \$3.6 billion in funds, while chapter 12 and chapter 13 trustees administered almost 1.3 million cases and disbursed over \$7.4 billion.

United States Trustee Program

B. Performance Tables

1. PERFORMANCE AND RESOURCE TABLE												
Appropriation: United States Trustee Program												
Decision Unit: Administration of Cases												
DOJ Strategic Goal/Objective: 2.6 Protect the federal fisc and defend the interests of the United States.												
	Target		Actual		Projected		Changes		Requested (Total)			
	FY 2013		FY 2013		FY 2014		Current Services Adjustments & FY 2015 Program Changes		FY 2015 Request			
WORKLOAD/ RESOURCES												
Number of Chapter 7 Cases	1,072,000		735,524		711,500		29,500		741,000			
Number of Chapter 11 Cases	12,000		9,249		8,900		500		9,400			
Number of Chapter 12 Cases	850		392		500		0		500			
Number of Chapter 13 Cases	425,000		315,334		302,000		8,000		310,000			
Total Filings ¹	1,509,850		1,060,499		1,022,900		38,000		1,060,900			
Total Costs and FTE												
	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000		
TYPE / Strategic Objective	Performance /Resources		1,169	\$223,258	1,169	211,739	1,174	\$224,400	0	\$1,508	1,174	\$225,908
Program Activity	1. Civil Enforcement		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
			460	86,011	448	81,075	450	85,923	0	577	450	86,500
Efficiency Measure	No. of 707(b) Inquiries per successful outcome		7.0		4.7		7.0		0.0		7.0	
WORKLOAD/ RESOURCES												
Program Activity	2. Case and Trustee Administration		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
			742	138,613	721	130,664	724	136,477	0	931	724	139,408
Outputs	Number of successful actions related to consumer protection		2,200		4,018		2,400		0		2,400	
	Number of successful discharge complaints		600		551		600		0		600	
	Potential Additional Returns to Creditors through Civil Enforcement and Related Efforts		\$925,000,000		\$1,659,106,807		\$950,000,000		\$0		\$950,000,000	

1/ Totals exclude bankruptcy filings under chapters 9 and 15 that are not administered by the Program. FY 2014 estimated filings were updated to reflect May, 2013 projections. These updated projections differ from the FY 2014 President's Budget.

United States Trustee Program

Data Definitions:

Workload Number of cases: The number of bankruptcy cases filed. This data is provided by the Administrative Office of the U.S. Courts.

Chapter 7: A liquidation case. A trustee is appointed to sell the debtor's non-exempt assets and distribute the proceeds to creditors. Generally, absent fraud or abuse, the remaining debts are discharged.

Chapter 11: A reorganization case. The debtor usually remains in possession of its assets, continues to operate its business, and repays and/or readjusts debts through a plan that must be approved by creditors and the bankruptcy court. Chapter 11 cases are generally business cases.

Chapter 12: A debt adjustment case by a family farmer or family fisherman. The debtor usually remains in possession of its assets, continues to operate its business, and repays creditors, in part or in whole, through a court-approved chapter 12 plan over a period not to exceed 5 years.

Chapter 13: A debt adjustment case by an individual with regular income. The debtor retains property, but repays creditors, in whole or in part, through a court-approved chapter 13 plan over a period not to exceed 5 years.

PERFORMANCE MEASURE TABLE									
Appropriation: United States Trustee Program									
Decision Unit: Administration of Cases									
Performance Report and Performance Plan Targets		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015
		Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Efficiency Measure	No. of 707(b) inquiries per successful outcome	6.0	5.5	4.4	4.4	7.0	4.7	7.0	7.0
Outputs	Number of successful actions related to consumer protection	2,706	3,280	3,335	3,259	2,400	4,018	2,400	2,400
	Number of successful discharge complaints	512	517	586	557	600	551	600	600
	Potential Add'l. Returns to Creditors	\$1,090 M	\$2,415 M	\$2,539 M	\$1,982 M	\$950 M	\$1,659M	\$950 M	\$950 M

United States Trustee Program

C. Performance, Resources, and Strategies

1. Performance

In FY 2013, the United States Trustee Program conducted over 44,000 civil enforcement actions and made over 2,000 criminal referrals to law enforcement and the United States Attorneys. The Program participated in 119 appeals beyond the bankruptcy court, including nearly two dozen cases at the United States court of appeals level. Program staff reviewed approximately 141,000 trustees' final reports before funds were distributed to creditors and conducted 125 on-site audits of trustee operations to ensure they were compliant in their fiduciary responsibilities. During FY 2013, the USTP filed 3,813 motions to convert or dismiss chapter 11 cases and new guidelines pertaining to compensation of professionals in large chapter 11 cases were issued after a complex and sophisticated analysis and extensive outreach to bankruptcy stakeholders and the courts.

2. Resources: The U.S. Trustee System Fund

Since 1997, the Program has been fully funded through bankruptcy fees paid primarily by those who use the bankruptcy system. Two categories of fees generate most of the revenue for the U.S. Trustee System Fund ("Fund"). The first category is the filing fee paid at the inception of each case for chapters 7, 11, 12 and 13, and the second category is the quarterly fee paid by chapter 11 debtors. All fees are deposited in the Fund as offsetting collections and are available to the USTP as specified in Appropriations Acts.

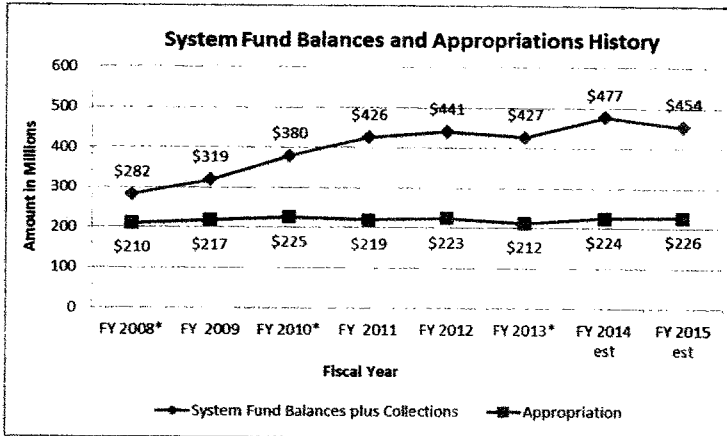
The following table reflects actual and projected revenue collected by source, for the period FY 2010 – FY 2015.

Bankruptcy Fees by Source	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Actual	FY 2014 Est.	FY 2015 Est.
Bankruptcy Filing Fees	\$121,696	\$110,529	\$94,073	\$81,374	\$109,880	\$82,275
Chapter 11 Quarterly Fees	\$155,210	\$155,810	\$139,289	\$126,948	\$150,509	\$117,268
Interest earnings on investments	\$798	\$1,005	\$652	\$902	\$1,000	\$1,000
Other	\$183	\$197	\$123	\$142	\$100	\$115
Total Deposits	\$277,887	\$267,541	\$234,137	\$209,366	\$261,489	\$200,658

The USTP appropriation has been fully covered by the Fund since 1997. From FY 2009 to FY 2012, the United States Trustee System Fund grew by \$125 million, and the U.S. Trustee System Fund ended FY 2013 with a balance of \$215 million. Consistent with the purpose of the Fund, excess fees are deposited during periods of increasing bankruptcy case filings and fee collections, and funds are withdrawn to cover the Program's appropriation during periods of declining case filings. Offsetting collections from bankruptcy fees exceed the Program's appropriation in most fiscal years.

United States Trustee Program

As the chart below shows, Fund balances plus offsetting collections comfortably exceed operating expenses. The chart compares the actual United States Trustee System Fund balance including current year estimated offsetting collections to appropriations for the fiscal years ended FY 2008 through FY 2013 and projections for FY 2014 and FY 2015.



* The FY 2008 and FY 2010 resource levels include \$20 million and \$5.2 million in prior year unobligated balances, respectively. The FY 2013 appropriation factors in sequestration reductions and rescissions.

3. Strategies to Accomplish Outcomes

The USTP mission is included in the DOJ Strategic Plan under Goal 2: Prevent Crime, Protect the Rights of the American people, and Enforce Federal Law, and Strategic Objective 2.6: Protect the federal fisc and defend the interests of the United States. The USTP achieves this objective through the following Program strategies:

a. Enforce compliance with federal bankruptcy laws and take civil actions against parties who abuse the law or seek to defraud the bankruptcy system.

The USTP's anti-fraud and abuse efforts focus on wrong-doing both by debtors and by those who exploit debtors. The USTP protects consumer debtors from wrongdoing by attorneys, bankruptcy petition preparers, creditors, and others by seeking a variety of remedies, including disgorgement of fees, fines, and injunctive relief.

United States Trustee Program

Debtor Abuse. The USTP combats debtor fraud and abuse primarily by seeking case dismissal if a debtor has an ability to repay debts and by seeking denial of discharge for the concealment of assets and other Bankruptcy Code violations. Civil enforcement actions include taking steps to dismiss abusive filings, deny discharges to ineligible or dishonest debtors and limit improper refilings.

Creditor Abuse. Addressing violations of the Bankruptcy Code by creditors, including national mortgage servicers, remains a top Program priority. The Program takes action to ensure the accuracy of creditor claims, protection of consumer personal information, and other compliance with the Code and Rules. The USTP investigates and takes civil enforcement action in cases involving allegations that mortgage servicers file inaccurate claims that debtors owe more money than they actually owe, that a default has occurred when there has been no default, or that the mortgage servicers have been adding additional and undisclosed charges that are not permitted under the terms of the loan contract. A representative of the United States Trustee Program serves as the Department's representative and co-chair on the Monitoring Committee comprised of representatives from the DOJ, HUD, state attorneys general and state mortgage regulatory agencies.

b. Pursue violations of federal criminal laws pertaining to bankruptcy by identifying, evaluating, referring, and providing investigative and prosecutorial support of cases.

The integrity of the bankruptcy system depends upon the honesty and truthfulness of all participants and deterring those who would abuse the system to defraud others. Integral to protecting the system, is the USTP's statutory responsibility to refer potential criminal activity to the U.S. Attorney and to provide assistance to law enforcement when appropriate; approximately 25 Program attorneys serve as Special Assistant U.S. Attorneys in their respective districts. In addition, Program staff dedicates significant time to assisting our law enforcement partners in the investigation and prosecution of bankruptcy fraud and related crimes. Referrals from the USTP cover a broad spectrum of criminal activity including bankruptcy fraud, mortgage rescue fraud, money laundering, investor fraud, identity theft, bank fraud, mail fraud, and wire fraud.

c. Promote the effectiveness of the bankruptcy system by appointing and regulating private trustees who administer bankruptcy cases expeditiously and maximize the return to creditors.

Pursuant to the Bankruptcy Code, the United States Trustee appoints and supervises private trustees to administer bankruptcy estates and distribute payments to creditors in cases filed under chapters 7, 12, and 13. Trustees have a fiduciary responsibility to the bankruptcy estate. It is a fundamental duty of the U.S. Trustee to regulate and monitor the activities of these private trustees, to ensure effective distribution of funds and compliance with standards put in place to safeguard those funds. The USTP selects and trains trustees and evaluates their overall performance and financial operations to ensure that cases are handled efficiently, effectively, and in accordance with applicable law and Program policy.

United States Trustee Program

d. Ensure financial accountability, compliance with the Bankruptcy Code, and prompt disposition of Chapter 11 bankruptcy cases.

The USTP monitors and takes enforcement actions in reorganization cases within its jurisdiction, ranging from small, single proprietorships to multi-billion dollar international conglomerates. Without substituting its judgment for that of parties with a monetary stake, the USTP focuses its attention on areas such as the following: filing motions and appointing trustees to replace management that engaged in egregious or improper activity; filing motions and appointing independent examiners to investigate the financial affairs of a debtor company; prescribing and monitoring financial reports to ensure that the debtor is not dissipating assets; filing enforcement motions to dismiss or convert to chapter 7 liquidation cases that are failing; reviewing applications to employ attorneys and other professionals to identify disqualifying conflicts of interest and objecting to employment if appropriate; appointing official committees of creditors to serve as fiduciaries acting on behalf of other creditors to negotiate a plan of reorganization; and reviewing and objecting to professional applications to ensure that fees do not exceed market rates and comply with other statutory requirements.

V. Program Increases by Item

The USTP does not anticipate any program increases in FY 2015.

VI. Program Offsets by Item

Item Name	Miscellaneous Program and Administrative Reductions
Strategic Goal:	2: Prevent Crime, Protect the Rights of the American people, and Enforce Federal Law
Strategic Objective:	2.6: Protect the federal fisc and defend the interests of the United States
Budget Decision Unit:	Administration of Cases
Organizational Program:	United States Trustee Program

Program Offset: Positions 0, Agt/Atty 0, FTE 0, Dollars \$3,002,000

Description of Item

Program and administrative reductions to be identified once funds are appropriated.



United States Trustee Program

Justification

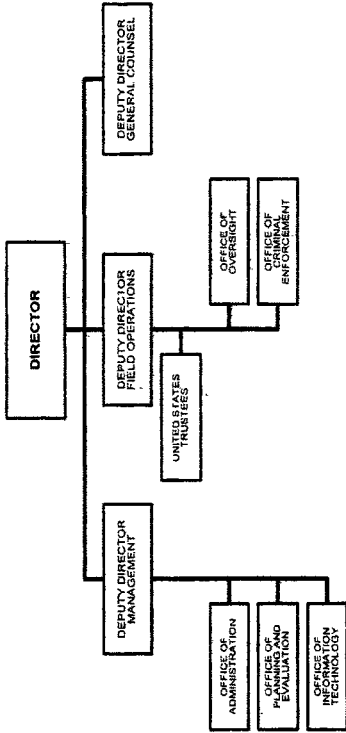
Reductions to existing operations and services are necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. The operations and services that will be reduced will be specified in spending plans after funds have been appropriated. Such reductions could include funds for travel, training, contracts, supplies, and other costs related to current operations.

Impact on Performance

Performance impact information is not yet available for this offset.

A: Organizational Chart

EXECUTIVE OFFICE FOR UNITED STATES TRUSTEES



The Principal or ranking Deputy is determined via an internal written designation by the Attorney General or other authorized official.

Approved by: 
Eric W. Wacker, Jr.
Attorney General

Date 11/26/12

B. Summary of Requirements

Summary of Requirements
United States Trustee Program
Salaries and Expenses
(Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted			
2013 Rescissions (1.877% & 0.2%)			223,258
2013 Sequester	1,314	1,169	-788
Total 2013 Enacted (with Rescissions and Sequester)			-11,231
2014 Enacted	1,314	1,169	211,739
Base Adjustments	1,314	1,174	224,400
Pay and Benefits			
Domestic Rent and Facilities	0	0	3,463
Other Adjustments	0	0	627
Total Base Adjustments	0	0	4,090
2015 Current Services	0	0	4,510
2015 Current Services	1,314	1,174	228,910
Program Changes			
Offsets:			
Miscellaneous Program and Administrative Reductions	0	0	-3,002
Subtotal: Offsets	0	0	-3,002
Total Program Changes	0	0	-3,002
2015 Total Request	1,314	1,174	225,908
2014 - 2015 Total Change	0	0	1,669

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
United States Trustee Program
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Administration of Cases	1,314	1,169	211,739	1,314	1,174	224,400			4,510	1,314	1,174	228,910
Total Direct	1,314	1,169	211,739	1,314	1,174	224,400	0	0	4,510	1,314	1,174	228,910
Balance Rescission			0			0			0			0
Total Direct with Rescission			211,739			224,400			4,510			228,910
Reimbursable FTE												
Total Direct and Reimb. FTE		1,169			1,174						1,174	
Other FTE: LEAP		0			0				0		0	
Overtime		0			0				0		0	
Grand Total, FTE		1,169			1,174				0		1,174	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Administration of Cases	0	0	0	0	0	-3,002	1,314	1,174	225,908
Total Direct	0	0	0	0	0	-3,002	1,314	1,174	225,908
Balance Rescission						0			0
Total Direct with Rescission						-3,002			225,908
Reimbursable FTE									
Total Direct and Reimb. FTE									
Other FTE: LEAP									
Overtime									
Grand Total, FTE		0			0			1,174	

C. Program Changes by Decision Unit

FY 2015 Program Changes by Decision Unit
United States Trustee Program
Salaries and Expenses
(Dollars in Thousands)

Program Offsets	Location of Description in Narrative	Administration of Cases			Total Offsets		
		Direct Pos.	Ag./ Atty.	Est. FTE Amount	Direct Pos.	Ag./ Atty.	Est. FTE Amount
Miscellaneous Program and Administrative Reductions	Page 21	0	0	0	0	0	0
Total Program Offsets		0	0	-3,002	0	0	-3,002

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective
United States Trustee Program
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Reauthorizer			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2016 Total Request		
	Direct/ Reimb PTE	Direct/ Amount		Direct/ Reimb PTE	Direct/ Amount		Direct/ Reimb PTE	Direct/ Amount		Direct/ Reimb PTE	Direct/ Amount		Direct/ Reimb PTE	Direct/ Amount		Direct/ Reimb PTE	Direct/ Amount	
Goal 2 Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law	1,159	211,739		1,174	224,400		1,174	228,910		0	0		0	-3,002	1,174		225,908	
2.6 Protect the federal tax and defend the interests of the United States	1,159	211,739		1,174	224,400		1,174	228,910		0	0		0	-3,002	1,174		225,908	
TOTAL	1,159	211,739		1,174	224,400		1,174	228,910		0	0		0	-3,002	1,174		225,908	

Note: Excludes Balance Rescission and/or Supplemental Appropriations.

Justifications for Technical and Base Adjustments
 United States Trustee Program
 Salaries and Expenses
 (Data in Thousands)

	Direct Pos.	Salaries PTE	Amount
Pay and Benefits			
1 2014 Pay Base: The requested increase for a proposed 1 percent pay raise to be effective 5/1/2014. The amount requested, \$1,120, represents the pay amount for 34 of the fiscal year plus appropriate benefits (\$65 for pay and \$250 for benefits).			1,120
2 Adjustment of 2014 Pay Base: The pay adjustments represent first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 budget. The pay adjustments represent \$250,000 (representing the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$250,000 for pay and \$80,000 for benefits)).			345
3 FERS Retirement Contributions: Effective October 1, 2014 (FY 2015), the new agency contribution rate increases to 13.2% (up from the current 11.9%, or an increase of 1.3%). The amount requested, \$1,445, represents the funds needed to cover this increase.			1,445
4 Health Insurance: Effective January 2015, the component's contribution for Federal employees' health insurance increases. The amount requested, \$245,000, provides for the increase.			245
5 Retirement: The requested contribution increase as employees under CSRS will be applied by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$275,000 is necessary to meet our increased retirement obligations as a result of this conversion.			275
Domestic Rent and Facilities			2,480
1 Domestic Rent: CSRS requested an increase to pay relocation costs associated with lease negotiations. This request provides for the costs associated with new office relocations caused by the migration of cases in FY 2015.			627
Subtotal: Domestic Rent and Facilities			627
Other Adjustments:			
1 Electronic Case Filing (ECF): The cost per page for documents viewed on the Electronic Case Filing (ECF) are scheduled to increase by 30% in FY 2015. This requested increase of \$400,000 provides for the rate increase.			400
Subtotal: Other Adjustments			400
Non-Personnel Related Decrease			
Subtotal: Non-Personnel			0
TOTAL DIRECT TECHNICAL AND BASE ADJUSTMENTS			4,310

Crosswalk of 2013 Availability
United States Trustee Program
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted			2013 Actual			2013 Actual			2013 Actual			2013 Actual			2013 Actual		
	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount
Administration of Cases	1,314	1,169	222,970	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Direct	1,314	1,169	222,970	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reimbursable FTE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Direct and Reimb. FTE	1,314	1,169	222,970	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other FTE:																		
LEAP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overtime	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total FTE	1,314	1,169	222,970	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Excluded:																		
1) The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.97% and 0.2% Reprogramming/Transfers. In FY 2013, the USPTP received a \$6,343 million transfer from the United States Marshals Service.																		

Carryover: The unobligated balance carried over from FY 2012 was used to fund the Program's continuing operations.
Recovery of prior year balances are used to fund the Program's continuing operations.

G. Crosswalk of 2014 Availability

Crosswalk of 2014 Availability
United States Trustee Program
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos	Estim. FTE	Amount
Administration of Cases	1,314	1,174	224,400	0	0	0	0	5,230	319		1,314	1,174	225,949
Total Direct	1,314	1,174	224,400	0	0	0	0	5,230	319		1,314	1,174	225,949
Reimbursable FTE		0			0							0	
Total Direct and Reimb. FTE		1,174			0							1,174	
Other FTE:													
LEAP	0	0			0							0	
Overtime	0	0			0							0	
Grand Total, FTE		1,174			0							1,174	

Carryover: Unobligated balance carried over from FY 2013 are used to fund the Program's continuing operations.

Recoveries/Refunds: Recovery of prior year balances are used to fund the Program's continuing operations.

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources
 United States Trustee Program
 Salaries and Expenses
 (Dollars in Thousands)

Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Office of Attorney Recruitment	0	0	0	3	0	0	7	0	0	7	0	0
Budgetary Resources	0	0	0	3	0	0	7	0	0	7	0	0

Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Administration of Cases	0	0	0	3	0	0	7	0	0	7	0	0
Budgetary Resources	0	0	0	3	0	0	7	0	0	7	0	0

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

United States Trustee Program
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
U.S. Trustees / Assistant U.S. Trustees ¹¹	118	0	0	0	0	0	0	0	0
Security Specialists (080)	2	0	2	0	0	0	0	2	0
Personnel Management (200-299)	10	0	10	0	0	0	0	10	0
Clerical and Office Services (300-399)	95	0	95	0	0	0	0	95	0
Bankruptcy Analysts (301)	245	0	245	0	0	0	0	245	0
Accounting and Budget (500-599)	19	0	19	0	0	0	0	19	0
Attorneys (900)	318	0	436	0	0	0	0	436	0
Paralegals / Other Law (900-998)	460	0	460	0	0	0	0	460	0
Contracting and Procurement (1102-1106)	4	0	4	0	0	0	0	4	0
Information Technology Mgmt (2210)	37	0	39	0	0	0	0	39	0
Mathematics & Statistics	2	0	2	0	0	0	0	2	0
Other (1160)	4	0	2	0	0	0	0	2	0
Total	1,314	0	1,314	0	0	0	0	1,314	0
Headquarters (Washington, D.C.)	125	0	125	0	0	0	0	125	0
U.S. Field	1,189	0	1,189	0	0	0	0	1,189	0
Total	1,314	0	1,314	0	0	0	0	1,314	0

Footnotes:

Footnotes:

ⁿ The USTP is working with the Department of Justice to reclassify the U.S. Trustee and Assistant U.S. Trustee (AUST) positions from the Miscellaneous Administration and Program Series (0301) to the General Attorney Series (0905) to reflect their primary duties as the legal and administrative management of an office.

J. Financial Analysis of Program Changes

Financial Analysis of Program Changes

United States Trustee Program
Salaries and Expenses
(Dollars in Thousands)

Grades	Program Offsets		Total Program Changes	
	Direct Pos.	Amount	Direct Pos.	Amount
SES	0	0	0	0
GS-15	0	0	0	0
GS-14	0	0	0	0
GS-13	0	0	0	0
GS-12	0	0	0	0
GS-11	0	0	0	0
GS-10	0	0	0	0
GS-9	0	0	0	0
GS-8	0	0	0	0
GS-7	0	0	0	0
GS-6	0	0	0	0
GS-5	0	0	0	0
Total Positions and Annual Amount	0	0	0	0
Lapse (-)	0	0	0	0
11.5 Other Personnel Compensation	0	0	0	0
Total FTEs and Personnel Compensation	0	0	0	0
13.0 Benefits for former personnel	0	0	0	0
21.0 Travel and Transportation of Persons				
22.0 Transportation of Things				
23.1 Rental Payments to GSA				
23.3 Communications, Utilities, and Miscellaneous Charges				
24.0 Printing and Reproduction				
25.1 Advisory and Assistance Services		-1,000		-1,000
25.2 Other Services from Non-Federal Sources		0		0
25.3 Other Goods and Services from Federal Sources		-1,000		-1,000
25.5 Research and Development Contracts		0		0
25.7 Operation and Maintenance of Equipment		0		0
26.0 Supplies and Materials		0		0
31.0 Equipment		-1,002		-1,002
Total Program Change Requests	0	-3,002	0	-3,002

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class
United States Trustee Program
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	1,155	119,228	1,158	123,344	1,158	125,851	0	2,507
11.3 Other than Full-Time Permanent	14	1,541	16	1,925	16	1,925	0	0
11.5 Other Personnel Compensation	0	0	0	0	0	0	0	0
Overtime	0	0	0	0	0	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	0	0	0	0	0	0	0
Total	1,169	120,769	1,174	125,269	1,174	127,776	0	2,507
Other Object Classes								
12.0 Personnel Benefits	36,984			37,307		40,649		3,342
13.0 Benefits for former personnel	60			10		10		0
21.0 Travel and Transportation of Persons	1,236			2,205		2,289		84
22.0 Transportation of Things	574			475		475		0
23.1 Rental Payments to GSA	27,632			27,067		27,067		0
23.2 Rental Payments to Others	0			0		0		0
23.3 Communications, Utilities, and Miscellaneous Charges	3,955			3,309		3,309		0
24.0 Printing and Reproduction	46			74		74		0
25.1 Advisory and Assistance Services	1,396			2,726		2,726		0
25.3 Other Services from Non-Federal Sources	1,878			2,033		2,033		0
25.3 Other Goods and Services from Federal Sources	15,759			16,367		16,767		400
25.4 Operation and Maintenance of Facilities	348			1,801		1,901		0
25.5 Research and Development Contracts	0			0		0		0
25.6 Medical Care	0			0		0		0
25.7 Operation and Maintenance of Equipment	474			429		429		0
25.8 Substance and Support of Persons	0			0		0		0
26.0 Supplies and Materials	821			1,009		1,045		36
31.0 Equipment	899			3,801		3,851		50
32.0 Land and Structures	737			737		737		0
41.0 Grants, Subsidies, and Contributions	0			0		0		0
42.0 Insurance Claims and Indemnities	0			0		0		0
Total Obligations	213,448			224,719		231,138		6,419
Subtract - Unobligated Balance, Start-of-Year	-549			-5,230		-5,230		0
Subtract - Transfers/Reprogramming	-5,343			0		0		0
Subtract - Recoveries/Refunds	-1,047			-319		0		319
Add - Unobligated End-of-Year, Available	5,230			5,230		0		-5,230
Total Direct Requirements	1,169	211,739	1,174	224,400	1,174	225,908	0	1,508
Reimbursable								
12.1 Department of Justice, Office of Attorney Loan Recruitment (Reimbursable)		3		7		7		0

Congressional Submission

FOREIGN CLAIMS SETTLEMENT COMMISSION

U.S. Department of Justice

FY 2015 PERFORMANCE BUDGET

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I. Overview for the Foreign Claims Settlement Commission

1. Introduction

The Foreign Claims Settlement Commission (FCSC) is a small, independent, quasi-judicial agency organized for administrative purposes within the Department of Justice that has a high profile and important mission in FY 2015: distribute to U.S. victims of international terrorism monies paid to the United States by foreign governments. Currently, the FCSC is adjudicating the claims of U.S. victims of Iraqi actions during the Saddam Hussein era; referred to the Commission by the Department of State by letter dated November 14, 2012 (Iraq has already paid to the United States approximately \$400 million to satisfy these claims). The Commission anticipates the referral of additional classes of claims by the Department of State under the Iraq Claims Settlement Agreement. Further, the Commission is continuing its adjudication of claims of U.S. victims of Libyan terrorism under a third referral from the Department of State dated November 27, 2013 pursuant to the Libya Claims Settlement Agreement. Based on the projected number of claims in both the Libyan and Iraqi programs and the complexity of issues associated with these claims, adjudication will continue through FY 2015. In addition, depending on the movement of events internationally, other, similar programs can be anticipated.

The Commission consists of a Chairman and two part-time Commissioners, who are appointed by the President and confirmed by the Senate, as well as legal and non-legal secretariat staff. The Chairman and the part-time Commissioners receive compensation at the Executive Level V rate of pay for performance of official business of the Commission. The work of adjudicating claims and awarding compensation is necessarily labor-intensive, requiring legal and factual research on the part of Commission staff, and adjudicatory work by the members of the Commission. The majority of the Commission's budget is necessary for personnel costs. The bulk of the remainder is for fixed costs, including rent and guard service. While the operating expenses of the Commission are appropriated from taxpayer funds, in virtually all instances, the legislation authorizing the adjudication of claims has provided for deduction of 5% of the funds obtained from foreign governments in settlement of the claims adjudicated by the Commission. This amount is deposited to the credit of miscellaneous receipts in the United States Treasury to defray administrative expenses. The Commission understands that approximately \$20 million has been so deposited into the Treasury from the funds obtained under the Libya Claims Program alone.

To date, the Commission has administered and completed 47 international and war-related claims programs involving claims against 19 countries: Yugoslavia, Panama, Bulgaria, Hungary, Romania, Italy, the former Soviet Union, the former Czechoslovakia, Poland, Cuba, China, the former German Democratic Republic, Vietnam, Ethiopia, Egypt, Iran, Albania, the Federal Republic of Germany, and Libya.

The Commission is prepared to provide any further information about the background of the Commission, its existing programs, and congressional interest in these programs.

Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>

2. Issues, Outcomes, and Strategies

In FY 2015, the Commission plans to continue its administration of the Libya Claims Program. This program resulted from the President's Executive Order 13477 dated October 31, 2008, implementing the U.S.-Libya Claims Settlement Agreement of August 14, 2008, as well as the Libyan Claims Resolution Act (LCRA), passed by Congress and signed into law on August 4, 2008. Pursuant to this Agreement and the LCRA, the government of Libya paid \$1.5 billion to the United States in order to provide immediate and fair compensation to U.S. nationals with terrorism-related claims against Libya. The Commission has thus far completed its adjudication of claims referred by the Department of State Legal Adviser's referral letters of December 11, 2008 and January 15, 2009 pursuant to 22 U.S.C. § 1623 (a)(1)(C) and has now begun its adjudication of claims under the State Department's letter of referral dated November 27, 2013.

In FY 2015, the Commission also plans to continue its administration of the Iraq Claims Program. On June 21, 2011, the Department of State issued a press release announcing a settlement with the Government of Iraq in the amount of \$400 million to provide compensation for American nationals who were prisoners of war, hostages, or human shields during the first Gulf War, and for U.S. servicemen who were injured in the 1987 attack on the USS Stark. On November 14, 2012, pursuant to its authority under 22 U.S.C. § 1623 (a)(1)(C), the Department of State referred a category of claims within the scope of the Iraq Claims Settlement Agreement to the Commission for adjudication and certification. The Commission is currently adjudicating claims under this referral. In addition, the Commission anticipates the receipt of additional referrals of classes of claims from the Department of State under the Iraq Claims Settlement Agreement.

Furthermore, the Commission will continue to have authority under the International Claims Settlement Act of 1949, as amended, and the 1995 United States-Albanian claims settlement agreement, to make awards in any additional claims against Albania that are filed. In addition, when appropriate, the Commission will continue to reopen and reconsider claims it had previously denied, taking into account the modification of the Albanian claims settlement agreement effected in 2006.

Additionally, the Commission will research and respond to requests for information concerning properties expropriated by the Castro regime in Cuba, in support of the Department of State's continuing implementation of Title IV of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (the "Helms-Burton Act"). The Commission continues to maintain and update a computerized database of some 13,000 records containing specific information on all of the claims adjudicated in its Cuban Claims Program. This database enables the Commission to respond more quickly and accurately to requests for information from the State Department and the general public.

Moreover, under the War Claims Act of 1948, as amended, the Commission will also continue to have authority to award compensation to any previously uncompensated American servicemen held as prisoners of war in Southeast Asia during the Vietnam conflict, or their survivors, for inadequate rations and inhumane treatment while in captivity.

In addition, the Commission will continue to furnish information contained in its records pertaining to the 47 completed international and war related claims programs it has conducted, as requested by claimants, their heirs, attorneys, researchers, and other members of the public. It

will also provide to other U.S. agencies technical advice on their policy determinations, participate in preliminary planning and evaluation of pending claims legislation, and coordinate with congressional committees considering legislation for adjudication of additional types of claims.

3. Challenges

External Challenges

The Commission's external challenges include the necessity of being continuously prepared for a workload dictated almost exclusively by changing international events, current and future claims programs enacted by Congress or referred to the Commission by the Department of State, and by the number of claims filed. This may require expansion of its staffing to meet the requirements of new programs. Its external challenges also include the need to notify and assist U.S. nationals in a timely fashion with filing and documenting their claims; familiarize them with the claims process; and respond efficiently to all inquiries by the public, Congress, and other federal agencies about current and past programs.

Internal Challenges

The Commission's internal challenges include maintaining and focusing the skills, expertise, and experience of its staff to assist U.S. nationals with claims against foreign governments, as well as to provide technical assistance in this area to the Department of State and other federal agencies upon request. At the same time, the Commission must continue its claims records modernization effort by improving and updating the information in its databases and on its website. The Commission intends to also concentrate efforts on increasing its transparency, by increasing the availability of its decisions and records to the public, particularly through electronic media.

4. Performance Challenges

The Commission is an independent agency. Its budget is fully integrated with its own priorities and corresponds to the Department's Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Miscellaneous Program and Administrative Reductions	Reductions to existing operations and services			-\$118	10

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, [\$2,100,000]
\$2,326,000.

Analysis of Appropriations Language

No substantive changes are proposed.

IV. Decision Unit Justification

A. Foreign Claims

<i>Foreign Claims</i>	Direct Pos.	Estimate FTE	Amount
2013 Enacted with Rescissions and Sequestration	11	8	\$1,896
2014 Enacted	11	8	\$2,100
Adjustments to Base and Technical Adjustments			\$344
2015 Current Services	11	8	\$2,444
2015 Program Offsets			-\$118
2015 Request	11	8	\$2,326
Total Change 2014-2015			\$226

1. Program Description

The Commission has a single Decision Unit, and its mission is to protect the property rights of U.S. citizens abroad and to promote the international rule of law through adjudication of claims brought by United States citizens against foreign governments.

The Commission currently pursues the following organizational goals:

- To adjudicate claims and award compensation for terrorism-related claims against Iraq pursuant to the U.S.-Iraq Claims Settlement Agreement.
- To adjudicate claims and award compensation for terrorism-related claims against Libya pursuant to the U.S.-Libya Claims Settlement Agreement and the Libyan Claims Resolution Act.
- To adjudicate claims and award compensation to previously uncompensated U.S. claimants for property losses in Albania.
- To research and respond to requests for information concerning decisions in the Commission's first and second Cuban Claims Programs in aid of the Department of State's continuing implementation of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (the "Helms-Burton Act").
- To be prepared to adjudicate upon enactment of authorizing legislation, or referral to the Commission by the Secretary of State a future program relating to Guam.
- Upon request, to assist the Department of State in negotiations for the settlement of claims against foreign governments.
- To award compensation to any previously uncompensated American POWs held in Southeast Asia during the Vietnam conflict, or their survivors, for inadequate rations and inhumane treatment while in captivity.
- To advise Congress and other agencies concerning potential future claims programs and to analyze and comment on pending legislation.
- To advise other agencies on policy determinations relating to the settlement of international claims.
- To assist the Department of the Treasury in making distributions on awards certified by the Commission.

- To provide executive departments and private attorneys with legal precedents issued by the Commission.
- To provide general information concerning past programs and to respond to requests about specific decisions the Commission has made on claims.
- To respond to FOIA requests from the public regarding claims programs.
- To maintain and continuously update a comprehensive database of pending and active claims programs to ensure it is accurate and useful to the public and other U.S. agencies.
- To maintain a Commission website that explains claims programs, with downloadable claims program instructions and claim forms as well as statistical and other information on past programs.

3. Performance, Resources, and Strategies

The Commission is an independent agency. Its budget is fully integrated with its own priorities and corresponds best to the Department's Strategic Goal 2: Protect the Rights of the American People, and Enforce Federal Law.

Performance Plan and Report for Outcomes

The Commission's activities are not included in the Department of Justice's performance plans or reports. However, in addition to its principal function of adjudicating claims of United States nationals against foreign governments, the Commission provides continuing informational services to claimants (and, where applicable, their legal successors) with regard to the 47 international and war claims programs it has concluded. It also provides advice to other Federal agencies on their policy determinations, preliminary planning, and evaluation of proposed legislation intended to authorize adjudication of claims of new categories of claimants, and liaison with congressional committees considering such legislation.

a. Strategies to Accomplish Outcomes

In FY 2015, the Commission will continue its administration of the Libya Claims Program which resulted from the President's Executive Order 13477 which implements the U.S.-Libya Claims Settlement Agreement and the Libyan Claims Resolution Act (LCRA).

Additionally, the Commission will continue to adjudicate categories of claims referred to it by the Department of State within the scope of the Claims Settlement Agreement Between the Government of the United States of America and the Government of the Republic of Iraq, signed on September 2, 2010, including claims for compensation for American nationals who were prisoners of war, hostages, or human shields during the first Gulf War.

Under the International Claims Settlement Act of 1949, as amended, and the 1995 U.S.-Albanian Claims settlement agreement and the 2006 modification of that agreement, the Commission will continue to have authority to make awards in any additional claims against Albania that may be filed.

The Commission will also research and respond to requests for information concerning properties expropriated by the Castro regime in Cuba, in support of the Department of State's Continuing implementation of Title IV of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (the "Helms-Burton Act"). In addition, the Commission will continue to engage in preliminary planning for a possible future program relating to Guam. The Commission will also provide, upon request, technical assistance to the Department of State in conducting government-to-government claims settlement negotiations.

Under the War Claims Act of 1948, as amended, the Commission will continue to have authority to award compensation to any previously uncompensated American servicemen held as prisoners of war in Southeast Asia during the Vietnam conflict, or their survivors, for inadequate rations and inhumane treatment while in captivity.

VI. Program Offsets by Item

Item Name: **Miscellaneous Program and Administrative Reductions**

Strategic Goal: 2.6

Strategic Objective: Protect the federal fisc and defend the interests of the United States

Budget Decision Unit(s): Foreign Claims

Organizational Program: Adjudication of Claims

Program Offset: Positions ____ Agt/Atty ____ FTE ____ Dollars **-\$118**

Description of Item

Program and administrative reductions to be identified once funds are appropriated.

