



U.S. Department of Justice FY 2012 Budget Request

PRESERVE TRADITIONAL MISSIONS

+ \$57.4 million in Program Increases

FY 2012 Overview

It is the mission of the Department of Justice to enforce the law and ensure the fair and impartial administration of justice for all Americans. Accomplishing this requires necessary resources both to investigate and to litigate. As such, the DOJ FY 2012 Budget requests \$57.4 million for program increases to expand DOJ's enforcement litigation capacity and ability to protect vulnerable populations.

The Hate Crimes Prevention Act of 2009 greatly expanded Community Relations Service's (CRS) mandate, requiring CRS to help communities prevent and respond to violent hate crimes committed on the basis of gender, gender identity, sexual orientation, religion, and disability in addition to race, color, and national origin. To further the mission of defending vulnerable populations, \$1.5 million and 8 positions are requested for program increases for hate crimes prevention activities.

The FY 2012 Budget requests additional resources to expand its ability to not only effectively enforce the law, but also provide necessary support for those efforts. For the Office of the Solicitor General, this request includes \$424,000 and 2 attorney positions to support the expanding caseload and additional responsibilities associated with appellate court actions. Additionally, \$3.0 million and 6 attorney positions are requested in program increases for the Criminal Division for transnational enforcement of intellectual property law. \$848,000 is requested for senior management offices so they can continue to provide the necessary Departmental support. For the U.S. Attorneys, \$2.0 million is requested to enhance data analysis to identify and assess cost-effective crime reduction strategies. Lastly, \$5.8 million and 8 positions in program increases are requested for the U.S. Trustees to provide program oversight and contract performance of debtor audits. This increase is fully offset by fee collections.

The Department also maintains substantial responsibilities with respect to immigration, including enforcement, detention, judicial functions, administrative hearings and litigation, among others. The FY 2012 Budget requests \$15.0 million for the Executive Office for Immigration Review (EOIR) to support increasing workload generated by increasing immigration enforcement activities at DHS and to expand the Legal Orientation Program to improve efficiencies in immigration court proceedings for detained aliens by increasing their awareness of the overall process.

Finally, Title II of the James Zadroga 9/11 Health and Compensation Act of 2010 (P.L. 111-347), reopens the September 11 Victim Compensation Fund (VCF), extending eligibility for compensation associated with physical harm stemming from debris removal and extending the

deadline for claims associated with harms not discovered before the Fund's original deadline. The VCF was established by the Air Transportation Safety and System Stabilization Act (P.L. 107-42) as an alternative to litigation, and terminated operations in 2004 after making compensation payments of more than \$7.0 billion to survivors of 2,880 persons killed in the September 11, 2001 terrorist attacks and to 2,680 individuals who were injured in the attacks and subsequent rescue efforts. The James Zadroga 9/11 Health and Compensation Act of 2010 makes available up to \$2.8 billion, of which \$325.0 million is available in FY 2012, for settlement of new claims. It is expected that the Civil Division will execute budgetary and administrative functions on behalf of the Special Master.

Program Increases

General Administration (GA)

- **Information Policy: \$467,000 and 5 positions (3 attorneys)** To support its increasing workload responsibilities due to an increase in Freedom of Information Act requests and the Open Government directive. FY 2012 current services for this initiative are 43 positions (20 attorneys) and \$6.3 million.
- **Legal Policy: \$201,000 and 2 positions (2 attorneys)** FY 2012 current services for this initiative are 30 positions (21 attorneys) and \$7.2 million, including the transfer of 3 positions and \$878,000 supporting the Office of Dispute Resolution (ODR) realignment into the Office of Legal Policy.
- **Privacy and Civil Liberties: \$180,000 and 1 position** Administrative support to the Office of Privacy and Civil Liberties and additional funding and publication of the Privacy Act Overview. FY 2012 current services for this initiative are 4 positions (3 attorneys) and \$1.5 million.

Executive Office for Immigration Review (EOIR)

- **Expand Legal Orientation Program: \$4.0 million** To expand the successful Legal Orientation Program to improve efficiencies in immigration court proceedings for detained aliens by increasing their awareness of their rights and the overall process. FY 2012 current services for this initiative are \$6.0 million.
- **Immigration and Southwest Border: \$11.0 million and 125 positions (31 attorneys)** To add 21 Immigration Judge Teams and 10 Board of Immigration Appeals attorneys. This increase is necessary to effectively respond to DHS's increased implementation of the Secure Communities Initiative. Secure Communities expands and revolutionizes the existing DHS Criminal Alien Program, in which EOIR has played a key role by adjudicating cases, including those of aliens incarcerated in federal, state and local prisons and jails.

Office of Solicitor General (OSG)

- **Federal Appellate Activity: \$424,000 and 2 positions (2 attorneys)** This request supports increasing workloads for the Office of the Solicitor General related to several issues, including terrorism and new economic regulation arising from the financial crisis. OSG attorneys have increasingly been asked to brief and argue particularly important criminal cases in the en banc stage in the appellate courts. These enhancements will enable OSG to meet the demands placed upon it without any decrease in the quality of its work. The FY 2012 current services for this initiative are 48 positions (22 attorneys) and \$10.9 million.

Office of Inspector General (OIG)

- **Council of the Inspector General on Integrity and Efficiencies (CIGIE): \$575,000**
This funding will support the coordinated government-wide activities that identify and review areas of weakness and vulnerability in federal programs and operations with respect to fraud, waste, and abuse. There are no current services for this initiative.

