

**U.S. Department of Justice**

**Asset Forfeiture Program**

**FY 2024 PERFORMANCE BUDGET**

**Congressional Justification**

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## **I. Overview**

### **A. Introduction**

The Asset Forfeiture Program (AFP or the Program) touches every federal, state, tribal, and local law enforcement agency in the country and the related cases are handled by all 94 U.S. Attorney's Offices and the Department of Justice's (DOJ or the Department) Criminal Division. Through joint partnerships among law enforcement at all levels, domestically and internationally, the AFP's mission is to use asset forfeiture consistently and strategically to deter, disrupt, and dismantle criminal enterprises by depriving criminals of the fruits and instrumentalities of their illicit activity. Whenever possible, the program seeks to restore property to innocent victims of crime.

For FY 2024 the Department estimates expenses totaling \$1,598,927,000 for the Program, which includes \$72,954,000 and 38 direct FTEs assigned to the Justice Management Division's Asset Forfeiture Management Staff.

Electronic copies of the Department'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.justice.gov/cj>.

### **B. Explanation of the Assets Forfeiture Fund**

The Assets Forfeiture Fund (AFF or the Fund) has a unique role and statutory authority in supporting and expanding the use of forfeiture throughout the federal law enforcement community. The Comprehensive Crime Control Act of 1984 (P.L. 98-473), codified in 28 U.S.C. § 524(c), established the AFF as a special fund within the Treasury to receive the proceeds of forfeitures pursuant to any law enforced or administered by the Department. The law authorizes the Attorney General to use the Fund to finance expenses associated with the execution of asset forfeiture functions and, with specific limitations, certain general investigative costs. Prior to the Fund, forfeiture was widely recognized as a powerful law enforcement tool for disrupting and dismantling well-funded criminal enterprises, but many agencies were reluctant to commit scarce appropriated monies to an expensive and often uncertain forfeiture process, where achieving success in seizing assets also meant increased costs for storing, maintaining, and perfecting the Government's interest in the seized property. As a self-funded resource, the AFF ensured that law enforcement effectiveness remained the paramount consideration of agents and prosecutors in choosing to pursue forfeiture under a national program framework. Today, the resources provided by the AFF make the multibillion-dollar Asset Forfeiture Program possible.

The AFF uses its statutory authority to support a wide variety of law enforcement programs that would not exist but for the Fund. For instance, the AFF provides funding for state and local police operating as part of a joint law enforcement task force with federal agencies. These state and local officers, often deputized as federal agents, act as a critical force multiplier in helping to achieve the law enforcement mission of our federal agencies. The AFF pays for officer overtime and a variety of critical equipment needs, including life-saving ballistic shields and helmets necessary to ensure officer safety.

In addition to directly funding state and local participation in joint task forces, the federal government also invests in these same agencies through the Equitable Sharing Program. Equitable sharing payments to state and local law enforcement partners are strictly dependent on

the level of participation they had in the joint law enforcement operations that resulted in forfeitures. There are approximately 6,000 state and local law enforcement agencies that participate in the Equitable Sharing Program, which allows those agencies to reinvest in law enforcement training and equipment, including lifesaving equipment and rescue equipment.

Since 2000, DOJ has returned over \$11 billion in assets to victims of financial fraud and theft. In 2008, for example, Bernard Madoff was arrested for a massive financial fraud and Ponzi scheme orchestrated over several decades. By moving quickly to seize, forfeit, and sell the assets tied to the Madoff Ponzi scheme before they dissipated, the AFP ensured the recovery of more than \$4.2 billion for victims. Over \$4.1 billion of these funds have been distributed to victims as of September 2022.

The Fund has three types of spending authority:

The Mandatory Budget Authority is primarily used to help defray the costs of forfeiture-related activities, compensate victims and other innocent third parties, equitably share proceeds with state and local partners, and support state and local law enforcement participation in joint federal law enforcement operations.

The Discretionary Budget Authority is used to fund certain non-forfeiture related activities. The funding available under this authority is established by annual appropriations and is funded by program receipts. These activities fall under three expense categories: Purchase of Evidence, Equipping of Conveyances, and Awards for Information.

Excess Unobligated Balances represent funds remaining from the prior fiscal year's operations that the Attorney General is authorized to use without fiscal year limitation, subject to Congressional notification, for any federal law enforcement, litigative/prosecutive, and correctional activity, or any other authorized purpose of the Department of Justice.

### **C. Mission**

The Asset Forfeiture Program has four primary goals:

- 1) To punish and deter criminal activity by depriving criminals of property used in or acquired through illegal activities.
- 2) To promote and enhance cooperation among federal, state, local, tribal, and foreign law enforcement agencies.
- 3) To recover assets that may be used to compensate victims when authorized under federal law.
- 4) To ensure the Program is administered professionally, lawfully, and in a manner consistent with sound public policy.

To achieve these goals, the Department of Justice uses asset forfeiture to the fullest extent possible to investigate, identify, seize, and forfeit the assets of criminals and their organizations while ensuring that due process rights of all property owners are protected. Asset forfeiture plays a critical role in disrupting and dismantling illegal enterprises, depriving criminals of the proceeds of illegal activity, deterring crime, and restoring property to victims. The effective use of both criminal and civil asset forfeiture is an essential component of the Department's efforts to combat

the most sophisticated criminal actors and organizations—including terrorist financiers, cyber criminals, fraudsters, human traffickers, and transnational drug cartels.

#### **D. AFP Participants**

The Criminal Division’s Money Laundering and Asset Recovery Section (MLARS) has been delegated general policy and oversight functions for the Program, including litigation support to the U.S. Attorneys’ Offices, international asset recovery, and victim compensation. The Justice Management Division’s Asset Forfeiture Management Staff (AFMS) provides the administrative management and oversight of the Fund, including review and evaluation of all AFF-resourced Program activities. AFMS manages all budgeting, financial management, and contracting operations related to the AFF. AFMS oversight and management controls help ensure consistency and transparency of AFF resource allocations across the entire Asset Forfeiture Program. The U.S. Marshals Service (USMS) is the primary custodian of seized property for the Program and manages and disposes of the majority of property seized for forfeiture.

Other DOJ participants include the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the Drug Enforcement Administration (DEA), the Executive Office for United States Attorneys (EOUSA), the Federal Bureau of Investigation (FBI), and the Organized Crime Drug Enforcement Task Forces (OCDETF).

Non-DOJ participants include the U.S. Department of Agriculture, Office of Inspector General (USDA); the U.S. Department of Defense, Defense Criminal Investigative Service (DCIS); the U.S. Department of State, Bureau of Diplomatic Security (BDS); the U.S. Food and Drug Administration, Office of Criminal Investigations (FDA); and the U.S. Postal Inspection Service (USPIS).

Table 1 displays the functional activities of the participating agencies.

<u>Table 1: Asset Forfeiture Program Participants by Function</u>													
Function	AFMS	ATF	DCIS	DEA	BDS	EOUSA	FBI	FDA	MLARS	OCDETF	USDA	USMS	USPIS
Investigation		X	X	X	X		X	X	X	X	X		X
Litigation						X			X				
Custody of Assets		X		X			X					X	
Mgmt of Assets	X								X				

#### **E. Asset Forfeiture Program Budget**

##### **Revenue**

The Program’s primary sources of revenue are from cash, financial instruments, and proceeds from the sale of property forfeited by criminals and criminal organizations; the DOJ AFF’s share of forfeitures deposited into the Treasury Forfeiture Fund; and interest earned on the investment of the balances of the AFF and the Seized Asset Deposit Fund.

## Expenses

The mandatory expenses of the Fund are set in a relative priority order so that unavoidable or mandatory costs are met first. Payments and reimbursements are permitted in seven general categories of expense that are described in Section V. The categories are listed in order of priority below.

1. Asset Management and Disposal;
2. Case Related Expenses;
3. Victim and Other Third Party Payments;
4. Equitable Sharing Payments;
5. Joint Law Enforcement Operations;
6. Program Management Expenses - expenses incurred in administering a national asset forfeiture program that are not related to any specific asset or to any one specific seizure or forfeiture. These include the following:
  - a. Information Technology Systems and Applications;
  - b. Special Contract Services;
  - c. Training and Printing; and
  - d. Other Program Management.
7. Investigative Expenses (Mandatory) - expenses normally incurred in the identification, location and seizure of property subject to forfeiture. These expenses include:
  - a. Awards Based on Forfeiture;
  - b. Contracts to Identify Assets; and
  - c. Investigative Costs Leading to Seizure.
8. Storage, Protection, and Destruction of Controlled Substances.

