

The Criminal Division



FY 2008
Congressional
Budget

Table of Contents

	Page No.
I. Overview	1
II Summary of Program Changes	9
III. Appropriations Language and Analysis of Appropriations Language	10
IV. Decision Unit Justification	
A. Enforcing Federal Criminal Laws.....	11
1. Program Description	
2. Performance Tables	
3. Performance, Resources, and Strategies	
a. Performance Plan and Report of Outcomes	
b. Strategies to Accomplish Outcomes	
c. Results of Program Assessment Rating Tool (PART) Reviews	
V. Exhibits	
A. Organizational Chart.....	A
B. Summary of Requirements	B
C. Program Increases by Decision Unit.....	C
D. Resources by DOJ Strategic Goal/Objective	D
E. Justification for Base Adjustments	E
F. Crosswalk of 2006 Availability	F
G. Crosswalk of 2007 Availability	G
H. Summary of Reimbursable Resources	H
I. Detail of Permanent Positions by Category	I
J. Financial Analysis of Program Increases/Offsets	J
K. Summary of Requirements by Grade.....	K
L. Summary of Requirements by Object Class	L
M. Status of Congressionally Requested Studies, Reports, and.....	Not Applicable

I. Overview for Criminal Division

1. Mission & Budget

The Criminal Division is requesting a total of 758 permanent positions, 760 direct Full-Time Equivalents (FTE), and \$152,024,000 in its Salaries and Expenses appropriation for fiscal year 2008. The Division's total requested program improvements for FY 2008 (12 positions, including 8 attorneys, 8 FTE, and \$1,216,000) will be necessary to enable the Division's continued support of the Department's Strategic Plan and the Attorney General's priorities. The Division focuses its activities and resources on achieving both of the Attorney General's top two strategic goals:

1. Preventing Terrorism and Promoting National Security; and
2. Enforcing Federal Laws.

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 have the responsibility for overseeing criminal matters under more than 900 statutes as well as certain civil litigation.

The Division performs three key functions in support of its mission, through which it provides leadership and coordination in the Department's efforts to meet its strategic goals:

- **Litigating** cases (i.e. multi-jurisdictional & international cases)
- Providing **expert guidance and legal advice** (i.e. to the Attorney General, foreign counterparts, federal, state, and local law enforcement agencies, and U.S. Attorneys' offices)
- Developing and implementing **law enforcement tools** (i.e. Title III wiretaps, attorney fee forfeitures, correspondent banking subpoenas, and foreign legal frameworks)

The Criminal Division is requesting the following new investments to sustain and improve its support of the Department's top priorities: (1) Reduce Violent Crime and Organized Crime; (2) Protect Citizens from Online Crime; and (3) Reduce the Flow of Illicit drugs.

Beginning in FY 2007, 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/2008justification/>

2. Trends & Issues

Transnational Crime and Terrorism

The increasing globalization of crime and the emergence of transnational threats will continue to bring new challenges to law enforcement at home and abroad. Terrorists are using traditional criminal methods more and more as a vehicle to move resources, recruit, or simply spread their sphere of influence.

Transnational threats that we face today include telemarketing fraud and identity theft, corrupt public officials at the national and international level, child exploitation and obscenity, online crime and cyber attacks, drug trafficking, gangs, human trafficking, money laundering, and terrorism. The globalization of crime has created a vast breeding ground for criminals, including potential terrorists.

The Division stands guard to deter these threats before they become a matter of national security by keeping abreast of global threats and developing effective ways to combat them.

Increased Demand for Services

Since 2001, the FBI's resources have grown by 87 percent. During this period, the Department's litigating components have not grown accordingly. If we do not receive the additional resources that we have requested, the Division will not be able to keep up with the requests from investigators who rely on our guidance and prosecutorial expertise.

The Division's pending litigation workload increased by approximately 11 percent between FY 2005 (2,728 cases and matters pending at the end of FY 2005) and FY 2006 (3,017 cases and matters pending at the end of FY 2006). As field resources grow, the Criminal Division needs to grow proportionally to continue supporting the field on matters of national and transnational significance.

3. Outcomes

The Criminal Division reports several of the Department's outcome measures, as listed in the *2003-2008 Strategic Plan*, and plays a substantial role in helping the Department to meet its targets for Strategic Goals 1 and 2.

Strategic Goal #1: Preventing Terrorism and Promoting National Security

The outcome measure for Goal 1 (No terrorist acts committed by foreign nationals against U.S. interests within U.S. borders) sets the benchmark for measuring the Department's success in preventing terrorism and promoting the nation's security. The Department has met the goal of zero attacks for the past five fiscal years.

The Division plays a critical role in helping the Department achieve this goal by serving as a leader, facilitator, and coordinator on national and transnational matters to keep our homeland secure. The following highlights a sampling of the activities undertaken by the Division to help achieve Strategic Goal #1:

- Identifying national cases that occur within and beyond the boundaries of the United States, due to the unique nature of the Division's international and national mission.
- Participating in many terrorism matters and government-wide anti-terrorism policy and strategy groups.

- Protecting the nation’s cyber infrastructure from attacks by coordinating with law enforcement, intelligence, and homeland security agencies and providing them with the Division’s expertise in the law and technology that governs the Internet and computer-based communications.
- Enhancing the security of the nation’s borders by leading domestic and international efforts to dismantle the travel infrastructure used by terrorists.
- Assisting foreign partners to ensure international judicial cooperation and ensure their ability to combat terrorism.

In the event of a terrorist attack and during periods of elevated threat levels, the Division stands ready to provide leadership support and coordination on investigations on a 24/7 basis.

KEEPING AMERICA SAFE: An Example of the Criminal Division’s Role in Preventing Terrorism
<p>In January 2006, the Criminal Division worked with the U.S. Attorney’s Office in the Southern District of Florida, U.S. Immigration and Customs Enforcement (ICE), and foreign law enforcement partners in Panama and Colombia to indict ten foreign nationals charged with attempting to provide material support to terrorists, alien smuggling, and money laundering. The indictment charged the defendants with conspiracy to provide material support to a foreign terrorist organization, conspiracy to commit alien smuggling, bringing unauthorized aliens to the United States for commercial advantage or private financial gain, encouraging or inducing aliens to come to the United States, and money laundering. According to the indictment, during the course of an undercover operation, the defendants allegedly arranged and facilitated travel from Colombia to the United States for individuals they believed to be members of the Revolutionary Armed Forces of Colombia (FARC), a designated foreign terrorist organization. The defendants allegedly provided fraudulent Colombian and Spanish identity documents, including Spanish passports, which allow individuals to enter the United States without a visa. All defendants were captured. One defendant was extradited to Miami and arraigned in January 2007; all other defendants are in Colombian custody and are awaiting extradition to stand trial. The Supreme Court of Colombia has approved the extradition of five defendants, but before they are extradited, the President of Colombia must also approve. The extraditions of the remaining defendants are awaiting approval from the Colombian Supreme Court and the President. The Division’s Domestic Security Section and the Office of International Affairs are both working on this case.</p>

Strategic Goal #2: Enforcing Federal Laws

The outcome measure for goal 2 reported by the Criminal Division (percentage of criminal cases favorably resolved) sets a benchmark of 90 percent. The Criminal Division favorably resolved 96 percent of its criminal cases, exceeding the Department’s target. This percentage is even more commendable considering the complex nature of the cases that the Criminal Division litigates.

The Division plays an active role in helping the Department achieve its strategic goal of enforcing federal laws. The Division’s attorneys include many of the Justice Department’s experts in specific types of crime, and engage in a variety of activities to support this goal:

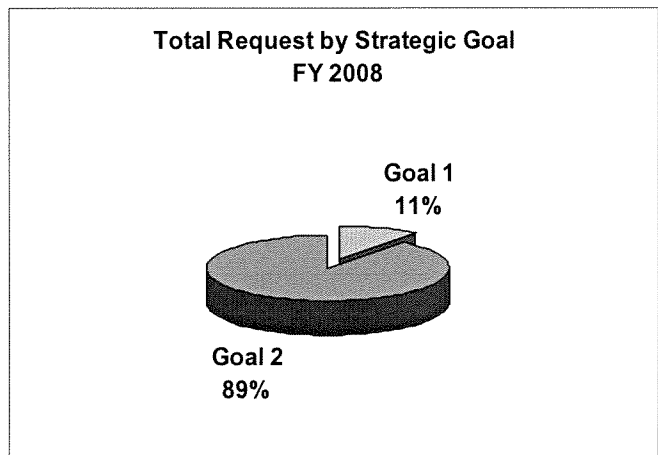
- Staying ahead of cutting-edge criminals by developing expertise on emerging criminal trends across the nation and around the world.
- Handling complex cases by providing expert advice, training, and extensive coordination.
- Litigating and coordinating cases across the country and the globe to ensure consistency in achieving the Department's and the Administration's goals, particularly in multi-jurisdictional and international cases.
- Providing indispensable guidance to prosecutors and law enforcement agencies at the federal, state, and local levels to prosecute cases.

**KEEPING AMERICA SAFE:
An Example of the Criminal Division's Role in Enforcing Laws**

The Criminal Division led the largest ever international enforcement effort against organized online piracy in Operation FastLink and Operation SiteDown. The Division's Computer Crimes and Intellectual Property Section (CCIPS) coordinated 42 separate U.S. Attorney Offices, 30 separate FBI field offices, and law enforcement in 16 foreign countries in a concerted effort to attack organizations engaged in the piracy of intellectual property across the globe. The undercover operations targeted elite, criminal organizations, known as "warez release groups," the first providers of pirated works on the Internet. Law enforcement agents conducted more than 200 searches and arrested numerous people worldwide, seized hundreds of thousands of pirated works conservatively valued at more than \$100 million, and eliminated more than 20 major online distribution centers. To date, the Department of Justice has obtained convictions against more than 70 people in the United States on criminal copyright infringement charges. Charges are pending against dozens more. Most recently, in August 2006, in San Jose, California, a conviction was obtained against a movie critic responsible for selling advance copies of movies to a warez release group. San Jose prosecutors had previously obtained convictions under two new copyright statutes, including the new "camming" statute (unauthorized recording of motion pictures in a motion picture exhibition facility) and a new statute for uploading pre-releases on the Internet (criminal copyright infringement by distributing a copyrighted work on a computer network).

