



DRUGS AND BORDER SECURITY
+\$89.2 million in Enhancements
\$350 million in Directed State and Local Resources

Overview

DOJ is supporting efforts to better secure the borders for the purposes of both drug and immigration enforcement. The FY 2008 President's Budget requests \$439.2 million in enhancements and directed resources to bolster drug law enforcement and prosecutions, enhance intelligence capabilities, and improve immigration enforcement efforts.

The Department's drug law enforcement efforts are focused on reducing the availability of drugs by disrupting and dismantling the largest drug supply and related money laundering networks operating nationally and internationally. This budget includes resources to attack the flow of methamphetamine and other drugs entering the United States through the Southwest Border, enhance intelligence sharing, and improve Internet investigative capabilities. Additionally, this budget includes the prosecutorial resources necessary to ensure the organizations and leaders of drug trafficking organizations are brought to justice.

This budget also supports the Department's work to protect our borders and increase immigration enforcement. These resources are needed to meet the steadily increasing caseload generated by increased law enforcement efforts and aggressive enforcement of the immigration statutes, including aliens who after deportation attempt to reenter or are found in the United States illegally; alien smugglers and alien smuggling organizations; and those involved in terrorism and violent crimes. The Department also supports the U.S. Government by providing the best possible defense against the challenges to removal orders filed by illegal aliens.

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

Enhancements

Interagency Crime and Drug Enforcement (ICDE)

The FY 2008 Budget request for ICDE is \$509.2 million, 3,581 positions (1,728 agents) and 3,522 FTE. This represents a 57 percent increase over the FY 2001 enacted level of \$325.2 million. The ICDE budget also includes \$8.6 million for the following enhancement:

- **Intelligence Sharing – Organized Crime Drug Enforcement Task Force (OCDETF) Fusion Center: \$8.6 million and 1 position** to provide base funding

for the operation and maintenance of the OCDETF Fusion Center's technical infrastructure, as well as 1 SES-level position to provide oversight and management for the Fusion Center. These resources will enhance analytical support to the Fusion Center, thereby assisting in initiating and developing multi-agency and multi-jurisdictional OCDETF investigations and prosecutions targeting drug trafficking and related money laundering organizations. FY 2008 current services resources for the OCDETF Fusion Center are \$3.1 million; total FY 2008 resources are \$11.7 million and 1 position.

Drug Enforcement Administration (DEA)

DEA's FY 2008 Budget request is \$1.8 billion, 7,604 positions (3,673 agents) and 7,516 FTE. This represents a 29 percent increase over the FY 2001 enacted level of \$1.4 billion. DEA's budget also includes \$39.3 million for the following enhancements:

- **Southwest Border & Methamphetamine Enforcement: \$29.2 million and 8 positions** to attack poly-drug trafficking organizations transiting the Southwest Border by increasing DEA's intelligence gathering, detection, monitoring, and surveillance capabilities. According to the El Paso Intelligence Center's (EPIC) drug seizure data, most of the cocaine, marijuana, methamphetamine and Mexican-produced heroin available in the United States are smuggled into the country across the Southwest Border. Increasing DEA's investigative technology capabilities will result in a force multiplier effect and enhance investigations into the trafficking of methamphetamine and other drugs across the Southwest Border. Additionally, DEA will target Gatekeepers who facilitate the movement of drugs, illegal aliens, or other smuggled goods across specific entry corridors along the Southwest Border. FY 2008 current services resources for this initiative are \$65.3 million; total FY 2008 resources are \$94.5 million and 8 positions.
- **Counterterrorism & Intelligence Sharing: \$7.1 million and 7 positions (1 agent)** to improve information sharing with the Intelligence Community (IC) and other law enforcement agencies to enhance our Nation's efforts in reducing the supply of drugs, protecting our national security, and combating global terrorism. Specifically, this request will improve the flow of information to and from other law enforcement agencies by enhancing Merlin, DEA's classified IT infrastructure; establishing base-funding for DEA's Operation Breakthrough; and supporting the Department of Justice's new national anti-gang task force. Merlin enables the Intelligence Analysts and Special Agents to perform their duties in a secure environment and will allow DEA's National Security Section to communicate IC requests to both domestic and foreign DEA field offices. Merlin also provides DEA users with their only access to a variety of systems and tools that are used to support DEA investigations and intelligence program. FY 2008 current services resources for this initiative are \$11.4 million and 7 positions; total FY 2008 resources for this initiative are \$18.5 million and 14 positions (1 agent).

- **Online Investigations: \$3.0 million** to provide operational funding for the support of Internet investigations, Internet intercept capabilities and computer forensics support. Increasingly, traditional drug trafficking organizations rely on the use of the Internet to facilitate their drug trafficking and money laundering activities. In order to remain on the forefront of communication exploitation capabilities, DEA needs to improve and expand its Internet investigative technologies to combat the evolving methods used by drug trafficking organizations. FY 2008 current services resources for this initiative are \$5.2 million and 21 positions (1 agent); total FY 2008 resources are \$8.2 million and 21 positions (1 agent).

