

Department of Justice Criminal Division



**FY 2015 President's Budget &
Performance Submission**

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I. Overview for Criminal Division

A. FY 2015 Budget Summary

The Criminal Division requests a total of 927 permanent positions, 765 direct Full-Time Equivalent work years (FTE), and \$202,487,000 in its Salaries and Expenses appropriation for Fiscal Year (FY) 2015 . The Division’s request will maintain the current level of services while providing funding for necessary resources to reform the Mutual Legal Assistance Treaty (MLAT) process, combat the growing and evolving cyber threat as well as the increasing threat of transnational intellectual property crime.

The President’s 2015 Budget includes an Opportunity, Growth, and Security Initiative (OGSI) that supports the Department’s responsibility to enforce laws and defend the interests of the United States. The OGSI would provide additional resources to improve the Department’s capacity for financial fraud law enforcement, including hiring additional criminal prosecutors, civil litigators, in-house investigators, and forensic accountants.

Electronic copies of the Department of Justice’s Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

B. Criminal Division Mission & Program Activities

The Criminal Division’s mission is to develop, enforce, and supervise the application of all federal criminal laws, except those specifically assigned to other divisions. Furthermore, the Division must identify and respond to critical and emerging national and international criminal threats and lead the enforcement, regulatory, and intelligence communities in a coordinated nationwide response to reduce those threats.

The events of September 11, 2001, highlighted the need for increased nationwide coordination and information sharing. The Division serves a critical role in coordinating among the Department’s criminal law components, including the U.S. Attorneys’ Offices. As a “headquarters” office, the Division also serves as the central point of contact for foreign countries seeking law enforcement assistance. No other organization within the Department or the U.S. Government is equipped to fulfill this role – one that is more critical than ever considering the continually increasing globalization and sophistication of crime.

The Division engages in several program activities to achieve its mission: (1) investigating and prosecuting, (2) providing expert guidance and advice, (3) reviewing the use of law enforcement tools, and (4) fostering global partnerships. Every day, the Criminal Division performs these functions at the forefront of federal criminal law enforcement.

(1) Investigating and Prosecuting

- Investigating and prosecuting the most significant cases and matters
- Coordinating a wide range of criminal investigations and prosecutions that span multiple

jurisdictions and involve multiple law enforcement partners

With its investigation and prosecution activities, the Division strives to support its mission by investigating and prosecuting aggressively, but responsibly. By providing both national perspective and leadership, the Division undertakes complex cases and ensures a consistent and coordinated approach to the nation's law enforcement priorities, both domestically and internationally. The Division has a "birds-eye" view of white collar crime, public corruption, organized crime, narcotics, violent crime, and other criminal activities, and consequently is uniquely able to ensure that crimes that occur across borders do not go undetected or ignored.

(2) Providing Expert Guidance and Advice

- Developing and supporting effective crime reduction strategies and programs
- Driving policy, legislative, and regulatory reforms
- Providing expert counsel and training in criminal enforcement matters to state, local, federal enforcement partners

The Criminal Division serves as the strategic hub of legal and enforcement experience, expertise, and strategy in the fight against national and international criminal threats. Consequently, its expert guidance and advice activities are crucial to the successful application of criminal law throughout the country. The Division leads the national effort to address emerging criminal trends, including the increasingly international scope of criminal activity. The guidance provided to U.S. Attorneys' Offices and other federal law enforcement partners ensures the uniform application of the law and furthers the Department of Justice's mission to ensure justice.

(3) Reviewing the Use of Law Enforcement Tools

- Approving and overseeing the use of the most sophisticated investigative tools in the federal arsenal

The Division serves as the Department's "nerve center" for many critical operational matters. It is the Division's responsibility to ensure that investigators are effectively and appropriately using available sensitive law enforcement tools. These tools include Title III wiretaps, electronic evidence-gathering authorities, correspondent banking subpoenas, and the Witness Security Program, to name a few. In the international arena, the Division manages the Department's relations with foreign counterparts and coordinates all prisoner transfers, extraditions, and mutual legal assistance requests. Lastly, the Division handles numerous requests for approval from the field to use sensitive law enforcement techniques in conjunction with particular criminal statutes. For example, the Division reviews every racketeering indictment that is brought across the nation. In these ways, the Division serves a critical and unique role.

(4) Fostering Global Partnerships

- Helping international law enforcement partners build capacity to prosecute and investigate crime within their borders by providing training and assistance
- Negotiating Mutual Legal Assistance Treaties with international parties to enhance

cooperative efforts with international parties

The Division reaches out to its international partners to ensure the safety of Americans at home and abroad. Posts in ten countries are maintained to foster relationships and participate in operations with international law enforcement and prosecutors. The Division also has personnel in developing democracies across the globe, providing assistance to foreign governments in developing and maintaining viable criminal justice institutions for the purpose of sustaining democracy and promoting greater cooperation in transnational criminal matters and the capacity to provide modern professional law enforcement services based on democratic principles and respect for human rights.

C. The Criminal Division’s Strategic Priorities

The Criminal Division leverages its substantial expertise in a broad array of federal criminal subject matters to help the Department achieve all three Strategic Goals: (1) Prevent Terrorism and Promote the Nation’s Security Consistent with the Rule of Law, (2) : Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law; and (3) Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels (see table below).

Department of Justice’s Strategic Plan	
Goal One: Prevent Terrorism and Promote the Nation’s Security Consistent with the Rule of Law	1.1 Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve a coordinated response to terrorist threats
	1.2 Prosecute those involved in terrorist acts
	1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors
Goal Two: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law	2.1 Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers
	2.2 Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America’s crime victims
	2.3 Disrupt and dismantle major drug trafficking organizations to combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs
	2.4 Investigate and prosecute corruption, economic crimes, and transnational organized crime
	2.5 Promote and protect American civil rights by preventing and prosecuting discriminatory practices

Goal Three: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels	3.1 Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs
	3.6 Prevent and respond to genocide and mass atrocities and ensure that perpetrators of such crimes are held accountable in the United States, and if appropriate, their home countries

In working to achieve these goals, the Division has identified the following key strategic outcomes to address the country’s most critical justice priorities:

- Ensuring **trust and confidence in government institutions** by reducing public corruption at every level of government;
- Ensuring the **stability and security of domestic and global markets**, as well as the integrity of government programs, by reducing fraud, money laundering, and other economic crimes;
- **Disrupting and dismantling criminal organizations and networks that act across state and national boundaries** and that threaten our country through violence, drug trafficking, and computer crime;
- **Protecting our children** from exploitation and **vindicating human rights** wherever possible;
- **Promoting the Rule of Law** around the world; and
- **Supporting national security** and crime-fighting efforts across federal, state, and local governments.

Examples of how the Division’s program activities contribute to achieving its strategic outcomes are provided in the following table:

Key Strategic Priority	Prosecuting & Investigating Activities	Expert Guidance & Advice Activities	Law Enforcement Tool Review Activities	Global Partnership Activities
Ensuring Trust & Confidence in Government Institutions	<ul style="list-style-type: none"> ▪ Prosecuting cases aimed at deterring corruption among elected and other government officials ▪ Supporting United States Attorneys’ Offices (USAOs) by prosecuting cases from which USAOs are recused 	<ul style="list-style-type: none"> ▪ Providing assistance and guidance to USAOs in sensitive cases ▪ Ensuring election crime matters are handled uniformly and fairly 	<ul style="list-style-type: none"> ▪ Using asset forfeiture tools to seize ill-gotten proceeds of crime ▪ Providing oversight to sensitive operations ▪ Utilizing electronic surveillance in sensitive investigations of government officials 	<ul style="list-style-type: none"> ▪ Training foreign countries in anti-corruption strategies ▪ Supporting investigations focused on deterring the corruption of foreign officials
Ensuring the Stability & Security of Domestic & Global Markets	<ul style="list-style-type: none"> ▪ Vigorously prosecuting those who attempt to defraud tax-payers ▪ Conducting sensitive and complex investigations of corrupt corporations operating inside and outside the United States 	<ul style="list-style-type: none"> ▪ Training thousands of foreign officials on intellectual property crimes ▪ Developing national strategies to combat procurement and Medicare fraud 	<ul style="list-style-type: none"> ▪ Developing regulations to address ways to better detect procurement fraud ▪ Providing oversight to ensure fair application of powerful law enforcement tools 	<ul style="list-style-type: none"> ▪ Establishing international working groups to combat money laundering ▪ Creating working relationships with traditionally closed countries

Key Strategic Priority	Prosecuting & Investigating Activities	Expert Guidance & Advice Activities	Law Enforcement Tool Review Activities	Global Partnership Activities
Disrupting & Dismantling Criminal Organizations	<ul style="list-style-type: none"> ▪ Prosecuting wide-ranging criminal organizations using racketeering and other powerful criminal statutes ▪ Coordinating transnational operations relating to violent gangs 	<ul style="list-style-type: none"> ▪ Training USAOs on effectively using the law to prosecute gangs ▪ Creating a coordinated global approach to dismantle drug trafficking organizations 	<ul style="list-style-type: none"> ▪ Providing oversight for the use of electronic surveillance in violent crime and organized crime cases ▪ Assisting in the protection of witnesses 	<ul style="list-style-type: none"> ▪ Improving relations with law enforcement in various countries where gang leaders reside ▪ Implementing the International Organized Crime Strategy
Protecting Children & Vindicating Human Rights	<ul style="list-style-type: none"> ▪ Prosecuting high-profile and dangerous child predators ▪ Investigating potential war criminal harboring illegally in the U.S. 	<ul style="list-style-type: none"> ▪ Training Project Safe Childhood (PSC) field units in prosecution techniques ▪ Advising foreign counterparts on conducting complex investigations 	<ul style="list-style-type: none"> ▪ Overseeing a high-tech lab to assist law enforcement in gathering critical evidence in child exploitation cases ▪ Developing strategies to effectively capture digital evidence 	<ul style="list-style-type: none"> ▪ Working to form international strategies to combat child sexual exploitation ▪ Prosecuting U.S. government agents who have violated human rights while in other countries
Promoting the Rule of Law Internationally	<ul style="list-style-type: none"> ▪ Coordination of bi-lateral investigations ▪ Seeking the extradition of criminal defendants who have fled overseas 	<ul style="list-style-type: none"> ▪ Assisting foreign countries in the development of laws and legal procedures ▪ Training of our foreign counterparts 	<ul style="list-style-type: none"> ▪ Obtaining evidence from or for foreign countries ▪ Supporting trans-national investigations 	<ul style="list-style-type: none"> ▪ Providing direct technical assistance on case-specific matters ▪ Participating in international policy groups

Key Strategic Priority	Prosecuting & Investigating Activities	Expert Guidance & Advice Activities	Law Enforcement Tool Review Activities	Global Partnership Activities
Supporting National Security	<ul style="list-style-type: none"> ▪ Prosecuting cases focused on deterring corruption of foreign officials ▪ Supporting investigations aimed at limiting terrorist mobility 	<ul style="list-style-type: none"> ▪ Participating in government-wide anti-terrorism strategy groups ▪ Providing expert guidance on freezing terrorist assets 	<ul style="list-style-type: none"> ▪ Negotiating Mutual Legal Assistance Treaties to obtain foreign evidence ▪ Securing extradition of terrorist suspects 	<ul style="list-style-type: none"> ▪ Strengthening counter-terrorism ability of foreign counterparts ▪ Working with other countries to disrupt terrorist travel networks

D. Challenges to Achieving Outcomes

Many factors, both external and internal, impact the Criminal Division's capacity to accomplish its goals. While some of these factors are beyond its control, the Division strives to navigate these obstacles successfully and to minimize the negative impact that these factors have on the Division's critical mission.

External Challenges

1. Globalization of Crime: The increasing globalization of crime and the emergence of transnational threats will continue to bring new challenges to law enforcement, both at home and abroad. In its commitment to combat transnational threats, the Criminal Division continues to serve as the Department's "global headquarters," effectively developing criminal policies and legislation, while monitoring both national and transnational criminal trends. As important, the Division is the central clearinghouse for all requests by foreign countries for evidence of crimes that may be in the United States and for all requests by U.S. law enforcement authorities for evidence of crimes that may reside abroad. The Division has the breadth of experience and the unique capability to build essential global partnerships to successfully combat transnational crimes, but requires critical resources to keep pace with the increasing demand for its services.
2. Advances in Technology: New technologies have generated cutting-edge methods for committing crimes, such as use of the Internet to commit identity theft and use of peer-to-peer software programs to share large volumes of child pornography in real-time. These technologies continue to pose many challenges to law enforcement agents and prosecutors alike. It is the Division's job to keep pace with these cutting-edge methods of technology and provide training and assistance to other prosecutors and investigators.
3. Weak International Rule of Law: Some countries lack effective policies, laws, and judicial systems to investigate and prosecute criminals in their countries. These weaknesses create obstacles for the Division, as it tries to bring criminals to justice and seize their ill-gotten profits.
4. Increasing Statutory Responsibilities in a Challenging Fiscal Environment: New legislation that increases the Division's responsibilities has placed additional demands on the Division's resources. This includes the steady increase in the number of mandatory reporting requirements to which the Division must respond.