Table 2 shows participating agencies and their projected spending by fiscal year.

Table: Summary of Full Year Obligations  
(Dollars in Thousands)

	FY 2022 Actual	FY 2023 Estimate	FY 2024 Estimate	% Change FY 2023 to FY 2024
<b>Asset Forfeiture Program Obligations</b>				
<b>Mandatory, Permanent Indefinite</b>				
AFMS	59,620	72,954	72,954	0%
ATF	47,429	52,603	52,603	0%
BDS	2,074	2,319	2,319	0%
DCIS	1,300	5,981	5,981	0%
DEA	196,167	215,120	215,120	0%
EOUSA	70,716	87,725	87,725	0%
FBI	93,399	97,796	97,796	0%
FDA	10,234	10,908	10,908	0%
MLARS	94,423	68,111	68,111	0%
OCDETF	37,103	52,222	52,222	0%
USDA	1,133	1,113	1,113	0%
USMS	810,266	910,114	910,114	0%
USPIS	2,379	1,447	1,447	0%
<b>Total Mandatory, Permanent Indefinite</b>	<b>1,426,242</b>	<b>1,578,413</b>	<b>1,578,413</b>	<b>0%</b>
<b>Discretionary, Investigative Expenses</b>				
ATF	1,124	1,227	1,227	0%
DEA	10,700	10,881	10,881	0%
FBI	7,896	7,896	7,896	0%
FDA	250	215	215	0%
USMS	190	295	295	0%
<b>Total Discretionary, Investigative Expenses</b>	<b>20,160</b>	<b>20,514</b>	<b>20,514</b>	<b>0%</b>
<b>Total Expenses/Obligations</b>	<b>1,446,401</b>	<b>1,598,927</b>	<b>1,598,927</b>	<b>-</b>

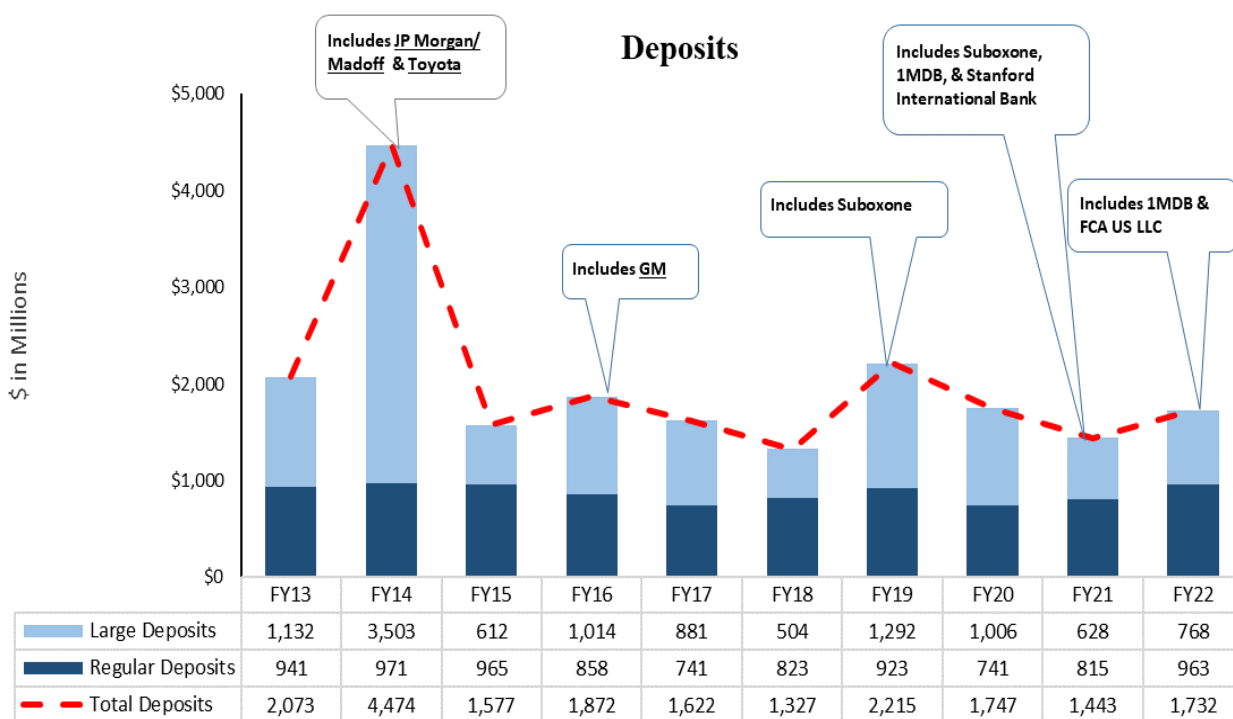
\*In FY 2022 AFMS awarded a full year contract on behalf DCIS. Funding is shown in AFMS actuals.

## Unobligated Balances

Due to the unpredictable timing of AFF revenue and expenses, unobligated balances are carried over from one fiscal year to the next to maintain the solvency of the AFF and to cover a variety of pending liabilities.<sup>1</sup> The amount of unobligated monies carried forward to maintain a successful transition into each new fiscal year for specific continuity requirements are estimated for full costs of the previous fiscal year's allocation for all cost categories including amounts for possible contingencies for Equitable Sharing and Victim & Other Third Party Payments. This ensures that sufficient funding will be available for liabilities that do not yet meet the criteria for an obligation, but are anticipated to do so in the future based on an analysis of prior year case data, and protects the AFP's operations during periods of declining revenue.

## Trends

FY 2022 regular deposits into the AFF (defined as deposits of less than \$20 million) were above the historical average due to higher than projected forfeiture revenue. A handful of very large case settlements accounted for some unusual spikes during the past several years. Since FY 2016, large case settlements account for roughly 51 percent of all case AFF revenue.



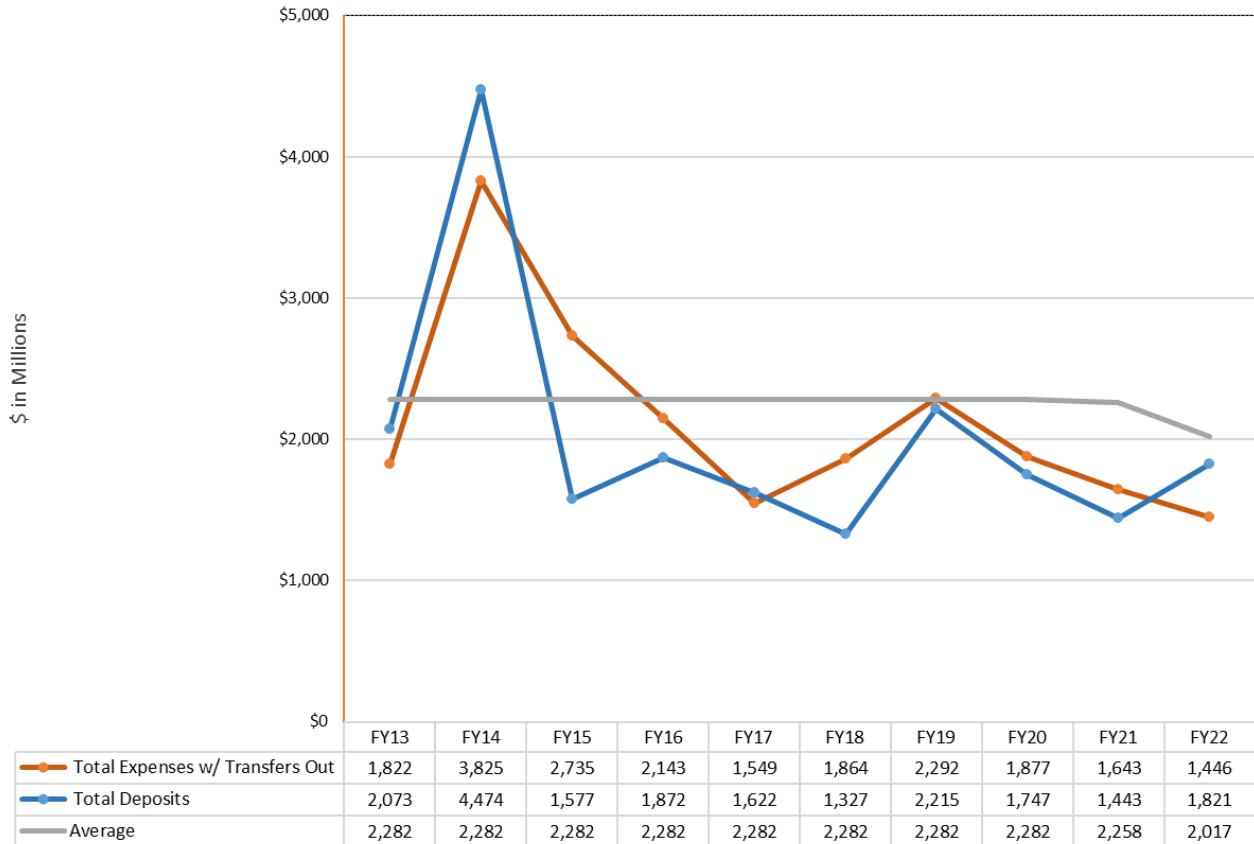
SOURCE: DOJ Asset Forfeiture Management Staff

