

The Criminal Division



FY 2010
Congressional
Budget

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I. Overview for the Criminal Division

A. FY 2010 Budget Summary

The Criminal Division requests a total of 768 permanent positions, 765 direct Full-Time Equivalent work years (FTE), and \$176,861,000 in its Salaries and Expenses appropriation for Fiscal Year (FY) 2010. The Division's total requested program improvements for FY 2010 (22 positions, including 15 attorneys, 13 FTE, and \$4,430,000) is necessary for the Division to achieve the Department's Strategic Goal Two: Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the People.

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.usdoj.gov/jmd/2010justification/>.

B. Criminal Division Mission & Program Activities

The Criminal Division develops, enforces, and supervises the application of all federal criminal laws, except those specifically assigned to other divisions. The Division and the 93 U.S. Attorneys are responsible for overseeing criminal matters under more than 900 statutes, as well as certain civil litigation. The mission of the Criminal Division is to serve the public interest through enforcement of criminal statutes in a vigorous, fair, and effective manner.

The major functions of the Criminal Division are to:

- Develop, enforce, and supervise the application of all federal criminal laws, except those specifically assigned to other divisions of the Department.
- Supervise a wide range of criminal investigations and prosecutions, including those targeting individuals and organizations that commit or attempt to commit terrorist acts at home or against U.S. persons or interests abroad or those who assist in the financing of or otherwise support those criminal acts; financial fraud affecting the integrity of the marketplace; international and national drug trafficking and money laundering organizations; international organized crime groups; and corrupt public officials.
- Approve and oversee the use of the most sophisticated investigative tools in the federal arsenal, which includes the review of all federal electronic surveillance requests in criminal cases and authorizing participation in the Witness Security Program.
- Advise the Attorney General, Congress, the Office of Management and Budget, and the White House on matters of criminal law.
- Coordinate with foreign countries to secure the return of fugitives and obtain evidence and other assistance from those foreign countries, and assure that the United States meets its reciprocal obligations to those foreign countries.

- Formulate and implement criminal law enforcement policy and provide advice and assistance to the national law enforcement community, including providing training to federal, state, and local prosecutors and investigative agencies.
- Provide training and development assistance to foreign criminal justice systems.

The Criminal Division budget includes new investments, detailed later in this request, to sustain and improve its support of the Department's top priorities, specifically to combat financial fraud and economic crime and to reduce violent and organized crime, especially at the Southwest border.

C. The Criminal Division's Role in Achieving Outcomes

The Criminal Division has substantial prosecutorial expertise in a broad array of federal criminal subject matters, as well as formidable legal expertise and critical Department-wide operational resources. Thus, the Criminal Division plays a substantial role in helping the Department meet its targets for two critical Strategic Goals: (1) Preventing Terrorism and Promoting the Nation's Security, and (2) Preventing Crime, Enforcing Federal Laws and Representing the Rights and Interests of the American People. Additionally, the Division plays the central role in the Department for maintaining global partnerships to further support these Department's Strategic Goals.

In working toward achieving these strategic goals, the Division has identified several priority areas to ensure that the country's most critical justice needs, on both the national and transnational fronts, are effectively addressed, including:

- Safeguarding and Maintaining Confidence in our Marketplace
- Transnational Criminal Enforcement
- Supporting the National Security Mission
- Ensuring the Integrity of Government
- Reducing Violent and Organized Crime
- Protecting Children from Sexual Predators

Examples of how the Division works to address these priorities are provided in the following table:

Division Priority	Prosecuting & Investigating Activities	Expert Guidance & Advice Activities	Law Enforcement Tools	Global Partnership Activities
<p>Safeguarding & Maintaining Confidence in our Marketplace</p> <p><i>Stopping global thieves who threaten our economic infrastructure and financial integrity</i></p>	<ul style="list-style-type: none"> ▪ Vigorously prosecuting those who attempt to defraud tax-payers ▪ Safeguarding the marketplace by ensuring that moneys disbursed by the government as part of the financial rescue are not misappropriated ▪ 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 ▪ Participating in national policy groups to develop anti-corruption strategies ▪ Formulating legislative initiatives to strengthen laws that can be used to prosecute 	<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 intellectual property crimes ▪ Creating working relationships with traditionally closed countries
<p>Transnational Criminal Enforcement</p> <p><i>Identifying emerging cross-border crime trends and developing and implementing global enforcement strategies</i></p>	<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"> ▪ Information sharing through bi-lateral working groups ▪ Training of 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

Division Priority	Prosecuting & Investigating Activities	Expert Guidance & Advice Activities	Law Enforcement Tools	Global Partnership Activities
<p>Supporting the National Security Mission</p> <p><i>Investigating and stopping potential terrorists before they attack</i></p>	<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
<p>Ensuring the Integrity of Government</p> <p><i>Ensuring fair and uniform treatment of sensitive public corruption investigations to buoy citizen trust in officials</i></p>	<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 ▪ Formulating legislative initiatives focused on corruption 	<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 corruption of foreign officials

Division Priority	Prosecuting & Investigating Activities	Expert Guidance & Advice Activities	Law Enforcement Tools	Global Partnership Activities
<p>Reducing Violent & Organized Crime</p> <p><i>Performing critical coordinating functions in the fight to reduce the threat of violence in communities</i></p>	<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 fighting gangs 	<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
<p>Protecting Children from Sexual Predators</p> <p><i>Coordinating with law enforcement officials in our collective effort to stop sexual predators</i></p>	<ul style="list-style-type: none"> ▪ Prosecuting high-profile and dangerous child predators ▪ Coordinating Project Safe Childhood (PSC) investigations 	<ul style="list-style-type: none"> ▪ Training PSC field units in prosecution techniques ▪ Advising foreign counterparts on conducting complex investigations 	<ul style="list-style-type: none"> ▪ Running 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 ▪ Participating in efforts to make child exploitation issues a global priority

First and foremost, the Criminal Division is a litigating component. The Division's attorneys try cases in federal court, manage complex investigations, and otherwise handle the day-to-day duties attendant to prosecuting cases. Providing 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, narco-terrorism, organized crime, narcotics, and other criminal activities, and consequently is uniquely able to ensure that crimes that occur across borders do not go undetected or ignored.

**KEEPING AMERICA SAFE:
An Example of the Criminal Division's Role in
Safeguarding and Maintaining Confidence in our Marketplace**

The Criminal Division's Fraud Section continues to vigorously enforce the Foreign Corrupt Practices Act (FCPA) and take other steps to address international corruption. In the last three months, two multinational corporations pleaded guilty to violating the FCPA, which resulted in record fines. On December 15, 2008, Siemens Aktiengesellschaft (Siemens AG), a German corporation, and three of its subsidiaries, pleaded guilty to separate criminal informations charging violations of the FCPA. In total, Siemens and its subsidiaries paid a combined criminal fine of \$450 million, the largest criminal fine for a FCPA violation in history. More recently, on February 11, 2009, Kellogg Brown & Root (KBR), a global engineering, construction, and services company based in Houston, Texas, pleaded guilty to a five-count criminal information charging the company with one count of conspiracy to violate the FCPA and four counts of violating the FCPA. KBR agreed to pay a \$402 million criminal fine. These are just two of the seven corporate FCPA cases disposed of since January 2008. The other cases include:

1. Westinghouse Air Brake Technologies Corporation, 2008 [\$300,000 penalty]
2. U.S. v. Willbros Group, Inc. and Willbros International, Inc., S.D. Texas 2008 [\$22 million penalty]
3. U.S. v. AGA Medical Corporation, D. Minn. 2008 [\$2 million penalty]
4. FARO Technologies, Inc., 2008 [\$1.1 million penalty]
5. U.S. v. Aibel Group Ltd., S.D. Texas 2008 [\$4.2 million penalty]

The Division also leads the national effort to address emerging criminal trends, including the increasingly international scope of criminal activity. The Division's work on the international front is exemplary. As a "headquarters" office, the Division serves as a 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 – a role that is more critical than ever due to the increasing globalization and sophistication of crime.

**KEEPING AMERICA SAFE:
An Example of the Criminal Division's Role in
Reducing Violent and Organized Crime**

Juan Jiminez-Hernandez pled guilty to conspiracy to conduct and participate in racketeering enterprise activities of MS-13. Of 30 alleged MS-13 gang members indicted in this racketeering conspiracy, Jiminez-Hernandez is the twentieth to be convicted. Other MS-13 convictions include:

- 8/8/08 - Israel Ernesto Palacico was convicted by a federal jury of conspiracy to participate in a racketeering enterprise, conspiracy to commit murder in aid of racketeering, use of a firearm in relation to a crime of violence and murder resulting from use of a gun during a crime of violence;
- 8/29/08 - Wendy Garcia was sentenced to three years in prison followed by three years of supervised release for obstruction of justice, in connection with the murder of an MS-13 gang member by other MS-13 members;
- 9/8/08 - Ericka Cortez was sentenced to 46 months in prison based on a guilty plea to RICO conspiracy;
- 9/16/2008 - Esolastico Serrano was sentenced to 45 years in prison based on a guilty plea to RICO conspiracy; and
- 9/25/2008 - Ronald Fuentes was sentenced to life in prison based on a guilty plea to RICO conspiracy.

