

U.S. DEPARTMENT OF JUSTICE OVERVIEW

Organization: Led by the Attorney General, the Department of Justice (DOJ or the Department) is comprised of 43 components that have a broad array of national security, law enforcement, and criminal justice system responsibilities. (The number of components will change in 2012 based on internal reorganizations.) 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 speedy 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, some of whom are illegal immigrants. 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:

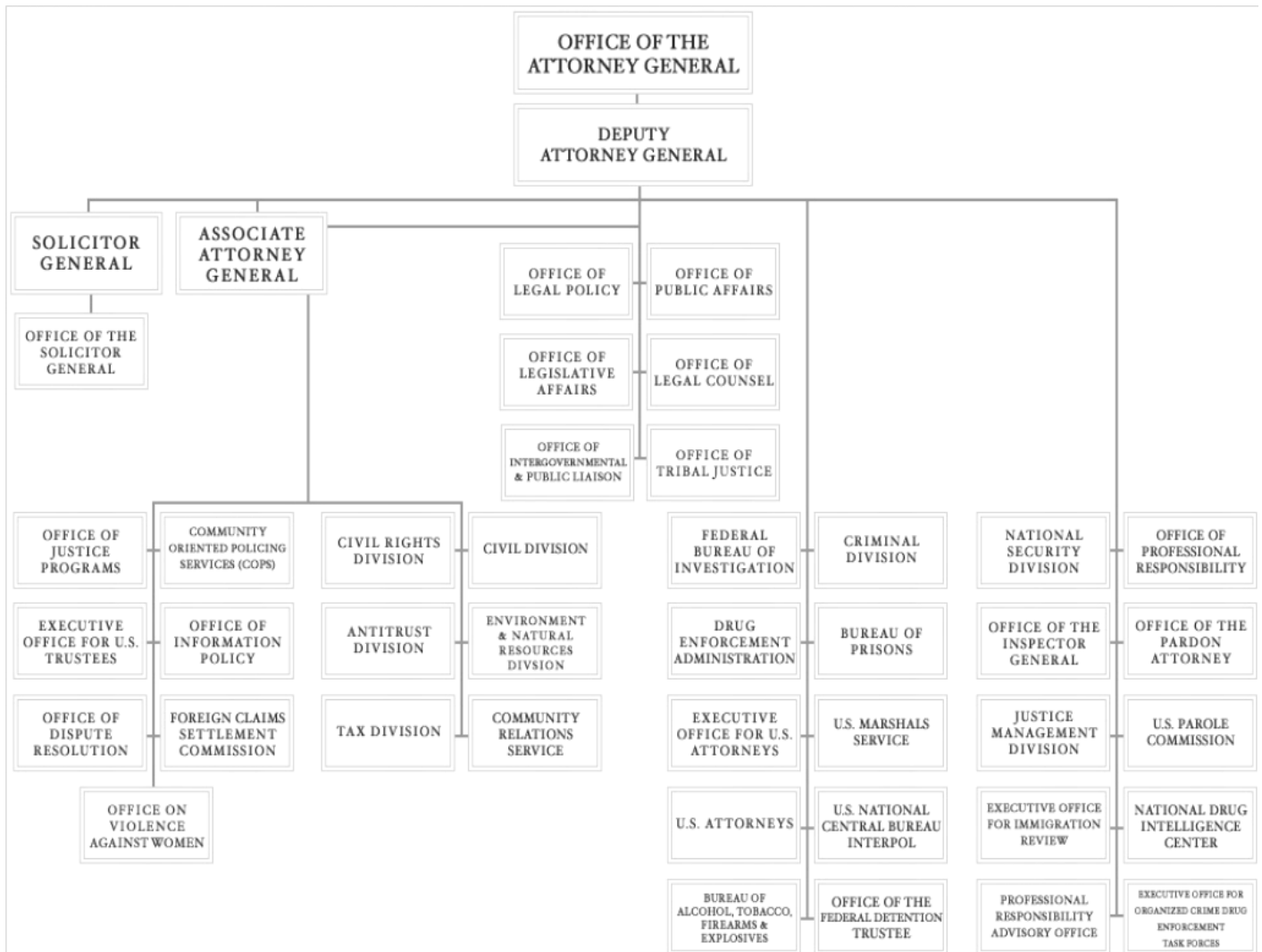
"To enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and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

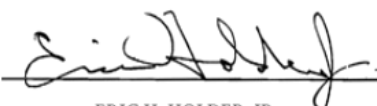
Statutory Authority: The Judiciary Act of 1789, ch. 20, sec. 35, 1 Stat. 73, 92-93 (1789) created the Office of the Attorney General. In 1870, after the post-Civil War increase in the amount of litigation involving the United States necessitated the very expensive retention of a large number of private 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:  DATE: Apr. 30, 2010

ERIC H. HOLDER, JR.
ATTORNEY GENERAL

Reorganizations pending in FY 2012 and other changes that will affect the DOJ organization chart include:

- **Close the National Drug Intelligence Center and merge core functions, including Document and Media Exploitation and strategic intelligence reporting, into the Drug Enforcement Administration (DEA).** This is an efficiency improvement and the merger will be completed by the end of FY 2012. DEA funding requirements to support the ongoing activities are addressed in the FY 2013 Budget. DOJ anticipates savings of \$12 million in FY 2013.
- **Realign the Office of Dispute Resolution into the Office of Legal Policy.** This is an efficiency improvement. The realignment will be implemented in FY 2012. Because this is an administrative efficiency, there are no projected savings.
- **Realign the Office of Intergovernmental and Public Liaison functions into the Office of Legislative Affairs.** This is an efficiency improvement. This realignment will be implemented in FY 2012 with a savings of \$495,000.
- **Merge detention functions currently performance by the Office of the Federal Detention Trustee into United States Marshals Service.** This is an efficiency improvement. Plans are underway for this merger so that full-year savings can be realized in FY 2013. DOJ anticipates savings of \$5.6 million in FY 2013.
- **Change name from United States National Central Bureau to INTERPOL Washington.** This appropriation name change was adopted by reference, as requested, in the FY 2012 enacted appropriation.