Justification

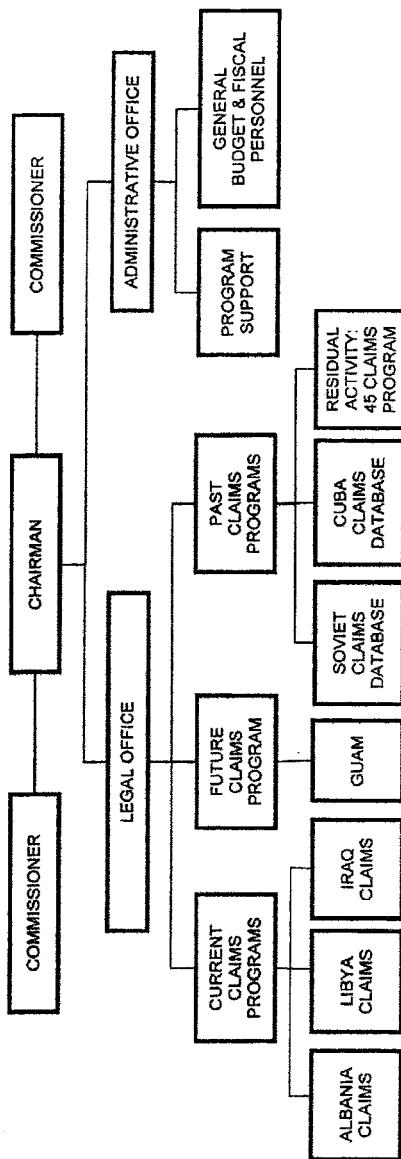
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Impact on Performance

Performance impact information is not yet available for this offset.

A: Organizational Chart

FOREIGN CLAIMS SETTLEMENT COMMISSION



Approved by: *[Signature]* Date: March 1, 2013
 Brian M. Simkins, CHIEF COUNSEL

B. Summary of Requirements

Summary of Requirements
 Foreign Claims Settlement Commission
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2015 Request	
	Direct Positions	FTE Amount
2013 Enacted	11	8 2,000
2013 Rescissions (1.877% & 0.2%)		-3
2013 Sequester		-101
Total 2013 Enacted (with Rescissions and Sequester)	11	8 1,996
2014 Enacted	11	8 2,100
Base Adjustments		
Pay and Benefits	0	0 44
Domestic Rent and Facilities	0	0 300
Total Base Adjustments	0	0 344
Total Technical and Base Adjustments	0	0 344
2015 Current Services	11	8 2,444
Program Changes		
Offsets:		
Miscellaneous Program and Administrative Reductions	0	0 -118
Subtotal, Offsets	0	0 -118
Total Program Changes	0	0 -118
2015 Total Request	11	8 2,326
2014 - 2015 Total Change	0	0 226

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
Foreign Claims Settlement Commission
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Adjudication of Claims	11	8	1,896	11	8	2,100	0	0	344	11	8	2,444
Total Direct	11	8	1,896	11	8	2,100	0	0	344	11	8	2,444
Balance Rescission			0			0			0			0
Total Direct with Rescission			1,896			2,100			344			2,444
Reimbursable FTE		0			0			0			0	
Total Direct and Reimb. FTE		8			8			0			8	
Grand Total, FTE		8			8			0			8	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Adjudication of Claims	0	0	0	0	0	-118	11	8	2,326
Total Direct	0	0	0	0	0	-118	11	8	2,326
Balance Rescission			0			0			0
Total Direct with Rescission			0			-118			2,326
Reimbursable FTE		0			0			0	
Total Direct and Reimb. FTE		0			0			8	
Grand Total, FTE		0			0			8	

C. Program Changes by Decision Unit

FY 2016 Program Changes by Decision Unit
Foreign Claims Settlement Commission
Salaries and Expenses
(Dollars in Thousands)

Program Offsets	Location of Description in Narrative	Foreign Claims			Total Offsets		
		Direct Pos.	Ag'l/ Atty.	Est. FTE Amount	Direct Pos.	Ag'l/ Atty.	Est. FTE Amount
Miscellaneous Program and Administrative Reductions	Pg. 19	0	0	0	-118	0	0
Total Program Offsets		0	0	0	-118	0	0

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective
Foreign Claims Settlement Commission
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester		2014 Enacted		2015 Current Services		2016 Increases		2016 Offers		2016 Total Request	
	Direct Reimb FTE	Direct Amount	Direct Reimb FTE	Direct Amount	Direct Reimb FTE	Direct Amount	Direct Reimb FTE	Direct Amount	Direct Reimb FTE	Direct Amount	Direct Reimb FTE	Direct Amount
Goal 2 Prevent Crime, Protect the Rights of the American People, and enforce Federal Law												
2.6 Protect the federal fisc and defend the interests of the United States	8	1,998	8	2,100	8	2,444	0	0	0	-118	8	2,326
		1,896	8	2,100	8	2,444	0	0	0	-118	8	2,326
TOTAL	8	1,896	8	2,100	8	2,444	0	0	0	-118	8	2,326

Note: Excludes Balance Rescission and/or Supplemental Appropriations.

E. Justification of Technical and Base Adjustments

Justifications for Technical and Base Adjustments
Foreign Claims Settlement Commission
Salaries and Expenses
(Dollars in Thousands)

	Direct Pay Req.	Estimate FTE	Amount
Pay and Benefits			
1 2015 Pay Raise. This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$10,000, represents the pay amount for six of the fiscal year plus appropriate benefit (\$3,000 for pay and \$2,000 for benefits).			10
2 Amendments of 2014 Pay Rates. This pay amendment represents first quarter amounts (October through December) of the 2014 pay increase of 1 percent included in the 2014 President's Budget. The amount requested \$4,000, represents the pay amount for 16 of the fiscal year plus appropriate benefit (\$3,000 for pay and \$1,000 for benefits).			4
3 FERS Based on Employment (Budgetary Continuity). Effective October 1, 2014 (FY 2015), the new agency contribution rate of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 3.8% for law enforcement personnel (up from the current 2.5%, or an increase of 2.3%). The amount requested, \$11,000, represents the funds needed to cover this increase.			11
4 Health Insurance. Effective January 1, 2015, the company's contribution to Federal employees' health insurance increases by 16.4 percent. The additional amount required is \$10,000.			16
5 Retirement. Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency Retirement Service's projections, the amount requested is \$10,000. The amount requested is \$10,000 per year. The amount requested is \$1,000 in January to meet our increased retirement obligations as a result of this conversion.			1
Domestic Rent and Facilities			
1 General Services Administration (GSA) Rent. GSA has increased the rent for the space occupied by the Commission from \$27,000 to \$37,000. The cost associated with GSA rent was derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as its costs of new space to be occupied. GSA provides data on rate increases.			37
2 Space Services. The Commission's management of Homeland Security (CHS) Federal Protective Service charges, Justice Protective Service charges and other security services across the country. The requested increase of \$1,000 is required to meet these commitments.			1
3 Travel (Lump Sum Expenditures). GSA requires all agencies to pay relocation costs associated with these expenditures. This request provides for the costs associated with new office relocations caused by the expiration of leases at FY 2015.			200
TOTAL DIRECT TECHNICAL AND BASE ADJUSTMENTS	0	0	344

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
Foreign Claims Settlement Commission
 Salaries and Expenses
 (Column in Thousands)

Program Activity	2013 Appropriation Enacted via Balance Reconciliation ¹			Supplementals			Balance Reconciliation			Sequester			Reprogramming/Transfers			Carryover		Reverses/ Refunds		2013 Actual		
	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	Direct Pos	Actual FTE	Amount	
Adjudication of Claims	11	8	1,897	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	11	8	1,898
Reimbursable FTE																						
Total Direct	11	8	1,897	0	0	0	0	0	0	0	0	-101	0	0	0	0	0	0	0	11	8	1,898
Total Direct and Reimb. FTE												-101	0	0	0	0	0	0	0			
Grand Total FTE		8		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	8	8	

¹ The 2013 Chemicals appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Crosswalk of 2014 Availability
Foreign Claims Settlement Commission
Salaries and Expenses
(Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recovered/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
Adjudication of Claims	11	8	2,100	0	0	0	0	0	0	0	11	8	2,100
Total Direct	11	8	2,100	0	0	0	0	0	0	0	11	8	2,100
Balance Reversion			0										0
Total Direct with Reversion			2,100										2,100
Reimbursable FTE		8	0		0	0	0	0	0	0		8	0
Total Direct and Reimb. FTE		8	0		0	0	0	0	0	0		8	0
Grand Total, FTE		8			0		0	0	0	0		8	

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category
Foreign Claims Settlement Commission
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Clerical and Office Services (300-399)	5	0	5	0	0	0	0	5	0
Accounting and Budget (500-599)	1	0	1	0	0	0	0	1	0
Attorneys (905)	4	0	4	0	0	0	0	4	0
Paralegals / Other Law (800-998)	1	0	1	0	0	0	0	1	0
Total	11	0	11	0	0	0	0	11	0
Headquarters (Washington, D C)	11	0	11	0	0	0	0	11	0
U.S. Field	0	0	0	0	0	0	0	0	0
Foreign Field	0	0	0	0	0	0	0	0	0
Total	11	0	11	0	0	0	0	11	0

Footnotes:

J. Financial Analysis of Program Changes

Financial Analysis of Program Changes
Foreign Claims Settlement Commission
Salaries and Expenses
(Column in Thousands)

Grades	Foreign Claims						Total Program Changes	
	Program Increase 1			Program Increase 2			Program Offsets	
	Direct Pos.	Amount	Pos.	Direct Pos.	Amount	Pos.	Direct Pos.	Amount
SES	0	0	0	0	0	0	0	0
GS-15	0	0	0	0	0	0	0	0
GS-14	0	0	0	0	0	0	0	0
GS-13	0	0	0	0	0	0	0	0
GS-12	0	0	0	0	0	0	0	0
GS-11	0	0	0	0	0	0	0	0
GS-10	0	0	0	0	0	0	0	0
GS-9	0	0	0	0	0	0	0	0
GS-8	0	0	0	0	0	0	0	0
GS-7	0	0	0	0	0	0	0	0
GS-6	0	0	0	0	0	0	0	0
GS-5	0	0	0	0	0	0	0	0
Total Positions and Annual Amount	0	0	0	0	0	0	0	0
Leave (1)	0	0	0	0	0	0	0	0
11.6 Other Personnel Compensation	0	0	0	0	0	0	0	0
Total FTEs and Personnel Compensation	0	0	0	0	0	0	0	0
13.0 Benefits for former personnel	0	0	0	0	0	0	0	0
21.0 Travel and Transportation of Persons	0	0	0	0	0	0	0	0
22.0 Transportation of Goods	0	0	0	0	0	0	0	0
23.1 Rental Payments to OSA	0	0	0	0	0	0	0	0
23.3 Communications, Utilities, and Miscellaneous Charges	0	0	0	0	0	0	0	0
24.0 Printing and Reproduction	0	0	0	0	0	0	0	0
25.1 Armory and Assistential Services	0	0	0	0	0	0	0	0
25.2 Other Services from Non-Federal Sources	0	0	0	0	0	0	0	0
25.3 Other Goods and Services from Federal Sources	0	0	0	0	0	0	0	0
25.5 Research and Development Contracts	0	0	0	0	0	0	0	0
25.6 Maintenance and Service of Equipment	0	0	0	0	0	0	0	0
26.0 Supplies and Materials	0	0	0	0	0	0	0	0
31.0 Equipment	0	0	0	0	0	0	0	0
Total Program Change Requests	0	0	0	0	0	0	0	-118
								-118

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class

Foreign Claims Settlement Commission

Salaries and Expenses

(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	7	952	7	1,205	7	1,216	0	11
11.3 Other than Full-Time Permanent	1	30	1	30	1	30	0	0
11.5 Other Personnel Compensation	0	0	0	0	0	0	0	0
Overtime	0	0	0	0	0	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	0	0	0	0	0	0	0
Total	8	982	8	1,235	8	1,246	0	0
Other Object Classes								
12.0 Personnel Benefits		264		328		359		33
13.0 Benefits for former personnel		0		0		0		0
21.0 Travel and Transportation of Persons		25		12		12		0
22.0 Transportation of Things		21		15		15		0
23.1 Rental Payments to GSA		298		385		422		37
23.2 Rental Payments to Others		0		0		0		0
23.3 Communications, Utilities, and Miscellaneous Charges		12		13		13		0
24.0 Printing and Reproduction		8		5		5		0
25.1 Advisory and Assistance Services		0		0		0		0
25.2 Other Services from Non-Federal Sources		188		95		240		145
25.3 Other Goods and Services from Federal Sources		11		0		0		0
26.0 Supplies and Materials		11		12		12		0
31.0 Equipment		11		2		2		0
Total Obligations		1,818		2,100		2,326		228
78		78		0		0		0
Add - Unobligated End-of-Year, Expiring	0	1,896	0	2,100	0	2,326	0	228
Total Direct Requirements								

Exhibit K - Summary of Re

ments by Object Class

**United States Marshals Service
FY 2015 Performance Budget
President's Budget Submission**

Salaries & Expenses and Construction Appropriations



March 2014

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I. Overview

A. Introduction

The United States Marshals Service (USMS) ensures the functioning of the federal judicial process by protecting members of the judicial family (judges, attorneys, witnesses, and jurors), providing physical security in courthouses, safeguarding witnesses, transporting and producing prisoners for court proceedings, executing court orders and arrest warrants, apprehending fugitives, and managing seized property. All USMS duties and responsibilities emanate from this core mission.

For FY 2015, the USMS requests a total of 5,554 positions, 4,134 Deputy U.S. Marshals, 19 Attorneys, 5,103 FTE (excluding reimbursable FTE), \$1,185,000,000 for the Salaries and Expenses (S&E) appropriation, and \$9,800,000 for the Construction appropriation. The USMS request for S&E includes \$33,832,000 in program offsets.

Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

B. Organizational History

The Judiciary Act of 1789 established the original 13 federal judicial districts and called for the appointment of a Marshal for each district. President Washington nominated the first Marshals and they were confirmed by the Senate on September 26, 1789.

The Attorney General began supervising the Marshals in 1861. The Department of Justice (DOJ) was created in 1870 and the Marshals have been under DOJ's purview since that time. The first organization to supervise Marshals nationwide, the Executive Office for United States Marshals, was established in 1956 by the Deputy Attorney General. DOJ Order 415-69 established the United States Marshals Service on May 12, 1969. On November 18, 1988, the USMS was officially established as a bureau within the Department under the authority and direction of the Attorney General with its Director appointed by the President. Prior to 1988, the Director of the USMS was appointed by the Attorney General.

The role of the U.S. Marshals has had a profound impact on the history of this country since the time when America was expanding across the continent into the western territories. With changes in prosecutorial emphasis over time, the mission of the USMS has transitioned as well. In more recent history, law enforcement emphasis has shifted with changing social mandates. Examples include:

- In the 1960s, Deputy U.S. Marshals (DUSMs) provided security and escorted Ruby Bridges and James Meredith to school following federal court orders requiring segregated Southern schools and colleges to integrate.
- In 1973, the Drug Enforcement Administration (DEA) was created resulting in a greater focus on drug-related arrests. The USMS immediately faced rapidly increasing numbers of drug-related detainees, protected witnesses, and fugitives.

- The Presidential Threat Protection Act of 2000 (P.L. 106-544) directed the USMS to provide assistance to state and local law enforcement agencies in the location and apprehension of their most violent fugitives. As a result, the USMS has increased the size and effectiveness of its regional and district-based fugitive apprehension task forces, thus providing a critical “force multiplier” effect that aids in the reduction of violent crime across the nation.
- The expansion of illegal immigration enforcement activities, including the implementation of Operation Streamline in 2005, which increased federal prosecutions of immigration offenders, resulted in a significant increase in the USMS’ prisoner and fugitive workload along the Southwest Border.
- With more resources dedicated to apprehending and prosecuting suspected terrorists, the USMS continues to meet the increasing demands for high-level security required for many violent criminal and terrorist-related court proceedings.
- The Adam Walsh Child Protection and Safety Act of 2006 (P.L. 109-248) strengthened federal penalties by making the failure to register as a sex offender a federal offense. This Act directs the USMS to “assist jurisdictions in locating and apprehending sex offenders who violate sex offender registry requirements.” In response, the USMS established the Sex Offender Investigative Branch (SOIB) and opened the National Sex Offender Targeting Center (NSOTC) to carry out its mission to protect the public by bringing non-compliant sex offenders to justice and targeting offenders who pose the most immediate danger to the public in general and to child victims in particular.
- The President signed the Child Protection Act (P.L. 112-206) into law on December 7, 2012. This law provides additional administrative authorities to prosecutors and law enforcement agencies to further combat sex crimes involving children, including administrative subpoena authority, to the USMS Director for cases involving unregistered sex offenders.

C. USMS Budget

The USMS receives both direct and reimbursable funding in support of its operations. In the FY 2014 enacted budget, the USMS received \$2,727,800 in direct funding, of which \$1,185,000,000 was in the S&E appropriation, \$9,800,000 in the Construction appropriation and \$1,533,000,000 in the Federal Prisoner Detention (FPD) appropriation. The USMS also receives reimbursable and other indirect resources from a variety of sources. Some of the larger sources include:

- The Administrative Office of the United States Courts (AOUSC) provides funding for administering the Judicial Facility Security Program;
- The Assets Forfeiture Fund (AFF) provides funding for managing and disposing seized assets;
- The Fees and Expenses of Witnesses (FEW) appropriation provides funding for securing and relocating protected witnesses; and

- The Organized Crime Drug Enforcement Task Force (OCDETF) provides funding for apprehending major drug case fugitives.

The USMS S&E budget is divided into five decision units. These decision units contain the personnel and funds associated with the following missions:

- **Judicial and Courthouse Security** – protects federal judges, jurors and other members of the federal judiciary. This mission is accomplished by anticipating and deterring threats to the judiciary, and the continual development and employment of innovative protective techniques.
- **Fugitive Apprehension** – conducts investigations involving: escaped federal prisoners; probation, parole and bond default violators; and fugitives based on warrants generated during drug investigations. In addition to these primary responsibilities, USMS task forces investigate and apprehend violent felony fugitives wanted by state and local authorities as well as international and foreign fugitives, gang members, and sex offenders.
- **Prisoner Security and Transportation** – moves prisoners between judicial districts, correctional institutions and foreign countries.
- **Protection of Witnesses** – provides for the security, health and safety of government witnesses and their immediate dependents whose lives are in danger as a result of their testimony against drug traffickers, terrorists, organized crime members and other major criminal.
- **Tactical Operations** – conducts special assignments and security missions in situations involving crisis response, homeland security and other national emergencies.

D. Strategic Goals

The USMS mission supports all three goals within the DOJ Strategic Plan. Goal I is to “Prevent Terrorism and Promote the Nation’s Security Consistent with the Rule of Law.” Objective 1.1 is to “Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement to achieve a coordinated response to terrorist threats.” The USMS supports this objective by:

- Conducting threat assessments and investigating incoming threats or inappropriate communications made against members of the judicial family; and,
- Assigning DUSMs to the Federal Bureau of Investigation (FBI) Joint Terrorism Task Forces to work terrorism cases and share information that may be critical to protect the federal judiciary.

Goal II is to “Prevent Crime, Protect the Rights of the American People and Enforce Federal Law.” Objective 2.2 is to “Prevent and intervene in crimes against vulnerable populations; uphold the rights of, and improve services to, America’s crime victims.” The USMS supports this objective by:

- Enforcing the Adam Walsh Child Protection and Safety Act of 2006.

Goal III is to “Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal, and International Levels.” The majority of USMS

resources are devoted to support Goal III. Objective 3.1 is to "Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs." Objective 3.2 is to "Protect judges, witnesses, and other participants in federal proceedings by anticipating, deterring, and investigating threats of violence." Objective 3.3 is to "Provide safe, secure, humane, and cost-effective confinement and transportation of federal detainees and inmates." Objective 3.5 is to "Apprehend fugitives to ensure their appearance for federal judicial proceedings or confinement." The USMS supports these objectives by:

- Protecting judges, prosecutors, and other participants in the federal judicial system;
- Securing federal court facilities and renovating courthouses to meet security standards;
- Investigating and apprehending federal, state, local and international fugitives impacting the reduction of violent crime;
- Transporting prisoners to court-ordered proceedings;
- Operating and maintaining the fleet of aircraft and ground transportation assets that comprise the Justice Prisoner and Alien Transportation System (JPATS);
- Protecting witnesses who provide testimony on behalf of the U.S. Government; and
- Providing tactical support for any Attorney General-directed missions, including natural disasters and civil disturbances.

E. Environmental Sustainability

In support of the DOJ Strategic Sustainability Plan dated June 28, 2013, the USMS has developed and implemented Environmental Management Programs for use at the Headquarters and all field offices. In accordance with Executive Order (EO) 13423, *Strengthening Federal Environmental, Energy, and Transportation Management*, and EO 13514, *Federal Leadership in Environmental, Energy, and Economic Performance*, the USMS has programs in place to ensure compliance with sustainable buildings, energy management, fleet, recycling, water conservation, as well as, electronic sustainability and stewardship through the Electronic Product Environmental Assessment Tool (EPEAT).

The USMS established FY 2011 as its baseline year to report annual Greenhouse Gas (GHG) emissions to DOJ for all forms of travel including fleet, personnel, and commuter; waste water treatment; and solid waste disposal. Since FY 2011, the USMS has decreased fuel usage by more than 12.5%; decreased business air and ground travel by 20 and 27.5% respectively; and reduced employee commuting emissions by 80%. In addition, the USMS reduced its contracted waste water usage by more than 27%, and reduced the amount of solid waste to landfills by 55%.

The USMS developed a Fleet Environmental Management Plan focusing on optimizing the number of vehicles in the fleet, and putting in place a process to purchase smaller, more fuel efficient, and flexible-fuel vehicles as older vehicles reach their end-of-life cycle.

F. Challenges

USMS mission responsibilities continue to grow, making effective planning essential to meeting all workload expectations. Most of these challenges fall into broad categories:

Detention

In FY 2013, the Office of the Federal Detention Trustee (OFDT) was merged under the USMS. The merger aligns the accountability of resources and the responsibility of federal detention operations under a single command and control structure within the USMS leadership. The USMS continues to expand upon OFDT's prior successes in achieving efficiencies, cost reductions and cost avoidance in detention through process and infrastructure improvements. The care of federal detainees in private, state and local facilities and the costs associated with these efforts are funded from the FPD account within the USMS.

FPD's resource needs are directly impacted by law enforcement and prosecutorial priorities. Currently, the challenges facing law enforcement officials at the Southwest Border (specifically, immigration-related issues) directly impact the detention population. As federal law enforcement officials increase their efforts to deal with these issues, the USMS must ensure sufficient detention space is available to house and care for the corresponding detainees. This objective is made even more challenging given the limited detention space available in the Southwest Border region. USMS will continue to explore new approaches to address the increase in the federal detention population resulting from aggressive immigration and other law enforcement initiatives. For additional information, please refer to the FY 2015 USMS FPD budget request.

Financial Management

The USMS transitioned to the Unified Financial Management System (UFMS) during the first quarter of FY 2013. UFMS enables program managers to streamline and standardize financial business processes that provide timely financial, budget, and acquisitions data; and address significant deficiencies by providing real-time tracking of the status of funds, along with the seamless integration of spending against budgets and plans. End-to-end visibility throughout the entire request-to-pay lifecycle is significantly improved, as is monitoring and oversight of projects by tracking costs incurred against reimbursable agreements. Productivity improvements are being realized with automated routing and approvals. UFMS provides effective audit tracking controls and drill down queries to support financial audits.

Some of the current activities include:

- Continuing to develop job aids and supplemental instructions for UFMS to ensure all financial staff are qualified for the financial tasks assigned to them.
- Maintaining operations of the UFMS Help Desk to provide users with technical support and assist in addressing policy issues.
- Continuing UFMS training through on-line Lync sessions, which are especially critical for providing uniform instruction across the 94 districts.
- Developing in-house reports to further enhance agency financial management and internal controls in areas such as open obligations and purchase card reconciliations.

- Improving the delivery of procurement and financial management services through the Austin Processing Center pilot program. This pilot, recently concluded, streamlines and reduces workload by centralizing financial processing and procurement transactions in 16 districts. With the success of this pilot program, the USMS plans to expand this initiative beginning in the second quarter of 2014. This expansion will encompass all 94 districts and additional financial and procurement areas.
- Preparing for migration to UFMS version 2.2 in 2014.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Miscellaneous Program and Administrative Reductions	Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, State Department charges, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.	0	0	(\$33,832)	60

III. Appropriations Language and Analysis of Appropriations Language

Appropriation Language

United States Marshals Service

Salaries and Expenses

For necessary expenses of the United States Marshals Service, \$1,185,000,000 of which not to exceed \$6,000 shall be available for official reception and representation expenses, and not to exceed \$15,000,000 shall remain available until expended.

Construction

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, \$9,800,000, to remain available until expended.

Analysis of Appropriation Language

No substantive changes proposed.

IV. Program Activity Justification

A. Judicial and Courthouse Security

Judicial and Courthouse Security	Direct Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequester	2,222	2,042	\$431,208
2014 Enacted	2,222	2,042	\$458,426
Adjustments to Base and Technical Adjustments	0	0	\$12,904
2015 Current Services	2,222	2,042	\$471,330
2015 Program Offsets	0	0	(\$13,533)
2015 Request	2,222	2,042	\$457,797
Total Change 2014-2015	0	0	(\$629)

Judicial and Courthouse Security (Construction)	Direct Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequester	0	0	\$9,793
2014 Enacted	0	0	\$9,800
Adjustments to Base and Technical Adjustments	0	0	\$0
2015 Current Services	0	0	\$9,800
2015 Request	0	0	\$9,800
Total Change 2014-2015	0	0	\$0

Judicial and Courthouse Security TOTAL	Direct Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequester	2,222	2,042	\$440,991
2014 Enacted	2,222	2,042	\$468,226
Adjustments to Base and Technical Adjustments	0	0	\$12,904
2015 Current Services	2,222	2,042	\$481,130
2015 Program Offsets	0	0	(\$13,533)
2015 Request	2,222	2,042	\$467,597
Total Change 2014-2015	0	0	(\$629)

1. Program Description

The **Judicial and Courthouse Security** decision unit encompasses personnel security (security protective detail for a judge or prosecutor) and building security (security equipment to monitor and protect a federal courthouse facility). Judicial security also includes maintaining security of prisoners in custody during court proceedings. DUSMs are assigned to 94 judicial districts (93 federal districts and the Superior Court for the District of Columbia) to protect the federal judicial system which handles a variety of cases including domestic and international terrorists, domestic and international organized criminal organizations, drug trafficking, gangs, and extremist groups. The USMS determines the level of security required for high-threat situations by assessing the threat level, developing security plans based on risks and threat levels, and assigning the appropriate security resources required to maintain a safe environment.

High-security, high-profile events require extensive operational planning and support from specially trained and equipped personnel due to the potential for additional terrorist attacks, threats from extremist groups, intense media attention, public concern, and global interest in these events. The complexity and threat levels associated with these cases require additional DUSMs for all aspects of USMS work.

Each judicial district and the 12 U.S. Circuit Courts are assigned a Judicial Security Inspector (JSI). These inspectors are senior-level DUSMs that have experience in every aspect of judicial security. The JSIs improve the USMS' ability to provide security due to their special experience in evaluating security precautions and procedures in federal courthouses. The inspectors assist with off-site security for judges, prosecutors, and other protectees. They also act as the USMS liaison with the Federal Protective Service (FPS) and the federal judiciary.

Protective Intelligence

The mission of the Office of Protective Intelligence (OPI) is to review and analyze intelligence and information related to the safety and security of members of the judiciary and USMS protectees. Pertinent information is disseminated to districts so appropriate measures can be put into place to protect the judicial process.

The USMS and FBI work together to assess and investigate all inappropriate communications received. The FBI has responsibility for investigating threats for the purpose of prosecution. The USMS conducts protective investigations that focus on rendering people who threaten harmless, regardless of the possibility for prosecution. The protective investigation involves the systematic discovery, collection, and assessment of available information. The goal of each investigation is to determine a suspect's true intent, motive, and ability to harm the targeted individual. The investigation includes a plan to render the suspect harmless with no risk to the targeted individual. These investigations are the USMS' highest priority.

Court Security

The USMS also manages the Court Security Officer (CSO) Program, funded through the Court Security Appropriation within the federal judiciary. There are over 5,000 CSO's who assist DUSMs and the FPS with building security. Their duties include: monitoring security systems, responding to duress alarms, screening visitors at building entrances, controlling access to garages, providing perimeter security in areas not patrolled by FPS, and screening mail and packages.

In addition to maintaining physical security of federal courthouses, the USMS installs and maintains electronic security systems in USMS-controlled space and develops and implements security system installation plans to protect new and renovated courthouses. These capabilities are critical to the safety of judicial officials, courtroom participants, the general public, and USMS personnel. USMS-controlled space includes holding cells adjacent to courtrooms, prisoner/attorney interview rooms, cellblocks, vehicle sally ports, prisoner elevators, USMS office space, and special purpose space. Cameras, duress alarms, remote door openers and all other security devices improve the security presence in prisoner-movement areas. When incidents occur, the USMS is equipped to record events, monitor personnel and prisoners, send additional staff to secure the situation, and identify situations requiring a tactical response.

2. Performance and Resources Tables

PERFORMANCE AND RESOURCES TABLE											
Decision Unit: Judicial and Courthouse Security											
RESOURCES		Target		Actual		Projected		Changes		Requested (Total)	
		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		2,128	\$431,208 (\$8,507)	2,109	\$455,695 (\$6,807)	2,125	\$458,426 (\$10,878)	0	-\$629 (\$0)	2,125	\$457,797 (\$10,878)
TYPE		PERFORMANCE		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
STRATEGIC OBJECTIVE											
Program Activity		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		2,128	\$431,208 (\$8,507)	2,109	\$455,695 (\$6,807)	2,125	\$458,426 (\$10,878)	0	-\$629 (\$0)	2,125	\$457,797 (\$10,878)
Performance Measure: Workload	1.1	1. Inappropriate Communications/Threats to Protected Court Family Members		1,374		1,155		1,198		1,209	
Performance Measure: Output	3.2	2. Threats to Protected Court Family Members Investigated		553		472		564		6	
Performance Measure: Output	1.1	3. Protective details required/provided to court family members		28		28		29		1	
Performance Measure: Output	3.2	4. Percent of federal courthouse facilities meeting minimum security standards **		See note**				Retired		Retired	
Performance Measure: Output		5. Potential threats to members of the judicial process: Total investigated		1,400		1,155		Retired		Retired	

** The USMS National Facility Assessment is conducted every 3 years with the last survey completed in 2009. The 2012 NFA survey was not completed and a new survey process is currently under review.

** The USMS National Facility Assessment is conducted every 3 years with the last survey completed in 2009. The 2012 NFA survey was not completed and a new survey process is currently under review.

PERFORMANCE AND RESOURCES TABLE

Decision Unit: Judicial and Courthouse Security

RESOURCES		PERFORMANCE	Target	Actual	Projected	Changes Current Services Adjustments and FY 2015 Program Changes	Requested (Total)
TYPE	STRATEGIC OBJECTIVE						
Performance Measure: Output		6. Protective details provided	600	500	Retired		Retired
Performance Measure: Output		7. Percentage/Number of potential threats assessed by the USMS Threat Management Center in one business day or less	100% 1,400	100% 1,155	Retired		Retired
Performance Measure: Outcome		8. Assaults against federal judges in the courtroom (when USMS presence is required by USMS Policy or local District Court rule)	0		Retired		Retired
Performance Measure: Outcome	1.1 3.2	9. Assaults against protected court family members *	0		0		0

* Denotes inclusion in the DOJ Quarterly Status Reports.

Data Definition, Validation, Verification, and Limitations:

Note: Indicators labeled as 'RETIRED' are discontinued in FY 2014.

Performance Measures - Workload:

1. Inappropriate communications/Threats to protected court family members:

- a. **Data Definition:** An inappropriate communication/threat is the number of protective investigations opened by district investigators based on any valid triggering event. A triggering event includes, but not limited to, either written and oral communications, or any activity of a suspicious nature.
- b. **Data Validation and Verification:** Numbers are calculated based on case reporting from the Justice Detainee Information System (JDIS) and are validated against the USMS' Judicial Security Division/Office of Protective Intelligence (JSD/OPI) case tracking records.
- c. **Data Limitations:** This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.

Performance Measures – Outputs, Efficiencies, and Outcomes

2. Threats to protected court family members investigated:

- a. **Data Definition:** The total number of protective investigations opened which are assessed as potential or high risk at some point during the investigation. These cases typically involve a variety of protective measures including but not limited to 24-hour continuous details, portal to portal details, security briefings, residential surveys, increased police patrols, etc.
- b. **Data Validation and Verification:** Numbers are calculated based on case reporting from JDIS and are validated against JSD/OPI case tracking records.
- c. **Data Limitations:** This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.

3. Protective details required/provided to court family members:

- a. **Data Definition:** A protective detail is a security assignment of 24 hours continuous detail and portal to portal protective details resulting from an inappropriate communication/threat.
- b. **Data Validation and Verification:** Numbers are calculated based on case reporting from JDIS and are validated against JSD/OPI case tracking records.
- c. **Data Limitations:** This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.

4. **Percent of federal courthouse facilities meeting minimum security standards (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

The USMS National Facility Assessment (NFA) has been administered four times: 1999, 2002, 2006 and 2009. In the most recent survey, results were based on 330 facilities having prisoner movement areas. Each facility was evaluated according to the USMS "Requirements and Specifications for Special Purpose and Support Space Manual," the "U.S. Courts Design Guide," and the Interagency Security Criteria. The security of each facility was graded on a 100 point scale, with 80 points being the score that met minimum security requirements. In the initial 1999 survey, only 6 percent of the facilities surveyed met the minimum security requirements. In 2006, 29 percent of the facilities surveyed met the minimum security requirements showing a 23 percent improvement in enhanced security over 7 years. In 2009, 32 percent of the facilities surveyed met the minimum security requirements showing only a 3 percent improvement in enhanced security.

5. **Potential threats to members of the judicial process: Total investigated (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

A potential threat is any explicit or implied communication with intent to assault, intimidate, or interfere with the federal judicial process which includes judges, prosecutors, witnesses, jurors, court staff, or their families. The communication may be written, oral, or any activity of a suspicious nature. All communications are investigated by both headquarters and the district offices and may lead to a protective detail. The USMS and FBI work together to assess and investigate all inappropriate communications received. The FBI has responsibility for investigating threats for the purpose of prosecution. The USMS conducts protective investigations that focus on mitigating threats and ensuring the safety of protectees and protected facilities, regardless of the possibility for prosecution. The protective investigation involves the systematic discovery, collection, and assessment of available information. The goal of each investigation is to determine a suspect's true motive, intent and ability to harm the targeted individual or facility. The investigation includes a plan to identify, assess and manage potential risk to the targeted individual or facility. These investigations are the USMS' highest priority.

6. **Protective details provided (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

A protective detail is a security assignment where a judge, or another member of the judicial system, is protected outside the courthouse. Protective details also involve security assignments for court-related events (such as sequestered juries or judicial conferences). Typically, personal security details are either 24 hours-a-day, 7 days-a-week, or are door-to-door (leave home until return home, or leave home until arrive at work), for the duration of a high-threat trial, a judicial conference, or other high-profile event warranting extra security. Additionally, Supreme Court Justice details are usually provided by a senior inspector whenever a

Justice travels outside of the Washington, D.C. area. The Justices frequently deliver speeches at public events around the country requiring protection from the airport to the site of the speech, up to 24-hour protection details. Security details for events are set at one of four levels: (Level 1) on-site security is already in place and no USMS personnel are required; (Level 2) on-site security detail is to be provided by the host district due to a determination of an anticipated security risk that presents opportunities for disruption and violence; (Level 3) a senior inspector supervises the security when the number of judges in attendance is significant, the location of the event is in an unsecured facility or in a dangerous area, and/or the nature of the event presents opportunities for disruption and violence; or (Level 4) a Supreme Court Justice or a significant number of judges are in attendance and the anticipated security risk is determined to present substantial opportunities for disruption and violence.

7. Percentage/Number of potential threats assessed by the USMS Threat Management Center in one business day or less (RETIRED): *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

Any potential threat directed toward a USMS protectee is given the highest priority and investigated immediately by a DUSM in the field. This information is forwarded to the Threat Management Center (TMC) and an initial assessment is performed by the TMC analysts. Based upon the DUSM's preliminary findings, and in conjunction with district management, the threat risk is classified into one of two categories: "Expedite" or "Standard." This categorization is for analysis purposes. The investigative report is sent to the Office of Protective Intelligence (OPI) at Headquarters while the investigation continues in the district. In some cases, the district has already initiated a protective detail. Upon receipt of the written report from the field, OPI immediately conducts an initial review and analysis, begins queries of USMS databases and databases of other law enforcement agencies, and applies the appropriate analytical tools. OPI then prioritizes and completes the process with computer-aided threat analysis software. A protective investigation classified as "Expedite" requires the OPI to have all analysis completed and reported back to the investigating district(s) within three business days. To be classified as "Expedite" it must meet one or more of the following criterion: the district has initiated a protective detail based on the "perceived" threat level; a suspect has approached a protectee's residence; other unsettling behavior has been observed at other locations; property has been vandalized; or a person is suspected of monitoring a USMS protected facility. When potential threats are from persons documented as being associated with terrorist organizations, or from individuals or groups that have a documented history of violence against the judicial process, they are also designated as "Expedite."

8. Assaults against federal judges in the courtroom (when DUSMs' presence is required by USMS Policy or local District Court rule) (RETIRED): *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

Assaults against federal judges in the courtroom (when DUSMs' presence is required by USMS Policy or local District Court rule) are the number of instances where a federal judge or magistrate was assaulted while DUSMs were in the courtroom. By USMS Policy or local District Court rule, DUSMs are not required to be present in every judicial proceeding where a federal judge or

magistrate is seated on the bench. In some instances, even defendants in criminal cases, who are not in USMS custody (out on bond) and where no potential threats are known, are in the courtroom without a DUSM present.

9. Assaults against protected court family members:

- a. **Data Definition:** Assaults against protected court family members are any criminal assaults motivated by the protectees status within the court family.
- b. **Data Validation and Verification:** Numbers are calculated based on case reporting from JDIS and are validated against JSD/OPI case tracking records.
- c. **Data Limitations:** This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.

		PERFOR										MEASURE TABLE				
Decision Unit: Judicial and Courthouse Security																
Strategic Objective	Performance Report and Performance Plan Targets		FY 2009		FY 2010		FY 2011		FY 2012		FY 2013		FY 2014		FY 2015	
	Performance Measure: Workload	Targets	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target
1.1 3.2	1. Inappropriate Communications/Threats to protected court family members		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1,374	1,155	1,198	1,209		
1.1 3.2	2. Threats to protected court family members investigated		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	553	472	564	570		
1.1 3.2	3. Protective details required/provided to court family members		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	28	28	29	30		
	4. Percent of federal courthouse facilities meeting minimum security standards **	Performance Measure: Output	29%	32%	32%	32%	32%	See note ***	See note ***				Retired	Retired		
	5. Potential threats to members of the judicial process: Total investigated	Performance Measure: Output	1,390	1,394	1,258	1,373	1,400	1,155	Retired	Retired						
	6. Protective details provided	Performance Measure: Output	473	523	551	529	600	500	Retired	Retired						
	7. Percentage of potential threats assessed by the USMS Threat Management Center in one business day or less	Performance Measure: Output	98%	96%	99%	100%	100%	100%	Retired	Retired						
	7. Number of potential threats assessed by the USMS Threat Management Center in one business day or less	Performance Measure: Output	1,348	1,340	1,250	1,373	1,400	1,155	Retired	Retired						
	8. Assaults against federal judges in the courtroom (when Deputy Marshals' presence is required by USMS Policy or local District Court rule)	Performance Measure: Outcome	0	0	0	0	0	0	Retired	Retired						
1.1 3.2	9. Assaults against protected court family members *	Performance Measure: Outcome	N/A	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0

N/A = Data unavailable

* Denotes inclusion in the DOJ Quarterly Status Reports.