<sup>2</sup> See 28 U.S.C. 524(c)(8)(D).



Even though the AFF is a revolving account with continuously changing balances, annual deposits and expenses generally mirror each other. As illustrated in the chart below, most often these large case deposits are offset by corresponding victim liabilities and equitable sharing payments. The ten-year average of Fund activity is roughly \$2.0 billion per year in deposits and associated expenses.

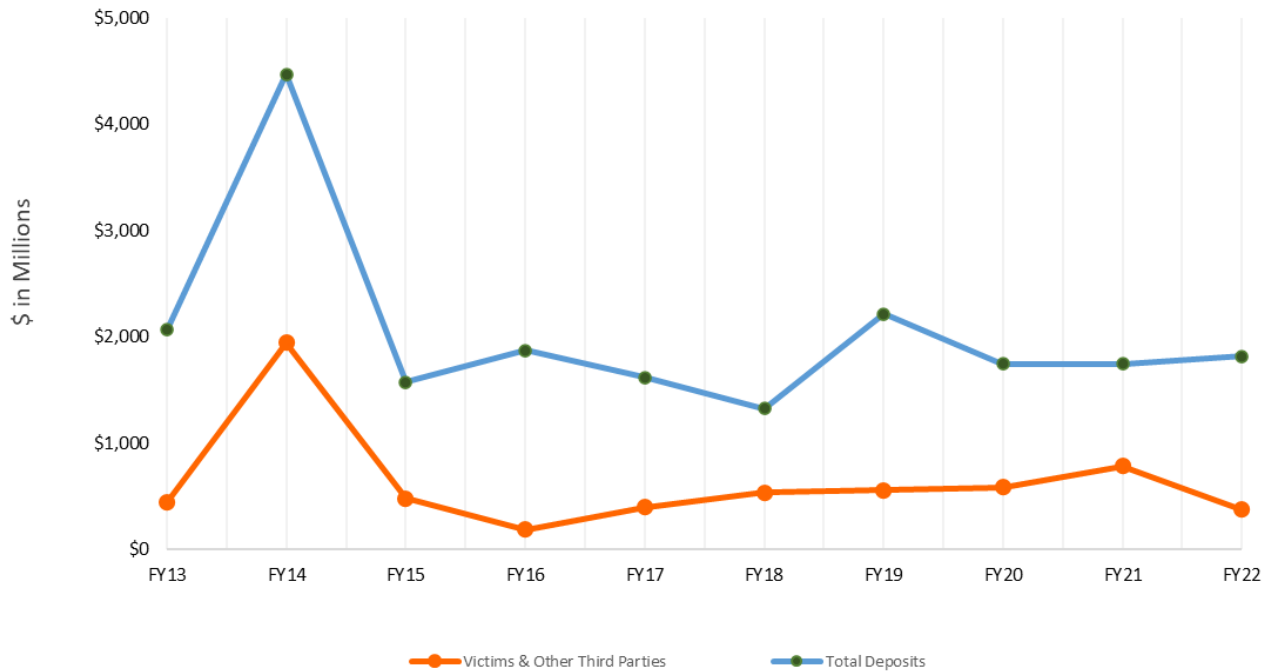
### Total Deposits & Expenses



SOURCE: DOJ Asset Forfeiture Management Staff

Payments to help compensate victims and other innocent third parties directly correlate with forfeitures where those parties have suffered financial loss. Generally, in cases where victims have been identified, a significant portion of the forfeited proceeds are paid to victims. As a portion of overall Program expenses, victims' payments represent 30 percent of all Program expenses incurred over the last 10 years.

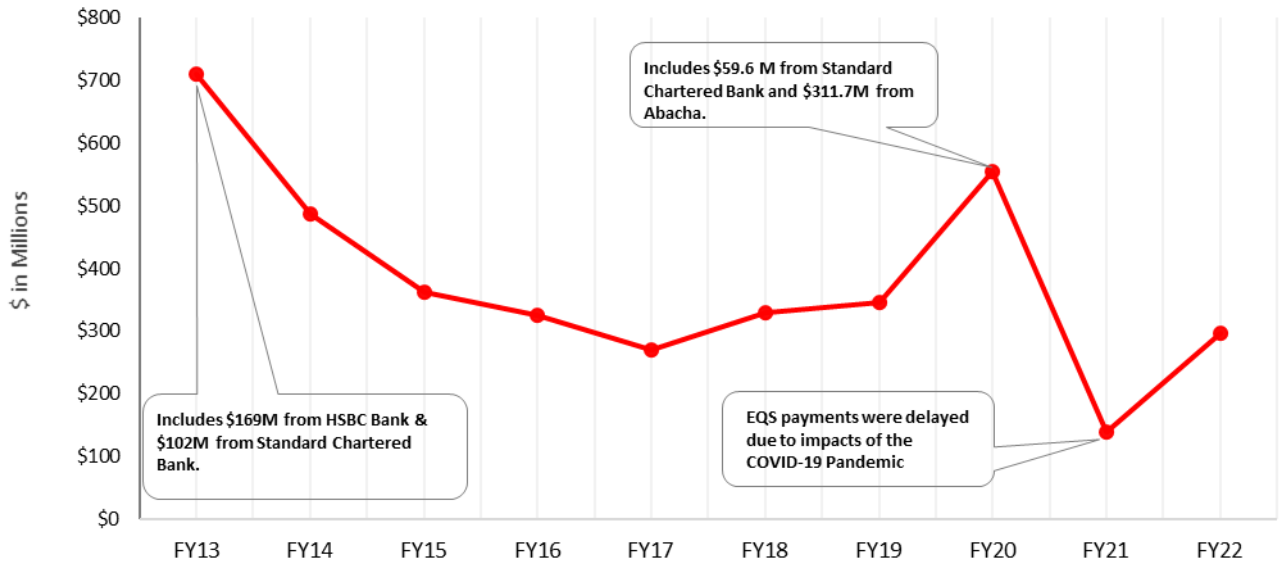
### Victims' & Other Innocent Third Parties' Expenses



SOURCE: DOJ Asset Forfeiture Management Staff

Equitable sharing payments represent another 18 percent of total Program expenses over the same 10-year period.