B. Goals, Objectives, and Strategies

The Criminal Division is committed to the ongoing fight against the growing threats of terrorism and global crime. By continuing to keep the Department's global presence alive, sharing expertise with prosecutors and law enforcement in the field, developing criminal policies and legislation, and monitoring transnational crime trends at the national and international level, the Criminal Division will continue playing its unique and central role in helping the Department achieve Strategic Goals One and Two.



DOJ Strategic Goal 1: Prevent Terrorism and Promote the Nation's Security

The Department of Justice's approach to protecting the U.S. from terrorism is three-pronged, illustrated by the Strategic Objectives for this goal:

- Prevent, disrupt, and defeat terrorist operations before they occur (1.1)
- Investigate and prosecute those who have committed, or intend to commit, terrorist acts in the U.S. (1.2)
- Combat espionage against the U.S. by strengthening counterintelligence capabilities (1.3)

Criminal Division's Role

The Criminal Division supports the Department's efforts in achieving these objectives by ensuring legislative, investigative, and international tools are available and used appropriately. The Division continues to strengthen our national security using the following strategies:

- Protecting the communications infrastructure by preventing cyber-terrorism attacks;
- Dismantling major transnational drug trafficking organizations with links to terrorism;
- Stopping potential terrorists from entering the U.S. by securing borders and enforcing criminal laws related to alien smuggling, immigration-related offenses, violent crime, and the illegal use of fire arms and explosives;
- Disrupting the flow of money to terrorists by targeting terrorist financing;
- Targeting corrupt officials in sensitive positions who increase the risk to national security;
- Putting criminals that threaten national security in jail through prosecution;
- Assisting foreign partners to ensure international judicial cooperation and ensure their ability to combat terrorism; and
- Exercising an oversight role regarding a number of litigation-support functions that assist in the fight against terrorism.

Contributions of the Criminal Division to Preventing Terrorism & Promoting National Security	
Outcome	Description
Terrorist Financing Legislation	The Division assists in developing and providing money laundering, asset forfeiture, and terrorist financing assistance and training to countries vulnerable to terrorist financing. In the past year, the Division provided specific legislative drafting assistance to 15 countries and indirect drafting assistance to an additional 34 countries by helping to revise forfeiture provisions of the Organization of American States' Model Regulations against money laundering.
Operation Wirelink	The Division leads this investigation of the money services business (MSB) industry, which moves and launders money throughout the U.S. in violation of a number of statutes, including three counter-terrorism laws. The Division is working with the FBI in analyzing data; the leads are used by the FBI in their fight against terrorism.
ICITAP	The International Criminal Investigative Training Assistance Program (ICITAP) is active in more than 40 nations, including Iraq. ICITAP's mission is to improve host-nation law enforcement agencies that are on the front lines of terrorism in an effort to control indigenous crime, which will ultimately reduce the proliferation of related transnational crime. ICITAP's assistance programs play an integral part in global efforts to combat terrorism by introducing complex and comprehensive strategies

	that deliver training, resources, and investigative capabilities to law enforcement agencies around the world.
OPDAT	The Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) prepares foreign counterparts to cooperate more fully and effectively with the United States in combating terrorism and related transnational crime. OPDAT has developed highly complex and politically sensitive legal technical assistance programs targeting terrorist financing in more than 75 countries.
OIA	The Department of Justice, through the Office of International Affairs (OIA), takes the lead role in making formal requests to countries around the world in order to secure the return of international fugitives and evidence critical to the investigation and prosecution of terrorist activity. Utilizing a network of bilateral extradition treaties, mutual legal assistance treaties (MLATs), and multilateral conventions, OIA works closely with U.S. and foreign prosecution, law enforcement and judicial authorities in matters relating to counterterrorism investigations. For FY 2005, 447 fugitives were surrendered and 2,310 MLATs were resolved. In FY 2006, 408 fugitives were surrendered and 2,426 MLATs were resolved.

DOJ Strategic Goal 2: Enforce Federal Laws and Represent the Rights and Interests of the American People

The Department's Goal Two covers a broad area, reflecting the Department's concern with violent crimes, especially against children; crimes committed with firearms, explosives, and fire, particularly when these are committed by organizations bent on violent exploitation of others; the manufacture, distribution, and abuse of drugs, which are often linked to criminal behavior; and white-collar crimes that, although non-violent, can have devastating effects on victims and society as a whole. The goal also underlines the Department's continuous commitment to uphold the Constitution and individuals' civil rights by targeting any threats, as indicated by Goal Two's Strategic Objectives:

- Reduce the threat, incidence, and prevalence of violent crime (2.1).
- Reduce the threat, trafficking, use, and related violence of illegal drugs (2.2).
- Combat white collar crime, economic crime, cyber crime, and crimes against children and other vulnerable members of society (2.3).
- Uphold the civil and constitutional rights of all Americans, and protect vulnerable members of society (2.4).

Criminal Division's Role

The Criminal Division plays an important role in virtually all aspects of Goal Two, due to the unique functions of its specialized components:

- Litigating some of the most important, complex domestic cases;
- Coordinating numerous multi-district cases;
- Maintaining sole responsibility for many international cases; and
- Acting as a repository for criminal guidance, expertise, and training that supports law enforcement entities in their efforts to investigate and prosecute crime.

Contributions of the Criminal Division to Enforcing Federal Laws

Outcomes	Description
<p>Hurricane Katrina Fraud Task Force (HKFTF) 8 Sept 2005</p>	<p>Established by the Attorney General and chaired by the Assistant Attorney General of the Criminal Division, the Task Force combats all types of fraud and corruption resulting from the devastation of the hurricanes, emphasizing charity fraud, identity theft, insurance fraud, and procurement and government-benefit fraud. The Task Force is made up of multiple federal agencies and state and local law enforcement. To date, the Task Force has charged 525 individuals in 445 indictments brought in 35 judicial districts around the country. The Task Force Command Center in Baton Rouge has screened and referred more than 9,000 complaints to various federal agencies nationwide.</p>
<p>Innocence Lost Spring 2003</p>	<p>In conjunction with the FBI and the National Center for Missing and Exploited Children, the Division's Child Exploitation and Obscenity Section launched this initiative to combat domestic child sex trafficking. Multi-disciplinary task forces are being created and trained in cities across the U.S. with the highest incidences of child prostitution. As of December 2006, the initiative has opened 273 investigations, made 697 arrests, with 159 informations or indictments, and had 135 convictions in the federal and state systems since the inception of the initiative.</p>
<p>Abramoff Investigation 3 January 2006</p>	<p>This public corruption investigation by the Division, charging former lobbyist Jack Abramoff with multiple offenses, has generated six guilty pleas (including Congressman Ney, Stillwell, Abramoff, Scanlon, Rudy, and Volzand) one conviction by a jury.</p>
<p>Bloom Fraud Case April 2006</p>	<p>Contractor Philip Bloom pled guilty to conspiracy, bribery, and money laundering in connection with a scheme to defraud the Coalition Provisional Authority-South Central Region (CPA-SC) in Al-Hillah, Iraq. To date, a total of five people have been charged.</p>
<p>U.S. v. Whorley December 2005</p>	<p>The Division's Child Exploitation and Obscenity Section (CEOS), working with the U.S. Attorney's Office for the Eastern District of Virginia, secured the conviction of a convicted sex offender on 74 counts of receiving obscene material and child pornography in violation of 18 U.S.C. 1462 (a), 1466A (a) (1) and (2), and 2252. This case was the first charged under 1466A, which criminalizes obscene visual representations of the sexual abuse of children; it has set the precedent that 1466A is a viable statute that can be used to support the prosecution of cartoons depicting children engaged in sexually explicit conduct.</p>
<p>Enron Task Force</p>	<p>The Department established the Enron Task Force in January 2002 (ETF) to investigate and prosecute all criminal matters relating to the sudden collapse of Enron Corp. Since its inception, the ETF has brought criminal charges against 35 defendants, 25 of whom were former Enron employees. On May 25, 2006, former Enron Corporation chief executive officer Jeffrey K. Skilling and former chairman and chief executive officer Kenneth L. Lay were found guilty, following a four-month jury trial, on a superseding indictment filed in July 2004, stemming from the collapse of the Enron Corporation. Lay died in July and the counts against him were dismissed in October. On May 31, 2006, Kevin Howard, former chief financial officer for Enron Corporation's telecommunications division, Enron Broadband Services (EBS), was found guilty, following a month-long jury trial. With the assistance of the Criminal Division's Asset Forfeiture and Money Laundering Section, the ETF seized approximately \$162 million in ill-gotten proceeds of crimes. The ETF was disbanded at the end of October and primary responsibility for all remaining Enron-related matters was transferred to the Fraud Section of the Criminal Division.</p>

3. Full Program Costs

As demonstrated in the budget, the Department's Strategic Goals and Objectives drive the Division's objectives and priorities. The additional resources requested in this budget will further enhance the Division's ability to implement these strategies, positively impacting performance and its ability to meet Departmental goals.

Division resources are represented as a whole because the Division reports as a single decision unit. Total costs represent both direct and indirect costs, including administrative functions and systems. The performance/resources table contained in Section III of this budget offers further detail regarding the Division's work within the decision unit.

4. Performance Challenges

Many factors, both external and internal, influence the Criminal Division's level of success in accomplishing its mission. The benefits of in-house and Departmental expertise, professionalism, and experience have assisted the Division in overcoming these obstacles in the past, and will continue to do so in the future. Refer to the Performance Table included in the exhibits for more information.

External Challenges

An organization such as the Criminal Division cannot work in isolation. Rather, serving justice and protecting the public requires good faith collaboration and open communication between foreign and domestic agencies at all levels of government. As a litigating body, the Division must rely heavily on the work of investigating agencies such as the Federal Bureau of Investigation and the Drug Enforcement Administration (DEA), as well as cooperation from United States Attorney's Offices, foreign counterparts, and other federal, state, and local agencies.

Moreover, in accomplishing its mission, the Division must increasingly consult and coordinate closely with other protective and intelligence agencies, such as the Department of Homeland Security, Department of State, Treasury Department, and Department of Defense. This requires additional resources to maintain current pace with these growing entities and to continue with current success levels - as coordination requires time and personnel.