** The USMS National Facility Assessment is conducted every 3 years with the last survey completed in 2009.

*** The 2012 NFA survey was not completed and a new survey process is currently under review.

3. Performance, Resources, and Strategies

The USMS maintains the integrity of the federal judicial system by: 1) ensuring that U.S. Courthouses, federal buildings, and leased facilities occupied by the federal judiciary and the USMS are secure and safe from intrusion by individuals and technological devices designed to disrupt the judicial process; 2) guaranteeing that federal judges, attorneys, defendants, witnesses, jurors, and others can participate in uninterrupted court proceedings; 3) assessing inappropriate communications and providing protective details to federal judges or other members of the judicial system; 4) maintaining the custody, protection, and security of prisoners and the safety of material witnesses for appearance in court proceedings; and 5) limiting opportunities for criminals to tamper with evidence or use intimidation, extortion, or bribery to corrupt judicial proceedings.

a. Performance Plan and Report for Outcomes

As illustrated in the preceding Performance and Resources Table, a performance outcome measure for this decision unit is assaults against protected court family members (when a protective detail is provided).

b. Strategies to Accomplish Outcomes

During high-risk, high-threat trials dealing with domestic and international terrorist-related and domestic and international organized criminal proceedings, the USMS security requirements increase. The USMS assesses the threat level at all high-risk proceedings, develops security plans, and assigns the commensurate security resources required to maintain a safe environment, including the possible temporary assignment of DUSMs from one district to another to enhance security. Where a proceeding is deemed high-risk, the USMS district staff and Judicial Security Inspectors develop an operational plan well in advance of when a proceeding starts.

B. Fugitive Apprehension

Fugitive Apprehension	Direct Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequester	1,744	1,602	\$375,812
2014 Enacted	1,744	1,602	\$399,353
Adjustments to Base and Technical Adjustments	0	0	\$10,813
2015 Current Services	1,744	1,602	\$410,166
2015 Program Offsets	0	0	(\$10,624)
2015 Request	1,744	1,602	\$399,542
Total Change 2014-2015	1,744	1,602	\$189

1. Program Description

The **Fugitive Apprehension** decision unit includes domestic and international fugitive investigations to include fugitive extraditions and deportations, sex offender investigations, technical operations, and the management and disposal of seized and forfeited assets.

Domestic and International Fugitive Investigations

Domestic Fugitive Investigations

The USMS is the federal government's primary agency for apprehending fugitives. In carrying out this responsibility, the USMS maintains a records of all federal arrest warrants and has the authority to investigate such federal, state, and local fugitive matters, both within and outside the borders of the United States, per Title 28 USC 566(e)(1)(B) *Powers and Duties*. In addition, the USMS provides assistance and expertise to other law enforcement agencies in support of their own fugitive investigations. The USMS 15 Most Wanted Fugitive Program prioritizes the investigation and apprehension of high-profile offenders who are considered to be some of the country's most dangerous fugitives. The USMS Major Case Fugitive Program supplements the successful 15 Most Wanted Fugitive Program. Much like its predecessor, the Major Case Fugitive Program prioritizes the investigation and apprehension of high-profile offenders who tend to be career criminals with a history of violence that pose a significant threat to public safety. Current and past fugitives targeted by this program include murderers, violent gang members, sex offenders, major drug kingpins, organized crime figures, and individuals wanted for high-profile financial crimes.

The USMS utilizes Regional Fugitive Task Forces (RFTFs) to locate and apprehend the most violent fugitives and to assist in high-profile investigations that identify criminal activities for future state and federal prosecutions. There are currently seven RFTFs. As part of the USMS Strategic Plan, the USMS has identified 11 additional regions where the establishment of a RFTF would be a true value-added initiative.

The USMS also presently sponsors and leads various multi-agency fugitive task forces throughout the country that focus their investigative efforts on felony fugitives wanted for federal, state, and local crimes of violence. This includes sex offenders, gang members, and drug traffickers. Additional funding outside of the USMS for these task forces is often granted through initiatives such as the Joint Law Enforcement Operations (JLEO) funding, which is administered by the DOJ Asset Forfeiture Fund, High Intensity Drug Trafficking Area (HIDTA) and Project Safe Neighborhoods programs.

International Fugitive Investigations

In addition to domestic investigations, the USMS has statutory responsibility for all international extraditions ensuring that there are no safe havens for criminals who flee the territorial boundaries of the United States. Globalization of crime, coupled with the immediate mobility of fugitives, requires an intensive effort to address the increasing number of fugitives who flee U.S. territorial boundaries. In order to effectively investigate, apprehend, and remove these fugitives back to the United States, the USMS has become a leader in the development of several international fugitive programs. The USMS Investigative Operations Division (IOD) manages foreign and international fugitive investigations, three foreign field offices, foreign law enforcement training, the Mexico and Canada Investigative Liaison programs, and the worldwide extradition program. IOD also oversees liaison positions at Interpol-United States National Central Bureau (USNCB), Office of International Affairs (OIA), the El Paso Intelligence Center (EPIC), and the Department of State-Diplomatic Security Service (DOS-DSS).

The IOD's International Investigations Branch (IIB) is responsible for processing, reviewing, and coordinating investigations concerning the pursuit and apprehension of international fugitives and foreign fugitives. The USMS defines international fugitives as "fugitives wanted in the United States who have fled to foreign countries to avoid prosecution or incarceration." The IIB staff coordinates international investigations with district field offices and other domestic law enforcement agencies to provide guidance and direction on the international process. The IIB also provides points of contact in foreign countries to facilitate these investigations. Additionally, it is responsible for oversight and coordination of the USMS Extraterritorial Investigations Policy. This policy sets forth the manner in which law enforcement activities are conducted outside of U.S. territorial jurisdiction. Through an agreement with the DOJ Criminal Division, the USMS is responsible for investigating foreign fugitive cases referred by Interpol, DOJ-OIA, other domestic law enforcement agents stationed overseas, and through foreign embassies in the United States.

Interaction with law enforcement agencies and representatives of foreign governments occurs daily. The United States has no jurisdiction outside of its borders; therefore, the IIB relies heavily on its working relationships with foreign countries. The IIB emphasizes relationships with foreign embassies in the Washington, D.C. area and, through district offices, with consulates around the United States. The IIB staff participates in the Washington, D.C.-based Liaison Officers Association, which is comprised of foreign law enforcement officials assigned to embassies in the United States. The USMS coordinates foreign fugitive cases with these offices, thereby expanding the network of foreign law enforcement resources available to the USMS.

Sex Offender Investigations

The USMS is the lead law enforcement agency responsible for investigating sex offender registration violations. The USMS has three distinct missions pursuant to the Adam Walsh Child Protection and Safety Act, including: (1) assisting state, local, tribal, and territorial authorities in the location and apprehension of non-compliant sex offenders; (2) investigating violations of 18 USC § 2250 and related offenses; and (3) assisting in the identification and location of sex offenders relocated as a result of a major disaster. The USMS carries out its duties in partnership with state, local, tribal, and territorial law enforcement authorities and works closely with the National Center for Missing and Exploited Children (NCMEC).

To further enhance its capabilities and support state and local partners, the USMS opened the National Sex Offender Targeting Center (NSOTC). The NSOTC has partnered with several agencies, including Interpol, the DOS-DSS, and Customs and Border Protection to identify Adam Walsh Act violations by tracking sex offenders who travel in and out of the United States and fail to comply with the mandated registration requirements. The NSOTC has also created an initiative with the DOD's Military Correctional Branch to expand their notification procedures to include the NSOTC when military convicted sex offenders are released, which will allow enforcement officials to better identify non-compliant sex offenders for arrest and prosecution. SOIB activities also support the DOJ's National Strategy for Child Exploitation Prevention and Interdiction.

Technical Operations

The USMS' Technical Operations Group (TOG) provides the USMS, other federal agencies, and requesting state or local law enforcement agencies with the most timely and technologically advanced electronic surveillance and investigative intelligence available in the world. Annually, TOG assists hundreds of other federal, state, and local law enforcement agencies in support of thousands of the nation's most critical and time-sensitive investigations. TOG operates from eight Regional Technical Operations Centers (RTOCs) and 21 field offices throughout the United States and Mexico. TOG is comprised of approximately 100 personnel, including technically trained criminal investigators, investigator-pilots, intelligence analysts, and administrative specialists. The RTOCs are strategically deployed in the major metropolitan areas throughout the United States. TOG is comprised of two branches that work synergistically: the Electronic Surveillance Branch (ESB) and the Air Surveillance Branch (ASB).

The ESB provides state-of-the-art electronic surveillance assistance in fugitive investigations in response to the criminal element's increasing reliance on technology to continue criminal enterprise and flight. ESB deploys sophisticated commercial and sensitive technical surveillance technologies for the interception of hard line and cellular telecommunications, Wi-Fi collection and emitter location, Global Positioning System (GPS) and Radio Frequency (RF) tagging/tracking, computer and cellular exploitation and on-scene forensic extraction, photo/video surveillance, and Technical Surveillance and Countermeasure (TSCM) sweeps to detect surreptitious monitoring devices.

ASB provides aerial support to the various missions of the USMS with seven specially-equipped fixed wing aircraft outfitted with advanced avionics, surveillance, and communications capabilities. The aircraft and pilots are co-located with the RTOCs to provide a variety of Investigative, Surveillance, and Reconnaissance capabilities that include still and motion aerial imagery and enhancement, aerial RF beacon tracking, mobile communication command and control, and electronic surveillance package deployment in support of fugitive investigative missions.

Due to TOG's unique ability of identifying and locating persons of interest to the United States by way of electronic surveillance and technical operations, TOG is the sole USMS liaison to the U.S. Intelligence Community (IC) with respect to Signal Intelligence (SIGINT), Measurement & Signature Intelligence (MASINT), Imagery Intelligence (IMINT), Electronic Intelligence (ELINT), and Communications Intelligence (COMINT). Additionally, TOG shares its investigative Tactics, Techniques, and Procedures (TTP) with certain members of the IC and

DOD. This collaborative effort has allowed all participants to enhance their capabilities and mission readiness.

Seizure of Assets

The USMS administers the DOJ Asset Forfeiture Program (AFP), which is one of DOJ's most potent weapons against criminal organizations including complex drug organizations, terrorist networks, organized crime, and money laundering groups. The three goals of the AFP are to: (1) strip criminals of money or other possessions acquired in a dishonest or illegal fashion; (2) improve law enforcement cooperation; and (3) enhance law enforcement through equitable revenue sharing. The USMS manages and disposes of assets seized and forfeited by participating federal law enforcement agencies (including DEA, FBI, ATF, FDA, and U.S. Postal Inspection Service) and U.S. Attorneys nationwide.

To proactively identify additional assets and determine forfeiture ability of targeted assets, DUSMs (1811 Financial Investigators) from the Assets Forfeiture Fund (AFF) work exclusively in the USMS AFP. These positions are in addition to those DUSMs who are currently performing AFF-related duties and funded through the USMS Salaries and Expenses (S&E) appropriation.

The USMS conducts pre-seizure planning, which is the process of determining the assets to be targeted for forfeiture and executing court orders for seizures or taking physical custody of assets. The USMS conducts pre-seizure planning with other law enforcement components, executes court orders, and assists in the physical seizure and security of the assets. A national cadre of USMS employees manages and disposes of most assets seized for forfeiture by utilizing successful procedures employed by the private sector. All seized properties are carefully inventoried, appraised, and maintained. Once the assets are forfeited, the USMS ensures that they are disposed of in a timely and cost efficient manner utilizing best business practices. Equitable sharing with participating state and local law enforcement agencies is performed upon completion of forfeiture, where applicable:

PERFORMANCE AND RESOURCES TABLE								
Decision Unit: Fugitive Apprehension								
RESOURCES		STRATEGIC OBJECTIVE	PERFORMANCE	Target	Actual	Projected	Changes Current Services Adjustments and FY 2015 Program Changes	Requested (Total)
Performance Measure: Output	3.1	6. Percent of asset value returned to the fund *	FY 2013	75%	FY 2013	FY 2014	0%	FY 2015 Request
Performance Measure: Efficiency	3.1	7. Percent of All Other Assets disposed within procedural time frames *		60%	57%	60%	0%	
Performance Measure: Outcome		8. Number of primary violent federal felony fugitives apprehended or cleared		14,690	16,259	Retired		Retired
Performance Measure: Outcome		9. Number of violent state and local felony fugitives apprehended or cleared		54,623	51,543	Retired		Retired
Performance Measure: Efficiency		10. Number of primary violent federal and violent non-federal felony fugitives apprehended or cleared per full cost FTE		39	39	Retired		Retired
Performance Measure: Efficiency		11. Number of primary federal felony fugitives and state and local felony fugitives apprehended or cleared per full cost FTE		73	76	Retired		Retired
Performance Measure: Output		12. Number of assets disposed: a. Real Property b. Cash c. Other		19,270 316 12,740 6,214	21,858 342 14,379 7,137	Retired		Retired
Performance Measure: Efficiency		13. Percent of real property assets sold at 85% or more of its fair market value		73%	77%	Retired		Retired

Denotes inclusion in the DOJ Quarterly Status Reports.

* Denotes inclusion in the DOJ Quarterly Status Reports.

PERFORMANCE AND RESOURCES TABLE

Decision Unit: Fugitive Apprehension

RESOURCES		PERFORMANCE	Target	Actual		Projected	Changes Current Services Adjustments and FY 2015 Program Changes	Requested (Total)
TYPE	STRATEGIC OBJECTIVE			FY 2013		FY 2014		FY 2015 Request
Performance Measure: Efficiency		14. Percent of real property assets disposed within one year of receipt of the forfeiture documentation	67%			Retired		Retired
Performance Measure: Outcome		15. Number of AWA investigations opened by full-time District SOICs (Sex Offender Investigation Coordinator)	1,370			Retired		Retired
Performance Measure: Outcome		16. Number of primary violent federal felony and violent non-federal felony fugitives apprehended or cleared	69,313			Retired		Retired
Performance Measure: Outcome		17. Number and Percent of primary federal felony fugitives apprehended or cleared	34,765	34,470	60%	Retired		Retired
Performance Measure: Outcome	3.5	18. Number of USMS federal and egregious non-federal fugitives apprehended/cleared	101,753	104,651		104,638	1,047	105,685
Performance Measure: Outcome	3.5	19. Number and Percent of USMS federal fugitives apprehended/cleared*	31,388	32,811	64%	30,711	307	31,018
			58%			58%	0%	58%

* Denotes inclusion in the DOJ Quarterly Status Reports.

Data Definition, Validation, Verification, and Limitations:

Note: Indicators labeled as 'RETIRED' are discontinued in FY 2014.

Performance Measures - Workload:

1. **Federal fugitives (warrants) Workload:**
 - a. **Data Definition:** Wanted fugitives include all those wanted at the beginning of the fiscal year, plus all fugitive cases received by the USMS throughout the fiscal year. Fugitives with multiple warrants are counted once.
 - b. **Data Validation and Verification:** Warrant and fugitive data is verified by a random sampling of National Crime Information Center (NCIC) records generated by the FBI. The USMS coordinates with district offices to verify that warrants are validated against the signed paper records. The USMS then forwards the validated records back to NCIC.
 - c. **Data Limitations:** This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.
2. **Number of assets in inventory Workload:**
 - a. **Data Definition:** The number of assets currently in USMS custody that are pending forfeiture decision/disposal instructions.
 - b. **Data Validation and Verification:** Assets are recorded by seizing agencies and verified by District Offices. Data is entered by individuals in District Offices and Headquarters and is audited by internal and external controls.
 - c. **Data Limitations:** Data are estimates based upon the date extracted as data entry in the Consolidated Asset Tracking System (CATS) is a continuous process.

Performance Measures – Outputs, Efficiencies, and Outcomes

3. **Number of federal warrants cleared:**
 - a. **Data Definition:** A warrant is considered cleared if the fugitive is arrested, has a detainer issued, or the warrant is dismissed.
 - b. **Data Validation and Verification:** Warrant and fugitive data is verified by a random sampling of National Crime Information Center (NCIC) records generated by the FBI. The USMS coordinates with district offices to verify that warrants are validated against the signed paper records. The USMS then forwards the validated records back to NCIC.
 - c. **Data Limitations:** This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.
4. **Non-compliant Sex Offender Investigations:**
 - a. **Data Definition:** Includes investigations of violators of the Adam Walsh Child Protection and Safety Act that reach the level of the Attorney General's Guidelines for Conducting Domestic Investigations.

- b. **Data Validation and Verification:** Annual Office of Inspections (OI) Self-Assessment Guide (SAG) review of files vs. the database. OI also conducts 10 annual in-person inspections of Districts and Divisions each year.
- c. **Data Limitations:** Data entry often lags behind operations causing a delay in timely and accurate information. This lag varies by office size, staffing and other intangibles.

5a. Number of assets disposed (Cash):

- a. **Data Definition:** The number listed for "Cash" signifies the total separate cash asset IDs in USMS custody.
- b. **Data Validation and Verification:** Data is entered by individuals in District Offices and Headquarters and is audited by internal and external controls
- c. **Data Limitations:** Data are estimates based upon the date extracted as data entry in the CATS is a continuous process.

5b. Number of assets disposed (Complex Assets):

- a. **Data Definition:** The number listed for "Complex Assets" signifies the sum of total assets categorized as "Commercial Business," "Financial Instrument," or "Intangible Asset."
- b. **Data Validation and Verification:** Assets are recorded by seizing agencies and verified by District Offices. Data is entered by individuals in District Offices and Headquarters and is audited by internal and external controls.
- c. **Data Limitations:** Data are estimates based upon the date extracted as data entry in the CATS is a continuous process.

5c. Number of assets disposed (All Other Assets):

- a. **Data Definition:** The number listed for "All Other Assets" signifies the sum of assets disposed minus "Cash" and "Complex Assets."
- b. **Data Validation and Verification:** Assets are recorded by seizing agencies and verified by District Offices. Data is entered by individuals in District Offices and Headquarters and is audited by internal and external controls.
- c. **Data Limitations:** Data are estimates based upon the date extracted as data entry in the CATS is a continuous process.

6. Percent of asset value returned to the fund:

- a. **Data Definition:** The percent of asset value returned to the fund is calculated by the value collected from the asset at disposal, less maintenance fees, victim payments and equitable sharing; divided by the value collected from the asset at disposal.
- b. **Data Validation and Verification:** Assets are recorded by seizing agencies and verified by District Offices. Data is entered by individuals in District Offices and Headquarters and is audited by internal and external controls.
- c. **Data Limitations:** Data are estimates based upon the date extracted as data entry in the CATS is a continuous process.

7. Percent of All Other Assets disposed within procedural time frames:

- a. **Data Definition:** The number listed for "percent of all other assets disposed" signifies the total assets disposed within procedural timeframes.

- b. **Data Validation and Verification:** Data is an estimation based upon the date extracted as data entry in CATS is a continuous process.
- c. **Data Limitations:** Data are estimates based upon the date extracted as data entry in the CATS is a continuous process.
8. **Number of primary violent federal felony fugitives apprehended or cleared (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*
 - a. **Data Definition:** A primary violent federal felony fugitive is any individual that has a warrant where the offense code, or the original offense code (for those wanted for supervisory violations), is for Non-Negligent Homicide, Rape, Aggravated Assault, or Robbery, or if the fugitive has an arrest or conviction in their criminal history for any of these 4 crimes, or if the fugitive is designated by the DEA as a violent offender. Also, all sex offenses as defined in the Adam Walsh Child Protection and Safety Act of 2006 (AWA), as well as violations of sex offender registration laws, are considered violent crimes. All fugitives reported in this measure are the primary apprehension responsibility of the USMS.
9. **Number of violent state and local felony fugitives apprehended or cleared (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*
 - a. **Data Definition:** A violent state and local felony fugitive is any individual that has a warrant where the offense code, or the original offense code (for those wanted for supervisory violations), is for Non-Negligent Homicide, Rape, Aggravated Assault, or Robbery, or if the fugitive has an arrest or conviction in their criminal history for any of these 4 crimes, or if the fugitive is designated by the DEA as a violent offender. Also, all sex offenses as defined in the AWA, as well as violations of sex offender registration laws, are considered violent crime. This measure includes violent felony state and local fugitives that were cleared in conjunction with state, local, and other federal law enforcement assistance through USMS-led task forces and warrant squads. These individuals are not wanted for federal charges.
10. **Number of primary violent federal and violent non-federal felony fugitives apprehended or cleared per full cost Full-Time Equivalent (FTE) (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*
 - a. **Data Definition:** The total number of primary violent federal fugitives cleared, and state and local violent felony fugitives cleared through USMS-led task forces and warrant squads in a year, is divided by the full-cost FTEs identified in the fugitive apprehension decision unit. A full-cost FTE is comprised of two portions: the FTE associated with investigations and apprehension, and the prorated portion of overhead FTE that support the DUSMs. Overhead FTE (as in procurement, budget, management, human resources, and network support) is included so that the complete effort involved with fugitive apprehension is displayed.

11. Number of primary federal felony fugitives and state and local felony fugitives apprehended or cleared per full cost FTE (RETIRED): *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

- a. **Data Definition:** A primary federal felony fugitive has a warrant(s) in which the USMS has primary apprehension responsibility. These include escapes from federal custody, supervisory violations, provisional warrants issued at the request of foreign governments, warrants issued by other federal agencies that do not have arrest power, and other federal law enforcement agencies' warrants that are referred to the USMS for apprehension responsibility. A fugitive is considered cleared if the fugitive is arrested, has a detainer issued, or the warrant is dismissed. A state and local felony fugitive is a fugitive with a state or local felony warrant. The total number of primary federal felony fugitives cleared and state and local felony fugitives cleared through USMS-led task forces and warrant squads, in a year, is divided by the full-cost FTEs identified in the fugitive apprehension decision unit. A full-cost FTE is defined in measure.

12a. Number of assets disposed (real property) (RETIRED): *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

- a. **Data Definition:** The number of real property assets disposed each year is symptomatic of current national trends and real estate sales.

12b. Number of assets disposed (cash) (RETIRED): *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

- a. **Data Definition:** The number listed for "cash" signifies the total separate cash assets in USMS custody.

12c. Number of assets disposed (other) (RETIRED): *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

- a. **Data Definition:** "Other" assets include: businesses, business inventory, financial instruments, aircraft, jewelry, vessels, vehicles, and heavy machinery.

13. Percent of real property assets sold at 85% or more of its fair market value (RETIRED): *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

- a. **Data Definition:** The percent of real property assets that sold for more than 85 percent of its fair market value is based on the total number of real property assets sold in the fiscal year. Sale prices are set based on market analysis with 30, 60, 90 day reviews with Contracting Officer's Representative (COR) ability to change sales price as needed in order to expedite the sale and lessen time in inventory.

14. **Percent of real property assets disposed within one year of receipt of the forfeiture documentation (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*
 - a. **Data Definition:** The time frame set by the USMS for disposal of real property is 12 months (365 days) based on the best practices of the real estate industry.
15. **Number of AWA investigations opened by full-time District SOICs (Sex Offender Investigation Coordinator) (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*
 - a. **Data Definition:** This measure includes all AWA investigations that reach the level of the Attorney General's Guidelines for Conducting Domestic Investigations.
16. **Number of primary violent federal Felony and violent non-federal felony fugitives apprehended or cleared (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*
 - a. **Data Definition:** This measure combines measures 1 and 2 to provide the total of violent fugitives apprehended or cleared.
17. **Number and Percent of primary federal felony fugitives apprehended or cleared (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*
 - a. **Data Definition:** The percent cleared is calculated by taking the number of cleared fugitives divided by the sum of received fugitives (fugitives that had a warrant issued during the fiscal year) and on-hand fugitives (fugitives that had an active warrant at the beginning of the fiscal year). Warrant and fugitive data is verified by a random sampling of NCIC records generated by the FBI. The USMS coordinates with district offices to verify that warrants are validated against the signed paper records. The USMS then forwards the validated records back to NCIC. This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.
18. **Number of USMS federal and egregious non-federal fugitives apprehended/cleared:**
 - a. **Data Definition:** The number of federal fugitives apprehended/cleared plus the number of state and local fugitives with an offense code of: homicide, kidnapping, sexual assault, robbery, assault, threats, arson, extortion, burglary, vehicle theft, dangerous drugs, sex offenses, obscenity, family offenses, obstructing the police, escape, obstruction of justice, weapon offenses, and/or crime against persons.
 - b. **Data Validation and Verification:** See federal fugitives (warrants) above. Prior to assigning state and local warrants, the Supervisory Deputy U.S. Marshal (SDUSM) or their designee is responsible for reviewing each case to verify that it meets the criteria above.
 - c. **Data Limitations:** See federal fugitives (warrants) above.

19. Number and Percent of federal fugitives apprehended/cleared:

- a. **Data Definition:** The percent cleared is calculated by taking the number of cleared fugitives divided by the sum of received fugitives (fugitives that had a warrant issued during the fiscal year) and on-hand fugitives (fugitives that had an active warrant at the beginning of the fiscal year).
- b. **Data Validation and Verification:** Warrant and fugitive data is verified by a random sampling of NCIC records generated by the FBI. The USMS coordinates with district offices to verify that warrants are validated against the signed paper records. The USMS then forwards the validated records back to NCIC.
- c. **Data Limitations:** This data is accessible to all districts and updated as new information is collected. There may be a lag in the reporting of data.

PERFORMANCE MEASURE TABLE												
Strategic Objective	Decision Unit: Fugitive Apprehension											
	Performance Report and Performance Plan Targets		FY 2009		FY 2010		FY 2011		FY 2012		FY 2013	
	Performance Measure: Workload	Targets	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Target	Actual
3.5	Performance Measure: Workload	1. Number of federal fugitives (warrants)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	51,943	48,325
3.1	Performance Measure: Workload	2. Number of assets in inventory	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	21,969	22,448
3.5	Performance Measure: Workload	2a. Number of assets in inventory (cash)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	13,942	14,704
3.5	Performance Measure: Workload	2b. Number of assets in inventory (complex assets)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	150	187
3.5	Performance Measure: Workload	2c. Number of Assets in Inventory (all other assets)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	7,877	7,557
3.5	Performance Measure: Output	3. Number of federal warrants cleared	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	32,601	0
2.2	Performance Measure: Output	4. Non-compliant sex offender investigations	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1,370	0
3.1	Performance Measure: Output	5. Number of assets disposed	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	19,379	21,983
3.1	Performance Measure: Output	5a. Number of assets disposed (cash)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	12,338	14,720
3.1	Performance Measure: Output	5b. Number of assets disposed (complex assets)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2	65
3.1	Performance Measure: Output	5c. Number of assets disposed (all other assets)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	7,039	7,198
3.1	Performance Measure: Output		N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	8,095	8,992

N/A = Data unavailable

* Denotes inclusion in the DOJ Annual Performance Plan

PERFORMANCE MEASURE TABLE																	
Decision Unit: Fugitive Apprehension																	
Strategic Objective	Performance Report and Performance Plan Targets			FY 2009		FY 2010		FY 2011		FY 2012		FY 2013		FY 2014		FY 2015	
	Performance Measure: Output			Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target	Actual	Target
3.1	6. Percent of asset value returned to the fund *			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	75%	66%	55%	55%		
3.1	7. Percent of all other assets disposed within procedural time frames *			N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	60%	57%	60%	60%		
	8. Number of primary violent federal felony fugitives apprehended or cleared			23,366	18,879	18,256	17,431	53,888	54,623	51,543	Retired	Retired	Retired	Retired	Retired		
	9. Number of violent state and local felony fugitives apprehended or cleared			101,910	52,519	53,202	53,888	54,623	51,543	Retired	Retired	Retired	Retired	Retired	Retired		
	10. Number of primary violent federal and violent non-federal felony fugitives apprehended or cleared per full cost FTE *			89	38	45	40	39	39	Retired	Retired	Retired	Retired	Retired	Retired		
	11. Number of primary federal felony fugitives and state and local felony fugitives apprehended or cleared per full cost FTE *			94	69	88	69	73	76	Retired	Retired	Retired	Retired	Retired	Retired		
	12. Number of assets disposed			19,325	19,065	19,322	20,664	19,270	21,858	Retired	Retired	Retired	Retired	Retired	Retired		
	12a. Number of real property disposed			418	401	341	464	316	342	Retired	Retired	Retired	Retired	Retired	Retired		
	12b. Number of cash assets disposed			12,723	11,995	12,435	13,074	12,740	14,379	Retired	Retired	Retired	Retired	Retired	Retired		
	12c. Number of other assets disposed			6,184	6,669	6,546	7,126	6,214	7,137	Retired	Retired	Retired	Retired	Retired	Retired		

N/A = Data unavailable
* Denotes inclusion in the DOJ Annual Performance Plan

N/A = Data unavailable

* Denotes inclusion in the DOJ Annual Performance Plan

PERFORMANCE MEASURE TABLE															
Decision Unit: Fugitive Apprehension															
Strategic Objective	Performance Report and Performance Plan Targets														
	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015							
	Actual	Actual	Actual	Actual	Target	Actual	Target	Target							
	57%	55%	73%	73%	73%	77%	Retired	Retired							
	61%	60%	63%	67%	67%	70%	Retired	Retired							
	N/A	N/A	N/A	1,530	1,370	2,009	Retired	Retired							
	124,276	71,398	71,458	71,319	69,313	67,802	Retired	Retired							
	52%	50%	53%	61%	52%	60%	Retired	Retired							
	32,860	32,864	34,629	34,691	34,765	34,470	Retired	Retired							
3.5	N/A	N/A	N/A	N/A	101,753	104,651	104,638	105,685							
3.5	N/A	N/A	N/A	N/A	58%	64%	58%	58%							
3.5	N/A	N/A	N/A	N/A	31,388	32,811	30,711	31,018							

N/A = Data unavailable

* Denotes inclusion in the DOJ Annual Performance Plan

3. Performance, Resources, and Strategies

The USMS is authorized to investigate such fugitive matters, both within and outside the United States, as directed by the Attorney General, although this authorization is not to be construed to interfere with or supersede the authority of other federal agencies or bureaus. The U.S. Marshals, when executing the laws of the United States within a state, may exercise the same powers that a sheriff of the state may exercise. This authority provides the U.S. Marshals with the tools of both a first-tier federal law enforcement officer and the state sheriff. The USMS therefore possesses the authority to enforce the Fugitive Felon Act and, as a result of this broad statutory authority, may assist state and local agencies in their fugitive missions even in the absence of interstate or other extra-jurisdictional flight.

a. Performance Plan and Report for Outcomes

As illustrated in the preceding Performance and Resources Table, a new performance outcome measure for this decision unit is: "number of USMS federal and egregious non-federal felony fugitives apprehended or cleared." This includes physical arrest, directed arrest, surrender, dismissal, and arrest by another agency, when a federal fugitive is taken into custody on a detainment order, and warrants that are dismissed to the other cleared categories. It also includes egregious non-federal felony fugitives which include targeted state and local fugitives with offenses involving: homicide, kidnapping, sexual assault, robbery, assault, threats, arson, extortion, burglary, home invasion, carjacking, drugs (manufacture, sale and distribution), sex offenses, obscenity, cruelty toward child/spouse, obstructing the police, flight (escape), weapon offenses, gang related crimes, crimes against persons, and obstructions of justice. The current measures focus on cases in which the USMS has held the primary arresting authority and cases that arguably have a greater impact on public safety, making them a USMS fugitive apprehension priority.

The actual performance in the number of assets disposed is largely dependent upon the number of assets seized and forfeited by the participants in the DOJ Asset Forfeiture Program (AFP). The USMS should have a proportionate number of assets in custody at the close of each fiscal year. The first performance measure is the number of assets disposed of in the following asset categories: a) cash, b) complex assets, and c) all other assets (i.e., businesses, business inventory, financial instruments, and personal property such as vehicles, vessels, aircraft and firearms). The second performance measure is the percent of asset value returned to the fund. The third measure is the percent of all other assets disposed within procedural timeframes. The fourth performance measure is the percent of real property assets sold at 85 percent or more of their fair market value. The fifth performance measure is the percent of real property assets disposed of within one year of receipt of the forfeiture documentation. The time frame set by the USMS for disposal of real property is 12 months (365 days) based on the best practices of the real estate industry. These last two performance measures are retired and will be discontinued in FY 2014.

b. Strategies to Accomplish Outcomes

In order to continue to accomplish the workload, the USMS intends to maximize all assets directly impacting agency investigative missions. The USMS is establishing contacts with state and local law enforcement agencies and registering officials to coordinate efforts to identify, apprehend, and prosecute non-compliant sex offenders. The USMS is also coordinating its

enforcement efforts with Interpol National Central Bureau in Washington, D.C. to identify sex offenders engaging in international travel to ensure they are in compliance with their registration. The USMS has five permanent foreign field offices in Mexico City, Guadalajara, and Monterrey in Mexico; Kingston, Jamaica; and, Santo Domingo, Dominican Republic. The USMS also has criminal investigators positioned at the DOJ Office of International Affairs, Interpol – Washington, and the El Paso Intelligence Center (EPIC).

The USMS is also responsible for approximately 90 percent of all Organized Crime Drug Enforcement Task Force (OCDETF) fugitive investigations. The USMS OCDETF inspectors work diligently with district DUSMs and other law enforcement agencies to clear over 5,000 OCDETF warrants, bringing many drug-related and organized crime felons to justice.

c. Priority Goals

The USMS contributes to DOJ Priority Goal 4 Vulnerable People “Protect those most in need of help — with special emphasis on child exploitation and civil rights: By September 30, 2015, working with federal, state, local, and tribal partners, protect potential victims from abuse and exploitation through three sets of key indicators;

- Open investigations concerning non-compliant sex offenders (4% over average of FYs 2012, 2013), sexual exploitation of children (3% over average of FYs 2011, 2012, 2013), and human trafficking (2% over FY 2013);
- Open litigation matters concerning sexual exploitation of children and human trafficking (5% increase over baseline); and
- Percent of children recovered within 72 hours of issuance of an AMBER alert (90%).

The USMS supports DOJ Priority Goal 4 by assisting state and local authorities to ensure the public safety through enforcement of the provisions of the AWA.

C. Prisoner Security and Transportation

Prisoner Security and Transportation	Direct Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequester	1,204	1,106	\$236,806
2014 Enacted	1,204	1,106	\$251,555
Adjustments to Base and Technical Adjustments	0	0	\$6,992
2015 Current Services	1,204	1,106	\$258,547
2015 Program Offsets	0	0	(\$7,334)
2015 Request	1,204	1,106	\$251,213
Total Change 2014-2015	1,204	1,106	(\$342)

1. Program Description

The **Prisoner Security and Transportation** decision unit is a complex and multi-layered function, both in scope and execution. Every detainee that comes into USMS custody must be processed by a DUSM. This includes processing prisoners in the cellblock (prisoner intake) and securing the cellblock area; locating confinement that is cost effective, safe, secure, and humane; detention services; and transporting prisoners (by ground or air). The USMS is responsible for the national operational oversight of all detention management matters pertaining to individuals remanded to the custody of the Attorney General. The USMS ensures the secure care and custody of these individuals through several processes to include sustenance, secure lodging and transportation, evaluating conditions of confinement, providing medical care deemed necessary, and protecting their civil rights through the judicial process.

Prisoner Processing and Securing the Cellblock

Receiving prisoners into custody, processing them through the cellblock, and transporting them are labor-intensive activities. Producing prisoners for court and detention-related activities requires the USMS to coordinate with the U.S. Courts, Probation and Pretrial Service Offices, Federal Bureau of Prisons (BOP), U.S. Attorneys, and other law enforcement agencies.

Processing includes interviewing the prisoner to gather personal, arrest, prosecution, and medical information; fingerprinting and photographing the prisoner; preparing an inventory of received prisoner property; entering/placing the data and records into the Justice Detainee Information System (JDIS) and the prisoner file; and sending the electronic fingerprint information to the FBI Integrated Automated Fingerprint Identification System (IAFIS). The USMS tracks prisoners primarily in JDIS from the point a prisoner is received until released from USMS custody or sentenced to the BOP for service of sentence.

The cellblock is the secured area for holding prisoners in the courthouse before and after they are scheduled to appear in their court proceedings. DUSMs follow strict safety protocols in the cellblocks to ensure the safety of USMS employees and all members of the judicial process, including prisoners. A minimum of two DUSMs are required to be present when cells are unlocked or entered, when prisoners are moved into or out of the cellblock or holding cell areas, when prisoners of the opposite sex are being handled, or when meals are being served. Female and juvenile prisoners must be separated by sight and sound from adult male prisoners within the cellblock. While in the cellblock, DUSMs must observe the prisoners at least every thirty minutes and must count them every eight hours. DUSMs minimize the amount of time that

prisoners exhibiting violent behavior or signs of possible drug overdose, severe mental disorder, or suicidal tendencies are held in the cellblock and closely monitor them during that time. DUSMs also provide meals to prisoners if held in the cellblock during normal lunch or dinner hours. Prior to entrance into the cellblock, DUSMs search prisoners and their belongings to ensure that prisoners and their property are free of contraband.

Conditions of Confinement

To ensure that prisoners are being confined securely and humanely, DUSMs conduct annual inspection of all active Intergovernmental Agreement (IGA) facilities. Additionally, inspections are required before the USMS enters into an IGA with a facility to house prisoners or upon completion of major changes in operations or physical structure of any facility already being used. Detention facility inspections enable the districts and headquarters to identify problem areas early and identify facilities that provide the best value. The USMS established the Conditions of Confinement Program to ensure the safe and humane confinement of federal detainees and to protect their statutory and constitutional rights. There are Detention Facility Inspectors in each district that receive Conditions of Confinement training to ensure that these objectives are met.

Detention Services

The USMS must ensure sufficient resources are available to house and care for the corresponding detainees. The care of federal detainees in private, state, and local facilities and the costs associated with these efforts are funded from the FPD appropriation. Detention resources provide the housing and subsistence of detainees, health care and medical guards, intra-district transportation, Justice Prisoner and Alien Transportation System (JPATS) transportation, and incidental costs associated with prisoner housing and transportation such as prisoner meals while in transit, prisoner clothing, and parking for government vehicles. FPD resources are expended from the time a prisoner is brought into USMS custody through termination of the criminal proceeding and/or commitment to BOP.

Transporting Prisoners

The USMS is responsible for transporting prisoners to and from judicial proceedings. This involves an enormous amount of coordination and scheduling to ensure that the courts' needs are met and that prisoners are moved in a safe and timely manner. Some jails agree to transport prisoners to and from the courthouse at specified rates through an Intergovernmental Agreement (IGA) for guard services; others are transported by the USMS operational personnel and contract guards. DUSMs arrange with jails to prepare prisoners for transport, search prisoners prior to transport, and properly restrain prisoners during transportation.