Finally, the Division serves as the Department's nerve center for many critical operational matters. For example, it reviews and approves the use of many sensitive law enforcement tools available to investigators, to ensure that they are used effectively and appropriately. These tools include correspondent banking subpoenas, Title III wiretaps, electronic evidence-gathering authorities, international prisoner transfers, and the Witness Security Program. In the international arena, the Division manages the Department's relations with foreign counterparts and coordinates all prisoner transfers, extraditions, and mutual assistance requests. In addition, the events of September 11, 2001 have highlighted the need for 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. 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, reviewing every racketeering indictment that is brought across the nation. In this way, the Division serves a critical role in the nation's law enforcement community.

**KEEPING AMERICA SAFE:
An Example of the Criminal Division's Role in
Supporting the National Security Mission**

Among the Division's most significant accomplishments in this area were:

1. The extradition from the Czech Republic of suspected terrorist Oubssama Abdullah Kassir, who is accused of assisting Al Qaeda in numerous ways, including conspiring with other Al Qaeda supporters to establish a Jihad training camp in Bly, Oregon (case pending in the U.S. Attorney's Office of the Southern District of New York (SDNY));
2. The extraditions from Spain of Monzer Al Kassar, an international arms dealer, and from Romania of his co-defendants Tarequ Mousa Al Ghazi and Luis Felipe Moreno Godoy, on charges of conspiracy to provide material support and resources to the Fuerzas Armadas Revolucionarias de Colombia (the FARC) – a designated foreign terrorist organization (Al Kassar and Moreno were convicted on all charges on 11/20/08; Al Ghazi's trial is set to begin March 2, 2009 in SDNY); and
3. The extradition of Syed Hashmi, the first American citizen to be extradited from the United Kingdom on terrorism charges; he is accused of providing material support, including military gear, to Al Qaeda forces fighting U.S. troops in Afghanistan (case pending in SDNY).

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 our control, the Division has always strived to navigate these obstacles successfully and to minimize the negative impact that these factors could have on the Division's critical mission.

External Challenges

There are many external challenges that affect the Division's ability to achieve our goals successfully. They include the following:

1. **Globalization of Crime:** The increasing globalization of crime and the emergence of transnational threats will continue to bring new challenges to law enforcement 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 experience and the unique capability to build essential global partnerships to successfully combat transnational crimes, but requires the 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 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 Mandatory Responsibilities:** Unfunded Congressional mandates and new legislation that increase the Division's responsibilities, with no corresponding increase in resources, has taxed the Division's limited personnel resources:
 - The **Public Integrity Section** has not received new resources in more than 10 years, even though it is increasingly called on to uniformly apply election crime standards and review sensitive corruption investigations.
 - The **Fraud Section** has spearheaded many crucial initiatives, such as the Hurricane Katrina Task Force and the Procurement Fraud Task Force, without a concomitant increase in resources. The Division's Fraud Section will be, in the current financial crisis, called upon to step up its enforcement activities with respect to financial frauds, another necessary and important effort that requires an increase in resources.
 - The **Office of International Affairs** is the Department of Justice's sole office for negotiating the extradition of criminals, securing foreign evidence, and obtaining foreign counterpart cooperation, which is critical for the successful prosecution of significant cases. However, OIA has not received new dedicated resources since FY 2002, while demand for its services continues to increase with the globalization of crime.
 - The Military Extraterritorial Jurisdiction Act (MEJA) (18 U.S. Code, Sections 3261 through 3267) provides for federal criminal jurisdiction for certain persons who commit felonies while deployed overseas in support of Department of Defense (DOD) missions. These cases are crucial to ensuring that soldiers and others who are overseas in support of the DOD mission are held accountable if they commit crimes abroad. All potential MEJA cases must be presented to the **Domestic Security Section (DSS)** for initial evaluation and referral to a U.S. Attorney's Office. Despite the significant increase in the number of MEJA cases handled by the Division, DSS has not received any new resources.

Internal Challenges

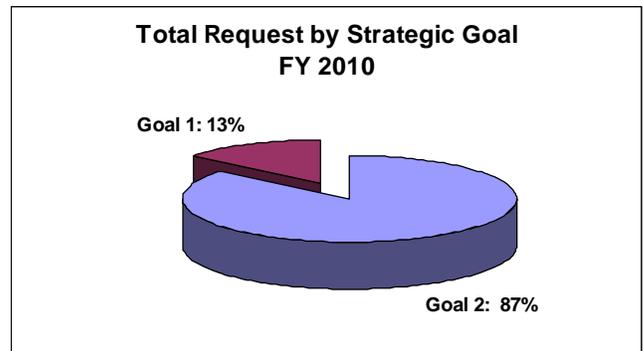
The Criminal Division faces a number of internal challenges due to demands and eroding base resources. These challenges include the following:

1. **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.
2. **Creation of Central Department Litigation Tracking System:** The Department's Litigation Case Management System (LCMS) will be a shared case management system for the Executive Office for U.S. Attorneys (EOUSA), the 94 U.S. Attorneys' Offices, and all the litigating divisions, including the Criminal Division. This new system will create new requirements for not only our IT personnel, but also for our attorney and support personnel, who will be required to learn new definitions as well as a new data entry system.

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 and how the additional resources requested in this budget, if approved, will positively impact performance – 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.



II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Combating Financial Fraud & Protecting the Federal Fisc	Combating financial crimes, including those that caused the current financial crisis affecting the mortgage markets, credit markets, and banking system by: <ul style="list-style-type: none"> aggressively prosecuting critical and high-visibility financial fraud cases adopting a coordinated, national approach to addressing these crimes 	7	5	\$1,808	21
Improving Immigration & Southwest Border Enforcement	End violence and crime related to the southwest border by targeting and prosecuting gangs along the southwest border.	1	1	\$122	26
Supplemental to Base Funding	Identify, investigate, and prosecute fraud against the government, including procurement fraud and public corruption.	14	7	\$2,500	29

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

Not Applicable

Analysis of Appropriations Language

IV. Decision Unit Justification

A. Enforcing Federal Criminal Laws

<i>[Enforcing Federal Criminal Law]</i> TOTAL	Perm. Pos.	FTE	Amount
2008 Enacted with Rescissions	744	750	\$148,979
2008 Supplementals	0	0	\$1,648
2008 Enacted w/Rescissions and Supplementals	744	750	\$150,627
2009 Enacted	746	751	\$164,061
Adjustments to Base and Technical Adjustments	0	0	\$8,370
2010 Current Services	746	752	\$172,431
2010 Program Increases	22	13	\$4,430
2010 Request	768	765	\$176,861
Total Change 2009-2010	22	14	\$12,800

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. Because the Criminal Division is a “headquarters” office, it is well positioned to form critical partnerships with international law enforcement on the Department’s behalf, and to be the Department’s primary component responsible for spearheading national initiatives with domestic law enforcement agencies. While U.S. Attorneys and state and local prosecutors serve specific geographic jurisdictions, the Criminal Division’s mandate and mission crosses state and international lines.

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 20 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 Unit; Child Exploitation and Obscenity Section; Computer Crime and Intellectual Property Section; Domestic Security Section; Executive Office of the Organized Crime Drug Enforcement Task Force; Fraud Section; Gang Unit; 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; Office of Special Investigations; Organized Crime and Racketeering Section; and Public Integrity Section.

The Criminal Division has among its ranks the nation’s experts on a broad range of critical law enforcement areas. This expertise is reflected in the Division’s Performance and Resource Table, which is organized into three “functional” categories: prosecutions and investigations; expert guidance and legal advice; and oversight and approval of sensitive law enforcement tools.

2. PERFORMANCE AND RESOURCE TABLE

Decision Unit: Enforcing Federal Criminal Laws											
DOJ Strategic Goal/Objective: Goal One: Prevent Terrorism and Promote the Nation's Security 1.1 Prevention, 1.2 Partnership, 1.3 Investigation/Prosecution Goal Two: Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People 2.2 Violent Crime, 2.3 Crimes against Children, 2.4 Drug, 2.5 Corruption/Fraud, 2.6 Constitutional Rights											
WORKLOAD/RESOURCES		Final Target		Actual		Projected		Changes		Requested (Total)	
		FY 2008		FY 2008		FY 2009 Enacted		Current Services Adjustments and FY 2010 Program Changes		FY 2010 Request	
Total Costs and FTE (reimbursable FTE are included)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		867	\$148,979	869	\$147,585	883	\$164,061	45	\$12,800	928	\$176,861
TYPE/ Strategic Objective	PERFORMANCE	FY 2008		FY 2008		FY 2009 Enacted		Current Services Adjustments and FY 2010 Program Changes		FY 2010 Request	
Program Activity	1. Prosecutions and Investigations	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		379	\$70,982	378	\$71,960	386	\$79,454	9	\$7,066	395	\$86,520
Workload	Cases Opened	475		438		426		5		431	
Workload	Cases Closed	320		381		299		3		302	
Workload	Cases Pending	1,186		1,066		1,193		129		1,322	
Workload	Appellate Work - Opened	4,715		3,993		3,960		0		3,960	
Workload	Appellate Work - Closed	4,375		3,756		3,860		0		3,860	