Internal Challenges

The Criminal Division faces a number of internal challenges due to growing demands. These challenges include the following:

1. Automated Litigation Support: Cases and matters the Division prosecutes and investigates are complicated and complex and require a massive amount of data to be processed and stored.
2. Information and Network Security: To stay one step ahead of criminals, the Division needs to acquire the most advanced IT equipment and software available. Additionally, it must ensure that it is invulnerable to cyber attacks or computer intrusions.

E. Budget & Performance Integration

This budget demonstrates how the Criminal Division's resources directly support the achievement of the Department's strategic goals and priorities – both nationally and internationally.

The Division reports as a single decision unit; therefore, its resources are presented in this budget as a whole. Total costs represent both direct and indirect costs, including administrative functions and systems. The performance/resources table in Section IV of this budget provides further detail on the Division's performance-based budget.

F. Environmental Accountability

The Criminal Division has taken significant steps to integrate environmental accountability into its daily operations and decision-making process:

- The Division has initiated (paperless) electronic transmittal of all service work requests and internal administrative services, which saves paper and reduces its carbon footprint.
- The Division has completed the balancing of the water system to conserve and provide more efficient use of its supplemental air conditioning units.
- The Division is continuing to work with building management to install occupancy sensors in all offices in the Bond building to save energy. New light fixtures will also be installed to satisfy energy saving requirements. These fixtures provide low watts per square foot with energy saving ballast and controls.
- The Division continues to take steps to improve the recycling and environmental awareness programs within the Division. The Division has a comprehensive recycling program that includes the (1) distribution of individual recycling containers to every federal and contract employee, (2) inclusion of recycling flyers in all new employee orientation packages, (3) publication of energy and recycling articles in the Division's Security and Operations Support newsletter, and (4) creation of a recycling section on the Division's Intranet site. The Division is in ongoing discussions with two of its leased buildings to use "Single Stream" recycling which would enhance the Division's program overall by removing the requirement for tenants to separate recyclables.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
MLAT Reform	The requested positions and resources would allow the Division to implement the four elements—(1) Centralization, (2) Training and Outreach, (3) Reducing the Backlog, and (4) Technology—as the Department has defined to address the MLAT issues.	141	71	\$19,566	18
Cyber Security	This request would allow the Criminal Division to combat the growing and evolving cyber threat. The additional resources will increase the Division’s capability in four key areas: cybercrime investigations and prosecutions; advice and advocating legal tools and authorities; international cooperation and outreach; and forensic support.	25	14	\$2,580	28
Intellectual Property	This request would help the Criminal Division to better combat the increasing threat of transnational intellectual property crime. The additional resources will be used to place two DOJ Attachés overseas that will serve as regional International Computer Hacking and Intellectual Property coordinators (ICHIPs). A portion of this enhancement also be used to increase the capacity of the Division’s domestic IP program to provide critical support to the ICHIP/Attachés and ensure the coordinated use of ICHIP resources overseas.	11	6	\$2,205	36

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

No changes to appropriations language.

IV. Program Activity Justification

A. Enforcing Federal Criminal Laws

<i>Enforcing Federal Criminal Laws</i>	Direct Pos.	Estimate FTE	Amount (000)
2013 Enacted with Rescissions and Sequestration	751	669	\$164,792
2014 Enacted	750	674	\$174,189
Adjustments to Base and Technical Adjustments	0	0	\$3,947
2015 Current Services	750	674	\$178,136
2015 Program Increases	177	91	\$24,351
2015 Program Offsets	0	0	\$0
2015 Request	927	765	\$202,487
Total Change 2014-2015	177	91	\$28,298

1. Program Description

The mission of the Criminal Division is to develop, enforce, and supervise the application of all federal criminal laws, except those specifically assigned to other divisions. The Criminal Division is situated at headquarters to work in partnership with both domestic and international law enforcement. While U.S. Attorneys and state and local prosecutors serve a specific jurisdiction, the Criminal Division addresses the need for centralized coordination, prosecution, and oversight.

The Division complements the work of its foreign and domestic law enforcement partners by centrally housing subject matter experts in all areas of federal criminal law, as reflected by the 16 Sections and Offices that make up the Division's Decision Unit "Enforcing Federal Criminal Laws:"

- Appellate Section;
- Asset Forfeiture and Money Laundering Section;
- Capital Case Section;
- Child Exploitation and Obscenity Section;
- Computer Crime and Intellectual Property Section;
- Human Rights and Special Prosecutions Section;
- International Criminal Investigative Training Assistance Program;
- Narcotic and Dangerous Drug Section;
- Office of Administration;
- Office of the Assistant Attorney General;
- Office of Enforcement Operations;
- Office of International Affairs;
- Office of Overseas Prosecutorial Development, Assistance and Training;
- Office of Policy and Legislation;
- Organized Crime and Gang Section; and
- Public Integrity Section.

The concentration of formidable expertise in a broad range of critical subject areas strengthens and shapes the Department's efforts in bringing a broad perspective to areas of national and transnational criminal enforcement and prevention. To capture this range of expertise, the

Division's Performance and Resource Table is organized into three functional categories: prosecutions and investigations; expert guidance and legal advice; and the review of critical law enforcement tools. In addition, the chart shows the Division support of the Department's Strategic Goals and Objectives.

2. Performance and Resource Tables

PERFORMANCE AND RESOURCES TABLE												
Decision Unit: Enforcing Federal Criminal Law												
RESOURCES			Target		Actual		Projected		Changes		Requested (Total)	
			FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
Total Costs and FTE (reimbursable FTE are included)			FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
			954	\$164,792	954	\$163,629	971	\$174,189	91	\$28,298	1,062	\$202,487
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request	
			FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Program Activity	1.2, 1.4, 2.1, 2.2, 2.3, 2.4, 2.5, 3.6	1. Prosecutions and Investigations	458	\$79,100	458	\$78,542	466	\$83,611	10	\$2,002	476	\$85,613
Workload		Cases Closed	322		447		378		8		386	
Workload		Cases Pending	1,287		1,119		1,171		44		1,215	
Workload		Appellate Work - Opened	3,207		3,356		3,207		64		3,271	
Workload		Appellate Work - Closed	3,198		3,196		3,198		64		3,262	
Workload		Appellate Work Pending	2,833		3,079		3,088		9		3,097	
Workload		Matters Opened	901		1,025		932		19		951	
Workload		Matters Closed	890		1,303		994		20		1,014	
Workload		Matters Pending	1,718		1,427		1,365		-63		1,302	

PERFORMANCE AND RESOURCES TABLE

Decision Unit: Enforcing Federal Criminal Law

RESOURCES		Target		Actual		Projected		Changes		Requested (Total)		
		FY 2013		FY 2013		FY 2014		Current Services Adjustments and FY 2015 Program Changes		FY 2015 Request		
Program Activity	1.1, 1.2, 1.4, 2.1, 2.2, 2.3, 2.4, 2.5, 3.1, 3.6	2. Expert Guidance and Legal Advice	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
			353	\$60,973	353	\$60,543	359	\$64,450	8	\$1,908	367	\$66,358
Workload		Number of Legislative and Policy Analysis matters Completed	5,299		6,493		5,389		162		5,551	
Workload		Number of Programmatic Coordination Activities	7,071		11,892		11,200		336		11,536	
Workload		Number of Legal Advisory Matters Completed	29,959		42,986		34,106		1,023		35,129	
Workload		Number of Training Sessions/Presentations	3,395		5,133		3,541		106		3,647	
Program Activity	1.1, 1.2, 1.4, 2.1, 2.2, 2.3, 2.4, 2.5, 3.1, 3.6	3. Law Enforcement Tools	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
			143	\$24,719	143	\$24,544	146	\$26,128	73	\$20,440	219	\$46,568
Workload		Number of Mandatory Reviews Completed	21,232		26,977		20,888		2,000		22,888	
Performance Measure: Outcome		Favorably Resolved Criminal Cases	90%		97%		90%				90%	
Performance Measure: Outcome		Favorable Resolved Civil Cases	80%		100%		80%				80%	

Data Definition, Validation, Verification, and Limitations: Definitions: Prosecutions and Investigations: This program activity includes cases or investigatory matters in which the Criminal

Division has sole or shared responsibility. The case breakouts include cases from the following Sections/Offices: Fraud Section, Public Integrity Section, Computer Crimes and Intellectual Property Section, Child Exploitation and Obscenity Section, Organized Crime and Gang Section, Narcotic and Dangerous Drug Section, Asset Forfeiture and Money Laundering Section, Human Rights and Special Prosecutions Section, and Capital Case Section. Appeals: Appellate Section. Expert Guidance & Legal Advice: This program activity includes oral and written advice and training to federal, state, local, and foreign law enforcement officials; coordination and support of investigations, prosecutions, and programs at the national, international and multi-district levels; and oral and written analysis of legislation and policy issues, development of legislative proposals, advice and briefing to Departmental and external policy makers, and participation in inter-agency policy coordination and discussions. Law Enforcement Tools: This program activity includes the work the Division does in specific areas of criminal law in reviewing and approving the use of law enforcement tools throughout the law enforcement community. Validation: In FY 2002, the Division initiated a multi-phased workload tracking improvement initiative. To date, improvements include definition and policy clarifications, uniform guidance and reporting, case tracking database improvements for end user benefit, and a regular data validation process to ensure system integrity.

PERFORMANCE MEASURE TABLE										
Decision Unit: Enforcing Federal Criminal Laws										
Strategic Objective	Performance Report and Performance Plan Targets		FY 2009	FY 2010	FY 2011	FY 2012	FY 2013		FY 2014	FY 2015
			Actual	Actual	Actual	Actual	Target	Actual	Target	Target
1.1, 1.2, 1.4, 2.1, 2.2, 2.3, 2.4, 2.5, 3.1, 3.6	OUTPUT Measure	Number of Legislative and Policy Analysis Matters Completed	6,683	6,524	7,458	5,875	5,299	6,493	5,389	5,551
	OUTPUT Measure	Number of Programmatic Coordination Activities	2,428	3,509	4,492	5,226	7,071	11,892	11,200	11,536
	OUTPUT Measure	Number of Legal Advisory Matters	16,573	19,039	24,438	39,726		42,986	34,106	35,129
	OUTPUT Measure	Number of Training Sessions/Presentations	2,194	2,767	3,612	3,845	3,395	5,133	3,541	3,647
	OUTPUT Measure	Number of Mandatory Reviews Completed	22,696	46,125	19,237	19,090	21,232	26,977	20,888	2,888
	OUTCOME Measure	Favorably resolve criminal cases	97%	90%	96%	93%	90%	97%	90%	90%
	OUTCOME Measure	Favorably resolve civil cases	100%	100%	100%	N/A	80%	100%	80%	80%
N/A = Data unavailable										

2. Performance, Resources, and Strategies

a. Performance Plan and Report for Outcomes

Outcome Measure

The Department's long-term outcome goal for the litigating divisions, including the Criminal Division, is the percentage of criminal and civil cases favorably resolved during the Fiscal Year. The goals are 90 percent (criminal) and 80 percent (civil). The Division has consistently met or exceeded the goals. In FY 2013, the Division met both outcome goals and is on track to meet both of them in FY 2014.

Prosecutions and Investigations Workload

The Division leads complex investigations and tries significant prosecutions. Many of these cases are of national significance, require international coordination, have precedent-setting implications, and involve the coordination of cross-jurisdictional investigations. With the requested enhancements in FY 2015, the Division will be able to increase its handling of critical cases by 3%.

Other Critical Division Workload

In addition to investigating and prosecuting criminal cases, the Division plays a central role in the Department's mission by reviewing the use of critical law enforcement tools, including the approval of all requests for wiretapping under Title III. The Division also provides expert guidance and legal advice on significant legislative proposals, analyzes Department-wide and government-wide law enforcement policy, conducts training for the field, and engages in programmatic coordination.

The Division has seen consistent growth in this area over the past FYs. With the requested enhancements in FY 2015, the Division would be able to more effectively handle this growth. The MLAT Reform enhancement will revolutionize the way the Division manages and responds to requests and performance in this area will be effected. The requested resources will reduce response time and the substantial backlog of requests.

b. Strategies to Accomplish Outcomes

The Criminal Division's mission is to develop, enforce, and exercise general oversight for all federal criminal laws. In fulfilling this mission, the Division plays a central role in assisting the Department in accomplishing its Strategic Goals and Objectives. The Division contributes to work in ten of the Department's eighteen strategic objectives. The performance measures and outcome measures, reported in the budget, measure performance in a combination of strategic objectives covering the entire breadth of the Division's work.

c. Priority Goals

The Criminal Division contributes to two priority goals:

Financial Fraud/Healthcare Fraud: Protect the American people from financial and healthcare fraud: In order to efficiently and effectively address financial fraud and healthcare fraud, by September 30, 2015, reduce by 3 percent the number of financial and healthcare fraud investigations pending longer than 2 years.