Internal Challenges

In FY 2007, Criminal Division's Counterterrorism and Counterespionage Sections are transitioning to the newly created National Security Division (NSD). The transition period represents a challenge for the Criminal Division: the Division is providing assistance to NSD as it stands up and assumes its responsibilities with its continued coordination role in the Department's national security mission and its major responsibility of providing national guidance, expertise, and assistance in the enforcement and prosecution of criminal law.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Reducing Violent and Organized Crime	Enhance the Department's effort to combat gang violence by leading and supporting the National Gang Targeting, Enforcement & Coordination Center (GangTECC) and identifying priority targets and ensuring coordinated law enforcement actions against these targets. This also provides resources for the Division's newly formed Gang Squad.	2	2	\$232	19
Protecting Citizens from Online Crime	Combat and prevent criminals who use advanced technology such as the Internet to commit crimes (especially crimes against children) by leveraging our technical expertise and international relationships and by investigating and prosecuting these criminals.	7	4	\$685	22
Reducing the Flow of Illicit Drug	Target and dismantle international narcotic trafficking organizations by bringing drug traffickers to justice and by providing timely review of critical law enforcement tools.	3	2	\$299	27

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

Not Applicable

Analysis of Appropriations Language

Not Applicable

IV. Decision Unit Justification

A. Enforcing Federal Criminal Laws

<i>Enforcing Federal Criminal Laws</i> TOTAL	Perm. Pos.	FTE	Amount
2006 Enacted with Rescissions and Supplementals	818	817	\$144,481
2007 Estimate	746	751	\$131,396
Adjustments to Base and Technical Adjustments	0	1	\$19,412
2008 Current Services	746	752	\$150,808
2008 Program Increases	12	8	\$1,216
2008 Offsets	0	0	\$0
2008 Request	758	760	\$152,024 ¹
Total Change 2007-2008			

1. Program Description

The mission of the Criminal Division is to develop, enforce, and supervise the application of all federal criminal laws except those specifically assigned to other divisions. The Criminal Division serves in a complementary law enforcement role. While United States Attorneys and international, state, and local prosecutors serve a specific jurisdiction, the Criminal Division works in partnership across jurisdictions and with international partners to ensure that the law is implemented uniformly and in the collective interests of the United States.

The Criminal Division addresses the need for centralized coordination, prosecution, and oversight, and complements the work of its foreign and domestic law enforcement partners by centrally housing subject matter experts in all areas of federal criminal law who are equipped to handle large and complex criminal cases, provide critical legal advice and guidance, formulate policy and legislation, and review and approve the use of sensitive law enforcement tools, such as correspondent banking subpoenas, Title III wiretaps, electronic evidence-gathering techniques, and the witness security program. The concentration of formidable expertise in a broad range of critical subject areas strengthens and shapes the Department's efforts in bringing a broad perspective to areas of national and transnational criminal enforcement and prevention. As a reflection of this range of expertise, the Division's Performance and Resource Table is organized into three broad functional categories: litigation; expert guidance and legal advice; and law enforcement tools.

The Criminal Division's one Decision Unit, Enforcing Federal Criminal Laws, includes the following Sections/Offices: Appellate Section, Asset Forfeiture and Money Laundering Section, Child Exploitation and Obscenity Section, Computer Crime and Intellectual Property Section,

¹ The FY 2008 budget request estimate includes an one-time \$8.95 million moving/lease expiration rent ATB. This ATB will be used to consolidate the Division from three buildings to one building. This is only part of what the Division needs to execute building consolidation. The ATB is not a permanent increase to the Divisions base resources.

Domestic Security Section, Executive Office of the Organized Crime Drug Enforcement Task Force, Fraud Section, International Criminal Investigative Training Assistance Program, Narcotic and Dangerous Drug Section, Office of Administration, Office of the Assistant Attorney General, Office of Enforcement Operations, Office of International Affairs, Office of Policy and Legislation, Office of Special Investigations, Organized Crime and Racketeering Section, and Public Integrity Section. These 17 Sections/Offices are integral to fulfilling the Division's mission of developing, enforcing, and exercising general oversight for federal criminal laws, except those that are specifically assigned to other Divisions.

2. Performance Tables

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 Investigation/Prosecute, 1.3 Espionage Goal Two: Enforce Federal Laws and Represent the Rights and Interests of the American People 2.1 Violent Crime, 2.2 Drugs, 2.3 White Collar Crime, 2.4 Protect Vulnerable Members of Society											
WORKLOAD/RESOURCES		Final Target		Actual		Estimate		Changes		Requested (Total)	
		FY 2006		FY 2006		FY 2007*		Current Services Adjustments and FY 2008 Program Changes		FY 2008 Request	
Total Costs and FTE (reimbursable FTE are included)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		919	\$144,481	881	\$142,267	853	\$131,396	15	\$20,628	868	\$152,024 ²
TYPE/ Strategic Objective	PERFORMANCE	FY 2006		FY 2006		FY 2007		Current Services Adjustments and FY 2008 Program Changes		FY 2008 Request	
Program Activity	1. Litigation ³	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		404	\$69,351	381	\$67,512	355	\$60,345	7	\$9,474	362	\$69,819
Workload	Cases Opened **	424		485		461		59		520	

² The FY 2008 budget request estimate includes an one-time \$8.95 million moving/lease expiration rent ATB. This ATB will be used to consolidate the Division from three buildings to one building. This is only part of what the Division needs to execute building consolidation. The ATB is not a permanent increase to the Division's base resources.

³ In an effort to consolidate our workload measures, effective FY 2008 budget request, the Division no longer reports sub-categories for: Cases Opened, Cases Closed, Appellate Work-Closed, and Appellate Work-Pending. The Division will provide the total for each of the measures.

TYPE/ Strategic Objective	PERFORMANCE	FY 2006		FY 2006		FY 2007		Current Services Adjustments and FY 2008 Program Changes		FY 2008 Request	
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Workload	Cases Closed **		324		332		316		32		348
Workload	Cases Pending at EOY		1,034		1,137		1,105		172		1,277
Workload	Appellate Work – Opened		4,188		4,871		4,871		0		4,871
Workload	Appellate Work – Closed **		4,119		4,481		4,481		0		4,481
Workload	Appellate Work – Pending at EOY **		1,490		1,808		2,198		390		2,588
Workload	Matters Opened		897		663		596		77		673
Workload	Matters Closed		610		527		470		36		506
Workload	Matters Pending at EOY		2,026		1,880		1,294		167		1,461
Program Activity	2. Expert Guidance and Legal Advice	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		364	\$50,568	348	\$48,802	342	\$45,505	7	\$7,202	349	\$52,707
Workload	Number of Legislative and Policy Analysis Matters Completed		8,995		13,166		11,867		142		12,009
Workload	Number of Programmatic Coordination Activities		1,736		3,186		1,542		25		1,567

TYPE/ Strategic Objective	PERFORMANCE	FY 2006		FY 2006		FY 2007		Current Services Adjustments and FY 2008 Program Changes		FY 2008 Request	
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
Workload	Number of Legal Advisory Matters Completed	15,565		16,799		15,900		266		16,166	
Workload	Number of Training Sessions/ Presentations	1,227		1,504		2,920		-320		2,600	
Program Activity	3. Law Enforcement Tools	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		151	\$24,562	152	\$25,953	156	\$25,546	1	\$3,952	157	\$29,498
Workload	Number of Mandatory Reviews Completed	24,515		25,317		22,671		122		22,793	
EFFICIENCY MEASURE	Ratio of Administrative Costs to Program Costs	69.60%		70.27%		69.90%				69.90%	
OUTCOME	Favorably Resolve Criminal Cases	90%		98%		90%				90%	
OUTCOME	Favorably Resolve Civil Cases	80%		90%		80%				80%	

Data Definition, Validation, Verification, and Limitations: Definitions: Litigation: This program activity includes cases or investigatory matters in which the Criminal Division has sole or shared responsibility.

Expert Guidance & Legal Advice: This program activity includes oral and written advice and training to federal, state, local and foreign law enforcement officials; coordination and support of investigations, prosecutions, and programs at the national, international and multi-district levels; and oral and written analysis of legislation and policy issues, development of legislative proposals, advice and briefing to Departmental and external policy makers, and participation in inter-agency policy coordination and discussions.

Law Enforcement Tools: This program activity includes the work the Division does in specific areas of criminal law in reviewing and approving the use of law enforcement tools throughout the law enforcement community.

Validation: In FY 2002, CRM initiated a multi-phased workload tracking improvement initiative. To date, improvements include definition and policy clarifications, uniform guidance and reporting, case tracking database improvements for end user benefit, and a regular data validation process to ensure system integrity.

PERFORMANCE MEASURE TABLE											
Decision Unit: Enforcing Federal Criminal Laws											
Performance Report and Performance Plan Targets		FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006		FY 2007*	FY 2008
		Actual	Actual	Actual	Actual	Actual	Actual	Target	Actual	Target	Target
OUTCOME Measure	Favorably Resolved Criminal Cases**	N/A	N/A	N/A	97%	94%	96%	90%	98%	90%	90%
OUTCOME Measure	Favorably Resolve Civil Cases**	N/A	N/A	N/A	100%	100%	100%	80%	90%	80%	80%
Efficiency Measure	Ratio of Administrative Costs to Program Costs	N/A	N/A	N/A	N/A	N/A	69.61%	69.60%	70.27%	69.90%	69.90%

N/A = Data unavailable

* Beginning fiscal year 2007, the workloads of the Counterterrorism and Counterespionage Sections will no longer be included in the Criminal Division.

** Denotes inclusion in the DOJ Annual Performance Plan

3. Performance, Resources, and Strategies

The Enforcing Federal Criminal Laws decision unit contributes to the following Department's Strategic Goals and Objectives:

Strategic Goal One: Prevent Terrorism and Promote the Nation's Security

1.1 Prevention, 1.2 Investigation/Prosecution, 1.3 Espionage

Strategic Goal Two: Enforce Federal Laws and Represent the Rights and Interests of the American People

2.1 Violent Crime, 2.2 Drugs, 2.3 White Collar Crime, 2.4 Protect Vulnerable Members of Society

a. Performance Plan and Report for Outcomes

Litigation includes complex case and investigatory matter work. Certain litigation requires the Division's expertise for the following reasons: involves work of national significance, requires international coordination, has precedent setting implications, involves cross-jurisdictional investigations, or requires intensive resource needs due to the magnitude of the case. The Division's Performance and Resource Table shows an expected 10% projected increase for cases closed from FY 2007 to FY 2008. Furthermore, the Table shows a 13% projected increase in investigatory matters opened for that same time period.