In addition, the USMS is responsible for transporting prisoners between detention facilities for attorney visits, to medical appointments when necessary, and to a designated BOP facility after sentencing. As prisoners progress through their court proceedings, districts often move prisoners from one detention facility to another. This is done for a variety of reasons: to locate a prisoner closer to or farther from the courthouse, to accommodate the housing limitations at detention facilities, to take advantage of lower-cost jails which may be further from the courthouse, to place prisoners at facilities better equipped to deal with any medical requirements, or to remove a prisoner from other prisoners due to conflict or litigation concerns with other prisoners. When

prisoners are wanted in more than one district, the USMS is responsible for transporting prisoners to the requesting district upon completion of the court process in the home district.

Finally, the USMS operates and maintains the fleet of aircraft and ground transportation assets that comprise the JPATS. JPATS is a revolving fund activity with total operating costs being reimbursed by customer agencies such as the USMS (FPD) and the BOP. JPATS coordinates the movement of the majority of federal prisoners and detainees, including sentenced, pretrial and criminal aliens, in the custody of the USMS and the BOP. JPATS also transports DOD, and state and local prisoners on a reimbursable, space-available basis.

2. Performance and Resources Tables

PERFORMANCE AND RESOURCES TABLE											
Decision Unit: Prisoner Security and Transportation											
RESOURCES		Target	Actual		Projected		Changes		Requested (Total)		
		FY 2013	FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request		
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		1,112	\$236,806 [\$0]	1,106	\$234,369 [\$0]	1,106	\$251,555 [\$0]	0	-\$342 [\$0]	1,106	\$251,213 [\$0]
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Program Activity		1,112	\$236,806 [\$0]	1,106	\$234,369 [\$0]	1,106	\$251,555 [\$0]	0	-\$342 [\$0]	1,106	\$251,213 [\$0]
Performance Measure: Workload	3.3	1. Average daily prisoner population		60,232	59,542	58,791		1,158		59,949	
Performance Measure: Outcome	3.3	2. Number of Monitoring reviews completed for active IGAs		Establishing baseline		To be developed in FY13/14				1,026	
Performance Measure: Outcome	3.3	3. Total Prisoner Productions		975,208	1,018,693	1,043,301		9,711		1,053,012	
Performance Measure: Outcome		4. Number of prisoner escapes from USMS custody outside of the courtroom		0		Retired				Retired	
Performance Measure: Outcome	3.3	5. Average Detention Cost (Housing, Medical, and In-District Transportation)		\$82.39	\$80.33	\$83.31		\$1.08		\$84.39	

* Denotes inclusion in the DOJ Quarterly Status Reports. ** Reported also as part of the USMS Federal Detention Appropriation.

Data Definition, Validation, Verification, and Limitations:

Note: Indicators labeled as 'RETIRED' are discontinued in FY 2014.

Performance Measures -- Workload:

1. Average Daily Prisoner Population:

- a) **Data Definition:** Average Daily Prisoner Population is calculated on a per capita, per day basis.
- b) **Data Validation and Verification:** Data is maintained by the Justice Detainee Information System (JDIS). Monthly data from JDIS relating to paid detention beds is verified each month by completing a comparison, by district, between obligation data being reported out of UFMS and prisoner program data reported from JDIS.
- c) **Data Limitations:** Limited by the timely entry of prisoner data into JDIS

Performance Measures -- Outputs, Efficiencies, and Outcomes

2. Number of Monitoring reviews completed for active IGAs:

- a) **Data Definition:** Monitoring Reviews completed by USMS for facilities used by the USMS to house prisoners.
- b) **Data Validation and Verification:** Each year USMS personnel run reports comparing the facilities that should be inspected to those that were inspected.
- c) **Data Limitations:** All limitations depend on the database that is created to track inspections.

3. Total Prisoner Productions:

- a) **Data Definition:** Total prisoners produced data combines both the USMS District counts and DC Superior Court counts, and includes the number of times prisoners are produced for judicial proceedings, meetings with attorneys, or transported for medical care, between offices and between detention facilities.
- b) **Data Validation and Verification:** USMS District data is maintained by the Justice Detainee Information System (JDIS). DC Superior Court data is maintained by a locally managed database and is updated daily. Please note DC Superior Court will be transitioning to JDIS in the near future.
- c) **Data Limitations:** Limited by the timely entry of prisoner data into JDIS and DC Superior Court's database, as appropriate. For DC Superior Court, more than 95% of prisoner productions that occur each day are entered into the system on the same day they occur.

- 4. **Number of Prisoner escapes from USMS custody outside of the courtroom (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

Includes escapes made during the following times: while being transported (for court productions, medical visits, moves between sub-offices or detention facilities), while being held in the cellblock area waiting for the court procedure, and while meeting with attorneys.

5. Average Detention Cost (Housing, Medical, and In-District Transportation):

- a) **Data Definition:** Total detention costs represent the aggregation of paid jail costs and health care costs on a per capita, per day basis.
- b) **Data Validation and Verification:** Data reported is validated and verified against monthly reports describing district-level jail utilization and housing costs prepared by the USMS. In accordance with generally accepted accounting principles, the USMS routinely monitors its financial data for new obligations and de-obligations.
- c) **Data Limitations:** Maintaining prisoner movement data is a labor-intensive process. The reliability of the reported data is often compromised by time lags between the actual movement of prisoners and data entry of those events into the Prisoner Tracking System (PTS). Accordingly, it is often necessary to delay reporting of official statistics several weeks to ensure that prisoner movement records have been properly updated. Data reported reflect the anticipated cost of services provided to USMS prisoners. In the event that the actual cost is different from the anticipated cost, additional funds may need to be obligated or obligated funds, de-obligated. Due to the time lag between the rendering of services and the payment of invoices, several weeks may lapse before the actual cost of health care services provided to an individual prisoner can be determined.

PERFORMANCE MEASURE TABLE														
Decision Unit: Prisoner Security and Transportation														
Strategic Objective	Performance Report and Performance Plan Targets		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015				
			Actual	Actual	Actual	Actual	Target	Actual	Target	Target				
3.3	Performance Measure: Workload	1. Average Daily Prisoner Population	N/A	N/A	N/A	N/A	60,232	59,542	58,791	59,949				
3.3	Performance Measure: Outcome	2. Number of monitoring reviews completed for active IGAs					Establishing baseline		To be developed in FY 13/14	1,026				
3.3	Performance Measure: Outcome	3. Total Prisoner Productions	N/A	N/A	N/A	N/A	975,208	1,018,693	1,043,301	1,053,012				
	Performance Measure: Outcome	4. Number of prisoner escapes from USMS custody, outside of the courtroom	1	3	3	0	0	-	Retired	Retired				
3.3	Performance Measure: Outcome	5. Average Detention Cost (Housing, Medical, and In-District Transportation)*, **	N/A	N/A	N/A	N/A	\$82.39	\$80.33	\$86.16	\$87.09				

N/A = Data unavailable

* Denotes inclusion in the DOJ Annual Performance Plan. ** Reported also as part of the USMS Federal Detention Appropriation.

3. Performance, Resources, and Strategies

The USMS maintains the integrity of the federal judicial system by maintaining the custody, protection, and security of prisoners and ensuring that criminal defendants appear for judicial proceedings. Efficient management of detention resources necessitates that the USMS continuously analyze the courts' need for prisoners in relation to detention facility location and cost. This evaluation results in prisoners strategically being moved to various detention facilities as their cases progress through the judicial process. Prisoners are moved to closer facilities when they are more often needed to appear for court (for example, pretrial prisoners). Prisoners are moved to more distant facilities (which are often less costly) as their need to appear in court decreases. Throughout this process, the USMS must annually review utilized detention facilities to ensure that conditions of confinement are humane and provide adequate security.

a. Performance Plan and Report for Outcomes

As illustrated in the preceding Performance and Resources Table, the current performance outcome measure for this decision unit is Average Detention Cost, which measures efficiencies in the detention program. By continuously analyzing the courts' schedule, the USMS must balance housing and transportation costs against prisoner availability for court. Efficient management of detention resources necessitates moving prisoners who are no longer required for court into outlying, less costly jails and bringing those needed for court closer in, thereby reducing transportation costs. This constant shifting of prisoners between detention facilities yields efficiencies in the average detention cost performance measure.

Beginning in FY 2014, the USMS will report the number of monitoring reviews that are completed for active IGAs. Since a system to capture the number of monitoring reviews is still in development, the USMS will not identify targets for this measure until the close of FY 2014.

b. Strategies to Accomplish Outcomes

To efficiently secure and transport prisoners, USMS personnel must work closely with many other agencies, such as:

- U.S. Courts personnel to determine which prisoners are required for appearances;
- BOP personnel to arrange for prisoner designation and transportation after sentencing;
- U.S. Border Patrol, FBI, DEA, ATF, and other federal, state, and local agency personnel to arrange for initial appearances, custody transfer, and booking; and
- State, local and private detention facility personnel to arrange for prisoners to be ready for transport as needed.

D. Protection of Witnesses

Protection of Witnesses	Direct Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequester	207	190	\$32,862
2014 Enacted	207	190	\$35,399
Adjustments to Base and Technical Adjustments	0	0	\$1,203
2015 Current Services	207	190	\$36,602
2015 Program Offsets	0	0	(\$1,263)
2015 Request	207	190	\$35,339
Total Change 2014-2015	0	0	(\$60)

1. Program Description

The **Protection of Witnesses** program provides protection for government witnesses whose lives are threatened as a result of their testimony against drug traffickers, terrorists, organized crime members, and other major criminals. The WSP provides physical security during the trial proceedings as well as assistance to create new identities and relocate witnesses and their families after the trial. The successful operation of this program is widely recognized as providing a unique and valuable tool in the government's war against organized crime, drug cartels, violent criminal gangs, and terrorist groups.

Three DOJ components work collaboratively to administer the WSP. The Criminal Division's Office of Enforcement Operations (OEO) authorizes the entry of witnesses into the program. The Federal Bureau of Prisons (BOP) protects witnesses incarcerated in federal prison facilities. For civilian witnesses and their families, the USMS provides protection, relocation, and assistance with housing, medical care, job training, and employment until they become self-sufficient.

2. Performance and Resources Tables

PERFORMANCE AND RESOURCES TABLE												
Decision Unit: Protection of Witnesses												
RESOURCES												
		Target		Actual		Projected		Changes		Requested (Total)		
		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request		
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
		191	\$32,862 [\$2,100]	191	\$33,563 [\$644]	191	\$35,399 [\$2,500]	0	-\$60 [\$0]	191	\$35,339 [\$2,500]	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)												
TYPE	STRATEGIC OBJECTIVE	FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request		
Program Activity		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
		191	\$32,862 [\$2,100]	191	\$33,563 [\$644]	191	\$35,399 [\$2,500]	0	-\$60 [\$0]	191	\$35,339 [\$2,500]	
Performance Measure: Workload	3.2	18,633		18,516		18,584		68		18,652		
Performance Measure: Output	3.2	5,640		3,334		3,154		31		3,185		
Performance Measure: Output	3. Number of protected witness productions	2,400		2,198		Retired				Retired		
Performance Measure: Outcome	4. Assaults against funded protected federal witnesses	0		0		Retired				Retired		
Performance Measure: Outcome	5. Security breaches mitigated *	410		256		221		2		223		

Denotes inclusion in the DOJ Quarterly Status Reports.

Data Definition, Validation, Verification, and Limitations:

Note: Indicators labeled as 'RETIRED' are discontinued in FY 2014.

Performance Measures:**1. Protective services required/provided for witnesses (includes court productions):**

- a. **Data Definition:** Protected services required/provided for witnesses is defined as witness productions, prisoner witness transports, prisoner witness family visits, preliminary interviews, temporary relocations, documentation initiations, documentation services (delivery-other), and breach investigations.
- b. **Data Validation and Verification:** Regional managers ensure the accuracy of data submitted to headquarters.
- c. **Data Limitations:** Witness Security Division (WSD) Regions provides data to headquarters on a monthly basis.

Performance Measures – Outputs, Efficiencies, and Outcomes

2. **Number of protected witness productions (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

A witness production is defined as travel of a protected witness away from the relocation area for court testimony, non-court related travel, video teleconferencing, neutral sites, child visitations, and documentation productions.

3. **Assaults against funded protected federal witnesses (RETIRED):** *[The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.]*

The number of assaults against funded protected federal witnesses reflects the number of attacks on witnesses authorized for program participation that are receiving subsistence and housing expenses.

4. Security breaches mitigated:

- a. **Data Definition:** An action taken to mitigate a reported or detected event capable of compromising a protected witness' identity, location or general security.
- b. **Data Validation and Verification:** Validation occurs when the actions taken have been documented, reviewed, and approved. Verification occurs when internal audits are conducted to identify the efficiency and effectiveness of the actions taken.
- c. **Data Limitations:** The total number of security breaches is dependent upon the number of breaches reported or detected. Actions to mitigate the security breaches only occur when security breaches are detected or reported. A substantial number of security breaches are believed to be unreported or undetected.

PERFORMANCE MEASURE TABLE																
Decision Unit: Protection of Witnesses																
Strategic Objective	Performance Report and Performance Plan Targets		FY 2009		FY 2010		FY 2011		FY 2012		FY 2013		FY 2014		FY 2015	
			Actual		Actual		Actual		Actual		Actual	Target	Actual	Target		Target
3.2	Performance Measure: Workload	1. Total number of witness security program participants	N/A		N/A		N/A		N/A		18,633	18,516	18,584		18,652	
3.2	Performance Measure: Output	2. Protective services required/provided for witnesses (includes court productions)	N/A		N/A		N/A		N/A		5,640	3,334	3,154		3,185	
	Performance Measure: Output	3. Number of protected witness productions	2,013		1,931		1,432		1,943		2,400	2,198	Retired		Retired	
	Performance Measure: Outcome	4. Assaults against funded protected federal witnesses	0		0		0		0		0	0	Retired		Retired	
3.2	Performance Measure: Outcome	5. Security breaches mitigated *	N/A		N/A		N/A		N/A		410	256	221		223	
N/A = Data unavailable																
* Denotes inclusion in the DOJ Annual Performance Plan																

3. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

As illustrated in the preceding Performance and Resources Table, a performance outcome measure for this decision unit is the number of security breaches mitigated. This measure reflects the action taken to mitigate a reported or detected event capable of compromising a protected witness' identity, location or general security.

b. Strategies to Accomplish Outcomes

The funding is necessary to ensure that critical protective services are provided to protected witnesses testifying in direct support of significant DOJ prosecutorial efforts against organized crime, international drug trafficking organizations, violent street gangs and international terrorist groups. The USMS continues to examine Witness Security Program methodologies to ensure that effective protection and security services are provided to protected witnesses and authorized participants while also exercising cost efficiencies. The USMS is confident in its ability to successfully execute within the budget request for the number of protected witness productions targeted. However, it should be noted that Witness Security Division workload supporting these DOJ prosecutorial efforts is driven by factors outside the control of the USMS. The number, frequency, and duration of court productions and other WSP activities supporting DOJ prosecutions are sometimes unpredictable and often largely uncontrollable.

E. Tactical Operations

Tactical Operations	Direct Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequester	177	163	\$35,381
2014 Enacted	177	163	\$40,267
Adjustments to Base and Technical Adjustments	0	0	\$1,920
2015 Current Services	177	163	\$42,187
2015 Program Offsets	0	0	(\$1,078)
2015 Request	177	163	\$41,109
Total Change 2014-2015	0	0	\$842

1. Program Description

The **Tactical Operations** decision unit includes special operations and emergency management.

Special Operations

The USMS Special Operations Group (SOG) supports the DOJ and other government agencies with a highly-trained, rapidly-deployable force of law enforcement officers for tactical response. SOG is a unit of 80-100 volunteer DUSMs who must meet high qualification standards and complete rigorous training in specialties such as high-risk entry, explosive breaching, sniper/observer, rural operations, evasive driving, less-than-lethal munitions, waterborne operations, and tactical medical support. SOG supports all U.S. judicial districts by providing assistance in high-risk, sensitive law enforcement operations including protective details, national emergencies, civil disturbances, and national disasters. Due to the extensive training of SOG members, the unit is often called upon to train military, federal, state, local, and foreign law enforcement groups in various tactical specialties.

Based at Camp Beauregard, Louisiana, a major staging area for Federal Emergency Management Agency (FEMA) disaster response in the Southeast and a geographically central location for domestic operations, the Special Operations Group Tactical Center (SOGTC) is able to provide a rapid response throughout the country. From this base, SOG deploys its fleet of armored vehicles, specialized equipment, and tactical operators in support of domestic USMS operations such as the 15 Most Wanted Fugitive Program investigations, fugitive task forces, terrorist trials and other high-threat or high-profile judicial proceedings, motorcade protection for high-value individuals, and execution of court orders relating to the seizure of assets belonging to militia groups, domestic terrorist groups, and other anti-government organizations.

The USMS is specifically relied upon to conduct national security operations on behalf of various U.S. government entities due to its broad authority and jurisdiction. SOG is selected due to the sensitive, covert nature of these missions requiring elevated security clearances and specific training, equipment, and tactical assets.

The USMS also participates in international Stabilization and Reconstruction programs, working closely with DOJ, DOD, and Department of State personnel in support of Operation Enduring Freedom. SOG provides training and advice to the Counter Narcotics Justice Center in Afghanistan. SOG also provides technologically-advanced security equipment and programs to improve judicial and witness security, helping to lay the foundation for a more effective judicial system and assisting in the stabilization of the Afghanistan government.

Emergency Management

The USMS responds to national emergencies and domestic crises with a cadre of resources. All USMS operational missions that fall into this category are coordinated through the USMS Communications Center and the Emergency Operations Center (EOC). The Communications Center operates 24 hours-a-day, 7 days-a-week to ensure inter-agency and intra-agency flow of communication. It provides informational assistance to DUSMs in the field who are tracking fugitives, developing leads, and confirming warrants. It also has the ability to receive, track, and disseminate classified information relevant to the USMS. All significant incidents such as shootings in the line of duty, employee injury or death, assaults/attempted assaults of an individual under USMS protection, deaths of prisoners in USMS custody, escapes of federal prisoners, major arrests, and district emergencies are reported to the Communications Center. The Communications Center then notifies the appropriate personnel and districts and ensures that the proper action is taken.

The EOC is activated during emergency incidents involving a coordinated agency-wide response, including with participation from SOG. This includes responses under the federal government's National Response Framework. The EOC is a critical element to ensure coordination and oversight of USMS deployments during emergencies, particularly when other government agencies are also involved.

2. Performance and Resources Tables

PERFORMANCE AND RESOURCES TABLE											
Decision Unit: Tactical Operations											
RESOURCES											
		Target		Actual		Projected		Changes		Requested (total)	
		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		197	\$35,381 [\$17,323]	194	\$40,086 [\$15,385]	200	\$40,267 [\$20,880]	0	\$842 [-\$10,880]	200	\$41,109 [\$10,000]
Strategic Objective		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
Program Activity		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		197	\$35,381 [\$17,323]	194	\$40,086 [\$15,385]	200	\$40,267 [\$20,880]	0	\$842 [-\$10,880]	200	\$41,109 [\$10,000]
3.2	Performance Measure: Output	58		75		59		0		59	
	1. Number of high-threat and emergency situations supported through special operations and assignments										
	2. Percentage of deployments of special operations/assignments staff or resources before a planned event or within 48 hours of an unforeseen emergency	100%		100%		Retired				Retired	

Data Definition, Validation, Verification, and Limitations:
Note: Indicators labeled as 'RETIRED' are discontinued in FY 2014.

Performance Measures – Outputs, Efficiencies, and Outcomes

1. **Number of high-threat and emergency situations supported through special operations and assignments:**
 - a. **Data Definition:** This represents the number of times a special occurrence or event happened where special operations and assignment resources and/or staff were deployed in response.
 - b. **Data Validation:** Deployments are validated against financial and special assignment data.
 - c. **Data Limitation:** Deployments are tracked via a manual process.
2. **Percentage of deployments of special operations/assignments staff or resources before a planned event or within 48 hours of an unforeseen emergency (RETIRED):** *(The determination to delete, refine, or replace an existing measure was made to align with the USMS Strategic Plan, reflect DOJ priority performance goals, and demonstrate programmatic effectiveness given data limitations.)*

The USMS strives for a consistent timely response to unforeseen emergencies and planned events. The percentage of deployments applies in cases where the request for assistance reaches headquarters at least 48 hours prior to the beginning of the planned event.

PERFORMANCE MEASURE TABLE																
Decision Unit: Tactical Operations																
Strategic Objective	Performance Report and Performance Plan Targets		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015						
	Performance Measure: Output	Actual	Actual	Actual	Actual	Actual	Target	Actual	Target	Target						
3.2	1. Number of high-threat and emergency situations supported through special operations and assignments	62	60	59	52	58	75	59	59	59						
	2. Percentage of deployments of special operations/assignments staff or resources before a planned event or within 48 hours of an unforeseen emergency	100%	100%	100%	100%	100%	100%	Retired	Retired	Retired						

3. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

The USMS strives to provide effective assistance to all levels of government during emergencies and disasters and at times of heightened law enforcement requirements. The USMS is able to deploy its DUSM workforce to any national emergency designated by the Attorney General. The USMS also successfully protects the Strategic National Stockpile, continues to advance its ability to respond to an emergency by instituting the Continuity of Operations Plan / Continuity of Government (COOP)/COG programs, and has participated in several national interagency training exercises. Government authority and continuity of operation of the federal justice system must be maintained during emergencies. Professionalism of the USMS will increase through standardization of tactical operations, improved operational data management, and a reduction of negative audit findings.

b. Strategies to Accomplish Outcomes

The USMS deploys personnel and equipment in support of extraordinary district requirements, ensuring adequate resources are provided to maintain the integrity of the judicial process. The USMS will attempt to: improve its capability to deploy personnel and equipment in response to terrorist acts, natural disasters, and other external missions directed by the Attorney General; maintain operational readiness for efficient movement of people and equipment; and coordinate efforts and increase communication lines between the Strategic National Stockpile Security Operations Unit and the Centers for Disease Control and Prevention to ensure adequate dissemination of intelligence information to thwart or respond to terrorist activities.

V. Program Increase by Item

No program increase is proposed.

VI. Program Offsets by Item

Item Name: Miscellaneous Program and Administrative Reductions

Strategic Goal: DOJ Strategic Goals I, II, and III

Strategic Objective: DOJ Objectives 1.1, 2.2, 3.1, 3.2,3.3, and 3.5

Budget Decision Unit(s): Judicial and Courthouse Security
Fugitive Apprehension
Prisoner Security and Transportation
Protection of Witnesses
Tactical Operations

Organizational Program: U.S. Marshals Service

Program Offset: Positions 0 Agt/Atty 0 FTE 0 Dollars (\$33,832,000)

Description of Item

Program and administrative reductions to be identified once funds are appropriated.

Justification

Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, State Department charges, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Impact on Performance

Performance impact information is not yet available for this offset.

Funding**Base Funding**

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
5,554	4,134/ 19	5,103	\$1,112,069	5,554	4,134/ 19	5,103	\$1,185,000	5,554	4,134/ 19	5,103	\$1,218,832

Non-Personnel Offset Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Miscellaneous Program and Administrative Reductions			(\$33,832)	\$0	\$0
Total Non-Personnel			(\$33,832)	\$0	\$0

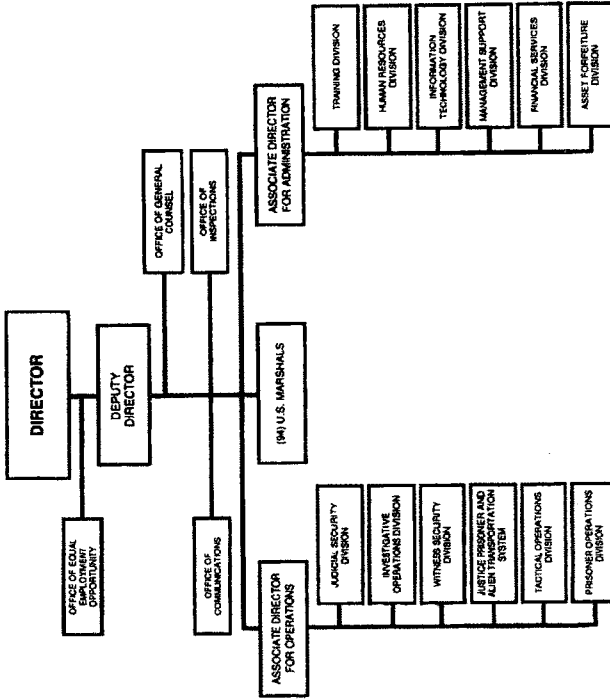
Cost savings will be realized in administrative areas, including, but not limited to: travel, training, contract, supplies, and general equipment.

Total Offset for this Item

	Pos	Agt/ Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Current Services	5,554	4,134/ 19	5,103	\$760,860	\$457,972	\$1,218,832	\$0	\$0
Offset	0	0	0	\$0	(\$33,832)	(\$33,832)	\$0	\$0
Grand Total	5,554	4,134/ 19	5,103	\$760,860	\$424,140	1,185,000	\$0	\$0

A: Organizational Chart

UNITED STATES MARSHALS SERVICE



Approved by: /s/ [Signature] Date: 8-13-07
 Alberto Gonzales
 Attorney General

B. Summary of Requirements

Summary of Requirements
 United States Marshals Service
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted	5,554	5,103	1,196,000
2013 Rescissions (1.877% & 0.2%)			-24,796
2013 Sequester			-59,135
2013 Balance Rescission			0
Total 2013 Enacted (with Rescissions and Sequester)	5,554	5,103	1,112,069
2014 Enacted	5,554	5,103	1,185,000
2014 Balance Rescission			0
Total 2014 Enacted (with Balance Rescission)	5,554	5,103	1,185,000
Base Adjustments			
Pay and Benefits	0	0	22,729
Domestic Rent and Facilities	0	0	9,524
Other Adjustments	0	0	893
Foreign Expenses	0	0	586
Total Base Adjustments	0	0	33,832
Total Technical and Base Adjustments	0	0	33,832
2015 Current Services	5,554	5,103	1,218,832
Program Changes			
Offsets:			
Miscellaneous Program and Administrative Reductions	0	0	-33,832
Subtotal, Offsets	0	0	-33,832
Total Program Changes	0	0	-33,832
2015 Total Request	5,554	5,103	1,185,000
2015 Balance Rescission			0
2015 Total Request (with Balance Rescission)	5,554	5,103	1,185,000
2014 - 2015 Total Change	0	0	0

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
United States Marshals Service
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Judicial and Courthouse Security	2,222	2,042	431,208	2,222	2,042	458,226	0	0	12,904	2,222	2,042	471,330
Fugitive Apprehension	1,744	1,602	375,812	1,744	1,602	399,353	0	0	10,813	1,744	1,602	410,166
Prisoner Security and Transportation	1,204	1,106	236,806	1,204	1,106	251,555	0	0	6,992	1,204	1,106	258,547
Protection of Witnesses	207	190	32,862	207	190	35,399	0	0	1,203	207	190	36,602
Tactical Operations	177	163	35,381	177	163	40,287	0	0	1,920	177	163	42,187
Total Direct	5,554	5,103	1,112,069	5,554	5,103	1,184,000	0	0	33,832	5,554	5,103	1,218,832
Balance Rescission			0			0			0			0
Total Direct with Rescission			1,112,069			1,185,000			33,832			1,218,832
Reimbursable FTE		340			425			0			425	
Total Direct and Reimb. FTE		5,443			5,528			0			5,528	
Other FTE: LEAP		774			774			0			774	
Overtime		62			207			0			207	
Grand Total FTE		6,279			6,509			0			6,509	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Judicial and Courthouse Security	0	0	0	0	0	-13,533	2,222	2,042	457,797
Fugitive Apprehension	0	0	0	0	0	-10,824	1,744	1,602	399,542
Prisoner Security and Transportation	0	0	0	0	0	-7,334	1,204	1,106	251,213
Protection of Witnesses	0	0	0	0	0	-1,263	207	190	35,339
Tactical Operations	0	0	0	0	0	-1,078	177	163	41,109
Total Direct	0	0	0	0	0	-33,832	5,554	5,103	1,185,000
Balance Rescission			0			0			0
Total Direct with Rescission			0			-33,832			1,185,000
Reimbursable FTE		0			0			425	
Total Direct and Reimb. FTE		0			0			5,528	
Other FTE: LEAP		0			0			774	
Overtime		0			0			207	
Grand Total FTE		0			0			6,509	

B. Summary of Requirements

Summary of Requirements
 United States Marshals Service
 Construction
 (Dollars in Thousands)

	FY 2015 Request	
	Direct Pos.	Estimate FTE Amount
2013 Enacted		
2013 Rescissions (1.877% & 0.2%)	0	10,800
2013 Sequester	0	-207
2013 Balance Rescission		0
Total 2013 Enacted (Rescissions and Sequester)	0	9,793
2014 Enacted		
2014 Balance Rescission	0	9,800
Total 2014 Enacted (with Balance Rescission)	0	9,800
Total Technical Adjustments	0	0
Total Base Adjustments	0	0
Total Technical and Base Adjustments	0	0
2015 Current Services	0	0
Program Changes	0	9,800
Total Program Changes	0	0
2015 Total Request	0	9,800
2015 Balance Rescission		0
2015 Total Request (with Balance Rescission)	0	9,800
2014 - 2015 Total Change	0	0

B. Summary of Requirements

Summary of Requirements
United States Marshals Service
Construction
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Construction	0	0	9,793	0	0	9,800	0	0	0	0	0	9,800
Total Direct	0	0	9,793	0	0	9,800	0	0	0	0	0	9,800
Balance Rescission						0						0
Total Direct with Rescission			9,793			9,800			0			9,800
Grand Total FTE		0			0				0		0	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Construction	0	0	0	0	0	0	0	0	9,800
Total Direct	0	0	0	0	0	0	0	0	9,800
Balance Rescission						0			0
Total Direct with Rescission						0			9,800
Grand Total FTE		0			0			0	

C. Program Changes by Decision Unit

FY 2015 Program Changes by Decision Unit
United States Marshals Service
Salaries and Expenses
(Dollars in Thousands)

Program Offsets	Location of Description in Narrative	Judicial and Courthouse Security				Fugitive Apprehension				Prisoner Security and Transportation			
		Direct Pos.	Aq./Atty.	Est. FTE	Amount	Direct Pos.	Aq./Atty.	Est. FTE	Amount	Direct Pos.	Aq./Atty.	Est. FTE	Amount
	Miscellaneous Program and Administrative Reductions	0	0	0	-13,533	0	0	0	-10,624	0	0	0	-7,334
	Total Program Offsets	0	0	0	-13,533	0	0	0	-10,624	0	0	0	-7,334

Program Offsets	Location of Description in Narrative	Protection of Witnesses				Tactical Operations				Total Offsets			
		Direct Pos.	Aq./Atty.	Est. FTE	Amount	Direct Pos.	Aq./Atty.	Est. FTE	Amount	Direct Pos.	Aq./Atty.	Est. FTE	Amount
	Miscellaneous Program and Administrative Reductions	0	0	0	-1,263	0	0	0	-1,078	0	0	0	-33,832
	Total Program Offsets	0	0	0	-1,263	0	0	0	-1,078	0	0	0	-33,832

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective
United States Marshals Service
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Recissions and Sequester			2014 Enacted			2015 Current Services			2015 Offsets			2015 Total Request		
	Direct/ Reimb/ FTE	Direct Amount	Reimb Amount	Direct/ Reimb/ FTE	Direct Amount	Reimb Amount	Direct/ Reimb/ FTE	Direct Amount	Reimb Amount	Direct/ Reimb/ FTE	Direct Amount	Reimb Amount	Direct/ Reimb/ FTE	Direct Amount	Reimb Amount
Goal 1 Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law															
1.1 Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve a coordinated response to terrorist threats	399	95,850		399	103,726	391	105,177	0	-2,391	0	-2,391	391	102,786		
Subtotal, Goal 1	399	95,850		399	103,726	391	105,177	0	-2,391	0	-2,391	391	102,786		
Goal 2 Prevent Crime, Protect the Rights of the American People, and enforce Federal Law															
2.2 Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America's crime victims	211	52,429		211	55,435	211	55,733	0	-1,285	0	-1,285	211	54,448		
Subtotal, Goal 2	211	52,429		211	55,435	211	55,733	0	-1,285	0	-1,285	211	54,448		
Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.															
3.1 Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, prosecutors, and defenders, through innovative technology and programs	37	14,281		37	17,199	29	15,211	0	-177	0	-177	29	15,034		
3.2 Protect judges, justices, and other participants in federal proceedings by anticipating, deterring, and investigating threats of violence	2,090	403,601		2,117	430,366	2,125	444,942	0	-13,453	0	-13,453	2,125	431,449		
3.3 Provide safe, secure, humane, and cost effective confinement and transportation of federal detainees and inmates	1,106	236,806		1,106	251,555	1,106	256,547	0	-7,334	0	-7,334	1,106	251,213		
3.5 Apprehend fugitives to ensure their appearance for federal judicial proceedings or confinement	1,600	369,102		1,656	326,719	1,666	336,222	0	-8,162	0	-8,162	1,666	330,660		
Subtotal, Goal 3	4,833	993,790		4,919	1,025,639	4,926	1,051,962	0	-33,952	0	-33,952	4,926	1,037,710		
TOTAL	5,443	1,112,060		5,525	1,155,000	5,526	1,210,891	0	-33,932	0	-33,932	5,526	1,155,000		

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

United States Marshals Service

Construction

(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Current Services			2015 Total Request		
	Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount	
Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.												
3.2 Protect judges, witnesses, and other participants in federal proceedings by anticipating, deterring, and investigating threats of violence	0	9,793		0	9,800		0	9,800		0	9,800	
Subtotal, Goal 3	0	9,793		0	9,800		0	9,800		0	9,800	
TOTAL	0	9,793		0	9,800		0	9,800		0	9,800	

E. Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

United States Marshals Service
Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Pay and Benefits			
1 2015 Pay Raise: This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount requested, \$4,970, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$3,465 for pay and \$1,505 for benefits).			4,970
2 Annualization of 2014 Pay Raise: This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested \$1,632, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$ 1,138 for pay and \$494 for benefits).			1,632
3 FERS Regular/Law Enforcement Retirement Contribution: Effective October 1, 2014 (FY 2015), the new agency contribution rates of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 28.8% for law enforcement personnel (up from the current 26.3%, or an increase of 2.5%). The amount requested, \$13,299, represents the funds needed to cover this increase.			13,299
4 Health Insurance: Effective January 2015, the component's contribution to Federal employees' health insurance increases by 4% percent. Applied against the 2014 estimate of \$39,425, the additional amount required is \$1,577.			1,577
5 Retirement: Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$1,251 is necessary to meet our increased retirement obligations as a result of this conversion.			1,251
Subtotal, Pay and Benefits	0	0	22,720
Domestic Rent and Facilities			
1 General Services Administration (GSA) Rent: GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$9,141, is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.			9,141
2 Guard Services: This includes Department of Homeland Security (DHS) Federal Protective Service charges, Justice Protective Service charges and other security services across the country. The requested increase of \$383 is required to meet these commitments.			383
Subtotal, Domestic Rent and Facilities	0	0	9,524

E. Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

United States Marshals Service
Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Other Adjustments			
1 Land Mobile Radio, Operations and Maintenance (O&M): In FY 2013, the funding for the Department's Radio/Interoperability program was realigned. This change generated savings and allowed the Department to increase our investments in improved technology and interoperability. As part of the realignment, base operations and maintenance (O&M) funding for radios was transferred back to components. In order to fully fund the O&M requirements, an ATB increase of \$893 is requested for the USMS.			893
Subtotal, Other Adjustments	0	0	893
Foreign Expenses			
1 International Cooperative Administrative Support Services (ICASS): The Department of State charges agencies for administrative support provided to staff based overseas. Charges are determined by a cost distribution system. The FY 2015 request is based on the projected FY 2014 bill for post invoices and other ICASS costs. (CRM, USMS, FBI, DEA, ATF, CIV only)			173
2 Capital Security Cost Sharing (CSCS): Per P.L. 108-447 and subsequent acts, "all agencies with personnel overseas subject to chief of mission authority, shall participate and provide funding in advance for their share of costs of providing new, safe, secure U.S. diplomatic facilities, without offsets, on the basis of the total overseas presence of each agency as determined by the Secretary of State. Originally authorized for FY 2000-2004, the program has been extended annually by OMB and Congress and has also been expanded beyond new embassy construction to include maintenance and renovation costs of the new facilities. For the purpose of this program, State's personnel totals for DOJ include current and projected staffing. The estimated cost to the Department, as provided by State, for FY 2015 is \$513. The USMS currently has 17 positions overseas, and funding of \$513 is requested for this account. (CRM, USMS, FBI, DEA, ATF, CIV only)			513
Subtotal, Foreign Expenses	0	0	686
Non-Personnel Related Decreases			
1 Miscellaneous Program and Administrative Reductions: Reductions to existing operations and services necessary to pay for mandatory increases in existing costs, including pay raises, FERS contributions, State Department charges, and GSA rent, among others. The operations and services that will be reduced will be specified in spending plans after funds have been appropriated. Such reductions could include funds for travel, training, contracts, supplies, and other costs related to current operations.			
Subtotal, Non-Recur Non-Personnel	0	0	-3
TOTAL DIRECT TECHNICAL and BASE ADJUSTMENTS	0	0	0

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
United States Marshals Service
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted who Balance Recission				Sequester				Reprogramming/Transfers				Carryover				2013 Actual			
	Direct	Actual	Amount	FTE	Direct	Actual	Amount	FTE	Direct	Actual	Amount	FTE	Amount	Actual	Amount	FTE	Direct	Actual	Amount	FTE
Judicial and Courtroom Security	1,726	1,623	444,724	0	0	13,066	0	0	10,887	2,917	1,806	2,222	2,842	455,819						
Prisoner Security	1,744	1,602	386,598	0	0	-10,298	0	0	16,891	3,403	1,316	1,744	1,602	397,522						
Prisoner Security and Transportation	1,204	1,106	243,598	0	0	-7,060	0	0	10,765	1,581	908	1,204	1,106	250,060						
Protection of Witnesses	207	190	34,079	0	0	-1,217	0	0	1,851	272	156	207	190	35,141						
Tactical Operations	177	163	40,224	0	0	-4,843	0	0	5,385	232	134	177	163	41,132						
Total Direct	5,950	5,193	1,148,531	0	0	-38,462	0	0	54,139	8,405	4,440	5,950	5,440	1,179,173						
Reimbursable FTE				0				0												
Total Direct and Reimb. FTE				0				0												
Other FTE:																				
LEAP		774		0		0		0		0				774						
Overlays		62		0		0		0		0										
Grand Total FTE		6,229		0		0		0		0				6,229						

1) The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Reprogramming/Transfers

Unobligated balance transfers of \$7,062,192 include transfers for USMS S&E (15-12-0324) to/from High Intensity Drug Trafficking Area (HDTA 11-1215-1070) in the amounts of \$127,885 transfer in and \$75,683 transfer out and for USMS S&E no-year (15-X-0324) from prior year S&E annual (15-11-0324), \$4,000,000 and S&E annual (15-12-0324), \$1,000,000. Also includes non-expenditure transfers of appropriations from Federal Prisoner Detention (15-X-1020) through the reprogramming process, \$30,462,000, and from HDTA (11-1215-1070), \$1,342,216.