Vulnerable People: Protect vulnerable populations by increasing the number of investigations and litigation matters concerning child exploitation, human trafficking, and non-compliant sex offenders; and by improving programs to prevent victimization, identify victims, and provide services. By September 30, 2015, working with federal, state, local, and tribal partners, protect potential victims from abuse and exploitation through three sets of key indicators:

- Open investigations concerning non-compliant sex offenders (4% over average of FYs 2012, 2013), sexual exploitation of children (3% over average of FYs 2011, 2012, 2013), and human trafficking (2% over FY 2013)
- Open litigation matters concerning sexual exploitation of children and human trafficking (5% increase over baseline)
- Percent of children recovered within 72 hours of issuance of an AMBER alert (90%)

The Division's progress regarding these two goals is reported quarterly to the Department.

V. Program Increases by Item

Item Name: **Mutal Legal Assistance Treaty (MLAT) Reform**

Strategic Goal:

<p>Goal One: Prevent Terrorism and Promote the Nation’s Security Consistent with the Rule of Law</p>	1.1 Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve a coordinated response to terrorist threats
	1.2 Prosecute those involved in terrorist acts
	1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors
<p>Goal Two: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law</p>	2.1 Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers
	2.2 Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America’s crime victims
	2.3 Disrupt and dismantle major drug trafficking organizations to combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs
	2.4 Investigate and prosecute corruption, economic crimes, and transnational organized crime
	2.5 Promote and protect American civil rights by preventing and prosecuting discriminatory practices
<p>Goal Three: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at eh Federal, State, Local, Tribal and International Levels</p>	3.1 Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs
	3.6 Prevent and respond to genocide and mass atrocities and ensure that perpetrators of such crimes are held accountable in the United States, and if appropriate, their home countries

Budget Decision Unit(s): Enforcing Federal Criminal Law

Organizational Program: Criminal Division

Program Increase: Positions 141 Atty 77 FTE 71 Dollars \$19,566,000

Description of Item

In order to protect our national security, it is essential that we transform the manner in which we conduct international mutual legal assistance in criminal and counterterrorism matters. Without such a transformation, our international law enforcement relationships, our internet service providers (ISPs), and the multi-stakeholder model of internet governance are all at risk.

The President's National Security Strategy recognizes the centrality of international mutual cooperation in criminal justice and counterterrorism matters. The Strategy calls for our law enforcement agencies to "cooperate effectively with foreign governments" in order to "provide safety and security," and in particular states that the U.S. will "strengthen our international partnerships" to counter cybersecurity threats. To this end, President Obama has called upon our allies and partners to "join in building a new framework for international cooperation to protect all our citizens from the violence, harm, and exploitation wrought by transnational organized crime."

Thanks to far-sighted legislation signed into law by President Obama in 2009, we now have the opportunity to build such a "new framework for international cooperation." That legislation (18 U.S.C. 3512) would permit the Criminal Division's Office of International Affairs (OIA) – which, under our Treaties, is the Central Authority for the entire United States – to itself execute foreign requests for assistance in criminal and counterterrorism cases, rather than having to rely upon local U.S. Attorneys' Offices to do so.

This is not simply a "streamlining": it is a paradigm shift that will allow us to address a critical vulnerability in our national security – our difficulty in responding in a timely manner to foreign requests for assistance, particularly in cases involving Internet Service Provider (ISP) records. We have seen a dramatic growth in mutual legal assistance requests in general, and for ISP records in particular – and resources for OIA have fallen far behind.

Our difficulty in responding to foreign requests promptly not only jeopardizes the effectiveness of U.S. law enforcement – it also compromises our diplomatic efforts, our push for the multi-stakeholder model of Internet governance, our national security interests, and the competitiveness of U.S. companies overseas. Particularly with regard to ISP records, our delay in response has increased: foreign calls for moving or mirroring U.S. ISP data storage overseas; foreign demands that U.S. ISPs produce information directly in response to foreign orders; and foreign proposals that U.S. ISPs be subjected to national or multilateral data protection regimes. These proposals place U.S. companies in difficult or impossible positions, threaten our own cybersecurity, and risk balkanizing the Internet. The problem has only become more acute since the Snowden disclosures.

But we can reverse this dynamic, and instead build the "new framework for international cooperation" envisaged by the President's National Security Strategy, if OIA is provided with the resources necessary to implement the legislation that President Obama signed into law. The payoff would be dramatic. We would at once undercut key arguments for "decentralizing" the internet or negotiating a new UN Cybercrime Convention – arguments that have only gained force following Snowden's disclosures – while also providing a powerful demonstration that effective cooperation is possible under the Budapest Cybercrime Convention. We would make our nation safer, both by ensuring that foreign authorities have the evidence to prosecute crime and terrorism before it reaches our shores, and by leading to greater reciprocal cooperation in our

own cases. And we could take leadership in transforming Central Authorities worldwide – and in so doing, help fulfill the President’s National Security Strategy.

To achieve these goals, the Division is requesting an increase of **141 positions (77 attorneys), 71 FTE, and \$19,566,000.**

Support of the Department’s Strategic Goals

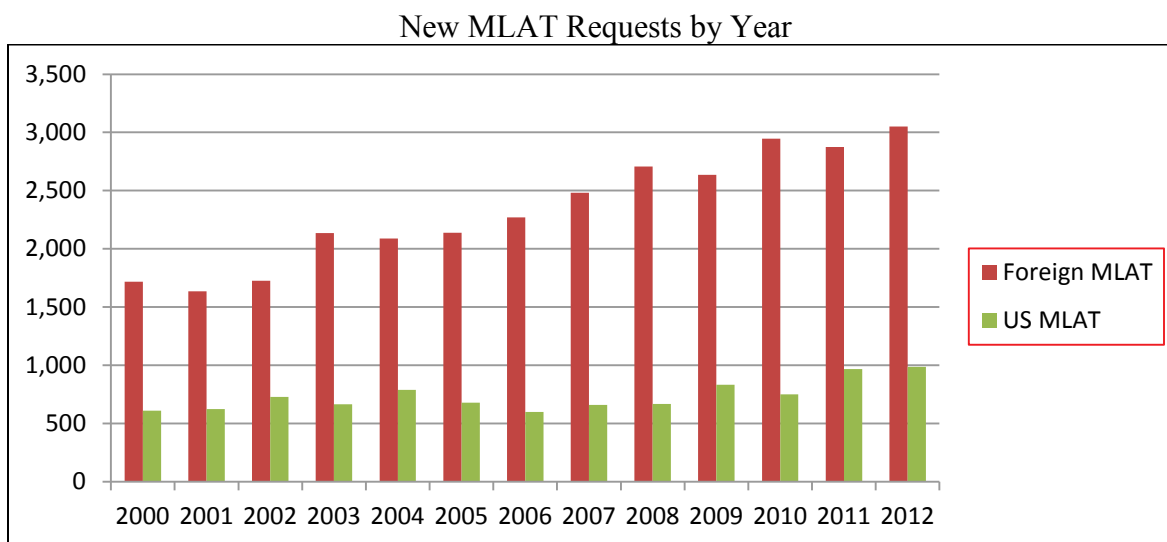
As MLAT can apply to all types of crime, this request supports all three of the Department’s strategic goals and many of its objectives. As shown above, this is a complex process that has many issues and huge international consequences. The increase will improve efficiency and effectiveness of the process and the program.

Justification

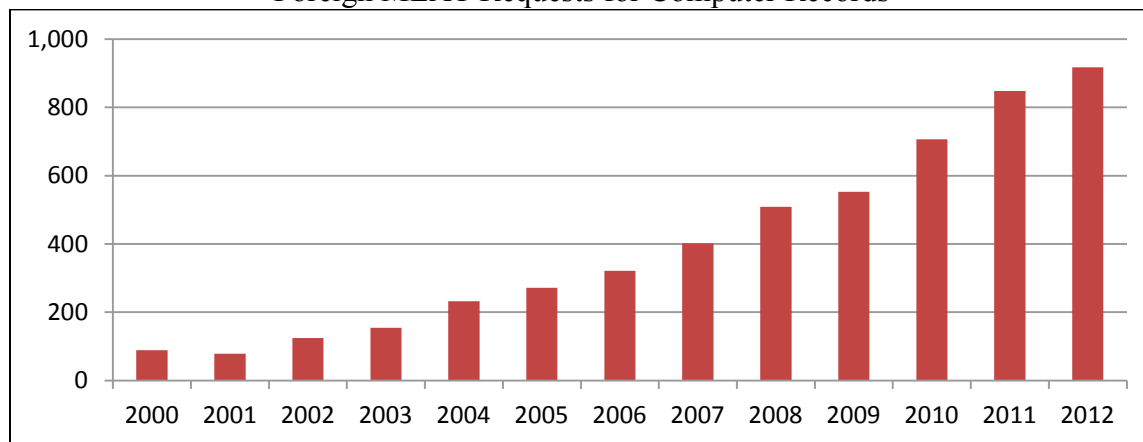
The U.S. and foreign law enforcement authorities often share information through informal channels. However, they make formal requests to each other for evidence in criminal cases through a process referred to as “mutual legal assistance.” These formal written requests, made often through our Mutual Legal Assistance Treaties (MLATs), generally are used (1) if a court order is needed to obtain the evidence; (2) to meet formalities to assure the evidence is admissible; and/or (3) where use of the MLAT process is dictated by the domestic law of one of the two countries (generally not the case under U.S. law).

Increasing Workload Shouldered by Decreasing Personnel

In the past decade, the number of requests for assistance from foreign authorities handled by OIA has increased nearly 60%, and the number of requests for computer records has increased ten-fold.



Foreign MLAT Requests for Computer Records



As illustrated above, the growth of foreign requests for computer records far outpaces that for MLATs generally. However, it is not only the increased number of cases, but also the very high legal standards for obtaining ISP records, and particularly for the content of communications, that make the process difficult and time consuming. When content is sought, the legal standard rises to probable cause, making it especially difficult for foreign partners to meet without significant assistance from OIA and U.S. law enforcement agents stationed abroad.

In fiscal year 2012, OIA opened approximately 3,000 foreign requests for assistance. That same year, OIA granted assistance in whole or in part, in approximately 1,900 cases, that is, 59% of the requests were successfully fulfilled. Of those 3,000 requests nearly 1,000 were for ISP records, and of those, 52% were successfully fulfilled.

While its workload has dramatically increased, OIA has seen minimal changes in its staffing resources, and in fact has decreased in size since FY 2011, much like the rest of the Department. Since December 2011, OIA has lost 11 of its 56 attorneys to retirement, other assignments within the Department, and private sector jobs, a decrease of 18 percent at a time when requests are growing by double-digits. Those attorneys have not been replaced due to resource limitations.

Moreover, it should be borne in mind that OIA's work with foreign MLATs is only one of several of its unique, and largely non-discretionary functions, including preparing U.S. requests for extradition of foreign fugitives and working with foreign authorities to secure the fugitive's surrender; preparing all U.S. requests for foreign evidence and witnesses; and, negotiating of all extradition treaties and MLATs with the Department of State; formulating international criminal justice policy. There are more than 1,000 fugitive requests alone every year.

Limited Technology

The case management system currently in use for managing all of OIA's case work has not seen a significant upgrade since its implementation in 1999. As a result, there is a lack of transparency for OIA to see the progress of each request at each iterative step, e.g., receipt, conclusion of review by OIA, receipt by USAO, court order date, date evidence received, etc. More importantly, no public-facing system or website is available for state and local partners or a foreign government to monitor the status of its requests, a significant source of frustration for our foreign partners. Therefore, creating a secure, external website with information available to

state and local counterparts as well as foreign authorities would reduce time and resources spent in communicating basic information, providing guidance, and transmitting exemplars and templates. It would also be a significant step toward transparency in the process.

