Assets Forfeiture Fund (AFF)

FY 2013 Budget Request At A Glance	
FY 2012 Enacted:	$20.9 million (Discretionary Authority)
	$3,706 million (23 positions) (Indefinite Authority)
FY 2013 Budget Request:	$20.9 million (Discretionary Authority)
	$1,387 million (23 positions) (Indefinite Authority)
Change From FY 2012 Enacted:	-$2,319 (-62.6%) million (Indefinite Authority)

Mission:

The AFF's mission is to enforce federal laws and prevent and reduce crime by disrupting, damaging and dismantling criminal organizations through the use of civil and criminal forfeiture. The program attempts to remove those assets that are essential to the operation of those criminal organizations and punish the criminals involved by denying them the use of the proceeds of their crimes.

Organization:

The Asset Forfeiture Management Staff (AFMS) is in the Justice Management Division and is located in Washington, DC. AFMS oversees the AFF. AFMS also coordinates the financial and budgetary functions of the AFF with AFF member agencies, including the Criminal Division's Asset Forfeiture and Money Laundering Section and the U.S. Marshals Service. Allocation decisions for the AFF are made by the Attorney General, who has delegated the responsibility to the Deputy Attorney General.

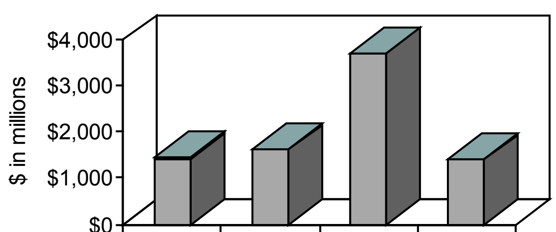
Resources:

All AFF funding is provided through forfeiture activities. $20.9 million of these funds are scored as discretionary and may be used for non-forfeiture related activities. The $1,387.5 million 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 AFF. An additional, $675 million is proposed as a scorekeeping credit to DOJ's discretionary budget authority.

Personnel:

AFMS has 23 personnel, funded through the AFF. An additional 377 government positions within other components are funded through the AFF. FY 2012 is the first year the AFMS will have authorized positions. In prior years, AFMS positions were funded on a reimbursable basis through the Department's Working Capital Fund, using funds from the AFF. This change was implemented to make the execution of personnel funding more efficient.

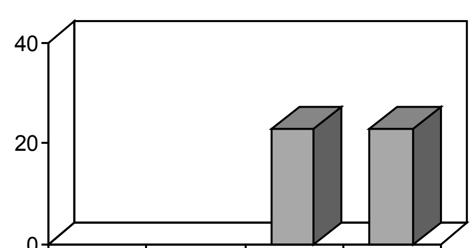
Funding (FY 2010 - 2013)



	2010	2011	2012	2013
Discretionary	$21	$21	$21	$21
Mandatory Indefinite	$1,426	$1,606	$3,706	$1,387

The increase in the FY 2012 mandatory level is due to anticipated receipts and obligations in the AFF, related to extraordinarily large cases currently under adjudication.

Personnel (FY 2010 - 2013)



	2010	2011	2012	2013
Authorized Positions	[23]	[23]	23	23

FY 2013 Strategy:

The primary purpose of the AFF is to provide a stable funding base to support departmental forfeiture activities. Effective forfeiture activities ensure that assets used by criminals to support their activities are removed, hindering future actions. These include both physical assets and financial instruments.

In FY 2013, the AFF's aggressive forfeiture program will continue to remove assets from the control of criminals and criminal organizations. Similarly, the AFF will continue to support Department law enforcement agencies by providing a source of funding for forfeiture related activities and state and local task forces. As the AFF program has grown and matured, asset forfeiture has been used to attack the financial infrastructure of criminal enterprises, return funds to victims of large-scale fraud, and share forfeited property with state and local law enforcement agencies

The AFF program is the primary source of funding to pay for state and local law enforcement officer participation in DOJ task forces. The AFF pays for overtime, vehicles, and other equipment of the state and local officers. Over 5,600 state and local law enforcement officers participate in DOJ task forces.

