



ENFORCING FEDERAL LAWS IN THE COURTS

+ \$32.5 million in Enhancements

Overview

The Department's portion of the FY 2008 President's Budget includes \$32.5 million in enhancements to enforce federal laws and represent the rights and interests of the American people. The Department of Justice serves as the Nation's chief prosecutor and litigator, representing the United States in court, prosecuting crime, enforcing federal civil laws, including those protecting civil rights, safeguarding the environment, preserving a competitive marketplace of integrity, defending the national treasury against fraud, unwarranted claims, and preserving the integrity of the Nation's bankruptcy system. Efforts fall into two general categories: criminal prosecutions and civil litigation.

The FY 2008 Budget request includes funding to: upgrade the Federal Bureau of Investigations (FBI) Combined DNA Index System (CODIS) and improve the FBI's DNA programs; provide the Tax Division sufficient resources to handle an increase in the number of tax cases referred to the Division by the Internal Revenue Service; increase the Environment and Natural Resources Division's resources to effectively defend the U.S. Government against potential Tribal Trust damages. Also, the FY 2008 Budget includes additional resources for the Civil Rights Division to address the growing threat and complexity of human trafficking cases.

The following information summarizes key enhancements. More detailed information is available in the FY 2008 President's budget and agency budget submissions. The number of current services positions reflects estimates that may change once final staffing decisions have been determined.

Enhancements

Federal Bureau of Investigation

- **Combined DNA Index System (CODIS): \$7 million** (all non-personnel funding) to upgrade CODIS software to allow for continued operation in the future and to accommodate the increased number of DNA profiles that are expected to be submitted to the FBI Laboratory as a result of recent changes in legislation, such as the DNA Fingerprint Act of 2005 and the Adam Walsh Child Protection and Safety Act of 2006. CODIS provides a three-tiered hierarchy of Index Systems that form a collaborative database of DNA profiles that have been collected from convicted offenders, crime scenes, missing persons and their relatives, and unidentified human remains. This upgrade would further address software obsolescence by expanding CODIS' capabilities related to DNA match

technologies, interoperability, computer-based training, and automated hit counting. The FY 2008 current services level for this activity is \$10.7 million and 12 positions; total FY 2008 resources are \$17.7 million and 12 positions.

- **DNA Upgrade: \$14.6 million** (all non-personnel funding) to improve the FBI's DNA programs that address a growing workload resulting from recent legislative requirements by providing additional DNA collections and analysis kits. The FBI provides DNA testing services to all federal agencies and other entities, including State, local, military and foreign counterparts. New statutes have greatly expanded the scope and authority for obtaining DNA samples and, as a result, the FBI expects that the number of samples submitted in FY 2008 will increase by over 430 percent to more than 1.3 million samples from illegal immigrants, detainees, and federal arrestees. Further, the FBI requires additional funding in support of the Regional Mitochondrial DNA Laboratory Program, which processes missing person casework and terrorism-related DNA. The FY 2008 current services level for this activity is \$12.4 million and 94 positions; total FY 2008 resources \$27 million and 94 positions.

Tax Division

The Tax Division's FY 2008 budget request is \$94.7 million, 666 positions (412 attorneys) and 591 FTE. This represents a 34 percent increase over the FY 2001 enacted level of \$70.8 million. The following is Tax Division's FY 2008 enhancement.

- **Operation Continued Follow-Through: \$5.2 million and 71 positions (51 attorneys)** to support the President's priority to increase tax law enforcement. The Tax Division requests this enhancement which seeks to carry on the tax enforcement efforts described in last year's budget initiative termed "Operation Follow-Through." The goal of Operation Continued Follow-Through is to provide additional resources for increased and more effective tax law enforcement, an established priority of this Administration and the Congress. FY 2008 current services resources for this initiative are \$3.7 million and 32 positions (22 attorneys); total FY 2008 resources are \$8.9 million and 103 positions (73 attorneys).

Environment and Natural Resources Division

The Environment and Natural Resources Division's (ENRD) FY 2008 budget request is \$101.4 million, 453 positions (318 attorneys) and 683 FTE. This represents a 48 percent increase over the FY 2001 enacted level of \$68.6 million. The following is ENRD's FY 2008 enhancement.

- **Tribal Trust Cases: \$4.0 million and 17 positions (10 attorneys)**, to effectively defend the US Government against potential damages. The Tribal Trust cases are a family of defensive cases filed against the U.S. Government by 32 Indian Tribes in various U.S. District Courts and in the U.S. Court of Federal Claims. The

tribes allege that the Government should be ordered to prepare a "full and complete historical accounting" of the tribes' trust fund accounts and to pay damages totaling over \$2 billion for allegedly mismanaging the tribes' trust funds. The additional resources will go toward defensive litigation efforts and document management in these document-intensive and complex cases. FY 2008 current services are \$1.3 million and 13 positions (13 attorneys); total FY 2008 resources are \$5.3 million and 30 positions (23 attorneys).

Civil Rights Division

The Civil Rights Division's (CRT) FY 2008 budget request is \$116.8 million, 726 positions (332 attorneys) and 738 FTE. This represents a 27 percent increase over the FY 2001 enacted level of \$92.0 million. The following is CRT's FY 2008 enhancement.

- **Human Trafficking: \$1.7 million and 13 positions (8 attorneys)** to address the growing threat and complexity of human trafficking cases. Increasing the number of personnel will allow CRT to create an effective coordination structure to ensure that these larger, more complex human trafficking cases are investigated and prosecuted efficiently and effectively in a systematic, proactive fashion. Moreover, as the Division brings more complex cases involving trafficking networks, the Division anticipates that the United States will be able to more effectively seize greater assets from these criminal organizations. The FY 2008 current services are \$3.1 million and 21 positions (18 attorneys); total FY 2008 resources are \$4.8 million and 34 positions (26 attorneys).

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Enhancement Summary**

Bureau/Initiative	Positions	(\$000's)
Enhancements		
Federal Bureau of Investigation		
Combined DNA Index System (CODIS)	0	\$7,000
DNA Upgrade	0	14,600
Subtotal, FBI	0	21,600
Tax Division		
Operation Continued Follow-Through	71	5,200
Environment and Natural Resources Division		
Tribal Trust Cases	17	4,000
Civil Rights Division		
Human Trafficking	13	1,700
Total Enhancements	101	\$32,500