Workload	Appellate Work - Pending	2,387		2,298		2,398		100		2,498	
Workload	Matters Opened	802		1,039		909		9		918	
Workload	Matters Closed	508		620		538		5		543	
Workload	Matters Pending at EOY	1,683		1,790		2,161		375		2,536	
Program Activity	2. Expert Guidance and Legal Advice	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		330	\$48,554	322	\$43,995	325	\$49,160	34	\$3,415	359	\$52,575
Workload	Number of Legislative and Policy Analysis Matters Completed	12,411		14,662		6,650		433		7,083	
Workload	Number of Programmatic Coordination Activities	1,843		2,648		2,428		170		2,598	
Workload	Number of Legal Advisory Matters Completed	13,835		15,945		16,573		1,160		17,733	
Workload	Number of Training Sessions/ Presentations	2,157		2,789		2,194		154		2,348	
Program Activity	3. Law Enforcement Tools	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		158	\$29,443	169	\$31,630	172	\$35,447	2	\$2,319	174	\$37,766
Workload	Number of Mandatory Reviews Completed	20,758		21,356		22,376		1,566		23,942	

EFFICIENCY MEASURE	Ratio of Administrative Costs to Program Costs	69.60%	70.00%	69.90%	0	69.90%
OUTCOME	Favorably Resolve Criminal Cases	90%	95%	90%	0	90%
OUTCOME	Favorably Resolve Civil Cases	80%	75%	80%	0	80%
<p>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 Racketeering Section, Narcotic and Dangerous Drug Section, Asset Forfeiture and Money Laundering Section, Office of Special Investigations, Domestic Security Section, and Gang Unit. Appeals: Appellate Section. Beginning in FY 09, Capital Case Unit will be included in the prosecution data. . 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.</p> <p>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. The Division completed a second improvement initiative focused on data entry standards and the validation of quarterly data in FY 2008 and is continuously working to ensure the reliability and accuracy of its data.</p>						

PERFORMANCE MEASURE TABLE											
Decision Unit: Enforcing Federal Criminal Laws											
Performance Report and Performance Plan Targets		FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007*	FY 2008		FY 2009	FY 2010
		Actual	Actual	Actual	Actual	Actual	Actual	Actual	Target	Actual	Target
OUTCOME Measure	Favorably Resolved Criminal Cases**	N/A	97%	94%	96%	98%	97%	90%	95%	90%	90%
OUTCOME Measure	Favorably Resolve Civil Cases**	N/A	100%	100%	100%	90%	87%	80%	75%	80%	80%
Efficiency Measure	Ratio of Administrative Costs to Program Costs	N/A	N/A	N/A	69.61	70.27%	70.40%	69.90%	70.00%	69.90%	69.90%

N/A = Data unavailable

* Beginning Fiscal Year 2007, the workloads of the Counterterrorism and Counterespionage Sections will not be included in the Criminal Division.

** Denotes inclusion in the DOJ *Performance & Accountability Report*

3. Performance, Resources, and Strategies

Criminal Division: Enforcing Federal Criminal Laws	
Department Goal(s)	<p><i>Strategic Goal 1: Prevent Terrorism and Promote the Nation's Security</i></p> <p><i>Strategic Goal 2: Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People</i></p>
Department Objective(s)	<p><i>Strategic Objective 1.1: Prevent, disrupt, and defeat terrorist operations before they occur</i></p> <p><i>Strategic Objective 1.2: Strengthen partnerships to prevent, deter, and respond to terrorist incidents</i></p> <p><i>Strategic Objective 1.3: Investigate and prosecute those who have committed, or intend to commit, terrorist acts in the United States</i></p> <p><i>Strategic Objective 2.2: Reduce the threat, incidence, and prevalence of violent crime</i></p> <p><i>Strategic Objective 2.3: Prevent, suppress, and intervene in crimes against children</i></p> <p><i>Strategic Objective 2.4: Reduce the threat, trafficking, use, and related violence of illegal drugs</i></p> <p><i>Strategic Objective 2.5: Combat public and corporate corruption, fraud, economic crime, and cybercrime</i></p> <p><i>Strategic Objective 2.6: Uphold the civil and constitutional rights of all Americans</i></p>

a. Performance Plan and Report for Outcomes

Outcome Measure

The Departmental long-term outcome goal for the litigating divisions, including the Criminal Division, is the percentage of criminal and civil cases favorably resolved in the Fiscal Year. The goals are 90 percent (criminal) and 80 percent (civil). In FY 2008, the Division favorably resolved 95 percent of its criminal cases - exceeding the Departmental goal - and 75 percent of its civil cases, missing the Departmental goal of 80 percent.

The Division prosecutes a limited number of civil cases and its one Section with the most civil dispositions is the Office of Special Investigations (OSI), which is responsible for originating, investigating, and prosecuting all denaturalization and removal (deportation) cases against human rights violators (including suspected Axis persecutors). Many of those whom OSI prosecutes as part of its World War II era work are elderly. This fiscal year, three of the twelve dispositions counted in this measure were deaths of OSI defendants. OSI does not count "death" as a favorable disposition because the Office was unable to meet their ultimate goal of removing the person from the United States.

Prosecutions and Investigations Workload

The Division leads complex investigations and brings significant prosecutions. Many of these cases are of national significance; require international coordination; have precedent-setting implications; involve the coordination of cross-jurisdictional investigations; and require intensive

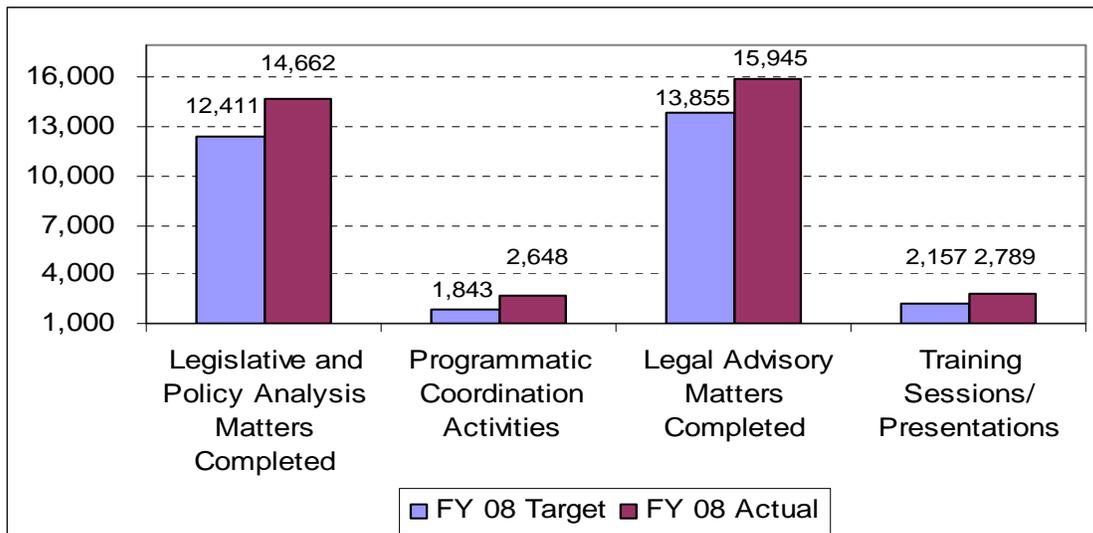
resources. From FY 2007 and FY 2008, the Division prosecutions and investigations workload reflected an increase:

- The number of cases and matters opened by the Division increased by 9%
- The number of cases and matters closed increased by 13%
- The Division’s pending workload increased by 17%

This increase is noteworthy considering that the Division has suffered from a series of position cuts during the last few fiscal years. The Division took a 9 position (\$1,000,000) cut in the resources devoted to expert guidance and legal advice and mandatory review of law enforcement tools in FY 2004; in FY 2005, the Division took an additional cut of \$2,247,000, which further eroded the critical functions that the Division performs. Furthermore, the FY 2008 Enacted levels funded the Division approximately \$4 million below our required levels to operate. In fiscal year 2010, the Division must continue to litigate complex cases and investigate matters. In spite of limited resources, the Division is projecting increases in our investigations and prosecutions workload for FY 2010.

Other Critical Division Workload

In addition to investigating and prosecuting criminal cases, the Division plays a central role in reviewing the use of critical law enforcement tools, including approving all requests for wiretapping under Title III. In addition, the Division 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’s workload on all these fronts has increased:



- The number of legislative and policy analysis matters completed exceeded the 2008 target by 18%
- The number of programmatic coordination activities completed exceeded the 2008 target by 44%
- The number of legal advisory matters completed exceeded the 2008 target by 15%

- The number of training sessions/presentations completed exceeded the 2008 target by 29%

The Division is projecting the following workload from FY 2009 to FY 2010 to increase by 7% in the following categories: the number of legislative and policy analysis matters completed, the number of programmatic coordination activities completed, the number of legal advisory matters completed, the number of training sessions and presentations completed, and the number of mandatory reviews completed.

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 One and Two. Section I (Overview) of this budget fully discusses the Division's current strategies to accomplish these outcomes.