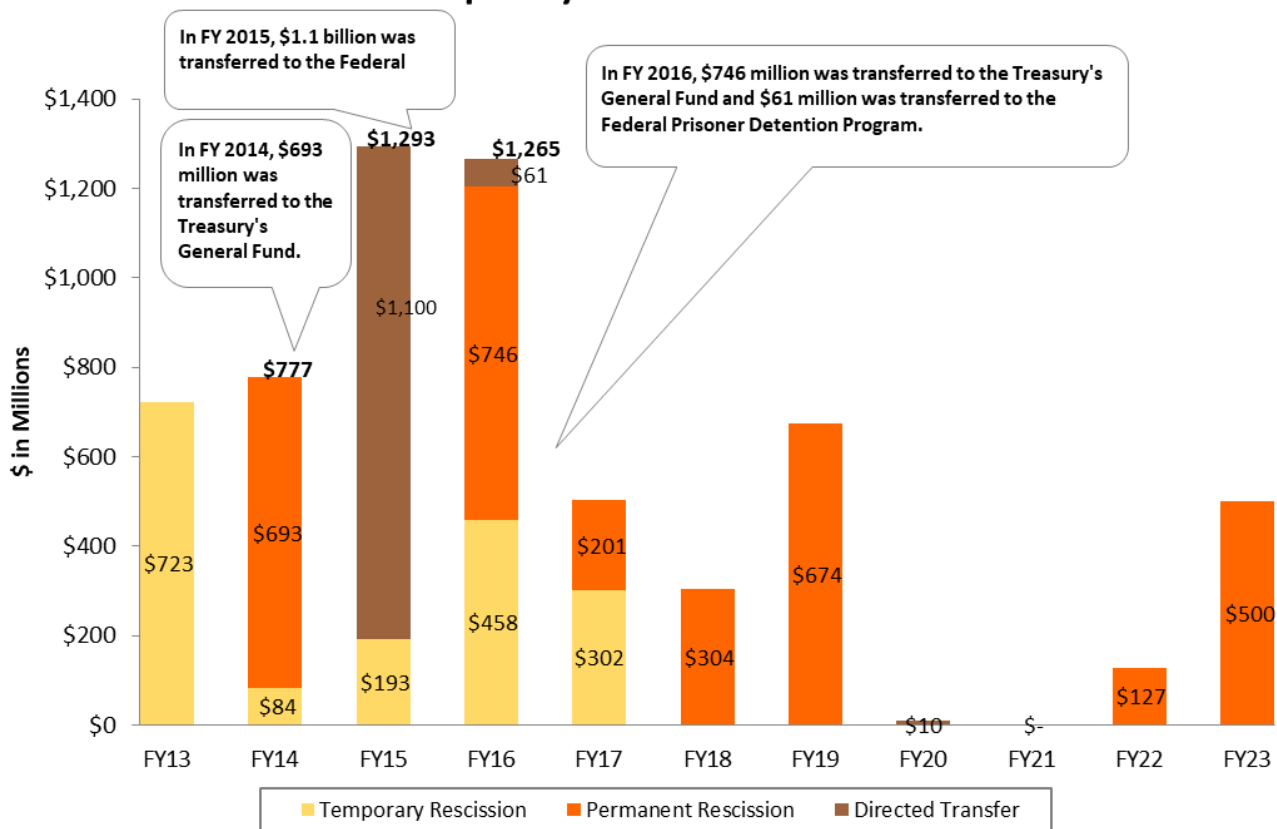
### Equitable Sharing Expenses



SOURCE: DOJ Asset Forfeiture Management Staff

After victim claims and other normal operating expenses are paid, any large surplus balances may be spent to help fund other law enforcement-related priorities. More recently, Congress has directed some surplus balances be deposited into the United States Treasury General Fund and directed certain amounts be transferred to support the cost of federal prisoner detention operations. Once it became apparent there would be potential excess balances caused by large case deposits during fiscal years 2012 and 2014, Congress directed those surpluses be used to fund prisoner detention expenses in fiscal years 2015 and 2016. A total of \$10.4 million in surplus balances was identified at the end of FY 2019; of this amount, \$4.7 million was transferred to the Drug Enforcement Administration (DEA) and another \$5.3 million was transferred to the U.S. Marshals Service (USMS) Federal Prisoner Detention in FY 2020. In FY 2022, there was a \$127 million permanent rescission included in the FY 2022 enacted appropriation. The FY 2023 enactment included a permanent rescission of \$500 million due to an increase in unobligated balances in the Fund caused by large one-time deposits.

### Permanent & Temporary Rescissions and Transfers Out



SOURCE: DOJ Asset Forfeiture Management Staff

**FY 2022 Highlights:** The actual AFP revenue totaled \$1.676 billion deposited from regular receipts and large case receipts, reimbursable earnings, the net balance of prior year sequestration restored and the sequestration, recoveries, and a permanent rescission. The Fund was reduced by a permanent rescission of \$127 million of prior year unobligated balances. This is an overall net increase of \$582 million from revenue estimates provided in the FY 2023 President's Budget. The FY 2022 Extraordinary receipts for one time payments from large case deposits include an additional \$120.7 million for the 1MDB case and \$59.4 million for the Madoff case. There was also an additional \$21 million deposit in the Suboxone case, which no longer has third party payments to distribute, and our current estimate for equitable sharing related to that case is \$120 million.

In FY 2022, the Program experienced an unanticipated increase in expenses of \$17.2 million for Russian Sanctions enforcement related to Task Force KleptoCapture seizures. Additionally, the AFP received a deposit of \$203.6 million from the FCA case. The actual expenses totaled \$1.446 billion for mandatory and discretionary expenses. The actual expenses included \$377.3 million for victim and other third party payments and \$296.5 million for equitable sharing payments. The actual Joint Law Enforcement Operations (JLEO) expenses were \$186.3 million.

The Fund's end of year sequestration actual reduction totaled \$97.5 million in FY 2022.

**FY 2023 Highlights:** In FY 2022 in response to the Russian invasion of Ukraine, the AFF provided resources in support of Task Force KleptoCapture investigations into Russian sanctions violations. This support will continue as necessary in FY 2023 and FY 2024. Projections for expenses also include estimates for maintenance for prior year seizures from the Kleptocapture task force. Pursuant to Section 1708, Additional Ukraine Supplemental Appropriations Act, 2023 (Division M, Public Law 117-328), provisioning assistance to Ukraine to remediate the harms of Russian aggression towards Ukraine. The AFF may transfer proceeds from certain assets to the Secretary of State for the purpose of bolstering Ukrainian reconstruction, these efforts will support the Department's and Administration's goals to assist the people of Ukraine and hold Russia accountable for its aggressive actions in Ukraine.

The estimated revenue for FY 2023 totals approximately \$2.753 billion, which includes regular and large case receipts, reimbursable earnings, the net balance of prior year sequestration restored and current year sequestration, and recoveries, as well as the impact of a \$500 million permanent rescission.

Mandatory and discretionary expenses in FY 2023 are forecasted at \$1.599 billion, an increase of \$152.5 million from FY 2022. The estimate includes \$359 million for victim and other third party payments and \$359 million for equitable sharing payments. The projected increase in equitable sharing payments from FY 2022 to FY 2023 is due to anticipated payments related to the Suboxone case.

FY 2023 expenses will also support targeted investments in virtual currency initiatives and the initiation of efforts to modernize the CATS system. Funding is provided for JLEO expenses for \$206.3 million, additional resources are available for unanticipated expenses provided that net receipts support an increase in expenses.

The Fund is subject to a sequestration reduction currently estimated at \$183.8 million for FY 2023.

**FY 2024 Highlights:** Given the focus on forfeitures in the CARES Act and other COVID-19 related fraud and financial crime cases, the Program expects deposits due to these crimes to continue into FY 2024. Currently, the estimated revenue for FY 2024 regular and large case receipts, reimbursable earnings, the net balance of prior year sequestration restored and current year sequestration, and recoveries totals approximately \$1.363 billion.

The FY 2024 Discretionary allocation of \$20.5 million will support the purchase of evidence, awards for information, and equip government-owned or leased vehicles, vessels, or aircraft for law enforcement purposes.

The Fund is subject to a sequestration reduction currently estimated at \$64.4 million for FY 2024.

## **G. Issues and Challenges**

The challenges that impact achievement of Program goals are complex and dynamic. New legislation and case law, technological developments, changing demographics, and the internationalization of criminal organizations are only a few factors that impact the AFP and pose challenges that demand attention.

### **External**

The globalization of economic and financial systems, the rapidly changing nature of technology, fraud related to the CARES Act and other economic assistance packages, and the growing sophistication of criminal organizations have increased the prevalence of economic crime. When foreign governments, terrorists, or well-established international criminals are involved, the investigative techniques often require specialist teams, as well as analytical tools and methods to evaluate many variations of highly complex, technical, and data-intensive crimes. In recent years, the Program has focused increasing attention on building technical and operational capacity to investigate complex economic crime.

