



U.S. Department of Justice FY 2010 Budget Request

NATIONAL SECURITY

+\$721.5 million in Enhancements

FY 2010 Overview

The FY 2010 Budget will help strengthen national security and counter the threat of terrorism. The request provides \$7.9 billion for the FBI, including \$480 million in program enhancements and \$101 million for continued support of overseas contingency operations. Additionally, a total of \$88 million for the National Security Division (NSD) to address the President's highest priority: protecting the American people from terrorist attacks is provided. In total, the Budget requests a \$721.5 million increase, including 366 agents, to strengthen DOJ's counterterrorism investigative capabilities. 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.

Over the past several years, DOJ has significantly improved its intelligence and investigative programs. As a result, since September 11, 2001, DOJ has had considerable success in identifying, prosecuting, and incarcerating terrorists and their supporters. Additionally, our prosecutions have produced cooperating witnesses who have provided intelligence information leading to further investigation, disruption, and prosecution of terrorist activity. Indeed, the 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. As of January 2009, there were over 100 JTTFs, with almost 4,500 task force members. NSD prosecutors, working closely with the FBI and in coordination with prosecutors in United States Attorneys' Offices all across the country, engage in robust efforts to coordinate multi-district terrorism investigations, allowing the government to act against terror threats as soon as the law, evidence, and unique circumstances of each case permit.

However, more needs to be done to enable the Department to handle new and emerging national security threats – from the proliferation of weapons of mass destruction to cyber security challenges. Growing dependence on and continued advances in high speed telecommunications, computers, and other technologies are creating new opportunities for terrorists and criminals, new vulnerabilities, and new challenges for law enforcement that require substantial investment in technology and people to keep pace with those changes.

The Administration has requested an additional \$30 million in the FY 2009 supplemental to implement the President's Executive Orders related to the review of detainees currently held at the Guantanamo Bay Naval Base and reviews of interrogation and detention policies. Because some detainees may be prosecuted in the federal courts, the FY 2010 Budget includes \$60 million for post Guantanamo Bay detainee review-related prosecution, security, and detention/incarceration potential needs.

New Investments

Federal Bureau of Investigation (FBI): \$555.6 million

- **Comprehensive National Cyber security Initiative (CNCI): \$61.2 million and 260 positions (107 agents and 42 intelligence analysts)** to investigate computer intrusion attacks against critical information technology infrastructure, particularly those intrusions with a national security nexus. FY 2010 current services resources for this program are 300 positions (68 agents) and \$79.1 million.

To meet the demands of the cyber threat, the FBI must develop significant new assets and capabilities and move its efforts from reactive investigations to a proactive mitigation of threats before they cause harm. To accomplish these objectives, the FBI must expand its investigatory capabilities, improve its intelligence collection, improve its ability to intercept data, develop technical tools, and conduct data analysis of networks and seized hardware, develop effective cyber partnerships with state and local governments and the private sector, and expand threat awareness through joint intelligence consolidation.

- **National Security Field Investigations: \$48.0 million and 231 positions (105 agents)** to support national security field investigations that target high priority threats to the US. FY 2010 current services for this initiative are 2,698 positions (1,407 agents) and \$490 million.

Portions of the request would support: FBI investigative capabilities for the National Countermeasures Threat Campaign, a Counterterrorism Division-run initiative to proactively detect and identify any potential Al Qaeda (AQ) operatives located in the US; the National Threat Center Section's 24-hour CT Watch; Guardian threat management system development and deployment; the FBI's ability to address legal requirements related to national security investigations; and the FBI's Computer Analysis Response Team (CART) Program, which is integral to the FBI's efforts to lead law enforcement and the Intelligence Community in the collection, examination and presentation of digital evidence.

- **Intelligence Program: \$70.0 million and 480 positions (41 agents and 279 intelligence analysts)** will allow the FBI to build an intelligence capability that integrates intelligence activities into all investigative efforts through the five core

intelligence functions: Domain management, collection management, requirements-based human intelligence (HUMINT) collection, tactical intelligence, and intelligence production and dissemination. FY 2010 current services for this initiative are 2,398 positions (470 agents) and \$275.9 million.