The following change does not affect the DOJ organization chart, but reorganizes the Department's functions:

Decentralize the Law Enforcement Wireless Communication (LEWC) funding. The FY 2013 Budget realigns funding for the Radio/Interoperability program and eliminates the LEWC appropriation. Base operations and maintenance funding for legacy radio networks is transferred back to the components. The Law Enforcement Radio program lead (and associated funding) shifts from the Justice Management Division to the Federal Bureau of Investigation. To effectively implement these changes in FY 2013, the planning and transition to the new structure will begin in FY 2012.



U.S. Department of Justice

FY 2013 Budget Request At A Glance Discretionary Budget Authority

FY 2012 Enacted:	\$27.2 billion (113,521 positions)
FY 2013 Budget Request:	\$27.1 billion (114,347 positions)
Change from FY 2012 Enacted:	-0.4% (+826 positions)

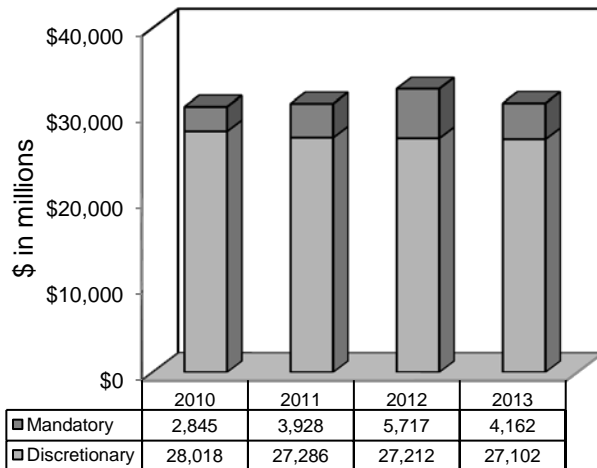
Resources:

The DOJ FY 2013 Budget totals \$27.1 billion in discretionary budget authority, which is 0.4 percent below the FY 2012 enacted level, excluding antitrust and bankruptcy fee receipts. The FY 2013 DOJ Budget delineated by category is: law enforcement (49%); litigation (11%); prisons and detention (32%); administration/technology/other (2%); and grants (6%). In addition, DOJ is estimated to receive \$4.2 billion in mandatory resources in FY 2013.

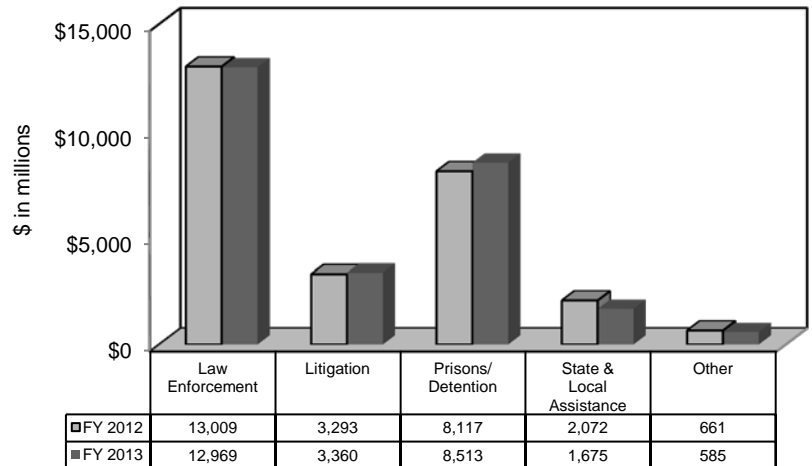
Personnel:

DOJ's FY 2013 request includes 114,347 authorized positions (direct only), which is an increase of 826 positions over the FY 2012 enacted level. This staffing level is comprised of: Agents (over 27,000 or 24%); Attorneys (over 12,000 or 11%); Correctional Officers (over 20,000 or 18%); Intelligence Analysts (over 4,000 or 4%); and Other (nearly 50,000 or 43%). "Other" captures administrative, clerical, analysts, information technology specialists, legal services, and security specialists. Including reimbursable staff, DOJ's total FY 2013 authorized staffing level will exceed 116,000, with over 7,000 reimbursable staff and over 1,100 staff located in foreign countries.

Funding (FY 2010 – 2013)



Budget by Category



Note: 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.

Note: For FY 2013, an additional \$365 million will be provided from CVF receipts for a total of \$2.040 billion in State and Local Assistance funding.

Financial Performance Snapshot FY 2011

(in millions)

Clean Opinion on Financial Statements	Yes	Material Weaknesses	None
Timely Financial Reporting	Yes	Net Operating Costs	\$32,635

FY 2013 BUDGET SUMMARY

The FY 2013 Budget request provides the necessary resources to defend national security interests, uphold the Department's traditional missions, expand federal prisons and detention capacity, and assist our state, local and tribal law enforcement partners. The Budget identifies savings and efficiencies while maintaining the President's and the Attorney General's priorities for the Department.

