



## U.S. Department of Justice FY 2011 Budget Request

### **STRENGTHEN NATIONAL SECURITY AND COUNTER THE THREAT OF TERRORISM**

**+\$300.6 million in Program Increases**

#### **FY 2011 Overview**

Protecting our national security remains the Department of Justice's highest priority. Each day, Justice Department employees work tirelessly with their partners in the Intelligence Community to detect, disrupt, and deter threats to national security. For instance, the Federal Bureau of Investigation (FBI) has had important operational successes through its Joint Terrorism Task Forces (JTTFs), which serve as the coordinated "action arm" for federal, state, and local government response to terrorist threats. National Security Division (NSD) attorneys represent the United States before the Foreign Intelligence Surveillance Act (FISA) Court and work closely with the FBI and with prosecutors in United States Attorneys' Offices all across the country, to coordinate multi-district terrorism investigations, allowing the government to act against terror threats. Additionally, Drug Enforcement Administration (DEA) agents are working in Southwest Asia, particularly in Afghanistan, to stem the flow of narcotics from that region—a key source of funds for the Taliban and other anti-U.S. actors in Afghanistan and Pakistan.

Despite these improvements in the Department's national security programs, the threats of terrorism, weapons of mass destruction, and foreign counterintelligence have not dissipated. Gaps in certain critical areas still remain. Meanwhile, our enemies have the resources, technical capabilities, and unyielding desire to bring harm to the United States and our interests, and we cannot afford to fail in our national security responsibilities. For example, continued advances in high speed telecommunications, computers, and other technologies are creating new vulnerabilities and new opportunities for terrorists and criminals. Also, new challenges for law enforcement, including the need to ensure cybersecurity require substantial investment in technology and human capital to keep pace with those changes. More needs to be done to enable the Department to handle new and emerging national security threats.

To this end, the FY 2011 Budget requests a \$300.6 million program increase to help strengthen national security and counter the threat of terrorism. The request includes 440 additional positions, including 126 agents and 15 attorneys, and \$219.3 million in increases for the FBI and \$7.8 million in increases for the NSD. The FY 2011 Budget request includes a 5 percent increase in DOJ counterterrorism funding and a 9 percent increase in resources for intelligence activities over the FY 2010 levels. All told, the FY 2011 Budget request dedicates 15 percent of the Department's total discretionary budget authority to national security efforts. These funds are needed to allow the Department to identify, track, and defeat terrorists operating in the United States and overseas, and to fortify our intelligence analysis capabilities.

## Program Increases

### Federal Bureau of Investigation (FBI)

- **Computer Intrusions: \$45.9 million and 163 positions (63 agents and 46 intelligence analysts)** for the Comprehensive National Cybersecurity Initiative (CNCI), which works to increase the FBI's efforts to combat cyber attacks against the U.S. information infrastructure. Funding proposed includes resources to combat cyber threat actors, increase intelligence analysis, and improve science and technology tools to enhance investigations and intelligence collection capabilities. FY 2011 current services for this initiative are 560 positions (175 agents) and \$135.8 million.
- **Operational Enablers/Infrastructure: \$25.1 million and 118 positions (15 agents and 69 intelligence analysts)** to provide necessary analytical personnel and training for the intelligence transformation effort and resources to improve the workflow and business processes of the FBI Laboratory. FY 2011 current services for these initiatives are 2,295 positions (522 agents) and \$448.8 million.
- **Weapons of Mass Destruction: \$9.1 million and 35 positions (15 agents)** to further develop the FBI's ability to implement widespread countermeasures, provide rapid responses to WMD incidents, and enhance the collection and analysis of related WMD materials, technology, and information. FY 2011 current services for this initiative are 1,219 positions (224 agents) and \$400.2 million
- **National Security Investigations: \$25.2 million and 90 positions (27 agents and 32 intelligence analysts)** to support national security investigations that target high priority threats to the U.S. This request includes surveillance personnel, intelligence analysts to strategically manage intelligence-driven investigations, and resources to expand the FBI's presence overseas in Pakistan and Ethiopia. FY 2011 current services for this initiative are 2,669 positions (1,561 agents) and \$455.1 million. *Additional details are classified.*
- **Render Safe: \$40 million and 13 positions (6 agents)** to address Render Safe requirements. The FBI is responsible for deploying render safe assets throughout the country to diffuse, disrupt, or destroy weapons of mass destruction. Currently, the FBI holds a lease that is set to end in FY 2013 on aircraft for the Render Safe Mission. The requested resources will allow for a multi-year phased approach for the acquisition of two aircraft to replace the current lease and maintain this capability. FY 2011 current services for this initiative are 106 positions (28 agents) and \$51.8 million.
- **FBI Training Academy: \$73.9 million** to expand the training facilities at the FBI Academy in Quantico, VA, including the construction of a new dormitory and to renovate and abate a portion of the facilities. These resources will increase training capacity at the Academy and bring several buildings at Quantico up to current safety and environmental standards. There are no FY 2011 current services for this construction initiative.