V. Program Increases by Item

Item Name: **Combating Financial Fraud & Protecting the Federal Fisc**

Budget Decision Unit(s): Enforcing Federal Criminal Laws

Strategic Goal(s) & Objective(s): **Goal 2:** Prevent crime, enforce federal laws, and represent the rights and interests of the people
Objective 2.5: Combat public and corporate corruption, fraud, economic crime, and cybercrime

Organizational Program: Criminal Division

Program Increase: Positions 7 Atty 5 FTE 5 Dollars \$1,808,000

Description of Item

The Criminal Division is requesting 7 positions (5 attorneys), 5 FTE, and \$1,808,000 to fund a strategic response to the current financial crisis affecting the mortgage markets, credit markets, and banking system.

Justification

The nation's current economic crisis has had significant and devastating effects on mortgage markets, credit markets, and the banking system. The financial crisis demands an immediate, aggressive, and comprehensive law enforcement response, including the initiation of additional fraud investigations and the prosecutions of security firms, banks, and individuals that have defrauded their customers and otherwise placed billions of dollars of private and public money at risk. Furthermore, the financial crisis requires a strategic and proactive approach for detecting and preventing fraud in the future. The government has committed hundreds of billions of dollars to bail out the financial sector and is expected to spend more. It has been distributed quickly to meet the needs of our nation, but this also creates an environment ripe for fraud and associated corruption. Accordingly, the Criminal Division requires additional resources to respond to the root of the crisis, to prosecute those responsible for undermining the financial markets, and to prevent future fraud and abuse relating to the money that has been and will be disbursed to help remedy the current crisis. To address each of these issues, the Criminal Division is facing an unprecedented demand on its prosecutorial resources from the Federal Bureau of Investigation, the U.S. Attorneys' Offices, the Special Investigator for the Troubled Asset Relief Program (SIG TARP), and other investigative and prosecutorial agencies.

To meet these imminent demands, the Criminal Division has two distinct roles to play. First, the Criminal Division is identifying specific threats, such as those that caused the financial crisis, and is leading a coordinated, nationwide response to those threats. Second, the Criminal Division has the responsibility to support the 94 U.S. Attorneys' Offices by partnering with them

in litigation; supporting cases by assisting in nationwide and international evidence collection; and by providing expert counsel in criminal enforcement matters.

As to the first role, the Criminal Division is assisting in coordinating a nationwide response to threats to the financial sector, including mortgage fraud cases. The Division has great experience in and a remarkable track record of successfully leading groundbreaking nationwide initiatives to target specific criminal activities. For example, the Criminal Division has created task forces to address Medicare Fraud, Procurement Fraud and Disaster Relief Fraud (such as Hurricane Katrina). Each of these Task Forces has fanned out across the country and has netted dramatic results. Since 2007, the Medicare Strike Force has indicted almost 200 individuals and recovered almost \$250 million. The Procurement Fraud Task Force is working with over 30 U.S. Attorneys' Offices and since 2006, approximately 350 procurement fraud cases have been brought and approximately \$350 million has been recovered. Since 2005, the Hurricane Katrina Fraud Task force has helped prosecute approximately 1,000 defendants for disaster relief fraud. The cases have been complex and multi-jurisdictional and in some cases, international – precisely the type of cases that require a strategic and coordinated response.

The types of cases that have caused the current economic crisis have similar characteristics and require, at the very least, the same response. Mortgage fraud and bank fraud cross national and international boundaries, as does the money to be recovered, which may reside in foreign bank accounts. Based on prior experience in coordinating task forces and because of the specialized expertise of Criminal Division attorneys, the Division is uniquely situated to help plan and execute a strategic approach to prosecuting mortgage fraud and recovering funds from overseas. However, to prosecute crimes that underlie the current, unprecedented financial crisis, the Division requires a commensurate increase in resources. Ultimately, the Criminal Division's past experience reveals that an investment in a coordinated response and appropriate resources helps ensure justice is served and has an economic benefit of recovering funds that otherwise may have been lost to criminals who may have gone unpunished.

The Criminal Division is fortunate to have some very experienced prosecutors – in the Division's Fraud Section, Asset Forfeiture and Money Laundering Section, and Computer Crimes and Intellectual Property Section -- who are focused on bringing some of the most complex fraud prosecutions in the nation. The Criminal Division's Appellate Section handles the appeals of those convictions. However, the Division must have more resources for prosecutors and litigation support (including travel) to take on these additional complex cases. The Fraud Section's pending caseload has more than doubled since FY 2005 (increasing 103% between FYs 2005 and 2008). The Section's new caseload has dropped in the past year because more prosecutors are needed before additional cases and investigations can be initiated. The Division's Asset Forfeiture and Money Laundering Section has also experienced continued increases in its pending caseload (59% between FYs 2005 and 2008) while its new caseload has also increased (287%). This increase has resulted in the shifting of resources to its litigation unit to keep pace with the demand for its prosecutorial expertise from both U.S. Attorneys' Offices and law enforcement agencies.

The Division's second role is to effectively support the field. In addition to bringing complex fraud prosecutions, an effective law enforcement response to the financial crisis will require the

aggressive use of asset forfeiture laws, and will require law enforcement to rely on techniques such as wiretaps, use of the witness security program, mutual legal assistance treaty (MLAT) requests to other nations, and computer forensic searches. In these areas, the Criminal Division plays a central role.

The Criminal Division's Office of International Affairs (OIA), for example, acts as Central Authority for all U.S. MLATs, and all U.S. extradition requests are reviewed and approved by OIA. An increase in attorney staffing is required to meet the increased MLAT and extradition requests that are triggered by financial fraud investigations. Among other things, to ensure that investigations are not hamstrung by an inability to obtain crucial foreign evidence, OIA has to quickly and effectively ensure that MLAT requests are processed. Because OIA attorneys are already working at full capacity securing foreign evidence and fugitives in currently pending cases, additional resources are needed. In FY 2008, OIA made 668 requests for foreign evidence. Of those requests, 274 were fraud-related (90% of which came from the U.S. Attorneys' Offices).

Similarly, the Criminal Division's Office of Enforcement Operations (OEO) is the office within the Department of Justice charged with, among other things, reviewing and approving critical law enforcement techniques such as witness immunity requests, all electronic surveillance requests, entry of applicants into the federal witness security program, use of press subpoenas, use of attorney subpoenas for unprotected or fraudulent communications, and applications for S visas. Experience in prosecuting complex white collar crime has demonstrated that to be effective in addressing crime and fraud related to the current financial crisis, we need more attorneys to apply for authorization for such critical investigative techniques. As fraud prosecutions grow in response to the financial crisis, so too will the volume of approval requests that OEO must process.

Financial fraud cases are unusually complex and document intensive. A single case can result in the analysis and review of literally millions of documents. The digestion of this quantity of information in a timely fashion requires computer and technology resources. This support is crucial to successfully investigating and prosecuting complex cases.

Impact on Performance (Relationship of Increase to Strategic Goals)

These requested resources will directly support Objective 2.5 of the Department of Justice's Strategic Plan (Combat public and corporate corruption, fraud, economic crime, and cybercrime).

The current economic crisis has required Congress to funnel hundreds of billions of dollars into the financial sector, which remains vulnerable to unscrupulous individuals poised to take advantage of the current weak climate. To completely address the crisis, prosecutors with the expertise and positioning to have a national impact on these investigation and cases will be required. The Criminal Division is uniquely situated to address this problem proactively and cohesively. Funding these program enhancements will enable the Division to capitalize on this unique ability to the benefit of the entire nation.

The U.S. Attorneys' Offices and law enforcement agencies will benefit from the funding of this request because they rely on the Criminal Division for prosecutorial expertise, securing foreign evidence, and coordination of national task forces that alleviate their own workload and allow more timely investigation and prosecution of these cases.

The Division has a proven track record in effectively combating specific types of fraud through task forces and targeted, aggressive prosecutions. However, as demonstrated in the justification for this request, the Division is currently operating at maximum capacity and will consequently need additional resources to take on the latest target – financial fraud.

Funding

Base Funding

FY 2008 Enacted (w/resc./supps)				FY 2009 Enacted				FY 2010 Current Services			
Pos	atty	FTE	\$(000)	Pos	atty	FTE	\$(000)	Pos	atty	FTE	\$(000)
16	12	16	\$3,142	16	12	16	\$3,307	16	12	16	\$3,432

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2010 Request (\$000)	FY 2011 Net Annualization (change from 2010) (\$000)
Attorney	\$122	5	\$610	\$490
Prof. Support	\$69	2	\$138	\$68
Total Personnel		7	\$748	\$558

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2010 Request (\$000)	FY 2011 Net Annualization (Change from 2010) (\$000)
Litigation Support (including travel)	\$1,060		\$1,060	\$530
Total Non-Personnel	\$1,060		\$1,060	\$530

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)
Current Services	16	12	16	\$3,432	\$0	\$3,432
Increases	7	5	5	\$748	\$1,060	\$1,808
Grand Total	23	17	21	\$4,180	\$1,060	\$5,240

Item Name: **Improving Immigration & Southwest Border Enforcement**

Budget Decision Unit(s): Enforcing Federal Criminal Laws

Strategic Goal(s) & Objective(s): **Goal 2:** Prevent crime, enforce federal laws, and represent the rights and interests of the people
Objective 2.2: Reduce the threat, incidence, and prevalence of violent crime

Organizational Program: Criminal Division

Program Increase: Positions 1 Atty 1 FTE 1 Dollars \$122,000

Description of Item

The Criminal Division requests 1 attorney position and \$122,000 to target and prosecute gangs along the southwest border.