To this end, the FY 2013 Budget requests \$27.1 billion for DOJ. Including \$384.2 million in antitrust and bankruptcy fee receipts, which offset the discretionary requirement, the FY 2013 Budget totals \$26.7 billion in gross discretionary budget authority for DOJ. After \$8.8 billion in scorekeeping adjustments, the FY 2013 Budget totals \$17.9 billion in net discretionary budget authority.

Compared to the FY 2012 enacted level, the FY 2013 Budget is essentially the same as FY 2012 in gross discretionary budget authority with an increase of 826 positions. Within the \$26.7 billion request, an increase of \$744.9 million maintains current services and operations. The Budget proposes a net decrease of \$847.5 million in program changes and demonstrates a commitment to fiscal prudence with over \$1 billion in administrative efficiencies, programmatic savings, redirections of grant program funding, and rescissions from balances. Modest program increases are requested in recognition of critical Administration priorities, including funding for financial and mortgage fraud (\$55 million), traditional missions (\$31.8 million), and prisons and detention (\$141.2 million).

	(\$000)
FY 2012 Enacted	\$26,820,504
Continue Existing Mission:	744,851
<i>Technical Adjustments</i>	194,482
<i>Base Adjustments</i>	550,369
FY 2013 Current Services	\$27,565,355
FY 2013 Program Changes:	(847,509)
<i>Financial Fraud</i>	55,000
<i>Traditional Missions</i>	31,820
<i>Prisons/Detention</i>	141,231
<i>Savings and Efficiencies</i>	(214,639)
<i>Programmatic Savings</i>	(493,067)
<i>Balance Rescissions</i>	(367,854)
FY 2013 TOTAL (Gross)	\$26,717,846
Scorekeeping Credits	(8,800,000)
FY 2013 TOTAL (Net)	\$17,917,846

Funding Highlights:

- Supports the Department's national security mission by providing for the Federal Bureau of Investigation (FBI) programs critical to mitigating and countering the threats of terrorism and fully funding the National Security Division (NSD).
- Invests more than \$700 million to investigate and prosecute financial crimes, an increase of \$55 million over FY 2012. The Budget provides additional FBI agents, criminal prosecutors, civil litigators, in-house investigators, and forensic accountants to improve the Department's capacity to investigate and prosecute the full spectrum of financial fraud.
- Prioritizes uniquely federal responsibilities, streamlines programs, and redirects funding to improve the capabilities of DOJ law enforcement components.
- Includes \$3 million in new investments to combat transnational criminal organizations and nearly \$2 billion to maintain the security of the Southwest Border.
- Maintains safe and secure capacity in federal prisons and detention facilities.
- Increases funding for the investigation and deterrence of intellectual property crime by \$5 million for additional attorneys, bringing total spending to nearly \$40 million annually.
- Assists state, local, and tribal criminal justice programs with \$2 billion in program assistance for police hiring, general purpose criminal justice assistance, violence against women programs, and Second Chance Act grants, the same as in FY 2012.

The Budget prioritizes key areas of federal law enforcement including financial and mortgage fraud, prison capacity, and prosecution. In order to eliminate redundancies and target resources, the Budget streamlines a number of law enforcement programs. Sentencing reforms have been proposed to help stabilize the growth

of the prison population and address associated long-term costs. The Budget maintains grant programs at the FY 2012 enacted level. In addition, the Budget includes \$278.8 million in management savings and efficiencies throughout the Department, such as streamlining processes and reducing spending on technology projects. Further, a net decrease of \$428.9 million for the redirection of funding between grant programs is captured in the savings and efficiencies total. Finally, the Budget offers one-time rescissions of balances totaling \$367.9 million.

DISCRETIONARY BUDGET AUTHORITY (BA)

The table below compares the Department's FY 2011 and FY 2012 enacted levels with the FY 2013 President's Budget and shows the change and the percent change between the FY 2012 enacted level and FY 2013 Request.

	Dollars in Millions				
	FY 2011 Enacted	FY 2012 Enacted	FY 2013 President's Budget	Change FY 2013 over FY 2012	% Change FY 2013 over FY 2012
Federal Programs					
Law Enforcement Components	\$12,722	\$13,009	\$12,969	(\$40)	-0.3%
Litigating Components	2,871	2,901	2,976	75	2.6%
Admin/Technology/Other	720	661	585	(76)	-11.5%
<i>Subtotal, DOJ Operations</i>	<i>16,313</i>	<i>16,571</i>	<i>16,530</i>	<i>(41)</i>	<i>0.2%</i>
Prisons and Detention	7,897	8,177	8,513	336	4.1%
Subtotal, Federal Programs (BA)	24,210	24,749	25,043	294	1.2%
Discretionary Grants					
Subtotal, Discretionary Grants (BA)	2,684	2,072	1,675	(397)	-19.2%
Increased CVF Spending (Non Add)	0	0	[\$365]	[\$365]	NA
State and Local Grants, Total	2,684	2,072	2,040	(32)	-1.5%
Subtotal, Gross Discretionary (BA)¹	26,894	26,821	26,718	(103)	-0.4%
Scorekeeping Credits ²	(7,718)	(8,493)	(8,800)	(307)	4.8%
Total, Net Discretionary (BA)	\$19,176	\$18,327	\$17,918	(\$409)	-2.2%

¹ Gross Discretionary (BA) includes antitrust and bankruptcy fee receipts, which offset the discretionary requirement. It also includes one-time balance rescissions.

² Scorekeeping Credits reflect credits applied to DOJ's discretionary budget authority from the Crime Victims Fund (CVF) and the Assets Forfeiture Fund (AFF).

MAINTAIN CURRENT SERVICES

The FY 2013 Budget includes \$744.9 million in adjustments to base to “keep the lights on” and pay the staff.

