

Congressional Submission

U.S. Department of Justice

Asset Forfeiture Program

FY 2014 PERFORMANCE BUDGET

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*N/A = Not Applicable

I. Overview for the Asset Forfeiture Program

A. Introduction

The FY 2014 President's Budget estimates \$1,556,996,000 in mandatory costs for expenses of the Asset Forfeiture Program (AFP) and requests \$20,948,000 in definite authority for the purchase of evidence and information and the equipping of conveyances. All funding supports the Department's Strategic Goal 2: prevent crime, protect the rights of the American people, and enforce Federal law.

B. Mission

The AFP's primary strategic goal is to enforce Federal laws and prevent and reduce crime by disrupting, damaging and dismantling criminal organizations through the use of civil and criminal forfeiture. The program attempts to remove assets that are essential to the operation of those criminal organizations and punish the criminals involved by denying them the use of the proceeds of their crimes.

The AFP is a coordinated effort that leverages the efforts of multiple federal law enforcement agencies in support of a consolidated forfeiture program. Inter-departmental cooperation and standardization of policies and procedures produce significant benefits, not only from a program management perspective, but also from the perspective of preserving the due process rights of citizens. The significant effect of a less aggressive and decentralized forfeiture program is that criminal organizations have hundreds of millions of dollars more in their coffers to support their illicit operations each year and law enforcement agencies would be forced to use limited base resources to support the forfeiture process.

The AFP not only represents an effective law enforcement tool against criminal organizations but also provides financial support to other federal law enforcement efforts, remuneration and restitution to victims, and an additional source of funding for state and local law enforcement partners. Without this resource, agency funds would be seriously taxed to maintain and preserve seized assets, and liquidate forfeited assets. Law enforcement operations supported by the Program would occur at reduced levels, would not be undertaken at all, or would have to compete with limited funding from other sources. Finally, the AFP supports aggressive Program related training, case evaluations, funds management, and contract support to produce an Asset Forfeiture Program that provides the greatest benefit to our society.

By establishing standardized forfeiture policies and procedures, the AFP fosters inter-departmental cooperation and effective program management oversight that continues to produce significant law enforcement results while preserving the due process rights of citizens. In FY 2012 the Program recorded total net forfeiture deposits of \$4.2 billion as a result of AFP's coordinated forfeiture support services and the law enforcement efforts of the Program's participating member agencies.¹

¹ Participating law enforcement agency members of the AFP include the Asset Forfeiture Management Staff, Justice Management Division (AFMS), Asset Forfeiture and Money Laundering Section, Criminal Division (AFMLS), Bureau of Alcohol Tobacco Firearms & Explosives (ATF), Drug Enforcement Administration (DEA), Federal Bureau of Investigation (FBI), Organized Crime Drug Enforcement Task Forces (OCDETF), US Marshals Service (USMS), INTERPOL Washington (USNCB), Executive Office for United States Attorneys (EOUSA), Defense Criminal Investigative Service (DCIS), State Department Bureau of Diplomatic Security (BDS), Food and Drug Administration Office of Criminal Investigations (FDA OCI), US Postal Inspection Service (USPIS), and US Department of Agriculture Office of Inspector General (USDA OIG).

These results would not be possible without the AFP's specialized support capabilities in the areas of contract management, IT systems, policy formulation, financial management, and program evaluation.

In addition to combatting criminal organizations, the AFP also facilitates the remuneration and restitution of funds to victims of crime and provides state and local law enforcement partners with an additional source of financial support. In FY 2012 the AFP paid out over \$3.0 billion to victims and \$841.1 million to state and local law enforcement partners participating in federal investigations.

Without the AFP, agencies would be left to organize and fund forfeiture operations with limited base resources. Furthermore, the inherent economic disincentives that at one time severely limited the use of this powerful and highly effective law enforcement tool may once again force the suspension of coordinated forfeiture operations at the federal level.

C. Explanation of the Fund

The AFP is supported by the Assets Forfeiture Fund (AFF), which was created by the Comprehensive Crime Control Act of 1984 (P.L. 98-473, dated October 12, 1984) to be a repository of the proceeds of forfeitures under any law enforced and administered by the Department of Justice (see 28 U.S.C. 524(c)).

The primary purpose of the Fund is to provide a stable source of resources to cover the costs of an effective AFP, including the costs of seizing, evaluating, inventorying, maintaining, protecting, advertising, forfeiting, and disposing of property seized for forfeiture. Prior to the creation of the Fund in 1985, the costs of these activities had to be diverted from agency operational funds. The more effective an agency was in seizing property, the greater the drain on its appropriated funds. The creation of the Fund is responsible, in large measure, for the growth in the Department's Assets Forfeiture Program over the past decade. The Program in turn has supported the increase of seized assets through coordinated investigative efforts and effective asset management. Increases in resources have permitted the AFP to remove more assets essential to criminal activity. A secondary benefit of an aggressive and well-managed forfeiture program is the production of surplus revenues to assist in financing important law enforcement programs. If the forfeiture program ceases to function effectively in its primary role, these surplus revenues will not be generated.

Table 1 on page 3 displays the functional activities of the participating agencies. For the full names of the participating agencies, see footnote 1. These agencies investigate or prosecute criminal activity under statutes, such as the Comprehensive Drug Abuse Prevention and Control Act of 1970, the Racketeer Influenced and Corrupt Organizations statute, the Controlled Substances Act, and the Money Laundering Control Act, or provide administrative support services to the program.