Justification

National and international gangs like MS-13 and the Latin Kings threaten the safety of this nation. These ruthless criminal syndicates are sophisticated; they recruit members from across the country and are well-financed. State and local law enforcement is overwhelmed and is looking for a solution to their inability to single-handedly address this virulent problem. Moreover, current intelligence shows that gang members are frequently smuggled across the southwestern border as a means of illegally entering the United States. It is not enough that Immigration and Custom Enforcement (ICE) or the Federal Bureau of Investigation (FBI) resources have been increased to address this crisis; the branch offices of U.S. Attorneys' Offices responsible for prosecuting cases along the border are understaffed and inundated with illegal entry and minor drug-related cases. As such, these Districts often do not have the time, resources, and expertise to pursue more complex gang investigations or prosecute significant gang cases. The result is that gang leaders and organizations which operate on both sides of the southwest border are often not targeted as aggressively as they could be by law enforcement. The Criminal Division's Gang Unit's substantial expertise and national perspective in combating gang violence nationally and internationally makes it uniquely poised to tackle gang activities along the southwest border and with more resources, it will do so.

The Gang Unit, established in late 2006, is charged with developing and implementing strategies to attack the most significant national and transnational gangs operating in the United States. Gang Unit attorneys have the following roles: (1) prosecute select gang cases of national importance, (2) formulate policy on gangs and violent crime, (3) assist and coordinate with local U.S. Attorneys' Offices on legal issues and multi-district cases, and (4) work with numerous domestic and foreign law enforcement agencies to construct effective and coordinated prevention and enforcement strategies. The cases that the Gang Unit prosecutes are extraordinary in their complexity, the breadth of the crimes involved, the geographic scope of the crimes, and the

viciousness of the offenders. For example, the Gang Unit is currently prosecuting a single case that includes 26 defendants who are allegedly members of the violent gang known as MS-13. The defendants are charged with federal racketeering and related crimes occurring in the United States and El Salvador. The charges stem from activities occurring from 2003 to June 2008, during which time it is alleged that the defendants conspired to operate as a gang; committed four murders; formed a drug trafficking conspiracy involving cocaine and marijuana; distributed narcotics; committed multiple robberies; illegally possessed firearms, including in connection with crimes of violence and narcotics offenses; committed acts of extortion and threats of violence; assaulted others, often with deadly weapons; and intimidated witnesses and obstructed justice.

The Gang Unit of the Criminal Division currently has only 9 attorneys; although it has done much with those resources in the short time since it was established, it cannot devote any of its resources to targeting groups along the southwest border. In fact, at current staffing levels, the Gang Unit has been forced to decline requests for assistance in gang investigations and prosecutions. Declinations of criminal referrals, however, are not the response that the Department of Justice should be giving when it is asked for assistance in fighting gangs: but, without additional resources, the Gang Unit will have to continue, reluctantly, to say “no.”

Nevertheless, the Unit has made great efforts, with its limited resources, to:

- forge close working relationships with our international law enforcement partners in Central America which helped in investigations that led to the indictment of gang leaders in Central America who directed criminal activity in the U.S.; and
- provide legal and strategic expert advice to state, local and federal law enforcement, as well as prosecutors, in areas such as the use of Racketeer Influenced and Corrupt Organizations (RICO) statutes, Violent Crimes in Aid of Racketeering (VICAR) statutes, and gun laws and strategic planning/investigation of gang related crimes.

With additional resources, the Gang Unit can translate its proven success in targeting gang violence and bring some of the most violent offenders in the country to justice.

Impact on Performance (Relationship of Increase to Strategic Goals)

The Division’s efforts to improve immigration and southwest border enforcement directly support the Department’s Strategic Objective 2.2, Reduce the threat, incidence, and prevalence of violent crime. By granting this enhancement, the Division will be able to implement strategies to continue its mission critical work of ending violent and organized crime. The Gang Unit will be able to devote attorneys to pursue enterprise based investigations along the southwest border and bring cases against gang members.

Funding

Base Funding

FY 2008 Enacted (w/resc./supps)				FY 2009 Enacted				FY 2010 Current Services			
Pos	atty	FTE	\$(000)	Pos	atty	FTE	\$(000)	Pos	atty	FTE	\$(000)
8	7	8	\$1,580	10	9	9	\$2,008	10	9	10	\$2,251

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2010 Request (\$000)	FY 2011 Net Annualization (change from 2010) (\$000)
Attorney	\$122	1	\$122	\$98
Total Personnel		1	\$122	\$98

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2010 Request (\$000)	FY 2011 Net Annualization (Change from 2010) (\$000)
N/A				
Total Non-Personnel	N/A	N/A	N/A	N/A

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)
Current Services	10	9	10	\$2,251	\$0	\$2,251
Increases	1	1	1	\$122	\$0	\$122
Grand Total	11	10	11	\$2,373	\$0	\$2,373

Item Name: **Supplemental to Base Funding**

Budget Decision Unit(s): Enforcing Federal Criminal Laws

Strategic Goal(s) & Objective(s): **Goal 1:** Prevent terrorism and promote the nation's security
Objective 1.2: Strength partnerships to prevent, deter, and respond to terrorist incidents
Goal 2: Prevent crime, enforce federal laws, and represent the rights and interests of the people
Objective 2.5: Combat public and corporate corruption, fraud, economic crime, and cybercrime

Organizational Program: Criminal Division

Program Increase: Positions 14 Atty 9 FTE 7 Dollars \$2,500,000

Description of Item

The Criminal Division is requesting 14 positions (9 attorneys), 7 FTE, and \$2,500,000 to identify, investigate, and prosecute fraud against the government, including procurement fraud and public corruption.

Justification

Procurement fraud cheats American taxpayers and harms the government's efforts to obtain the goods and services needed to operate effectively and efficiently. At a time of heightened concern for our nation's economic stability and security, every tax dollar is precious. For those reasons, the Department remains vigilant in preventing, detecting and prosecuting procurement fraud.

To protect taxpayer money and ensure the proper spending of government money, the Department created the National Procurement Fraud Task Force in October 2006. The Criminal Division leads this effort by chairing the Task Force. The Task Force has a broad mission to identify significant future outlays of government funds that are vulnerable to misappropriation and corruption. The Department is well aware that when large investments of taxpayer money are doled out over a short period of time, people will try to exploit the system and criminally profit. For this reason, the Task Force, with the Criminal Division as the lead, has worked to identify potential outlays, designed strategies to detect potential exploitation, and diligently prosecuted cases.

The Task Force has been particularly effective in fighting procurement fraud and public corruption associated with the wars in Iraq and Afghanistan. Procurement fraud cases, especially those involving the wars in Iraq and Afghanistan are usually very complex and resource intensive. The cases often involve extraterritorial conduct as well as domestic conduct, requiring coordination between appropriate law enforcement agencies. The Task Force and the Criminal

Division's Fraud Section have served as a primary point of contact for agents worldwide investigating contract fraud matters associated with these conflicts, this includes agents from the Criminal Investigations Division of the United States Army (Army CID), the Federal Bureau of Investigation (FBI), Special Inspector General for Iraqi Reconstruction (SIGIR), and the Defense Criminal Investigative Service (DCIS), who have established a corruption task force which includes a post in Baghdad.

The Task Force's coordination has been successful. To date, the Department has brought charges related to procurement fraud in connection with the Global War on Terror (GWOT), which includes matters involving Iraq, Kuwait, and Afghanistan, against more than 75 defendants in addition to civil claims brought or settled. More than 40 of these cases have resulted in criminal convictions. One such case involved a recent conviction involving an 18 month conspiracy to launder several million dollars in bribes and kickbacks on contracts awarded by the Department of Defense to support operations in the Middle East, including Operation Iraqi Freedom. In another case, investigated by the FBI, Army CID, and DCIS, a former contractor was convicted for his participation in a year long scheme to steal millions of gallons of fuel worth tens of millions of dollars from a military camp in Iraq. The Department anticipates that there will be additional cases involving civilian contractors, military personnel, and government officials that could arise as there are many cases currently under investigation.

The Criminal Division is integral to the success of this Task Force. The success of the Task Force is greatly dependent on the Criminal Division's unique expertise and functions:

- Investigating agencies are required by the Task Force to present each possible procurement fraud case including those dealing with the Iraq/Afghanistan war and reconstruction to the Criminal Division for prosecution.
- The Criminal Division houses a cadre of the most experienced and specialized public corruption prosecutors. These experts identify and tackle pervasive corruption.
- The Criminal Division coordinates requests for critical foreign evidence and handles the extradition of international fugitives charged with procurement fraud.