People +\$232.3 million

- \$186.1 million for annualization and salary and benefits adjustments for approximately 114,000 authorized positions.
- \$46.2 million for the 0.5 percent government-wide civilian pay raise proposed for 2013.

Rent and Moves +\$102.8 million

- \$112.1 million for domestic rent and security increases.
- -\$9.3 million for non-recurring lease expirations and moves.

Other Adjustments +\$207.8 million

- -\$3.0 million in decreased costs for over 1,100 DOJ employees stationed overseas.
- \$9.0 million for operation and maintenance of legacy law enforcement radio systems.
- \$190.8 million for restoration of one-time balance rescissions enacted in FY 2012.
- \$3.3 million base adjustments for the Antitrust Division (ATR) and the Foreign Claims Settlement Commission.
- \$7.7 million for fee adjustments (ATR and U.S. Trustees Program).

Prisons and Detention +\$223.9 million

- \$44 million to fully activate two prisons that received partial funding in FY 2012, which will increase federal prison capacity by about 3,100 beds and alleviate overcrowding and related security issues.
- \$13 million to expand the Residential Drug Abuse Treatment Program (RDAP) by 1,500 federal offenders, in support of Second Chance Act objectives.
- \$22 million to backfill 210 correctional worker positions at existing institutions to improve prison safety.
- \$91.5 million for general prison-related cost adjustments (utilities, food, medical, etc.).
- \$53.4 million for increased costs associated with the current number of detainees and increased prisoner transportation costs.

Non-Recurring Decreases -\$21.9 million

- -\$10 million for one-time construction costs enacted in FY 2012. (Drug Enforcement Administration (DEA))

- -\$11.9 million for one-time, non-personnel costs of FY 2012 enhancements. (FBI)

The key program funding requested in the Department's FY 2013 Budget is as follows:

NATIONAL SECURITY

Defending national security from both internal and external threats remains the Department's highest priority. The FY 2013 Budget request provides a total of \$4 billion to maintain critical counterterrorism and counterintelligence programs and sustain recent increases related to intelligence gathering and surveillance capabilities, such as the Comprehensive National Cybersecurity Initiative (CNCI), the High-Value Detainee Interrogation Group, the Joint Terrorism Task Forces, and the Weapons of Mass Destruction/Render Safe Program.

The FBI uses intelligence and investigations to deter, detect, and disrupt national security threats and protect and defend the United States against terrorism and foreign intelligence threats. In FY 2011, the FBI dedicated approximately 4,200 agents to investigate more than 33,000 national security cases. Since FY 2001, the FBI has expanded the Legal Attaché Program by over 40 percent to support the FBI's core investigation priorities through liaison and operational interaction with foreign law enforcement counterparts and the overseas intelligence community.

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 privacy interests and civil liberties. In coordination with the FBI, the Intelligence Community, and the U.S. Attorneys' Offices, the 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.

Investigating cyber crime and protecting our nation's critical network infrastructure is a top priority of the Department. A successful cyber attack can have devastating effects on our national security, infrastructure, and economy. The Department has strengthened its cyber

security capabilities by increasing resources for the CNCI and increasing participation in the National Cyber Investigative Joint Task Force (NCIJTF), which identifies, mitigates, and neutralizes cyber threats by coordinating and integrating counterintelligence, counterterrorism, intelligence, and law enforcement activities of member organizations. Since FY 2008, the FBI has received enhancements of 667 positions and \$172.0 million for computer intrusions and cyber investigations. The FY 2013 President's Budget request maintains recent increases for FBI's cyber programs, including enhancements to FBI's cyber terrorism investigations, the NCIJTF, and the forensic examination of digital evidence.

Other DOJ components have also made critical investments to protect U.S. citizens and secure our homeland. These investments have included: improving intelligence coordination, expanding information sharing efforts, hardening cyber infrastructure, strengthening investigations of drug-trafficking organizations with ties to terrorist groups, establishing Rule of Law programs in Iraq and Afghanistan, and expanding anti-terrorism training to state and local law enforcement agencies. In FY 2013, other DOJ components will invest \$863 million to continue these critical efforts to protect the United States from national security threats.

FINANCIAL AND MORTGAGE FRAUD

The Administration and the Department remain committed to investigating and prosecuting financial and mortgage fraud that harm the American people and the financial markets. In order to strengthen our efforts at combating this fraud, we propose a new financial and mortgage fraud enforcement initiative, which is intended to complement ongoing efforts to root out various forms of fraud, including health care fraud, that are supported by existing direct resources and reimbursable funding.

DOJ plays a crucial role in the federal financial recovery effort through criminal and civil litigation. The Department requests program increases totaling \$55 million for a variety of economic fraud enforcement efforts, including work being done by DOJ members of the President's Financial Fraud Enforcement Task Force. This increase will support additional FBI agents, criminal prosecutors, civil litigators, in-house investigators, forensic accountants, paralegals, and other support positions to ultimately improve the Department's capacity to investigate and prosecute allegations of financial and mortgage fraud. This national initiative will

pool state and federal resources to leverage impact.

To that end, the FY 2013 Budget requests a total program increase of \$55 million (including \$9.8 million for technology tools and automated litigation support) for this priority initiative. The request seeks 328 additional positions, including 40 FBI agents, 184 attorneys, 49 in-house investigators, 31 forensic accountants, 16 paralegals, and 8 support staff. Of the total \$55 million program increase, \$37.4 million is to increase criminal enforcement efforts and \$17.6 million is to increase civil enforcement efforts.