Table 1: Asset Forfeiture Program Participants by Function													
Function	OCDETF	AFMLS	AFMS	ATF	DCIS	DEA	DS	EOUSA	FBI	FDA	USDA	USMS	USPS
Investigation	X			X	X	X	X		X	X	X		X
Litigation		X						X					
Custody of Assets				X		X			X			X	
Management of Assets		X	X										

As an outcome of the Homeland Security Act of 2002, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) joined the Program on January 25, 2003. In addition, the Act transferred the forfeiture functions of the Immigration and Naturalization Service to the Department of Homeland Security (DHS) on March 31, 2003. On October 1, 2004, the Bureau of Diplomatic Security, Department of State (DS), joined the AFP. The Fund subsequently includes seizures and forfeitures resulting from investigations of passport and visa fraud. In 2007, the Defense Criminal Investigative Service (DCIS) became a participant. DCIS is the criminal investigative arm of the Inspector General of the Department of Defense and devotes investigative resources to terrorism, product substitution, computer crimes, illegal technology transfers, and public corruption. In addition, INTERPOL Washington was admitted as a member of the Fund in 2012.

D. Trends, Issues, and Outcomes

Although the Program’s mission and objectives will not change in FY 2014, the challenges it faces will. The Program’s budget is integrated with the Department’s Strategic Goals and Objectives.

Over the past six years, there has been a significant growth in the value of deposits into the AFP fueled by several large fraud and economic crime forfeiture cases. Given the focus on forfeitures in corporate fraud and other financial crime cases as well as on increasing the amount of money returned to crime victims, the Program expects deposits to continue to increase. It is anticipated that a significant amount of these additional deposits will be returned to the victims of the underlying offenses.

Following is a brief summary of the Department’s Strategic Goals and Objectives, in which the Program plays a role.

DOJ Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law:

- Combat the threat, incidence, and prevalence of violent crime (2.1)
- Combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs (2.3)
- Combat corruption, economic crimes, and international organized crime (2.4)

E. Full Program Costs

The Program's expenses are funded by forfeitures and receipts. Receipts are available to pay program operation expenses, including asset management and disposal, the equity of innocent third parties and lien holders; program investigative expenses, such as the efforts of state and local law enforcement agencies that helped produce the forfeitures; and other authorized expenses of the Program.

For FY 2014, the Department is estimating \$1.58 billion for mandatory and investigative expenses. Included in this amount, providing net receipts support this expense level is \$162.4 million to pay overtime expenses and other costs of state and local law enforcement officers engaged in joint operations with federal law enforcement agencies participating in the Program. The Department's authority to incur program operations expenses, including recognition of the equity interests of others and the efforts of law enforcement agencies, is limited only by the level of receipts deposited into the Fund. The Program's first priority is to fund operational expenses. To the extent that receipts exceed the amounts necessary for mandatory program expenses, funds are used for equitable sharing and third party expenses, including payment to victims. Funds are then used for forfeiture-related investigative expenses. Lastly, funds may be used for non-forfeiture related investigative expenses and other authorized law enforcement purposes.

F. Unobligated Balances

Unobligated balances are carried over from one fiscal year to another and are used to cover a variety of pending liabilities to maintain the solvency of the AFF.² These reserves are set aside for operation of the program and to cover payments to state and local law enforcement agencies for their degree of participation in a forfeiture case (also known as equitable sharing). In addition to the significant portion allocated to equitable sharing payments, unobligated monies are carried forward in order to maintain a successful transition into each new fiscal year for specific continuity requirements related to operation of the program. Those requirements are estimated as follows:

- one quarter of the previous year's funding for administrative and professional contracts
- one quarter of the previous year's funding to cover pending expenses with state and local law enforcement agencies that participated in joint law enforcement operations with a federal agency.
- half of the previous year's funding for the information system CATS.
- half of the previous year's expenses for government salaries that have been approved by the Attorney General.

² See 28 U.S.C.524(c)(8)(D)

G. Performance Challenges

The challenges that impact achievement of Program goals are complex and dynamic. New legislation and case law, technological developments, changing demographics, political decisions, and the internationalization of criminal organizations are only a few factors that impact AFP and pose challenges that demand attention. The following situations are challenges that the Program is facing.

External Challenges

International money laundering and forfeiture investigations continue to target millions of dollars in illegal proceeds that have been secreted overseas. Indeed, every major forfeiture case has had international aspects to it as criminals increasingly seek to hide their criminal proceeds by placing them off-shore. Often times, prosecutors are able to negotiate agreements in which criminals or account holders are willing to repatriate foreign based criminal wealth. Additionally, the enforcement of US forfeiture judgments by foreign courts and the reverse sharing of assets is potentially a significant source of the Fund's receipts.

The United States currently has a Mutual Legal Assistance Treaty (MLAT), which facilitates forfeiture cooperation, with 68 countries. In addition, more than 185 countries are parties to the Vienna Drug Convention, 165 countries are parties to the United Nations Convention against Transnational Organized Crime, and 159 countries are parties to the U.N. Convention Against Corruption. The U.S. is a party to all of these conventions, which contain forfeiture cooperation provisions and encourage jurisdictions to have mechanisms for asset sharing and/or asset repatriation. The Department recognizes asset sharing with other jurisdictions that facilitate successful forfeiture cases will foster greater cooperation with these countries in the future.

Internal Challenges

The Program faces many internal challenges in FY 2014, primarily in enhancing its financial and property management capabilities.

- **Data Quality:** The FY 2012 AFF/Seized Asset Deposit Fund (SADF) financial statements received an unqualified opinion as there were no significant deficiencies.