In FY 2022, the AFF has supported the seizure of assets related to investigations into sanctions violations conducted by Task Force KleptoCapture (see image below). These investigations, and the use of civil and criminal asset forfeiture authorities, ensure that Russia is held accountable for its unprovoked military invasion of Ukraine. This support is expected to continue in FY 2023 and FY 2024.



Source: Department of Justice

## Internal

In FY 2020, a decline in receipts due to COVID-19 related delays in the forfeiture process caused a decrease in revenue. This decline persisted into FY 2021, though the latter months showed gradual increases in regular receipts. Regular receipts continued to rebound in FY 2022 as AFP participating agencies worked to reduce the backlog in forfeiture processing caused by the pandemic delays. The Program has had to use sporadic and unpredictable revenue from large forfeiture cases to cover normal operating expenses. As noted earlier, large case settlements account for roughly 51 percent of all case AFF revenue since FY 2016. The Program is evolving towards a more agile AFF budget execution model to make strategic reductions, and investments in new areas where forfeiture is expected to play a key role in the future.

## Cybersecurity

The AFP's primary enterprise IT services are provided by the Department's OCIO and is funded through the Working Capital Fund. OCIO provides the infrastructure, monitoring, response, and other cybersecurity support for our systems. AFP's systems are located behind Justice's perimeter to take advantage of the existing DOJ environment and to reduce the cost of providing services and to decrease our cybersecurity vulnerabilities while allowing the AFP to provide our customers a reliable, accessible and secure environment to process their data.

<b>Asset Forfeiture Program (AFP)</b>	
<b>Cybersecurity</b>	<b>FY 2024 Amount</b>
Identify	\$ 274,622
Protect	\$ 251,470
Detect	\$ 71,395
Respond	\$ 121,658
Recover	\$ 38,368
<b>Total</b>	<b>\$ 757,512</b>

## Customer Experience (CX) and Digital Service Delivery

Notices of administrative, civil and criminal forfeiture actions have traditionally been published in newspapers. Publication of forfeiture notices are now permitted on a government internet site under 28 CFR Part 8.9, Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (part of the Federal Rules of Civil Procedure), and/or Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure.

The government website <https://www.forfeiture.gov/> is managed by the Department of Justice, Asset Forfeiture Management Staff and contains a comprehensive list of pending forfeiture notices for all of the federal agencies shown below. This website also features information on how to file a claim and/or a petition for the purpose of recovering property, along with links to the online claim and petition forms that can be filed electronically.

Bureau of Alcohol, Tobacco, Firearms and Explosives  
Drug Enforcement Administration  
Federal Bureau of Investigation  
Internal Revenue Service  
U.S. Attorney's Office  
U.S. Customs and Border Protection  
U.S. Postal Inspection Service  
U.S. Secret Service

## H. Program Accomplishments

Across the United States, forfeited funds and property are used to help protect and serve communities and support law enforcement. Both civil and judicial asset forfeiture play a unique role in facilitating these efforts. The stories outlined below highlight just a few of the many successes of asset forfeiture in promoting public safety; restoring victims; rebuilding



neighborhoods; ensuring animal welfare; and augmenting coalitions among federal, state, local, and tribal law enforcement partners.

### *Rutland Drug House Restoration*



Source: Federal Bureau of Investigation

In 2014, Federal authorities seized three houses in Vermont that functioned as the City of Rutland's epicenter for illicit drug activity. The properties used to facilitate drug trafficking were subject to forfeiture because the owner failed to take reasonable and safe steps to rid the residences of crime. Soon after the houses were forfeited for an absentee owner and actions were taken to hold the seven perpetrators accountable for engaging in illicit drug activities, the Department of Justice [announced](#) an innovative agreement among the Federal government, the City of Rutland, NeighborWorks of Western Vermont, and other private parties to renovate the drug houses. NeighborWorks, a nonprofit organization that exists to create opportunities for affordable housing in the Rutland community, led a project for restoring the homes. In this case, not only was criminal activity stunted through the removal of the enabling properties, but the homes were also transformed to provide opportunities for home ownership and community restoration.

### *Compensation for Innocent Victims in Western Union Financial Fraud Case*

The Western Union Company (Western Union), a global money services business headquartered in Englewood, Colorado, agreed in 2017 to forfeit \$586 million, admitting to criminal violations including willfully failing to maintain an effective anti-money laundering program and aiding and abetting wire fraud. As outlined in agreements with the Justice Department, the Federal Trade Commission (FTC), and the U.S. Attorney's Offices for the Middle District of Pennsylvania, the

Central District of California, the Eastern District of Pennsylvania, and the Southern District of Florida, Western Union violated the Bank Secrecy Act and multiple U.S. anti-fraud statutes by processing hundreds of thousands of transactions for Western Union agents and others involved in an international consumer fraud scheme.

The fraudulent operation began with contact to U.S. victims, many of whom were elderly, under false pretenses for payment such as family members in need or promised prizes or job opportunities. Perpetrators directed victims to send money through Western Union to help a relative or win their prize, and various agents of the company were complicit in the schemes, often processing false payments on behalf of fraudsters in return for a cut of proceeds. Because Western Union was aware of but failed to take corrective action against the agents involved in or facilitating fraud-related transactions, the proceeds were subject to civil forfeiture action. As of [June 2021](#), the Department has remitted over \$366 million to more than 148,000 victims in the Western Union case. Alongside the U.S. Postal Inspection Service, the Asset Forfeiture Program was able to demonstrate its commitment to one of its primary goals in this case: serving justice to victims suffering personal and financial loss as a result of fraudulent and criminal activity.

*Support for Children's Advocacy Center through Federal Forfeiture*



Source: U.S. Attorney's Office, Eastern District of Kentucky

In Lexington, Kentucky, the Mason Headley residence, a home used to facilitate crimes against children, was forfeited and used to benefit a local advocacy group serving young victims of abuse. The former homeowners pleaded guilty in 2015 to state charges of child abuse and were sentenced to 20 years in prison, the maximum time allowable under Kentucky law. Although the individuals were prosecuted by the Fayette Commonwealth's Attorney's Office, the home's involvement in facilitating crimes made it subject to Federal forfeiture. As such, the U.S. Attorney's Office filed a forfeiture action against the home and seized the property, which was subsequently sold by the U.S. Marshals Service.

Through the Department's equitable sharing program, the FBI executed maximum sharing eligibility and granted state and local agencies 80 percent of the proceeds. The Lexington Police

Department and the Fayette Commonwealth Attorney's Office acted on the program's allowance to fund community-based organizations that serve law enforcement purposes up to \$25,000, each transferring this amount to the Children's Advocacy Center of Bluegrass (CAC), an organization that advocates on behalf of children alleged to have been abused; assists in the coordination of investigations of child abuse by providing a location for forensic interviews and medical examinations; promotes the coordination of services for children alleged to have been abused; and provides services that include mental health and related support services, court advocacy, consultation, and training. Federal asset forfeiture authorities executed through the AFP thus continue to offer opportunities for redemptive action in cases of property misuse and fuel the work of organizations like the CAC in supporting victims of crime and bolstering public safety.

*Fraud Proceeds to Restore Approximately 90 Percent of Victims' Losses*

Civil asset forfeiture also enables the Department to continue to seize assets in the case of a deceased defendant. In 2010, David H. Brooks, founder and former Chief Executive Officer of DHB Industries, was convicted of mail and wire fraud, securities fraud, and obstruction of justice and subsequently pleaded guilty to filing false tax returns. As part of the sentence, the Court ordered Brooks to pay forfeiture and victim restitution, but Brooks died in prison while his appeal on fraud convictions was pending, vacating his sentence. Due to a previous filing on a parallel civil forfeiture action, however, more than \$143 million in fraud proceeds remained restrained and was still recovered and eligible for forfeiture and victim restoration. As U.S. Attorney Donoghue for the Eastern District of New York [stated](#), “[The] case demonstrates the critical role that civil forfeiture plays in depriving criminals of their ill-gotten gains and putting those funds back in the hands of victims...Brooks’s sentence – which justly included criminal forfeiture and victim restitution – was frustrated for reasons having nothing to do with his well-established guilt. While justice may have been delayed, it [was not] denied.” By reinstating financial sanctions, civil forfeiture measures maintained the Department’s ability to seek justice for victims and compensate them for the bulk of their losses resulting from the defendant’s nefarious actions.