Drug Enforcement Administration – Diversion Control Fee Account (DCFA)

DEA's DCFA budget request is \$239.2 million, 1,187 positions (71 agents), and 1,176 FTE. This represents a 186 percent increase over the FY 2001 enacted level of \$83.5 million. The DCFA budget also includes \$16.4 million for the following enhancements:

- **Southwest Border & Methamphetamine Enforcement: \$811,000 and 3 positions (1 agent)** to attack poly-drug trafficking organizations located along the Southwest Border. Specifically, these resources will enable DEA to further combat the diversion of precursor chemicals by placing personnel at the Long Beach, California, Port to identify shipments of precursor chemicals from source countries destined for Mexico, and one Diversion Investigator position in Panama City, Panama, to target the smuggling of precursors. There are no FY 2008 current services resources for this initiative.
- **Online Diversion Investigations: \$4.0 million and 12 positions** to provide operational funding, improved Internet intercept capabilities, computer forensics support, and specialized legal support for online diversion investigations. FY 2008 current services resources for this initiative are \$5.0 million and 5 positions.
- **Conversion of Diversion Investigators: \$11.6 million** to fund the FY 2008 costs of converting Diversion Investigators to criminal investigator series positions. Office of Personnel Management approval is expected in FY 2007. DEA will begin converting on-board diversion investigator positions to the new criminal investigator series and needs the corresponding resources to fund the pay change in FY 2008.

Executive Office for Immigration Review (EOIR)

EOIR's FY 2008 budget request is \$249.2 million, 1,506 positions (486 attorneys) and 1,544 FTE. This represents a 57 percent increase over the FY 2001 enacted level of \$159.0 million. EOIR's budget also includes \$12.0 million for the following enhancement:

- **Adjudication of Increased Immigration Caseload: \$12.0 million and 120 positions (20 immigration judges, 10 Board of Immigration Appeals attorneys)** to make permanent the resources received by EOIR in the FY 2006 War Supplemental, to meet additional caseload requirements as a result of Department of Homeland Security immigration enforcement increases funded since FY 2003. These initiatives have and will increase immigration court caseload (75,000 additional cases in 2005 alone and a minimum of 25,000 additional cases by 2008). In addition, appellate caseload receipts are expected to increase by approximately 4,000 cases annually. EOIR's requested increase ties to a variety of Department of Homeland Security enforcement increases, including nearly 6,700 new detention beds, which will be fully on-line by 2008. FY 2008 current service resources for this initiative are \$237.1 million; total FY 2008 resources are \$249.1 million.

Civil Division

Civil Division's budget request is \$245 million, 1,368 positions (959 attorneys) and 1,339 FTE. This represents a 59 percent increase over the FY 2001 enacted level of \$154 million. Civil Division's budget includes \$14.1 million in enhancements for the following drugs and border security program:

- **Immigration Litigation: \$14.1 million and 163 positions (124 attorneys) to handle the sharp rise in immigration cases.** As the Department of Homeland Security continues to increase its immigration enforcement efforts and EOIR's Board of Immigration Appeals continues to adjudicate large numbers of removal cases each year, the Office of Immigration Litigation's caseload continues to grow. By FY 2008, the caseload is expected to reach 25,000 cases – nearly four times as many cases as in 2002. Inadequate resources to defend these cases could result in adverse judgments, hindering the government's ability to pursue a consistent and unified strategy for upholding immigration enforcement actions. Further, the increase in appeals has led to the necessary reassignment of briefs throughout the Department, forcing DOJ components to draw away resources from other high priority missions. With this request, Civil Division will centralize all immigration cases to handle cases effectively and efficiently. FY 2008 current services resources for this initiative are \$56.8 million and 315 positions (239 attorneys); total FY 2008 total resources for this initiative are \$70.9 million and 478 positions (363 attorneys).

U.S. Attorneys

- **Border and Immigration Prosecution Initiative: \$7.4 million and 72 positions (55 attorneys) to increase prosecutorial resources needed to respond to a dramatic increase in immigration cases since FY 2000.** This increase will allow the U.S. Attorneys to respond to the additional workload due to the increase of Department of Homeland Security enforcement efforts along the Southwest

Border. FY 2008 current services resources are \$41.8 million and 268 positions (183 attorneys); total FY 2008 resources are \$49.2 million and 340 positions (238 attorneys).