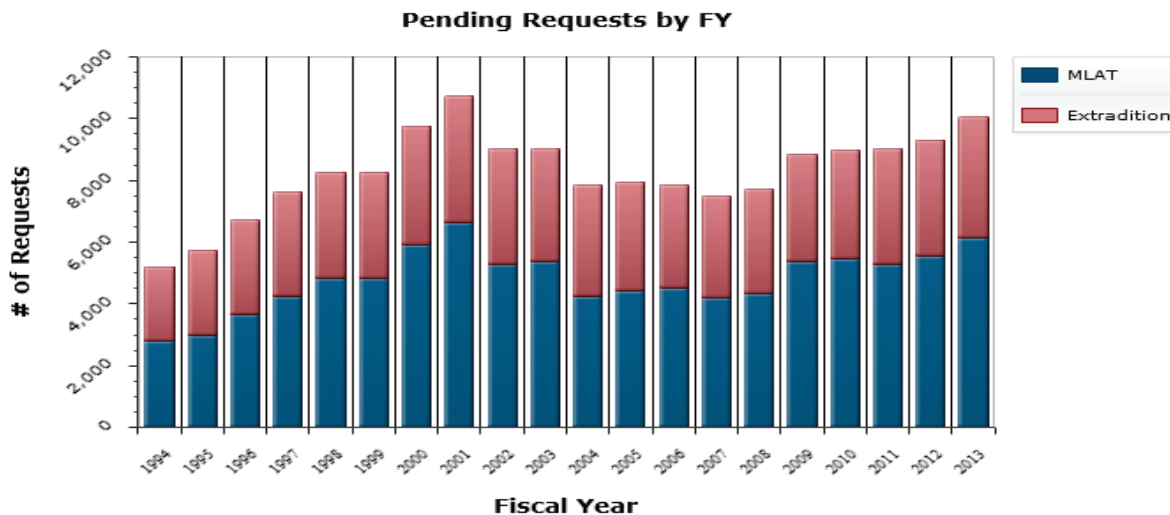
Structural Impediments

Currently, OIA must rely on U.S. Attorneys' Offices to execute foreign requests for assistance that require court orders. This is not ideal because USAOs must necessarily give priority to investigating and prosecuting offenses against the U.S., and thus, Assistant U.S. Attorneys must defer execution of foreign MLATs while they address more pressing U.S. cases. Moreover, the current model results in duplication of effort by OIA and the U.S. Attorneys' Offices. All matters must be and are reviewed by OIA for legal sufficiency and consistency with DOJ and USG policy; all matters that are referred to the U.S. Attorney's Offices for execution are also reviewed for legal sufficiency by the AUSAs responsible for securing the necessary court orders. Currently, OIA has approximately 4,500 pending foreign MLAT requests and of those, approximately 1,500-2,000 are pending execution with U.S. Attorneys' Offices and U.S. law enforcement agencies.

To respond to the mounting evidence of the inefficiencies of this antiquated, decentralized system, President Obama signed into law the *Foreign Evidence Request Efficiency Act of 2009*, codified at Title 18 United States Code § 3512 (Section 3512). Among other things, this act was intended to implement efficiencies and create flexibility in the execution of foreign assistance requests. It allows OIA to respond directly, without burdening the U.S. Attorney's Offices, by creating venue in the District of Columbia for court orders to compel the production of evidence sought by foreign authorities. Through this legislation, the Obama Administration has made possible a paradigm shift in how mutual legal assistance requests are dealt with by the USG; but to actualize this shift, OIA requires additional legal and professional personnel to undertake work currently performed by USAOs.

Between FYs 2002 and 2008, OIA managed its steadily increasing volume of work without additional resources, through the efficient use of paralegals and improved case management practices. However, in FY 2009, OIA reached its saturation point and its backlog began to increase steadily as a result. In FY 2013, OIA's backlog reached more than 10,000 cases for the first time since FY 2001. The chart below illustrates this story.

The total case figure includes approximately 5,400 requests from U.S. prosecutors directed to foreign countries for the return of fugitives and production of evidence and approximately 5,300 requests for fugitives and evidence received from foreign counterparts. Foreign requests for evidence make up the largest number of pending cases at OIA. Currently, OIA has approximately 4,500 pending foreign requests for evidence. Of that figure approximately 1,000 are for computer records.



Based on historical experience and a qualitative review of OIA’s existing teams, customers, and process, it has been determined that between 120 and 150 cases would be a manageable caseload per OIA attorney under the current model, where AUSAs are still responsible for court filings and appearances. Unfortunately, OIA case attorneys carry twice the manageable caseload -- an average caseload of 264 cases each -- a caseload that has increased 30 percent in the last five years, from an estimated caseload of 200 cases per attorney in FY 2008.

**Projected OIA Backlog Increases FY 2014-2020
(No Additional Resources)**

FY	Projected Backlog ¹	Projected Caseload per Attorney
2013	10,261	263
2014	11,681	300
2015	12,141	311
2016	12,715	326
2017	13,405	344
2018	14,331	367
2019	15,504	398
2020	16,931	434

OIA is becoming unable to meet all incoming foreign requests, even after refusing cases on “*de minimis*” grounds, over the objections of the Department’s foreign counterparts that there is no treaty exception for such cases. As a result, we are facing criticisms from our foreign counterparts that are, such as those examples described below:

¹ These backlog projections from Spring 2013 assume, based on trend analysis, that new workload will not increase in FY 2014, will increase two percent in FY 2015-17, and will increase four percent in FY 2018-20; and that the closed workload will decrease ten percent in FY 2014 to account for further attrition, increase in FY 2015 to account for backfills if sequestration is lifted, and remain steady from FY 2016-20. The actual backlog for FY 2013 exceeded these predictions and reached 10,600.

- On February 20, 2013, the Latvian Prosecutor General held a press conference to publicly criticize the United States for its failure to respond in a timely manner to Latvia's requests for mutual legal assistance. To this point, Latvia has been one of the U.S.'s most reliable partners in Eastern Europe.
- On April 5, 2013, the Division received a letter from Germany's Director General of Criminal Law criticizing OIA's "*de minimis*" policy. He stated that while focusing on only serious forms of criminality "can be one way of ensuring effective criminal prosecutions" in an age experiencing a "significant rise in cross-border offenses," the *de minimis* policy is "not a path provided for in the mutual legal assistance agreements that the USA has concluded with the European Union and with Germany. Those agreements provide for an **obligation** to execute mutual legal assistance requests. They do not provide for a refusal of execution in cases involving less serious offenses. **Germany's approach has been to provide the necessary increase in staff.**" (*emphasis in original*).

Solutions and Resourcing Strategy

To address this multi-faceted problem, several concurrent solutions are necessary. Re-engineering the process, by centralizing it within OIA as envisioned by the *Foreign Evidence Request Efficiency Act of 2009*, will yield the most efficient and effective MLAT process. Additional and coordinated training and outreach to foreign partners is critical to ensure MLAT requests meet U.S. legal standards. Finally, new technology, including a web-based system for interacting with foreign partners, is necessary to keep the current system moving as smoothly as possible in the 21st century.

The Department sees the following four key elements to addressing the MLAT problem: (1) Centralization, (2) Training and Outreach, (3) Reducing the Backlog, and (4) Technology.

Centralization:

To fully address the MLAT crisis, the Department will need to have the resources to fully utilize the authorities provided by the 2009 legislation. This will allow the centralized execution of foreign MLATs with OIA and FBI and U.S. Attorney's Office in D.C., rather than farming them out to the other 93 U.S. Attorney's Offices. This will reduce the delays and redundancy in the MLAT process. A few matters involving physical searches, witness interviews, or related case investigations will continue to be referred to Districts where the evidence is located. Also, the need to deal directly with ISPs on novel or complex issues regarding foreign MLAT cases will require continued engagement by the U.S. Attorney's Office in the Northern District of California, where the majority of ISPs are located, but at a much reduced level.

OIA's pilot project, with the support and expertise of CCIPS and the U.S. Attorney's Office and FBI in D.C., demonstrates the efficiencies of the new paradigm. If we can fully realize this paradigm shift, then we can use it as an example to foreign authorities of the way forward in fixing – for the benefit of all -- an MLAT process mired in antiquated, decentralized systems and steeped in bureaucratic wheel-spinning and passivity.

Drawing upon the efficiencies already established in OIA's pilot project, time for executing legally sufficient, straightforward requests for subscriber and transactional information would be

reduced initially to three to four months (and likely less for cases from our common law partners and cases involving only subscriber information), and over time, we would strive for even faster responses.

With respect to requests for content, which entail meeting the stringent “probable cause” standard and now take up to one year to execute, we would expect that, for our common law partners, the simple infusion of additional, adequate resources, including FBI personnel to review and filter the results, would have immediate results in cutting response time in half. Over time, we project response times for our common law partners would come close to those of domestic cases. With foreign partners from other legal systems, improving response times will be a graduated process that will involve taking the partner through the various stages of available evidence based on the development of the investigation. Improvements through training and outreach, as discussed below, also will be necessary to see substantially reduced response times.

Training and Outreach:

The Department of Justice – OIA, CCIPS and FBI – will develop a comprehensive program to train foreign authorities in U.S. legal standards for obtaining evidence as well as core training in cyber investigations. Additionally, the Department must, with the Department of State, engage foreign governments to empower their MLAT “Central Authorities” (or equivalents) so that they can screen their own requests and direct their prosecutors and law enforcement agencies in making MLAT requests that meet U.S. legal standards.

By focusing training on high-volume MLAT partners who have particular difficulty in meeting U.S. legal standards and working with sophisticated partners who are already eager to engage in improving MLAT success, the quality of the requests received should improve over time.

Reducing the Backlog and Improving Response Times:

Additional resources are needed to address the backlog, including by staffing an office-wide “intake unit” in OIA to handle all incoming MLATs (building on a successful model with European cases). These additional personnel resources will also reduce response time, and address system problems that have overburdened the MLAT process and OIA. Focusing attention on foreign partners such as Brazil and Turkey also includes assigning DOJ Attaches to work directly with foreign counterparts in those countries, as well as other important partners such as Germany, the Dominican Republic, Australia and Eastern Europe. These in-country “first responders” will be able to work directly with foreign counterparts (as well as U.S. Embassy law enforcement agency attaches) to resolve problems and address legal and treaty issues in complex and urgent cases before requests are sent to OIA, and to provide consistent, hands-on advice to cure systemic problems.

Once adequately staffed, OIA would strive first to reduce its pending case levels to its 2008 low of approximately 7,500. This would include reducing backlogs of cases at both at OIA and among cases already awaiting action at the U.S. Attorney’s Offices. It is expected that the additional resources would, over time, allow OIA to eliminate the backlog – that is, that the number of cases closed in a given year will match (if not exceed) the number of new cases opened. These additional attorneys will not only handle any existing backlog, but will also take on new MLAT and extradition requests, and some will be dedicated to supporting the necessary

operation of the office, including legislative and policy development, litigation, and management.

Technology:

The modernization of OIA’s case tracking and management system is the primary technology requirement. This action will require \$3 million per year for three years. OIA will work to update its neglected website for internal OIA and DOJ users, establish an external website of resources and email interface for foreign users, and fund in-house technological and analytic resources to manage those systems and keep them current. The system will also be ready to provide online advice and exemplars for foreign partners and to accept their MLAT requests electronically (beyond the email and PDF capacities now in use). The system will also allow for automated status checks.

Conclusion

The MLAT process must be reformed in a comprehensive and responsible manner to address the globalization and growth of terrorism, crime and electronic communications, ensure U.S. law enforcement retains the ability to seek reciprocal assistance from foreign partners, and safeguard U.S. security and economic interests that are threatened by foreign frustration with a U.S. predominance of the Internet that is coupled with a perceived U.S. unresponsiveness to their need for U.S.-based evidence.

Impact on Performance

The requested positions will allow the Division to implement the four elements—(1) Centralization, (2) Training and Outreach, (3) Reducing the Backlog, and (4) Technology—as the Department has defined to address the MLAT issues. As MLATs can touch on many crimes, this request will have positive impact to many of the performance objectives for the Department.