The AFMS is implementing the Unified Financial Management System (UFMS). UFMS is a financial system that incorporates standard capabilities, business processes, business rules, reference data, interfaces, and reports that will be used throughout the department. UFMS will benefit the Department of Justice by addressing material weaknesses in the Department's financial system and accounting operations and enhance system security.

II. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

For expenses authorized by 28 U.S.C. 524(c) (1) (B), (F), and (G), \$20,948,000 to be derived from the Department of Justice Assets Forfeiture Fund.

(including cancellation)

Of the unobligated balances available under this heading, \$675,000,000 are hereby permanently cancelled.

Analysis of Appropriations Language

No substantive changes are proposed.

**III. Decision Unit Justification
Asset Forfeiture Program**

Asset Forfeiture Program TOTAL	Perm. Pos.	FTE	Amount
2012 Enacted	23	23	4,501,705
2013 Continuing Resolution	23	23	1,613,069
Adjustments to Base and Technical Adjustments	0	0	0
2014 Current Services	23	23	1,577,944
2014 Request	23	23	1,577,944
Total Change 2013-2014	0	0	-35,125

Mandatory, Indefinite Authority Total	Perm. Pos.	FTE	Amount
2012 Enacted	23	23	4,480,757
2013 Continuing Resolution	23	23	1,591,993
Adjustments to Base and Technical Adjustments	0	0	0
2014 Current Services	23	23	1,556,996
2014 Request	23	23	1,556,996
Total Change 2013-2014	0	0	-34,997

Appropriated, Definite Authority Total	Perm. Pos.	FTE	Amount
2012 Enacted	0	0	20,948
2013 Continuing Resolution	0	0	21,076
Adjustments to Base and Technical Adjustments	0	0	0
2014 Current Services	0	0	20,948
2014 Request	0	0	20,948
Total Change 2013-2014	0	0	-128

IV. FY 2013 Asset Forfeiture Program Estimates

Asset Forfeiture Program

1. Summary of Requirements by Financing

(Dollars in Thousands)

<u>Financing</u>	FY 2012 Actual	FY 2013 Estimate	FY 2014 Estimate	2013 - 2014 Total Change
Unobligated balance of receipts, start-of-year				
Retention of Unobligated Balances to maintain AFF Solvency	140,398	145,726	145,000	-726
Unavailable unobligated balances; rescissions	208,791	0	0	0
Major Equitable Sharing and Third party Payment Reserves	675,000	511,403	489,060	-22,343
Unappropriated balance of receipts, start-of-year	1,024,189	657,129	634,060	-23,069
Collections/deposits/receipts/recoveries:				
Receipts	4,228,851	1,520,000	1,520,000	0
Prior year rescissions restored	495,000	675,000	675,000	0
Recovery/Refunds of prior year obligations	85,794	70,000	70,000	0
Current year rescissions	-675,000	0	0	0
Proposed rescission - Temporary	0	-675,000	-675,000	0
Collections/deposits/receipts/recoveries:	4,134,645	1,590,000	1,590,000	0
Total resources available	5,158,834	2,247,129	2,224,060	-23,069
Less: Unappropriated balance of receipts, end-of-year				
Retention of Unobligated Balances to maintain AFF Solvency	-145,726	-145,000	-145,000	0
Unavailable unobligated balances	0	0	0	0
Major Equitable Sharing & Third Party Payments	-511,403	-489,060	-501,116	-12,056
Unappropriated balance of receipts, end-of-year	-657,129	-634,060	-646,116	-12,056
Total obligations	4,501,705	1,613,069	1,577,944	-35,125

Asset Forfeiture Program
2. Obligations by Type of Expense
(Dollars in Thousands)

	FY 2012 Actual	FY 2013 Estimate	FY 2014 Estimate	2013 - 2014 Total Change
<i>Mandatory expenses: (indefinite authority)</i>				
Case support expenses:				
Asset Management and Disposal	74,699	90,400	90,400	0
Third Party Payments	3,003,981	452,036	444,961	-7,075
Case Related Expenses	38,608	43,600	43,600	0
Special Contract Services	137,996	151,400	151,400	0
Investigative Expenses Leading to Seizure	69,648	67,800	67,800	0
Contracts to Identify Assets	53,258	54,200	54,200	0
Awards for Information Leading to a Forfeiture	16,968	15,200	15,200	0
Program support expenses:				
Automated Data Processing	29,710	42,900	42,900	0
Training and Printing	8,734	12,600	12,600	0
Other Program Management	46,270	61,400	61,400	0
Other authorized expenses:				
Storage, Protection & Destruction of Controlled Substances	10,219	10,100	10,100	0
Equitable Sharing Payments	701,421	435,300	400,000	-35,300
Joint Federal/State and Local Law Enforcement Operations	<u>139,677</u>	<u>154,700</u>	<u>162,435</u>	<u>7,735</u>
Subtotal: Mandatory Expenses	4,331,189	1,591,636	1,556,996	-34,640
<i>Investigative expenses: (definite authority)</i>				
Awards for Information	10,800	11,928	11,928	0
Purchase of Evidence	8,412	8,598	8,470	-128
Equipping of Conveyances	<u>293</u>	<u>550</u>	<u>550</u>	<u>0</u>
Subtotal: Investigative Expenses	19,505	21,076	20,948	-128
Total, Mandatory and Investigative Expenses	4,350,694	1,612,712	1,577,944	-34,768
Super Surplus amounts obligated	<u>151,011</u>	<u>357</u>	<u>0</u>	<u>-357</u>
Total Gross Obligations	4,501,705	1,613,069	1,577,944	-35,125

3. Program Expense Description

A. Mandatory Expenses, Indefinite Authority

1. Management and Disposal of Seized Assets

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$90,400,000	\$90,400,000	\$0

The primary purpose of the Fund is to ensure an adequate and appropriate source of funding for the management and disposal of property seized for forfeiture, as well as forfeited assets, activities which would otherwise be paid from agencies' operating budgets. Asset management expenses include those incurred in connection with the seizure, inventory, appraisal, packaging, movement, storage, maintenance, security, and disposition of property. In addition, funding is provided for the assessment, containment, removal and destruction of hazardous materials seized for forfeiture, and hazardous waste contaminated property seized for forfeiture. The costs of administrative personnel directly related to the property management functions of the forfeiture program are also included in this category.