- **Weapons of Mass Destruction (WMD) Response: \$80.6 million and 168 positions (91 agents)** for the FBI to achieve three core WMD response capabilities:
 - Domain Awareness – \$7.2 million (all non-personnel) for subject matter experts, training and exercises, countermeasures initiatives, intelligence, and assessments;
 - Operations/Investigations – 62 positions (41 agents) and \$5.2 million for field personnel to perform outreach and liaison, as well as personnel to improve tactical operations by increasing Hostage Rescue Team (HRT) operator strength; and
 - Technical/Forensic Response – 106 positions (50 agents) and \$28.8 million in non-personnel funds to equip field offices and national assets with the equipment and supplies needed to properly respond to a WMD incident, including forward staging resources in order to improve response time.

FY 2010 current services for this initiative are 672 positions (328 agents) and \$270.2 million.

Successful development and integration of all of FBI's related capabilities will ensure the FBI appropriately fulfills its mission to defend the United States against a WMD attack. These capabilities provide a comprehensive multi-disciplinary, integrated approach to preventing and, if necessary, responding to grave WMD threats. These enhancements will optimize the FBI's WMD program and improve national security.

- **FBI Training Academy: \$10.0 million** to conduct an Architecture and Engineering (A&E) study, to determine the requirements to expand its FBI Academy training facilities on the Quantico Marine Corps Base. This A&E design effort would ensure that the proposed building meets Leadership in Energy and Environmental Design (LEED) silver requirements, and would include an infrastructure review to determine that the new building will not exceed the infrastructure capacity (sewage, electrical, water, etc.) of the FBI Academy. There are no FY 2010 current services for this initiative.
- **Biometrics Technology Center (BTC): \$97.6 million** (\$30.0 million provided by the Department of Defense (DoD) for the joint DoD/DOJ/FBI project) to complete construction of a BTC at the Criminal Justice Information Services (CJIS) Division complex in Clarksburg, WV. The BTC will be a collaborative effort between the FBI and DoD to serve as the center for biometric research and development. As clearly evidenced by the DoD and FBI, efforts to collect and search biometric information by utilizing biometric tools and services are critical

in the war on terror. The BTC will house new CJIS information technology and biometric initiatives, to include the Biometric Center of Excellence, which will coordinate biometrics research and development efforts for the FBI, and accommodate an alternate Continuity of Operations Plan for many FBIHQ personnel. The BTC will also house the DoD Biometrics Fusion Center (managed and funded by DoD). Current services for the BTC are \$361,000.

- **National Security Training/Career Path: \$25.1 million and 32 positions (1 agent)** to more aggressively market its employment opportunities and to help recruit potential candidates possessing particular skills in areas such as intelligence, foreign languages, computer science, and engineering. This initiative will also increase the FBI's background investigation capabilities and includes resources for Special Agents and Professional Support Career Path programs. FY 2010 current services for this initiative include 407 positions (23 agents) and \$177.7 million.
- **Central Records Complex (CRC): \$9 million** to support the inventory, consolidation, and preparation of 18 linear miles of records for relocation. FY 2010 current services for this initiative are \$8 million
- **Surveillance and Advanced Electronic Surveillance: \$32.5 million and 75 positions (12 agents)** to expand the capabilities of the FBI's surveillance groups and aviation program. Funding also supports technology for physical and electronic surveillance. Surveillance is an important operational requirement by which the FBI is able to keep our nation safe from terrorists within our borders. FY 2010 current services for this program are 1,241 positions (58 agents) and \$394.9 million.
- **3rd Generation (3G) Wireless Networks: \$20.5 million** to allow the FBI to keep pace with developing technology and maintain its ability to conduct electronic surveillance. Funding is needed because of the technological developments in encryption and peer-to-peer telecommunication and data transfer methods. For the FBI to be able to continue to effectively conduct electronic surveillance, additional resources are needed to upgrade its tools and techniques. This initiative is also a priority of the Office of the Director of National Intelligence (ODNI). FY 2010 current services for this program are \$4.1 million.
- **Overseas Contingency Operations: \$101.1 million** to sustain FBI efforts previously supported through annual supplemental appropriations. The FBI is responsible for supporting counterterrorism operations in Afghanistan and other international locations. This request includes funding to support FBI operations in Afghanistan, international deployment activities, overtime and hazardous duty pay, and other counterterrorism-related requirements. There are no current services for this initiative.