Funding

Base Funding

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
90	61	82	\$18,495	90	61	82	\$19,550	90	61	82	\$19,993

Personnel Increase Cost Summary

Type of Position/Series	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Attorneys (0905) (Domestic)	\$119	69	\$8,211	\$7,728	\$0
Attorneys (0905) (Foreign)	\$504	7	\$3,528	\$236	\$0
Attorneys (0905) (Domestic-SES)	\$135	1	\$135	\$136	\$0

Miscellaneous Operations (0001-0099)	\$67	1	\$67	\$47	\$53
Personnel Management (0200-0299)	\$67	1	\$67	\$47	\$53
Clerical and Office Services (0300-0399)	\$67	13	\$871	\$611	\$689
Clerical and Office Services (0300-0399)	\$59	2	\$118	\$80	\$0
Accounting and Budget (0500-0599)	\$67	1	\$67	\$47	\$53
Paralegals / Other Law (0900-0999)	\$67	46	\$3,082	\$2,162	\$2,438
Total Personnel		141	\$16,146	\$11,094	\$3,286

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Foreign Service National	\$60,000	7	\$420	\$0	\$0
IT Contractors	\$3,000,000	1	\$3,000	\$0	\$0
Total Non-Personnel			\$3,420	\$0	\$0

Total Request for this Item

	Pos	Agt/ Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Current Services	90	61	82	\$19,993	\$0	\$19,993	\$0	\$0
Increases	141	77	71	\$16,146	\$3,420	\$19,566	\$11,094	\$3,286
Grand Total	231	138	153	\$36,139	\$3,420	\$39,559	\$11,094	\$3,286

V. Program Increases by Item

Item Name: **Enhancing Cyber Capabilities to Address the Blended Cyber Security Threat**

Strategic Goal:

Goal One: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law	1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors
Goal Two: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law	2.4 Investigate and prosecute corruption, economic crimes, and transnational organized crime

Budget Decision Unit(s): Enforcing Federal Criminal Law

Organizational Program: Criminal Division

Program Increase: Positions 25 Atty 9 FTE 14 Dollars \$2,580,000

Description of Item

The cybercrime threat is growing at a rapid rate. The Criminal Division plays a vital role in combating this threat through direct involvement in prosecutions, support and advocacy for legal tools, international assistance and outreach, and forensic support. In addition to operational support, this enhancement will increase the policy capacity of the Department of Justice as the government continues to grow its interaction and interface with cybersecurity and cyberspace issues. In order to keep pace with the evolving cybercrime threat and the investments being made to investigative agencies, the Division is requesting an increase of **25 positions (9 attorneys), 14 FTE, and \$2,580,000.**

Support of the Department's Strategic Goals

The requested enhancement will support Strategic Objective 1.4 and 2.4. The Division has been involved developing the Department's strategy to combat cyber crime and ensure cyber security and will continue to play a critical role implementing these strategies and objectives moving forward.

Justification

Threats to the nation's computer networks and cyber systems continue to evolve, as do the nature and capabilities of those responsible for the threats. Over the last several years, criminal

investigators and prosecutors have seen significant increases in the skills and organization of threat actors. In the last year, criminal groups such as Anonymous and LulzSec developed and quickly iterated tools and techniques for damaging computer systems and stealing large quantities of personal data.² Financially motivated groups work together closely and easily across national boundaries to steal, exploit, and profit from the large-scale theft of personal data, coalescing in forums where they barter individual skills to create ad hoc criminal networks with a power and reach sometimes approaching that of traditional transnational organized crime networks.³ And, more recently, actors ranging from nation-states to terrorist groups to criminal organizations have expressed an interest in exploiting the computer networks that control our critical infrastructure—such as the power grid or the water supply—for financial gain or political advantage.⁴

Characteristic of these threats is their blended nature. The tools used to commit serious cyber theft and damage are not only wielded by those with large-scale development resources. Instead, individuals or small groups can steal huge quantities of sensitive data, damage key computer systems, or silence those who disagree with them with widely available tools. Financial gains from these crimes can, in turn, be used to build larger networks and buy protection from foreign government officials. As a result, U.S. investigators working to determine the source and nature of a cyber threat often cannot know at the outset whether an attack was mounted by an individual acting alone, an organized criminal or terrorist group, or a hostile nation.

Addressing this complex threat requires a unified approach, one that incorporates criminal investigation and prosecution tools, civil and national security authorities, trade and economic sanctions, public-private partnerships, and international cooperation. Criminal prosecution, whether in the United States or a partner country, plays a central and critical role in this effort. In addition, while prosecution is not the appropriate approach for every threat that affects the United States, identifying and understanding the threat will very often involve the use of criminal investigative tools and methods. Moreover, other means of addressing threats and cooperatively reducing vulnerabilities—whether undertaken by private groups, system protectors, or the

² See, e.g., Press Release, U.S. Attorney's Office for the Southern District of N.Y., Six Hackers in the United States and Abroad Charged for Crimes Affecting Over One Million Victims (Mar. 6, 2012), available at <http://www.justice.gov/usao/nys/pressreleases/March12/ackroydetalindictmentpr.pdf>; Matt Peckham, *Anonymous and LulzSec Fire Back at Police with Lethal Data Dump*, TIME TECHLAND (Aug. 8, 2011), <http://techland.time.com/2011/08/08/anonymous-and-lulzsec-fire-back-at-police-with-lethal-data-dump/>.

³ See, e.g., Press Release, Dep't of Justice Office of Pub. Affairs, Online Identity Thief Sentenced in Virginia to 14 Years in Prison for Selling Counterfeit Credit Cards Leading to More than \$3 Million in Losses (Sept. 9, 2011), available at <http://www.justice.gov/opa/pr/2011/September/11-crm-1163.html>; *Identity Theft: A Victims Bill of Rights: Hearing Before the Subcomm. on Info. Policy, Census, and Nat'l Archives of the H. Comm. on Oversight and Gov't Reform* (June 17, 2009) (statement of Jason M. Weinstein, Deputy Assistant Att'y Gen. of the Crim. Div. of the U.S. Dep't of Justice), available at <http://www.justice.gov/ola/testimony/1111-1/2009-06-17-crm-weinstein-identity-theft.pdf>.

⁴ See, e.g., Pierluigi Paganini, *SCADA & Security of Critical Infrastructures*, Infosec Institute (February 22, 2013), <http://resources.infosecinstitute.com/scada-security-of-critical-infrastructures/>; Michael S. Schmidt, *New Interest in Hacking as Threat to Security*, N.Y. TIMES, Mar. 14, 2012, at A16, available at <http://www.nytimes.com/2012/03/14/us/new-interest-in-hacking-as-threat-to-us-security.html>; J. Nicholas Hoover, *Cyber Threats to Critical Infrastructure Spike*, INFO. WEEK (Apr. 19, 2011, 2:08 PM), <http://www.informationweek.com/news/government/security/229401858>. See also, *Executive Order—Improving Critical Infrastructure Cybersecurity* (February 12, 2013), <http://www.whitehouse.gov/the-press-office/2013/02/12/executive-order-improving-critical-infrastructure-cybersecurity>.

intelligence community—will often require a deep and subtle understanding of law enforcement authorities and criminal prohibitions.

The Division’s Computer Crime and Intellectual Property Section (CCIPS) has developed legal expertise and technical acumen that contribute fundamentally to the success of the Department’s cyber security efforts. Division attorneys possess a deep understanding of cyber threats, and they provide extensive and authoritative legal advice on the lawful collection of electronic evidence, navigating complex statutes and case law. The Division’s Cybercrime Laboratory provides essential assistance to prosecutors, agents, and others, helping them understand and better explain technical issues to judges and juries alike. And to extend this expertise nationally, CCIPS has developed, trained, and partnered with Computer Hacking and Intellectual Property (CHIP) Coordinators during the last 17 years, growing a network that now comprises more than 230 Assistant United States Attorneys (at least one in every district). CCIPS engages with and regularly trains key law enforcement partners across the federal government, including the Federal Bureau of Investigation (FBI), U.S. Secret Service, U.S. Postal Inspection Service, and the Inspector General community. Finally, because cybercrimes often span the globe, the Division has forged transnational networks for effective law enforcement cooperation, including a rapid response network aimed at preserving crucial electronic evidence before it vanishes.

In addition to the direct investigation and prosecution of cybercrimes, the Division has provided extensive legal and policy guidance in furtherance of these goals. For example, the Division has consistently led legislative development addressing emerging criminal threats to both the security of computer systems and networks and to the nation’s intellectual property. It has engaged in complex legal reviews of tools and programs that protect critical government and private sector networks against security threats and attacks.

Finally, since the creation of the National Security Division (NSD) in 2006, the Division has provided priority assistance and support to NSD’s terrorism prosecutions, to intrusion investigations related to espionage, counter-intelligence, and attacks on critical national infrastructures, and to the cooperative development of cybersecurity policy. The Criminal Division, principally through CCIPS, will assist NSD in its efforts to build needed capability and then to partner with NSD to address the legal, technical, and policy challenges inherent in addressing threats that are, by their nature, often incapable at the outset of being placed into easily ascertainable criminal or national security categories.

To address these challenges, the Criminal Division must enhance its approach in four key areas.

1. Timely and Accurate Investigations, Prosecutions, and Disruption Efforts

The threats to our nation’s invaluable proprietary and personal information are increasing, and so must our innovation and efforts to deter, disrupt, and prosecute those threat actors. Studies have shown that the number of intrusions continues to increase, and the cost of cybercrime to American businesses and citizens likewise continues to mount.⁵

⁵ See, e.g., Salvador Rodriguez, *Cyber Crimes Are More Common and More Costly, Study Finds*, L.A. TIMES, Aug. 3, 2011, <http://articles.latimes.com/2011/aug/03/business/la-fi-cyber-attacks-20110803>; Identity Theft Resource Center, *2012 ITRC Breach Report* (December 26, 2012), <http://www.idtheftcenter.org/ITRC%20Breach%20Report%202012.pdf>.

As a result, CCIPS has experienced a 19% increase in pending investigations and an 8% increase in pending prosecutions between FY 2010 and FY 2012. Without additional resources, the Division will not be able to keep pace with the growing cyber caseload.

CCIPS Cyber Crime Caseload	FY 2010	FY 2011	FY 2012
Total Investigations Pending	252	357	301
<i>National-security focus</i>	50	71	60
<i>Criminal focus</i>	202	286	240
Total Prosecutions Pending	87	97	95
<i>National-security focus</i>	17	19	19
<i>Criminal focus</i>	70	78	76

A reality of cyber investigations is that it is nearly impossible to forecast where they will begin or end. Consequently, the Division, through CCIPS, provides nation-wide support to investigations, prosecutions, and disruption efforts, helping to ensure that its law enforcement partners receive consistent, quality support whether the investigation’s trail leads to Silicon Valley, rural America, or overseas. As a result, Criminal Division prosecutors have led, or partnered in, some of the country’s most significant data breach and computer intrusion cases, the success of which has required a comprehensive grasp of computer network technology and electronic evidence law and a subtle understanding of the often loosely organized worldwide groups that work together to plan and execute these attacks.

CCIPS prosecutors work in direct cooperation with the CHIP network and investigative agencies to identify and address threat actors, whether they are primarily external—such as criminal groups or foreign actors breaking in and stealing information—or internal, such as insiders misappropriating invaluable research or trade secrets. CCIPS houses prosecutors with a deep understanding of data breaches and computer misuse cases and prosecutors who understand the complexity of intellectual property cases to comprise the nation’s leading resource for deterring, investigating, and punishing the theft of sensitive electronic information. Consequently, every additional prosecutor in CCIPS becomes a force multiplier for the Department, leveraging its expertise wherever it is needed to the benefit of all USAOs and the achievement of the Department’s cyber crime goals.

Furthermore, more and more often, offenders reside outside of the United States, requiring the assistance of foreign law enforcement agents to gather evidence and make arrests. The Criminal Division’s Office of International Affairs (OIA) has sole authority within the United States for negotiating mutual legal assistance treaties and securing the cooperation of foreign governments in providing to the U.S. fugitives and foreign electronic evidence.

2. Providing Effective Advice on and Advocacy for Legal Tools and Authorities

Beyond its direct prosecutorial role, the Criminal Division plays an essential part in helping to interpret and enforce the rules governing access to electronic evidence. Our nation’s laws relating to access to electronic communications are complex, reflecting the numerous interests they balance in determining the appropriate scope of law enforcement and private sector access to communications. Through CCIPS and the Office of Enforcement Operations (OEO), the Criminal Division provides comprehensive and authoritative training, guidance, and review

regarding lawful access to electronic evidence for United States law enforcement at the federal, state, and local levels.

During the past six years, OEO's electronic surveillance workload has increased by 21%: in FY 2007, OEO reviewed 2,933 electronic surveillance applications. In FY 2012, OEO reviewed 3,554 applications. Since approximately six percent of OEO's workload is directly related to cyber cases, additional resources are necessary to ensure that OEO is able to handle the surveillance requirements of these cases.

CCIPS provides advice through publications and live training to federal, state, and local law enforcement agencies on searching and seizing electronic evidence. This advice is often based upon direct experience litigating those issues before district and appellate courts across the United States. Because of their lengthy and deep experience with these issues, Division attorneys are regularly sought by United States Attorney's Offices to litigate electronic evidence issues across the country. The number of cases that involve these issues continues to increase as more investigations use electronic evidence, more defense attorneys come to realize that it is a potential source for suppression motions, and more judges become concerned about government access to electronic data. Additional resources will allow the Division to successfully handle and participate in the most significant litigation.

Few issues in the United States are more closely watched or hotly debated than those relating to government access to electronic information. CCIPS engages with privacy advocacy groups, Congress, and other interested parties to advocate for standards that permit access to or sharing of critical cyber security data while protecting individual privacy to the greatest possible extent. As the requirements of this advocacy increase due to growing public interest in government surveillance, additional resources will be needed to support CCIPS' engagement.