2. Other Asset Specific Expenses

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$495,636,000	\$488,561,000	-\$7,075,000

This category includes third party payments and case related expenses. Third party payments are payments to satisfy third-party interests, including lien holders and other innocent parties, pursuant to 28 U.S.C. § 524(c)(1)(D); payments in connection with the remission and mitigation of forfeitures, pursuant to 28 U.S.C. § 524(c)(1)(E); and direct expenses incurred in perfecting the forfeiture. Case related expenses are expenses associated with the prosecution of a forfeiture case or execution of a forfeiture judgment, such as court and deposition reporting, courtroom exhibit services, and expert witness costs.

3. Special Contract Services

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$151,400,000	\$151,400,000	\$0

The Department of Justice Asset Forfeiture Program uses contract personnel to manage the massive paper flow associated with forfeiture, including data entry, data analysis, word processing, file control, file review, quality control, case file preparation and other process support functions. Without this contract support, it would be impossible to maintain the automated databases, process the tens of thousands of equitable sharing requests, and maintain the tens of thousands of forfeiture case files.

4. Investigative Expenses Leading to Seizure

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$67,800,000	\$67,800,000	\$0

Investigative expenses are those normally incurred in the identification, location, and seizure of property subject to forfeiture. These include payments to reimburse any federal agency participating in the Program for investigative costs leading to seizures.

5. Contracts to Identify Assets

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$54,200,000	\$54,200,000	\$0

Investigative agencies use these funds for subscription services to nationwide public record data systems, and for acquisition of specialized assistance, such as reconstruction of seized financial records.

6. Awards for Information Leading to Forfeiture

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$15,200,000	\$15,200,000	\$0

Section 114 of Public Law 104-208, dated September 30, 1996, amended the Justice Fund statute to treat payments of awards based on the amount of the forfeiture the same as other costs of forfeiture.

7. Automated Data Processing (ADP)

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$42,900,000	\$42,900,000	\$0

The resources are primarily for the CATS (Consolidated Asset Tracking System). CATS enables access for more than a thousand locations to a central database to perform full asset forfeiture lifecycle tasks more efficiently. It eliminates redundant data capture and provides consistency and standardization for agencies performing similar functions. The system provides current information to field personnel on the status of cases, integrates financial analysis capabilities into the inventory management process, provides the estimation of program income and expenses, and provides the capability for agency and Department managers to review and assess program activity.

8. Training and Printing

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$12,600,000	\$12,600,000	\$0

This category funds expenses for training personnel on aspects of the federal forfeiture program as well as other training necessary to maintain the competency of federal and contractor personnel dedicated to performing federal forfeiture functions.

9. Other Program Management Expenses

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$61,400,000	\$61,400,000	\$0

This category includes several types of expenses that are important to the overall management of the Asset Forfeiture Program: management analysis, performance assessment, problem analysis, requirements analyses, policy development, and other special projects designed to improve program performance. Other activities funded under this heading include the annual audit of financial statements of the Assets Forfeiture Fund and the Seized Asset Deposit Fund by an independent accounting firm and special assessments and reviews. This category also finances the salaries of the Justice Management Division's Asset Forfeiture Management Staff, and units of the Criminal Division's Asset Forfeiture and Money Laundering Section, and other government personnel in agencies that are members of the Fund for activities directly related to the asset forfeiture mission.

10. Storage, Protection, and Destruction of Controlled Substances

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$10,100,000	\$10,100,000	\$0

These expenses are incurred to store, protect and/or destroy controlled substances. In 2014, provided sufficient receipts are available, \$10.1 million is proposed for this expense category.

11. Equitable Sharing Payments

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$435,300,000	\$400,000,000	-\$35,300

These funds are reserved until the receipt of the final forfeiture orders that result in distributions to the participants. Equitable sharing payments represent the transfer of portions of federally forfeited cash and proceeds from the sale of forfeited property to state and local law enforcement agencies and foreign governments that directly assisted in targeting or seizing the property. Most task force cases, for example, result in property forfeitures whose proceeds are shared among the participating agencies.

12. Joint Federal/State and Local Law Enforcement Operations

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$154,700,000	\$162,435,000	\$7,735

Public Law 102-393, referred to as the 1993 Treasury Appropriations Act, amended Title 28 U.S.C. 524(c), enacted new authority for the Fund to pay for "overtime, travel, fuel, training, equipment, and other similar costs of state or local law enforcement officers that are incurred in a joint law enforcement operation with a federal law enforcement agency participating in the Fund." Such cooperative efforts significantly benefit federal, state, and local law enforcement efforts.

B. INVESTIGATIVE EXPENSES

Definite, Appropriated (discretionary) Authority

1. Awards for Information and Purchase of Evidence

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$20,526,000	\$20,398,000	-\$128,000

Awards payable from the Fund directly support law enforcement efforts by furthering the cooperation and assistance of informants. The Program also uses funds to purchase evidence of the violations of drug laws, Racketeering Influenced and Corrupt Organizations (RICO), and criminal money laundering laws.