Carryover:

Unobligated balances brought forward include \$1,114,063 from HDTA (11-1215-1070) and \$7,290,513 from S&E No-Year (15-X-0324).

Recoveries/Refunds:

Recoveries of prior year obligations amounting to \$821,577 are from S&E No-Year (15-X-0324). Refunds source amounting to \$1,818,488 include Service of Process Fees, Visa Rebates, Proceeds from Vehicle Sales, Purchase Refunds, and Commissions

Crosswalk of 2013 Availability
United States Marshals Service
Construction
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted who Balance Recission				Sequester				Reprogramming/Transfers				Carryover				2013 Actual			
	Direct	Actual	Amount	FTE	Direct	Actual	Amount	FTE	Direct	Actual	Amount	FTE	Amount	Actual	Amount	FTE	Direct	Actual	Amount	FTE
Construction	0	0	9,793	0	0	0	0	0	0	0	0	0	930	591	0	0	0	0	11,204	0
Total Direct	0	0	9,793	0	0	0	0	0	0	0	0	0	930	591	0	0	0	0	11,204	0

1) The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Carryover:

Unobligated balances that were carried over from FY 2012 include \$930,402 from Construction No-Year (15-0133-X) for renovation and related costs

Recoveries/Refunds:

Revenues from Prior Year obligations amounted to \$500,881 to support courthouse renovations and related costs

G. Crosswalk of 2014 Availability

Crosswalk of 14 Availability
 United States Marshals Service
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carrier		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
Construction	2,222	2,042	458,428	0	0	7,001	4,541	3,481	2,222	2,042	2,222	2,042	473,449
Fugitive Apprehension	1,744	1,602	399,353	0	0	5,404	4,744	2,732	1,744	1,602	1,744	1,602	412,233
Prisoner Security and Transportation	1,204	1,106	251,555	0	0	3,784	2,460	1,886	1,204	1,106	1,204	1,106	289,895
Protection of Witnesses	207	190	35,399	0	0	852	423	324	207	190	207	190	38,788
Tactical Operations	177	163	40,287	0	0	558	362	277	177	163	177	163	41,484
Total Direct	5,554	5,103	1,185,000	0	0	17,409	12,530	9,700	5,554	5,103	5,554	5,103	1,223,639
Balance Rescission			0										0
Total Direct with Rescission			1,185,000				17,409	12,530		8,700		340	1,223,639
Reimbursable FTE		340			0							5,443	
Total Direct and Reimb. FTE		5,443			0		12,530					5,443	
Other FTE:													
LEAP		774			0		0	0				774	
Overtime		207			0		0	0				207	
Grand Total, FTE		6,424			0		12,530					6,424	

Reprogramming/Transfers

Unobligated balance transfers of \$9,909,097 include transfers for USMS S&E (15-1314-0324) to High Intensity Drug Trafficking Area (HIDTA 11-1213-1070) in the amounts of \$90,087. USMS S&E no-year (15-X-0324) from prior year S&E annual (15-13-0324) of \$10,000,000 and anticipated transfers from S&E no-year (15-X-0324) of \$7,500,000 to S&E annual (15-14-

Carrier:

Unobligated balances brought forward include \$1,80,278 from HIDTA (11-1314-1070) and \$7,280,513 from S&E No-Year (15-X-0324).

Recoveries/Refunds:

Recoveries from prior year obligations are estimated at \$1,000,000 from S&E No-Year (15-X-0324) as reported in the FY 2014 Spend Plan under Section 210 Notification, to support information technology enhancements. Anticipated sources from Refunds amounting to \$770,000 include Service of Process Fees, Visa Rebates, Proceeds from Vehicle Sales, Purchase Refunds, and Commissions.

Crosswalk of 2014 Availability
 United States Marshals Service
 Construction
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carrier		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
Construction	0	0	9,800	0	0	0	824	1,000	0	0	0	0	11,824
Total Direct	0	0	9,800	0	0	0	824	1,000	0	0	0	0	11,824
Balance Rescission			0										0
Total Direct with Rescission			9,800				824	1,000					11,824

Carrier:

Unobligated Balances that were carried over from FY 2012 include \$823,618 from Construction No-Year (15-0133-X) for renovation and related costs.

Recoveries/Refunds:

Recoveries from Prior Year obligations are estimated at \$1,000,000 as reported in the FY 2014 Spend Plan under Section 210 Notification, to support courthouse renovation & related costs.

Exhibit G - Crosswalk of 2014 Availability

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources
 United States Marshals Service
 Salaries and Expenses
 (Dollars in Thousands)

Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	FTE	Amount	Reimb. Pos.	FTE	Amount	Reimb. Pos.	FTE	Amount	Reimb. Pos.	FTE	Amount
Administrative Office of the U.S. Courts (AUCSC)	72	57	0	72	72	300	72	72	300	0	0	0
Assets Forfeiture Fund (AFF)	254	195	0	254	254	0	254	254	0	0	0	0
Centers for Disease Control (CDC)	36	31	6,740	36	36	8,300	36	36	8,300	0	0	0
Department of Defense (DOD)	0	0	2,453	0	0	5,596	0	0	500	0	0	-5,096
Department of Homeland Security (DHS)	0	0	245	0	0	637	0	0	637	0	0	0
Department of Justice (DOJ)	1	2	2,520	2	2	7,549	2	2	7,549	0	0	0
Department of State (DOS)	0	0	6,452	0	0	7,336	0	0	1,720	0	0	-5,616
Executive Office of the U.S. Attorneys (EOUSA)	0	0	2,211	0	0	2,354	0	0	2,354	0	0	0
Federal Bureau of Investigation (FBI)	0	2	903	3	3	671	3	3	673	0	0	2
Federal Law Enforcement Training Center (FLETC)	0	0	5	0	0	30	0	0	30	0	0	0
Office of National Drug Control Policy (ONDCP)	8	7	1,136	8	8	2,000	8	8	2,000	0	0	0
Organized Crime Drug Enforcement Task Force (OCDETF)	43	37	8,100	41	40	8,386	41	40	8,228	0	0	-158
Service of Process (SOP)	7	6	0	7	7	1,250	7	7	1,250	0	0	0
U.S. Tax Court	3	3	2,102	3	3	2,800	3	3	2,800	0	0	0
Various Federal Sources	0	0	0	0	0	267	0	0	99	0	0	-168
Budgetary Resources	424	340	32,867	426	425	47,478	426	425	36,440	0	0	-11,038

Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	FTE	Amount	Reimb. Pos.	FTE	Amount	Reimb. Pos.	FTE	Amount	Reimb. Pos.	FTE	Amount
Judicial and Court House Security	83	67	6,807	83	83	10,878	83	83	10,878	0	0	0
Fugitive Apprehension	304	241	10,031	305	304	13,220	305	304	13,062	0	0	-158
Prisoner Security and Transportation	0	0	0	0	0	0	0	0	0	0	0	0
Protection of Witnesses	1	1	644	1	1	2,500	1	1	2,500	0	0	0
Tactical Operations	36	31	15,365	37	37	20,860	37	37	10,000	0	0	-10,860
Budgetary Resources	424	340	32,867	426	425	47,478	426	425	36,440	0	0	-11,038

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category
 United States Marshals Service
 Salaries and Expenses
 (Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration			2014 Enacted			2015 Request		
	Direct Pos.	Reimb. Pos.		Direct Pos.	Reimb. Pos.		Total Direct Pos.	Total Reimb. Pos.	
Miscellaneous Operations (010-088)	3	0		3	0		3	0	
Security Specialists (080)	26	25		26	25		26	25	
Social Science, Psychology, and Welfare (100-199)	5	0		5	0		5	0	
Intelligence Series (132)	47	3		47	3		47	3	
Personnel Management (200-299)	43	3		43	3		43	3	
Clerical and Office Services (300-399)	799	117		799	117		799	117	
Accounting and Budget (500-599)	136	16		136	16		136	16	
Medical/Public Health (600-699)	3	1		3	1		3	1	
Architecture (800)	3	0		3	0		3	0	
Electronics Technical (856)	3	2		3	2		3	2	
Attorneys (900)	19	3		19	3		19	3	
Paralegal Specialist (950)	1	0		1	0		1	0	
Information & Arts (1000-1099)	12	0		12	0		12	0	
Business & Industry (1100-1199)	97	85		97	84		97	84	
Mathematics and Statistics (1500-1599)	3	0		3	0		3	0	
Equipment, Facilities, and Services (1600-1699)	4	0		4	0		4	0	
Detention Enforcement Officers (1800)	114	0		114	0		114	0	
Criminal Investigative Series (082, 1801, 1810, 1811)	4,134	166		4,134	169		4,134	169	
Transportation (2100-2199)	6	0		6	0		6	0	
Information Technology Management (2210)	97	3		97	3		97	3	
Total	5,554	424		5,554	426		5,554	426	
Headquarters (Washington, D.C.)	721	156		721	158		721	158	
U.S. Field	4,816	268		4,816	268		4,816	268	
Foreign Field	17	0		17	0		17	0	
Total	5,554	424		5,554	426		5,554	426	

Note: FY 2013 through FY 2015 include additional 10 direct positions from the merger of the USMS and Office of the Federal Detention Trustee.

J. Financial Analysis of Program Changes

Financial Analysis of Program Changes
 United States Marshals Service
 Salaries and Expenses
 (Dollars in Thousands)

Grades	Judicial and Courthouse Security		Fugitive Apprehension		Prisoner Security and Transportation	
	Miscellaneous Program & Administrative Reductions		Miscellaneous Program & Administrative Reductions		Miscellaneous Program & Administrative Reductions	
	Direct Pos.	Amount	Direct Pos.	Amount	Direct Pos.	Amount
21.0 Travel and Transportation of Persons	0	-1,393	0	-1,094	0	-755
22.0 Transportation of Things	0	-82	0	-85	0	-45
23.2 Rental Payments to Others	0	-381	0	-299	0	-207
25.2 Other Services from Non-Federal Sources	0	-1,470	0	-1,154	0	-796
25.3 Other Goods and Services from Federal Sources	0	-4,776	0	-3,749	0	-2,588
25.4 Operation and Maintenance of Facilities	0	-805	0	-632	0	-436
25.7 Operation and Maintenance of Equipment	0	-1,934	0	-1,518	0	-1,048
26.0 Supplies and Materials	0	-1,162	0	-912	0	-629
31.0 Equipment	0	-1,530	0	-1,201	0	-830
Total Program Change Requests	0	-13,533	0	-10,624	0	-7,334

Grades	Protection of Witnesses		Tactical Operations		Total Program Changes	
	Miscellaneous Program & Administrative Reductions		Miscellaneous Program & Administrative Reductions		Miscellaneous Program & Administrative Reductions	
	Direct Pos.	Amount	Direct Pos.	Amount	Direct Pos.	Amount
21.0 Travel and Transportation of Persons	0	-130	0	-111	0	-3,483
22.0 Transportation of Things	0	-8	0	-7	0	-207
23.2 Rental Payments to Others	0	-36	0	-30	0	-953
25.2 Other Services from Non-Federal Sources	0	-137	0	-117	0	-3,674
25.3 Other Goods and Services from Federal Sources	0	-445	0	-360	0	-11,938
25.4 Operation and Maintenance of Facilities	0	-75	0	-64	0	-2,012
25.7 Operation and Maintenance of Equipment	0	-180	0	-154	0	-4,834
26.0 Supplies and Materials	0	-109	0	-93	0	-2,905
31.0 Equipment	0	-143	0	-122	0	-3,826
Total Program Change Requests	0	-1,263	0	-1,078	0	-33,832

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class
 United States (Reimbursable Service)
 Salaries and Expenses
 (Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct	FTE	Amount	FTE	Amount	FTE	Amount	FTE
11.1 Full-Time Permanent	5,096	7	418,675	5,096	425,154	0	3,832	0
11.3 Other than Full-Time Permanent								
11.5 Other Personnel Compensation	836		73,908	981	78,831	0	12,789	0
Overtime	62		5,112	207	6,000	0	658	0
Other Compensation	774		68,696	774	72,831	0	666	0
11.8 Special Personal Services Payments	0		5,613	0	5,000	0	666	0
Total	5,936	7	511,977	6,084	522,774	0	17,277	0
Other Object Classes								
12.0 Personnel Benefits			221,365		219,951		18,126	
13.0 Benefits for former personnel			0		9		0	
21.0 Travel and Transportation of Persons			17,061		18,391		14,908	
22.0 Transportation of Things			1,389		1,084		-207	
23.1 Rental Payments to GSA			186,555		204,959		214,100	
23.2 Rental Payments to Others			11,181		14,944		13,891	
23.3 Communications, Utilities, and Miscellaneous Charges			26,265		22,341		22,341	
24.0 Printing and Reproduction			325		411		411	
25.1 Advisory and Assistance Services			8,010		6,476		8,476	
25.2 Other Services from Non-Federal Sources			34,031		23,389		20,381	
25.3 Other Goods and Services from Federal Sources			50,064		63,040		51,102	
25.3 DHS Security (GSA)			12,616		13,994		13,977	
25.4 Operation and Maintenance of Facilities			7,754		10,624		8,612	
25.6 Medical Care			129		2,188		2,188	
25.6 Operation and Maintenance of Equipment			30,174		25,524		21,583	
25.8 Other Services			24		0		0	
25.9 Lease Expirations			16		3,777		3,777	
26.0 Supplies and Materials			21,290		15,337		12,432	
31.0 Equipment			16,725		20,216		16,390	
32.0 Land and Structures			790		469		-3,826	
42.0 Insurance Claims and Indemnities			490		225		225	
Total Obligations			1,156,291		1,185,000		1,185,000	
Subtract - Unobligated Balance, Start-of-Year			8,405		-12,530		-13,530	
Subtract - Transfers/Reprogramming			-54,859		0		0	
Subtract - Recoveries/Refunds			-4,440		-1,000		0	
Add - Unobligated End-of-Year, Available			12,530		13,530		13,530	
Add - Unobligated End-of-Year, Expiring			10,952		0		0	
Total Direct Requirements			1,112,069		1,185,000		1,185,000	
Reimbursable FTE								
Full-Time Permanent	340			425		425		0
23.1 Rental Payments to GSA (Reimbursable)			20,261		20,945		20,945	
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)			1,216		1,337		1,337	

Exhibit K - Summary of Requirements by Object Class - Salaries and Expenses

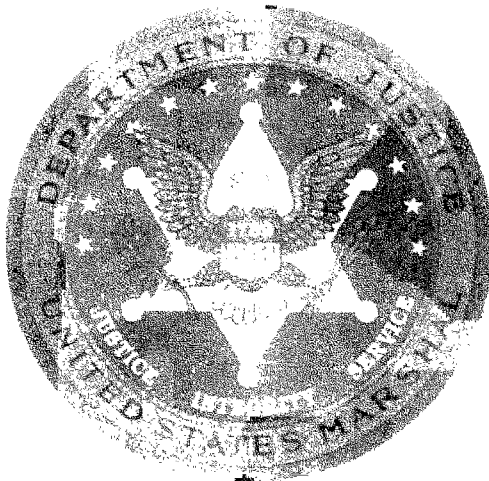
K. Summary of Requirements by Object Class

Summary of Requirements by Object Class
United States Marshals Service
Construction
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
Other Object Classes								
25.2 Other Services from Non-Federal Sources		10,394		9,800		9,800		0
Total Obligations		10,394		9,800		9,800		0
Subtract - Unobligated Balance, Start-of-Year		-930		-824		-1,824		-1,000
Subtract - Recoveries/Refunds		-1,095		-1,000		0		1,000
Add - Unobligated End-of-Year, Available		824		1,824		1,824		0
Total Direct Requirements	0	9,793	0	9,800	0	9,800	0	0

**United States Marshals Service
FY 2015 Performance Budget
President's Budget**

**Justice Prisoner and Alien Transportation System
Revolving Fund**



March 2014

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I. Overview

The Justice Prisoner and Alien Transportation System (JPATS) mission is to coordinate and transport prisoners and detainees safely, securely, and humanely, in a timely and economical manner. JPATS is a revolving fund activity with total operating costs being reimbursed by customer agencies. JPATS coordinates the movement of the majority of federal prisoners and detainees, including sentenced, pretrial and criminal aliens, in the custody of the U.S. Marshals Service (USMS) and the Bureau of Prisons (BOP). JPATS also transports Department of Defense, and state and local prisoners on a reimbursable, space-available basis.

Using projected prisoner movement requirements provided by the customers, JPATS projects total costs associated with air transportation. OMB Circular A-126 guidelines are utilized to identify fixed and variable air transportation cost categories, and with the utilization of activity based costing, flying hour rates are developed. Customers are billed based on the number of flight hours and the number of seats utilized to move their prisoners/detainees.

The JPATS Revolving Fund provides numerous benefits, including, but not limited to: 1) operates as a no-year account with a consistent funding stream from the customer agencies; 2) operates under the concept of full-cost recovery; 3) provides for multi-year funding/leasing authority for capital acquisitions; and 4) retains proceeds from the disposal of JPATS aircraft and parts. The JPATS Revolving Fund provides cost stability to the customer agencies since the fund can absorb, on a short-term basis, cost fluctuations for operating expenses such as fuel and major aircraft maintenance. It also simplifies the task of replacing aircraft and obtaining major aircraft parts by enabling JPATS to extend the cost of equipment purchases or leases over several years, and to plan the procurement of equipment, or equipment lease agreements when needed.

JPATS is committed to ensuring that each scheduled flight is staffed with qualified personnel to safely operate each aircraft, that adequate security officers are present to ensure the safety of the detainees/prisoners being transported and the crew, and that at least one medical professional is present. Paramedics ensure that all prisoners have the required screenings, possess medical records, and perform a visual assessment of the inmates prior to boarding to determine they are medically stable, and fit to fly. All medium and large aircraft, which transport the majority of the prisoners, have one paramedic assigned per flight.

A. Budget Assumptions

JPATS continues to look for opportunities to optimize the transportation network and produce efficiencies for the customer. The key assumptions for this budget formulation include:

- The price of jet fuel continues to increase.
- The acquired 737-400 aircraft result in an estimated \$6 million in savings to the customers.

B. Efficiencies and Savings

JPATS continually examines its operational areas seeking to increase efficiency and improve the quality of services while generating savings for the customer agencies.

JPATS Efficiencies: JPATS continues to lead optimization efforts to improve performance in the delivery of services and gain efficiencies in both time and cost. The data and analysis made possible through the JPATS Management Information System (JMIS) are central to JPATS program initiatives. With the system upgrades and newly created dashboards, JPATS is collecting more accurate information and higher volumes of data for analysis. This assists management in analyzing areas that impede efficiency which, in turn, drives program improvement through performance measurement and monitoring.

JPATS receives over 500 requests daily to move prisoners between judicial districts, correctional institutions, and other locations. JPATS created Regional Transfer Centers (RTC) and JPATS Transfer Annexes (JTA) to facilitate the movement of these prisoners to their destination and reduce housing costs by:

- expanding the in-transit infrastructure;
- reducing in-transit time;
- expanding ground transportation capabilities;
- decreasing reliance on the Federal Transfer Center (FTC) by strategic placement of housing near airlift sites and BOP contract facilities;
- freeing bed space in districts with a high demand for detention space; and,
- assisting the BOP in addressing prisoner capacity demands, especially for private contract facilities.

JPATS Savings: In FY 2013, JPATS prepared a cost benefit and business case analysis in the GSA Capital Asset Planning Tool to determine if leasing or buying large aircraft provides the best value. Both validated that the purchase of two 737-400s would produce a significant savings compared to the previous leasing practice. JPATS purchased two 737-400s prior to the close of FY 2013. The acquisition of the aircraft is estimated to generate a cost savings of approximately \$6 million in the first year, and about \$36 million in savings in the first five years. JPATS funded the aircraft purchase utilizing carryforward balances from the revolving fund.

C. Budget Summary

The following table provides the JPATS Revolving Fund program estimates for Obligation Authority (OA) and Personnel Data. The OA requested is based upon the customers' projected requirements and estimated carry forward authority for FY 2014 and FY 2015.

Financial Operations

JPATS

2015

(Dollars in Thousands)

<u>Authority</u>	<u>FY 2013</u>	<u>FY 2014</u>	<u>FY 2015</u>
Operating	79,572	60,325	52,807
Less: Depreciation	(1,793)	(1,747)	(3,204)
Operating Authority	77,779	58,578	49,603
*Carry Forward Authority	12,352	12,352	10,000
Total Authority	90,131	70,930	59,603
<u>Staffing</u>			
Civilian Positions	123	123	123
Civilian End Strength	96	99	102
Personal Contract Guards	90	90	90
Average GS Salary	82,195	84,953	87,502
Average SES Salary	173,537	175,609	177,365

*Carry Forward Authority from FY 2013 SF-133, "Report on Budget Execution and Budgetary Resource," dated September 30, 2013

Revenues and Expenses

JPATS

2015

(Dollars in Thousands)

	<u>FY 2013</u>	<u>FY 2014</u>	<u>FY 2015</u>
Revenue	47,622	60,247	52,807
Cost of Operations (includes Depreciation)	(55,097)	(60,247)	(52,807)
Operating Results	(7,475)	(78)	0
	(7,475)	(78)	0
Prior Year Accumulated Operating Results (AOR)	(3,877)	(11,352)	(11,430)
Net Accumulated Operating Results (AOR)	(11,352)	(11,430)	(11,430)

The actual FY 2013 AOR results are reported as well as the anticipated AOR for FY 2014 and FY 2015. The Revenue and Expenses chart on page 11 provides the details:

II. JPATS Performance Challenges

A. Transporting Prisoners in a Timely and Economical Manner

Challenge: Given the limited resources and uncontrollable factors such as jet-fuel prices, JPATS must look for innovative solutions to create greater efficiency within the current transportation infrastructure, which will in turn impact the cost of detainee housing. The interdependence of transportation and housing precludes addressing one without having an impact on the other.

1. Transport Prisoners in a Timely Manner

Strategies: Reduce the Number of Court Deadline Extensions and Reduce Schedule Process Time and Request Backlog

JPATS is focusing on two specific strategies to transport prisoners in a timely manner. By monitoring the number of extensions required, JPATS has reduced the number of extensions, resulting in timely prisoner transport. JPATS has also developed the JMIS Assisted Routing and Scheduling System (JARS) which plans routine prisoner transportation through information technology processes. This allows schedulers to focus on more complex prisoner transportation schedules.

2. Transport Prisoners in an Economical Manner

Strategies: Utilize the Most Economic Bed Space Per/In-Transit and Explore Small Aircraft Options

JPATS is focusing on two specific strategies to transport prisoners in an economical manner. JPATS continues to develop methods and procedures to move prisoners in a pre-transit status out of high-cost paid jail beds to lower-cost beds. Likewise, JPATS continues to house prisoners in-transit in the most economical jail beds available while at the same time reducing to the greatest extent possible the number of days a prisoner is in both pre and in-transit status. JPATS is conducting a review of the Special Operation Air Program (SOAP) which utilizes two small (four prisoner passengers) aircraft. The review commenced in FY 2014 with projected completion in the first quarter of FY 2015. The review will assess the best approach for the SOAP requirement and will identify the most effective strategy: lease, purchase, or charter of aircraft, for JPATS business.

III. Performance and Resource Table

PERFORMANCE AND RESOURCES TABLE										
Decision Unit: Justice Prisoner and Alien Transportation System										
RESOURCES										
		Target		Actual		Projected		Changes		Requested (Total)
		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request
Total Costs and FTE		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE
		95	\$48,717	94	\$77,779	95	\$58,578	7	-\$8,975	102
										\$49,603
TYPE	STRATEGIC OBJECTIVE	FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request
Program Activity		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE
	Prisoner Movement	95	\$48,717	94	\$77,779	95	\$58,578	7	-\$8,975	\$49,603
Performance Measure: Workload	3.2	114,450		201,694		203,407		2,225		205,632
Performance Measure: Outcome	3.2	\$1,400		\$1,233		\$1,350		\$0		\$1,350

* With a more refined data system JPATS has adjusted the FY 2014 target down to \$1,350. In FY 2015, JPATS maintains its estimate at \$1,350 formulating the budget with the newly acquired aircraft as opposed to leased aircraft in FY 2014, therefore, we are maintaining the estimate at \$1,350.

A. Definition of Terms or Explanations for Indicators.

Workload:

1. JPATS receives requests to move prisoners and determines the appropriate mode of transportation (i.e., ground and/or air movement). JPATS uses the JPATS Transportation module within the JPATS Management Information System (JMIS), to schedule and track movements.

Performance Measure:

In keeping with the strategic approach of DOJ, JPATS developed the following performance measure in FY 2011 and the measure reporting began in FY 2012.

Performance Measure: Transportation Unit Cost

- **Data Definition:** The total cost per prisoner (transportation coordinated by JPATS) incurred from the prisoner's point of origin to final destination. Component costs include the cost of transporting the prisoner (by air, bus, van, and car) and the cost of housing the prisoner while in-transit. The cost of BOP-provided in-transit housing and bus transportation is included as part of the reported costs.
- **Data Collection and Storage:** Data describing prisoner transportation and the costs associated with transportation and housing is maintained in several databases. The USMS JPATS Management Information System (JMIS) data system maintains information describing prisoner movements such as the points of origin and final destination, how the prisoner was moved, and where the prisoner was housed, as applicable, while in-transit. JMIS also maintains information describing the cost of air movements and JPATS-coordinated ground transportation. BOP provides information describing the cost of BOP-sponsored bus transportation. The USMS Justice Detainee Information System (JDIS), and the eJGA system and other records managed by FPD, provide information describing the cost of non-federal housing. Data is maintained on each prisoner transported by JPATS. Data from the various systems is aggregated together by JMIS to determine the prisoner-specific total transportation costs.
- **Data Validation and Verification:** Component data is provided to JPATS by the various agencies. JPATS validates the data for completeness and to ensure that the data provided is within historical parameters.
- **Data Limitations:** Maintaining prisoner transportation data is a labor-intensive process. The reliability of the component data is often compromised by invalid data entry. Accordingly, labor-intensive data analysis is often required to ensure that the data provided to JPATS passes certain logical tests. Additionally, data describing the cost of BOP-sponsored transportation is based on standardized formulae provided by the BOP for calculating the cost of operating their buses. The costs of BOP-provided in-transit housing are based on BOP-reported per capita cost of operating BOP facilities, particularly the Federal Transfer Center in Oklahoma City.

B. Factors Affecting FY 2014 and FY 2015 Plans. The USMS and JPATS' strategic plans encompass the efforts to optimize use of the transportation network. The performance metric captures the entire prisoner cost of transportation, including in-transit housing. Given finite resources and uncontrollable fuel prices, USMS must look for innovative solutions to create greater efficiency within the current infrastructure. The interdependence of transportation and housing precludes addressing one without the other. The measure of Transportation Unit Cost shows the cost effectiveness of strategies to reduce total transportation time, strategies to optimize routing (since there are normally several legs to the trip), strategies to maximize seat utilization, and strategies to utilize the most cost effective housing available. The demand for transportation will continue to rise with the increase in detainee population.

IV. JPATS Operating Budget

FY 2015 Budget Estimates
Changes in the Costs of Operations
JPATS
2015
(Dollars in Thousands)

FY 2013 Budget Estimate *	50,472
FY 2013 Actual	55,097
Pricing Adjustments:	
Aircraft Fuel	801
Aircraft Maintenance	587
Aircraft Leases	208
Civilian Labor	216
Employee Training	305
Guards	236
Contract Crews	257
Mission Support Expenses	412
Depreciation	(46)
Law Suit Payments	667
Other	1,585
FY 2014 Budget Estimate	60,325
Pricing Adjustments:	
Aircraft Fuel	(889)
Aircraft Maintenance	2,407
Aircraft Leases	(8,218)
Civilian Labor	553
Security Guards	96
Contract Crews	(247)
Depreciation	1,457
Law Suit Contingency	(3,152)
Other	475
FY 2015 Budget Estimate	52,807

* FY 2013 Budget Estimate includes \$48,717 Operating Level, as reported in the FY 2014 President's Budget, and \$1,755 depreciation.

Chart 1

FY 2015 Budget Estimates
Sources of New Orders and Revenue
JPATS
2015
(Dollars in Thousands)

1. New Orders	<u>FY 2013*</u>	<u>FY 2014</u>	<u>FY 2015</u>
a. Orders from Customers			
USMS	31,695	40,225	36,198
BOP	14,782	20,022	16,609
Other	1,145	0	0
a. Total Orders from Customers	<u>47,622</u>	<u>60,247</u>	<u>52,807</u>

* FY 2013 September 2013 Income Statement

FY 2015 Budget Estimates
Revenues and Expenses
JPATS
Financial Operations

2015

(Dollars in Thousands)

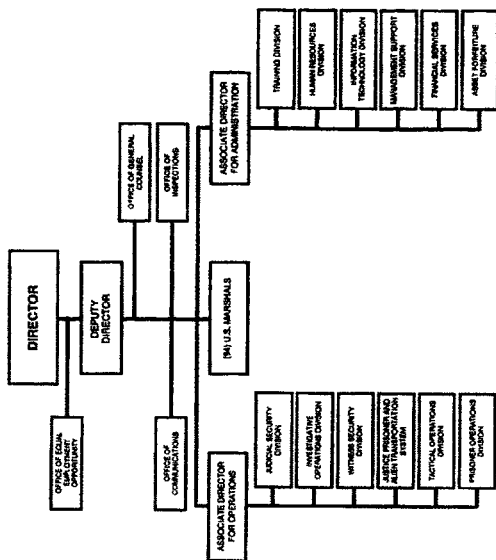
Revenue	FY 2013	FY 2014	FY 2015
Operations	47,622	60,247	52,807
Total Income	47,622	60,247	52,807
Expenses			
Aircraft Operating Expenses			
Aircraft Fuel	14,516	15,317	14,428
Aircraft Maintenance	5,679	6,266	8,673
Aircraft Leases	12,418	12,627	4,408
Aircraft Operating Expenses Total	32,613	34,210	27,509
Labor Related Expenses			
Civilian Labor	12,128	12,344	12,896
Employee Training	310	615	633
Guards, Contract Services	2,309	2,545	2,641
Labor Related Expenses Total	14,747	15,504	16,170
Mission Support Expenses			
Contract Crew	123	380	133
Aircraft Ground Spt Expenses	222	365	336
Navigation Data, Tech Periodicals	181	227	230
Medical/PHS Expenses	205	237	210
Mission Travel	617	808	754
Mission Support Expenses Total	1,348	2,017	1,663
Non-Mission Support Expenses			
Facilities Expenses	1,333	1,490	1,648
Admin & Support Expenses	1,938	1,212	1,700
Non-Cap Equip. Purchases/Rental	81	194	213
Non-Mission Travel	151	378	401
Other Expenses	1,093	3,573	299
Non-Mission Support Expenses Total	4,596	6,847	4,261
Total Expenses	53,304	58,578	49,603
Operating Results:	(5,682)	1,669	3,204
Depreciation	(1,793)	(1,747)	(3,204)
Net Operating Results	(7,475)	(78)	0
Prior Year Accumulated Operating Results	(3,877)	(11,352)	(11,430)
Accumulated Operating Result Adjustments	0	0	0
Net Accumulated Operating Results	(11,352)	(11,430)	(11,430)

Chart 3

A: Organizational Chart

1051

UNITED STATES MARSHALS SERVICE



Approved by *[Signature]* Date 8-13-07
UNITED STATES MARSHALS SERVICE

B. Summary of Requirements

Summary of Requirements
Justice Prisoner and Alien Transportation System
Revolving Fund
(Dollars in Thousands)

	FY 2015 Request		
	Perm Positions	FTE	Amount
2013 Operating Level	123	94	77,779
2014 Operating Level	123	95	58,578
2015 Changes to Operating Level	0	7	-8,975
2015 Operating Level	123	102	49,603
2014 - 2015 Total Change	0	7	-8,975

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 an estimate.

B. Summary of Requirements

Summary of Requirements
 Justice Prisoner and Alien Transportation System
 Revolving Fund
 (Dollars in Thousands)

Program Activity	2013 Operating Level		2014 Operating Level			2014 Changes to Operating Level			2015 Operating Level		
	Pos.	Actual FTE	Amount	Pos.	Est. FTE	Amount	Pos.	Est. FTE	Amount	Pos.	Est. FTE
Justice Prisoner and Alien Transportation System	123	94	77,719	123	95	58,576	0	7	-8,975	123	102
Grand Total FTE		94			95			7			102
											49,603

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective
Justice Prisoner and Alien Transportation System
Revolving Fund
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Operating Level			2014 Operating Level			2015 Changes to Operating Level			2015 Operating Level		
	Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount	
Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels. 3.2 Protect judges, witnesses, and other participants in federal proceedings; apprehend fugitives; and ensure the appearance of criminal defendants for judicial proceedings or confinement.	94	77,779		95	58,578		7	-8,975		102	49,603	
Subtotal, Goal 3	94	77,779		95	58,578		7	-8,975		102	49,603	
TOTAL	94	77,779		95	58,578		7	-8,975		102	49,603	

Note: Excludes Balance Rescission and/or Supplemental Appropriations.

G. Criminal Justice System

Crosswalk of 2014 Availability
Justice Prisoner and Alien Transportation System
Revolving Fund
(Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability	
	Pos.	Estim. FTE	Amount	Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Pos.	Estim. FTE	Amount
Justice Prisoner and Alien Transportation System	123	95	61,823		0		12,352	500		123	95	74,675
Grand Total, FTE		95			0						95	

Data Source: FY 2014 SF-132, Amendment 1 dated 12/19/2013
Reprogramming/Transfers

Carryover: Includes the mandatory CORPUS balance and carryover reimbursable obligation authority.

Recoveries/Refunds: JPATS is a revolving fund and prior year recoveries are reapportioned and used in current year operations.

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources
 Justice Prisoner and Alien Transportation System
 Revolving Fund
 (Dollars in Thousands)

Collections by Source	2013 Operating Level			2014 Operating Level			2015 Operating Level			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
United States Marshals Service	0	0	31,695	0	0	40,225	0	0	36,188	0	0	-4,027
Bureau of Prisons	0	0	14,782	0	0	20,022	0	0	16,609	0	0	-3,413
State, Local, and Department of Defense	0	0	1,145	0	0	0	0	0	0	0	0	0
Budgetary Resources	123	94	47,622	123	95	60,247	123	102	52,807	0	7	-7,440

Obligations by Program Activity	2013 Operating Level			2014 Operating Level			2015 Operating Level			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Justice Prisoner and Alien Transportation System	123	94	77,779	123	95	58,578	123	102	49,603	0	7	-8,975
Budgetary Resources	123	94	77,779	123	95	58,578	123	102	49,603	0	7	-8,975

The amounts for collections are inclusive of expenses for depreciation which are collected from the customer.
 The operating authority does not include amounts for depreciation as it does not require budgetary authority.

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

Justice Prisoner and Alien Transportation System

Revolving Fund

(Dollars in Thousands)

Category	2013 Operating Level		2014 Operating Level		2015 Operating Level	
	Reimb. Pos.	Total Reimb. Pos.	Reimb. Pos.	ATBs	Total Reimb. Pos.	
Clerical and Office Services (300-399)	23	19	19	0	19	
Accounting and Budget (500-599)	10	10	10	0	10	
Paramedics/Nurses (610 & 640)	4	6	6	0	6	
Attorneys (905)	1	1	1	0	1	
Business & Industry (1100-1199)	5	5	5	0	5	
Criminal Investigative Series (1801-1811)	20	28	28	0	28	
Quality Assurance, Inspection & Grading Group (1900-1999)	2	2	2	0	2	
Transportation Group (2100-2199)	51	45	45	0	45	
Information Technology Mgmt. (2210)	7	7	7	0	7	
Total	123	123	123	0	123	

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class
 Justice Prisoner and Alien Transportation System
 Revolving Fund
 (Dollars in Thousands)

Object Class	2013 Operating		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	0	8,436	0	8,703	0	8,762	0	79
11.5 Other Personnel Compensation	0	750	0	772	0	1,040	0	268
Overtime	0	590	0	640	0	800	0	160
Other Compensation	0	160	0	132	0	240	0	108
11.8 Special Personal Services Payments	0	2,354	0	2,545	0	2,841	0	96
Total	0	11,540	0	12,020	0	12,463	0	443
Other Object Classes								
12.0 Personnel Benefits		2,225		2,868		3,075		207
21.0 Travel and Transportation of Persons		672		1,186		1,155		-31
22.0 Transportation of Things		13		11		0		-11
23.2 Rental Payments to Others		841		843		862		19
23.3 Communications, Utilities, and Miscellaneous Charges		312		481		524		43
25.1 Advisory and Assistance Services		154		1,328		403		-925
25.2 Other Services from Non-Federal Sources		9,793		10,584		9,445		-1,139
25.3 Other Goods and Services from Federal Sources		249		388		304		-84
25.4 Operation and Maintenance of Facilities		216		171		270		99
25.7 Operation and Maintenance of Equipment		13,239		12,627		5,752		-8,875
26.0 Supplies and Materials		14,878		15,896		15,137		-759
31.0 Equipment		23,647		175		213		38
Total Obligations		77,779		58,578		49,603		-3,975
Subtract - Unobligated Balance, Start-of-Year		-41,273		-12,352		-12,852		-500
Subtract - Recoveries/Refunds		-362		-500		0		500
Add - Unobligated End-of-Year, Available		12,352		12,852		12,852		0
Add - Unobligated End-of-Year, Expiring		0		0		0		0
Total Direct Requirements	0	48,496	0	58,578	0	49,603	0	-3,975
Reimbursable FTE								
Full-Time Permanent	94		95		102		7	

M. Sch⁺ of Aircraft

Schedule of Aircraft
Justice Prisoner and Alien Transportation System
Revolving Fund

Type of Aircraft (Passenger Capacity)	End-of-Year Inventory	2013			2014			2015		
		Acquired	Disposed	End-of Year	Acquired	Disposed	End-of Year	Acquired	Average Cost (\$000)	Disposed
Direct Purchase:										
Jet Engine (8-10)	2.0	0.0	0.0	2.0	0.0	0.0	2.0	0.0	0.0	0.0
Jet Engine (120-140)	0.0	1.0	0.0	1.0	1.0	0.0	2.0	0.0	0.0	0.0
Turbo-Prop (50-60)	1.0	0.0	0.0	1.0	0.0	0.0	1.0	0.0	0.0	1.0
Subtotal, Purchased	3.0	1.0	0.0	4.0	1.0	0.0	5.0	0.0	0.0	5.0
Leased:										
Jet Engine (120-140)	2.0	0.0	0.0	2.0	0.0	0.0	0.0	0.0	0.0	0.0
Subtotal, Leased	2.0	0.0	0.0	2.0	0.0	0.0	0.0	0.0	0.0	0.0
Subtotal, Seized	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Aircraft	5.0	1.0	0.0	5.0	1.0	2.0	5.0	0.0	0.0	5.0

**United States Marshals Service
FY 2015 Performance Budget
President's Budget Submission**

Federal Prisoner Detention Appropriation



March 2014

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I. Overview

A. Introduction

In FY 2015, the Federal Prisoner Detention (FPD) Appropriation requests a total of 17 positions, 17 FTE, and \$1,595,307,000 to provide housing, transportation and care for federal detainees housed in non-federal detention facilities.