Moreover, the Task Force has formed numerous regional working groups to encourage the investigation and prosecution of procurement fraud nationwide. The regional working groups are centered in areas of significant procurement activity and led by the U.S. Attorneys' Offices. To date, there are 36 U.S. Attorneys' Offices across the country that are either participating in or coordinating regional working groups. The Division supervises and coordinates the efforts of these regional working groups and provides critical training and assistance to these U.S. Attorneys' Offices.

In addition, the Division through the Office of International Affairs (OIA) is responsible for securing the return of fugitives from abroad, obtaining foreign evidence needed in U.S. federal, state, and local criminal investigations, and responding to extradition and mutual legal assistance requests from foreign governments. As such, OIA must support procurement fraud investigations and prosecutions throughout the world, but in particular, the Middle East and South Asia. It has and continues to support the Task Force's investigations and cases. OIA, both through headquarters staff and the Judicial Attaché in Cairo, Egypt is working with countries in

the Persian Gulf to break resistance to providing financial and business records needed to investigate procurement fraud associated with the war efforts in Iraq.

The Division will continue to expend substantial resources on pending investigations and cases and anticipates bringing charges in several jurisdictions against several defendants relating to procurement fraud and public corruption. In addition, the Department anticipates that there may be potential procurement fraud issues relating to funds recently appropriated by Congress to address the current economic crisis. In order to support the extensive procurement fraud work relating to the GWOT and the potential increase in procurement fraud relating to economic stimulus money, the Division needs additional resources.

Impact on Performance (Relationship of Increase to Strategic Goals)

The Division's efforts to fight procurement fraud, particularly procurement fraud and public corruption associated with the wars in Iraq and Afghanistan, and our partnership with other investigative agencies, directly support the Department's Strategic Objective 1.2, Strength partnerships to prevent, deter, and respond to terrorist incidents, and 2.5, Combat public and corporate corruption, fraud, economic crime, and cyber crime. The requested resources will help to protect taxpayer money by increasing its investigation and prosecution of corruption that may infiltrate the federal procurement process. If requested resources are funded, the Criminal Division is better situated to work with law enforcement agencies and U.S. Attorneys' Offices to substantially increase the number of procurement fraud cases that are investigated and prosecuted.

Funding

Base Funding

FY 2008 Enacted (w/resc./supps)				FY 2009 Enacted				FY 2010 Current Services			
Pos	atty	FTE	\$(000)	Pos	atty	FTE	\$(000)	Pos	atty	FTE	\$(000)
18	15	18	\$5,165	18	15	18	\$3,744	18	15	18	\$3,842

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2010 Request (\$000)	FY 2011 Net Annualization (change from 2010) (\$000)
Attorney	\$122	9	\$1,098	\$882
Prof. Support	\$69	5	\$345	\$170
Total Personnel			\$1,443	\$1,052

Non-Personnel Increase Cost Summary

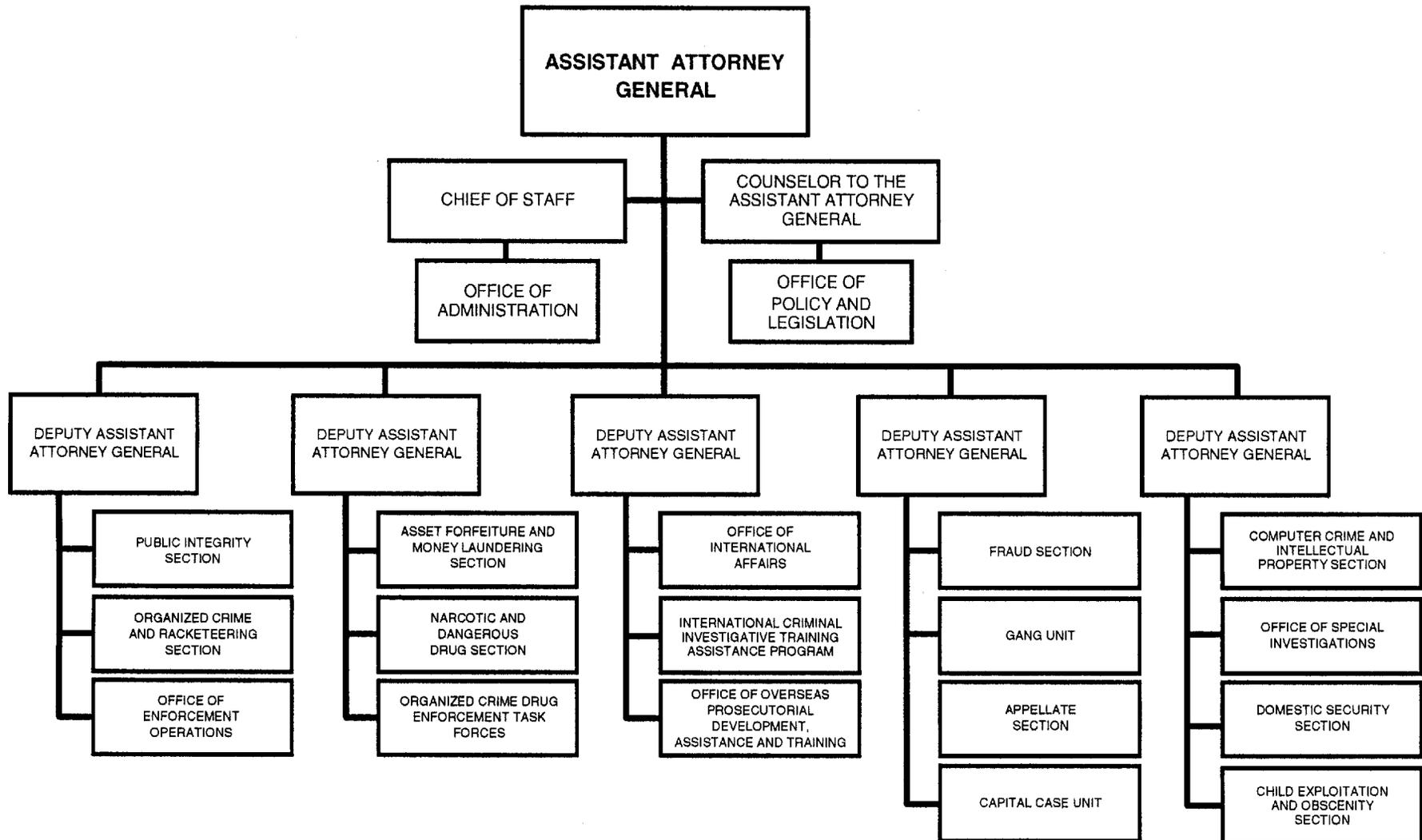
Non-Personnel Item	Unit Cost	Quantity	FY 2010 Request (\$000)	FY 2011 Net Annualization (Change from 2010) (\$000)
Litigation Support (including travel)	\$1,057		\$1,057	\$529
Total Non-Personnel			\$1,057	\$529

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)
Current Services	18	15	18	\$3,842	\$0	\$3,842
Increases	14	9	7	\$1,443	\$1,057	\$2,500
Grand Total	32	24	25	\$5,285	\$1,057	\$6,342

A. Organizational Chart

CRIMINAL DIVISION



Approved by:

MICHAEL B. MUKASEY
Attorney General

Date:

4/7/08

B: Summary of Requirements

Summary of Requirements
 Criminal Division
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2010 Request		
	Perm. Pos.	FTE	Amount
2008 Enacted (with Rescissions, direct only)	744	750	148,979
2008 Supplementals	0	0	1,648
Total 2008 Revised Continuing Appropriations Resolution (with Rescissions)	744	750	150,627
2009 Enacted (with Rescissions, direct only)	746	751	164,061
2009 Supplementals	0	0	0
Total 2009 Enacted (with Rescissions and Supplementals)	746	751	164,061
Adjustments to Base			
Increases:			
2010 pay raise (2.0%)			1,602
2009 pay raise annualization (3.9%)			813
Annualization of 2009 positions (FTE)		1	0
Annualization of 2009 positions (dollars)			178
Retirement			91
Health Insurance			72
Employees Compensation Fund			9
Education Allowance			61
GSA Rent			860
Moves (Lease Expirations)			2,252
DHS Security Charge			43
Guard Service Adjustment Leased Space			160
Postage			5
Security Investigations			29
Government Printing Office (GPO)			3
WCF Rate Increase			86
ICASS			1,556
Capital Security Cost Sharing (CSCS)			434
Government Leased Quarters (GLQ) Requirement			116
Subtotal Increases	0	1	8,370
Total Adjustments to Base	0	1	8,370
2010 Current Services	746	752	172,431
Program Changes			
Increases			
Increase 1: Combating Financial Fraud and Protecting the Federal Fisc	7	5	1,808
Increase 2: Immigration Enforcement/Southwest Border	1	1	122
Increase 3: Supplemental to Base Funding	14	7	2,500
Subtotal Increases	22	13	4,430
Total Program Changes	22	13	4,430
2010 Total Request	768	765	\$176,861
2009 - 2010 Total Change	22	14	12,800

Summary of Requirements
Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Estimates by budget activity	2008 Appropriation Enacted w/Rescissions and Supplementals			2009 Enacted			2010 Adjustments to Base and Technical Adjustments			2010 Current Services			2010 Increases			2010 Offsets			2010 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Enforcing Federal Criminal Laws	744	750	150,627	746	751	164,061	0	1	8,370	746	752	172,431	22	13	4,430	0	0	0	768	765	176,861
Total	744	750	\$150,627	746	751	\$164,061	0	1	\$8,370	746	752	\$172,431	22	13	\$4,430	0	0	\$0	768	765	\$176,861
Reimbursable FTE		117			132			0			132			31			0				163
Total FTE		867			883			1			884			44			0				928
Other FTE:																					
LEAP																					
Overtime		[2]			[2]			0			[2]			0			0				[2]
Total Comp. FTE		867			883			1			884			44			0				928

The total includes 9 FTE for Healthcare Fraud work.