2. Equipping of Conveyances

<u>FY 2013 Estimate</u>	<u>FY 2014 Estimate</u>	<u>Increase/Decrease</u>
\$550,000	\$550,000	\$0

This category provides funding to equip vehicles, vessels or aircraft for law enforcement purposes.

PERFORMANCE AND RESOURCES TABLE

Decision Unit: Assets Forfeiture Fund

DOJ Strategic Goal/Objective: Goal 2: Prevent Crime, Protect the Rights of the American People and Enforce Federal Law. ^A

TYPE/ STRATEGIC OBJECTIVE	PERFORMANCE ^B	FY 2012		FY 2013		2013 Requirements		Current Services Adjustments and FY 2013 Program Change		FY 2014 Request	
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Program Activity	Management of the AFF										
	Provide financial support, control, and guidance to Fund participants in accordance with the Attorney General's Guidelines on Seized and Forfeited Property, July 1990.		[]		[]		[]		[]		[]
Performance Measure	Percent of time CATS is accessible in support of forfeiture agency operations.	99.8%		99.8%		99.8%				99.8%	
Performance Measure	Percent of time Business Objects is accessible in support of forfeiture agency operations.	99.8%		99.8%		99.8%				99.8%	
Performance Measure	Percent of time Sharepoint Services are accessible in support of forfeiture agency operations.	99.9%		99.8%		99.8%				99.8%	
OUTCOME	Achieve effective funds control as corroborated by an unqualified opinion on the AFF financial statements.	100%		100%		100%				100%	

^A The performance by and resources allocated to the AFF participants are indicated in their respective budgets.

^B Only the performance by the AFMS in the financial management of the AFF is indicated.

PERFORMANCE MEASURE TABLE

Decision Unit: Assets Forfeiture Fund

Performance Report and Performance Plan Targets		FY 2009	FY 2010	FY 2011	FY 2012		FY 2013
		Actual	Actual	Actual	Target	Actual	Target
Performance Measure	Percent of time CATS is accessible in support of forfeiture agency operations.	99.9%	100.0%	99.9%	99.8%	99.8%	99.8%
Performance Measure	Percent of time Business Objects is accessible in support of forfeiture agency operations.	N/A	N/A	100.0%	99.8%	99.8%	99.8%
Performance Measure	Percent of time Sharepoint Services are accessible in support of forfeiture agency operations.	N/A	N/A	99.9%	99.8%	99.8%	99.8%
OUTCOME Measure	Achieve effective funds control as corroborated by an unqualified opinion on the AFF financial statements.	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

Data Definitions

FTE. The AFP reimburses the USMS for the salaries of administrative personnel responsible for the AFP's property custodial functions, but their associated FTE's reside in the USMS accounts. Similarly, the AFP reimburses the Criminal Division for AFMLS FTE. AFMS is authorized 23 FTE, which are paid directly from the AFP's mandatory account.

Funding. The source of AFP funds is from the receipts realized by the AFF in the respective years. Because the AFF is a permanent indefinite fund it may fund Program activities from the unobligated balances carried forward from prior years.

Performance. One of the tasks of the Program managers is to project Program activities. As a result of a reevaluation of the Program's performance measures, in 2001 the indicators were changed to more accurately reflect the activities of the Program administrators rather than the Program participants.

Performance Measure 1, 2 and 3. CATS, Business Objects, and SharePoint services are available to participating AFP customers from 8:00 a.m. to 8:00 p.m., Eastern Standard Time, Monday through Friday, excluding all federal holidays and/or local government closures. Normally scheduled maintenance outages are conducted during non-operational hours (weekends, holidays, and off-hours). Emergency outages and system failures occurring during the core operational hours will impact availability to its customer base, affecting all three performance measures. For fiscal years 2013 and 2014, the total number of core supported hours is approximately 3,000. The goal is to provide 99.8 percent availability to customers.

2013 Performance Plan. The 2014 plan entails supporting law enforcement authorities in the application of specific forfeiture statutes to prevent and reduce crime by the efficient and timely allocation of resources to cover the costs of an effective Asset Forfeiture Program.

2. Performance, Resources, and Strategies

The Program contributes to the Department's Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.

To better manage resources, the Asset Forfeiture Program's strategic approach will continue to (1) require a strong intelligence function that provides all-source information on target organizations to permit the assessment of vulnerabilities and the identification of key structural assets; (2) transcend specific cases to coordinate and target enforcement actions against the vulnerabilities of the underlying criminal organization; and (3) focus on removal of the assets that are key to the functionality and viability of the criminal organization. Special emphasis is placed on innovative ways to use the proceeds of asset forfeiture, in conjunction with other funds available to our investigative and prosecutive offices, to support operations that focus on the disruption and destruction of criminal organizations and not merely on the conviction of individuals and forfeiture of their personal property.

a. Performance Plan and Report for Outcomes

As illustrated in the preceding Performance and Resources Table, the performance measure addresses performance only by the AFMS. While the performance measure is internal to the AFMS, Strategic Goal 2 is the Program's supra-objective. Through stakeholder meetings, employee meetings and internal reviews, the Program has identified many of the issues that must

be addressed to enable it and the Nation's law enforcement community to meet the challenges of the war on drugs. Continued progress towards implementation will enable the Program to improve the Nation's effectiveness in the war on drugs.

