



## Asset Forfeiture Program (AFP)

FY 2021 Budget Request At A Glance	
FY 2020 Enacted:	\$20.5 million (Discretionary Authority) \$2,324.0 million (422 positions) (Indefinite Authority)
Current Services Adjustments:	+\$0 (Discretionary Authority) +\$86.6 (Indefinite Authority)
Program Changes:	+\$0 (Discretionary Authority) -\$1,114.1 (Indefinite Authority)
FY 2021 Budget Request:	\$20.5 million (Discretionary Authority) \$1,296.1 million (422 positions) (Indefinite Authority)
Change From FY 2020 Enacted:	+\$0 (Discretionary Authority) -\$1,027.5 (-44.2%) million (Indefinite Authority)

### Mission:

The AFP touches every Federal, state, tribal, and local law enforcement agency in the country, and the related cases are handled by all 94 U.S. Attorneys' Offices and the DOJ Criminal Division. Through joint partnerships among law enforcement at all levels domestically and internationally, the AFP mission is to use asset forfeiture consistently and strategically in order to deter, disrupt and dismantle criminal enterprises by depriving wrongdoers of the fruits and instrumentalities of criminal activity. Whenever possible, the program seeks to restore property to innocent victims of criminal fraud schemes.

### Resources:

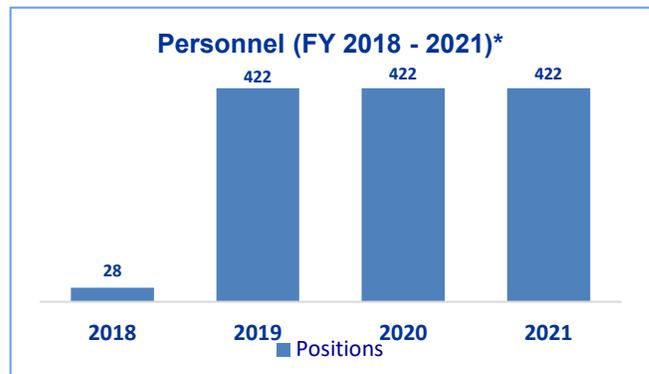
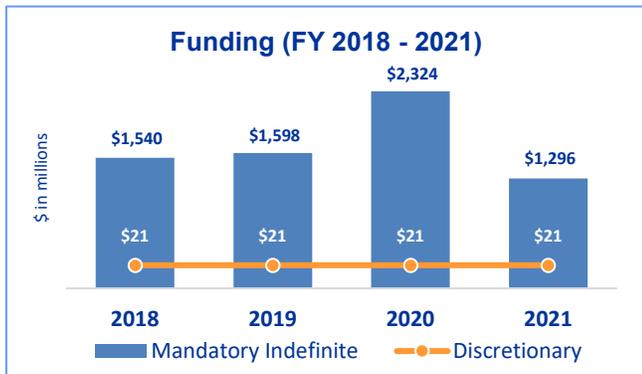
All AFP funding is provided from forfeiture activities. While \$20.5 million is designated as discretionary and may be used for non-forfeiture related activities, the remaining \$1,296.1 million is designated as mandatory. The mandatory portion will be used to pay victims and third parties, share resources with state and local participants, and fund programs in support of the AFP.

### Organization:

The Asset Forfeiture Management Staff (AFMS) is located in Washington, DC, and is responsible for administrative management and operational functions including review and evaluation of all AFP activities, and budgeting, financial management, and contracting operations related to the fund. The AFMS also provides centralized operations and development of forfeiture-related systems and applications used by law enforcement officers and prosecutors to account for assets seized from criminal enterprises. Participating agencies include the Drug Enforcement Administration, the Federal Bureau of Investigation (FBI), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the U.S. Marshals Service (USMS), the U.S. Attorneys (USA), the Criminal Division's Money Laundering and Asset Recovery Section, and several other federal law enforcement agencies. Allocation recommendations are forwarded to the Office of the Deputy Attorney General through the Justice Management Division.

### Personnel:

The AFP's direct positions for FY 2021 total 422 positions. This includes 28 positions in AFMS and suballotments of 217 positions for USMS, 112 positions for CRM, 57 positions for USA, 4 positions for ATF, and 4 positions for FBI.



\* FY 2019 was the first year in which suballotted AFP positions were displayed in budget materials.

## **FY 2021 Strategy:**

In FY 2021, the Department's forfeiture program will play a critical role in disrupting and dismantling illegal enterprises, depriving criminals of the proceeds of illegal activity, deterring crime, and restoring property to victims.

The AFP directly supports state and local law enforcement participation in joint Federal law enforcement operations to provide a key force multiplier in targeting violent crime, including gang activities, organized crime, illegal drug activities, gun violence, and fugitive apprehensions. Annually, approximately 3,100 state and local law enforcement agencies receive Assets Forfeiture Fund (AFF) support to help compensate them for their joint efforts with Federal task force operations. This includes reimbursement for overtime and equipment, such as vehicles and protective gear to enhance officer safety and the effectiveness of these joint operations.

The AFP faces a number of challenges, both internal and external. For example, a structural decline in asset seizure activity over the past several years has made the Program increasingly reliant on sporadic and unpredictable revenues from large forfeiture cases to cover normal operating expenses. The AFMS is working with partner agencies to align the Program's core annualized program expenses to a level that can be more fully supported by predictable case receipts.