The AFF 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 tend to be very difficult to negotiate and often take a significant time to finalize. Revenues into the AFF are also difficult to predict, particularly when there are large forfeiture cases with non-recurring deposits. These changes in revenues must be considered as the Fund is not allowed to operate at a deficit.

FY 2013 Program Changes:

Assets Forfeiture Fund (Permanent Budget Authority)

Adjustment to FY 2013 Estimate: -$2,319 million and 0 positions. Current FY 2013 estimates for AFF mandatory expenses are $2,318.7 million below the FY 2012 level. This adjustment is due to anticipated receipts and obligations related to extraordinarily large cases currently under adjudication. The overall expense estimate for mandatory expenses is $1,387.5 million, which will support allowable expenses of the Fund.

Assets Forfeiture Fund
(Dollars in Thousands)

	Assets Forfeiture Fund (Permanent Budget Authority)			Assets Forfeiture Fund (Discretionary Budget Authority)			Total		
	Pos	**FTE**	**Amount**	**Pos**	**FTE**	**Amount**	**Pos**	**FTE**	**Amount**
2011 Enacted	**0**	**0**	**1,605,743**	**0**	**0**	**20,948**	**0**	**0**	**1,626,691**
2012 Enacted	**[23]**	**23**	**3,706,158**	**0**	**0**	**20,948**	**[23]**	**23**	**3,727,106**
2013 Request	**[23]**	**23**	**1,387,495**	**0**	**0**	**20,948**	**[23]**	**23**	**1,408,443**
Change 2013 from 2012 Enacted	**0**	**0**	**-2,318,663**	**0**	**0**	**0**	**0**	**0**	**-2,318,663**
Technical Adjustments	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Total Technical Adjustments	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Adjustments to Base									
Increases:	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Decreases:	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Total Adjustments to Base	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Total Adjustments to Base and Technical Adjustments	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
2013 Current Services	**[23]**	**23**	**3,706,158**	**0**	**0**	**20,948**	**[23]**	**23**	**3,727,106**
Program Changes									
Increases:									
Subtotal, Program Increase	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Decreases:									
Adjustment to FY 2013 Estimate	0	0	-2,318,663	0	0	0	0	0	-2,318,663
Subtotal, Program Decrease	**0**	**0**	**-2,318,663**	**0**	**0**	**0**	**0**	**0**	**-2,318,663**
Total Program Changes	**0**	**0**	**-2,318,663**	**0**	**0**	**0**	**0**	**0**	**-2,318,663**
2013 Request	**[23]**	**23**	**1,387,495**	**0**	**0**	**20,948**	**[23]**	**23**	**1,408,443**
Change 2013 from 2012 Enacted	**0**	**0**	**-2,318,663**	**0**	**0**	**0**	**0**	**0**	**-2,318,663**

Assets Forfeiture Fund
(Dollars in Thousands)

Comparison by activity and program	2012 Enacted			2013 Current Services		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
AFF - Permanent, Indefinite Authority	[23]	23	3,706,158	[23]	23	3,706,158
AFF - Appropriated, Definite Authority	0	0	20,948	0	0	20,948
Total	[23]	23	3,727,106	[23]	23	3,727,106
Reimbursable FTE	0	0	0	0	0	0
Grand Total	[23]	23	3,727,106	[23]	23	3,727,106

Comparison by activity and program	2013 Total Program Changes			2013 Request		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
AFF - Permanent, Indefinite Authority	0	0	-2,318,663	[23]	23	1,387,495
AFF - Appropriated, Definite Authority	0	0	0	0	0	20,948
Total	0	0	-2,318,663	[23]	23	1,408,443
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	-2,318,663	[23]	23	1,408,443