The request includes adjustments-to-base of \$30,516,000 and a program increase of \$31,791,000. A cancellation of \$122,000,000 from prior year balances is proposed for the FPD appropriation. The request by strategic goal follows:

DOJ Strategic Goal	FPD Program Activity	Budget Request
3.3	Detention Services	\$1,595,307,000
	2015 Balance Cancellation	-122,000,000
	2015 Total Request (with Balance Cancellation)	1,473,307,000

Electronic copies of the Department of Justice's (DOJ) Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

FPD's budget request supports an average daily population (ADP) of 59,949. The projected detention population is largely the result of a moderating growth rate for the number of persons arrested by the federal law enforcement agencies and decreases in 1) the proportion of defendants detained by the courts for more than four days and 2) the length of time defendants are detained pending adjudication and subsequent transfer to the Bureau of Prisons (BOP).

Based on current data, the detention population's growth rate of arrests and bookings will be slower than the rate observed historically. However, the ongoing immigration enforcement on the Southwest Border (SWB) will primarily result in a continued increase in the number of persons arrested for immigration offenses.

B. Background

The care of federal detainees in private, state, and local facilities and the costs associated with these efforts are funded from the FPD appropriation.

The United States Marshal Service's (USMS) detention resource needs are directly impacted by law enforcement and prosecutorial priorities. Linking law enforcement initiatives with detention funding requests is the key to providing the Congress with accurate information for budget forecasting, cost containment and effective results.

The USMS must ensure sufficient resources are available to house and care for the corresponding detainees. This objective is made even more challenging given the limited detention space available. While fluctuations in the ADP are outside of USMS direct control, the USMS will continue to coordinate the acquisition of sufficient detention space in the most cost efficient manner.

C. FY 2015 Budget Request by Strategic Goal

The FPD budget is aligned with DOJ and USMS strategic goals and objectives. The FPD account is defined by one program activity: Detention Services. Performance objectives, workload projections, and related resources are identified in the Performance and Resource Table. The alignment of DOJ and USMS strategic goals and objectives is detailed below.

DOJ Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal, and International Levels

DOJ Objective 3.3 - Provide for the safe, secure, humane, and cost-effective confinement of detained persons awaiting trial and/or sentencing, and those in the custody of the federal prison system

DOJ Strategy - Ensure adequate, cost-effective prison and detention capacity

USMS Strategic Goal 3: Optimize National Detention Operations With Well-Established Business Practices That Achieve Cost Effective, Safe, Secure, And Humane Confinement And Transportation

FPD Program Activity: Detention Services

FPD Performance Goal 1: Meet the Nation's Detention Requirements in the most economical manner

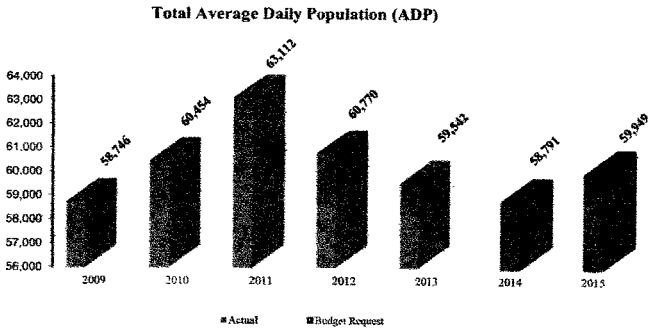
FPD Performance Goal 2: Ensure safe, secure, and humane confinement

C.1 Budget Request - Detention Services/DOJ Strategic Goal 3 (Objective 3.3)

FY 2015 Request: FPD's request includes \$1,595,307,000 in appropriated resources for detention services. This amount includes \$1,404,076,000 for housing and subsistence of detainees. Program costs for health care and medical guards are \$99,551,000 and \$25,413,000, respectively. Also included in the total cost for this program activity is \$27,058,000 for intra-district transportation; \$36,198,000 for the Justice Prisoner and Alien Transportation System (JPATS) transportation; and, \$3,011,000 for incidental costs associated with prisoner housing and transportation such as prisoner meals while in transit, prisoner clothing, and parking for government vehicles.

Adjustments-to-base: FPD's base adjustments total \$30,516,000. This amount reflects an increase of \$101,000 for pay and benefits adjustments and \$30,415,000 for other inflationary cost increases associated with increases in detention-related services. (See Exhibit B, E)

Program Increases: FPD's program enhancements include \$31,791,000 for increase in costs associated with housing new federal detainees. (See Exhibit B, J)

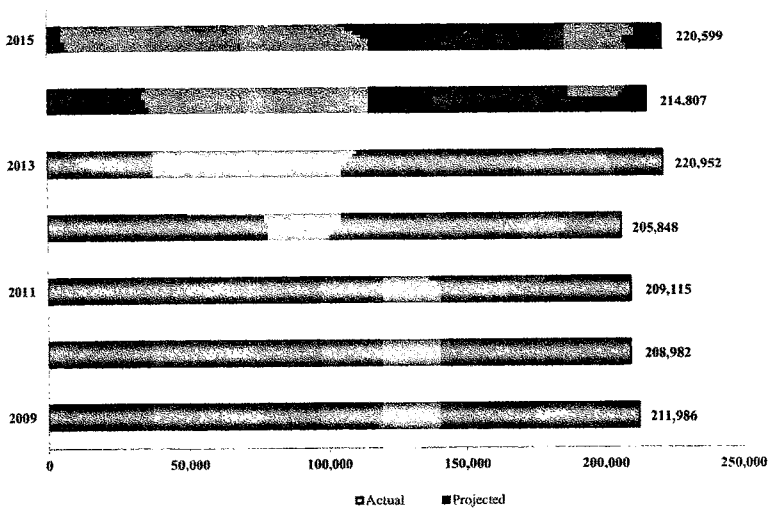


ADP Projections: Based on estimated bookings and time-in-detention, the ADP is currently projected to be 59,949 for FY 2015. The ADP is dependent upon the number of persons arrested by the federal law enforcement agencies coupled with the length of time defendants are detained pending adjudication, release, or subsequent transfer to the BOP following conviction and sentencing. Continuing initiatives, such as fast-tracking the prosecution of selected offenses, expediting the designation and transfer of sentenced prisoners to BOP correctional institutions, and utilizing detention alternatives, have proven successful at reducing detention time and housing costs. The USMS continues to seek ways to achieve additional cost savings.

The type of offense heavily impacts the time-in-detention; therefore, shifts in the projected number of people arrested by offense will likely impact the projected overall time-in-detention. The USMS has observed that overall time-in-detention has decreased as a result of the increased population of immigration offenders referred for prosecution. Immigration defendants, on average, are housed for less than half the time of those charged with drug, violent, and weapons offenses.

The most significant growth in detention over the last nine years has been along the SWB, largely due to increases in law enforcement and litigating resources devoted to the region for immigration-related offenses, including Border Patrol agents from the Department of Homeland Security (DHS) and U.S. Attorneys (USA) for prosecutions along the SWB. The USMS recognizes that the increases for DHS and USA will increase the challenges to the detention program. A critical part of supporting these priorities is adjusting detention capacity to manage the increasing SWB arrests and prosecutions.

Persons Booked by USMS

*Detention Population Forecasting Model*

A Detention Population Forecasting Model is used to take a statistical approach for predicting detention needs using factors such as population, demographic trends, number and type of criminal cases processed, average processing time per type of case, and authorized/requested positions of federal law enforcement, U.S. Attorneys, U.S. District Court judges, and immigration judges. These factors allow for the development of impact scenarios that address proposed legislation, known DOJ law enforcement initiatives, and current activities. The projections are based on past performance and behavior of the players involved. Any shift in behavior may alter the outcome.

The primary drivers of detention expenditures are the number of prisoners booked by the USMS and the length of time those prisoners are held in detention. However, both of these factors are directly influenced by the activities and decisions of federal law enforcement, U.S. Attorneys, and the federal judiciary. Accordingly, the USMS regularly monitors – and tries to anticipate – changes in federal law enforcement priorities and the number of on-board staff.

Nowhere has the impact of changing law enforcement priorities on detention expenditures been more observable than with the implementation of zero tolerance immigration enforcement policies along the SWB. Prior to the implementation of these policies in December 2005, fewer than 40,000 persons were arrested and booked annually for criminal immigration offenses. Since implementation, the number of annual bookings for criminal immigration offenses has more than doubled, increasing to 98,000 during FY 2013. The USMS anticipates that bookings for immigration offenses will continue to increase through FY 2015, from approximately 98,000 to 105,000.

The impact of the added immigration bookings has been mitigated by policies adopted by the U.S. Attorneys, DHS, and the federal judiciary to fast-track these cases through the criminal justice process. In FY 2005, the average time-in-detention for immigration offenses had been

more than 100 days. Fast-tracking policies have reduced that average time-in-detention to less than 70 days during FY 2013. The reduction in detention time has offset some of the impact of the unanticipated increase in bookings.

The FY 2015 projection assumes that law enforcement and prosecutorial priorities will remain for immigration at the SWB. Because the USMS projection model is largely based on past behavior, the following chart illustrates the **potential impact** of unplanned bookings by offense:

Impact of Increased Bookings Beyond the Fiscal Year 2015 Population Projections

	Prisoner Bookings			
		Increase Above Current Projection		
	Total		Total ADP	Projected Cost Increase
Bookings for Drug Offenses				
Baseline	28,589		59,949	
+5%	30,051	1,462	60,454	\$9,938,730
+10%	32,975	2,924	60,956	\$19,836,852
+25%	40,285	7,310	62,469	\$49,619,495
+50%	54,906	14,621	64,989	\$99,256,228
+75%	76,837	21,931	67,509	\$148,880,493
Bookings for Weapons Offenses				
Baseline	8,249		59,949	
+5%	8667	418	60,088	\$2,745,012
+10%	9,086	837	60,227	\$5,519,145
+25%	10,341	2,092	60,641	\$13,737,637
+50%	12,434	4,185	61,337	\$27,554,523
+75%	14,526	6,277	62,028	\$41,268,294
Bookings for Immigration Offenses				
Baseline	105,164		59,949	
+5%	110,083	4,919	60,459	\$9,934,416
+10%	119,921	9,838	60,968	\$19,885,629
+25%	144,515	24,594	62,501	\$49,751,000
+50%	193,703	49,188	65,050	\$99,475,887
+75%	267,485	73,782	67,602	\$149,215,168

Capital Improvement Program (CIP): The USMS continues to develop the CIP into a more comprehensive program to address detention space needs in critical areas. The program offers various contractual vehicles to provide federal funding to state and local authorities for the expansion, renovation, and construction of jails or the acquisition of equipment, supplies, or materials in exchange for detention beds. The program consists of two parts: the Cooperative Agreement Program (CAP) and Non-Refundable Service Charge Contract (NSCC).

CAP provides federal resources to select state and local governments to renovate, construct, and equip detention facilities in return for guaranteed bed space for a fixed period of time for federal detainees in or near federal court cities. NSCC allows the USMS to directly contract with state and local governments providing up-front funding for renovation or construction of jails to house

federal detainees in exchange for guaranteed bed space at a fixed rate. The NSCC is based on a similar program used by BOP to obtain space in critical need areas. The program is subject to the guidelines set by the Federal Acquisition Regulation (FAR) and will allow the USMS to meet federal detention housing needs by directly infusing resources into participating state and local facilities.

During FY 2010, in exchange for a \$20,000,000 CIP award, the then Office of the Detention Trustee (OFDT) entered into an Intergovernmental Agreement (IGA) with the State of Maryland (MD) to use up to 500 beds at the Maryland Correctional Adjustment Center (now Chesapeake Detention Facility) in Baltimore, MD. The facility is in close proximity to the federal district court in Baltimore, MD and provided for dedicated and guaranteed detention space for prisoners held in USMS custody in the District of Maryland. Given that the USMS has full utilization of the facility at a fixed operating cost, the effective per diem rate was reduced from \$198 to approximately \$131. Over a 20-year period, this CIP award will result in estimated \$40,000,000 cost avoidance for basic prisoner housing while providing dedicated detention space in a metropolitan area without requiring construction.

D. Full Program Cost

Full Program Cost by Program Activity		
Program Activity	Dollars in Thousands	
Detention Services	Housing & Subsistence	\$1,404,076
	Health Care Services	99,551
	Medical Guards	25,413
	Transportation	63,256
	Other	3,011
Total Request.....		\$1,595,307
2014 Balance Cancellation.....		-122,000
Total Request (with Balance Cancellation).....		\$1,473,307

Full program costs include resources for housing, care, and transportation of detainees as well as activities that help improve the detention infrastructure and contain costs. Investment in the detention infrastructure will enable the USMS to effectively drive efficiencies and manage the detention appropriation.

USMS continues to implement efficiencies through computer programs including: eDesignate, which reduces post-sentencing time in detention; eIGA, which standardizes the pricing strategy for non-federal detention space, controlling costs and providing greater certainty in rates to be paid; and the Quality Assurance Program, which ensures that private and IGA facilities meet DOJ requirements for safe, secure and humane confinement. Fundamental to these programs is shared data and the integration of information technology systems such as the USMS Justice Detainee Information System (JDIS) and the JPATS Management Information System (JMIS).

E. Mission Challenges

The internal and external mission challenges are incorporated into Section IV Program Activity Justification.

F. Environmental Accountability

Beginning in FY 2010, detention contracts were designed to meet the new BioPreferred federal program requirements. The USDA BioPreferred Program has identified more than 15,000 bio-based products commercially available across approximately 200 categories. Each contractor submits an annual report that reflects the percentage of BioPreferred products used within the detention facility. These reports allow the USMS to determine if contractors are using these products and to establish goals for each product used.

When the USMS contracts for new detention space, the procurement is conducted in compliance with the National Environmental Policy Act (NEPA). NEPA requires federal agencies to examine the impact of agency actions on the environment. The examination determines if there are any endangered species that will be affected, potential hazardous toxin emissions that could harm water supply, traffic patterns, etc., leading to the development of mitigation plans in conjunction with private service providers.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Housing and Subsistence of USMS Detainees	Increase in operating cost to sustain detention operations	0	0	31,791	27

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

U.S. Marshals Service

Federal Prisoner Detention

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service as authorized by section 4013 of title 18, United States Code, [\$1,533,000,000]~~\$1,595,307,000~~, to remain available until expended: *Provided*, That not to exceed \$20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: *Provided further*, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: *Provided further*, That any unobligated balances available from funds appropriated under the heading 'General Administration, Detention Trustee' shall be transferred to and merged with the appropriation under this heading.

(cancellation)

Of the unobligated balances from prior year appropriations available under this heading, \$122,000,000 are hereby permanently cancelled: Provided, That no amounts may be cancelled from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. (Department of Justice Appropriations Act, 2014).

Analysis of Appropriations Language

In FY 2013 the Office of the Federal Detention Trustee (OFDT) was merged with the USMS and became the Federal Prisoner Detention appropriation. Any unobligated balances available in the former OFDT account will be transferred and merged with the FPD appropriation. In addition, the amount available for cancellation is due to lower than projected detention costs in FY 2013.

IV. Program Activity Justification

A. Detention Services

Detention Services	Perm. Pos.	FTE	Amount (\$000)
2013 Enacted with Rescissions and Sequestration	17	14	1,533,716
2014 Enacted	17	17	1,533,000
Adjustments to Base and Technical Adjustments	0	0	30,516
2015 Current Services	17	17	1,563,516
2015 Program Increases	0	0	31,791
2015 Request	17	17	1,595,307
2015 Balance Rescission	0	0	-122,000
2015 Total Request (with Balance Rescission)	17	17	1,473,307
Total Change 2014-2015	17	17	\$62,307

1. Program Description

A.1 Detention Services

Detention resources provide the housing, transportation, medical care, and medical guard services for federal detainees remanded to USMS custody. FPD resources are expended from the time a prisoner is brought into USMS custody through termination of the criminal proceeding and/or commitment to BOP.

The federal government relies on various methods to house detainees. Detention bed space for federal detainees is acquired "as effectively and efficiently as possible" through: 1) federal detention facilities, where the government pays for construction and subsequent operation of the facility through the BOP; 2) Intergovernmental Agreements (IGA) with state and local jurisdictions who have excess prison/jail bed capacity and receive a daily rate for the use of a bed; 3) private jail facilities where a daily rate is paid per bed; and, 4) CIP, which includes the CAP and the NSCC contract, where capital investment funding is provided to state and local governments for guaranteed detention bed space in exchange for a daily rate negotiated through an IGA.

In certain high demand areas, e.g., the Southwest Border, DOJ has not been able to rely as much on IGAs and federal facilities to meet housing requirements. Accordingly, by 2015, it is expected that the capacity of the federal facilities will accommodate only 19% of the USMS detention population. By contrast, during FY 2000, federal facilities housed approximately 30% of the USMS detention population. With space unavailable in areas where more federal bed space is needed, DOJ has increasingly had to rely on the private sector.

Detention Services Efficiencies: A more detailed discussion of accomplishments, efficiencies and cost containment measures is provided in *Section C: Performance, Resources, and Strategies*.

A.2 Detention Management Services Automation

The USMS will continue to identify process automation opportunities, design support solutions, and invest in information technology infrastructure to facilitate improved efficiencies through process automation and when appropriate the integration of existing detention systems and services. Key detention automation programs that continue to drive mission efficiencies include the cross-agency initiatives of eDesignate and the DSNetwork.

eDesignate: eDesignate is a secure, electronic, web-based system that completely automates the sentence to commitment process by transferring data and documents electronically. eDesignate includes eMove, a transportation module that allows the USMS to submit a movement request electronically.

Since 2008, eDesignate has been fully operational in the 94 U.S. Federal Court districts. eDesignate is the enterprise technology solution used by the U.S. Courts, USMS, and BOP for the designation process and JPATS movement requests for federal prisoners. eDesignate eliminates the paper process and creates a faster, more transparent and effective workflow across agencies. Specifically, automated detainee data sharing for the purpose of designation and movement eliminates redundant efforts, saves time, reduces errors, provides better visibility of the process, enables better problem resolution across agencies and provides the information necessary to manage more effectively.

eDesignate enables the BOP to complete sentence computations and designations and returns disposition to the USMS. Based on the length of sentence, the USMS either maintains custody of the detainee until the sentence is served, in the case of a short term sentence, or prepares the prisoner for movement to the commitment location. Delivering the necessary documents and data in one complete package to the BOP via a secure system, eDesignate enables all agencies to monitor and provide relevant information to shorten the post-sentence process, thereby saving detention costs.

Finally, eDesignate monitors performance objectives and metrics within and across agencies as well as gives managers the ability to watch and react to operational issues and trends. Managing and monitoring the Sentence to Commitment (S2C) process via eDesignate has reduced the average number of days detainees are in the S2C pipeline and ultimately resulted in a cost avoidance of \$25 million in detention housing per year since FY 2008.

eMove: In 2008, the USMS in cooperation with JPATS, implemented in all 94 USMS districts, the eDesignate Movement Request (eMove). eMove provides a seamless transition from eDesignate to complete the full automation of the sentence to commitment process. It gives the USMS the ability to submit and monitor web-based movement requests to JPATS and streamlines the workflow among participating agencies by fully automating the federal detainee transportation process, thereby reducing the time from designation to commitment.

In February 2012, an enhancement to the eMove Transportation Module was released nationwide. This enhancement enables eMove to assist districts in scheduling and managing all in-district Judgment and Commitment (J&C) detainee moves. This module allows the USMS to submit routine out-of-district movement requests, such as Federal Writs, Attorney Special Requests, Warrant of Removals, etc., to JPATS. eMove enables districts to submit and manage all prisoner movement information and data seamlessly in one central system.

The USMS now has the ability to centrally manage in-district moves, which will allow the USMS to develop performance objectives and measure the operational effectiveness of how and when prisoners are moved. Because the USMS is now able to monitor this effort, they will be able to determine the movements that will reduce time-in-detention, thus reducing detention costs.

ePMR: The electronic Prisoner Medical Request (ePMR) system serves to provide a workflow for medical designations. ePMR was implemented in all 94 USMS districts in 2010. The system streamlines and automates the approval process for requests for detainee medical services from USMS district offices to the Office of Interagency Medical Services (OIMS). ePMR not only eliminated the paper-based request and approval system previously in place, but creates the ability to automatically capture relevant detainee data from other agency systems.

ePMR works seamlessly with existing systems and reduces the work associated with data entry, storage, and reduces costs associated with paper/printer usage. The electronic solution presents relevant data and documents in one complete package to OIMS at USMS headquarters at a single point in time. The system also provides feedback mechanisms across USMS offices for faster case resolution. Additionally, ePMR not only provides users within districts with a level of collaboration never before realized, but also enables managers to adjust workloads internally, monitor performance and audit status both internally and externally.

Detention Services Network (DSNetwork): The concept of the Detention Services Network (DSNetwork) is that of a multifaceted, full-service internet site for detention services. The goal of DSNetwork is to improve interaction between government agencies and service providers as well as reduce workload. The vision of the DSNetwork site is to provide information to authorized detention stakeholders regarding procurement and to share detention quality assurance information and other relevant detention facility data. The detention services offerings continue to be developed and implemented as detention needs arise. The following modules exist or are planned:

- ***Electronic Intergovernmental Agreement (eIGA)***

The eIGA system was successfully deployed in 2008 to manage the interaction between facility providers offering detention services and a federal agency. eIGA automates the application process by enabling a facility to provide essential information via a secure, web-based system and then provides the government with a reliable and justifiable structure for negotiation. The system streamlines the former paper-based process, tracks the negotiation between detention provider and the government, and provides audit and reporting tools.

- ***Facility Review Management System (FRMS)***

The FRMS is a web-based application developed to facilitate, standardize, record, and report the results of Quality Assurance Reviews (QAR) performed on private contract facilities. USMS is currently adding the reviews of non-federal IGA facilities to the FRMS and developing the ability to conduct associated analysis. In 2008, FRMS was chosen to receive the Attorney General's Award for Information Technology Excellence based on its innovative concept, successful implementation and continued program success.

- ***My Facility/Facility Information***

My Facility is the module that will enable detention providers with IGAs to view and update their facility information as necessary. Facility information is currently available for detention agencies with approved access to search and view attributes of facilities including location, services provided, certifications, etc. The vision of My Facility/Facility Information is to provide timely and accurate information required by detention agencies and stakeholders, including QAR reports, to enable them to make prudent detention-related decisions.

2. Performance Resources Table

PERFORMANCE AND RESOURCES TABLE											
Decision Unit: Detention Services											
Workload/Resources		Target		Actual		Projected		Changes		Requested (Total)	
		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
Workload: Total Average Daily Population:		60,232		59,542		58,791		1,158		59,949	
State & Local Gov't (IGA) Facilities		35,089		35,072		35,080		1,158		36,238	
Private Facilities		12,713		11,447		11,911		0		11,911	
Subtotal Non-federal Facilities		47,802		46,757		46,991		1,158		48,149	
Federal (BOP) Facilities		11,977		11,598		11,400		0		11,400	
Non-Paid Beds		453		525		400		0		400	
Total Costs and FTE		FTE \$000		FTE \$000		FTE \$000		FTE \$000		FTE \$000	
(Reimbursable FTEs are included; reimbursable costs are bracketed and not included in the total)		15 \$1,533,716		14 1,482,081		17 \$1,533,000		0 \$62,307		17 \$1,595,307	
		[50]		[50]		[55,150]		[0]		[55,150]	
Type/ Strategic Obj.	Performance/Resources		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request
	Resources		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
Program Activity	Detention Services	Housing & Substance	15	\$1,533,716 [50]	14	1,482,081 [50]	17	\$1,533,000 [55,150]	0	\$62,307 [0]	\$1,595,307 [55,150]
Efficiency	Per Day Jail Cost (Non-federal)		\$76.03		\$74.63		\$76.45		\$0.86		\$77.31
Performance	Health Care Cost Per Capita (Non-federal)		\$1,937		\$1,873		\$2,027		\$58.00		\$2,085
Performance	# Targeted Non-federal Facility Reviews Completed*		30		30		15		0		15
OUTCOME	Per Day Detention Cost		\$82.39		\$80.33		\$83.31		\$1.08		\$84.39
OUTCOME	Targeted Non-federal Facilities Meeting Min Sids (Private)*		23		23		15		0		15
*Beginning in FY 2014, the target for "Targeted Non-federal Facilities Meeting Min Sids" was reduced to reflect only private facilities with a population of 500 or more. The districts perform regular inspections on state and local jails in their jurisdiction.											

PERFORMANCE MEASURE TABLE

Decision Unit: Detention Services														
Strategic Objective	Performance Report and Performance Plan Targets													
	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015						
3.3	Efficiency Measure	Actual	Actual	Actual	Actual	Target	Actual	Target						
		\$69.01	\$70.56	\$72.88	\$74.21	\$76.03	\$74.63	\$77.31						
3.3	Performance Measure	\$1,476	\$1,630	\$1,624	\$1,890	\$1,937	\$1,873	\$2,085						
3.3	Performance Measure	29	32	30	30	30	30	15						
3.3	Performance Measure: Outcome	\$73.05	\$76.07	\$78.59	\$78.23	\$82.39	\$80.33	\$84.39						
3.3	Performance Measure: Outcome	93% 27 of 29	100% 22 of 22	100% 23 of 23	100% 23 of 23	100% 23 of 23	100% 23 of 23	100% 15 of 15						

D Definitions, Validation, Verification, and Limitations:

Performance Measure: Average Daily Population (ADP)

Data Definition: Number of prisoners in the custodial jurisdiction of the USMS on an average daily basis. ADP is calculated on a per capita, per day basis.

Data Collection and Storage: Data are maintained by the Justice Detention Information System (JDIS) database. All prisoner statistical information is derived from JDIS.

Data Validation and Verification: Monthly data are verified by comparing the data recorded in JDIS with billing data provided by non-federal detention service providers. Jail rate information is verified and validated against actual jail contracts.

Data Limitations: Limited by the timely entry of prisoner data into JDIS.

Performance Measure: Per Day Jail Cost

Data Definition: Actual average price paid (over a 12-month period) by the USMS to house federal prisoners in non-federal detention facilities. IGA jail cost represents the average cost paid by the USMS to house prisoners in facilities operated by state and/or local governments. Private jail costs represent the average cost paid by the USMS to house prisoners in facilities operated by non-governmental entities (such as for-profit corporations). Average price paid is weighted by actual jail day usage at individual detention facilities.

Data Collection and Storage: Data describing the actual price charged by state, local, and private detention facility operators is maintained by the USMS in their PTS and it is updated on an as-needed, case-by-case basis when rate changes are implemented. Rate information for specific facilities is maintained by USMS headquarters staff. In conjunction with daily reports of prisoners housed, reports are compiled describing the price paid for non-federal detention space on a weekly and monthly basis. Data are reported on both district and national levels.

Data Validation and Verification: Data reported are validated and verified against monthly reports describing district-level jail utilization and housing costs prepared by the USMS.

Data Limitations: Maintaining prisoner movement data is a labor-intensive process. The reliability of the reported data is often compromised by time lags between the actual movement of prisoners and key-punching of those events into the PTS system. Accordingly, it is often necessary to delay reporting of official statistics several weeks to ensure that prisoner movement records have been properly updated.

Performance Measure: Health Care Cost Per Capita

Data Definition: Cost of health care services provided to federal prisoners under the custodial jurisdiction of the USMS. Total health care costs include the costs of health services provided by medical practitioners and medical guard services. Per capita health care costs are determined by dividing total health care expenditures for the reporting period by the average daily prisoner population for that reporting period.

Data Collection and Methodology: Data describing funds obligated for prisoner health care services are reported through reports generated from the USMS financial system.

Data Validation and Verification: In accordance with generally accepted accounting principles, the USMS routinely monitors its financial data for new obligations and de-obligations.

Data Limitation: Data reported reflect the anticipated cost of services provided to USMS prisoners. In the event that the actual cost is different from the anticipated cost, additional funds may need to be obligated or obligated funds, de-obligated. Because of the time lag between the rendering of services and the payment of invoices, several weeks may lapse before the actual cost of health care services provided to an individual prisoner can be dispositively determined.

Performance Measure: Per Day Detention Cost

Data Definition: Total detention costs represent the aggregation of paid jail costs and health care costs on a per capita, per day basis.

Data Collection and Storage: See: Paid Jail Costs and Health Care Costs, above.

Data Validation and Verification: See: Paid Jail Costs and Health Care Costs, above.

Data Limitations: See: Paid Jail Costs and Health Care Costs, above.

Performance Measure: Targeted Non-federal Facilities Reviews and Targeted Non-federal Facilities Meeting Minimum Standards

Data Definitions: Targeted Non-federal Facilities: All Private Facilities, all Large Intergovernmental Agreement (IGA) facilities with an average daily population (ADP) of approximately 480 or more, all Medium IGA facilities with an ADP of approximately 200 - 479, and other select facilities such as those involved in agency requested facility reviews. Number of Targeted Reviews Completed: Targeted Non-federal Facility Quality Assurance Reviews (QARs) completed during the fiscal year. Meeting Minimum Standards: In the QAR review process, a facility may receive one of five rating levels: Excellent; Level of performance exceeds minimum standards, deficiencies are nonexistent or minor. Good: Level of performance meets minimum standards, deficiencies are minor and are offset by outstanding elements of performance. Acceptable: Level of performance meets minimum standards, deficiencies are minor. Deficient: Level of performance indicates performance is weak, corrective action plans for internal controls are needed to maintain minimum standards. At-Risk: Level of performance does not meet minimum standards and requires immediate corrective action plans. Facilities must receive a rating above the At Risk level to be considered to be Meeting Minimum Standards. Targeted Number of Non-federal Facilities Meeting Minimum Standards: This percentage is calculated

by dividing the Targeted Non-federal Facilities Meeting Minimum Standards by the number of these facilities scheduled for review during the fiscal year.

Data Collection and Storage: Data describing the facility ratings and standards that are met by the individual facilities will be maintained in the FRMS system. In conjunction with the QAR reviews, state, local, and other agency inspection reports are maintained.

Data Validation and Verification: Data reported are validated and verified against QAR reports, repository information, state, local or other agency reported data (i.e. BOP Sentry, USMS PTS).

Data Limitations: Data reported often reflect a delay in reporting.

3. Performance, Resources, and Strategies

Program Activity: Detention Services

FPD Performance Goal 1

Meet the Nation's detention requirements in the most economical manner

To measure success toward achieving this strategic goal, a performance goal was established to hold per day detention costs at or below inflation. This chart reflects the targeted level required to achieve that goal. The discussions below specify the mission challenges and strategies required to make the targeted level attainable. In addition, the graph depicts the specific performance level required for each contributing initiative.

Performance Plan and Report:

Measure: Per Day Detention Cost (Housing and Medical Services)

FY 2013 Target: \$82.39

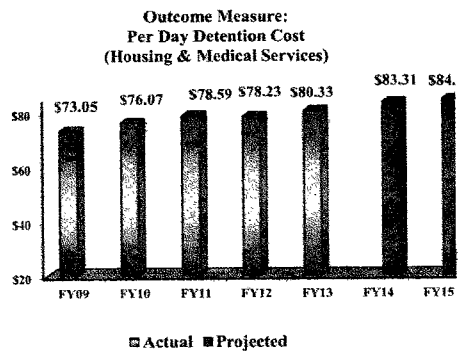
FY 2013 Actual: \$80.33

Challenge: Adequate Detention Beds

As state and local governments are requiring more of their capacity to house their own prisoners, fewer detention beds are available to accommodate federal detainees. The reduction in available state and local facilities forces an increased reliance on private facilities that are historically higher in cost.

Strategy: Maximize the use of available bed space

One goal of DSNetwork is to provide a means to monitor detention bed space usage and to allow for oversight of non-federal facility contracts and services. Timely and accurate data from JDIS and other systems will be integrated into DSNetwork dashboards and reports to query and monitor capacity and usage. As a consolidated detention services site, the DSNetwork will also provide a vehicle for automated processing of IGAs, detention facility review information, other detention services, and procurement data for agencies to assess, monitor, and manage detention bed space. This will allow district offices increased flexibility to determine the best value to the federal government by better leveraging available space, transportation, and care capabilities. It will result in securing beds and related services more efficiently and is vital to holding detention costs down.



1.2 Ensure efficient use of detention space and minimize price increases

Challenge: Projection of IGA Increases

DOJ utilizes Intergovernmental Agreements (IGA) to establish the relationship with a state or local government for the use of excess bed space at a negotiated per diem rate. During the life of the agreement, a state or local government may request rate adjustments from DOJ. Historically, it was unknown how many or at what frequency the state or local governments would request such adjustments or the magnitude of the adjustments, making it difficult to project rate increases for budgeting purposes.

Strategy: eIGA

eIGA was developed to provide a measure of standardization for the cost and the manner in which the IGA rates for state and local facilities are calculated. eIGA is used to establish a negotiated fixed per diem rate for each facility within the parameters of rates of similar local facilities and limits future adjustments to the per diem rate. This allows the cost of housing detainees to become more predictive as new trends and set prices are integrated to provide more comprehensive bed space requirements. eIGA continues to include more IGAs as new agreements are initiated and older agreements are renegotiated. In addition to the multiple benefits of the eIGA, this system has reporting capabilities, which can result in a more accurate and faster report.

Strategy: Reduce prisoner processing time (via: eDesignate)

eDesignate provides for a more efficient workflow between the U.S. Probation offices, the USMS, and the BOP during the sentence-to-commitment process by significantly reducing the workload of agency personnel involved in the administratively taxing designation process. All 94 Judicial Districts are using eDesignate. In 2010, eDesignate was expanded to include JPATS movement requests.

Strategy: Increase use of detention alternatives

The USMS will continue to provide funding to the federal judiciary to support alternatives to pretrial detention, such as electronic monitoring, halfway house placement, and drug testing and treatment. The budgetary savings of these alternatives to detention is substantial. The USMS provides the Administrative Office of the United States Courts (AOUSC) with \$4,000,000 annually to supplement their funding for alternatives to detention. If the defendants who were released on an alternative-to-detention program had been detained in a secure facility pending adjudication, the detention population could have been higher by as many as 2,900 prisoners per day at a cost of approximately \$67,000,000.

Strategy: Maintain/gain economies of scale through partnered contracting

The USMS will continue to partner with Immigration, Customs, and Enforcement (ICE) and BOP as appropriate on joint-use facilities to achieve the best cost to the Government. In this procurement process, each agency establishes a minimum level of bedspace usage to achieve the best prices. By approaching the negotiating process together, this eliminates the potential for competition between federal agencies. This methodology has worked well in the past and will continue for future negotiations as appropriate.

Performance

Plan and

Report:

Measure:

Per Day Jail

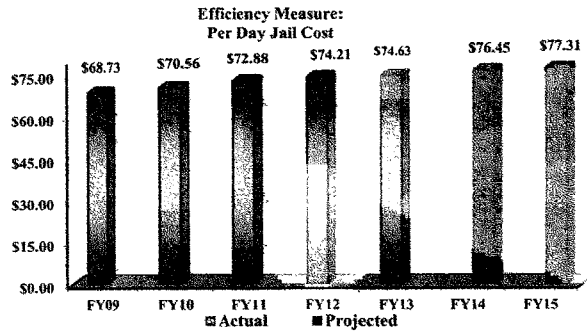
Cost

FY 2013

Target: \$76.03

FY 2013

Actual: \$74.63



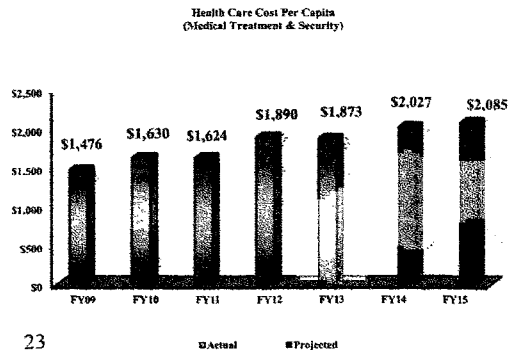
1.3 Ensure adequate medical services are provided in the most economical manner

Challenge: Rising Medical Costs

An important facet of the conditions of confinement is ensuring the appropriate medical care for detainees at or near detention facilities. The challenge is to provide a uniform approach to these services at the best value to the Government while minimizing the cumbersome process for field operations.

Strategy: National Managed Care Contract

The USMS manages a National Managed Care Contract (NMCC) that establishes a national health care delivery system for USMS prisoners. The contract helps to ensure that the USMS is complying with the federal procurement statutes and regulations when it acquires medical services for its prisoners. It also ensures that the USMS prisoner medical claims are re-priced to Medicare rates in accordance with the provisions of 18 U.S.C. 4006. The NMCC has also reduced the prisoner medical-related administrative workload of



the districts. The NMCC contractor is processing and paying the entire contract- related prisoner medical bills on behalf of the districts. Finally, the NMCC provides for a national discount pharmacy program that allows the USMS to receive discounts on the medications that the USMS purchases for its prisoners. The NMCC has been fully implemented in all USMS districts.

Performance Plan and Report:

Measure: Health Care Cost Per Capital (Medical Treatment and Security)

FY 2013 Target: \$1,937

FY 2013 Actual: \$1,873

FPD Performance Goal 2: Ensure safe, secure, humane confinement

To measure success toward achieving this strategic goal, a performance goal was established to ensure that 100% of all private detention facilities meet minimum standards annually. The discussions below specify the mission challenges and strategies required to make the targeted levels attainable.

2.1: Ensure detention facilities meet established standards for confinement

Challenge: Varying Detention Standards

Concurrent with the desire to create efficiencies within detention is the need to ensure that facilities provide for the safe, secure, and humane confinement of detainees. This is especially challenging considering the vast number of state, local, and private facilities in use. The standard for confinement at these facilities varies according to local and state requirements. To address this issue, a comprehensive Quality Assurance Program was developed to ensure that the facilities providing detention bed space to the federal government meet confinement standards.

Strategy: Continuation of the Comprehensive Quality Assurance Program

The Quality Assurance Program is a multi-faceted approach to ensure the safe, secure, and humane confinement of detainees as well as address Congress' concerns for public safety as it relates to violent prisoners (e.g., *Interstate Transportation of Dangerous Criminals Act*, also known as *Jenna's Act*). The Federal Performance-Based Detention Standards (FPBDS) provide the foundation for the program, while the various program components ensure compliance to the standards. These components (listed below) cover all aspects of detention from construction to operational review and training.

- ***Performance-Based Contracts:*** To define acceptable conditions of confinement, FPBDS was created in cooperation and coordination with the BOP, USMS, and ICE. The FPBDS provides objective standards to ensure that all providers achieve and maintain the standards. Federal contracts are written or modified to reflect the FPBDS for all private contract facilities and select IGA facilities over 480 ADP. To ensure compliance with the standards, private contractor

performance evaluation and, consequently, compensation are based on the facility's ability to demonstrate alignment with the standards.

- **Quality Assurance Reviews (QARs):** The QAR program conducts on-site reviews for Targeted Non-federal Facilities, defined as: private facilities, all agency-requested reviews, and select IGA facilities. A review identifies and reflects facility deficiencies as related to the delivery of contract services. A corrective action plan developed by the facility to address deficiencies is monitored by USMS until resolution. Since the implementation of the QAR program there has been quantifiable improvement in the quality of detention services. Specifically notable is the reduction in repeat deficiencies. The cumulative effect of these improvements resulted in increased ratings and services.