U.S. Marshals Service (USMS)

- **Southwest Border Enforcement: \$7.5 million and 53 positions (40 Deputy U.S. Marshals) to manage the increased workload as a result of increased immigration enforcement along the Southwest Border.** With increased illegal immigrant apprehension along the Southwest Border, the USMS will be faced with limited personnel to successfully achieve its mission of protecting and securing federal detainees and judicial personnel, and of safely transporting detainees. This request will provide funds and personnel required to address this increasing workload. FY 2008 current services resources for this initiative are \$53.8 million and 627 Positions (510 DUSMs); total FY 2008 resources are \$63.8 million and 684 Positions (555 DUSMs).

Criminal Division

- **Drugs and Border Security: \$299,000 and 3 positions (2 attorneys) to stop the flow of illicit drugs into the country by reducing a backlog in drug prosecutions and investigations.** To dismantle transnational drug trafficking organizations that are responsible for supplying the U.S. with most of its illegal drugs and precursor chemicals for clandestine laboratories, the Criminal Division continues to focus its efforts on ensuring that the heads of drug trafficking organizations are brought to justice and prosecuted to the fullest extent of the law. Extradition and mutual legal assistance requests are critical tools for law enforcement and prosecutors in bringing these criminals to justice. There are currently over 8,000 pending extradition and mutual legal assistance cases. Since 1992, the case load for these types of cases has grown more than 300 percent, while attorney levels in the Criminal Division have not increased. Additionally, the Criminal Division will use the increased personnel requested to address Title III electronic surveillance requests, which have increased 68 percent in the last 6 years. FY 2008 current services resources for this initiative are \$14.1 million and 78 positions (42 attorneys); total FY 2008 resources are \$14.4 million and 81 positions (44 attorneys).

Directed State and Local Resources
(These programs also referenced in the State and Local Fact Sheet)

Office of Justice Programs (OJP)

Byrne Public Safety and Protection (Byrne) Program: \$350 million in total funding requested for this new program. This initiative will consolidate OJP's most successful State and local law enforcement assistance programs into a single, flexible, competitive discretionary grant program that will help State, local, and tribal governments develop programs appropriate to the particular needs of their jurisdictions. Through a competitive grant process, OJP will assist State and local governments in addressing a number of high-priority concerns, such as: (1) reducing violent crime at the local levels through the Project Safe Neighborhoods initiative; (2) addressing the criminal justice issues surrounding substance abuse through drug courts, residential treatment for prison inmates, prescription drug monitoring programs, methamphetamine enforcement and lab cleanup, and cannabis eradication efforts; (3) promoting and enhancing law enforcement information sharing efforts through improved and more accurate criminal history records; (4) improving the capacity of State and local law enforcement and justice system personnel to make use of forensic evidence and reducing DNA evidence analysis backlogs; (5) addressing domestic trafficking in persons; (6) improving and expanding prisoner re-entry initiatives; (7) improving services to victims of crime to facilitate their participation in the legal process; and others. Non-governmental entities will also be eligible for funding under this program. The FY 2007 estimate for this program is \$0, as it is newly proposed in FY 2008.

DRUGS AND BORDER SECURITY
Enhancements and Directed State & Local Resources Summary

Bureau/Initiative	Positions	(\$000's)
Enhancements		
INTERAGENCY CRIME AND DRUG ENFORCEMENT		
Intelligence Sharing - OCDETF Fusion Center	1	\$8,624
Subtotal, ICDE	1	8,624
DRUG ENFORCEMENT ADMINISTRATION		
Southwest Border & Methamphetamine Enforcement	8	29,172
Counterterrorism & Intelligence Sharing	7	7,124
Online Investigations	0	3,020
Subtotal, DEA	15	39,316
DIVERSION CONTROL FEE ACCOUNT		
Southwest Border & Methamphetamine Enforcement	[3]	[\$811]
Online Diversion Investigations	[12]	[4,011]
Conversion of Diversion Investigators	[0]	[11,588]
Subtotal, DEA-DCFA	[15]	[16,410]
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW		
Adjudication of Increased Immigration Workload	120	12,000
Subtotal, EOIR	120	12,000
CIVIL DIVISION		
Immigration Litigation	163	14,124
Subtotal, Civil Division	163	14,124
U.S. ATTORNEYS		
Immigration Prosecution Initiative	72	7,400
Subtotal, U.S. Attorneys	72	7,400
U.S. MARSHALS SERVICE		
Southwest Border Enforcement	53	7,462
Subtotal, USMS	53	7,462
CRIMINAL DIVISION		
Reducing the Flow of Illicit Drugs	3	299
Subtotal, Criminal Division	3	299
Total Enhancements	427	\$89,225
Directed State and Local Resources		
OFFICE OF JUSTICE PROGRAMS		
Byrne Public Safety & Protection Program	-	350,000
Subtotal, OJP	-	350,000
Total Directed State and Local Resources	-	\$350,000
Grand Total Enhancements/Directed State and Local Resources	427	\$439,225

Notes:

[] Bracketed resources indicate items that are non-adds in the table.