The additional resources will support the Department's investigation and prosecution of the broad range of crimes that fall under the definition of financial fraud, including securities and commodities fraud, investment scams, and mortgage foreclosure schemes. The additional resources will build upon the successes of, the Financial Fraud Enforcement Task Force 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.

As a prelude to implementing this initiative in FY 2013, the Attorney General has announced the formation of the Residential Mortgage-Backed Securities Working Group, supported by existing FY 2012 resources, which will leverage state and federal resources to strengthen current and future efforts to investigate and prosecute instances of wrongdoing in the residential mortgage-backed securities market. The working group, working under the authorities of the Financial Fraud Enforcement Task Force, will be co-chaired by senior DOJ and Securities and Exchange Commission officials, along with the New York Attorney General. It will be staffed by at least 55 DOJ attorneys, analysts, agents, and investigators from around the country.

TRADITIONAL MISSIONS

It is the mission of DOJ to enforce the law and ensure the fair and impartial administration of justice for all Americans. Accomplishing this requires necessary resources both to investigate and to litigate. As such, the DOJ FY 2013 Budget requests \$31.8 million for program increases to expand DOJ's enforcement and litigation capacity and ability to protect vulnerable populations.

For the Criminal Division, \$5 million and 14 positions are requested in program increases for transnational enforcement of intellectual property law. For Justice Information Sharing

Technology, an increase of \$15.2 million is requested to address new emerging cyber security threats, including insider threats; provide advanced intrusion detection and response capabilities; and implement cost efficient, scalable enterprise architecture. For Interagency Crime and Drug Enforcement, \$3 million and 1 position are requested to support operational and administrative expenses in pursuit of the Department's International Organized Crime activities, including the operations of the International Organized Crime and Intelligence Operations Center. For components that focus on specialized areas, the Department requests an increase of \$1.2 million, which includes \$707,000 for the Office of Tribal Justice (OTJ), \$468,000 for the Office of the Inspector General, and \$45,000 for the Office of the Pardon Attorney.

The Department also maintains substantial responsibilities with respect to immigration, including, but not limited to, enforcement, detention, judicial functions, administrative hearings, and litigation. The FY 2013 Budget requests \$2 million for the Executive Office for Immigration Review (EOIR) to expand the Legal Orientation Program, which educates detained aliens on EOIR immigration proceedings. This allows detained aliens to make more informed decisions early in the adjudication process, reducing overall processing costs for both EOIR courts and Department of Homeland Security (DHS) detention programs. This \$2 million program increase, along with requested base adjustments, is crucial in order to allow EOIR to keep pace with its increasing workload and the continued enforcement efforts of DHS.

Finally, the Department requests additional resources to provide for the continued vigorous enforcement of the nation's civil rights laws. The FY 2013 Budget requests an additional \$5.1 million for the Civil Rights Division for programs that require further investment and to support areas the Attorney General has determined warrant specific attention including human trafficking, hate crimes, voting rights enforcement, and the Civil Rights for Institutionalized Persons Act. In addition to these requested resources for the Civil Rights Division, \$391,000 and 5 positions are requested for the Community Relations Service to support an increase in workload and responsibilities related to the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act.

PRISONS AND DETENTION

The Department has made strategic investments in law enforcement initiatives that have improved

the nation's security and made communities safer. The result of these important enforcement efforts has been an expansion in the need for prison and detention capacity. The Department continues to prioritize the maintenance of secure, controlled detention and prison facilities, as well as investment in programs that can reduce recidivism. The FY 2013 Budget request maintains this commitment, providing \$223.9 million in prison and detention adjustments to maintain current services and \$141.2 million for program increases to ensure prisoners are confined in secure facilities and to improve prisoner reentry.

The FY 2013 Budget requests a total of \$8.6 billion for federal prisons and detention, a 4.5 percent increase over the FY 2012 appropriated level. Of this amount, \$6.8 billion is requested for the Bureau of Prisons (BOP), including a 4.1 percent increase (\$268.9 million) for the Salaries and Expenses (S&E) account and a total of \$99.2 million for the Buildings and Facilities (B&F) account, which is the current services level in FY 2013. Also, \$1.7 billion is requested for the Federal Prisoner Detention (FPD) appropriation (formerly, the Office of the Federal Detention Trustee (OFDT)), which is a 5.5 percent increase (\$87.6 million) over the FY 2012 enacted detention funding level.

For BOP, the current services level requests resources to fully activate two prisons: Federal Corrections Institution (FCI) Aliceville, AL, and FCI Berlin, NH. These prisons received partial activation funding in FY 2012, which will increase federal prison capacity and alleviate overcrowding and related security issues. A \$13 million base adjustment is requested to expand the RDAP, in support of Second Chance Act objectives. The requested funding will help BOP reach the goal of providing 12-month sentence credits to all eligible inmates, resulting in fewer taxpayer resources directed at housing inmates. A \$22 million adjustment is requested to hire 210 vacant correctional worker positions at existing institutions to improve prison safety. In addition, a \$53.4 million adjustment is requested for increased costs associated with the projected detention population and increased prisoner transportation costs.

Program increases totaling \$141.2 million are essential for ensuring the secure detention of a growing inmate population. Increases for BOP include \$55.5 million to begin activation of two prisons, U.S. Penitentiary Yazoo City, MS (1,216 beds), and FCI Hazelton, WV (1,280 beds). Construction of these facilities will be completed in the fall of 2012. The request also includes

\$25.8 million to procure 1,000 new contract beds. The new contract beds and the activations of newly constructed prisons will allow BOP to keep pace with the increased number of inmates. Further, \$59.9 million in program increases is requested for federal detention to pay for increases in the average daily detainee population and inflationary increases for detention related costs.