General Administration

- **DOJ's Rule of Law Coordinator's Office: \$4.0 million and 19 positions (11 attorneys)** for dedicated funding and positions to continue the Rule of Law program in Washington, DC, and for the Rule of Law Coordinator's Office in Baghdad, Iraq.

DOJ was tasked by the interagency community to be the U.S. lead in Baghdad for the Law Enforcement and Judicial Cooperation Joint Coordinating Committee (JCC), while sharing the role with the State Department in Washington, DC. This builds upon the existing DOJ role as the Rule of Law Coordinator in Baghdad, where the senior DOJ official, the Rule of Law Coordinator, is responsible for the entire Iraq rule of law development mission, which includes oversight and operations of personnel from several agencies. This funding request will support efforts in Iraq by providing dedicated funding to staff the Rule of Law Coordinator's Office in Baghdad, the DOJ Attaché's Office in Baghdad, and the Rule of Law program office in Washington, DC. The requested program enhancement will establish a baseline for this initiative.

- **Executive Order Implementation and Post-Guantanamo Bay Detainee Review: \$60.0 million** for post Guantanamo Bay related prosecution, security and detention/incarceration, transportation, and other potential needs. The requested program enhancement will establish a baseline for this initiative.

Justice Information Sharing Technology (JIST)

- **DOJ's Cyber Security Program: \$27.4 million and 1 position** to re-engineer and implement the department-wide security architecture and establish a Justice Security Operations Center. There are no current services for this initiative

This investment will protect the Department's information technology environments (systems, networks, and data) from cyber attacks by re-engineering and implementing the department-wide security architecture and establishing a Justice Security Operations Center that monitors all e-mail, Internet traffic, and remote access. The Department's employees depend on its technology to conduct its legal, investigative, and administrative functions. We must ensure that our systems are adequately secure. Establishing a permanently funded program is of vital importance to this effort.

Law Enforcement Wireless Communications

- **Integrated Wireless Network: \$20.0 million and 16 positions** to expand the Integrated Wireless Network (IWN) design and deployment in the Midwest/Mid-Atlantic region. This amount is in addition to the \$185 million enacted in the FY

2009 appropriation, for a total IWN program of \$205 million in 2010. FY 2010 current services level for this initiative includes 19 positions and \$185.1 million.

The Law Enforcement Wireless Communication program is the Department's initiative to provide secure interoperable wireless communications that support the law enforcement missions of the FBI, DEA, ATF, and USMS. Failure to upgrade the DOJ antiquated communications systems represents a risk to the safety of agents and operations, and impedes their ability to effectively communicate and protect the country from terrorism, espionage, and violent crime.

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

- **National Center for Explosives Training and Research (NCETR): \$25.0 million** to complete construction of NCETR at the Redstone Arsenal in Huntsville, Alabama, including two additional explosives ranges. The request includes funds to provide outfitting and infrastructure for the Center. FY 2010 current services level for NCETR is \$3.5 million and 14 positions (8 agents).

This funding is critical because the Department must have state of the art facilities and training to be effective in the explosives arena. The Department must ensure that its agents are adequately trained and can safely handle the explosives and investigations that are key to combating terrorism.