The Departmental long-term outcome goal for the litigating divisions, including the Criminal Division, is the percentage of favorably resolved criminal and civil cases in the fiscal year. The goals are 90% for criminal cases and 80% for civil cases. In FY 2005, the Division favorably resolved 96% of its criminal cases and 100% of its civil cases. In FY 2006, the Division reported that it favorably resolved 98% of its criminal cases and 90% of its civil cases. From a performance standpoint, the Division has consistently exceeded the Departmental long-term outcome goal for the litigating divisions.

Expert guidance and legal advice pertains to legal advisory matters, legislative and policy analysis work, training, and programmatic coordination. Law enforcement tools refers to the facilitation and review of requests such as wiretaps, witness security, prisoner transfers, extraditions, and mutual assistance. The Division's Performance and Resource Table shows a projected increase of approximately 1% to 2% in three of the four measures for expert guidance and legal advice, and approximately 1% in investigatory tools from FY 2007 to FY 2008. The decrease in the number of training sessions and presentations is attributed to an expected decrease in one of our international training programs. Overall, the Division's performance is commendable considering the austere climate over the past few years.

The 12 positions requested in our FY 2008 President's budget will support the Attorney General's priority areas of reducing violent crime, dismantling drug trafficking organizations, and ensuring that the Internet is a safe place for all Americans.

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. Section I (Overview) of this budget fully discusses the Division's current strategies in assisting the Department to obtain its outcomes for Goals One and Two, namely no terrorist acts committed by foreign nationals against U.S. interests within U.S. borders and favorably resolve 90% of criminal cases and 80% of civil cases.

Our enhancement requests will enable the Division to expand our current efforts in reducing violent crime, particularly crimes committed by gangs; protecting our citizens from various online crimes; and reducing the flow of illicit drugs. Each enhancement request further discusses the Division's strategies to accomplish each of these three areas.

Program Increases

Item Name: **Reducing Violent Crime and Organized Crime**

Budget Decision Unit(s): Enforcing Federal Criminal laws

Strategic Goal(s) & Objective(s): DOJ Goal II, Enforce Federal Laws and Represent the Rights and Interests of the American People
Strategic Objective 2.1, Reduce the threat, incidence, and prevalence of violent crime, including crimes against children

Organizational Program: The Criminal Division

Program Increase: Positions 2 Atty 2 FTE 2 Dollars \$232,000

Description of Item

The Criminal Division requests 2 positions (2 attorneys) and \$232,000 to enhance its efforts supporting the Attorney General's priority of reducing violent crime, especially violence perpetrated with guns or by gangs. These additional resources are necessary to address the ever-present trans-national and national threats to the American people posed by violent crime. This request includes the Division's personnel requirements for the National Gang Targeting, Enforcement, and Coordination Center (GangTECC) and the Division's Gang Squad Unit.

Justification

The Criminal Division's Gang Squad is a specialized group of federal prosecutors charged with developing and implementing strategies to attack the most significant national and international gangs in the United States. These prosecutors will not only prosecute select gang cases of national importance, they will also formulate policy, assist and coordinate with U.S. Attorneys' Offices (USAOs) on legal issues and multi-district cases, and work with numerous domestic and foreign law enforcement agencies to construct effective and coordinated prevention and enforcement strategies.

GangTECC, the Department's new national anti-gang task force, is comprised of multiple Department of Justice components and is aimed at facilitating law enforcement strategies and operations across agency lines. Per the Attorney General's direction, GangTECC represents a unified federal effort to help disrupt and dismantle the most violent gangs in the United States. GangTECC assists in initiating gang-related investigations, coordinating gang-related investigations and prosecutions, developing a refined understanding of the national gang problem and proposing appropriate countermeasure strategies, and supporting the National Gang Intelligence Center (NGIC). Through the collaborative efforts of the participating agencies, GangTECC will accomplish its mission by working closely with the Division's Gang Squad attorneys and NGIC analysts.

As there is no single initiative, no single investigative technique, no single statute, and no single preventative measure that will always work on all gangs, the Gang Squad prosecutors, GangTECC agents and NGIC analysts use sophisticated investigative tools, collaborative federal, state, and local efforts, and administrative procedures to help ensure the success of gang investigations and prosecutions. Together all components are working to combat gangs through enforcement, policy initiatives, training, prevention efforts, and intelligence sharing. In fact, the joint effort has proved to be successful. On January 10, 2007, 13 members of the street gang called La Mara Salvatrucha, or MS-13, were indicted by a federal grand jury in the Middle District of Tennessee on racketeering conspiracy charges. The facts in the indictment reveal that MS-13 is a well-organized and extremely violent criminal enterprise that regularly engages in violent criminal activity, including murders and assaults. Agents and prosecutors from GangTECC assisted in the case, and the case is being prosecuted by the U.S. Attorney Office and Gang Squad attorneys.

In order for both Gang Squad and GangTECC to enhance their efforts to support the Attorney General's priority of reducing violent crime, additional resources are needed. Thus, for FY 2008 the Division requests one attorney position for GangTECC and one attorney position for Gang Squad. These two additional positions will allow for the following:

1. Gang Squad: Gang Squad, in collaboration with NGIC and GangTECC, has identified violent street gangs of national significance. At present, the current trial attorneys are actively pursuing national targeting, coordination, and investigation of some of these gangs. Additional trial attorneys will allow the remaining gangs on the list to also be actively targeted and pursued.
2. GangTECC: At the direction of the Deputy Attorney General, the Assistant Attorney General of the Criminal Division will be a board member of GangTECC and will select the Director for GangTECC. Criminal Division direction and support will be required to make the coordination efforts of GangTECC a success. This attorney will provide leadership and direction in coordinating investigations and interaction with operations in the field in order to fulfill GangTECC's anti-gang mission. The Division requests one attorney position to fulfill this important duty.

Impact on Performance (Relationship of Increases to Strategic Goals)

The Criminal Division's work to target, investigate, and prosecute violent criminals is in direct support of DOJ Strategic Objective 2.1.

This enhancement request will enable the Division to fulfill its commitments to the Department and assist in making GangTECC a success. This enhancement request will enable the Division to reduce violent crime, especially violence perpetrated with guns or by gangs.

Funding

Base Funding

FY 2006 Enacted w/ Rescissions and Supplementals				FY 2007 Estimates				FY 2008 President's Budget Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
8	7	4	1,000	8	7	8	\$1,438	8	7	8	\$1,551

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2008 Request (\$000)
GS-14 Attorney	\$116	2	\$232
Total Personnel		2	\$232

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2008 Request (\$000)
Total Non-Personnel	0	0	\$0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)
Current Services	8	7	8	\$1,438	\$0	\$1,438
Increases	2	2	2	\$232	\$0	\$232
Grand Total	10	9	10	\$1,670	\$0	\$1,670

Item Name: **Protecting Citizens from Online Crime**

Budget Decision Unit(s): Enforcing Federal Criminal laws

Strategic Goal(s) & Objective(s): DOJ Goal II, Enforce Federal Laws and Represent the Rights and Interests of the American People
Strategic Objective 2.3, Combat White Collar Crime, Economic Crime and Cybercrime
Strategic Objective 2.4, Uphold the Civil and Constitutional Rights of All Americans and Protect Vulnerable Members of Society

Organizational Program: The Criminal Division

Program Increase: Positions 7 Atty 4 FTE 4 Dollars \$685,000

Description of Item

The Criminal Division requests 7 positions (4 attorneys) to enhance its efforts to support the Attorney General's priority of ensuring that the Internet is a safe place for all Americans, especially children. The Internet has created an anonymous venue for criminals to execute their heinous crimes. Division attorneys are at the forefront of the efforts to bring these criminals to justice by fostering and leveraging expertise to protect citizens from all types of online crimes. These requested enhancements will provide necessary resources to protect networks and protect our children online through Project Safe Childhood (PSC).

Justification

Protecting Our Children – Project Safe Childhood

The Criminal Division plays a critical role in addressing Administration and Departmental priorities involving child sexual exploitation (including child pornography, online enticement of children for sexual purposes, and child sex trafficking) and obscenity. For example, Division attorneys investigate and prosecute all aspects of the child pornography industry, as well as online enticement, child prostitution, and child sex tourism offenses; guide and conduct large-scale national operations; and pursue nationwide initiatives against the use of new technologies to sexually exploit children. The Division also assists the 93 United States Attorney Offices in investigations, trials, and appeals related to these offenses. In 2006, the Department charged 1,658 individuals and obtained 1,386 guilty pleas and convictions in cases involving child abuse and pornography.

As technology advances and as the Internet becomes more accessible, the number of computer-facilitated sexual exploitation crimes committed against children—including child pornography offenses and “traveler” or enticement crimes—continues to grow. This growing threat of sexual exploitation crimes committed against children through the Internet is a disturbing and unacceptable trend. The Division and the Department as a whole is committed to the safety and

well-being of every child and has placed a high priority on protecting and combating the sexual exploitation of children.

Project Safe Childhood (PSC), an initiative of Attorney General Gonzales, is a nationwide initiative aimed at preventing the abuse and exploitation of children through the Internet. This request will help the Division support this critical nationwide initiative. PSC is creating task forces in every federal judicial district around the country that are led by the local United States Attorney. In addition to the local United States Attorney's Office, these task forces are comprised of Department-funded Internet Crimes Against Children (ICAC) Task Forces, federal law enforcement agencies, and other interested state and local law enforcement partners operating in the district. They investigate and prosecute crimes against children facilitated through the Internet or other electronic media and communications devices. The Division is integral to PSC, not only in partnering with other PSC participants to provide necessary training, but also in coordinating our nationwide operations so that the additional resources available to investigate leads are used to maximum advantage.

Division attorneys are recognized as experts in the legal and technological aspects of child pornography and enticement cases; field offices routinely contact them for advice and prosecution assistance. The Division coordinates national policy initiatives and nationwide investigations, which often involve hundreds or thousands of targets and increasingly takes a leading role in pursuing such efforts. Presently, the Division is involved in numerous nationwide child pornography investigations.

The Division anticipates that the field's demand for its expertise and assistance, ranging from the number of duty call inquiries it receives to requests for experienced child exploitation prosecutors to assist in the investigation and prosecution of individual cases, will continue to increase. The Division needs resources to address its current workload as well as the additional workload generated by PSC.