Finally, detention resources will be transferred from OFDT to the FPD appropriation under the U. S. Marshals Service (USMS). This merger will allow for efficiencies in human and physical capital, while maintaining the functions and expertise that have been developed over the past decade. The merger is projected to save the detention account \$5.6 million in FY 2013.

STATE, LOCAL, AND TRIBAL LAW ENFORCEMENT

In total, the FY 2013 Budget requests \$2 billion for state, local, and tribal law enforcement assistance programs. These funds will allow the Department to continue to support our state, local, and tribal partners who fight violent crime, combat violence against women, and support victim programs.

The Department continues to maintain key partnerships with state, local, and tribal officials and community members. These relationships maximize the federal government's ability to fight crime and promote justice throughout the United States. One such partnership is the Community Oriented Policing Service's (COPS) grant program. These grants enable state and local police agencies to increase the number of officers available for targeted patrol and other proven strategies designed to prevent and reduce crime. The Budget requests an additional \$91 million for the COPS Hiring Program in FY 2013, for a total of \$257.1 million for this program to fund officers. As part of this request, \$15 million will be for community policing development initiatives and \$15 million will be directed specifically to tribes.

The FY 2013 Budget requests a total of \$412.5 million (equal to FY 2012) for the Office on Violence Against Women (OVW), of which \$268 million is directly funded, with the balance funded through receipts from the Crime Victims Fund (CVF). This funding will provide communities with the opportunity to combat sexual assault and violence against women. The request includes a \$3.5 million increase to the Rural Domestic Violence and Child Abuse Enforcement Assistance Program. This will improve the safety of children, youth, and adults

who are victims of domestic violence, dating violence, sexual assault, and stalking by supporting projects uniquely designed to address and prevent these crimes in rural jurisdictions. The request also includes \$23 million for the Sexual Assault Services Program and \$41 million for the Legal Assistance for Victims Program.

The Department is requesting a total of \$1.4 billion for the Office of Justice Programs' (OJP) grant programs, including \$1.18 billion in direct funding, with the balance funded through receipts from the CVF. Within this funding, \$20 million is requested for the Byrne Criminal Justice Innovation Program, \$21 million for Residential Substance Abuse Treatment, \$80 million for Second Chance, \$70 million for Part B Juvenile Justice Formula Grants, and \$20 million for a new evidence-based juvenile justice competitive demonstration grant program.

In addition, the FY 2013 Budget proposes \$250 million in mandatory funds for states to reform their laws on medical malpractice. The Budget proposes to preserve OVW and OJP grant programs that assist vulnerable populations by funding them through CVF receipts, which continue to surpass historical levels, rather than with discretionary budget authority, which has been declining.

SAVINGS AND EFFICIENCIES

As we move forward with the tough choices necessary to rein in our deficit and put the country on a sustainable fiscal path, we must balance those efforts with the investments and actions required to maintain law enforcement and to protect the nation. This Budget streamlines programs and redirects funding to improve the capabilities of the Department. As such, the Budget proposes over \$1 billion in efficiencies, offsets, redirections of grant program funding and rescissions.

Excluding the redirection of grant program funding, which is identified in Section II, the Budget includes -\$646.6 million in savings, program and management offsets, and one-time rescissions of prior year balances to support our highest priority missions.

The Department is cutting -\$196.7 million across the agency by identifying savings such as information technology (IT) savings, physical footprint reductions, administrative efficiencies, overhead reductions, and operational efficiencies. The IT offset (-\$21.8 million) represents savings that will be generated through greater inter-component collaboration in

IT contracting. Funds will be redirected to support the Department's cyber security and IT transformation efforts as well as other high priority requests. Savings also include reducing the Department's space requirements (-\$33.6 million); decreasing USMS construction account (-\$5 million); administrative efficiencies for USMS and FBI (-\$18.2 million); administrative efficiencies for U.S. Attorneys (-\$17.5 million); and other operational efficiencies (-\$77.2 million). DOJ was able to reduce costs in other programs, such as FBI's Critical Incident Response Group (-\$3.4 million), the National Gang Intelligence Center (-\$7.8 million), contractors (-\$7.1 million), and the Relocation Program (-\$5 million).

DOJ also identified savings by proposing to consolidate and realign components to increase efficiencies (-\$18 million). These savings include refocusing and realigning the National Drug Intelligence Center (-\$12 million); consolidating administrative functions of the Office of Legal Counsel and the Office of the Solicitor General into a single executive office (-\$463,000); and merging detention functions currently performed by OFDT into USMS to better align detention resources with operations, simplify the financial process supporting detention housing, and reduce administrative costs (-\$5.6 million).

In addition to DOJ-wide initiatives, component-unique program savings have been identified, totaling -\$64.2 million. These include expanding BOP's compassionate release to inmates with medical conditions that have served at least 67 percent of their sentence [for non-violent offenses and no sex offenses] (-\$3.2 million); implementing proposed legislation to make changes in the federal inmate good conduct time credit incentives (-\$41 million); and evaluating the FPD intergovernmental agreements (IGAs), which set daily rates per detainee, known as "jail day rates," starting in FY 2012 through FY 2013 to achieve savings (-\$20 million).

An additional -\$367.9 million in one-time rescissions of prior year balances is proposed, including the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) S&E (-\$12.4 million), ATF Violent Crime Reduction Programs (-\$1 million), BOP B&F (-\$75 million), COPS (-\$12.2 million), DEA S&E (-\$15.6 million), FBI S&E (-\$162.2 million), OJP-wide (-\$43 million), OVW (-\$6 million), USMS S&E (-\$14.4 million), and the Working Capital Fund (-\$26 million).