3. Developing International Cooperation and Outreach

Because cybercrime is global in scope, the Criminal Division has long had a robust program for encouraging the development by foreign governments of laws, investigation and prosecution capacity, and political will to address emerging cybercrime threats and capabilities. However, criminals continue to use gaps and inefficiencies in international law enforcement capabilities to evade detection, attribution, and punishment. Despite these challenges, the Criminal Division has attempted to perform effective international outreach on cyber issues. Using a balanced approach of frank policy discussions with countries that have similar capabilities, combined with multilateral training initiatives aimed at countries whose legal or technical infrastructure to address cyber threats is at an earlier developmental stage, the Division has continued to improve capacity to address cybercrime around the world. CCIPS attorneys lead efforts to build capacity and law enforcement relationships in Africa, Eastern Europe, and Latin America, including through multi-lateral organizations such as the Organization of American States and the Asia-Pacific Economic Cooperation. As computer infrastructures expand in developing countries, and offenders who victimize Americans inevitably follow, the need for this sort of international engagement continues to grow.

Moreover, the State Department is developing plans to address cyber threats more comprehensively. Because these efforts will result in additional interactions with foreign

countries and multilateral organizations, as well as new funding for cybercrime training and assistance, they will increase demands on CCIPS and OIA attorneys.

4. Growing a Proven Structure to Address Digital Forensic Capabilities

Underpinning almost every cyber investigation and prosecution is the forensic examination of digital evidence. Over the last two decades, the volume of digital evidence has exploded. This volume has placed a tremendous burden on the Department's prosecutors to learn and understand the myriad complexities at the intersection of computer forensics, cybercrime, and emerging technologies. Due to the fast pace of advancing technologies, federal prosecutors outside of CCIPS often lack the technical knowledge necessary to know what digital evidence to ask for or how to best use digital evidence to further prosecutions.

The CCIPS Cybercrime Laboratory plays an essential role in assisting investigators and prosecutors – and ultimately judges and juries – in understanding how particular evidence fits into an overall “story of the case.” This function may be general – for example, the Laboratory's outreach to judicial authorities to ensure that they have adequate technical foundation and understanding of the role of electronic evidence – or specific to a particular case.

The CCIPS computer forensic model is a tiered and triage-based approach that provides technical and forensic support to litigation, legislative initiatives, and national security activities through consultation, forensic support, and training. The extent of CCIPS Cybercrime Laboratory support varies depending on case need: it can range from simple consultations to hands-on analysis, support, and training of agents or agency forensic personnel in the field (including the use of automated tools on site); from triage exams to full digital investigative analysis; or from pre-trial preparation to trial and post-trial support. Having a Division digital analysis expert – possessing advanced knowledge, skills, and abilities, as well as the capability to provide effective courtroom testimony if needed – sitting with the prosecutor in court could mean the difference between conceding or rebutting inaccurate or misleading defense expert testimony.

Enhancing the CCIPS Cybercrime Laboratory's resources is therefore necessary to advance prosecutions, meet discovery obligations, develop and evaluate plea offers, and bridge the gap between what law enforcement agencies produce in the course of their normal computer forensic examinations and what is needed for successful prosecutions. Between 2010 and 2011, the Cybercrime Laboratory experienced a 29% increase in requests for forensic support assistance and a 31% increase in forensic consultations. Each additional Cybercrime Laboratory examiner will significantly increase the lab's capacity for meeting customer demand: one examiner can increase the number of forensic consults provided by more than 50% and the number of trainings provided by 19%. With appropriate resources, the lab could provide the most comprehensive, efficient, and cost-effective digital investigative analysis support to the Department's prosecutions across the country.

Impact on Performance

Each additional Criminal Division attorney, laboratory professional, and related support position dedicated to this effort will have a widespread impact on the Department's ability to successfully prosecute cyber criminals, preserve digital evidence, and meet its mission of protecting national

security and public safety against these increasing cyber threats. The Criminal Division has a superb track record: in FY 2011, 100% of its prosecutions had a successful outcome.

However, the Division's cyber workload is increasing due to the growing nature of the threat and the increase of investigative resources. With the FBI increasing its resources in FY 2014 in support of the Next Generation Cyber Initiative to enhance the technical capabilities of investigative personnel, increase cyber investigations, and improve cyber collection and analysis, the Criminal Division must receive this commensurate increase to ensure that investigations can become successful prosecutions and to ensure that investigations can be adequately supported.

Funding

Base Funding

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
				122	79	96	\$28,414	122	79	96	\$29,057

Personnel Increase Cost Summary

Type of Position/Series	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Clerical and Office Services (0300-0399)	\$59	3	\$177	\$177	\$0
Attorneys (0905)	\$119	9	\$1,071	\$1,008	\$0
Paralegals / Other Law (0900-0999)	\$67	7	\$469	\$329	\$399
Information Technology Mgmt (2210)	\$100	4	\$400	\$364	\$164
Information Technology Mgmt (2210)	\$67	2	\$134	\$94	\$114
Total Personnel		25	\$2,251	\$1,795	\$677

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
International Case Travel	n/a	n/a	\$29	\$29	\$0
Equipment	n/a	n/a	\$300	\$300	\$0
Total Non-Personnel	n/a	n/a	\$329	\$329	\$0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Current Services	122	79	96			\$29057	n/a	n/a
Increases	25	9	14	\$2,251	\$329	\$2580	\$2,124	\$677
Grand Total	147	88	110	\$2,251	\$329	\$31,637	\$2,214	\$677

V. Program Increases by Item

Item Name: **Intellectual Property Enforcement**

Strategic Goal

Goal Two: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law	2.4 Investigate and prosecute corruption, economic crimes, and transnational organized crime
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Budget Decision Unit(s): Enforcing Federal Criminal Law

Organizational Program: Criminal Division

Program Increase: Positions 11 Atty 7 FTE 6 Dollars \$2,205,000

Description of Item

The Criminal Division requests an enhancement of 11 positions (including 7 attorneys), 6 FTE, and \$2,205,000 to place two DOJ Attachés overseas to fight transnational crime, with particular emphasis on intellectual property crime. These DOJ Attachés will serve as regional International Computer Hacking and Intellectual Property coordinators (ICHIPs) and will be well positioned to combat the increasing threat of transnational intellectual property crime. The Criminal Division also requests that a portion of this enhancement be used to increase the capacity of the Division's domestic IP program to provide critical support to the ICHIP/Attachés and ensure the coordinated use of ICHIP resources overseas.

Support of the Department's Strategic Goals

The requested enhancement will support Goal Two: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law (Objective 2.4: Investigate and prosecute corruption, economic crimes, and transnational organized crime). The Division has been involved developing the Department's strategy to enforce intellectual property laws and will continue to play a critical role implementing these strategies and objectives moving forward.

Justification

Protecting intellectual property rights is essential to safeguarding confidence in our economy, creating economic growth, and ensuring integrity, fairness, and competitiveness in the global marketplace. In today's environment, however, where virtually every significant intellectual property crime investigated and prosecuted in the United States has an international component, it is impossible to address intellectual property crime adequately without significant and strong international engagement.

The Department of Justice has long recognized that intellectual property crime, including offenses involving copyright, trademarks and trade secrets, among others, not only has a significant international component but in many cases also has a substantial overlap with other economic crimes, including those related to cyber offenses, money laundering and tax evasion, and smuggling. Because the vast majority of intellectual property and other computer crimes originate in other countries, the Department has made its efforts to strengthen international law enforcement relationships a top priority.

The Department has collaborated with other U.S. agencies and foreign law enforcement counterparts to address international intellectual property crime through a combination of joint criminal enforcement operations, case referrals for foreign investigations and prosecutions, training and technical assistance programs for foreign law enforcement, judiciary, and legislators, and engagement in bilateral and multi-lateral working groups that address trademark counterfeiting and copyright piracy.

The Department has also worked vigorously to develop international methods to address cybercrime through cooperative case work, rapid information sharing, and long-term engagement to train law enforcement and improve legal regimes to respond to the threat of Internet-based crime and the proliferation of electronic evidence in a wide range of offenses.

Instances of international intellectual property crime may be addressed effectively by direct contact between prosecutors and investigators on specific cases. However, to address systemic and pervasive international intellectual property crime effectively, greater and more sustained engagement is essential. For example, since 2006, through the Department's Intellectual Property Law Enforcement Coordinator (IPLEC) Program, the Department has deployed experienced federal prosecutors overseas to take the lead on our intellectual property protection efforts in key regions including Asia and Eastern Europe (from 2008 until 2011 in Sofia, Bulgaria, with a new IPLEC to be posted in Bucharest, Romania by Q3 2014). Through the IPLEC program, the Department has seen a substantial increase in foreign enforcement and cooperative casework where U.S. law enforcement has had a visible and ongoing presence in the most active countries or regions. This enhancement request would allow for the expansion of the program to additional critical regions and also cover the rapidly developing and overlapping area of international cybercrime.

ICHIPs/Attachés

The Criminal Division has identified several important areas (in order of priority) for the placement of International Computer Hacking and Intellectual Property (ICHIP) Attachés. The cross-designation of these positions as ICHIPs/DOJ Attachés is critical to the success of the Department's overseas law enforcement mission. The effectiveness of cross-designating the current Asia IPLEC/Attaché position is well-documented and gives operational advantages not necessarily available to ICHIPs who do not also possess the DOJ Attaché designation. For example, a DOJ Attaché has greater access to case files and resources because they are not perceived as doing intellectual property work exclusively; ICHIPs, by contrast, can be marginalized by foreign law enforcement if they are thought of as limited to one area of expertise. Since intellectual property crime often intersects with other types of cases, like international organized crime, the designation of these new positions as solely ICHIPs will hinder their effectiveness in fighting the intellectual property crime threat.

The Division plans to hire attorneys with a strong background in criminal prosecution who are capable of and invested in focusing on the intellectual property crime threat in these regions. This approach will help ensure that the bulk of the ICHIP/Attachés' time and effort will contribute to the Department's efforts against intellectual property and cybercrime.

All foreign placements would be subject to approval of the State Department and individual embassies or consulates. Since conditions in these regions could change, countries in these regions will remain under review and the Division (in consultation with the State Department and the White House's Intellectual Property Enforcement Coordinator) will make a final determination regarding the locations in all identified regions if these resources are funded.

China: China continues to be the largest source of trademark counterfeiting and copyright piracy in the world and bears a direct or indirect relationship to the majority of economic espionage and federal trade secret prosecutions in the United States. The Department has met with some success in developing joint investigations through the Intellectual Property Criminal Enforcement Working Group (IPCEWG) of the U.S.-China Joint Liaison Group for Law Enforcement Cooperation. However, an ongoing presence in the country will move existing cases at a faster pace and greatly increase the ability to address new investigations and leads in a timely manner.

South Asia: The violation of intellectual property rights, particularly counterfeiting and copyright piracy, are ongoing problems in a number of South Asian countries. India and Pakistan have each been listed on the USTR *Special 301 Priority Watch List* for several years, and, after China, are two of the largest sources of manufacture for counterfeit and unauthorized pharmaceuticals. The U.S. has invested in training law enforcement officials in Pakistan and investigators, prosecutors, and judges in India to improve the protection of intellectual property rights. Additionally, South Asia has a burgeoning information technology industry and an increasingly electronically-sophisticated populace. Growing cyber threats and terrorism investigations in that region require enhanced law enforcement relationships and training to increase investigations, as well as cooperation in those investigations, that rely heavily on electronic evidence. A regional ICHIP/Attaché, most likely stationed at the U.S. Embassy in India, would substantially improve the opportunities to build on the foundation of training and develop joint cases.

Domestic Intellectual Property Program Support for ICHIP/Attachés

With the potential implementation of the ICHIP/Attaché program, there will be substantial need for support within the U.S., including attorneys, professional staff, and a cybercrime analyst.

Attorneys: Additional attorneys positioned at Criminal Division headquarters are necessary to meet the demands posed by increased international capacity and to ensure that ICHIP/Attaché resources are effectively used, managed, and supported. The Division's Computer Crime and Intellectual Property Section (CCIPS) provides subject matter expertise on computer and intellectual property crimes, manages the domestic Computer Hacking and Intellectual Property (CHIP) program, and has assisted in and overseen aspects of the prior IPLECs' responsibilities. CCIPS is also the Department's liaison to the National Intellectual Property Coordination Center ("IPR Center") and its 20 domestic and international partner agencies. Likewise, the Criminal Division's Office of International Affairs (OIA) oversees the Department's Attaché program and coordinates the extradition or other legal return of international fugitives and all international

evidence-gathering. Attorneys in each office will ensure that foreign leads are provided and followed by U.S. investigative agencies, and that appropriate cases are pursued within the U.S. to provide deterrence to foreign criminals and criminal organizations. Such attorneys will also provide legal support in the Northern District of California to address the overwhelming flow of legal process and evidentiary requests in intellectual property and cybercrime cases that are addressed to Silicon Valley companies.