C: Program Increases/Offsets By Decision Unit

FY 2010 Program Increases/Offsets By Decision Unit
Criminal Division
(Dollars in Thousands)

Program Increases	Location of Description by Decision Unit	Enforcing Federal Criminal Laws				Total Increases
		Pos.	Atty.	FTE	Amount	
Increase 1: Combating Financial Fraud and Protecting the Federal Fisc	Enforcing Federal Criminal Laws	7	5	5	1,808	1,808
Increase 2: Immigration Enforcement/Southwest Border	Enforcing Federal Criminal Laws	1	1	1	122	122
Increase 3: Supplemental to Base Funding	Enforcing Federal Criminal Laws	14	9	7	2,500	2,500
Total Program Increases		22	15	13	\$ 4,430	\$ 4,430

D: Resources by DOJ Strategic Goal and Strategic Objective

**Resources by Department of Justice Strategic Goal/Objective
Criminal Division
(Dollars in Thousands)**

Strategic Goal and Strategic Objective	2008 Appropriation Enacted w/Rescissions and Supplementals		2009 Enacted		2010 Current Services		2010				2010 Request	
	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Increases		Offsets		Direct, Reimb. Other FTE	Direct Amount \$000s
							Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s		
Goal 1: Prevent Terrorism and Promote the Nation's Security												
1.1 Prevent, disrupt, and defeat terrorist operations before they occur	53	6,712	47	6,739	47	6,744	7	0	0	0	54	6,744
1.2 Strengthen partnerships to prevent, deter, and respond to terrorist incidents	42	4,802	44	5,232	44	5,478	14	2,500	0	0	58	7,978
1.3 Prosecute those who have committed, or intend to commit, terrorist acts in the United States	47	8,711	51	9,953	51	10,538	0	0	0	0	51	10,538
1.4 Combat espionage against the United States	0	0	0	0	0	0	0	0	0	0	0	0
Subtotal, Goal 1	142	20,225	142	21,924	142	22,760	21	2,500	0	0	163	25,260
Goal 2: Prevent Crime, Enforce Federal Laws and Represent the Rights and Interests of the American People												
2.1 Strengthen partnerships for safer communities and enhance the Nation's capacity to prevent, solve, and control crime	0	0	0	0	0	0	0	0	0	0	0	0
2.2 Reduce the threat, incidence, and prevalence of violent crime	139	26,213	133	28,220	134	28,933	4	122	0	0	138	29,055
2.3 Prevent, suppress, and intervene in crimes against children	65	11,864	65	13,095	65	13,807	2	0	0	0	67	13,807
2.4 Reduce the threat, trafficking, use, and related violence of illegal drugs	203	33,221	203	36,082	203	38,332	0	0	0	0	203	38,332
2.5 Combat public and corporate corruption, fraud, economic crime, and cybercrime	298	57,347	310	62,904	310	66,698	9	1,808	0	0	319	68,506
2.6 Uphold the civil and Constitutional rights of all Americans	20	1,757	30	1,836	30	1,901	8	0	0	0	38	1,901
2.7 Vigorously enforce and represent the interests of the United States in all matters over which the Department has jurisdiction	0	0	0	0	0	0	0	0	0	0	0	0
2.8 Protect the integrity and ensure the effective operation of the Nation's bankruptcy system	0	0	0	0	0	0	0	0	0	0	0	0
Subtotal, Goal 2	725	130,402	741	142,137	742	149,671	23	1,930	0	0	765	151,601
GRAND TOTAL	867	\$150,627	883	\$164,061	884	\$172,431	44	\$4,430	0	\$0	928	\$176,861

The total includes 9 FTE for Healthcare Fraud work.

E. Justification for Base Adjustments

Justification for Base Adjustments Criminal Division

Increases

2010 pay raise. This request provides for a proposed 2.0 percent pay raise to be effective in January of 2010 (This percentage is likely to change as the budget formulation process progresses). This increase includes locality pay adjustments as well as the general pay raise. The amount requested, \$1,602,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$1,377,000 for pay and \$225,000 for benefits).

Annualization of 2009 pay raise. This pay annualization represents first quarter amounts (October through December) of the 2009 pay increase of 3.9 percent included in the 2009 President's Budget. The amount requested \$813,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$683,000 for pay and \$130,000 for benefits).

Annualization of additional positions approved in 2009. This provides for the annualization of 2 additional positions requested in the 2009 President's budget. For the 2009 increase, this request includes a decrease of \$50,000 for one-time items associated with the increased positions, and an increase of \$228,000 for full-year costs associated with these additional positions, for a net increase of \$178,000.

	2009 Increases (\$000)	2010 Increases (\$000)
Annual salary rate of 2 new positions	226	152
Less lapse (50 %)	113	0
Net Compensation	113	152
Associated employee benefits	32	40
Travel	12	9
Transportation of Things	2	1
Communications/Utilities	6	3
Printing/Reproduction	0	1
Other Contractual Services:		
25.2 Other Services	6	5
25.3 Purchase of Goods and Services from Government Accts.	10	-10
25.4 Operation and Maintenance of Facilities	0	0
25.6 Medical Care	0	1
Supplies and Materials	2	1
Rent	0	15
Buildout	22	-22
Training	1	0
Equipment	33	-18
TOTAL COSTS SUBJECT TO ANNUALIZATION	239	178

Retirement. 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 3 percent per year. The requested increase of \$91,000 is necessary to meet our increased retirement obligations as a result of this conversion.

Employees Compensation Fund: The \$9,000 increase reflects payments to the Department of Labor for injury benefits paid in the past year under the Federal Employee Compensation Act. This estimate is based on the first quarter of prior year billing and current year estimates.

Health Insurance: Effective January 2008, this component's contribution to Federal employees' health insurance premiums increased by 2 percent. Applied against the 2009 estimate of \$162,000, the additional amount required is \$72,000.

General Services Administration (GSA) Rent. GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$860,000 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 in FY 2010 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provided data on the rate increases.

DHS Security Charges. The Department of Homeland Security (DHS) will continue to charge Basic Security and Building Specific Security. The requested increase of \$43,000 is required to meet our commitment to DHS, and cost estimates were developed by DHS.

Guard Service Adjustment Leased Space. The request for \$160,000 increase reflects the contract cost for the contract guard services of the Justice Protective Security Officers for federal buildings within the National Capital Region.

Moves (Lease Expirations). GSA requires all agencies to pay relocation costs associated with lease expirations. This request provides for the costs associated with new office relocations caused by the expiration of leases in FY 2010. Funding of \$2,252,000 is requested.

Postage: Effective May 11, 2009, the Postage Service implemented a rate increase of 4.8 percent. This percentage was applied to the 2010 estimate of \$204,000 to arrive at an increase of \$5,000.

Security Investigations: The \$29,000 increase reflects payments to the Office of Personnel Management for security reinvestigations for employees requiring security clearances.

Government Printing Office (GPO): GOP provides an estimated rate increase of 4%. This percentage was applied to the FY 2009 estimate of \$133,000 to arrive at an increase of \$3,000.

WCF Rate Increases. Components in the DC metropolitan area use and rely on the Department's Working Capital Fund (WCF) for support services including telecommunications services, computer services, finance services, as well as internet services. The WCF continues to invest in the infrastructure supporting the telecommunications services, computer services, internet services. Concurrently, several security initiatives are being implemented and additional resources are being directed to financial management in an effort to maintain a clean audit status. Funding of \$86,000 is required for this account.

International Cooperative Administrative Support Services (ICASS). Under the ICASS, an annual charge is made by the Department of State for administrative support based on the overseas staff of each federal agency. This request is based on the initial \$1,556,000 billing for post invoices and other ICASS costs.

Overseas Capital Security Cost Sharing (CSCS) - object class 12.1 or 25.2. The Department of State is in the midst of a 14-year, \$17.5 billion embassy construction program, with a plan to build approximately 150 new diplomatic and consular compounds. State has proposed that costs be allocated through a Capital Security Cost Sharing Program in which each agency will contribute funding based on the number of positions that are authorized for overseas personnel. The total agency cost will be phased in over 5 years. The Criminal Division currently has 12 positions overseas, and funding of \$434,000 is requested for this account.

Government Leased Quarters (GLQ) Requirement. GLQ is a mandatory 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. \$116,000 reflects the change in cost to support existing staffing levels.

Education Allowance. 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. \$61,000 reflects the change in cost to support existing staffing levels.