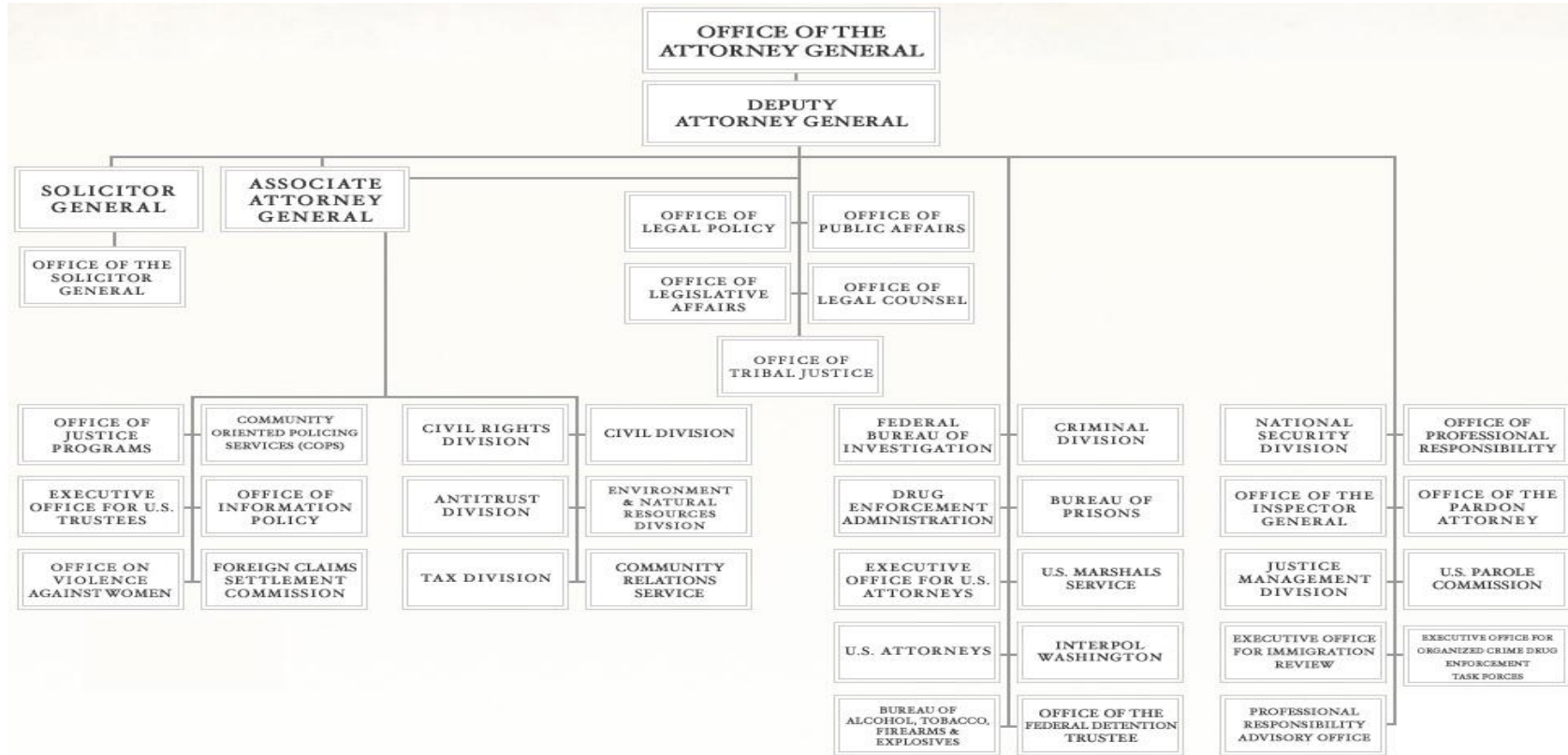
The challenge of using the asset forfeiture sanction more fully requires the dedication of greater human resources to the development of the financial aspects of criminal operations. Continuing education in conducting financial investigations, tracing assets, presenting financial evidence in court, and managing and disposing of sophisticated properties is needed to develop and support experienced law enforcement professionals capable of dismantling criminal enterprises. The increasing use of sophisticated technology by criminals and the relative ease of operating across international boundaries also present special challenges for law enforcement that must be met if the power of the asset forfeiture sanction is to be realized. The Department will continue to seek opportunities to use assets forfeiture fund to advance the ability of our investigators, prosecutors, and other professionals to meet these challenges successfully.

b. Strategies to Accomplish Outcomes

The performance indicators are for the AFMS, the participant with management control of the Fund. In its role, AFMS supports law enforcement authorities in their seizure and forfeiture activities by providing funding for their accessibility to CATS. The Asset Forfeiture Program is executed by its member agencies and their performance is reported under their leadership's guidance.

V. EXHIBITS

A: Organizational Chart



Approved by:  Date: May 2, 2012
 ERIC H. HOLDER, JR.
 Attorney General

D: Resources by DOJ Strategic Goal and Strategic Objective

**Resources by Department of Justice Strategic Goal/Objective
Assets Forfeiture Fund
(Dollars in Thousands)**

Strategic Goal and Strategic Objective	2012 Appropriation Enacted		2013 Continuing Resolution*		2014 Current Services		2014				2014 Request	
	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Increases		Offsets		Direct, Reimb. Other FTE	Direct Amount \$000s
							Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s		
Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law												
2.1 Combat the threat, incidence, and prevalence of violent crime	1	135,051	1	48,392	1	47,338	0	0	0	0	1	47,338
2.3 Combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs	15	3,016,142	15	1,080,756	15	1,057,222	0	0	0	0	15	1,057,222
2.4 Combat corruption, economic crimes, and international organized crime	7	1,350,512	7	483,921	7	473,383	0	0	0	0	7	473,383
Subtotal, Goal 2	23	4,501,705	23	1,613,069	23	1,577,944	0	0	0	0	23	1,577,944
GRAND TOTAL	23	\$4,501,705	23	\$1,613,069	23	\$1,577,944	0	\$0	0	\$0	23	\$1,577,944

The AFF distributes its resources annually at the rate of 3, 67 and 30 percent among objectives 2.1, 2.3 and 2.4, respectively.