The table below captures the categories of QARs and relative performance goals. All actively used IGA facilities receive an annual review utilizing the Detention Investigative Facility Report.

Outcome Measure:									
Percentage of Targeted Non-federal Facilities Meeting Minimum Standards									
Facility		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	
Type	Size (ADP)	Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Performance Goal: 100% Meet Minimum Standards									
		100%	100%	100%	100%	100%	100%	100%	100%
Private	N/A	11	12	14	14	14	14	15	15
	Large	100	100%	100%	100%	100%	100%	N/A	N/A
IGA	> 480	9	10	9 of 9	9 of 9	9 of 9	9 of 9	N/A	N/A
		100%	100%	100%	100%	100%	100%	100%	100%
Subtotal:		20	22	23	23	23	23	15	15
Performance Goal: 100% of Medium Facilities Meet Minimum Standards									
	Medium	75%	100%	100%	100%	100%	100%	N/A	N/A
IGA	200 - 480	8	8	7	7	7	7	N/A	N/A
Performance Goal: Meet Annual Targets as Established									
	Small	100%	100%	100%	100%	100%	100%	N/A	N/A
IGA	40 - 199	1	1	N/A	N/A	N/A	N/A	N/A	N/A
		93%	93%	N/A	N/A	N/A	N/A	N/A	N/A
As Previously Reported:		27	27	32	30	30	30	N/A	N/A

- **Private Detention Facility Construction and Activation Monitoring:** To ensure that newly constructed facilities meet all aspects of the FPBDS in addition to local and state requirements, a contract was awarded to monitor private detention facility construction and activation.

- **Joint Review Initiative (JRI):** The USMS will continue to coordinate with the federal government detention stakeholders to develop the JRI for facility inspections. The JRI will facilitate joint reviews of shared USMS/ICE/BOP IGA facilities using a single federal baseline detention standard. The JRI will eliminate multiple federal reviews at 189 common use IGA detention facilities, resulting in a savings of taxpayer dollars.
- **Handheld Inspection Device:** To leverage information technology platform as a solution accelerator the Handheld Inspection Device (HID) will simplify and automate required joint inspections and serve as the integrated workflow tool and data content manager for capturing, recording and reporting.

The QAR program also provides the necessary training to those individuals working in the field to ensure proper contract oversight and adherence to federal detention standards, including:

- **Detention Facility Investigative Report Training:** This training provides the skill-set necessary to monitor private and large IGA detention facilities to ensure the quality of detention services.
- **Contract Monitoring and Enforcement Training (CMET):** This training provides instruction on contractor officer representative (COR) roles and responsibilities for administering and monitoring performance-based detention facility contracts. It includes the identification of services vulnerable to inflated costs, documentation of trends, and the necessary steps to take to enforce contract compliance.

Performance Plan and Report:

Measure: Number of Targeted Non-federal Facilities Meeting Minimum Standards

FY 2013 Target: 30

FY 2013 Actual: 30

V. Program Increase by Item

Item Name: Housing of USMS Detainees

Strategic Goal: DOJ Strategic Goal 3

Strategic Objective: Objective 3.3

Budget Decision Unit(s): Detention Services

Organizational Program: U.S. Marshals Service

Program Increase: Positions 0 Agt/Atty 0 FTE 0 Dollars \$31,791,000

Description of Item

The USMS requests an increase of \$31,791,000 for costs associated with prisoner detention and care. The resources requested will fund inflationary detention costs and the additional bed space needed for an increased detention population.

Support of the Department's Strategic Goals

The requested increase contributes to the Department's Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels. Within this goal, the requested resources specifically address the Department's Strategic: Objective 3.3: Provide for the safe, secure, humane, and cost-effective confinement of detained persons awaiting trial and/or sentencing, and those in the custody of the federal prison system.

Justification

The requested resources will provide housing and care for federal detainees remanded to USMS custody. Resources for detention are expended from the time a prisoner is brought into USMS custody through termination of the criminal proceeding and/or commitment to BOP. The size of the detainee population is dependent upon the number of persons arrested by the federal law enforcement agencies coupled with the length of time defendants are detained pending adjudication, release, or subsequent transfer to the BOP following conviction and sentencing. The USMS uses a Detention Population Forecasting Model to predict detention needs. The FY 2015 projection assumes that law enforcement and prosecutorial priorities on immigration at the Southwest Border will remain the same, but will expand to encompass more drug and weapons offenses resulting from drug-related violence. The requested resources provide funding for inflationary detention costs and an increased detention population.

Impact on Performance

The USMS requires additional resources to house all federal detainees. Without this increase, the USMS will be unable to house all federal detainees in custody. The

requested increase is based on the projected ADP. The performance measures currently reported in the Budget reflect the costs associated with the projected population.

Funding

Base Funding

FY 2013 Enacted				FY 2014 Enacted				FY 2015 Current Services			
Pos	agt/atty	FTE	\$(000)	Pos	agt/atty	FTE	\$(000)	Pos	agt/atty	FTE	\$(000)
17	0	14	\$1,533,716	17	0	17	\$1,533,000	17	0	17	\$1,563,516

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)	FY 2017 Net Annualization (Change from 2016) (\$000)
Housing			\$31,791		
Total Non-Personnel			\$31,791		

Total Request for this Item

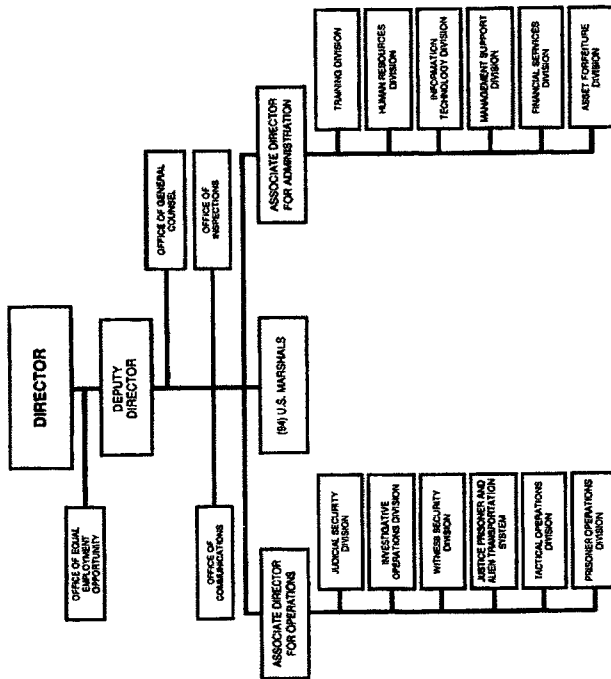
	Pos	Agt/Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2015 Net Annualization (Change from 2014) (\$000)	FY 2016 Net Annualization (Change from 2015) (\$000)
Current Services	17	0	17	\$3,124	\$1,560,392	\$1,563,516		
Increases	0	0	0	0	\$31,791	\$31,791		
Grand Total	17	0	17	\$3,124	\$1,592,183	\$1,595,307		

VI. Program Offset by Item

No program offsets are proposed.

A: Organizational Chart

UNITED STATES MARSHALS SERVICE



Approved By: /s/ [Signature] Date: 8-13-07
 Alberto R. Gonzales
 Attorney General

B. Summary of Requirements

Summary of Requirements
 United States Marshals Service
 Federal Prison Detention
 (Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted	17	14	1,647,383
2013 Rescissions (1.877% & 0.2%)			-79,813
2013 Sequester			-34,154
Total 2013 Enacted (with Rescissions and Sequester)	17	14	1,533,716
2014 Enacted	17	17	1,533,000
Base Adjustments			
Pay and Benefits	0	0	101
Prison and Detention	0	0	30,415
Total Base Adjustments	0	0	30,516
2015 Current Services	17	17	1,563,516
Program Changes			
Process:			
Holding of USMS Detainees	0	0	31,791
2015 Total Request	17	17	1,595,307
2015 Balance Rescission			-122,000
2015 Total Request (with Balance Rescission)	17	17	1,473,307
2014 - 2015 Total Change	0	0	62,307

Note: The FTE for FY 2015 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
United States Marshals Service
Federal Prisoner Detention
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Detention Services	17	14	1,533,718	17	17	1,533,000	0	0	30,516	17	17	1,563,516

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Detention Services	0	0	31,791	0	0	0	17	17	1,595,307
Total Direct	0	0	31,791	0	0	0	17	17	1,595,307
Balance Rescission			0			-122,000			-122,000
Total Direct with Rescission			31,791			-122,000			1,473,307
Grand Total, FTE		0			0			17	

FY 2015 Program Changes by Decision Unit
United States Marshals Service
Federal Prisoner Detention
(Dollars in Thousands)

Program Increases	Location of Description in Narrative	Federal Prisoner Detention				Total Increases			
		Direct Pos.	Ag./Atty.	Est. FTE	Amount	Direct Pos.	Ag./Atty.	Est. FTE	Amount
Housing of USMS Detainees	Detention Services	0	0	0	31,791	0	0	0	31,791

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective
 United States Marshals Service
 Federal Prisoner Detention
 (Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount
Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels. 3.3 Provide safe, secure, humane, and cost effective confinement and transportation of federal detainees and inmates	14	1,533,716		17	1,533,000		17	1,563,516	0	31,701	0	0	0	0	0	17	1,595,207	

Note: Excludes Balance Rescission and/or Supplemental Appropriations.

E. Ju cation for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

United States Marshals Service
Federal Prisoner Detention
(Dollars in Thousands)

Pay and Benefits	Direct Pos.	Estimate FTE	Amount
1 2015 Pay Raise: This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount request, \$26, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$19 for pay and \$7 for benefits.)			26
2 Annualization of 2014 Pay Raise: This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested \$12, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$9 for pay and \$3 for benefits).			12
3 FERS Regular/Law Enforcement Retirement Contribution: Effective October 1, 2014 (FY 2015), the new agency contribution rates of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 28.8% for law enforcement personnel (up from the current 26.3%, or an increase of 2.5%). The amount requested, \$47, represents the funds needed to cover this increase.			47
4 Health Insurance: Effective January 2015, the component's contribution to Federal employees' health insurance increases by 4 percent. Applied against the 2014 estimate of \$300, the additional amount required is \$12.			12
5 Retirement: Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$4 is necessary to meet our increased retirement obligations as a result of this conversion.			4
Prison and Detention			
1 Jail Day Rate Adjustment: This request recasts the estimated 2014 state and local jail days using the anticipated 2015 increase in the national jail day rate average. The requested increase reflects the additional resources required to fund the same number of jail days in 2015 as in 2014. Jail day costs are projected to rise from the current anticipated 2014 level. An increase of \$30,415 is requested for FY 2015.	0	0	30,415
TOTAL DIRECT TECHNICAL AND BASE ADJUSTMENTS	0	0	30,516

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
United States Marshals Service
Federal Prisoner Detention
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted			Balance Reconciliation			Sequester			Reprogramming/Transfers			Rescission/Carryover			2013 Actual		
	Direct Pos.	FTE	Amount	Direct Pos.	FTE	Amount	Direct Pos.	FTE	Amount	Direct Pos.	FTE	Amount	Direct Pos.	FTE	Amount	Direct Pos.	FTE	Amount
Detention Services	17	14	1,613,228	0	0	0	0	0	-75,513	0	0	-35,000	0	0	0	278	17	1,568,984

1) The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Reprogramming/Transfers

Non-expenditure transfers of \$45,000,000 were provided to the following components to help mitigate furloughs. USMS (15-12-0324) \$35,482,000, Executive Office for Immigration Review (15-13-0339) \$2,153,000, U.S. Trustee Program (15-05073) \$3,343,000, Office of the Inspector General (15-13-0328) \$864,000 and U.S. Parole Commission (15-13-1061) \$378,000. Unobligated balances of \$80,000,000 were transferred from the OFDT account.

Carryover:

Recovery@detecdet:
Recovery of \$278,000 from Prior Year obligations for detention services

Crosswalk of 2014 Availability
United States Marshals Service
Federal Prisoner Detention
(Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
Detention Services	17	17	1,533,000	0	0	0	88,913	20,000			17	17	1,639,913

Carryover: FPD carried forward \$88,913,287 from funds provided in FY 2013.

Recoveries/Refunds: Recoveries from Prior Year obligations are estimated at \$20,000,000 as reported in the FY 2014 Spend Plan under Section 212 Notification, for detention services.

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources
 United States Marshals Service
 Federal Prisoner Detention
 (Dollars in Thousands)

Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Federal Bureau of Prisons	0	0	0	0	0	0	0	0	4,500	0	0	0
State and Local	0	0	0	0	0	650	0	0	650	0	0	0
Budgetary Resources:	0	0	0	0	0	5,150	0	0	5,150	0	0	0

Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Detention Services	0	0	0	0	0	0	0	0	5,150	0	0	0
Budgetary Resources	0	0	0	0	0	5,150	0	0	5,150	0	0	0

Amounts reported are not reflected in MAX Schedule O. Amounts were not finalized for MAX input.

I. Detail Permanent Positions by Category

Detail of Permanent Positions by Category
United States Marshals Service
Federal Prisoner Detention
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request	
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	Total Direct Pos.	Total Reimb. Pos.
Clerical and Office Services (300-399)	10	0	10	0	10	0
Business & Industry (1100-1199)	6	0	6	0	6	0
Information Technology Mgmt (2210)	1	0	1	0	1	0
Total	17	0	17	0	17	0
Headquarters (Washington, D.C.)	17	0	17	0	17	0
Total	17	0	17	0	17	0

J. Financial Analysis of Program Changes

Financial Analysis of Program Changes
United States Marshall Service
Federal Prisoner Detention
(Dollars in Thousands)

Grades	Detention Services		
	Housing of USMS Detainees		Amount
	Direct	Indirect	
253 Subdetention & Support of Prisoners	0	0	0
Total Program Change Requests	0	0	0

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class

United States Marshals Service
Federal Prisoner Detention
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	14	2,302	17	2,325	17	2,363	0	38
11.3 Other than Full-Time Permanent	0	0	0	0	0	0	0	0
11.5 Other Personnel Compensation	0	0	0	0	0	0	0	0
Overline	0	0	0	0	0	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	1,285	0	0	0	0	0	0
Total	14	3,587	17	2,325	17	2,363	0	38
Other Object Classes								
12.0 Personnel Benefits	790		688		781			63
21.0 Travel and Transportation of Persons	1,561		1,488		1,488			0
22.0 Transportation of Things	214		214		214			0
23.1 Rental Payments to GSA	572		572		0			-572
23.2 Rental Payments to Others	20		20		20			0
23.3 Communications, Utilities, and Miscellaneous Charges	185		185		185			0
24.0 Printing and Reproduction	0		0		0			0
25.1 Advisory and Assistance Services	8,044		8,044		8,044			0
25.2 Other Services from Non-Federal Sources	39		888		888			0
25.3 Other Goods and Services from Federal Sources	61,646		61,922		61,922			0
25.4 Operation and Maintenance of Facilities	6,160		6,160		6,160			0
25.5 Research and Development Contracts	0		0		0			0
25.6 Medical Care	90,147		117,770		124,964			7,194
25.7 Operation and Maintenance of Equipment	1,594		1,594		1,594			0
25.8 Subsistence and Support of Persons	1,307,317		1,316,185		1,261,380			-54,825
26.0 Supplies and Materials	47		40		40			0
31.0 Equipment	155		3,304		3,304			0
32.0 Land and Structures	0		0		0			0
41.0 Grants, Subsidies, and Contributions	0		0		0			0
42.0 Insurance Claims and Indemnities	3		0		0			0
Total Obligations	1,482,081		1,521,409		1,473,307			-48,102
Subtract - Unobligated Balance, Start-of-Year	0		-86,913		-118,504			-31,591
Subtract - Transfers/Reprogramming	-35,000		0		0			0
Subtract - Recoveries/Refunds	-278		-20,000		0			20,000
Add - Unobligated End-of-Year, Available	86,913		118,504		118,504			0
Total Direct Requirements	0	1,532,716	0	1,533,006	0	1,473,307	0	-59,693

Exhibit K - Summary of Requirements by Object Class

L. Status of Congressionally Requested Studies, Reports, and Evaluations

United States Marshals Service

Federal Prisoner Detention
(Dollars in Thousands)

Status of Congressionally Requested Studies, Reports, and Evaluations

1. The Conference Report associated with the Consolidated Appropriations Act, 2014, page 66, directs USMS to report on a quarterly basis the number of individuals in the detention system, the projected number of individuals and the annualized costs associated with them. Target response to Committee in February, May, August, November.

Fees and
Expenses
of
Witnesses

FY 2015
President's
Budget
Submission

U.S. Department of Justice

FY 2015 President's Budget Request
Fees and Expenses of Witnesses

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I. Overview for Fees and Expenses of Witnesses

For the Fees and Expenses of Witnesses (FEW) appropriation, the Department requests a total funding level of \$270,000,000 for FY 2015 to remain available until expended. This resource level is the same request as the FY 2012 Enacted level and \$13,770,000 above the FY 2013 Enacted with Sequester and the FY 2014 CR level. The FEW is a mandatory appropriation and is under Strategic Goal III to ensure the Fair and Efficient Administration of Justice. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

The Fees and Expenses of Witnesses activity provides funding for all fees and expenses associated with the provision of testimony on behalf of the Federal Government. Specifically, there are two types of witnesses that are compensated under the provisions of this activity. Fact witnesses testify as to events or facts about which they have personal knowledge. These witnesses are paid a statutorily established rate of \$40 per day plus reasonable amounts for travel and certain other costs associated with their appearance. Expert witnesses provide technical or scientific testimony and are compensated based on negotiations with the respective Federal Government attorney. Funding allocated to this activity is also used to pay the fees of physicians and psychiatrists who examine defendants upon order of the court to determine their fitness to stand trial.

The Emergency Witness Assistance Program allows the Government to aid witnesses who might not otherwise testify because of perceived threats surrounding the litigation. This program started in 1997 and is limited to a participation period not to exceed 30 days. The services provided include transportation needs, temporary housing, temporary subsistence, emergency telephone calls, and child/elder care.

The Protection of Witnesses activity provides funding for the security of government witnesses, or potential government witnesses, and their families when their testimony, concerning organized criminal activity, may jeopardize their personal security. Typical expenses include, but are not limited to, subsistence, housing, medical and dental care, travel, documentation, identity changes, one-time relocation, costs associated with obtaining employment, and other miscellaneous expenses. This activity also provides for construction and maintenance of strategically located safesite facilities to house protected witnesses before and during trial; the purchase and maintenance of armored vehicles; and the maintenance of a secured network.

The Victim Compensation Fund was established by Section 1208 of the Comprehensive Crime Control Act (Title II of P.L. 98-473). The Fund is used by the Attorney General to "pay restitution to, or in the case of death, compensation for the death of any victim of a crime that causes or threatens death or serious bodily injury and that is committed by any person during a period in which that person is provided protection under this chapter." In the case of death, an amount not to exceed \$50,000 may be paid to the victim's estate. Moreover, the act authorizes payment of an amount not to exceed \$25,000 to the estate of any individual whose death was caused by a protected witness before the enactment of this law.

The Private Counsel activity was established under 28 C.F.R. 50.15 and 50.16, whereby, the Civil Division is authorized to retain private counsel to represent government officers and

employees who are sued, charged or subpoenaed for actions taken while performing their official duties. Further, funding allotted to this activity is used to pay private legal representation expenses associated with the provision of testimony before Congressional committees in instances wherein government counsel is precluded from representing Federal Government employees, or in instances wherein private counsel is otherwise appropriate.

The District of Columbia Superior Court Informant Program (SCIP) was established upon passage of the 1991 Dire Emergency Supplemental Appropriations Act. Unlike the Witness Security program, which provides permanent relocations and identity changes, the SCIP provides temporary relocation and limited protective services to witnesses who provide prosecution testimony in District of Columbia Superior Court cases.

The Alternative Dispute Resolution activity funds the expenses of hiring third party neutrals and witnesses in resolution proceedings.

The Foreign Counsel activity was established under 28 C.F.R. § 0.46, whereby, the Civil Division is authorized to all other civil litigation including claims by or against the United States, its agencies or officers, in domestic or foreign courts, special proceedings, and similar civil matters not otherwise assigned, and shall employ foreign counsel to represent before foreign criminal courts, commissions or administrative agencies of the Department of Justice and all other law enforcement officers of the United States who are charged with violations of foreign law as a result of acts which they performed in the course and scope of Government services.

II. Summary of Program Changes

No program changes.

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, \$270,000,000, to remain available until expended, of which not to exceed \$16,000,000 is for construction of buildings for protected witness safesites; not to exceed \$3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed \$11,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

Analysis of Appropriations Language

No significant changes proposed.

IV. Decision Unit Justification

A. Fees and Expenses of Witnesses

<i>Fees and Expenses of Witnesses</i>	Perm. Pos.	FTE	Amount
2013 Enacted with Sequester			203,676
2013 Enacted w/Balance Rescissions and Sequester			203,676
2014 Current Rate with 2013 Sequester			203,676
Adjustments to Base and Technical Adjustments			10,946
2015 Current Services			214,622
2015 Program Increases			0
2015 Program Offsets			0
2015 Request			214,622
Total Change 2014-2015			10,946

Base Program Description:

This program provides for payment of fees and expenses of expert witnesses who appear on behalf of the Federal Government when scientific or technical expertise is required in the prosecution or defense of a case. The pursuit of complex litigation by the Department would not be possible without qualified experts to testify and to refute the non-legal particulars of individual cases. The testimony of expert witnesses is essential to the successful outcome of such litigation. While a wide array of specialized disciplines are involved in the Department's litigation, experts from certain disciplines are used extensively. For example, approximately seventy percent of expert witnesses used by the Department in 2010 were physicians, psychiatrists, appraisers, engineers, or economists. Also, the testimony of fact witnesses is used in court proceedings by the Department's legal divisions and the United States Attorneys. Fact witnesses are needed in a wide range of court proceedings, as well as pre-trial conferences. Daily attendance fees and other expenses paid to fact witnesses are intended to defray the costs of appearing to testify. The attendance fee is set by law. Courts often order the Federal Government to pay the costs associated with mental competency examinations conducted by physicians or psychiatrists. These examinations are performed in an attempt to determine whether an accused person is mentally competent to stand trial and/or was mentally competent at the time of the offense.

Planned Base Initiatives:

- To provide adequate funding for payment of fees and related expenses incurred by individuals who provide factual, technical or scientific testimony on behalf of the United States or court designated indigent individuals, as provided by law. Funds provided for this activity also guarantee the right of accused persons to a fair and impartial trial by ensuring that the accused is mentally competent to stand trial and that the court has testimony regarding the mental competency of the accused at the time of the alleged offense.

- To provide reasonable compensation for expert witnesses, who testify on behalf of the United States, at rates established by the Attorney General or the Assistant Attorney General for Administration, pursuant to 28 U.S.C. § 524.
- To provide adequate resources to compensate fact witnesses who testify on behalf of the Federal Government for the expenses associated with the attendance at legal proceedings. The court-attendance fee paid to fact witnesses is set by law (28 U.S.C. § 1821). As a result of Public Law 96-346 (September 10, 1980), the amounts authorized for travel, per diem and mileage are set by regulations governing official travel by federal employees and promulgated by the Administrator of the General Services Administration.
- To provide adequate resources to compensate fact witnesses used by those defendants designated as indigent by the courts. Expenses are paid to those witnesses who appear in criminal proceedings in Federal court for the indigent defendants.
- To provide payment for the fees and expenses of psychiatrists who perform court-ordered evaluations to determine the mental competency of defendants, pursuant to 18 U.S.C. § 4241, § 4242, and § 4248.

B. Protection of Witnesses

<i>Protection of Witnesses</i>	Perm. Pos.	FTE	Amount
2013 Enacted with Sequester			41,434
2013 Enacted w/Balance Rescissions and Sequester			41,434
2014 Current Rate with 2013 Sequester			41,434
Adjustments to Base and Technical Adjustments			2,227
2015 Current Services			43,661
2015 Program Increases			[6,000]
2015 Program Offsets			0
2015 Request			43,661
Total Change 2014-2015			2,227

Base Program Description:

The procedure for designating a person as a protected witness is set forth in Department of Justice OBD Order 2110.2 "Witness Protection and Maintenance Policy and Procedures." This order places within the United States Marshals Service the responsibility for the security of these witnesses and their families. This program provides for their financial maintenance including the following: subsistence expenses; housing; medical and dental expenses; travel; documentation expenses for identity changes; one-time relocation; costs for obtaining employment; and other miscellaneous expenses. This activity also provides for construction and maintenance of strategically located safesite facilities to house protected witnesses before and during trial. Therefore, the Witness Protection Program provides the funding for the protective services offered to the District of Columbia Superior Court Witnesses for subsistence expenses; travel; temporary relocation and other miscellaneous expenses.

Planned Base Initiatives:

- To increase the effectiveness of the Department's efforts to combat criminal activity in such areas as organized crime, drugs or narcotics, and murder or conspiracy to commit murder, by ensuring the safety of endangered or threatened witnesses.
- To protect witnesses and their families when the testimony of the witnesses may jeopardize their personal security.
- To compensate witnesses for subsistence costs such as housing, food, relocation, and incidental expenses as provided by the Witnesses Security Reform Act of 1984.
- To provide orientation, documentation, and family-oriented services to new WITSEC Program entrants. In FY 2010 a realignment of the current program structure was proposed by eliminating the Superior Court Informant Program (SCIP) and moving the funds previously allotted for the SCIP in the amount of (\$1.0 million) to the Protection of Witnesses decision unit. A formal notification of the proposed decision unit realignment will be transmitted once the FY 2010 President's request is enacted.
- To increase the effectiveness of Federal prosecutions in the District of Columbia by providing funding to temporarily relocate District of Columbia Superior witnesses who face potential danger as a result of their participation in Superior Court prosecutions.
- To provide funding to temporarily protect Superior Court witnesses and their families when the testimony of the witnesses may jeopardize their personal security.
- To compensate Superior Court witnesses for subsistence costs such as food, temporary relocation, and other expenses incidental to their protection.

C. Victim Compensation Fund

<i>Victim Compensation Fund</i>	Perm. Pos.	FTE	Amount
2013 Enacted with Sequester			0
2013 Enacted w/Balance Rescissions and Sequester			0
2014 Current Rate with 2013 Sequester			0
Adjustments to Base and Technical Adjustments			0
2015 Current Services			0
2015 Program Increases			0
2015 Program Offsets			0
2015 Request			0
Total Change 2014-2015			0

Base Program Description:

This program provides resources to compensate individuals who are victimized by protected witnesses. The Fund was initially funded by the 1985 Supplemental Appropriations Act (P.L. 99-88).

Restitution will not exceed \$50,000 for those victimized since the establishment of the Fund. Restitution not to exceed \$25,000 shall be paid to the estate of victims killed as a result of crimes committed by persons who have been enrolled in the Witness Security Program if such crimes were committed prior to enactment of P.L. 98-473. The Department paid \$22,500 from this program in FY 2006 and 2007. No costs are anticipated for this program in FY 2014 and FY 2015.

Planned Base Initiative:

- To provide compensation to those individuals, or, in the case of death, to the individual's estate, who are victimized by a protected witness.

D. Private Counsel

<i>Private Counsel</i>	Perm. Pos.	FTE	Amount
2013 Enacted with Sequester			6,643
2013 Enacted w/Balance Rescissions and Sequester			6,643
2014 Current Rate with 2013 Sequester			6,643
Adjustments to Base and Technical Adjustments			357
2015 Current Services			7,000
2015 Program Increases			0
2015 Program Offsets			0
2015 Request			7,000
Total Change 2014-2015			357

Base Program Description:

This activity provides funding to allow the Department to retain outside private counsel to represent Government officers and employees who are sued for actions taken while performing their official duties. As provided for under 28 C.F.R. 50.15 and 50.16, the Civil Division is delegated the authority to retain such counsel and further provided that payments for such services will be payable from the Department of Justice appropriations.

Planned Base Initiatives:

- To continue to defend Federal employees personally sued for carrying out official duties. To retain private counsel to represent Government officers and employees who are sued for actions taken while performing their official duties.

E. Superior Court Informant Program

<i>Superior Court Informant Program</i>	Perm. Pos.	FTE	Amount
2013 Enacted with Sequester			0
2013 Enacted w/Balance Rescissions and Sequester			0
2014 Current Rate with 2013 Sequester			0
Adjustments to Base and Technical Adjustments			0
2015 Current Services			0
2015 Program Increases			0
2015 Program Offsets			0
2015 Request			0
Total Change 2014-2015			0

Base Program Description:

This program provides for funding for the protective services offered to the District of Columbia Superior Court witnesses. Specifically, funding is provided for subsistence expenses; travel; temporary relocation and other miscellaneous expenses. Funding in 1996 was provided from available balances. All participants have already converted to the Witness Security Program (WSP). No one has entered this short term program in four years. Due to the lack of activity in this program, previously available funding has been moved into the allotment for Protection of Witnesses where SCIP funding originated.

F. Alternative Dispute Resolution

<i>Alternative Dispute Resolution</i>	Perm. Pos.	FTE	Amount
2013 Enacted with Sequester			1,234
2013 Enacted w/Balance Rescissions and Sequester			1,234
2014 Current Rate with 2013 Sequester			1,234
Adjustments to Base and Technical Adjustments			66
2015 Current Services			1,300
2015 Program Increases			0
2015 Program Offsets			0
2015 Request			1,300
Total Change 2014-2015			66

Base Program Description:

Alternative Dispute Resolution (ADR) encompasses a wide range of problem-solving and conflict management techniques including mediation, early neutral evaluation, arbitration and mini-trials. ADR processes offer the opportunity to settle pending civil litigation in ways that can be more efficient than unassisted negotiations, and on terms that can be more advantageous to the parties. According to the National Performance Review, ADR can enhance the public's access to justice by reducing delays and costs associated with government litigation. ADR can provide quick solutions in government disputes which, in turn, produce savings in interest payments on outstanding debts that the government owes in cases in litigation. ADR can provide quick solutions in government disputes which, in turn, produce savings in interest payments on outstanding debts that the government owes in cases in litigation. ADR can provide flexibility,

creativity, and control that lawyers and clients do not enjoy in litigation. Moreover, ADR often produces better, more comprehensive long-term solutions to problems.

Planned Base Initiatives:

- To attempt resolution of civil disputes and litigation by using professional services of a mediator, arbitrator or other alternative dispute resolution provider.
- To provide funding to pay the Government's share of the costs incurred during ADR proceedings.

G: Foreign Counsel

<i>Foreign Counsel</i>	Perm. Pos.	FTE	Amount
2013 Enacted with Sequester			3,243
2013 Enacted w/Balance Rescissions and Sequester			3,243
2014 Current Rate with 2013 Sequester			3,243
Adjustments to Base and Technical Adjustments			174
2015 Current Services			3,417
2015 Program Increases			0
2015 Program Offsets			0
2015 Request			3,417
Total Change 2014-2015			174

Base Program Description:

This activity provides funding to allow the Department to retain outside foreign counsel to represent Government officers and employees who are sued in a foreign country while performing their official duties. As provided under 28 C.F.R. § 0.46, the Civil Division is delegated the authority to retain such counsel and further provided that payment for such services will be payable from the Department of Justice appropriations.

Planned Base Initiatives:

- To continue to defend Federal employees personally sued for carrying out official duties.
To retain foreign counsel to represent Government officers and employees who are sued for actions taken while performing their official duties in a foreign country.

B. Summary of Requirements

Summary of Requirements
Fees and Expenses of Witnesses
Salaries and Expenses
(Dollars in Thousands)

	FY 2015 Request	
	Direct Positions	Amount
2013 Enacted	0	270,000
2015 Sequester		-13,170
Total 2013 Enacted (with Recissions and Sequester)	0	256,830
2014 Enacted	0	270,000
2014 Sequester	0	-19,440
Total 2014 Enacted (with Balance Recission)	0	250,560
Base Adjustments		
Other Adjustments	0	0
Total Base Adjustments	0	19,440
Total Technical and Base Adjustments	0	19,440
2015 Current Service	0	0
2015 Total Request	0	270,000
2015 Balance Recission	0	0
2015 Total Request (with Balance Recission)	0	270,000
2014 - 2015 Total Change	0	0

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
Fees and Expenses of Witnesses
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Fees and Expenses for Witnesses	0	0	203,676	0	0	199,169	0	0	15,453	0	0	214,622
Protection of Witnesses	0	0	41,434	0	0	40,518	0	0	3,143	0	0	43,661
Victim Compensation	0	0	0	0	0	0	0	0	0	0	0	0
Private Counsel	0	0	6,643	0	0	6,496	0	0	504	0	0	7,000
Superior Court Informant	0	0	0	0	0	0	0	0	0	0	0	0
Alternative Dispute Resolution	0	0	1,234	0	0	1,206	0	0	94	0	0	1,300
Foreign Counsel	0	0	3,243	0	0	3,171	0	0	246	0	0	3,417
Total Direct:	0	0	255,230	0	0	250,660	0	0	19,440	0	0	270,000
Balance Rescission			0			0			0			0
Total Direct with Rescission			255,230			250,660			19,440			270,000
Reimbursable FTE			0			0			0			0
Total Direct and Reimb. FTE			0			0			0			0
Other FTE:			0			0			0			0
LEAP			0			0			0			0
Overtime			0			0			0			0
Grand Total, FTE	0	0	0	0	0	0	0	0	0	0	0	0

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Fees and Expenses for Witnesses	0	0	0	0	0	0	0	0	214,622
Protection of Witnesses	0	0	0	0	0	0	0	0	43,661
Victim Compensation	0	0	0	0	0	0	0	0	0
Private Counsel	0	0	0	0	0	0	0	0	7,000
Superior Court Informant	0	0	0	0	0	0	0	0	0
Alternative Dispute Resolution	0	0	0	0	0	0	0	0	1,300
Foreign Counsel	0	0	0	0	0	0	0	0	3,417
Total Direct:	0	0	0	0	0	0	0	0	270,000
Balance Rescission			0			0			0
Total Direct with Rescission			0			0			0
Reimbursable FTE			0			0			0
Total Direct and Reimb. FTE			0			0			0
Other FTE:			0			0			0
LEAP			0			0			0
Overtime			0			0			0
Grand Total, FTE	0	0	0	0	0	0	0	0	0

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective
Fees and Expenses of Witnesses
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Reallocations and Sequences			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct Reimb FTE	Direct Amount	Direct Reimb FTE	Direct Reimb FTE	Direct Amount	Direct Reimb FTE	Direct Reimb FTE	Direct Amount	Direct Reimb FTE	Direct Reimb FTE	Direct Amount	Direct Reimb FTE	Direct Reimb FTE	Direct Amount	Direct Reimb FTE	Direct Reimb FTE	Direct Amount	Direct Reimb FTE

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective
Fees and Expenses of Witnesses
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Recission and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount		Direct/ Reimb FTE	Direct Amount	
Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.																		
3.2 Protect judges, witnesses, and other participants in federal proceedings by anticipating, deterring, and investigating threats of violence	0	259,230		0	259,540		0	270,000		0	0		0	0		0	270,000	
	0	259,230		0	259,540		0	270,000		0	0		0	0		0	270,590	
TOTAL	0	259,230		0	259,540		0	270,000		0	0		0	0		0	270,590	

Note: Excludes Balance Recission and/or Supplemental Appropriations.

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
Fees and Expenses of Witnesses
Salaries and Expenses
 (Dollars in Thousands)

Program Activity	2013 Appropriation Enacted w/o Balance Recession ¹⁾			Supplementals			Balance Recession			Sequester			Reprogramming/Transfers			Carryover			Recovery/Refunds			2013 Actual		
	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount	Direct	Actual	Amount
Fees and Expenses for Witnesses	0	0	214,822	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	26,588	0	0	0	0	358,663
Protection of Witnesses	0	0	43,861	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5,411	0	0	0	0	76,557
Victim Compensation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Private Counsel	0	0	7,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12,113
Superior Court Informant	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	897	0	0	0	0	0
Attorney's Outside Retention	0	0	1,300	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Attorney's Outside Retention	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	865	0	0	0	0	2,290
Attorney's Outside Retention	0	0	3,417	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	423	0	0	0	0	5,919
Total Direct:	0	0	270,000	0	0	0	0	0	0	0	0	-13,770	0	0	-12,500	0	0	177,546	33,400	0	0	0	0	454,738
Reimbursable FTE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Direct and Reimb. FTE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other FTE:	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
LEAP	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overtime	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total FTE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

¹⁾ The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Reprogramming/Transfers

Transfer of \$12.6 million is BOP as part of sequester mitigation in FY 2013.

Carryover:

\$177.6 million was carryover funding at the start of FY 2013.

Recovery/Refunds:

The FEW appropriation had \$33.4 million in recoveries of prior year accounts and includes collections of \$2,714 from USMS in FY 2013.

Crosswalk of 2014 Availability
Fees and Expenses of Witnesses
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted w/ Sequester			Reprogramming/Transfers			Carryover		Recoveries/Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount		Amount		Direct Pos.	Estim. FTE	Amount
Fees and Expenses for Witnesses	0	0	195,168	0	0	0	160,553	0	4,538	0	0	0	394,320
Protection of Witnesses	0	0	40,518	0	0	0	32,662	0	950	0	0	0	74,130
Victim Compensation	0	0	0	0	0	0	0	0	0	0	0	0	0
Private Counsel	0	0	6,496	0	0	0	5,237	0	150	0	0	0	11,882
Superior Court Informant	0	0	0	0	0	0	0	0	0	0	0	0	0
Alternative Dispute Resolution	0	0	1,206	0	0	0	972	0	28	0	0	0	2,206
Forensic Counsel	0	0	3,171	0	0	0	2,555	0	73	0	0	0	5,600
Total Direct	0	0	250,560	0	0	0	201,980	0	5,799	0	0	0	458,339
Balance Recession			0			0							0
Total Direct with Recession			250,560			0							250,560
Reimbursable FTE			0			0							0
Total Direct and Reimb. FTE			0			0							0
Other FTE:													
LEAP													0
Overtime													0
Grand Total FTE	0	0		0	0		0	0				0	0

Reprogramming/Transfers

No reprogrammings or transfers are planned for FY 2014.

Carryover:

\$202.0 million in prior year carryover was available at the start of FY 2014.

Recoveries/Refunds:

The FEW appropriation had recoveries of \$5.8 million and includes \$14,677 from USMS in the first quarter of FY 2014.