In recent years, the Program has focused increasing attention on building technical and operational capacity to investigate complex economic crime. The globalization of economic and financial systems, the rapidly changing nature of technology, and the growing sophistication of criminal organizations have increased the prevalence of economic crime. When foreign governments, terrorists, or well-established international criminals are involved, the investigative techniques often require specialist teams, as well as analytical tools and methods to evaluate many variations of highly complex, technical, and data-intensive crimes. The Program funds traditional infrastructure and operational needs while also investing in new techniques that expand asset forfeiture's impact.

## **FY 2021 Program Changes:**

### **Asset Forfeiture Program (Permanent Indefinite Authority)**

**Program Offset - AFP:** -\$1,114.1 million and 0 positions  
Current FY 2021 estimates for AFP mandatory expenses are \$1,114.1 million below current services. The decrease is largely due to two Extraordinary Receipt cases for which AFP expects most of the forfeited value will be allocated as mandatory expenses in FY 2020 to Victim & Third Party Payments: the \$647.0 million Reckitt Benckiser Group plc (RB Group) case and the \$413.8 million 1Malaysia Development Berhad (1MDB) case.

### **Asset Forfeiture Program (Discretionary Authority)**

No program changes requested.

**Asset Forfeiture Program**

(Dollars in Thousands)

	Asset Forfeiture Program (Permanent Indefinite Authority)			Asset Forfeiture Program (Discretionary Authority)			Total		
	Pos	FTE	Amount	Pos	FTE	Amount	Pos	FTE	Amount
<b>2019 Appropriation</b>	<b>422</b>	<b>379</b>	<b>1,733,114</b>	<b>0</b>	<b>0</b>	<b>20,514</b>	<b>422</b>	<b>379</b>	<b>1,753,628</b>
2019 Sequester Cut	0	0	-135,273	0	0	0	0	0	-135,273
<b>2019 Enacted with Rescissions</b>	<b>422</b>	<b>379</b>	<b>1,597,841</b>	<b>0</b>	<b>0</b>	<b>20,514</b>	<b>422</b>	<b>379</b>	<b>1,618,355</b>
<b>2020 Enacted</b>	<b>422</b>	<b>403</b>	<b>2,410,188</b>	<b>0</b>	<b>0</b>	<b>20,514</b>	<b>422</b>	<b>403</b>	<b>2,430,702</b>
2020 Sequester Cut	0	0	-86,582	0	0	0	0	0	-86,582
<b>2020 Enacted with Rescissions</b>	<b>422</b>	<b>403</b>	<b>2,323,606</b>	<b>0</b>	<b>0</b>	<b>20,514</b>	<b>422</b>	<b>403</b>	<b>2,344,120</b>
<b>2021 Request</b>	<b>422</b>	<b>403</b>	<b>1,296,124</b>	<b>0</b>	<b>0</b>	<b>20,514</b>	<b>422</b>	<b>403</b>	<b>1,316,638</b>
<b>Change 2021 from 2020 Enacted</b>	<b>0</b>	<b>0</b>	<b>-1,027,482</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-1,027,482</b>
<b>Technical Adjustments</b>									
FY2020 Sequester Cut Available in FY2021	0	0	86,582	0	0	0	0	0	86,582
<b>Total Technical Adjustments</b>	<b>0</b>	<b>0</b>	<b>86,582</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>86,582</b>
<b>Base Adjustments</b>									
<b>Total Base Adjustments</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>2021 Current Services</b>	<b>422</b>	<b>403</b>	<b>2,410,188</b>	<b>0</b>	<b>0</b>	<b>20,514</b>	<b>422</b>	<b>403</b>	<b>2,430,702</b>
<b>Program Changes</b>									
<b>Increases:</b>									
<b>Subtotal, Program Increases</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Decreases:</b>									
Program Offset - AFP	0	0	-1,114,064	0	0	0	0	0	-1,114,064
<b>Subtotal, Program Decreases</b>	<b>0</b>	<b>0</b>	<b>-1,114,064</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-1,114,064</b>
<b>Total Program Changes</b>	<b>0</b>	<b>0</b>	<b>-1,114,064</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-1,114,064</b>
<b>2021 Request</b>	<b>422</b>	<b>403</b>	<b>1,296,124</b>	<b>0</b>	<b>0</b>	<b>20,514</b>	<b>422</b>	<b>403</b>	<b>1,316,638</b>

**Asset Forfeiture Program (Permanent Indefinite Authority)**

(Dollars in Thousands)

Comparison by activity and program	2020 Enacted			2021 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
AFF - Permanent, Indefinite Authority	422	403	2,323,606	422	403	2,410,188
<b>Total</b>	422	403	2,323,606	422	403	2,410,188

Comparison by activity and program	2021 Total Program Changes			2021 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
AFF - Permanent, Indefinite Authority	0	0	-1,114,064	422	403	1,296,124
<b>Total</b>	0	0	-1,114,064	422	403	1,296,124

**Asset Forfeiture Program (Discretionary Authority)**

(Dollars in Thousands)

Comparison by activity and program	2020 Enacted			2021 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
AFF - Appropriated, Definite Authority	0	0	20,514	0	0	20,514
<b>Total</b>	0	0	20,514	0	0	20,514

Comparison by activity and program	2021 Total Program Changes			2021 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
AFF - Appropriated, Definite Authority	0	0	0	0	0	20,514
<b>Total</b>	0	0	0	0	0	20,514