Criminal Division (CRM)

- **Intellectual Property Enforcement: \$3.0 million and 6 positions (6 attorneys)** This request supports the Office of International Affairs of the Criminal Division in combating international piracy of intellectual property (IP). Industry loses hundreds of billions of dollars each year due to the counterfeiting and global trade of illegitimate goods. IP theft also reduces the incentive for innovation and creativity within the US economy. Six International Computer Hacking and Intellectual Property (ICHIP) coordinators (formerly known as Intellectual Property Law Enforcement Coordinators or IPLECs) will allow the Department to quickly address IP threats when they are first noticed and stop them abroad more readily. The FY 2012 current services for this initiative are 1 position (1 attorney) and \$622,000.

U.S. Attorneys (USA)

- **Enhance Data Analysis: \$2.0 million** Resources are requested to analyze data to identify and assess cost-effective crime reduction strategies. The additional funding will be used by the U.S. Attorneys to ensure that law enforcement investigations are conducted in a manner that leads to strong case presentation and results in effective prosecutions, thereby improving the effectiveness of all of the Department's law enforcement activities. The requested enhancement will enable the U.S. Attorneys to work with the Bureau of Justice Statistics and a broader community of interest to expand the use of data analysis techniques and to quantitatively assess the impacts of different crime reduction programs. There are no current services for this initiative.

U.S. Trustee (UST)

- **Debtor Audit Requirements: \$5.8 million and 8 positions** These resources will support debtor audit activities in the field, as required by the Bankruptcy Abuse Prevention and Consumer Protection Act (BAPCPA), and manage the increased workload related to contract oversight, management and reporting activities performed in the Executive Office. This program increase will be fully offset by bankruptcy fees collected during FY 2012. There are no current services base for this initiative.

Community Relations Service (CRS)

- **Hate Crime Prevention: \$1.5 million and 8 positions** This request supports an increase in workload and responsibilities related to the passage of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (HCPA). The HCPA has greatly expanded CRS' mandate, requiring the Service to help communities prevent and respond to violent hate crimes committed on the basis of gender, gender identity, sexual orientation, religion, and disability in addition to race, color, and national origin. These enhancements will

maximize CRS' crisis response across the entire United States and enable it to fulfill both its original mandate and expanded mandate under the HCPA. There are no current services for this initiative.

Interagency Crime and Drug Enforcement (OCDETF)

- **Southwest Border Enforcement Initiative: \$9.3 million and 47 positions (47 attorneys)** The FY 2012 budget proposes an increase to prosecutorial activities along the Southwest Border and to support operational funding for the Strike Force member agencies including ATF, FBI, USMS, and DEA. This enhancement will combat Southwest Border violence and dismantle the cartels that are driving the increases in violent crime, high-level drug trafficking and money laundering. The additional attorney resources are critical to ensure that these investigations have adequate legal oversight and that identified organizations are fully prosecuted. The Strike Force portion of the request seeks funding for member agencies to better support their participation in the OCDETF Co-located Strike Forces that are targeting the highest level Mexican and Colombian drug cartels that operate along and across the Southwest Border and in the maritime transit zones. The FY 2012 current services for this initiative are \$137.2 million and 927 positions.

Federal Bureau of Investigations (FBI)

- **Violent Crime in Indian Country: \$9.0 million and 40 positions (24 agents)** To support priority criminal investigations within Indian Country. With these additional resources, the FBI would focus on criminal enterprise investigations in drugs, gangs, public corruption, and Indian gaming issues in active Indian Country territories. FY 2012 current services for this initiative are 121 positions (111 agents) and \$22.8 million.

Drug Enforcement Administration (DEA)

- **EPIC Construction: \$10.0 million** For FY 2012, \$10.0 million is requested in no-year construction funding to address increased space demands at EPIC. This funding will allow DEA to expand the existing facility with modular buildings. EPIC is a critical component of the Government's SWB strategy and houses participating agencies from across the intelligence and law enforcement arena. In recent years, the demand for accommodation has increased as more participants are co-locating their SWB intelligence operations at EPIC.

FY 2012 Program Increase Summary
(Amount in \$000s)

Component/Initiative	Positions	Attys/Agts	Amount
General Administration	8	5	\$ 848
Information Policy	5	3	467
Legal Policy	2	2	201
Privacy and Civil Liberties	1	0	180
Executive Office for Immigration Review	125	31	\$ 15,039
Expand Legal Orientation Program	0	0	4,000
Immigration and Southwest Border	125	31	11,039
Office of Solicitor General	2	2	\$ 424
Federal Appellate Activity	2	2	424
Office of Inspector General	0	0	\$ 575
CIGIE	0	0	575
Criminal Division	6	6	\$ 2,950
Intellectual Property Enforcement	6	6	2,950
U.S. Attorneys	0	0	\$ 2,000
Enhance Data Analysis	0	0	2,000
U.S. Trustee	[8]	0	\$ 5,816
Debtor Audit Position Requirements	[8]	0	5,816
Community Relations Service	8	0	\$ 1,454
Hate Crime Prevention	8	0	1,454
Interagency Crime and Drug Enforcement	[47]	[47]	\$ 9,300
Southwest Border Enforcement Initiative	[47]	[47]	9,300
Federal Bureau of Investigations	40	24	\$ 9,000
Violent Crime in Indian Country	40	24	9,000
Drug Enforcement Administration	0	0	\$ 10,000
EPIC Construction	0	0	10,000
Grand Total, Program Increases	189	68	\$ 57,406