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class
 Fees and Expenses of Witnesses
 Salaries and Expenses
 (Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	0	0	0	0	0	0	0	0
11.3 Other than Full-Time Permanent	0	0	0	0	0	0	0	0
11.5 Other Personnel Compensation	0	187,257	0	243,243	0	311,100	0	67,917
Overtime	0	0	0	0	0	0	0	0
Other Compensation	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	47,679	0	61,675	0	78,895	0	17,220
Total	0	234,736	0	304,918	0	390,095	0	85,137
Other Object Classes								
12.0 Personnel Benefits	0	0	0	0	0	0	0	0
13.0 Benefits for former personnel	0	0	0	0	0	0	0	0
21.0 Travel and Transportation of Persons	0	7,406	0	9,620	0	12,306	0	2,688
22.0 Transportation of Things	1	0	2	0	2	0	0	0
23.1 Rental Payments to GSA	0	0	0	0	0	0	0	0
23.2 Rental Payments to Others	0	0	0	0	0	0	0	0
23.3 Communications, Utilities, and Miscellaneous Charges	0	0	0	0	0	0	0	0
24.0 Printing and Reproduction	0	0	0	0	0	0	0	0
25.1 Advisory and Assistance Services	1,173	1,173	1,524	1,524	1,949	1,949	0	425
25.2 Other Services from Non-Federal Sources	1	0	1	0	2	0	1	0
25.3 Other Goods and Services from Federal Sources	2,874	2,874	3,734	3,734	4,776	4,776	0	1,042
25.4 Operation and Maintenance of Facilities	0	0	0	0	0	0	0	0
25.5 Research and Development Contracts	0	0	0	0	0	0	0	0
25.6 Medical Care	12	0	16	0	20	0	4	0
25.7 Operation and Maintenance of Equipment	0	0	0	0	0	0	0	0
25.8 Substance and Support of Persons	6,536	6,536	8,490	8,490	10,861	10,861	0	2,371
26.0 Supplies and Materials	8	0	13	0	18	0	0	0
31.0 Equipment	11	0	0	0	0	0	0	0
32.0 Land and Structures	0	0	0	0	0	0	0	0
41.0 Grants, Subsidies, and Contributions	0	0	0	0	0	0	0	0
42.0 Insurance Claims and Indemnities	0	0	0	0	0	0	0	0
Total Obligations								
Unobligated Balance, Start-of-Year	0	252,756	0	328,326	0	420,000	0	91,674
Transfers/Reprogramming	0	-177,556	0	-201,980	0	-130,000	0	-71,980
Reversions/Refunds	0	12,500	0	0	0	0	0	0
Unobligated End-of-Year, Available	0	-33,448	0	-5,784	0	-20,000	0	-14,216
Unobligated End-of-Year, Expired	0	201,980	0	130,000	0	0	0	-130,000
Total Direct Requirements	0	256,232	0	250,562	0	270,000	0	19,438
Reimbursable FTE	0		0		0		0	
Full-Time Permanent	0	0	0	0	0	0	0	0
23.1 Rental Payments to GSA (Reimbursable)	0	0	0	0	0	0	0	0
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)	0	0	0	0	0	0	0	0

U.S. Department of Justice

**FY 2015 PERFORMANCE BUDGET
Congressional Submission**

Community Relations Service

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I. Overview for Community Relations Service

In fiscal year 2015, the Community Relations Service (CRS) requests 60 positions (including 2 attorneys), 49 FTE, and \$12,972,000. CRS' request includes a program enhancement of 4 positions, 2 FTE and \$257,000 which will allow it to successfully fulfill its mandate under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (P.L. 111-84, 2009) ("Hate Crimes Protection Act"). CRS' Information Technology (IT) program is allotted three FTE positions.

CRS, an agency within the U.S. Department of Justice, was created under Title X of the historic Civil Rights Act of 1964 (42 U.S.C. §2000g et seq.) signed into law by President Lyndon B. Johnson on July 2, 1964. Title X of the 1964 law mandated CRS' creation and its duties and responsibilities. Pursuant to the Hate Crimes Protection Act, CRS is authorized to work with communities to help them develop the capacity to prevent and respond more effectively to violent hate crimes allegedly committed on the basis of actual or perceived race, color, national origin, gender, gender identity, sexual orientation, religion, or disability.

CRS is headquartered in Washington, D.C. and is a single decision unit that plays a significant role in accomplishing DOJ's Strategic Goal #2 - **Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law**. CRS serves as the Department's "peacemaker" for community conflicts and tensions arising from actual or perceived discriminatory practices based on race, color, or national origin. CRS also helps communities prevent and respond to violent hate crimes committed on the basis of race, color, national origin, gender, gender identity, religion, sexual orientation, or disability.

CRS provides specialized mediation and conciliation services to state, local and federal officials, and communities throughout the United States. The Agency's goal is to assist in resolving and preventing racial, ethnic and national origin community conflicts, civil disorder, and violent hate crimes on the basis of race, color, national origin, gender, gender identity, sexual orientation, religion, or disability. CRS has 10 Regional offices and 4 field offices in the following locations: Boston; New York; Philadelphia; Chicago (field office in Detroit); Kansas City, MO; Denver; Los Angeles (field office in San Francisco); Dallas (field office in Houston); Atlanta (field office in Miami); and Seattle.

CRS is a remarkably unique federal component dedicated to assisting state and local units of government, private and public organizations, and community groups develop local capacity to prevent racial and ethnic tensions. CRS can also assist willing parties and explore opportunities to develop and implement local strategies that can help law enforcement, local officials, civil rights organizations, and interested community groups respond to alleged hate crimes and find ways to prevent future incidents. CRS conciliators also assist in restoring stability and accord to communities following civil disorder, or in initiating rumor control to prevent misinformation from spreading throughout a community.

State and local law enforcement officials and community leaders may contact CRS to request assistance in improving communication between law enforcement and community members in the aftermath of a hate crime. CRS improves community response mechanisms, by facilitating the development of community capacity to help prevent hate crimes with services and programs that include conciliation, mediation, training, technical assistance, and other tension reduction techniques. CRS may help facilitate dialogue between law enforcement and community members to increase mutual understanding about the investigative and prosecutorial process as well as the concerns of people in the community.

CRS is able to address the perception of discrimination that can be as disruptive to community stability as actual discrimination. CRS does not have law enforcement authority, nor does it investigate or prosecute cases. As an impartial agency, CRS does not look to assign blame or fault to any individual or group. In contrast, CRS enables communities to develop and implement their own solutions to reducing tensions as a neutral conciliator. Furthermore, as alternatives to coercion or litigation, CRS facilitates the development of viable and voluntary solutions for resolution of community tension.

The CRS budget consists of operating expenses which include, but are not limited to, payroll for its 60 permanent positions; travel expenses to enable CRS' conciliation professionals to respond in person to requests for assistance from state and local units of government, private and public organizations, and community groups; and funding for normal operations (e.g. information technology, communications, equipment, supplies, etc). The FY 2015 funding level of \$12,972,000 is required for CRS to support the Department in fulfilling its new obligations related to the passage of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act. This funding also includes requirements for current services that are necessary to successfully carry out other conflict resolution and violence prevention activities.

Performance Challenges

With the passage of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (P.L. 111-84, 2009) ("Hate Crimes Protection Act"), CRS has dramatically expanded its jurisdiction. CRS has been transformed from an agency focused on addressing and preventing conflict and violence related to discrimination on the basis of race, color, and national origin to an agency that is responsible for helping communities prevent and respond to violent hate crimes committed on the basis of actual or perceived gender, gender identity, sexual orientation, religion, and disability in addition to race, color, and national origin.

As the only federal agency exclusively dedicated to assisting state and local units of government, private and public organizations, community groups, and even other federal agencies with preventing and resolving racial and ethnic tension, conflict, and civil disorder, CRS is uniquely qualified to fulfill this broader legislative mandate. To help communities prevent and respond to violent hate crimes, CRS may facilitate educational meetings and dialogues or conduct other services in response to conflicts or incidents that, left unaddressed, may escalate into violent hate crimes. CRS is an expert at bringing law enforcement officials, advocacy groups, and individual community members to the table in a way that creates lasting racial stability and harmony and enables those communities to address future conflicts without outside assistance. Nevertheless, as Congress explained in the Hate Crimes legislation, CRS will need the additional resources requested in FY 2015 to cover these new jurisdictional areas and fulfill this broader mandate.

CRS continues to assess its daily operations based on Departmental needs, technological developments, national security, and budgetary constraints. All of these internal factors pose challenges that affect the success of CRS' external conciliation and mediation services.

1. Internal Challenges

CRS continues to face internal challenges, as it must monitor the country for jurisdictional conflicts and attempt to respond to each case with limited resources. In FY 2013, CRS intervened in 693 cases

where tensions existed based on conflicts caused by issues of race, color, national origin, or where there was a need to assist communities with preventing or responding to hate crimes committed on the basis of gender, gender identity, sexual orientation, religion, or disability. In total, CRS was made aware of 884 incidents and conflicts that could have potentially led to casework. However, due to limited fiscal and staff resources, the agency was only able to address 78 percent of the potential cases that it identified.

Moreover, it is believed that the number of conflicts and incidents is actually higher than the number CRS identified. With a field staff of 35 dedicated to identifying and responding to conflicts over a 50 state area and U.S. territories, it is not uncommon for personnel to have responsibilities that are so geographically and topically broad that their ability to track and respond to potential cases is limited.

Regional conciliators attempt to assess every jurisdictional case that has come to their attention, but budgetary, and geographical limitations affect deployment decisions: CRS will continue to focus its internal efforts on building new staff capacities through succession planning, mentoring, and sustained, high-quality training. This includes a focus on improving mediation and management skills for new hires. With nearly forty percent of the Agency retirement eligible, filling higher grade positions formerly held by senior staff with lower grade or mid-level positions will inherently present a learning curve. High quality standards for leadership, in-service training, mediation certification, standardized measurable work plans, and improved tracking systems on service delivery and case reporting will remain crucial aspects CRS' strategy to address internal and external challenges. CRS is continually identifying new ways to increase savings across the agency through policies that encourage less and more concentrated travel and that increase awareness about energy and paper use by encouraging the use of double-sided printing and reducing electricity use in all of its offices.

CRS attempts to increase awareness about energy and paper use, encouraging the use of double-side printing and reducing electricity use in all of its offices. More information on federal environmental requirements and DOJ's Environment Programs can be found at <http://www.justice.gov/jmd/services-initiatives.html>.

2. External Challenges

Notwithstanding CRS' daily operational challenges, CRS will continue to respond to issues that garner national attention, such as increased reports of community tension associated with disputes between Tribal Nations and state and local officials involving allegations of discrimination on the basis of race and national origin, community tension and allegations of racial profiling associated with issues at the intersection of race, national origin, and immigration controversies, and racial and community tensions that stem from demographic shifts and new migration. As debates about national and local immigration policy reform escalate, experience suggests that we will see an increase in discrimination on the basis of race, color, or national origin against immigrants or people who are perceived to be immigrants. In addition, CRS will continue to respond to racial tensions involving ethnic communities who have alleged or experienced discriminatory treatment following September 11, 2001, particularly Arab American and Muslim individuals, as well as Sikhs and others who are perceived to be Muslim. CRS has seen a dramatic increase in concern in these communities following the very contentious debate around the building of mosques and Islamic cultural centers. CRS' technical assistance, including educational videos and training programs, and the facilitation of dialogues between Arabs, Muslims, and Sikhs, law enforcement officials, and other interested parties are just some of the ways that the Agency can help to promote tolerance, respect, and peaceful interaction between members of various communities.

CRS will continue to help resolve race-related community conflicts in areas such as housing, education, and the administration of justice. Police-community relations surrounding excessive use of force, and the possibility of racial violence resulting from these incidents, particularly in minority communities, consumes more than half of CRS' work. Additionally, CRS continues to address school conflicts based on race, color, and national origin. CRS is increasingly called upon to address racial harassment and violence in elementary and secondary schools, and on college and university campuses. CRS has responded to school brawls, riots, and racial gang violence, working to restore stability in schools through various conflict resolution initiatives. The Agency is prepared, as well, to respond to hate-related incidents involving desecration of houses of worship where there is a connection between the desecration and perceived discrimination on the basis of race, color, or national origin or where the community perceives the act as a violent hate crime or an act that, if left unaddressed, could lead to a violent hate crime.

With the passage of the Hate Crimes Prevention Act, CRS has an explicit mandate to prevent and respond to violent hate crimes committed on the basis of the actual or perceived race, color, religion, national origin, gender, gender identity, sexual orientation, or disability of any person. This expansion – adding five additional protected categories that may trigger CRS jurisdiction – has significantly increased the demand for CRS services. In order to help communities prevent violent hate crimes, CRS may facilitate educational meetings and dialogues or conduct other services in response to conflicts or incidents that, left unaddressed, may escalate to violent hate crimes.

CRS is also receiving a significant increase in requests for services to address tension associated with the intersection of immigration issues with perceptions of discrimination on the basis of race, color, and national origin. CRS has worked with state and local law enforcement officials, federal law enforcement officials, state and local government leaders, as well as local and national organizations to address tension associated with allegations of racial profiling and racial discrimination associated with these issues and has deployed inter-regional teams to provide on-site conciliation services at marches and protests with tens of thousands participants. These tensions are likely to increase in the coming years.

CRS must constantly reintroduce its services to community and local government leaders due to election turnover, term-limited positions, and a statutory mandate that prevents the Agency from publicizing much of its work. Furthermore, many of the people and communities CRS can serve pursuant to the Hate Crimes Prevention Act are not familiar with CRS services because they did not fall under CRS jurisdiction before passage of the Act in 2009. For example, communities who may be targeted for violent hate crimes on the basis of gender, gender identity, sexual orientation, religion, or disability may not have worked with CRS in the past when its jurisdiction was focused on addressing racial tension. Evolving community "flash points" increase the need to be knowledgeable and aware of the host of vulnerabilities that communities face. Despite these challenges, obstacles to entry and the fluctuating nature of jurisdictional conflicts do not deter CRS from offering its services to communities in need. Through skillful conciliation and mediation, CRS' services can limit disruptions to community peace and stability. For any jurisdictional conflict, CRS stands ready to offer its conflict resolution services to communities across the United States.

The 2011 FBI Hate Crime Statistics Report, the most recent hate crimes statistics available from the FBI, reflect the increase in demand for services that CRS is seeing in communities across the country. According to the FBI's Report, there was an increase in reported hate crimes against Latinos, the Gay, Lesbian, Bisexual and Transgender communities, and Muslims.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Hate Crime Prevention and Response	These enhancements will maximize CRS' crisis response across the entire United States and enable it to fulfill its historical mandate pursuant to Title X of the Civil Rights Act of 1964 as well as its new mandate pursuant to the Shepard and Byrd, Jr. Hate Crimes Prevention Act.	4	2	\$257	14

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE.

For necessary expenses of the Community Relations Service, [\$12,000,000] \$12,972,000. Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 504 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Analysis of Appropriations Language

There are no substantive changes proposed.

VI. Program Activity Justification

A. Community Relations Service

<i>Conflict Resolution & Violence Prevention Activities</i>	Perm. Pos.	FTE	Amount
2013 Enacted with Rescissions and Sequestration	56	45	\$11,210
2014 Enacted	56	47	\$12,000
Adjustments to Base and Technical Adjustments	0	0	\$715
2015 Current Services	56	47	\$12,715
2015 Program Increases	4	2	\$257
2014 Request	60	49	\$12,972
Total Change 2014-2015	4	2	\$972

1. Program Description

CRS' programs contribute to the DOJ's Strategic Goal #2 -**Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law**. Within this goal, CRS Specially addresses Strategic Objective 2.5 Promote and protect Americans' civil rights.

CRS has implemented several strategies, which are intended to effectively address the issues of discriminatory practices based on race, color, or national origin, which impair the rights of people, and work with communities to help prevent and respond to violent hate crimes on the basis of actual or perceived gender, gender identity, sexual orientation, religion, or disability. CRS conducts training with federal, state, and local law enforcement and community members to address concerns regarding racial profiling and to improve law enforcement officials' interactions with community members. Examples of various CRS strategies and programs are:

- **Law Enforcement Mediation Skills (LEMS) Program** is a two day (16 hour) program designed to equip the attending officers with basic knowledge of mediation and conflict resolution skills as they apply directly to law enforcement. The program focuses on the officer's need to respond to any given conflict or dispute efficiently and effectively. Traditional methods of policing in response to disturbance calls have resulted in callbacks to the same disturbance. The CRS LEMS program offers a mediation and conflict resolution approach that hopefully leads to fewer callbacks, and solutions that are more lasting based on the disputants' involvement in resolving their own issues. The process involves empowering law enforcement officials to resolve disputes through the use of conflict resolution, rather than arrest. It also instills skills and knowledge with citizens to resolve disputes without the necessity of a police presence. The course focuses on police-community relations in minority communities.
- **Anti-Racial Profiling Program** is a program that reviews the history and concept of profiling by police in addressing criminal activity. The program focuses on the complexities of using race as a factor in police investigations. Through a series of videotape and role playing exercises, law enforcement and community members view the effects of racial profiling on communities, as well as ways to defuse racial profiling allegations whenever they arise.
- **Arab-Muslim, Sikh (AMS) Cultural Awareness Program** is a program that utilizes community-based, volunteer trainers capable of delivering law enforcement training to

heighten awareness, increase knowledge and develop skills to effectively communicate with Arab, Muslim, and Sikh communities. The program educates law enforcement officials on different cultural practices in order to reduce the possibility of tensions developing due to misinformation or lack of understanding. Most trainers come from Arab, Muslim, and Sikh communities and work side-by-side with CRS staff, following a standardized and approved CRS curriculum.

- **Student Problem Identification and Resolution of Issues Together (SPIRIT)** is a two half-day interactive student based problem solving program that engages students in developing solutions to problems associated with allegations of discrimination, harassment, and hate activity in schools and creating the safest possible environment for learning. SPIRIT also engages school administrators, teachers, school resource officers, local officials, community leaders, and parents in the process of identifying and responding to these conflicts in schools.
- **City - Problem Identification and Resolution of Issues Together (City-SPIRIT) Program** is a two-day problem solving and resolution program that brings together representatives from local government agencies, community, faith-based organizations, law enforcement, and businesses to develop collaborative approaches for reducing racial conflicts and addressing the factors that contribute to the conflicts. The parties may also develop approaches for preventing and responding to violent hate crimes on the basis of actual or perceived race, color, national origin, gender, gender identity, sexual orientation, religion, and disability. This program helps communities establish a lasting capacity to prevent and respond to conflicts.
- **Self-Marshalling Assistance and Training** is provided by CRS at the request of local law enforcement, city officials, and demonstration organizers to assist with planning and managing safe marches and demonstrations. CRS facilitates meetings between all parties involved, and serves as a neutral entity to help ensure that information is shared appropriately so marches and demonstrations are as safe as possible.

CRS introduced and updated several management systems to more effectively address racial tension and violence in major cities. CRS intensified its emphasis on staff development and training of staff on the fundamental skills of conflict resolution. CRS holds staff training sessions to enhance and refresh contemporary conflict resolution strategies and mediation skills. CRS instituted an internal skills certification process for fundamental tools that are used in conflict resolution cases. The Agency continues to strengthen its emphasis on local capacity building by having conciliators focus on the implementation of collaborative partnerships and other mechanisms for strategically empowering and sustaining peaceful communities.

The services of CRS are tracked by a case management database system. Quality assurance is measured by a weekly headquarters review of every new case in the CRS system. Headquarters then provides operational feedback to all 10 Regional Directors on a weekly basis, and holds managers accountable for ensuring strict compliance with CRS' jurisdictional mandate. Regions are directed to hold bi-monthly staff meetings to review casework feedback. Conciliators have made significant qualitative and technical progress on casework.

Performance and Resource Tables

PERFORMANCE AND RESOURCES TABLE											
Strategic Goal 2: Strategic Objective 2.3: Promote and protect Americans' civil rights											
Decision Unit: Conflict Resolution & Violence Reduction Activities											
RESOURCES		Target		Projected Actual		Projected		Changes		Requested (Total)	
		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		45	11,210	45	11,210	47	12,000	2	972	49	12,972
		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
TYPE	STRATEGIC OBJECTIVE	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Program Activity		45	11,210	45	11,210	47	12,000	2	972	49	12,972
Performance Measure:											
Performance Measure:	Tension Level		35%		34.50%		35%		35%		35%
Performance Measure:	Services Accepted Ratio		99%		99.50%		99%		99%		99%
Performance Measure:	Response Ratio		75%		78.25%		75%		75%		75%
Performance Measure:											
Performance Measure:	Awareness Level		20%		19%		35%		35%		35%
Performance Measure:	Customer Satisfaction Survey (Not Yet Implemented)										

PERFORMANCE MEASURE TABLE										
Strategic Goal 2: Strategic Objective 2.5: Promote and protect Americans' civil rights										
Decision Unit: Conflict Resolution & Violence Reduction Activities										
Performance Report and Performance Plan Targets		FY 2009		FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015
		Actual	Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Performance Measure	Tension Level	This measure was implemented in FY13					35%	34.50%	35%	35%
Performance Measure	Services Accepted Ratio	This measure was implemented in FY13					99%	99.50%	99%	99%
Performance Measure	Response Ratio	This measure was implemented in FY13					75%	78.25%	75%	75%
Performance Measure	Awareness Level	This measure was implemented in FY13					20%	19%	35%	35%
Performance Measure	Customer Satisfaction Survey (Not Yet Implemented)	This measure has not yet been implemented.								
N/A = Data unavailable										
* Denotes inclusion in the DOJ Annual Performance Plan										

3. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

The Conflict Resolution and Violence Prevention Activities program contributes to the Department's Strategic Goal #2, Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.

Within these goals, CRS Specially addresses Strategic Objectives 2.5: Promote and protect American civil rights by preventing and prosecuting discriminatory practices and Strategic Objective 2.5: Promote and protect Americans' civil rights.

Each region, composed of 2-4 Conciliators and one Regional Director, provides conflict resolution services to resolves disputes, disagreements and based on race, color, and national origin in order to reduce community tension. CRS conducts appraisals of racial tension, in collaboration with community, state, and local officials, to determine projects that require immediate attention and demonstrate the greatest need for inclusion in a work plan for resolving racial conflict or violence. Annually, the work plan addresses those communities within each region that require conflict resolution services on an annual basis. A significant portion of the region's workload is direct crisis response services. Working to develop relationships with stakeholders and other influencers, and helping them to develop their local capacity to prevent and respond to tensions and conflicts, accounts for another significant portion of the work conducted by regional staff. CRS also prevents and responds to alleged hate crimes committed on the basis of gender, gender identity, sexual orientation, religion, or disability in addition to race, color, and national origin.

b. Strategies to Accomplish Outcomes

CRS strategies include providing conflict resolution services to accomplish the outcomes. These conciliation services include mediation, facilitation, training, and consulting. Training programs include the Law Enforcement Mediation Skills (LEMS) and Anti-Racial Profiling Programs; Arab, Muslim, and Sikh (AMS) Cultural Awareness Program; the Self-Marshalling Assistance and Training Program, and the City Problem Identification and Resolution of Issues Together (City SPIRIT) program. [See Section IV for detailed descriptions of CRS strategy programs.] These strategies are specifically designed to assist states, local communities, and tribal governments in resolving violence and conflict. CRS has been working collaboratively with four major customer groups: (1) investigative and law enforcement agencies; (2) courts, state, local and tribal governments, and federal agencies, including U.S. Attorneys, FBI, various components of the Department of Justice, Department of Housing and Urban Development, Department of the Interior, Department of Transportation/Transportation Security Administration, Department of Education, and domestic immigration officials; (3) schools, colleges, and universities; and (4) community groups and other organizations to assist and resolve racial conflict and to help communities develop the ability to more effectively prevent and respond to alleged violent hate crimes on the basis of actual or perceived race, color, national origin, gender, gender identity, sexual orientation, religion, or disability.

CRS develops strategies that focus on bringing together the energy of community leaders, organizations, and citizens to work towards crime-prevention and providing safe neighborhoods and communities for all Americans through cooperation and coordination with other Department of Justice components. CRS does not investigate or prosecute. Rather CRS provides comprehensive services that empower communities to help themselves and maximize the federal investment at the local level through capacity building. It does so in confidence and with impartiality. By facilitating dialogue, mediating agreements, providing technical assistance and increasing cultural understanding, CRS conducts services in response to conflicts or incidents that left unaddressed may escalate to violent hate crimes.

To serve all the different jurisdictional areas including the ones more recently mandated by the 2009 Matthew Shepard Hate Crimes Prevention Act, CRS must continue to monitor hate crimes, conduct outreach work, and provide service. Given the continuing technology revolution and the need to serve youth, CRS continues to utilize different technology platforms to meets its mandate. CRS also continues to utilize and develop innovative conflict resolution approaches to meet the changing needs of the communities we serve.

In order to fulfill the strategic goals of the Agency, the CRS management team will continue to stress contemporary mediation skills development, conflict resolution tools, education, programs, outreach, technical assistance, accountability, adherence to performance work plans, and affirmation of a merit award system for outstanding work. CRS' success can be evaluated on how well its services assist communities in need, contributing to the Department's Conflict Resolution and Violence Prevention Activities. In addition, CRS is gauged on its success in keeping the peace in cities throughout the country when events occur that have the potential to escalate into major riots or violence. CRS continues to evaluate new methods for measuring the Agency's success, always aiming to improve upon its service delivery to American communities.

c. **Priority Goals**

The Conflict Resolution and Violence Prevention Activities program contributes to the Department's Strategic Goal #2, Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.

Within these goals, CRS Specially addresses Strategic Objectives 2.5: Promote and protect American civil rights by preventing and prosecuting discriminatory practices and Strategic Objective 2.5: Promote and protect Americans' civil rights.

V. Program Increases by Item

Item Name: Hate Crime Prevention and Response

Budget Decision Unit(s): Conflict Resolution & Violence Prevention Activities

Strategic Goal(s) & Objective(s): **Strategic Objective 2.5:** Promote and protect Americans' civil rights.

Organizational Program: Community Relations Service

Component Ranking of Item: 1 of 1

Program Increase: Positions 4 Atty 0 FTE 2 Dollars \$257,000

Description of Item

CRS is requesting an enhancement of 4 positions, 2 FTE, and \$257,000, in order to successfully fulfill its expanded mandate under the Hate Crimes Prevention Act (HCPA). The additional resources include personnel and non-personnel support, including training, travel, and publications, which will increase regional staff by 2 conciliators in the field and 2 staff member, and allow CRS to successfully carry out its mission.

Justification

The addition of 2 conciliators to the region and 2 staff members will maximize crisis response and maximize conflict resolution and violence reduction throughout the United States. This enhancement will allow CRS to fulfill its statutory mandate pursuant to Title X of the Civil Rights Act of 1964 as well as its mandate pursuant to the Shepard and Byrd, Jr. Hate Crimes Prevention Act.

The HCPA has dramatically increased CRS' workload as well as training and travel expenses. Congress anticipated the increase in demand for CRS services in the text of the statute: "There are authorized to be appropriated to the Department of Justice, including the Community Relations Service, for fiscal years 2010, 2011, and 2012 such sums as are necessary to increase the number of personnel to prevent and respond to alleged violations of section 249 of title 18, United States Code, as added by section 4707 of this division." (P.L. 111-84, §4706).

As detailed above, the HCPA has transformed CRS from a component focused on working with communities to prevent and respond to community tension related to alleged discrimination on the basis of race, color, and national origin to a component that is responsible for helping communities address and prevent conflict on the basis of gender, gender identity, sexual orientation, religion, and disability in addition to race, color, and national origin. The passage of the HCPA will also likely mean an increase in CRS caseload associated with responding to alleged hate crimes on the basis of race, color, or national origin, as the statute removes the former prerequisite showing that the victim was participating in a federally protected act. This, combined with an increase in reports of alleged hate related activity on the basis of race, color, or national origin associated with immigration issues, means a significant increase in demand for CRS in our historical areas of jurisdiction as well.

Responding to this increase in community need and demand is no small task, as CRS is the only federal agency exclusively dedicated to assisting state and local units of government, private and public organizations, community groups, and other federal agencies with preventing and resolving racial and ethnic tensions, conflicts, and civil disorders. CRS is uniquely qualified to fulfill its new mandate, as CRS is an expert at bringing law enforcement officials, advocacy groups, and individual community members to the table in a way that creates lasting racial stability and harmony and enables those communities to address future conflicts without outside assistance. Nevertheless, as the HCPA noted, CRS will need significant resources to build the staff and expertise necessary to cover these new jurisdictional areas and to fulfill this broader mandate. The agency will require increased travel funds to continue to effectively help communities prevent and respond to violent hate crimes committed on the basis of gender, gender identity, sexual orientation, religion, disability, race, color, and national origin

Impact on Performance (Relationship of Increase to Strategic Goals)

A staff of 60 personnel (49 FTE) and training, travel, and publication support will maximize CRS' crisis response across the entire United States and enable it to fulfill its historical mandate pursuant to Title X of the Civil Rights Act of 1964 as well as its mandate pursuant to the Shepard and Byrd, Jr. Hate Crimes Prevention Act.

The increase will also have a significant and positive impact on other components. By virtue of its mission and role, CRS is likely to be the first DOJ component that is in a community during a public controversy that may include issues involving other federal components and agencies and state and local governments and agencies. As a result, CRS may be able to help define the public perception of the Department's overall responsiveness and assist other components in gaining successful entry into the community in the context of elevated levels of controversy regarding policy changes. This entry may be facilitated through CRS dialogues or community forums where agencies and components can introduce themselves and explain their services in a manner that allows the public to understand why investigations or other processes may take longer than they would prefer.

FundingBase Funding

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
0	0	0	\$1,682	0	0	0	\$1,800	4	0	2	\$1,907

Personnel Increase Cost Summary

Type of Position/Series	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Conciliator (GS-11)	\$44	2	\$88	\$88	N/A
Admin Support (GS-12)	\$52	1	\$52	\$52	N/A
Admin Support (GS-9)	\$36	1	\$36	\$36	N/A
Total Personnel			\$176	\$176	N/A

Non-Personnel Increase Cost Summary

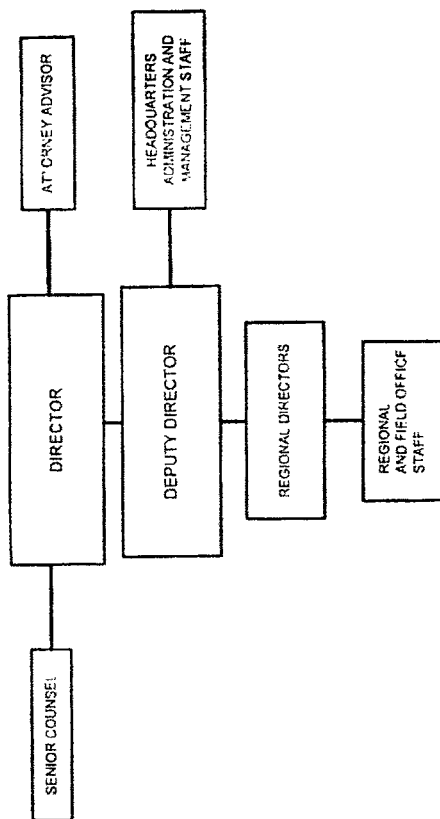
Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Total Non-Personnel			\$81	N/A	N/A

Total Request for this Item

	Pos	Agt/ Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Current Services	4	0	2	\$1,087	\$820	\$1,907	N/A	N/A
Increases	4	0	2	\$176	\$81	\$257	N/A	N/A
Grand Total	8		4	\$1,263	\$901	\$2,164		

A: Organizational Chart

COMMUNITY RELATIONS SERVICE



Approved by: 
DAVID H. FIDLER, JR.
Attorney General

5/16/13
DATE

B. : ry of Requirements

Summary of Requirements
Community Relations Service
 Salaries and Expenses
 (Dollars in thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted	56	45	12,036
2013 Rescissions (1.877% & 0.2%)			-250
2013 Sequester			-576
Total 2013 Enacted (with Rescissions and Sequester)	56	45	11,210
2014 Enacted	56	47	12,000
2014 Balance Rescission			0
Total 2014 Enacted (with Balance Rescission)	56	47	12,000
Base Adjustments			
Pay and Benefits	0	0	154
Domestic Rent and Facilities	0	0	411
Other Expenses	0	0	160
Total Base Adjustments	0	0	715
Total Technical and Base Adjustments	0	0	715
2015 Current Services	56	47	12,715
Program Changes			
Increases			
Hate Crime Prevention and Response			
Subtotal Increases	4	2	257
Total Program Changes	4	2	257
2015 Total Request	4	2	257
2015 Balance Rescission			0
2015 Total Request (with Balance Rescission)	60	49	12,972
2014 - 2015 Total Change	60	49	12,972
	4	2	972

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements
Community Relations Service
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Conflict Resolution and Violence Reduction	56	45	11,210	56	47	12,000	0	0	0	56	47	12,715
Total Direct	56	45	11,210	56	47	12,000	0	0	0	56	47	12,715
Balance Rescission Total Direct with Rescission			0			0			0			0
Reimbursable FTE		0	11,210			12,000			0			12,715
Total Direct and Reimb. FTE		45			47			0			47	
Grand Total, FTE		45			47			0			47	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Conflict Resolution and Violence Reduction	4	2	257	0	0	0	60	49	12,972
Total Direct	4	2	257	0	0	0	60	49	12,972
Balance Rescission Total Direct with Rescission			0			0			0
Reimbursable FTE		0	257			0			12,972
Total Direct and Reimb. FTE		2			0			0	
Grand Total, FTE		2			0			49	

FY 2015 Program Changes by Decision Unit
Community Relations Service
Salaries and Expenses
(Dollars in Thousands)

Program Increases	Location of Description in Narrative	Conflict Resolution and Violence Reduction				Total Increases			
		Direct Pos	Agg / Atty	Est. FTE	Amount	Direct Pos	Agg / Atty	Est. FTE	Amount
Conflict Resolution and Violence Reduction	Page 14	4	0	2	257	4	0	2	257
Total Program Increases		4	0	2	257	4	0	2	257

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective
 Community Relations Services
 Salaries and Expenses
 (Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Revisions and Sequester			2014 Enacted			2015 Current Services			2015 Increases			2015 Offsets			2015 Total Request		
	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount	Direct/ Reimb FTE	Direct Amount	Reimb Amount
Goal 2: Prevent Crime. Protect the Rights of the American People, and enforce Federal Law.																		
2.5 Promote and protect American civil rights by preventing and prosecuting discriminatory practices	45	11,210	47	45	12,000	47	47	12,715	2	257	0	0	0	0	0	49	12,972	0
Subtotal, Goal 2	45	11,210	47	47	12,000	47	47	12,715	2	257	0	0	0	0	0	49	12,972	0
TOTAL	45	11,210	47	47	12,000	47	47	12,715	2	257	0	0	0	0	0	49	12,972	0

Note: Excludes Balance Recession and/or Supplemental Appropriations.

Justifications for Technical and Base Adjustments
Community Relations Service
Salaries and Expenses
(Dollars in thousands)

[illegible]

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability
Community Relations Service
Salaries and Expenses
(Dollars in thousands)

Program Activity	2013 Appropriation Enacted w/o Balance Recession ¹			Balance Recession			Sequester			Reprogramming/Transfers			Carryover		Recoveries/ Refunds		2013 Actual	
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Amount	Amount	Direct Pos.	Actual FTE	Amount	Amount
Civilian Resolution and Violence Prevention	56	45	11,786		0	0	0	0	-576	0	0	0	0	0	0	56	45	11,210
Reimbursable FTE	36	45	11,786	0	0	0	0	0	-576	0	0	0	0	0	0	56	45	11,210
Total Direct and Reimb. FTE			0														0	
Grand Total FTE			45			0			0			0					45	45

¹ The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Crosswalk of 2014 Availability
Community Relations Service
Salaries and Expenses
(Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover		Recoveries/ Refunds		2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount	
Conflict Resolution and Violence Reduction	56	47	12,000	0	0	0	0	0	0	56	47	12,000	
Total Direct	56	47	12,000	0	0	0	0	0	0	56	47	12,000	
Balance Reversion			0									0	
Total Direct with Reversion		0	12,000		0			0	0		0	12,000	
Reimbursable FTE		47			0		0	0	0		47		
Total Direct and Reimb. FTE		47			0		0	0	0		47		
Grand Total, FTE		47			0		0	0	0		47		

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category
Community Relations Service
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Clerical and Office Services (300-399)	49	0	49	0	0	4	0	53	0
Accounting and Budget (500-599)	2	0	2	0	0	0	0	2	0
Attorneys (605)	2	0	2	0	0	0	0	2	0
Information & Arts (1000-1099)	3	0	3	0	0	0	0	3	0
Total	56	0	56	0	0	4	0	60	0
Headquarters (Washington, D.C.)	15	0	15	0	0	2	0	17	0
U.S. Field	41	0	41	0	0	2	0	43	0
Foreign Field	0	0	0	0	0	0	0	0	0
Total	56	0	56	0	0	4	0	60	0

Financial Analysis of Program Changes
Community Relations Service
Salaries and Expenses
(Dollars in Thousands)

Grades	Conflict Resolution and Violence Reduction					
	Hate Crime Prevention and Response		Program Offsets		Total Program Changes	
	Direct Pos	Amount	Direct Pos	Amount	Direct Pos	Amount
SES	0	0	0	0	0	0
GS-15	0	0	0	0	0	0
GS-14	0	0	0	0	0	0
GS-13	0	0	0	0	0	0
GS-12	1	165	0	0	1	165
GS-11	2	176	0	0	2	176
GS-10	0	0	0	0	0	0
GS-9	1	72	0	0	1	72
GS-8	0	0	0	0	0	0
GS-7	0	0	0	0	0	0
GS-6	0	0	0	0	0	0
GS-5	0	0	0	0	0	0
Total Positions and Annual Amount	4	353	0	0	4	353
Lapse (-)	-2	-176	0	0	-2	-176
Total FTEs and Personnel Compensation	2	177	0	0	2	177
21.0 Travel and Transportation of Persons		16		16		16
23.1 Rental Payments to FSA		13		13		13
24.0 Miscellaneous Expenses from Federal Sources		29		29		29
26.0 Supplies and Materials		4		4		4
31.0 Equipment		70		70		70
Total Program Change Requests	2	257	0	0	2	257

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class
 Community Relations Service
 Salaries and Expenses
 (Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	45	4,681	47	4,889	49	5,087	2	198
11.3 Other than Full-Time Permanent	0	156	0	157	0	157	0	0
11.5 Other Personnel Compensation	0	2	0	10	0	10	0	0
Total	45	4,839	47	5,056	49	5,254	2	198
Other Object Classes								
12.0 Personnel Benefits		1,389		1,413		1,545		132
13.0 Benefits for former personnel		0		0		0		0
21.0 Travel and Transportation of Persons		387		750		768		16
22.0 Transportation of Things		721		30		30		0
23.1 Rental Payments to GSA		1,441		1,526		1,604		78
23.2 Rental Payments to Others		107		108		108		0
23.3 Communications, Utilities, and Miscellaneous Charges		348		293		293		0
24.0 Printing and Reproduction		3		4		4		0
25.1 Advisory and Assistance Services		11		881		881		0
25.2 Other Services from Non-Federal Sources		559		610		952		342
25.3 Other Goods and Services from Federal Sources		657		788		820		32
25.4 Operation and Maintenance of Facilities		0		0		0		0
25.5 Research and Development Contracts		0		0		0		0
25.6 Medical Care		4		5		5		0
25.7 Operation and Maintenance of Equipment		68		16		16		0
25.8 Subsistence and Support of Persons		0		0		0		0
26.0 Supplies and Materials		46		70		74		4
31.0 Equipment		344		450		620		170
Total Obligations		10,524		12,000		12,972		972
Total Direct Requirements	0	10,924	0	12,000	0	12,972	0	972