Crimes such as the production and distribution of child pornography, online enticement of children, and child sex tourism are being committed with overwhelming frequency through computers and the Internet, which provide pedophiles with a readily available and anonymous means to communicate regarding their shared interests. Similarly, the commercial online distribution of obscenity is a growing threat, and often criminals seek to keep ahead of law enforcement through their ability to use new technology.

Consequently the Division has expanded its efforts dramatically, beyond traditional litigation, to deter child victim and obscenity crimes through new and effective use of technology. In FY 2003, the Division created the High Technology Investigative Unit (HTIU), staffed with computer forensic experts who bring special technological expertise to bear against Internet-based child pornography and obscenity offenders. The HTIU's mission is to anticipate new technology, understand it, and analyze how it will be used to facilitate child exploitation crimes. The Division's HTIU has unsurpassed expertise in understanding new technology and identifying critical computer forensic evidence created by the latest computer applications, enabling law enforcement to effectively investigate child exploitation and obscenity crimes regardless of the technology used to commit them.

These resources are essential to continue the prevention of online child exploitation and obscenity and to make PSC a national success. No price is too high to protect our children. The Division is requesting more personnel to ensure that it has the ability to keep up with the increasing amount of work that has been generated by PSC and that we expect to be generated by PSC in the coming years.

Protecting Networks

The Division is the expert in network crime investigations, traditionally providing advice to U.S. Attorneys' Offices, other Department components, and outside agencies. The Division has taken an increasingly active leadership role in large and novel computer crime investigations and prosecutions, including the following:

- The Division was a full co-counsel and provided an attorney to the trial team in the prosecution of Scott Levine for a massive data theft in Little Rock, Arkansas;
- Division attorneys provided critical assistance to the investigation and prosecution of a large scale, multi-national hacking and credit card ring known as the Shadowcrew group. Division attorneys took the lead on a novel wiretap application, coordinated more than twenty search warrants across the United States, and coordinated searches and arrests of several members of the organization with foreign police officials; and
- Division Attorneys are currently key members of an international law enforcement effort to address the growing problem of armies of infected computers—called botnets—used to conduct network attacks.

Division attorneys play an increasingly central role in these large cases, both at their inception, before the locus of the investigation has settled on any district, and as they grow into significant, technically challenging, and increasingly international cases.

Both the FBI and the U.S. Secret Service (USSS) now devote significant resources to increasing their ability to investigate cases from headquarters. They have done this because of the increasingly non-geographic nature of cyber threats to networks. Investigations developing from one intrusion often spread quickly, so that within days or hours they have acquired a national or international scope. Both FBI and USSS have developed “fly team” capabilities that are able to depart and assemble at the scenes of network crimes in any district and all over the world. Division attorneys play a crucial role in these cyber investigations because of (1) its technical expertise in computer-related investigations and (2) its position as a nerve center for two critical resources (networks of U.S. federal prosecutors and networks of international cyber investigators). For example, significant breaches of credit card processors, data warehouse, and other financial institutions have continued. In many – if not most – of these cases, the intrusions have had overseas connections, particularly to Eastern Europe. Both FBI and USSS have initiated important initiatives against data thieves that will require substantial partnerships with Criminal Division attorneys.

Since 2002, the number of computer crime cases carried by the Division has increased by 350 percent. Between 2002 and 2006, the Intellectual Property caseload increased more than 800

percent. At the same time, since FY 2002, the total number of AUSAs designated as Computer Hacking and Intellectual Property coordinators (CHIPs) has increased by 31 percent, from 177 to 233 coordinators. Also, since FY 2002, the number of overseas training workshops led by the Division has more than tripled. This critically important training strengthens the development of foreign cybercrime law (still in early development) as well as operational capacity. The U.S. cannot protect its networks from attackers in foreign states unless foreign counterparts are legally and technically ready. The Division receives a constant stream of international requests not only for case assistance but for advice, training, and, in particular, detailed critiques of other countries' draft cyber crime laws.

The Division seeks resources to continue to protect our networks by working with FBI, USSS, and other agencies to train domestic and international investigators and prosecutors, and to strengthen foreign laws to ensure they have the tools to prosecute their criminals.

Impact on Performance (Relationship of Increases to Strategic Goals)

The Criminal Division's work in this area directly supports DOJ Strategic Objective 2.3: Combat White Collar Crime, Economic Crime and Cyber crime, and Strategic Objective 2.4, Uphold the civil and constitutional rights of all Americans and protect vulnerable members of society.

Some of the impacts on performance include the following:

- By greatly increasing the resources available to other agencies, dedicated to investigating and prosecuting child exploitation crimes nationwide, PSC will require Division attorneys to engage in additional national case coordination and to respond to requests for assistance from the field. This request will allow the Division to meet the requirements of the PSC. Given the high visibility of PSC, a failure to meet those requirements could reflect poorly on the initiative.
- With additional personnel resources, the Division's HTIU will be in a better position to keep pace with new technology and the criminals who exploit that technology. This request will ensure law enforcement will stay one step ahead of the criminals, finding new ways to take advantage of new technology faster than the law can develop ways of combating them.
- With additional resources, the Division can increase enforcement against botnets and other high-tech attacks against US networks. It can also provide more support to the growing FBI, USSS, and other agency teams addressing domestic and international computer intrusions and related investigations.

Funding

Base Funding

FY 2006 Enacted w/ Rescissions and Supplementals				FY 2007 Estimate				FY 2008 President's Budget Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
40	28	37	\$6,794	40	28	40	\$7,005	40	28	40	\$7,578

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2008 Request (\$000)
GS-14 Attorney	\$116	4	\$466
GS-9 Professional	\$66	3	\$198
Total Personnel		7	\$664

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2008 Request (\$000)
Extraordinary Travel	\$21	1	\$21
Total Non-Personnel	\$21	1	\$21

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)
Current Services	40	28	40	\$7,578	\$0	\$7,578
Increases	7	4	4	\$664	\$21	\$685
Grand Total	47	32	44	\$8,242	\$21	\$8,263

Item Name: **Reducing the Flow of Illicit Drugs**

Budget Decision Unit(s): Enforcing Federal Criminal laws

Strategic Goal(s) & Objective(s): DOJ Goal II, Enforce Federal Laws and Represent the Rights and Interests of the American People
Strategic Objective 2.2, Reduce the Threat, Trafficking, Use, and Related Violence of Illegal Drugs

Organizational Program: The Criminal Division

Program Increase: Positions 3 Atty 2 FTE 2 Dollars \$299,000

Description of Item

The Criminal Division requests 3 positions (2 attorneys) to aid in its efforts to support the Attorney General’s priority of dismantling drug trafficking organizations and stopping the spread of illegal drugs, especially methamphetamine. Sophisticated transnational drug trafficking organizations are responsible for supplying the U.S. with most of its illegal drugs and precursor chemicals for large clandestine laboratories. These drugs and their users and dealers have destroyed many neighborhoods and families around the world. In addition to going after drug dealers, we need to target large suppliers to stop the flow of drugs.

This request will aid in our efforts to take down these international narcotic trafficking organizations and put dangerous drug dealers away for good. The Division is requesting resources to bring transnational drug traffickers to justice and provide timely review of critical law enforcement tools.

Justification

Bringing Transnational Drug Traffickers to Justice

In order to stop these drug trafficking organizations and their operations, we must ensure these criminals, especially their leaders, are brought to court and are prosecuted to the fullest extent of the law. Such prosecutions and consequent sentences will send strong signals to other potential criminals that they cannot escape the law. Thus, it is extremely important that the Division obtains evidence from foreign governments and/or request foreign governments to arrest and extradite these criminals to the U.S. to stand trial.

The Criminal Division’s Office of International Affairs (OIA) is the central authority for the U.S. in international criminal cases. It 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. Division attorneys approve sensitive overseas actions by U.S. law enforcement agencies and provide expertise to the Department’s leadership, including the Attorney General regarding treaty negotiations, multilateral and bilateral relations, and training, briefings, and advice on

international criminal matters. The Division also plays a critical role in establishing meaningful law enforcement relationships with new partners in regions of critical importance to our drug enforcement efforts (e.g., Middle East and Southeast Asia), as well as in improving existing law enforcement relationships with existing partners.

Extradition and mutual legal assistance requests are critical tools for law enforcement and prosecutors in bringing criminals to justice. Without such tools, fugitives will remain at large and evidence will be unavailable. No other entity in the U.S. government has the authority or expertise to handle these matters. However, currently, there are over 8,000 pending extradition and mutual legal assistance cases in OIA. This is despite having closed more than 18,000 cases in FYs 2002-2006. In 1992, there were 2,300 pending extradition and mutual legal assistance cases. Thus, since 1992, caseloads have grown more than 300%; but attorney personnel have not increased correspondingly. This high caseload is unmanageable and the pressure of responding in a timely manner will negatively affect the quality of the analysis that cases should receive.

Providing Timely Review of Critical Law Enforcement Tools

Investigators and prosecutors must build strong cases in order to bring criminals who distribute, sell, and abuse drugs to justice. The Criminal Division oversees, within the constraints of the law and Department policy, the effective use of the most sophisticated investigative tools at the Department's disposal, including electronic surveillance, the Witness Security Program, authorization of witness immunity, attorney search warrants, and media subpoenas. The Division assists U.S. Attorneys and federal agencies in obtaining these wide ranging tools and other investigative techniques during drug-related investigations, playing a vital role in these investigations and in subsequent prosecutions.

For example, the use of wiretaps allows investigators to focus their investigations to gain admissible evidence upon the most culpable targets. In addition, wiretap evidence can be used by investigators to encourage the cooperation of suspects against other members of their criminal organization. The work of attorneys in the Division assures that evidence obtained will be able to withstand defense challenges as to admissibility. It is imperative that the Division does this in a timely manner. Time lost in an investigation is evidence lost.

In general, the Division's Office of Enforcement Operations (OEO) has experienced increases in these workloads:

- Title III electronic surveillance requests (originals and extensions) increased from 1,607 requests in FY 2000 to 2,692 requests in FY 2006;
- Reviews of witness security applications increased from 210 in FY 2000 to 225 in FY 2006;
- A total of 8,143 witnesses have been placed in the Witness Security Program since 1970; and
- The number of attorney search warrants reviewed jumped from 36 in FY 2000 to 38 in FY 2006.