## *Dogs Rescued from Fighting Rings*



Source: U.S. Marshals Service



Source: Federal Bureau of Investigation

In 2014, the Department added Federal animal protection statutes to the portfolio of the Environment and Natural Resources Division (ENRD), and within the first three years of this transition, ENRD seized and rescued almost 1,000 dogs. In one such incident in 2019, an Albuquerque man was charged for his involvement in a multi-state dogfighting network, and 85 dogs were rescued. Following these efforts, the U.S. Marshals Service, animal rescue organizations, Federal agents, and Department of Justice prosecutors and forfeiture attorneys collaborated to invoke civil forfeiture authority, so dogs could be screened, treated, rehabilitated, and adopted out ahead of criminal sentencing.

More recently in 2022, the Department's use of its civil forfeiture authority enabled the rescue of more than 300 dogs in South Carolina. A joint team of more than 60 Federal and state law enforcement officials executed nearly two dozen warrants for various properties in what was believed to be the biggest takedown of a dogfighting operation in the state's history. Civil forfeiture was again used to expedite the care of seized dogs while maintaining that property owners had ample opportunity to assert their interest in the animals, and the civil forfeiture strategy continues to help ensure that animals can be cared for prior to the end of a criminal case in cases where individuals or organizations violate the Animal Fighting and Prohibition Enforcement Act.



Source: U.S. Marshals Service

*Civil Forfeiture Enables Repatriation of Over \$1 Billion in 1Malaysia Development Berhad Funds*

In 2016, the Department took monumental action as part of the Kleptocracy Asset Recovery Initiative which encompassed 41 civil forfeiture actions involving funds used to conduct illicit activities such as international money laundering, bribery, and embezzlement. Funds held by 1Malaysia Development Berhad (1MDB), created by the government of Malaysia to promote economic development through global partnerships and foreign direct investment, were spent on a wide variety of extravagant items by criminal actors, including luxury homes and properties in Beverly Hills, New York, and London; a 300-foot superyacht; and art by Monet and Van Gogh. Funds were also misused to pay various public officials and co-conspirators, and to support a number of illicit business endeavors, such as a boutique hotel in Beverly Hills, a movie production company, the redevelopment of the Park Lane Hotel in Manhattan, and shares in EMI, a prominent private music-rights holder. As part of the largest civil forfeiture ever concluded by the Justice Department, the United States has been able to recover or assist in the recovery of more than \$1 billion in assets associated with the international money laundering conspiracy, as assets involved in or representing the proceeds of a crime.

## **II. Summary of Program Changes**

No program changes.

### **III. Appropriations Language and Analysis of Appropriations Language**

#### **Appropriations Language**

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, \$20,514,000, to be derived from the Department of Justice Assets Forfeiture Fund.

#### **Analysis of Appropriations Language**

No substantive changes are proposed.

#### IV. Program Activity Justification

<b>Asset Forfeiture Program Total</b>	Direct Pos.	Estimate FTE	Amount
2022 Enacted	432	341	1,446,755
2023 Enacted	429	420	1,598,927
Adjustments to Base and Technical Adjustments	0	0	0
2024 Current Services	429	420	1,598,927
2024 Program Increases	0	0	0
2024 Program Offsets	0	0	0
2024 Request	429	420	1,598,927
<b>Total Change 2023-2024</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Mandatory, Indefinite Authority Total</b>	Direct Pos.	Estimate FTE	Amount
2022 Actual	432	341	1,426,241
2023 Allocation	429	420	1,578,413
Adjustments to Base and Technical Adjustments	0	0	0
2024 Current Services	429	420	1,578,413
2024 Program Increases	0	0	0
2024 Program Offsets	0	0	0
2024 Estimated Allocation	429	420	1,578,413
<b>Total Change 2023-2024</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Appropriated, Definite Authority Total</b>	Direct Pos.	Estimate FTE	Amount
2022 Enacted	0	0	20,514
2023 Enacted	0	0	20,514
Adjustments to Base and Technical Adjustments	0	0	0
2024 Current Services	0	0	20,514
2024 Program Increases	0	0	0
2024 Program Offsets	0	0	0
2024 Request	0	0	20,514
<b>Total Change 2023-2024</b>	<b>0</b>	<b>0</b>	<b>0</b>



## V. FY 2024 Asset Forfeiture Program Estimates

### Asset Forfeiture Program

#### 1. Summary of Requirements by Financing (Dollars in Thousands)

<b>Financing</b>	<b>FY 2022 Actual</b>	<b>FY 2023 Estimate</b>	<b>FY 2024 Estimate</b>	<b>2023 - 2024 Total Change</b>
<b>Unobligated balance of receipts, start-of-year</b>				
Retention of Unobligated Balances to maintain AFF Solvency	962,971	1,192,713	1,598,927	406,214
RP Contingencies for Outstanding Liabilities	120,000	120,000	867,798	747,798
<b>Unobligated balance of receipts, start-of-year</b>	<b>1,082,971</b>	<b>1,312,713</b>	<b>2,466,725</b>	<b>1,154,012</b>
<b>Collections/deposits/receipts/recoveries:</b>				
Regular receipts	963,290	900,000	875,000	(25,000)
Extraordinary Receipts	768,378	2,345,363	275,000	(2,070,363)
<i>Total Receipts</i>	<b>1,731,668</b>	<b>3,245,363</b>	<b>1,150,000</b>	<b>(2,095,363)</b>
Reimbursable Earnings/Receipts	14,720	18,857	18,857	0
Prior year sequestration restored	79,950	97,536	183,816	86,281
Recovery/Refunds of prior year obligations	74,343	75,000	75,000	0
Permanent Rescission	(127,000)	(500,000)	0	500,000
Sequestration	(97,536)	(183,816)	(64,381)	119,436
<b>Collections/deposits/receipts/recoveries:</b>	<b>1,676,144</b>	<b>2,752,939</b>	<b>1,363,293</b>	<b>(3,485,009)</b>
<b>Total Direct resources available</b>	<b>2,744,395</b>	<b>4,046,795</b>	<b>3,811,161</b>	<b>(235,634)</b>
<b>Total resources available</b>	<b>2,759,115</b>	<b>4,065,652</b>	<b>3,830,018</b>	<b>(235,634)</b>
<b>Less: Unobligated balance of receipts, end-of-year</b>				
Retention of Unobligated Balances to maintain AFF Solvency	(1,192,713)	(1,598,927)	(1,598,927)	0
RP Contingencies for Outstanding Liabilities	(120,000)	(867,798)	(632,164)	235,634
<b>Unobligated balance of receipts, end-of-year</b>	<b>(1,312,713)</b>	<b>(2,466,725)</b>	<b>(2,231,091)</b>	<b>235,634</b>
<b>Total Direct Obligations</b>	<b>1,431,682</b>	<b>1,580,070</b>	<b>1,580,070</b>	<b>(0)</b>
<b>Total Obligations</b>	<b>1,446,401</b>	<b>1,598,927</b>	<b>1,598,927</b>	<b>(0)</b>

\*Note: Amounts may not tie due to rounding. The regular receipts total include the reduction for refunds.

