



National Security Division (NSD)

FY 2011 Budget Request At A Glance

FY 2010 Enacted:	\$87.9 million (346 positions; 236 attorneys)
Current Services Adjustments:	+\$4.0 million (4.6% above FY 2010 Enacted)
Program Changes:	+\$7.6 million
FY 2011 Budget Request:	\$99.5 million (363 positions; 247 attorneys)
Change from FY 2010 Enacted:	+\$11.6 million (+13.2%) (+17 positions; +11 attys)

Mission:

The mission of the NSD is to carry out the Department's highest priority: to combat terrorism and other threats to national security. The Division consolidates the primary national security elements of the Department of Justice into a single Division. The NSD is designed to ensure greater coordination and unity of purpose between prosecutors and law enforcement agencies on the one hand, and intelligence attorneys and the Intelligence Community on the other, thus strengthening the effectiveness of the Federal Government's national security efforts.

Resources:

The budget request for FY 2011 totals \$99.5 million, which is a 13.2 percent increase from the FY 2010 Enacted.

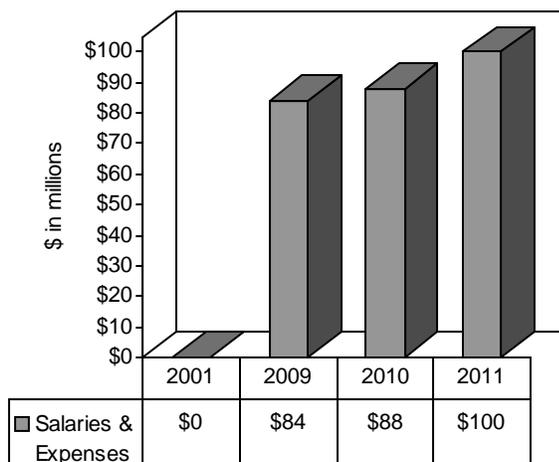
Organization:

NSD is headed by an Assistant Attorney General (AAG), who is appointed by the President and confirmed by the Senate. The AAG oversees a Division that is organized into four offices and five sections to combat terrorism and other threats to national security: the Counterterrorism and Counterespionage Sections; the Office of Intelligence, which consists of three sections (i.e., Operations Section, Oversight Section, and Litigation Section); a Law and Policy Office; the Office of Justice for Victims of Overseas Terrorism; and an Executive Office.

Personnel:

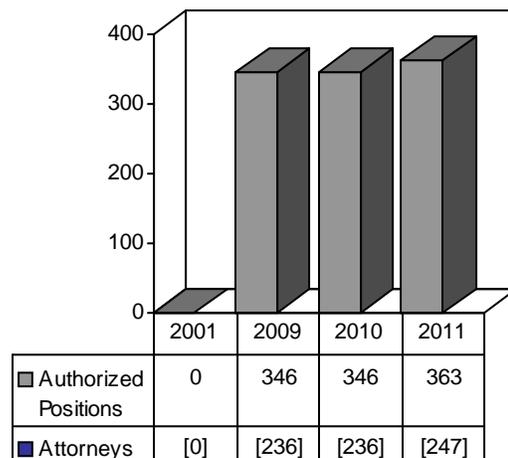
The NSD's direct authorized positions for FY 2011 total 363 positions, including 247 attorneys. All authorized positions are based in Washington, DC, at NSD's headquarters. NSD's FY 2011 request includes an increase of 17 positions over the FY 2010 Enacted of 346 direct authorized positions.

Funding (FY 2001 - 2011)*



* NSD was created in FY2006

Personnel (FY 2001 - 2011)



FY 2011 Strategy:

The National Security Division is responsible for assisting the Attorney General and other senior Department and Executive Branch officials in ensuring that the national security-related activities of the United States are consistent with relevant law, overseeing terrorism investigations and prosecutions, and handling counterespionage cases and matters.

In coordination with the FBI, the Intelligence Community, and the U.S. Attorneys Offices, the Division's primary operational functions are to prevent acts of terrorism and espionage from being perpetrated in the United States and to facilitate the collection of intelligence regarding foreign agents and powers. The Division advises the Attorney General on all matters relating to the national security activities of the United States. The Division administers the U.S. Government's national security program for conducting electronic surveillance and physical search of foreign agents pursuant to the Foreign Intelligence Surveillance Act of 1978 (FISA), as amended, and conducts oversight of the FBI's foreign intelligence and counterintelligence investigations pursuant to the Attorney General's guidelines for such investigations.

The sharply increased workload, brought by the demonstrated effectiveness of FISA surveillance and searches to prevent terrorist activity and the resulting increased number of requests for collection authority, generated challenges to maintain adequate attorney staffing and support personnel. To be adequately prepared to staff Department initiatives to fight terror, the Department will identify ways to streamline and speed up the security clearance process so that new hires can be more quickly brought into the Department and to invest resources in clearing additional attorneys already in the Department who can be drawn on in an emergency to assist in investigative or prosecutorial activity related to terrorism.

The Division also serves as the Department's representative on the Committee on Foreign Investment in the United States (CFIUS), which reviews foreign acquisitions of domestic entities affecting national security and makes recommendations to the President on whether such transactions should be allowed to proceed, or if they have already occurred, they should be undone.

Finally, the Office of Justice for Victims of Overseas Terrorism (OVT) was established as required by Section 126 of the Department of Justice Appropriations Act of 2005. This Office ensures that the investigation and prosecution of terrorist attacks against American citizens overseas are a high priority within the Department of Justice and that the rights of victims and their families are honored and respected.

FY 2011 Program Changes:

Intelligence Oversight and Litigation: \$1.1 million and 8 positions (5 attorneys) to address the current and projected increased demand for Foreign Intelligence Surveillance Act (FISA) collection, oversight, and litigation. Additionally, 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, and other intelligence collection activities through Foreign Intelligence Surveillance Act minimization reviews. 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.

Travel Management Efficiencies: The Department is continually evaluating its programs and operations with the goal of achieving across-the-board economies of scale that result in increased efficiencies and cost savings. In FY 2011, DOJ is focusing on travel as an area in which savings can be achieved. For the NSD, travel or other management efficiencies will result in offsets of \$216,000. This offset will be applied in a manner that will allow the continuation of effective law enforcement program efforts in support

Financial Snapshot 2009

Clean Opinion on Financial Statements	Yes
Timely Financial Reporting	Yes
Material Weaknesses	None