Almost all of OEO's work directly supports federal investigations and prosecutions nationwide

by providing the necessary tools to federal investigative agencies and the U.S. Attorneys' Offices across the country. The Division's work is a critical part of any successful investigation and prosecution, especially drug investigations; as more investigations and prosecutions are being conducted, OEO's workloads will continue increase.

Impact on Performance (Relationship of Increase to Strategic Goals)

The Criminal Division's mission of reducing the flow of illicit drugs, particularly methamphetamine, directly supports DOJ Strategic Objective 2.2: Reduce the Threat, Trafficking, Use, and Related Violence of Illegal Drugs.

Because extradition and mutual legal assistance requests are critical tools for law enforcement and prosecutors in bringing criminals to justice, it is critical that additional resources are given to OIA in order to prevent backlogs from occurring in the an office that is vital to DOJ's mission and the war on drugs. With additional resources, OIA can provide timely assistance and handle current pending caseload.

Without additional resources, the Division's review of requests from the U.S. Attorneys' Offices for Title III electronic surveillance will slow down, due to increased demand on the proportionally fewer attorneys in OEO who can provide the in-depth analysis of the requests required to ensure compliance with federal rules and procedures. A backlog of Title III requests will be created and an increasing number of investigations will be adversely impacted because of this delay. The Division requests additional resources to handle the projected increases in workloads.

Funding

Base Funding

FY 2006 Enacted w/ Rescissions and Supplementals				FY 2007 Estimates				FY 2008 President's Budget Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
78	42	77	\$13,103	78	42	77	\$13,272	78	42	77	\$14,123

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2008 Request (\$000)
GS-14 Attorney	\$116	2	\$233
GS-9 Professional	\$66	1	\$66
Total Personnel		3	\$299

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2008 Request (\$000)
--------------------	-----------	----------	-------------------------

N/A			
Total Non-Personnel	0	0	\$0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)
Current Services	78	42	77	\$14,123	\$0	\$14,123
Increases	3	2	2	\$299	\$0	\$299
Grand Total	81	44	79	\$14,422	\$0	\$14,422

c. Results of Program Assessment Rating Tool (PART) Reviews

The Criminal Division was assessed through the Office of Management and Budget's (OMB) Program Assessment Rating Tool (PART) along with five other litigating components—Antitrust, Civil, Civil Rights, Environment and Natural Resources, and Tax Divisions. At the end of the assessment, OMB found that the Program:

- Effectively achieves its goal of resolving cases in favor of the government;
- Collaborates effectively with its partners, notably the US Attorneys Offices; and
- Exhibits good management practices, including
 - Strong financial management;
 - Collecting and using performance information to make decisions; and
 - Holding managers accountable for program performance.

To further improve the Program, OMB recommends the following three follow-up actions:

- Implementing a plan to conduct an independent evaluation;
- Establishing a leadership training and mentoring program to continue improving the quality of program management; and,
- Working with the Department's Chief Information Officer to evaluate and purchase litigation software that will improve productivity and efficiency.

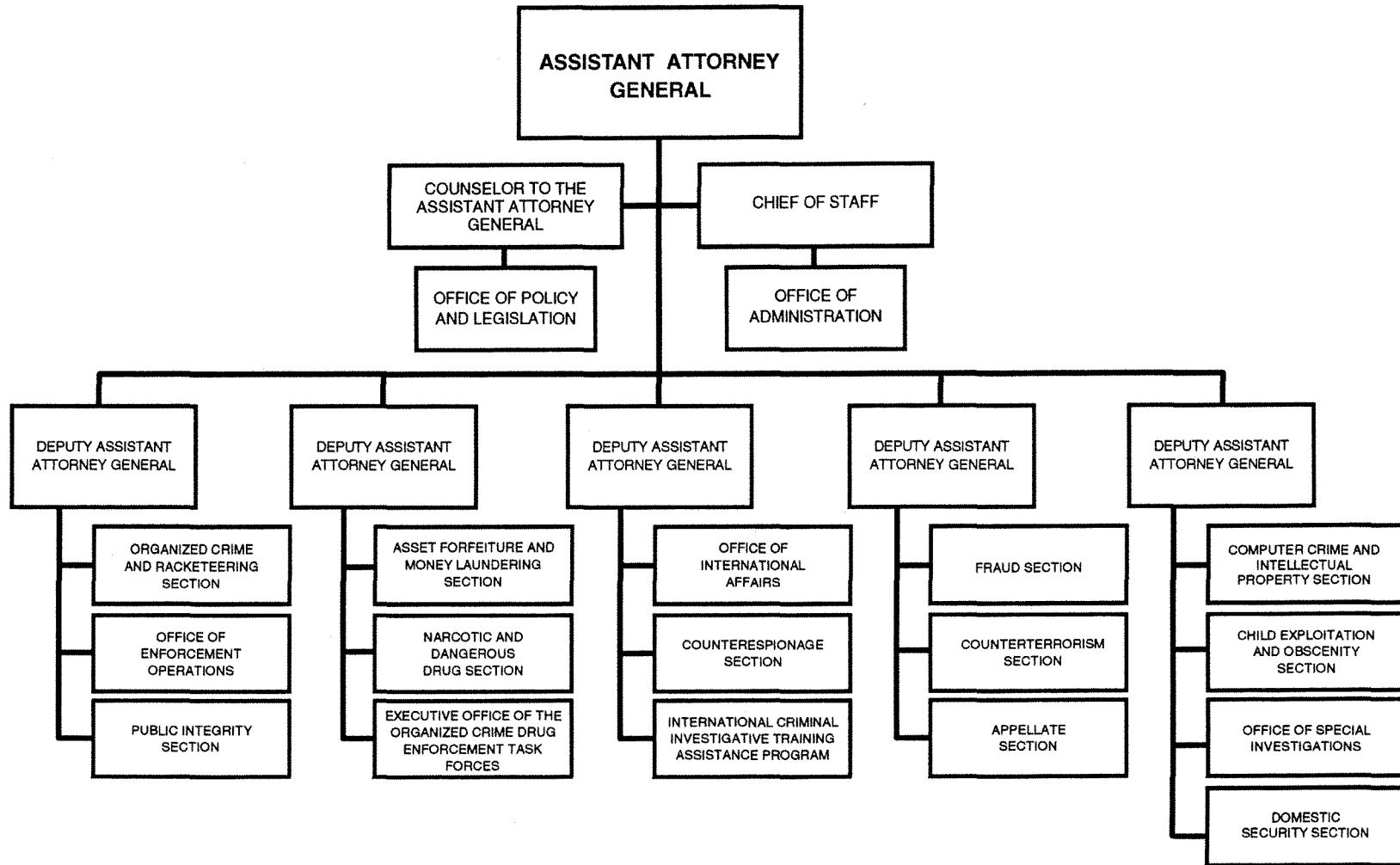
The Division has started implementing these recommendations. In FY 2006, the Department's Justice Management Division (JMD) offered a proposal to the Management and Planning Staff (MPS) and the Office of the Inspector General (OIG) to perform an independent evaluation of the GLA components (GLAs). The proposal recommended that MPS perform initial background interviews in a manner consistent with OIG yellow book regulations. MPS would later hand off their preliminary research to OIG to review and offer their findings and recommendations. However, OIG was unable to include the GLA evaluation in their FY 2007 docket, and as a result, JMD and the GLAs are currently exploring other options to meet the PART follow-up action of "Performing an independent evaluation of the GLAs." The Division's training center has developed a comprehensive leadership and management training plan for implementation during FY 2007. The Division has selected vendors to provide these training courses and in fact, two of these courses were already held in October and November. Other training courses will be

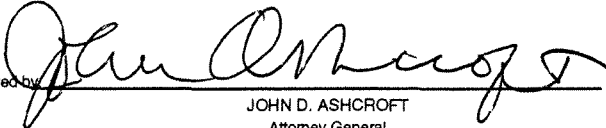
presented this year. The Division's employees can also take training courses offered through the Department's Justice Virtual University.

Finally, the Division was an active participant in the Department's Litigation Case Management System (LCMS) procurement process. The Department plans to implement a unified litigating case management system for all litigating components and the contract was awarded to Computer Science Corporation (CSC) in 2006. The Criminal Division continues to participate in CSC's system and analysis reviews to ensure CSC has the detailed requirements needed to develop a system that will meet the needs of the Criminal Division and the Department.

A. Organizational Chart

CRIMINAL DIVISION



Approved by:  Date: 6-20-02
JOHN D. ASHCROFT
Attorney General

B: Summary of Requirements

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

	FY 2008 Pres. Budget		
	Perm. Pos.	FTE	Amount
2006 Enacted (with Rescissions, direct only)	818	817	\$143,106
2006 Supplementals			\$1,375
Total 2006 Enacted (with Rescissions and Supplementals)	818	817	144,481
2007 President's Budget (Information Only)	746	751	137,061
2007 Continuing Resolution Level (as reflected in the 2008 President's Budget, Information Only) 1/	818	817	143,106
2007 Estimate (direct only)*	746	751	131,396
Technical Adjustments	....	....	....
Base Adjustment	....	....	3,182
Total Technical Adjustments	....	....	3,182
Adjustments to Base			
Increases:			
2008 pay raise (3.0%)			2,010
2007 pay raise annualization (2.2%)			695
Annualization of 2007 positions (FTE)	1		
Annualization of 2007 positions (dollars)			144
Annualization of 2006 positions (dollars)			....
Changes in Compensable Days			672
Retirement			200
Health Insurance Premiums			290
Employee Compensation Fund			(8)
GSA Rent			1,390
Move (Lease Expiration) 2/			8,950
DHS Security Charge			4
Security Investigations			24
Capital Security Cost Sharing (CSCS)			1,693
Overseas Government Leased Quarters			109
Post Allowance - Cost of Living Allowance (COLA)			57
Subtotal Increases	....	1	16,230
Decreases:			
Unfunded Position and FTE Reduction			
Subtotal Decreases	....	....	....
Total Adjustments to Base	....	1	16,230
Total Adjustments to Base and Technical Adjustments	....	1	19,412
2008 Current Services	746	752	150,808
Program Changes			
Increases			
Increase 1: Reducing Violent and Organized Crime	2	2	232
Increase 2: Protecting Citizens from Online Crime	7	4	685
Increase 3: Reducing the Flow of Illicit Drug	3	2	299
Subtotal Increases	12	8	1,216
Total Program Changes	12	8	1,216
2008 Total Request	758	760	152,024
2007 - 2008 Total Change	12	9	20,628
2008 Rescissions from Balances	....	....	....