* * *

Other 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 2013. We have made significant efforts to limit and reduce spending in the areas of publication, travel, supplies, fleet, advisory contracts, promotional items, and IT devices. The Department plans to decrease spending in these areas by the end of FY 2013 from FY 2010 levels to meet our reduction target of -\$146 million.

THE ATTORNEY GENERAL'S SAVE COUNCIL

The Attorney General created the Advisory Council for Savings and Efficiencies (the SAVE Council) in July 2010, institutionalizing the Department's pilot savings efforts, begun in June 2009, which resulted in over \$59.7 million in savings/cost avoidance from June 2009 through September 2011. 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 our savings progress. Representatives from selected components were appointed by the Attorney General to serve as members of the Council, and they have the lead responsibility to develop and report on the savings and efficiency initiatives.

* * *

Other highlights of the Department's Budget request for FY 2013 include:

HEALTH CARE FRAUD

The Department's efforts to combat health care fraud are funded almost exclusively through reimbursements from the Health Care Fraud and Abuse Control (HCFAC) account and the Health Insurance Portability and Accountability Act (HIPAA), both of which are administered by the Department of Health and Human Services (HHS).

For FY 2013, DOJ is requesting \$294.5 million to support its health care fraud enforcement efforts. This includes \$159.2 million in reimbursable discretionary and mandatory HCFAC funding to support the Department's

Health Care Fraud Prevention and Enforcement Action Team (HEAT) efforts to combat both civil and criminal health care fraud, an increase of \$68.3 million over the FY 2012 enacted level. Also, DOJ is requesting \$135.3 million in mandatory HIPAA funding to support the efforts of the FBI's investigations into health care fraud, an increase of \$3.4 million over the FY 2012 enacted level.

This level of funding will permit DOJ to expand Medicare Fraud Strike Force operations to additional locations, in order to target agents and attorneys in the criminal hubs where health care fraud activities occur. In addition to expansion of the Strike Forces, additional funding will be provided to bolster civil enforcement efforts, including False Claims Act matters and others alleging fraudulent or false claims submitted to the government by health care providers or those caused by pharmaceutical manufacturers.

The President's Budget proposes to increase the FY 2012 base discretionary HCFAC funding for DOJ and HHS to \$311 million (which is fully offset) and to provide the additional \$270 million in discretionary HCFAC funding allowed by the cap adjustment, consistent with section 251(b)(2)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PUBLIC SAFETY IN INDIAN COUNTRY

There are over 56 million acres of Indian Country and 565 federally recognized American Indian tribes. The Major Crimes Act provides federal criminal jurisdiction over certain specified major crimes if the offender is Indian, while tribal courts retain jurisdiction for conduct that might constitute a lesser offense. Thus, federal investigation and prosecution of felonies 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.

Many tribal law enforcement agencies face unique obstacles that often challenge their ability to promote and sustain community policing effectively. Unlike municipal police agencies, many tribes still lack basic technology to modernize their departments, such as laptops installed in police vehicles. The officer-to-population ratio still remains lower on Indian reservations than in other jurisdictions across the country. Finally, tribal law enforcement has a unique challenge of patrolling large areas of sparsely populated land.

The FY 2013 President's Budget requests \$345 million in total resources for public safety initiatives in Indian Country. Investments include significant grant resources for addressing a broad range of criminal justice issues and additional resources for OTJ. OTJ is the primary point of contact in the Department for federally recognized Native American tribes, and advises the Department on legal and policy matters pertaining to Native Americans.

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This section outlines the Department's FY 2013 Performance Plan and discusses other recent initiatives to improve agency performance and increase accountability to stakeholders.

FY 2013 PERFORMANCE PLAN

The Department recognizes that performance information is vital to making resource allocation decisions and should be an integral part of the Budget. This year, the Department produced a new Strategic Plan for Fiscal Years 2012-2016. It contains 3 high-level strategic goals and 12 long-term outcome goals. The long-term outcome goals will be tracked and reported in the FY 2012 Performance and Accountability Report.

Under the Government Performance and Results Act of 1993 (GPRA) and the GPRA Modernization Act of 2010 (GPRAMA), government agencies are required to develop long-term Strategic Plans defining general goals and objectives for their programs, and to develop Annual Performance Plans specifying measurable performance goals for all of the program activities in their Budgets. DOJ provides detailed component-specific Annual Performance Plans within individual Budget submissions, which also serve as the Department's Annual Performance Plan.

The Department's FY 2007-2012 Strategic Plan contains three goals. Additionally, it includes 20 long-term outcome goals that address its highest priorities toward achieving these long-term outcome goals.

Based on available data, the Department achieved 80 percent of its long-term outcome goals in FY 2011, which is higher than last year's overall success of 77 percent. A more detailed discussion about performance is in Section III.

DOJ will continue to examine its overall performance management system and implement improvements where necessary. In

particular, the Department will seek to improve the quality and utility of performance information and develop the capacity to use performance information through the use of technology and reliable data systems.

PERFORMANCE AND ACCOUNTABILITY

The GPRAMA, signed into law on January 4, 2011, amended the GPRA. GPRAMA creates a more defined performance framework by establishing a governance structure and by better connecting strategic plans, programs, and performance information. This law also requires more frequent reporting and reviews (on a quarterly basis) that are intended to increase the use of performance information in programmatic decision-making.