Professional Staff: Additional professional staff are necessary to ensure the smooth administration of hiring, retention, and support of the ICHIP/Attaché program.

Cybercrime Analyst: In recent years, there has been a rapidly increasing demand for technical training by the CCIPS Cybercrime Lab by foreign countries seeking to develop expertise in cyber forensics and computer crime. The proposed additional cybercrime analyst will allow CCIPS to greatly increase the amount of training provided, while directly supporting foreign investigations.

This enhancement also requests individual travel and programming budgets to be administered by the ICHIPs within their regions as well as additional travel, litigation support, and domestic training resources that will be used to increase the capacity and effectiveness of the overall intellectual property program.

Impact on Performance:

These requested resources will directly support the Department's Strategic Goal 2: *Prevent crime, protect the rights of the American people, and enforce federal law*; Strategic Objective 2.4: *Investigate and prosecute corruption, economic crimes, and transnational organized crime*. In particular, they will allow the U.S. Government to:

- Develop the capacity of nations in several important regions to combat intellectual property and computer crimes;
- Increase the number and scope of cooperative international prosecutions targeting high-tech and intellectual property crimes;
- Increase coordination of international cases involving computer crimes, intellectual property crimes, and digital evidence;
- Build upon the successful integration of intellectual property and cybercrime expertise that currently exists in the domestic Computer Hacking and Intellectual Property (CHIP) Network;
- Strengthen the DOJ Attaché program's ability to address transnational organized crime.

Funding

Base Funding

FY 2013 Enacted w/ Resc. & Sequestration				FY 2014 Enacted				FY 2015 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
22	18	18	\$4,875	22	18	18	\$5,173	22	18	18	\$5,218

Personnel Increase Cost Summary

Type of Position/Series	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Attorneys (0905) (Domestic)	\$119	5	\$595	\$560	\$0
Attorneys (0905) (Foreign)	\$504	2	\$1,008	\$472	\$0
Paralegals / Other Law (0900-0999)	\$67	4	\$268	\$188	\$
Total Personnel		11	\$1,871	\$1,220	\$228

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2015 Request (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
FSN	\$60	2	\$120	\$0	\$0
Travel	n/a	n/a	\$214	\$214	\$0
Total Non-Personnel	n/a	n/a	\$334	\$214	\$0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2016 Net Annualization (change from 2015) (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)
Current Services	22	18	18			\$5,218		
Increases	11	7	6	\$1,871	\$334	\$2,205	\$1,434	\$228
Grand Total	33	25	24	\$1,871	\$334	\$7,423	\$1,434	\$228

A: Organizational Chart

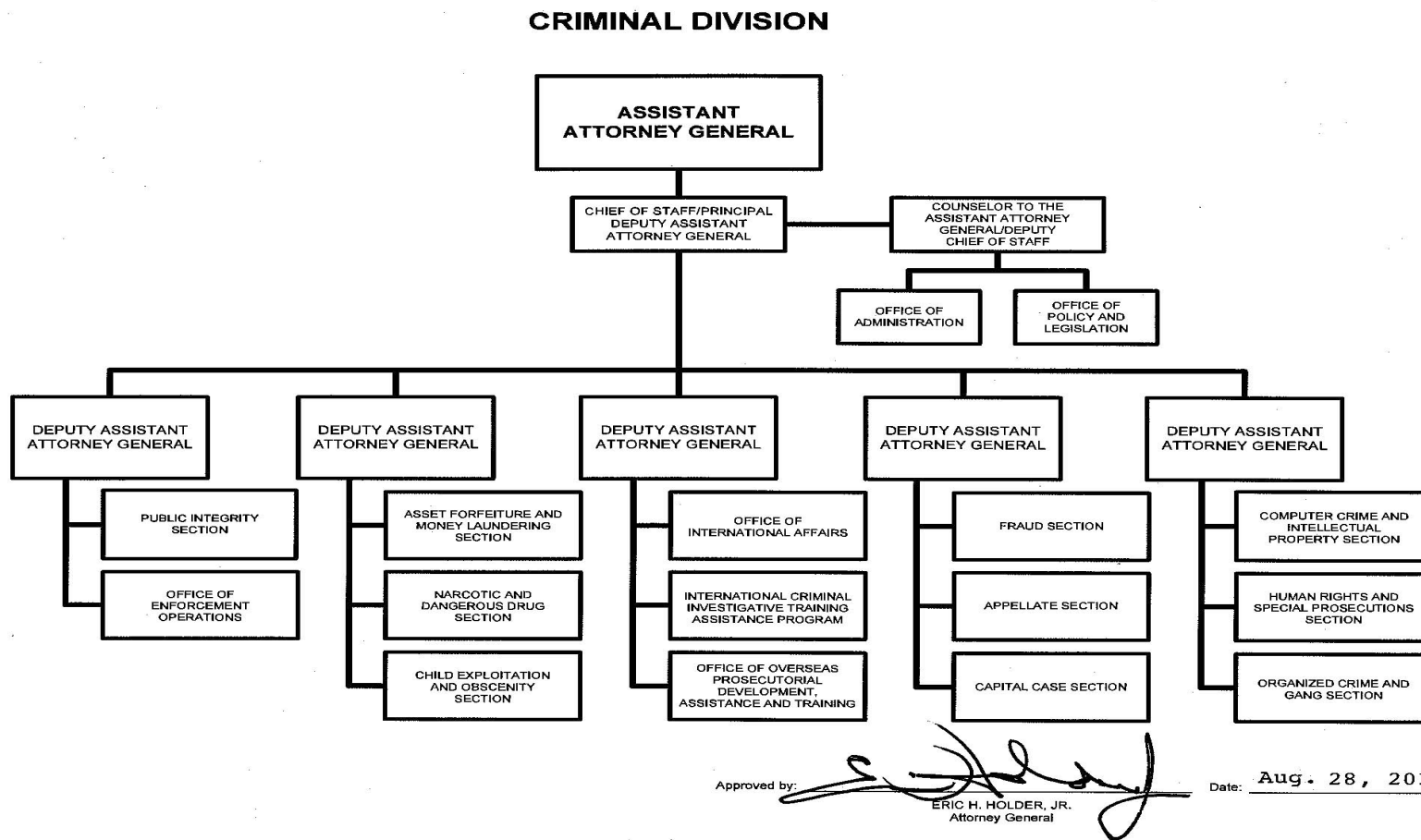


Exhibit A - Organizational Chart

B. Summary of Requirements

Summary of Requirements

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

	FY 2015 Request		
	Direct Positions	FTE	Amount
2013 Enacted	751	669	177,202
2013 Rescissions (1.877% & 0.2%)			-3,674
2013 Sequester			-8,736
Total 2013 Enacted (with Rescissions and Sequester)	751	669	164,792
2014 Enacted	750	674	174,189
Base Adjustments			
Pay and Benefits	0	0	2,704
Domestic Rent and Facilities	0	0	1,243
Total Base Adjustments	0	0	3,947
2015 Current Services	750	674	178,136
Program Changes			
Increases:			
MLAT Reform	141	71	19,566
Cyber Security	25	14	2,580
Intellectual Property Crime	11	6	2,205
Subtotal, Increases	177	91	24,351
Total Program Changes	177	91	24,351
2015 Total Request	927	765	202,487
2014 - 2015 Total Change	177	91	28,298

Note: The FTE for FY 2013 is actual and for FY 2014 and FY 2015 is estimated.

B. Summary of Requirements

Summary of Requirements

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Enacted with Rescissions and Sequester			2014 Enacted			2015 Technical and Base Adjustments			2015 Current Services		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Enforcing Federal Criminal Laws	751	669	164,792	750	674	174,189	0	0	3,947	750	674	178,136
Total Direct	751	669	164,792	750	674	174,189	0	0	3,947	750	674	178,136
Balance Rescission			0			0			0			0
Total Direct with Rescission			164,792			174,189			3,947			178,136
Reimbursable FTE		285			297			0			297	
Total Direct and Reimb. FTE		954			971			0			971	
Other FTE:												
LEAP		0			0			0			0	
Overtime		[2]			[2]			0			[2]	
Grand Total, FTE		954			971			0			971	

Program Activity	2015 Increases			2015 Offsets			2015 Request		
	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount	Direct Pos.	Est. FTE	Amount
Enforcing Federal Criminal Laws	177	91	24,351	0	0	0	927	765	202,487
Total Direct	177	91	24,351	0	0	0	927	765	202,487
Balance Rescission			0			0			0
Total Direct with Rescission			24,351			0			202,487
Reimbursable FTE		0			0			297	
Total Direct and Reimb. FTE		91			0			1,062	
Other FTE:								0	
LEAP		0			0			0	
Overtime		0			0			[2]	
Grand Total, FTE		91			0			1,062	

C. Program Changes by Decision Unit

FY 2015 Program Changes by Decision Unit

Criminal Division

Salaries and Expenses

(Dollars in Thousands)

Program Increases	Location of Description in Narrative	Enforcing Federal Criminal Laws				Total Increases			
		Direct Pos.	Agt./ Atty.	Est. FTE	Amount	Direct Pos.	Agt./ Atty.	Est. FTE	Amount
MLAT Reform	18	141	77	71	19,566	141	77	71	19,566
Cyber Security	28	25	9	14	2,580	25	9	14	2,580
Intellectual Property Crime	36	11	7	6	2,205	11	7	6	2,205
Total Program Increases		177	93	91	24,351	177	93	91	24,351

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester		2014 Enacted		2015 Current Services		2015 Increases		2015 Offsets		2015 Total Request	
	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount
Goal 1 Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law												
1.1 Prevent, disrupt, and defeat terrorist operations before they occur by integrating intelligence and law enforcement efforts to achieve a coordinated response to terrorist threats	27	2,760	29	2,917	20	2,984	0	0	0	0	20	2,984
1.2 Prosecute those involved in terrorist acts.	10	2,257	10	2,385	7	2,440	0	0	0	0	7	2,440
1.4 Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnerships, and the investigation and prosecution of cyber threat actors	35	7,643	37	8,080	25	8,261	7	2,086	0	0	32	10,347
Subtotal, Goal 1	72	12,660	76	13,382	52	13,685	7	2,086	0	0	59	15,771
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 by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers	131	27,377	136	28,937	142	29,593	11	3,102	0	0	153	32,695
2.2 Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America's crime victims	74	17,491	77	18,489	80	18,907	5	1,432	0	0	85	20,339
2.3 Disrupt and dismantle major drug trafficking organizations to combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs	192	31,758	195	33,569	200	34,330	24	6,681	0	0	224	41,011
2.4 Investigate and prosecute corruption, economic crimes, and transnational organized crime	377	62,065	375	65,603	384	67,091	42	10,572	0	0	426	77,663
2.5 Promote and protect American civil rights by preventing and prosecuting discriminatory practices	2	535	2	565	3	578	0	0	0	0	3	578
Subtotal, Goal 2	776	139,226	785	147,163	809	150,499	82	21,787	0	0	891	172,286

D. Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Strategic Goal and Strategic Objective	2013 Enacted with Rescissions and Sequester		2014 Enacted		2015 Current Services		2015 Increases		2015 Offsets		2015 Total Request	
	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount	Direct/ Reimb FTE	Direct Amount
Goal 3 Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels												
3.1 Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs	78	6,939	81	7,336	81	7,501	1	239	0	0	82	7,740
3.6 Prevent and respond to genocide and mass atrocities and ensure that perpetrators of such crimes are held accountable in the United States, and if appropriate, their home countries	28	5,967	29	6,308	29	6,451	1	239			30	6,690
Subtotal, Goal 3	106	12,906	110	13,644	110	13,952	2	478	0	0	112	14,430
TOTAL	954	164,792	971	174,189	971	178,136	91	24,351	0	0	1,062	202,487

Note: Excludes Balance Rescission and/or Supplemental Appropriations.

E. Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Pay and Benefits			
1 <u>2015 Pay Raise:</u> This request provides for a proposed 1 percent pay raise to be effective in January of 2015. The amount request, \$741,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$585,390 for pay and \$155,610 for benefits.)			741
2 <u>Annualization of 2014 Pay Raise:</u> This pay annualization represents first quarter amounts (October through December) of the 2014 pay increase of 1.0% included in the 2014 President's Budget. The amount requested \$273,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$215,670 for pay and \$57,330 for benefits).			273
3 <u>FERS Regular/Law Enforcement Retirement Contribution:</u> Effective October 1, 2014 (FY 2015), the new agency contribution rates of 13.2% (up from the current 11.9%, or an increase of 1.3%) and 28.8% for law enforcement personnel (up from the current 26.3%, or an increase of 2.5%). The amount requested, \$1,295,000, represents the funds needed to cover this increase.			1,295
4 <u>Employee Compensation Fund:</u> The \$11,000 request reflects anticipated changes in payments to the Department of Labor for injury benefits under the Federal Employee Compensation Act.			11
5 <u>Health Insurance:</u> Effective January 2015, the component's contribution to Federal employees' health insurance increases by 3.8 percent. Applied against the 2014 estimate of \$5,246,000, the additional amount required is \$172,000.			172
6 <u>Retirement:</u> Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$212,000 is necessary to meet our increased retirement obligations as a result of this conversion.			212
Subtotal, Pay and Benefits	0	0	2,704
Domestic Rent and Facilities			
1 <u>General Services Administration (GSA) Rent:</u> GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$1,203,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2015 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provides data on the rate increases.			1,203
2 <u>Guard Services:</u> This includes Department of Homeland Security (DHS) Federal Protective Service charges, Justice Protective Service charges and other security services across the country. The requested increase of \$40,000 is required to meet these commitments.			40
Subtotal, Domestic Rent and Facilities	0	0	1,243

E. Justification for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

Criminal Division
 Salaries and Expenses
 (Dollars in Thousands)

	Direct Pos.	Estimate FTE	Amount
Foreign Expenses			
1 <u>Education Allowance:</u> For employees stationed abroad, components are obligated to meet the educational expenses incurred by an employee in providing adequate elementary (grades K-8) and secondary (grades 9-12) education for dependent children at post. \$47,000 reflects the increase in cost to support existing staffing levels.			47
2 <u>Government Leased Quarter (GLQ) Requirements:</u> GLQ is a program managed by the Department of State (DOS) and provides government employees stationed overseas with housing and utilities. DOS exercises authority for leases and control of the GLQs and negotiates the lease for components. \$313,000 reflects the change in cost to support existing staffing levels.			313
3 <u>International Cooperative Administrative Support Services (ICASS):</u> The Department of State charges agencies for administrative support provided to staff based overseas. Charges are determined by a cost distribution system. The FY 2015 request is based on the projected FY 2014 bill for post invoices and other ICASS costs.			139
4 <u>Capital Security Cost Sharing (CSCS):</u> Per P.L. 108-447 and subsequent acts, "all agencies with personnel overseas subject to chief of mission authority...shall participate and provide funding in advance for their share of costs of providing new, safe, secure U.S. diplomatic facilities, without offsets, on the basis of the total overseas presence of each agency as determined by the Secretary of State." Originally authorized for FY 2000-2004, the program has been extended annually by OMB and Congress and has also been expanded beyond new embassy construction to include maintenance and renovation costs of the new facilities. For the purpose of this program, State's personnel totals for DOJ include current and projected staffing. The estimated cost to the Department, as provided by State, for FY 2015 is \$123,700,000.			-499
Subtotal, Foreign Expenses	0	0	0
TOTAL DIRECT TECHNICAL and BASE ADJUSTMENTS	0	0	3,947

F. Crosswalk of 2013 Availability

Crosswalk of 2013 Availability

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Program Activity	2013 Appropriation Enacted w/o Balance Rescission ¹			Supplementals			Balance Rescission			Sequester			Reallocation			Carryover	Recoveries/ Refunds	2013 Actual		
	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Direct Pos.	Actual FTE	Amount	Amount	Amount	Direct Pos.	Actual FTE	Amount
Enforcing Federal Criminal Laws	751	669	173,528	0	0	0	0	0	0	0	0	-8,736	0	0	1,900	424	30	751	669	167,146
Total Direct	751	669	173,528	0	0	0	0	0	0	0	0	-8,736	0	0	1,900	424	30	751	669	167,146
Reimbursable FTE		285			0			0		0		0		0					285	
Total Direct and Reimb. FTE		954			0			0		0		0		0					954	
Other FTE:																				
LEAP		0			0			0		0		0		0					0	
Overtime		[2]			0			0		0		0		0					[2]	
Grand Total, FTE		954			0			0		0		0		0					954	

Footnotes:

1) The 2013 Enacted appropriation includes the 2 across-the-board rescissions of 1.877% and 0.2%.

Reallocation

\$1,900,000 was reprogrammed from ALS to the Division.

Carryover:

Funding includes \$143,000 for ALS and \$281,000 for Deepwater Horizon Fraud Task Force Supplemental.

Recoveries/Refunds:

Funding includes \$28,000 for ALS and \$2,000 from Deepwater Horizon Fraud Task Force Supplemental.

G. Crosswalk of 2014 Availability

Crosswalk of 2014 Availability
 Criminal Division
 Salaries and Expenses
 (Dollars in Thousands)

Program Activity	FY 2014 Enacted			Reprogramming/Transfers			Carryover	Recoveries/ Refunds	2014 Availability		
	Direct Pos.	Estim. FTE	Amount	Direct Pos.	Estim. FTE	Amount	Amount	Amount	Direct Pos.	Estim. FTE	Amount
Enforcing Federal Criminal Laws	750	674	174,189	0	0	0	1,351	0	750	674	175,540
Total Direct	750	674	174,189	0	0	0	1,351	0	750	674	175,540
Balance Rescission			0								0
Total Direct with Rescission			174,189								175,540
Reimbursable FTE		297			0		0			297	
Total Direct and Reimb. FTE		971			0		1,351			971	
Other FTE:											
LEAP		0			0		0			0	
Overtime		[2]			0		0			[2]	
Grand Total, FTE		971			0		1,351			971	

Carryover:

Funding includes \$1,351,000 for ALS.

H. Summary of Reimbursable Resources

Summary of Reimbursable Resources

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Collections by Source	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
U.S. Department of State	183	152	145,102	184	150	300,000	184	150	200,000	0	0	-100,000
Interagency Crime and Drug Enforcement	13	13	1,949	13	13	2,064	13	13	2,025	0	0	-39
Asset Forfeiture Fund	90	76	29,984	103	86	38,409	103	86	38,409	0	0	0
All Other Sources	57	44	19,339	70	48	54,738	70	48	54,777	0	0	39
Budgetary Resources	343	285	196,374	370	297	395,211	370	297	295,211	0	0	-100,000

Obligations by Program Activity	2013 Actual			2014 Planned			2015 Request			Increase/Decrease		
	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount	Reimb. Pos.	Reimb. FTE	Amount
Enforcing Federal Criminal Law	343	285	196,374	370	297	395,211	370	297	295,211	0	0	-100,000
Budgetary Resources	343	285	196,374	370	297	395,211	370	297	295,211	0	0	-100,000

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Category	2013 Enacted with Rescissions & Sequestration		2014 Enacted		2015 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Miscellaneous Operations (010-099)	1	0	1	0	0	1	0	2	0
Security Specialists (080)	20	0	20	0	0	0	0	20	0
Intelligence Series (132)	1	0	1	0	0	0	0	1	0
Personnel Management (200-299)	10	0	10	0	0	1	0	11	0
Clerical and Office Services (300-399)	148	84	148	78	0	18	0	166	78
Accounting and Budget (500-599)	10	33	10	36	0	1	0	11	36
Attorneys (905)	440	195	439	225	0	93	0	532	225
Paralegals / Other Law (900-998)	90	25	90	25	0	57	0	147	25
Information & Arts (1000-1099)	1	1	1	1	0	0	0	1	1
Business & Industry (1100-1199)	2	1	2	1	0	0	0	2	1
Forensic/Physical Sciences (1300-1399)	0	1	0	1	0	0	0	0	1
Library (1400-1499)	4	0	4	0	0	0	0	4	0
Education/Training (1700-1799)	0	1	0	1	0	0	0	0	1
Criminal Investigative Series (1811)	0	0	0	0	0	0	0	0	0
Travel Services (2101)	0	1	0	1	0	0	0	0	1
Information Technology Mgmt (2210)	24	1	24	1	0	6	0	30	1
Total	751	343	750	370	0	177	0	927	370
Headquarters (Washington, D.C.)	737	210	736	237	0	168	0	904	237
U.S. Field	0	0	0	0	0	0	0	0	0
Foreign Field	14	133	14	133	0	9	0	23	133
Total	751	343	750	370	0	177	0	927	370

Footnotes:

J. Financial Analysis of Program Changes

Financial Analysis of Program Changes

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Grades	Enforcing Federal Criminal Laws						Total Program Changes	
	MLAT Reform		Cyber Security		IP Enforcement		Direct Pos.	Amount
	Direct Pos.	Amount	Direct Pos.	Amount	Direct Pos.	Amount		
SES	1	193	0	0	0	0	1	193
GS-15	0	0	0	0	0	0	0	0
GS-14	76	13,268	9	1,455	7	1,412	92	16,135
GS-13	0	0	4	548	0	0	4	548
GS-12	0	0	0	0	0	0	0	0
GS-11	0	0	0	0	0	0	0	0
GS-10	0	0	0	0	0	0	0	0
GS-9	62	4,385	9	636	4	283	75	5,304
GS-8	0	0	0	0	0	0	0	0
GS-7	2	116	3	174	0	0	5	290
GS-6	0	0	0	0	0	0	0	0
GS-5	0	0	0	0	0	0	0	0
Total Positions and Annual Amount	141	17,962	25	2,813	11	1,695	177	22,470
Lapse (-)	-70	-8,981.00	-11	-1,406	-5	-847	-86	-11,234
11.5 Other Personnel Compensation		0		0		0	0	0
Total FTEs and Personnel Compensation	71	8,981	14	1,407	6	848	91	11,236
13.0 Benefits for former personnel		0		0		0		0
21.0 Travel and Transportation of Persons		555		115		259		929
22.0 Transportation of Things		166		29		13		208
23.1 Rental Payments to GSA		0		0		0		0
23.3 Communications, Utilities, and Miscellaneous Charges		705		68		119		892
24.0 Printing and Reproduction		9		1		1		11
25.1 Advisory and Assistance Services		0		0		0		0
25.2 Other Services from Non-Federal Sources		3,908		47		189		4,144
25.3 Other Goods and Services from Federal Sources		2,485		129		561		3,175
25.6 Medical Care		11		1		1		13
25.7 Operation and Maintenance of Equipment		0		0		0		0
26.0 Supplies and Materials		114		20		9		143
31.0 Equipment		2,632		763		205		3,600
Total Program Change Requests	71	19,566	14	2,580	6	2,205	91	24,351

K. Summary of Requirements by Object Class

Summary of Requirements by Object Class

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Object Class	2013 Actual		2014 Availability		2015 Request		Increase/Decrease	
	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 Full-Time Permanent	590	71,494	595	75,567	686	94,000	91	18,433
11.3 Other than Full-Time Permanent	79	7,149	79	6,907	79	8,500	0	1,593
11.5 Other Personnel Compensation	0	1,183	0	1,022	0	1,150	0	128
<i>Overtime</i>	0	0	0	0	0	0	0	0
<i>Other Compensation</i>	0	0	0	0	0	0	0	0
11.8 Special Personal Services Payments	0	2,308	0	0	0	0	0	0
Total	669	82,134	674	83,496	765	103,650	91	20,154
Other Object Classes								
12.0 Personnel Benefits		22,683		20,123		24,900		4,777
13.0 Benefits for former personnel		395		20		0		-20
21.0 Travel and Transportation of Persons		3,330		4,716		5,500		784
22.0 Transportation of Things		2,328		781		800		19
23.1 Rental Payments to GSA		22,557		24,664		25,000		336
23.2 Rental Payments to Others		1,470		1,513		1,550		37
23.3 Communications, Utilities, and Miscellaneous Charges		4,129		2,860		1,900		-960
24.0 Printing and Reproduction		60		110		150		40
25.1 Advisory and Assistance Services		-952		6,101		6,100		-1
25.2 Other Services from Non-Federal Sources		17,400		17,895		16,600		-1,295
25.3 Other Goods and Services from Federal Sources		6,273		7,717		7,800		83
25.6 Medical Care		76		68		100		32
25.7 Operation and Maintenance of Equipment		209		211		250		39
26.0 Supplies and Materials		712		1,488		2,500		1,012
31.0 Equipment		1,828		3,777		5,687		1,910
Total Obligations		164,632		175,540		202,487		26,947
Subtract - Unobligated Balance, Start-of-Year		-424		-1,351		0		1,351
Subtract - Reallocations		-1,900		0		0		0
Subtract - Recoveries/Refunds		-30		0		0		0
Add - Unobligated End-of-Year, Available		1,351		0		0		0
Add - Unobligated End-of-Year, Expiring		1,163		0		0		0
Total Direct Requirements	0	164,792	0	174,189	0	202,487	0	28,298
Reimbursable FTE								
Full-Time Permanent	285		297		297		0	
23.1 Rental Payments to GSA (Reimbursable)		2,640		2,657		2,657		0
25.3 Other Goods and Services from Federal Sources - DHS Security (Reimbursable)		0		0		0		0