1/ The 2007 Continuing Resolution Level includes the 74 positions/FTE and \$13,372,000 that are being transferred to the National Security Division.

2/ The FY 2008 budget request estimate includes an one-time \$8.95 million moving/lease expiration rent ATB. This ATB will be used to consolidate the Division from three buildings to one building. This is only part of what the Division needs to execute building consolidation. This ATB is not a permanent increase to the Division's base resources.

* The Department of Justice 2008 budget request was built on a starting point that recognized progress in enacting the FY 2007 appropriation. The starting point used (referred to throughout this document as the "Estimate") is the average of the Senate Committee and House passed marks, less one percent, unless noted otherwise.

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

Estimates by budget activity	2006 Enacted w/Rescissions and Supplementals			2007 Estimate			2008 Adjustments to Base and Technical Adjustments			2008 Current Services			2008 Increases			2008 Offsets			2008 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	818	817	\$144,481	746	751	\$131,396	....	1	\$19,412	746	752	150,808	12	8	\$1,216	....	....	\$0	758	760	\$152,024
Total	818	817	144,481	746	751	131,396	....	1	19,412	746	752	150,808	12	8	1,216	....	....	....	758	760	152,024
Reimbursable FTE		102			102			5			107			1							108
Total FTE		919			853			6			859			9							868
Other FTE:																					
LEAP								....						....
Overtime		2			2			....		2				....							2
Total Comp. FTE		921			855			6		861				9							870

1/ OCDETF Executive Office included 1 additional pos/FTE in FY 2006. An additional 9 pos, 7 FTE (5 pos 3 FTE for the HIDTA program) is pending in its FY 2007 President's budget. Both the House and Senate did not support the HIDTA transfer in their marks. OCDETF will not include the 5 pos 3 FTE HIDTA transfer in its FY 2008 budget request. As a result, the Criminal Division included an adjustment of only 5 pos 5 FTE in our FY 2008 President's Budget request for the record.

C: Program Increases/Offsets By Decision Unit

FY 2008 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: Reducing Violent and Organized Crime	Enforcing Federal Criminal Laws	2	2	2	\$ 232	\$ 232
Increase 2: Protecting Citizens from Online Crime	Enforcing Federal Criminal Laws	7	4	4	\$ 685	\$ 685
Increase 3: Reducing the Flow of Illicit Drug	Enforcing Federal Criminal Laws	3	2	2	\$ 299	\$ 299
Total Program Increases		12	8	8	\$1,216	\$1,216

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	2006 Enacted w/Rescissions and Supplementals		2007 Estimate		2008 Current Services **		2008				2008 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 FTE	Amount \$000s	Direct FTE	Amount \$000s		
Goal 1: Prevent Terrorism and Promote the Nation's Security												
1.1: Prevent, disrupt, and defeat terrorist operations before they occur	73	\$ 13,135	35	\$ 5,782	35	\$ 6,644	-	-	-	-	35	\$ 6,644
1.2: Investigate and prosecute those who have committed, or intend to commit, terrorist acts in the United States	89	\$ 15,825	50	\$ 7,507	51	\$ 8,615	-	-	-	-	51	\$ 8,615
1.3: Combat espionage against the United States by strengthening counterintelligence capabilities	16	\$ 2,719	7	\$ 1,149	7	\$ 1,317	-	-	-	-	7	\$ 1,317
Subtotal, Goal 1	178	\$ 31,679	92	\$ 14,438	93	\$ 16,576	-	\$ -	-	\$ -	93	\$ 16,576
Goal 2: Enforce Federal Laws and Represent the Rights and Interests of the American People												
2.1: Reduce the threat, incidence, and prevalence of violent crime, including crimes against children	220	\$ 26,425	168	\$ 26,677	168	\$ 30,595	6	917	-	-	174	\$ 31,512
2.2: Reduce the threat, trafficking, use, and related violence of illegal drugs	236	\$ 35,334	229	\$ 33,688	234	\$ 38,636	3	299	-	-	237	\$ 38,935
2.3: Combat white collar crime, economic crime, and cybercrime	261	\$ 46,835	289	\$ 48,701	289	\$ 55,951	-	-	-	-	289	\$ 55,951
2.4: Uphold the civil and constitutional rights of all Americans, and protect vulnerable members of society	24	\$ 4,208	75	\$ 7,892	75	\$ 9,050	-	-	-	-	75	\$ 9,050
Subtotal, Goal 2	741	\$ 112,802	761	\$ 116,958	766	\$ 134,232	9	1,216	-	-	775	\$ 135,448
GRAND TOTAL	919	\$ 144,481	853	\$ 131,396	859	\$ 150,808	9	\$ 1,216	-	\$ -	868	\$ 152,024

1/ OCDEF Executive Office included 1 additional pos/FTE in FY 2006. An additional 9 pos, 7 FTE (5 pos 3 FTE for the HIDTA program) is pending in its FY 2007 President's budget. Both the House and Senate did not support the HIDTA transfer in their marks. Thus, OCDEF will not include the 5 pos 3 FTE HIDTA transfer in its FY 2007 Estimate and FY 2008 budget request. As a result, the Criminal Division included an adjustment of only 5 pos 5 FTE in our FY 2008 President's Budget request for the record. OCDEF EO is requesting 1 new pos/1 FTE in its FY 2008 budget.

**The FY 2008 budget request estimate includes an one-time \$8.95 million moving/lease expiration rent ATB. This ATB will be used to consolidate the Division from three buildings to one building. This is only part of what the Division needs to execute building consolidation. This ATB is not a permanent increase to the Division's base resources.

E. Justification for Base Adjustments

Justification for Base Adjustments 1/ Criminal Division

Increases

2008 pay raise. This request provides for a proposed 3.0 percent pay raise to be effective in January of 2008. (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, \$2,010,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$ 1,447,000 for pay and \$563,000 for benefits).

Annualization of 2007 pay raise. This pay annualization represents first quarter amounts (October through December) of the 2007 pay increase of 2.2 percent. The amount requested \$695,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$ 500,000 for pay and \$195,000 for benefits).

Annualization of additional positions approved in 2007. This provides for the annualization of 2 additional positions requested in the 2007 President's budget. For 2007, this request includes a decrease of \$48,000 for one-time items associated with the increased positions, and an increase of \$192,000 for full-year costs associated with these additional positions, for a net increase of \$144,000.

	2007 Increases (\$000)	Annualization Required for 2008 (\$000)
Annual salary rate of 2 new positions	218	124
Less lapse (50 %)	-109	0
Net Compensation	109	124
Associated employee benefits	33	36
Travel	8	8
Transportation of Things	1	1
Communications/Utilities	5	4
Printing/Reproduction	0	0
Other Contractual Services:		
25.2 Other Services	12	-6
25.3 Purchase of Goods and Services from Government Accts.	1	1

25.4 Operation and Maintenance of Facilities	0	0
25.6 Medical Care	0	0
Supplies and Materials	2	2
Equipment	31	-25
Buildout	17	-17
Training	0	0
TOTAL COSTS SUBJECT TO ANNUALIZATION	218	144

Changes in Compensable Days: The increase costs of two more compensable days in FY 2008 compared to FY 2007 is calculated by dividing the FY 2007 estimated personnel compensation \$73,240,000 and applicable benefits \$12,470,000 by 260 compensable days. The cost increase of two compensable days is \$672,000.

Retirement: Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on OPM government-wide 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 \$200,000 is necessary to meet our increased retirement obligations as a result of this conversion.

Health Insurance: Effective January 2006, this component's contribution to Federal employees' health insurance premiums increase by 7 percent. Applied against the 2007 estimate of \$3,220,000, the additional amount required is \$290,000.

Employee Compensation Fund: The \$8,000 decrease reflects payments to the Department of Labor for injury benefits paid on our behalf 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.

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 1,390,000 is required to meet our commitment to GSA.

Moves (Lease Expirations): GSA requires all agencies to pay relocation costs associated with lease expirations. This request only provides for part of the costs associated with new office relocations caused by the expiration of leases in FY 2008 and the Department's decision to consolidate all of the Criminal Division staff into one location. Funding of \$8,950,000 is required for this account.

DHS Security Charges: The Department of Homeland Security (DHS) will continue to charge Basic Security and Building Specific Security. The requested increase of \$4,000 is required to meet our commitment to DHS, and cost estimates were developed by DHS.

Security Investigations: The \$24,000 increase reflects payments to the Office of Personnel Management for security reinvestigations of employees requiring security clearances.

Overseas Capital Security Cost Sharing. The Department of State (DOS) has embarked on a 14-year, \$17.5 billion embassy construction program financed through a Capital Security Cost Sharing (CSCS) Program in which each agency contributes funding based on the number of positions that are authorized for overseas personnel. DOS and the Office of Management and Budget (OMB) established per capita charges, by position type (CAA, non-CAA, etc.), which reflect the costs of construction of the various types of space. The per capita charge is fixed and is being phased in over a five-year period, from FY 2005 (20%) to FY 2009 (100%). Funding of \$1,693,000 is required for this account.

Overseas 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. \$109,000 reflects the change in cost to support existing staffing levels.

Post Allowance - Cost of Living Allowance (COLA): For employees stationed abroad, components are obligated to pay for their COLA. COLA is intended to reimburse certain excess costs and to compensate the employee for serving at a post where the cost of living, excluding the cost of quarters and the cost of education for eligible family members, is substantially higher than in the Washington, D.C. area. \$57,000 reflects the increase in cost to support existing staffing levels.

1/ ATBs must be recalculated following final FY 2007 action.

F: Crosswalk of 2006 Availability

Crosswalk of 2006 Availability

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Decision Unit	FY 2006 Enacted Without Rescissions			Rescissions			Supplementals			Reprogrammings / Transfers			Carryover/ Recoveries			2006 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Enforcing Federal Criminal Law	818	823	144,957	....	(6)	(1,851)	....	....	1,375	....	....	....	....	....	128	818	817	144,609
TOTAL	818	823	\$144,957	....	(6)	(\$1,851)	....	....	1,375	....	....	\$0	....	....	\$128	818	817	\$144,609
Reimbursable FTE		102																102
Total FTE		925			(6)			....			....			....				919
Other FTE																		
LEAP																		....
Overtime		2																2
Total Compensable FTE		927			(6)			....			....			....				921

Enacted Rescissions. Funds rescinded as required by the Department of Justice Appropriations Act, 2006 (P.L. 109-108) and the Department of Defense Appropriations Act, 2006 (P.L. 109-148).