## 2. Obligations by Type of Expense\*

(Dollars in Thousand)

	FY 2022 Actual	FY 2023 Estimate	FY 2024 Estimate	2023 - 2024 Total Change
<i>Mandatory expenses: (indefinite authority)</i>				
<b>Case support expenses:</b>				
Asset Management and Disposal	42,190	88,883	88,883	0
Victim & Other Third Party Payments	377,251	359,061	359,061	0
Case Related Expenses	37,419	52,088	52,088	0
Special Contract Services	113,620	125,803	125,803	0
Investigative Costs Leading to Seizures	98,779	70,481	70,481	0
Contracts to Identify Assets	82,385	92,897	92,897	0
Awards Based on Forfeiture	13,373	13,005	13,005	0
<b>Program support expenses:</b>				
Information Systems	55,786	70,594	70,594	0
Training and Printing	4,062	8,104	8,104	0
Other Program Management	109,125	122,435	122,435	0
<b>Other authorized expenses:</b>				
Storage, Protection & Destruction of Controlled Substances	9,366	9,744	9,744	0
Equitable Sharing Payments	296,527	359,000	359,000	0
Joint Law Enforcement Operations	<u>186,343</u>	<u>206,318</u>	<u>206,318</u>	0
Obligations Adjustment	<u>14</u>	<u>0</u>	<u>0</u>	0
Subtotal: Mandatory Expenses	<b>1,426,241</b>	<b>1,578,413</b>	<b>1,578,413</b>	0
<b>Investigative expenses</b>				
Awards for Information	10,600	10,767	10,767	0
Purchase of Evidence	9,401	9,592	9,592	0
Equipping of Conveyances	<u>160</u>	<u>155</u>	<u>155</u>	<u>0</u>
Subtotal: Investigative Expenses	<b>20,160</b>	<b>20,514</b>	<b>20,514</b>	<b>0</b>
<b>Total, Mandatory and Investigative Expenses</b>	<b>1,446,401</b>	<b>1,598,927</b>	<b>1,598,927</b>	<b>0</b>
Surplus Reductions - Shortfall to Meet Solvency	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>Total Direct Obligations</b>	<b>1,431,681</b>	<b>1,580,070</b>	<b>1,580,070</b>	0
<b>Total Obligations</b>	<b>1,446,401</b>	<b>1,598,927</b>	<b>1,598,927</b>	0
<b>Total Gross Obligs w/o Equitable Sharing and Third Party Payments</b>	772,623	880,866	880,866	0
<b>Total Gross Obligs w/o Equitable Sharing, Third Party Payments, and JLEO</b>	586,280	674,548	674,548	0

## A. Asset Forfeiture Program - Program Expense Descriptions

### a. MANDATORY EXPENSES, INDEFINITE AUTHORITY

#### 1. Asset Management and Disposal

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$42,190,000	\$88,883,000	\$88,883,000	\$0

Asset management and disposal expenses are incurred in connection with the seizure, inventory, appraisal, packaging, movement, storage, maintenance, security, and disposition of seized and forfeited assets located domestically and abroad, including the destruction of contraband. Asset management expenses may also include payment of contract services to operate and manage properties or provide other specialized services as necessary to manage and/or dispose of such properties. Estimates include expenses for USMS maintenance of yacht seizures from the Kleptocapture task force, which will be funded from supplemental appropriated funds as appropriate.

#### 2. Victim & Other Third Party Payments

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$377,251,000	\$359,061,000	\$359,061,000	\$0

This category of expense is primarily used to return property to qualifying victims. Other qualified third party interests are those expenses incurred in the payment of valid liens, secured mortgages, and debts owed to qualified general creditors pursuant to court orders or favorable rulings on petitions for remission or mitigation. This includes the restoration of proceeds of sales pursuant to court orders or administrative determinations.

#### 3. Equitable Sharing Payments

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$296,527,000	\$359,000,000	\$359,000,000	\$0

Equitable sharing payments represent the transfer of portions of federally forfeited cash and proceeds from the sale of forfeited property to state and local law enforcement agencies and foreign governments that directly assisted in targeting or seizing the property. These amounts reflect the relative degree of participation in the law enforcement effort resulting in the forfeiture, considering the total value of all property forfeited and the total law enforcement effort with respect to the violation of law on which the forfeiture is based. No equitable sharing payments are made until after victims or other innocent third party claims are satisfied.

4. Case Related Expenses

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$37,419,000	\$52,088,000	\$52,088,000	\$0

Case related expenses are those expenses that are incurred in connection with normal proceedings undertaken to perfect the United States' interest in seized property through forfeiture. This includes fees and other costs of advertising, translation, court and deposition reporting, expert witness, courtroom exhibit services, employment of attorneys or other specialists in state real estate law by the U.S. Marshals Service, travel and subsistence related to a specific proceeding, and other related items. In addition, the Deputy Attorney General may approve expenses for the retention of foreign counsel.

5. Joint Law Enforcement Operations

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$186,343,000	\$206,318,000	\$206,318,000	\$0

Under Joint Law Enforcement Operations (JLEO), the Fund pays for costs incurred by state and local law enforcement officers while directly involved in a joint law enforcement operation with the federal government, as authorized by 28 U.S.C. 524(c)(1)(I).

6. Special Contract Services

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$113,620,000	\$125,803,000	\$125,803,000	\$0

This expense category finances contract personnel to manage the administrative aspects of the Program, including data entry and analysis, file control and review, quality control, case file preparation, and other process support functions. In addition to administrative functions, Special Contract Services also supports the technical aspects of the asset forfeiture process, including the seizure, management, disposition, and post-disposition of assets, and case closure.

7. Storage, Protection, and Destruction of Controlled Substances

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$9,366,000	\$9,744,000	\$9,744,000	\$0

These resources fund DEA in the storage, protection, and destruction of controlled substances. These activities include the incineration of bulk quantities of controlled substances, the security and transportation of evidence from DEA storage sites to approved incineration facilities, the storage of seized drug evidence in secured leased warehouses until the evidence can be destroyed, and support of the Domestic Cannabis Eradication/Suppression Program. The fund also supports the phased repair and replacement of aging narcotics safes in ATF field offices.

8. Information Systems

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$55,786,000	\$70,594,000	\$70,594,000	\$0

These resources primarily support the centralized operations and development of forfeiture-related systems and applications used by law enforcement officers and prosecutors to account for assets seized from criminal enterprises. The core business application is the Consolidated Asset Tracking System (CATS), along with approximately 20 separate applications that integrate with CATS, use CATS data, or function as an external application supporting CATS. The CATS modernization contract award is anticipated for FY 2023. This modernization will ensure AFMS' ability to maintain the appropriate security level and support patching required to make the system less vulnerable to hacking attempts and create a modern, digital, and transparent environment for the forfeiture process. The modernization will ensure continued access for users and facilitate the timely entry of data to allow the Program to meet its deadlines and produce accurate financial statements.

9. Training and Printing

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$4,062,000	\$8,104,000	\$8,104,000	\$0

This category is used to finance necessary training expenses directly related to the AFP. Generally, this will include any training necessary to maintain the competency of federal and contract personnel dedicated to performing federal forfeiture functions (e.g., trial advocacy for asset forfeiture attorneys, training on agency computers for contract employees); any exclusively asset forfeiture training program that is conducted for other personnel, for whom asset forfeiture is an ancillary duty, to enable them to be more effective in performing asset forfeiture program functions; and that portion of a broader law enforcement training program that is directly related to the identification, tracking, evaluation, seizing, processing, accounting for, management or disposition of property subject to forfeiture. It also funds for printing expenses associated with forfeiture training and the performance of forfeiture functions.

10. Other Program Management

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$109,125,000	\$122,435,000	\$122,435,000	\$0

This category includes several types of expenses that are important to the overall management of the Program including program review and evaluation, requirements analysis, policy development, the annual audit of the Fund’s financial statements by an independent accounting firm, and special assessments and reviews designed to improve program performance. This category also finances the salaries and expenses of the government employees assigned to AFMS, litigation and program oversight units of MLARS, the USMS Asset Forfeiture Financial Investigator (AFFI) program, and government personnel in member agencies who provide core asset forfeiture program management functions. The FY 2023 allocation pincludes support for the following new positions and FTEs: AFMS will add two IT Specialist positions in support of the CATS Modernization effort in the Information Technology section; the DEA will add a Management Specialist position to its Asset Forfeiture Management Program Office; and the FBI will add a Program Manager (Special Agent) and reclassify three positions to Special Agents dedicated to providing subject matter expertise related to the seizure and forfeiture of complex assets.

11. Contracts to Identify Assets

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$82,385,000	\$92,897,000	\$92,897,000	\$0

This category funds the costs of contracting for a cadre of Senior Financial Investigators to support complex financial investigations within the Investigative Agencies to trace the proceeds of crime into assets subject to seizure. It also provides related support such as commercial database subscription services to nationwide public record data systems and the acquisition of specialized assistance to reconstruct seized financial records.