F: Crosswalk of 2008 Availability

Crosswalk of 2008 Availability

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Decision Unit	FY 2008 Enacted Without Rescissions			Rescissions			Supplementals			Reallocations			Carryover/ Recoveries			2008 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Enforcing Federal Criminal Law	744	750	148,979				0	0	1,648			2,269			103	744	750	152,999
TOTAL	744	750	\$148,979	0	0	\$0	0	0	\$1,648	0	0	\$2,269	0	0	\$103	744	750	\$152,999
Reimbursable FTE		117																117
Total FTE		867			0			0			0			0				867
Other FTE																		
LEAP																		
Overtime		[2]																[2]
Total Compensable FTE		867			0			0			0			0				867

Reallocations. The amount reflects the reallocations of GLA funds.

The total includes 9 FTE for Healthcare Fraud work.

G: Crosswalk of 2009 Availability

Crosswalk of 2009 Availability

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Decision Unit	FY 2009 Enacted			Supplementals			Reprogrammings / Transfers			Carryover/ Recoveries			2009 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Enforcing Federal Criminal Law	746	751	164,061								1,460		746	751	165,521
TOTAL	746	751	164,061	0	0	0	0	0	0	0	1,460		746	751	\$165,521
Reimbursable FTE		132													132
Total FTE		883			0			0			0				883
Other FTE															
LEAP															
Overtime		[2]													[2]
Total Compensable FTE		883			0			0			0				883

The total includes 9 FTE for Healthcare Fraud work.

H: Summary of Reimbursable Resources

Summary of Reimbursable Resources

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Collections by Source	2008 Enacted			2009 Planned			2010 Request			Increase/Decrease		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
U.S. Department of State	68	68	142,522	83	83	168,000	114	114	173,040	31	31	5,040
Interagency Crime and Drug Enforcement (ICDE)	40	40	19,160	40	40	20,083	40	40	22,479	0	0	2,396
All Other Sources	9	9	16,859	9	9	21,917	9	9	22,575	0	0	658
Budgetary Resources:	117	117	\$178,541	132	132	\$210,000	163	163	\$218,094	31	31	\$8,094

The total includes 9 pos/FTE for Healthcare Fraud work.

I: Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

Criminal Division
Salaries and Expenses

Category	2008 Enacted w/Rescissions and Supplementals		2009 Enacted		2010 Request				
	Total Authorized	Total Reimbursable	Total Authorized	Total Reimbursable	Program Increases	Program Decreases	Total Pr. Changes	Total Authorized	Total Reimbursable
Intelligence Series (132)	1	0	1	0			0	1	0
Personnel Management (200-299)	15	0	10	0			0	10	0
Clerical and Office Services (300-399)	150	56	148	61	2		2	150	61
Accounting and Budget (500-599)	6	10	7	10			0	7	10
Attorneys (905)	438	43	440	53	15		15	455	84
Paralegals / Other Law (900-998)	77	4	85	4	5		5	90	4
Information & Arts (1000-1099)	1	1	0	1			0	0	1
Business & Industry (1100-1199)	3	0	2	0			0	2	0
Forensic Scientists (1301)	0	1	0	1			0	0	1
Library (1400-1499)	3	0	4	0			0	4	0
Statistical Assistant (1531)	0	0	1	0			0	1	0
Equipment/Facilities Services (1600-1699)	0	0	0	0			0	0	0
Criminal Investigative Series (1811)	1	0	0	0			0	0	0
Travel Services Spec (2101)	0	1	0	1			0	0	1
Information Technology Mgmt (2210)	22	1	21	1			0	21	1
Security Specialists (080)	18	0	19	0			0	19	0
Soc. Science, Economics, & Kindred (100-199)	9	0	8	0			0	8	0
Total	744	117	746	132	22	0	22	768	163
Headquarters (Washington, D.C.)	731	62	733	69	22		22	755	70
U.S. Field	0	0	0	0	0		0	0	0
Foreign Field	13	55	13	63	0		0	13	84
Total	744	117	746	132	22		22	768	154

The total includes 9 pos for Healthcare Fraud work.

J: Financial Analysis of Program Changes

Financial Analysis of Program Changes

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Grades:	Enforcing Federal Criminal Laws								Program Changes	
	Financial Fraud		Southwest Border		Procurement Fraud		Offset		Pos.	Amount
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
SES									0	0
GS-15									0	0
GS-14	5	590	1	118	9	1,062			15	1,770
GS-13									0	0
GS-12									0	0
GS-11									0	0
GS-10									0	0
GS-9	2	102			5	256			7	358
GS-8									0	0
GS-7									0	0
GS-5									0	0
Total positions & annual amount	7	692	1	118	14	1,318	0	0	22	2,128
Lapse (-)*	(2)	(346)	0	(59)	(7)	(659)	0	0	(9)	(1,064)
Other personnel compensation									0	0
<i>*FTE lapse less than 50% due to distribution of enhancements w/in CRM</i>										
Total FTE & personnel compensation	5	346	1	59	7	659	0	0	13	1,064
Personnel benefits		96		16		181	0	0	0	293
Travel and transportation of persons		98		8		145	0	0	0	251
Transportation of things		6		1		12	0	0	0	19
GSA rent		0		0		0	0	0	0	0
Communication, rents, and utilities		24		3		49	0	0	0	76
Printing		1		0		2	0	0	0	3
Other services		1,018		3		1,014	0	0	0	2,035
Purchases of goods & services from Government accounts		38		6		75	0	0	0	119
Supplies and materials		5		1		10	0	0	0	16
Equipment		124		18		248	0	0	0	390
Buildout		52		7		105	0	0	0	164
Total, 2010 program changes requested	5	\$1,808	1	\$122	7	\$2,500	0	\$0	13	\$4,430

K: Summary of Requirements by Grade

Summary of Requirements by Grade

Criminal Division
Salaries and Expenses

Grades and Salary Ranges	2008 Enacted w/Rescissions and Supplementals		2009 Enacted		2010 Request		Increase/Decrease	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
SES, \$111,676 - \$168,000	34		34		34		0	
GS-15, \$110,363 - 143,471	416		419		419		0	
GS-14, \$93,822 - 121,967	57		45		60		15	
GS-13, \$79,397 - 103,220	41		45		45		0	
GS-12, \$66,767 - 86,801	38		38		38		0	
GS-11, \$55,706 - 72,421	52		57		57		0	
GS-10, 50,703 - 65,912	6		2		2		0	
GS-9, \$46,041 - 59,852	39		41		48		7	
GS-8, 41,686 - 54,194	25		23		23		0	
GS-7, \$37,640 - 48,933	23		23		23		0	
GS-6, \$33,872 - 44,032	9		10		10		0	
GS-5, \$30,386 - 39,501	4		9		9		0	
Total, appropriated positions	744		746		768		22	
Average SES Salary		\$139,838		\$144,173		\$147,345		
Average GS Salary		\$104,281		\$106,867		\$108,800		
Average GS Grade		13		13		13		

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Object Classes	2008 Actuals		2009 Enacted		2010 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Direct FTE & personnel compensation	612	69,756	640	76,523	654	80,782	14	4,259
11.3 Other than full-time permanent	123	7,396	111	8,114	111	8,452	0	338
11.5 Total, Other personnel compensation		1,532		1,681		1,751	0	70
<i>Overtime</i>	[2]		[2]	0	[2]	0	0	0
<i>Other Compensation</i>				0		0	0	0
11.8 Special personal services payments		53		58		61	0	3
Total	735	78,737	751	86,376	765	91,046	14	4,670
Other Object Classes:								
12.0 Personnel benefits		19,556		21,453		22,679		1,226
13.0 Benefits to Former Personnel		277		304		318		14
21.0 Travel and transportation of persons		4,931		5,803		6,307		504
22.0 Transportation of things		534		586		631		45
23.1 GSA rent		22,668		24,867		25,626		759
23.2 Moving/Lease Expirations/Contract Parking		586		643		2,249		1,606
23.3 Comm., util., & other misc. charges		2,636		2,892		2,991		99
24.0 Printing and reproduction		107		117		125		8
25.1 Advisory and assistance services		2,391		2,623		2,528		(95)
25.2 Other services		12,745		14,722		16,785		2,063
25.3 Purchases of goods & services from Government accounts (Antennas, DHS Sec. Etc..)		3,376		3,704		3,676		(28)
25.4 Operation and maintenance of facilities		167		183		192		9
25.5 Research and development contracts		0		0		0		0
25.6 Medical Care		70		77		80		3
25.7 Operation and maintenance of equipment		62		68		71		3
26.0 Supplies and materials		675		740		789		49
31.0 Equipment		331		363		768		405
Total obligations		\$149,849		\$165,521		\$176,861		\$11,340
Unobligated balance, start of year		102		1,460		0		
Reallocations		2,269		0				
Unobligated balance, expiring		1,690		0				
Unobligated balance, end of year		1,460		0				
Recoveries of prior year obligations		1		0				
Total DIRECT requirements		150,627		164,061		176,861		
Reimbursable FTE:								
Full-time permanent	134		132		163		31	0
23.1 GSA rent (Reimbursable)		2,076		2,138		2,185		47
25.3 DHS Security (Reimbursable)		16		17		18		1

The total includes 9 FTE for Healthcare Fraud work.