Bureau of Prisons (BOP)

- **Counterterrorism Unit: \$10.5 million and 22 positions** for BOP's Counterterrorism (CT) Unit. Due to continued aggressive pursuit of terrorists and terrorist related activity (investigations with intelligence/national security related interests) and the need to house inmates who have engaged in or contributed to activities that classify them as international terrorists, the BOP has enhanced its capabilities with a dedicated CT office to responsibly address growing CT related issues and actively work with other DOJ and DOD law enforcement agencies to effectively gather, monitor, translate, and disseminate information pertinent to the management of the terrorist population and prevent further terrorist activity. Specially trained individuals, including analysts and translators, staff the BOP CT Unit to perform the functions outlined above in a cost-effective manner. The CT Unit has been funded previously through supplementals. The CT Unit has been funded previously through supplemental appropriations.

Drug Enforcement Administration (DEA)

- **Continuing Counterterrorism Investments: \$10.0 million and 15 positions (9 agents and 3 intelligence analysts)** to continue initiatives previously funded in supplemental appropriations. This includes \$7 million and 15 positions for DEA's narco-terrorism initiative coordinated by the Special Operations Division

and \$1.5 million for financial investigations. The FY 2010 request also includes \$1.5 million to operate and maintain the helicopter provided for the Western Hemisphere Foreign-deployed Advisory and Support Teams (FAST). FY 2010 current services for this initiative are 31 positions (25 agents) and \$4.2 million.

Office of the Inspector General (OIG)

- **Counterterrorism Oversight: \$4.0 million and 27 positions (4 attorneys)** to enhance the OIG's oversight of the Department's counterterrorism efforts. FY 2010 current services for this initiative are 34 positions and \$5.0 million.

These resources will enable the OIG to continue examining issues, such as the FBI's, use of National Security Letters and Section 215 orders to obtain business records; its use of exigent letters to obtain telephone records; its ongoing development of its Sentinel case management system; the accuracy, timeliness, and completeness of information entered into the FBI's Guardian Threat Tracking System; and its progress in hiring, training, and retaining intelligence analysts. Moreover, these increased resources will support the OIG's ongoing and planned audits and reviews on topics such as the Department's involvement with the Terrorist Surveillance Program, the Department's internal controls over terrorism reporting, intelligence sharing, the FBI's watch list nominations practices, the FBI's ability to translate critical foreign language material and its success at meeting linguist hiring goals, and the FBI's efforts to prevent and prepare for Weapons of Mass Destruction Threats.

Criminal Division

- **SIGIR and Procurement Fraud: \$2.5 million and 14 positions (9 attorneys)** to provide litigation support services to combat fraud and public corruption relating to Iraqi reconstruction, especially Special Inspector General for Iraqi Reconstruction (SIGIR) investigations and cases. The Division helps to maintain the integrity of the government through an intense focus on procurement fraud and associated corruption. The large amounts of money being spent on the war in Iraq and Afghanistan and the resulting reconstruction efforts are prime targets for unscrupulous officials and contractors. To protect its resources and ensure the proper spending of government money, the Department created the National Procurement Fraud Task Force in October 2006. The Criminal Division leads this effort by chairing the Task Force. There are no FY 2010 current services for this initiative.

U.S. National Central Bureau (USNCB) or INTERPOL – Washington: \$2.2 million

The **U.S. National Central Bureau (USNCB)** represents the Department of Justice and its interests in the International Criminal Police Organization (INTERPOL). The USNCB is our critical link for exchange of law enforcement information between the United States and 187 member countries. USNCB's secure police communication

system links with countries that do not currently have either an FBI Legal Attaché offices or DEA Country Offices. In those countries, USNCB is our *only* means for secure police-to-police communications when tracking individuals of significance to U.S. law enforcement or on behalf of other Nations. The Department's request for the USNCB includes the following:

- **Terrorism Project Vennlig: \$0.2 million and 3 positions** to improve information sharing with Interpol member countries and U.S. law enforcement through Project Vennlig. This project was initiated in 2005 by the Department of Defense to obtain criminal information from captured Iraq and Afghanistan insurgents. This project is the first in which DOD has declassified certain terrorist evidence in order to share the information with INTERPOL members to help DOD, FBI and other U.S. law enforcement personnel track known terrorists. There are no FY 2010 current services for this initiative.
- **INTERPOL Stolen Travel Document Database: \$0.7 million and 9 positions** to allow the USNCB to continue to meet the demands placed on the system as more participating agencies (primarily the Department of Homeland Security) utilize the database and as its use expands to all major airports in the United States and many border points of entry. Total FY 2010 current services for the SLTD program are 6 positions and \$2.4 million.
- **Law Enforcement Information Sharing Program: \$1.3 million and 2 positions** to design software tools that will streamline access to INTERPOL databases for federal, state, and local law enforcement officials, in order to aid in the process of applying for, and disseminating international arrest warrants (INTERPOL Red Notices) across the United States. The USNCB has also begun development of a fingerprint gateway project for converting and processing domestic and foreign inquiries against the INTERPOL Fingerprint Database, and FBI's automated fingerprint system. Total FY 2010 current services for the Information Sharing - Phase II are 3 positions and \$936,000

Foreign Claims Settlement Commission

- **Libya Claims Program: \$0.3 million** to implement the Libya Claims Program, in response to Executive Order 13477, dated October 31, 2008. Through the Claims Settlement Agreement, the government of Libya provided \$1.5 billion to pay claims. The FCSC is responsible for adjudicating terrorism-related claims by American nationals for compensation from the government of Libya. The FCSC must develop necessary procedures to implement the program and adjudicate numerous claims that will be brought by U.S. nationals. The requested program enhancement will establish a baseline for this initiative.

FY 2010 Investment Summary
(Amount in \$000)

Bureau/Initiative	Positions	Agents	Attorneys	Amount
Federal Bureau of Investigation (FBI)	1,246	357	0	\$555,575
Comprehensive National Cybersecurity Initiative	260	107	0	61,180
Intelligence Program	480	41	0	69,964
National Security/Threat Investigative Capabilities	231	105	0	47,993
Weapons of Mass Destruction Response	168	91	0	80,613
FBI Training Academy	0	0	0	10,000
Biometrics Technology Center	0	0	0	97,605
National Security Training/Career Path	32	1	0	25,113
Central Records Complex	0	0	0	9,000
3rd Generation (3G) Wireless Networks	0	0	0	20,510
Surveillance and Advanced Electronic Surveillance	75	12	0	32,531
Overseas Contingency Operations	0	0	0	101,066
General Administration (GA)	19	0	11	\$64,000
Rule of Law Coordinator's Office	19	0	11	4,000
Executive Order Implementation and Post –GTMO	0	0	0	\$60,000
Justice Information Sharing Technology (JIST)	1	0	0	\$27,439
DOJ's Cyber Security Initiative	1	0	0	27,439
Bureau of Alcohol, Tobacco, Firearms and Explosives	0	0	0	\$25,000
National Center for Explosives Training and Research	0	0	0	25,000
Law Enforcement Wireless Communications	16	0	0	\$20,000
Integrated Wireless Network	16	0	0	20,000
Bureau of Prisons	22	0	0	\$10,500
Counterterrorism Unit	22	0	0	10,500
Drug Enforcement Administration	15	9	0	\$10,000
Continuing Counterterrorism Operations	15	0	0	10,000
Office of the Inspector General	27	0	4	\$4,000
Counterterrorism Oversight	27	0	4	4,000
Criminal Division	14	0	9	\$2,500
SIGIR and Procurement Fraud	14	0	9	2,500
U.S. National Central Bureau	14	0	0	\$2,216
Terrorism Project Vennlig	3	0	0	228
INTERPOL Stolen Travel Document Database	9	0	0	692
Law Enforcement Information Sharing Program	2	0	0	1,296
Foreign Claims Settlement Commission	0	0	0	\$250
Libya Claims Program	0	0	0	250
Grand Total, New Investments	1,374	366	24	\$721,480