12. Awards Based on Forfeiture

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$13,373,000	\$13,005,000	\$13,005,000	\$0

These expenses are for the payment of awards for information or assistance leading to a civil or criminal forfeiture involving any federal agency participating in the Fund. For instance, award payments to Confidential Sources (CS) are critical to fulfillment of the primary DEA mission – to disrupt and dismantle drug trafficking organizations. CS award payments provide a tremendous incentive to

individuals to assist in drug trafficking investigations that result in the seizure and forfeiture of drug-related assets. Over the past several years, the FBI has pursued more substantial forfeitures due to the increased size and scope of criminal schemes in white collar crime, organized crime, and narcotics trafficking. The realization of these forfeitures was greatly assisted by informants.

13. Investigative Costs Leading to Seizures

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$98,779,000	\$70,481,000	\$70,481,000	\$0

Investigative costs leading to seizure (ICLS) are incurred in the identification, location, and seizure of property to be forfeited. ICLS expenses typically fall into three main categories: (1) investigative expenses in specific cases where the agency has a reasonable belief will lead to forfeitures, (2) investigative techniques that are a substantial factor in asset seizures, and (3) equipment that has a similarly substantial and measurable nexus to seizures. FY 2022 expenses include vessel seizures resulting from the imposed Russian sanctions and Task Force KleptoCapture investigations, which will be funded in other categories in FY 2023 and FY 2024.

b. INVESTIGATIVE EXPENSES

Definite, Appropriated (discretionary) Authority

1. Purchase of Evidence

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$9,401,000	\$9,592,000	\$9,592,000	\$0

Funding in this category is limited to the purchase of evidence directly related to violations of the Controlled Substances Act, the Controlled Substances Import and Export Act, the Racketeer Influenced and Corrupt Organizations Act, and criminal money laundering laws.

2. Equipping of Conveyances

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$160,000	\$155,000	\$155,000	\$0

This category provides funding to equip government-owned or leased vehicles, vessels, or aircraft for law enforcement purposes.

3. Awards for Information

FY 2022 <u>Actual</u>	FY 2023 <u>Estimate</u>	FY 2024 <u>Estimate</u>	Increase/Decrease <u>FY 2023 to FY 2024</u>
\$10,600,000	\$10,767,000	\$10,767,000	\$0

These expenses are for awards for information or assistance directly relating to violations of the criminal drug laws of the United States or of 18 U.S.C. Chapter 77, 18 U.S.C. § § 1956 and 1957, 31 U.S.C. § § 5313 and 5324, and Section 6050I of the Internal Revenue Code of 1986. The Justice for Victims of Trafficking Act of 2015 (P.L. 114–22) also authorized the use of this funding for human trafficking investigations as defined by 18 U.S.C. Chapter 77.

There is no requirement that the information provided has any relationship to a civil or criminal forfeiture under federal law. Awards payable from the Fund directly support law enforcement.



## **VI. Performance, Resources, and Strategies**

To better manage resources, the Asset Forfeiture Program's strategic approach will continue to: (1) require a strong intelligence function that provides all-source information on target organizations to permit the assessment of vulnerabilities and the identification of key structural assets; (2) transcend specific cases to coordinate and target enforcement actions against the vulnerabilities of the underlying criminal organization; and (3) focus on removal of the assets that are key to the functionality and viability of the criminal organization. Special emphasis is placed on innovative ways to use the proceeds of asset forfeiture, in conjunction with other funds available to DOJ's investigative and prosecutive offices, to support operations that focus on the disruption and dismantling of high priority criminal organizations and not merely on the conviction of individuals and forfeiture of their personal property.

### **A. Performance Plan and Report for Outcomes**

The FY 2024 Performance Plan will reflect performance measures that have been identified through stakeholder meetings and internal reviews as being critical to the Program's continued success in helping the Nation's law enforcement community to disrupt and dismantle criminal organizations.

### **B. Strategies to Accomplish Outcomes**

The performance indicators are for AFMS, the participant with management control of the Fund. In its role, AFMS supports law enforcement authorities in their seizure and forfeiture activities by providing funding for their accessibility to CATS, SharePoint Services, and Business Objects. In FY 2022, AFMS met the goal by providing accessibility to the AFP customers a 100 percent of the time. The Asset Forfeiture Program is executed by its member agencies, and their performance is reported under their leadership's guidance.

### **C. Data Definitions**

**FTE** - The AFP reimburses the USMS for the salaries of administrative personnel responsible for the AFP's property custodial functions. Similarly, the AFP reimburses the Criminal Division for FTEs associated with the litigation and program oversight units of MLARS and reimburses various DOJ member agencies for government personnel who provide core asset forfeiture program management functions. AFMS has 38 FTEs, which are paid directly from the AFP's mandatory account.

**Funding** - The source of AFP funds is from the receipts realized by the AFF in the respective years. As the AFF is a permanent indefinite fund, it may fund Program activities from the unobligated balances carried forward from prior years.

**Performance** - One of the tasks of the Program's managers is to provide administrative and management support of Program activities. As a result of a reevaluation of the Program's performance measures, the indicators were changed in 2001 to reflect more accurately the activities of the Program administrators rather than the Program participants.

**Performance Measures 1, 2, and 3** - CATS, Business Objects, and SharePoint services are available to participating AFP customers from 8:00 a.m. to 8:00 p.m., Eastern Standard Time, Monday through Friday, excluding all federal holidays and/or local government closures. Normally scheduled maintenance outages are conducted during non-operational hours (weekends, holidays, and off-hours). Emergency outages and system failures occurring during the core operational hours will impact availability to its customer base, affecting all three performance measures. For fiscal years 2023 and 2024 the estimated total number of core supported hours is 3,000 a year. The goal is to provide 99.8 percent availability to customers.

PERFORMANCE AND RESOURCES TABLE														
RESOURCES (\$ in thousands)			Target		Actual		Target		Changes		Requested (Total)		Target	
			FY 2022		FY 2022		FY 2023		Current Services Adjustments and FY		FY 2024 Request		FY 2024	
Total Costs and FTE			FTE	\$0	FTE	\$0	FTE	\$0	FTE	\$0	FTE	\$0	FTE	\$0
(Reimbursable: FTE are included, but costs are bracketed and not included in totals)			415	1,504 [\$19]	341	1,432 [\$15]	420	1,580 [\$19]	0	0	420	1,580 [\$19]	420	1,580 [\$19]
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2022		FY 2022		FY 2023		Current Services Adjustments and FY		FY 2023 Request		FY 2023	
			FTE	\$0	FTE	\$0	FTE	\$0	FTE	\$0	FTE	\$0	FTE	\$0
Program Activity		Management of the AFF <sup>B</sup>	415	1,504 [\$19]	341	1,432 [\$15]	420	1,580 [\$19]	0	0	420	1,580 [\$19]	420	1,580 [\$19]
APG Measure:	N/A	N/A												
KPI:	N/A	N/A												
Output														
Performance Measure:	2.2, 2.3, 2.4	Percent of time CATS is accessible in support of forfeiture agency operations	99.80%		100.0%		99.80%				99.80%		99.80%	
Performance Measure:	2.5	Percent of time Business Objects is accessible in support of forfeiture agency operations.	99.80%		100.0%		99.80%				99.80%		99.80%	
Performance Measure:	2.5	Percent of time SharePoint Services is accessible in support of forfeiture agency operations	99.80%		100.0%		99.80%				99.80%		99.80%	

A The performance by and resources allocated to the AFP participants are indicated in their respective budgets.  
B Only the performance by the AFMS in the financial management of the AFF is indicated.

Strategic Obj	Performance		FY 2022	FY 2022	FY 2023	FY 2024
			Target	Actual	Target	Target
N/A	Agency Priority Goal Measure	N/A				
N/A	Key Performance Indicator	N/A				
2.2, 2.3, 2.4	Performance Measure	Percent of time CATS is accessible in support of forfeiture agency operations	99.80%	100.0%	99.80%	99.80%
2.5	Performance Measure	Percent of time Business Objects is accessible in support of forfeiture agency operations.	99.80%	100.0%	99.80%	99.80%
2.5	Performance Measure	Percent of time SharePoint Services is accessible in support of forfeiture agency operations	99.80%	100.0%	99.80%	99.80%

## VII. EXHIBITS