Supplementals. Funds received in P.L. 109-234, FY 2006 War and Hurricane Relief Emergency Supplemental. The supplemental funding expires on September 30, 2007.

Unobligated Balances. Funds were carried over from the FARA account. The Criminal Division brought forward \$128,000 which remain available until expended.

G: Crosswalk of 2007 Availability

Crosswalk of 2007 Availability

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Decision Unit	2007 Estimate			Rescissions			Reprogrammings / Transfers			Unobligated Balances Carried Forward /Recoveries			2007 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Enforcing Federal Criminal Laws	746	751	131,396	....	....	....	....	....	....	....	....	1,101	746	751	132,497
Unobligated Balance Rescission	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
TOTAL	746	751	131,396	....	....	\$0	....	....	\$0	....	....	\$1,101	746	751	132,497
Reimbursable FTE		102												102	
Total FTE		853			....			....			....			853	
Other FTE															
LEAP														....
Overtime		2												2	
Total Compensable FTE		855			....			....			....			855	

Unobligated Balances: The Criminal Division brought forward \$174,000 from the FARA account. When the National Security Division receives its appropriation, the FARA account and its balances will be transferred to NSD.

H: Summary of Reimbursable Resources

Summary of Reimbursable Resources

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Collections by Source	2006 Enacted			2007 Planned			2008 Request			Increase/Decrease		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
U.S. Department of State	68	68	181,000	68	68	186,430	68	68	192,023	....	....	5,593
Interagency Crime and Drug Enforcement (ICDE) 1/	34	34	9,084	34	34	10,959	40	40	19,950	6	6	8,991
Foreign Agents Registration Act (FARA) Fees	....	....	395	....	....	....	....	....	....	....	....	....
All Other Reimbursable Resources	....	....	3,817	....	....	3,932	....	....	4,049	....	....	118
Budgetary Resources:	102	102	\$194,296	102	102	\$201,321	108	108	\$216,022	6	6	\$14,702

1/ OCDETF Executive Office included 1 additional pos/FTE in FY 2006. An additional 9 pos, 7 FTE (5 pos 3 FTE for the HIDTA program) is pending in its FY 2007 President's budget. Both the House and Senate did not support the HIDTA transfer in their marks.

Thus, OCDETF will not include the 5 pos 3 FTE HIDTA transfer in its FY 2007 Estimate and FY 2008 budget request. As a result, the Criminal Division included an adjustment of only 5 pos 5 FTE in our FY 2008 President's Budget request for the record. OCDETF EO is requesting 1 new pos/1 FTE in its FY 2008 budget.

I: Detail of Permanent Positions by Category

Detail of Permanent Positions by Category
 Criminal Division
 Salaries and Expenses

Category	2006 Enacted w/Rescissions and Supplementals		2007 Estimate		2008 Request							
	Total Authorized	Total Reimbursable	Total Authorized	Total Reimbursable	Adj. to Base Increases	Adj. to Base Decreases	Total ATB	Program Increases	Program Decreases	Total Pr. Changes	Total Authorized	Total Reimbursable
	Intelligence Series (132)
Personnel Management (200-299)	10	....	10	....	....	....	....	....	....	....	10	....
Clerical and Office Services (300-399)	192	53	182	53	....	....	....	....	....	....	182	54
Accounting and Budget (500-599)	8	10	7	10	....	....	....	....	....	....	7	10
Attorneys (905)	490	31	440	31	....	....	....	8	....	8	448	36
Paralegals / Other Law (900-998)	67	4	57	4	....	....	....	1	....	1	58	4
Information & Arts (1000-1099)	2	1	2	1	....	....	....	....	....	....	2	1
Forsenic Scientists (1301)	....	1	....	1	....	....	....	....	....	....	....	1
Library (1400-1499)	3	....	3	....	....	....	....	....	....	....	3	....
Equipment/Facilities Services (1600-1699)	....	....	....	....	....	....	....	....	....	....	....	....
Miscellaneous Inspectors Series (1802)	....	....	....	....	....	....	....	....	....	....	....	....
Criminal Investigative Series (1811)	1	....	1	....	....	....	....	....	....	....	1	....
Supply Services (2000-2099)	....	....	....	....	....	....	....	....	....	....	....	....
Travel Services Spec (2101)	....	1	....	1	....	....	....	....	....	....	....	1
Information Technology Mgmt (2210)	17	1	17	1	....	....	....	3	....	3	20	1
Security Specialists (080)	16	....	16	....	....	....	....	....	....	....	16	....
Social Sciences, Economics & Kindred (100-199)	12	....	11	....	....	....	....	....	....	....	11	....
Total	818	102	746	102	....	....	....	12	....	12	758	108
Location												
Headquarters (Washington, D.C.)	805	47	733	47	....	....	....	12	....	12	745	53
U.S. Field	....	....	....	....	....	....	....	....	....	....	....	....
Foreign Field	13	55	13	55	....	....	....	....	....	....	13	55
Total	818	102	746	102	....	....	....	12	....	12	758	108

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	
	Inc.1		Inc. 2		Inc. 3		Offset		Program Changes	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
SES
GS-15
GS-14	2	216	4	433	2	216	....	....	8	865
GS-13
GS-12
GS-11
GS-10
GS-9	3	141	1	47	....	....	4	188
GS-8
GS-7
GS-5
Total positions & annual amount	2	216	7	574	3	263	....	....	12	1,053
Lapse (-)	(108)	(3)	(287)	(1)	(132)	....	....	(4)	(527)
Other personnel compensation
	FTE	Amt	FTE	Amt	FTE	Amt	FTE	Amt	FTE	Amt
Total FTE & personnel compensation	2	108	4	287	2	132	....	....	8	527
Personnel benefits	33	....	89	....	41	....	....	....	163
Travel and transportation of persons	15	....	51	....	15	....	....	....	81
Transportation of things	1	....	5	....	2	....	....	....	8
GSA rent
Communication, rents, and utilities	5	....	17	....	7	....	....	....	29
Printing
Advisory and assistance services
Other services	19	....	63	....	27	....	....	....	109
Purchases of goods & services from Government accounts	2	....	1	....	....	....	3
Medical care
Supplies and materials	1	....	5	....	2	....	....	....	8
Equipment	33	....	105	....	46	....	....	....	184
Buildout	17	....	61	....	26	....	....	....	104

Total, 2008 program changes requested	2	\$232	4	\$685	2	\$299	0	\$0	8	\$1,216

Exhibit J - Financial Analysis of Program Changes

K: Summary of Requirements by Grade

Summary of Requirements by Grade

Criminal Division
Salaries and Expenses

Grades and Salary Ranges	2006 Enacted w/Rescissions and Supplementals		2007 Estimate		2008 Request		Increase/Decrease	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
SES, \$109,808 - \$152,000	37		34		34		....
GS-15, \$107,521 - 139,774	404		362		362		....
GS-14, \$91,407 - 118,828	80		75		83		8	
GS-13, \$77,353 - 100,554	52		48		48		....
GS-12, \$65,048 - 84,559	40		38		38		....
GS-11, \$54,272 - 70,558	52		43		43		....
GS-10, 49,397 - 64,213	3		3		3		....
GS-9, \$44,856 - 58,318	49		49		53		4	
GS-8, 40,612 - 52,794	34		31		31		....
GS-7, \$36,671 - 47,669	55		53		53		....
GS-6, \$33,000 - 42,898	7		6		6		....
GS-5, \$29,604 - 38,487	5		4		4		....
Total, appropriated positions	818		746		758		12	
Average SES Salary		\$ 152,000		\$ 156,104		\$ 159,538		
Average GS Salary		\$ 84,917		\$ 86,778		\$ 88,538		
Average GS Grade		12.94		12.89		12.88		

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class

Criminal Division
Salaries and Expenses
(Dollars in Thousands)

Object Classes	2006 Actuals		2007 Estimate		2008 Request		Increase/Decrease 1/	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Direct FTE & personnel compensation	737	67,885	709	63,984	718	69,756	9	5,772
11.3 Other than full-time permanent	40	6,478	40	5,992	40	6,484	....	492
11.5 Total, Other personnel compensation	2	1,289	2	867	2	938	....	71
<i>Overtime</i>	[2]	....	[2]	....	[2]	....	[2]	....
<i>Other Compensation</i>	....	....	....	....	....	....	....	....
11.8 Special personal services payments	....	1,241	....	57	....	62	....	5
Total	779	76,893	751	70,900	760	77,240	9	6,340
Reimbursable FTE:								
Full-time permanent	102		102		110		8	
Other Object Classes:								
12.0 Personnel benefits		17,887		16,731		18,266		1,535
13.0 Benefits to former personnel		6		1		1		
21.0 Travel and transportation of persons		5,439		5,241		5,616		376
22.0 Transportation of things		875		878		958		80
23.1 GSA rent		19,427		21,434		22,978		1,544
23.2 Rental Payments to Others		532		575		622		47
23.3 Comm., util., & other misc. charges		2,846		2,482		2,715		233
24.0 Printing and reproduction		93		54		58		4
25.1 Advisory and assistance services		3,396		2,359		2,552		193
25.2 Other services		8,353		7,780		7,476		(304)
25.3 Purchases of goods & services from Government accounts		3,462		1,996		2,163		167
25.4 Lease expirations		103		158		9,121		8,963
25.5 Research and development contracts		....		....		....		....
25.6 Medical Care		69		85		92		7
25.7 Operation and maintenance of equipment		917		410		443		33
26.0 Supplies and materials		1,223		998		1,088		90
31.0 Equipment		619		398		615		217
42.0 Insurance Claims and Idemities		127		18		20		2
Total obligations		142,267		\$132,497		\$152,024		\$19,527
Unobligated balance, start of year				(1,101)		....	
Unobligated balance, end of year								
Recoveries of prior year obligations		....		....		....
Total requirements		142,267		131,396		152,024		
Relation of Obligation to Outlays:								
Total obligations								
Obligated balance, start of year		....		....		....
Obligated balance, end of year		....		....		....
Recoveries of prior year obligations		....		....		....
Outlays								

1/ The Increase/Decrease column is \$1,101K less than the total increase of \$20,628K due to carryover funding being obligated in FY 2007.