*The 2013 Continuing Resolution includes the 0.612% funding provided by the Continuing Appropriations Resolution, 2013 (P.L. 112-175, Section 101 (c)).

F: Crosswalk of 2012 Availability

Crosswalk of 2012 Availability

Assets Forfeiture Fund
Salaries and Expenses
(Dollars in Thousands)

Decision Unit	FY 2012 Collections and Receipts			Rescissions			Supplementals			Reprogrammings / Transfers			Carryover	Recoveries	2012 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Amount	Amount	Pos.	FTE	Amount
Mandatory Expenses, Indef Auth	[23]	23	4,702,903										1,024,189	85,794	[23]	23	5,812,886
Investigative Expenses, Def Auth			20,948														20,948
Unobligated Balance Rescission						(675,000)											(675,000)
TOTAL	[23]	23	\$4,723,851	0	0	(\$675,000)	0	0	\$0	0	0	\$0	\$1,024,189	\$85,794	[23]	23	\$5,158,834
Reimbursable FTE																	0
Total FTE	[23]	23			0			0			0				[23]	23	
Other FTE																	
LEAP		0			0			0			0						0
Overtime		0			0			0			0						0
Total Compensable FTE	[23]	23			0			0			0				[23]	23	

FY 2012 Collections and Receipts. Receipts collected and prior year rescissions restored. The FY 2012 Enacted level is equal to total FY 2012 obligations of \$4,501,705.

Enacted Rescissions. Funds rescinded as required by the Revised Continuing Appropriations Resolution, 2012 (P.L. 112-55).

Unobligated Balances. Funds in the amount of \$1,024,189 were carried over from FY 2011 from the 15X5042 account. The carried forward balances consist primarily of restricted funds and balances for specific expenses. In addition, \$85,794 in recoveries and refunds have been realized through September 30, 2012. These monies will be used to pay for the operating expenses associated with forfeiture.

All FTE numbers in this table reflect authorized FTE, which is the total number of FTE available to a component. Because the FY 2013 President's Budget Appendix builds the FTE request using actual FTE rather than authorized, it may not match the FY 2012 FTE enacted and FY 2013 FTE request reflected in this table.

G: Crosswalk of 2013 Availability

Crosswalk of 2013 Availability

Assets Forfeiture Fund
Salaries and Expenses
(Dollars in Thousands)

Decision Unit	FY 2013 Collections and Receipts*			Rescissions			Reprogrammings / Transfers			Carryover	Recoveries	2013 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Amount	Amount	Pos.	FTE	Amount
Mandatory Expenses, Indef Auth	[23]	23	2,173,924							657,129	70,000	[23]	23	2,901,053
Investigative Expenses, Def Auth			21,076									0	0	21,076
Unobligated Balance Rescission						(675,000)						0	0	(675,000)
TOTAL	[23]	23	\$2,195,000	0	0	(\$675,000)	0	0	\$0	\$657,129	\$70,000	[23]	23	\$2,247,129
Reimbursable FTE														0
Total FTE	[23]	23			0			0				[23]	23	
Other FTE														
LEAP		0			0			0						0
Overtime		0			0			0						0
Total Compensable FTE	[23]	23			0			0				[23]	23	

*The 2013 Continuing Resolution includes the 0.612% funding provided by the Continuing Appropriations Resolution, 2013 (P.L. 112-175, Section 101 (c)).

FY 2013 Collections and Receipts. Receipts collected and prior year rescissions restored. The FY 2013 enacted level is equal to total anticipated FY 2013 obligations of \$1,613,069.

Proposed Rescissions. Funds rescinded as proposed by the Revised Continuing Appropriations Resolution, 2013.

Unobligated Balances. Funds in the amount of \$657,129 were carried over from FY 2012 from the 15X5042 account. The carried forward balances consist primarily of restricted funds and balances for expenses. In addition, \$70,000 in recoveries and refunds are estimated in Fiscal Year 2013. These monies will be used to pay for the operating expenses associated with forfeiture.

All FTE numbers in this table reflect authorized FTE, which is the total number of FTE available to a component. Because the FY 2014 President's Budget Appendix builds the FTE request using actual FTE rather than authorized, it may not match the FY 2013 FTE enacted and FY 2014 FTE request reflected in this table.