## Drug Enforcement Administration (DEA)

- **Transfer from the Office of the Director of National Intelligence (ODNI):** \$300,000 to support an ODNI initiative to improve infrastructure that supports information sharing within the Intelligence Community. There are no current services for this initiative. *Additional details are classified.*

## General Administration

- **Terrorism Prosecutions and Associated Costs: \$72.8 million** to prosecute in the Southern District of New York five alleged conspirators of the 9/11 terrorist attacks. Funding reflects costs associated with security, litigation, housing, and transportation. This program increase of \$72.8 million is requested for recurring annual costs to continue this effort.

## National Security Division (NSD)

- **Intelligence Oversight and Litigation: \$1.1 million and 8 positions (5 attorneys)** support increased Foreign Intelligence Surveillance Act (FISA) and intelligence oversight staffing. Resources will support the National Security Review program and FBI's use of National Security Letters, growing requests for intelligence collection activities and coordination from other parts of the Intelligence Community, other intelligence collection activities through FISA minimization reviews, and oversight of the use of FISA-derived information in criminal, civil and other court proceedings. FY 2011 current services for this initiative are 160 positions (134 attorneys) and \$52.5 million.
- **Counterterrorism Investigation and Prosecution: \$418,000 and 3 positions (1 attorney)** to allow the Counterterrorism Section (CTS) to strengthen investigative and prosecutorial capabilities in order to more effectively identify, track, and prevent terrorist cells from operating in the U.S. and overseas. These new resources will allow CTS to better assist the FBI in investigating domestic and international terrorism, terrorism financing, and meet the increasing complexity of terrorism investigations or prosecutions and their international scope. Having CTS adequately staffed to meet current and future workloads is imperative to their success. FY 2011 current services for this initiative are 71 positions (53 attorneys) and \$14.7 million.
- **Foreign Investment Review: \$2.2 million and 6 positions (5 attorneys)** to allow NSD to meet its increasing responsibilities as the Department's representative on the Committee on Foreign Investment in the United States, or CFIUS, which reviews foreign acquisitions of domestic entities affecting national security. These enhancements are being requested to address the increasingly complex transactions coming before the CFIUS, many of which have national security implications given the globalized economy, the technologies and businesses involved and the need to require mitigation steps to address national security concerns while permitting transactions to move forward. Currently, there are no dedicated resources for this purpose.

- **Continuity of Operations Relocation Site: \$4.0 million** to fund activation of the NSD catastrophic Continuity of Operations (COOP) relocation site, where essential classified functions will resume should a catastrophic situation occur. There is no funding available to activate such a facility.

### **Criminal Division**

- **Cybersecurity and Digital Forensics: \$528,000 and 4 positions (4 attorneys)** to strengthen national cybersecurity efforts and increase digital forensic capabilities. Additional resources will enable the Division to address increasing workload needs and backlogs in its Computer Crime and Intellectual Property Section (CCIPS), which provides support to litigation, legislative initiatives, and national security issues through consultations for prosecutors and expert testimony where necessary. This request also includes one attorney to address current workload for the Military Extraterritorial Jurisdiction Act (MEJA). FY 2011 current services for this initiative are 19 positions (12 attorneys) and \$4.5 million.

**FY 2011 Program Increase Summary**  
(Amount in \$000s)

<b>Component/Initiative</b>	<b>Positions</b>	<b>Agents</b>	<b>Attorneys</b>	<b>Amount</b>
<b>Federal Bureau of Investigation</b>	<b>419</b>	<b>126</b>	<b>0</b>	<b>\$219,259</b>
Computer Intrusions/Comprehensive National Cybersecurity Initiative	163	63		45,926
Operational Enablers/Infrastructure	118	15	0	25,121
Weapons of Mass Destruction	35	15	0	9,141
National Security Investigations	90	27	0	25,179
Render Safe	13	6	0	40,000
FBI Training Academy	0	0	0	73,892
<b>DEA</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$300</b>
Transfer from ODNI	0	0	0	300
<b>General Administration</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$72,771</b>
Terrorism Prosecution and Associated Costs	0	0	0	72,771
<b>National Security Division</b>	<b>17</b>	<b>0</b>	<b>11</b>	<b>\$7,788</b>
Intelligence Oversight and Litigation	8	0	5	1,118
Counterterrorism and Investigation Prosecution	3	0	1	418
Foreign Investment Review	6	0	5	2,235
Continuity of Operations Relocation Site	0	0	0	4,017
<b>Criminal Division</b>	<b>4</b>	<b>0</b>	<b>4</b>	<b>\$528</b>
Cybersecurity and Digital Forensics	4	0	4	528
<b>Grand Total, Program Increases</b>	<b>440</b>	<b>126</b>	<b>15</b>	<b>\$300,646</b>