The legislation incorporates key elements of the Office of Management and Budget's performance management approach, such as agency leaders setting priorities and using ambitious targets to communicate such priorities. The law also creates new responsibilities, including cross-agency federal priority goals. In addition, the bill improves federal performance management by establishing a Chief Operating Officer within each agency tasked with improving the performance of his or her agency. It also codifies and strengthens the existing resources for performance management, including the Performance Improvement Officers within the federal agencies and the interagency Performance Improvement Council.

PRIORITY GOALS AND PERFORMANCE INFORMATION

A "Priority Goal" is a measurable commitment to a specific result that the federal government will deliver for the American people. These goals represent high priorities for both the Administration and the agency and have high relevance to the public or reflect the achievement of key agency missions. The Priority Goals do not fully reflect the agency's strategic goals nor do they cover the entire agency mission; rather, they are a subset of the measures used to regularly monitor and report performance. To view the full set of DOJ performance information, please visit: <http://www.justice.gov/02organizations/bpp.htm>.

The Department's FY 2012-2013 Priority Goals represent the Attorney General's priorities and support the Administration's priorities. These priority goals support our role as the American people's law enforcer, litigator, and as partner with state, local, and tribal governments. The

Department's priority goals focus our actions in four key areas: national security, violent crime, financial and health care fraud, and vulnerable people, all to fulfill one core mission – that of protecting the American people.

The Department's FY 2010-2011 Priority Goals, and the Priority Goals for FY 2012-2013, follow:

FY 2010-2011 Priority Goals:

National Security - Increase the percentage of total counterterrorism investigations targeting Top Priority threats by 5 percent by the end of FY 2011.

The Department achieved 62.7 percent of its FY 2011 goal of targeting 65.1 percent of all counterterrorism investigations toward Top Priority threats.

Counterterrorism threats, which comprise the FBI's "top priority," have evolved since this measure was adopted at the end of FY 2009. New threats have emerged, requiring the diversion of resources away from the threats originally defined to be within the scope of this measure. Because of these emerging threats, the FBI's performance on this measure does not reflect the FBI's reallocation of its investigative resources against the most significant counterterrorism threats.

Additionally, data collection for this Priority Goal has led to improved accounting for investigative resources within the FBI's Counterterrorism Division (CTD). The CTD now follows various strategies to better track its investigations against priority threats, including guidance it provides to FBI Field Offices on how to appropriately classify investigations, and a stronger internal review process which can identify new threats and aid FBI Field Offices in their response.

The FBI anticipates that these actions will improve its response capability for terrorist threats facing the United States.

White Collar Crime - Increase white collar caseload by 5 percent concerning mortgage fraud, health care fraud, and official corruption by FY 2012, with 90 percent of cases favorably resolved.

The Department surpassed its FY 2011 caseload target and favorably resolved 92.6 percent of its white collar crime cases through the fourth quarter, surpassing its annual target.

Violent Crime - Increase agents and prosecutors by 3 percent, in order to reduce

incidents of violent crime in high crime areas by FY 2012.

The Department surpassed its FY 2011 annual target of increasing the number of agents and prosecutors assigned to violent crime by 276. This increased the number of agents and prosecutors to 2,584.

Immigration - Increase Immigration Judges by 19 percent so that, as DHS criminal alien enforcement activity increases, not less than 85 percent of immigration court detained cases are completed within 60 days.

The Department was unable to meet its targeted increase of Immigration Judges due to the FY 2011 enacted funding level, which was \$19 million less than the FY 2011 President's Budget request. \$11 million of that reduction would have funded 21 additional Immigration Judges. The Department did, however, complete 88 percent of detained immigration court cases within 60 days, surpassing its target.

Public Safety - Support 7,200 additional police officers by FY 2012 via COPS Hiring Programs to promote community policing strategies that are evidence-based.

The Department supported 7,115 officers via COPS Office Hiring Programs through the fourth quarter of FY 2011, narrowly missing its target of 7,200 by one percent. The target of 7,200 was based in part on estimated cost of living adjustments (COLAs). The COLA costs in FY 2010 and FY 2011 were greater than anticipated, reducing available resources to support additional officers. The FY 2011 enacted funding level was less than anticipated. While significant progress toward this Priority Goal was made, the goal was not achieved by the end of FY 2011. The COPS Office anticipates achievement of this goal during FY 2012.

Civil Rights - Increase the number of persons favorably impacted by resolution of civil rights enforcement cases and matters. By the end of FY 2011:

- Increase the criminal civil rights caseload by 18 percent, with 80 percent of cases favorably resolved.
- Increase the non-criminal civil rights caseload by 28 percent, with 80 percent of cases favorably resolved.
- Increase the number of complaints finalized by mediation by 10 percent, with 75 percent of mediation complaints successfully resolved.

The Department met or surpassed all of its targets for this Priority Goal, with one exception – the FY 2011 goal to increase the criminal civil rights caseload by 18 percent.

FY 2012-2013 Priority Goals:

National Security – Protect Americans from terrorism and other threats to national security – both at home and abroad: By September 30, 2013, the FBI will increase by 6% the number of counterterrorism intelligence products shared with the U.S. Intelligence Community, state and local Law Enforcement Community partners, and foreign government agencies.

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 to achieve 5% increases on 3 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.

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; additionally, institute a system for tracking compliance by corporate defendants with the terms of judgments, consent decrees, settlements, deferred prosecution agreements, and nonprosecution agreements.

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% increase for 3 sets of key indicators:

- Open investigations concerning non-compliant sex offenders, sexual exploitation of children, and human trafficking;
- Matters/investigations resolved concerning sexual exploitation of children and human trafficking; and

- Number of children depicted in child pornography that are identified by the FBI.

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