H: Summary of Reimbursable Resources

Summary of Reimbursable Resources

Assets Forfeiture Fund

Salaries and Expenses

(Dollars in Thousands)

Collections by Source	2012 Enacted			2013 Planned			2014 Request			Increase/Decrease		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Treasury Executive Office for Asset Forfeiture	0	0	13,551	0	0	11,453	0	0	11,453	0	0	0
Customs Border & Protection Annual Fee	0	0	556	0	0	28	0	0	28	0	0	0
Secret Service Annual Fee				0	0	99	0	0	99	0	0	0
Asset Forfeiture and Money Laundering Section				0	0	420	0	0	420	0	0	0
Budgetary Resources:	0	0	\$14,107	0	0	\$12,000	0	0	\$12,000	0	0	(\$0)

I: Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

Assets Forfeiture Fund
Salaries and Expenses

Category	2012 Enacted	2013 Enacted	2014 Request					
	Total Authorized	Total Authorized	ATBs	Program Increases	Program Decreases	Total Pr. Changes	Total Authorized	Total Reimbursable
Personnel Management (200-299)	12	12					12	
Clerical and Office Services (300-399)	1	1					1	
Accounting and Budget (500-599)	4	4					4	
Information Technology Mgmt (2210)	6	6					6	
Total	23	23	0	0	0	0	23	0
Headquarters (Washington, D.C.)	23	23				0	23	0
Total	23	23	0	0	0	0	23	0

K: Summary of Requirements by Grade

Summary of Requirements by Grade

Assets Forfeiture Fund
Salaries and Expenses

	2012 Enacted w/Rescissions		2013 Enacted		2014 Request		Increase/Decrease	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Grades and Salary Ranges								
SES, \$119,554 - 179,700	1	166,865	1	166,865	1	167,699	0	
GS-15, \$123,758 - 155,500	4	595,735	4	595,735	4	598,714	0	
GS-14, \$105,211 - 136,771	10	1,153,797	10	1,153,797	10	1,159,566	0	
GS-13, \$89,033 - 115,742	7	685,616	7	685,616	7	689,044	0	
GS-12, \$74,872 - 97,333							0	
GS-11, \$62,467 - 81,204							0	
GS-10, \$56,857 - 73,917							0	
GS-9, \$51,630 - 67,114							0	
GS-8, \$46,745 - 60,765							0	
GS-7, \$42,209 - 54,875	1	43,616	1	43,616	1	43,834	0	
GS-6, \$37,983 - 49,375							0	
GS-5, \$34,075 - 44,293							0	
GS-4, \$30,456 - 39,590							0	
GS-3, \$27,130 - 35,269							0	
GS-2, \$24,865 - 31,292							0	
GS-1, \$22,115 - 27,663							0	
Total, Appropriated Positions	23		23		23		0	
Average SES Salary		\$166,865		\$166,865		\$166,865		
Average GS Salary		\$112,671		\$112,671		\$113,234		
Average GS Grade		14		14		14		

L. Summary of Requirements by Object Class

Summary of Requirements by Object Class

Name of Budget Account

Salaries and Expenses

(Dollars in Thousands)

Object Class	2012 Actual		2013 Availability *		2014 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	23	7,167	23	7,500	23	10,000	0	2,500
11.3 Other than Full-Time Permanent	0	1,416	0	1,500	0	2,000	0	500
11.5 Other Personnel Compensation	0	81	0	0	0	0	0	0
<i>Overtime</i>	0	0	0	0	0	0	0	0
<i>Other Compensation</i>	0	81	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	0	0	0	0	0	0	0
Total**	23	8,664	23	9,000	23	12,000	0	3,000
Other Object Classes								
12.0 Personnel Benefits		2,478		3,000		4,000		1,000
13.0 Benefits for former personnel		0		0		0		0
21.0 Travel and Transportation of Persons		5,338		6,000		14,000		8,000
22.0 Transportation of Things		2,592		3,000		4,000		1,000
23.1 Rental Payments to GSA		16,582		17,000		21,000		4,000
23.2 Rental Payments to Others		954		1,000		1,000		0
23.3 Communications, Utilities, and Miscellaneous Charges		6,188		6,000		10,000		4,000
24.0 Printing and Reproduction		3,123		3,000		4,000		1,000
25.1 Advisory and Assistance Services		65,801		69,000		98,000		29,000
25.2 Other Services from Non-Federal Sources		4,162,168		1,418,002		1,285,877		-132,125
25.3 Other Goods and Services from Federal Sources		38,979		41,000		70,000		29,000
25.4 Operation and Maintenance of Facilities		5,477		6,000		10,000		4,000
25.5 Research and Development Contracts		0		0		0		0
25.6 Medical Care		2		2		2		0
25.7 Operation and Maintenance of Equipment		13,725		14,000		18,000		4,000
25.8 Subsistence and Support of Persons		0		0		0		0
26.0 Supplies and Materials		3,763		4,000		6,000		2,000
31.0 Equipment		699		1,000		8,000		7,000
32.0 Land and Structures		151,000		0		0		0
41.0 Grants, Subsidies, and Contributions		0		0		0		0
42.0 Insurance Claims and Indemnities		65		65		65		0
Total Obligations		4,487,598		1,601,069		1,565,944		-35,125
Subtract - Unobligated Balance, Start-of-Year		-1,024,189		-657,129		-634,060		23,069
Subtract - Transfers/Reprogramming		0		0		0		0
Subtract - Recoveries/Refunds		-85,794		-70,000		-70,000		0
Add - Unobligated End-of-Year, Available		657,129		634,060		646,116		12,056
Add - Unobligated End-of-Year, Expiring		0		0		0		0
Total Direct Requirements	0	4,034,744	0	1,508,000	0	1,508,000	0	0
Reimbursable FTE								
Full-Time Permanent	23	14,107	23	12,000	23	12,000	0	
23.1 Rental Payments to GSA (Reimbursable)		0		0		0		0
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)		0		0		0		0

*The 2013 Availability includes the 0.612% funding provided by the Continuing Appropriations Resolution, 2013 (P.L. 112-175, Section 101 (c)).

** Total Personnel Salaries (11.x) and Personnel Benefits (12.0) includes additional reimbursable FTE not reflected on this exhibit.