

UNITED STATES
DEPARTMENT OF JUSTICE

UNITED STATES ATTORNEYS



FY 2021
CONGRESSIONAL SUBMISSION

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I. Overview of the United States Attorneys

A. Introduction

In FY 2021, the United States Attorneys request **\$2,378,418,000** and 11,344 positions, of which 5,928 are attorneys. The budget request includes the following program increases: \$22,000,000 for Combatting Targeted Violence; \$3,550,000 is for Transnational Crime prosecutions; \$5,690,000 is to combat opioid and drug trafficking and for case analytics; \$4,223,000 is for Human Trafficking prosecutions; and \$5,778,000 is to prosecute crimes relating to Elder Justice.

Electronic copies of the Department of Justice’s Congressional Budget Justifications can be viewed or downloaded from the internet: <http://www.justice.gov/02organizations/bpp.htm>.

The United States Attorneys serve as the nation’s principal litigators. In response to the mandates of the Constitution that required establishment of a system of federal courts, Congress enacted the Judiciary Act of 1789, directing the President to appoint, in each federal district, “a person learned in the law to act as an attorney for the United States.” Since 1870, the United States Attorneys have worked under the direction of the United States Department of Justice.

There are 94 United States Attorneys’ Offices (USAOs) located throughout the continental United States, Hawaii, Alaska, Puerto Rico, the Virgin Islands, Guam, and the Northern Mariana Islands. The 93 United States Attorneys (Guam and the Northern Mariana Islands are under the direction of a single United States Attorney) are appointed by, and serve at the discretion of, the President of the United States, with the advice and consent of the United States Senate. The map on page 3 depicts the current district and branch office locations of each USAO.

The United States Attorneys report to the Attorney General through the Deputy Attorney General. Each United States Attorney serves as the chief federal law enforcement officer within his or her judicial district and, as such, is responsible for the prosecution of criminal cases brought by the federal government, the litigation and defense of civil cases in which the United States is a party, and the handling of criminal and civil appellate cases before United States Courts of Appeals. The United States Attorneys and Assistant United States Attorneys (AUSAs) represent the interests of the United States in cities, towns, and communities across the country. Through their hard work and dedication, justice is served throughout the nation. The USAOs conduct most of the trial work in which the United States is a party. Although caseloads vary by district, each USAO has a diverse docket of cases. Each United States Attorney exercises broad discretion in the use of his or her resources to further local priorities and to serve his or her community’s needs.



The Attorney General's Advisory Committee of United States Attorneys

United States Attorneys provide advice and counsel to the Attorney General and senior policy leadership through the Attorney General's Advisory Committee (AGAC) and its various subcommittees and working groups. The AGAC was established in 1973 to give United States Attorneys a voice in advising the Attorney General on Department policies. The Committee is comprised of approximately 15 members, representing various federal judicial districts, and geographic locations. The Committee members meet regularly with the Attorney General, the Deputy Attorney General, and the Associate Attorney General, and works to further the goals as set by the President of the United States. The AGAC has subcommittees and working groups to address the Administration's priorities.

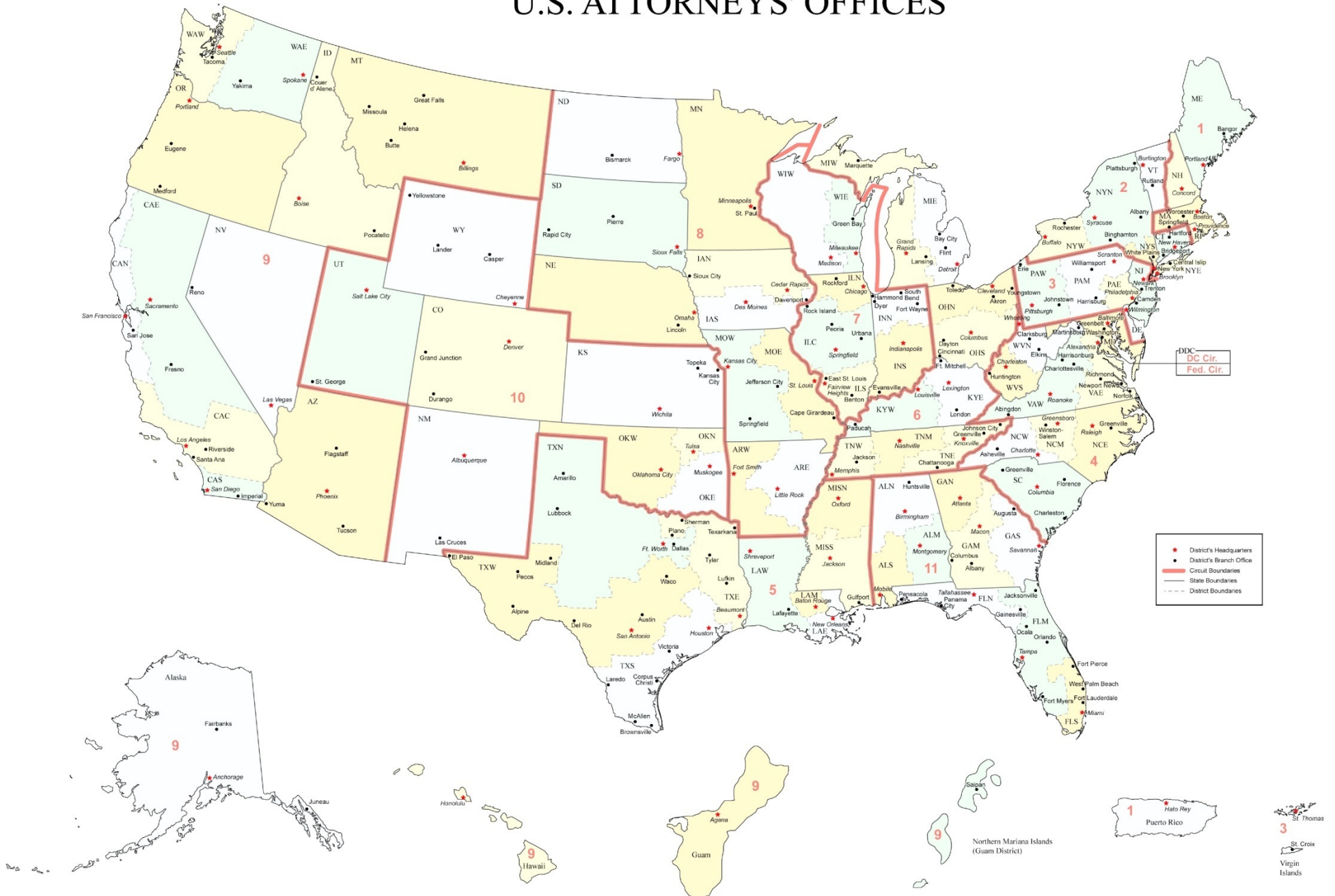
The subcommittees include:

- Asset Recovery
- Border and Immigration Law Enforcement
- Controlled Substances
- Cyber/Intellectual Property
- Law Enforcement Coordination & Relations
- Management, People & Performance
- Native American Issues
- Service Members and Veterans Rights
- Terrorism & National Security
- Violent and Organized Crime
- White Collar/Fraud

The working groups include:

- Administrative Officers
- Appellate Chiefs
- Child Exploitation and Human Trafficking
- Civil Chiefs
- Criminal Chiefs
- Diversity Working Group
- Domestic Terrorism & Executive Committee
- Elder Justice
- Health Care Fraud
- Investment Review Board
- Marijuana
- Opioids & Heroin
- Victim and Community Issues

U.S. ATTORNEYS' OFFICES





Executive Office for the United States Attorneys

In 1953, Attorney General Order No. 8-53 established the Executive Office for United States Attorneys (EOUSA) to “provide general executive assistance and supervision to the offices of the United States Attorneys.” One of the original directives instructed EOUSA to “serve as liaison, coordinator, and expediter with respect to the Offices of the United States Attorneys, and between these offices and other elements of the Department [of Justice].” Under the guidance of the Director, EOUSA provides the 94 USAOs with general executive assistance and supervision; policy guidance; administrative management direction and oversight; operational support; and coordination with other components of the Department and other federal agencies. EOUSA’s responsibilities encompass legal, budgetary, administrative, and personnel services, as well as continuing legal education. See Exhibit A for an organizational chart of EOUSA.

The Executive Office for United States Attorneys shall be under the direction of a Director who shall (28 CFR 0.22):

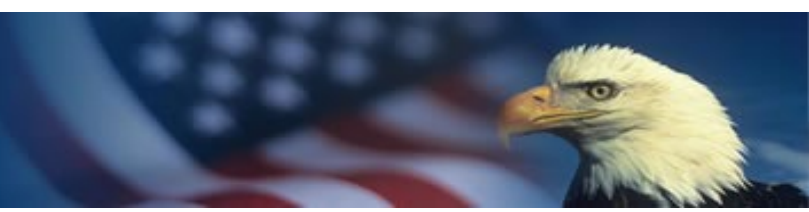
- A. Provide general executive assistance and supervision to the Offices of the U.S. Attorneys, including:
 - 1) Evaluating the performance of the Offices of the U.S. Attorneys, making appropriate reports and inspections and taking corrective action where indicated.
 - 2) Coordinating and directing the relationship of the Offices of the U.S. Attorneys with other organizational units of the Department of Justice.
- B. Publish and maintain a U.S. Attorneys' Manual and a United States Attorneys' Bulletin for the internal guidance of the U.S. Attorneys' offices and those other organizational units of the Department concerned with litigation.
- C. Supervise the operation of the Office of Legal Education, the Attorney General's Advocacy Institute and the Legal Education Institute, which shall develop, conduct, and authorize the training of all federal legal personnel.
- D. Provide the Attorney General's Advisory Committee of United States Attorneys with such staff assistance and funds as are reasonably necessary to carry out the Committee's responsibilities (28 CFR 0.10(d)).
- E. Establish policy and procedures for the satisfaction, collection, or recovery of criminal fines, special assessments, penalties, interest, bail bond forfeitures, restitution, and court costs in criminal cases consistent with § 0.171 of this chapter.

The major functions of EOUSA are to:

- Provide support to the Deputy Attorney General regarding United States Attorney appointments.
- Provide general direction and supervision of the management and policy activities of the United States Attorneys' financial litigation programs, including the establishment of policy and procedures for debt collection activities, affirmative civil enforcement and bankruptcy litigation, litigative and technical support, training, publication of



- newsletters, coordination and implementation of legislative initiatives and the establishment of guidelines, and procedures on criminal fine collection issues.
- Provide general legal interpretations, opinions, and advice to United States Attorneys in areas of recusals, cross-designations, outside activities, representation, allegations of misconduct, adverse actions, grievances, labor relations, and ethical and conflict of interest questions.
 - Provide general support to the United States Attorneys in matters involving Assistant United States Attorney and Special Assistant United States Attorney appointments.
 - Provide overall administrative management oversight, technical and direct support to the United States Attorneys in the program areas of facilities management (to include acquisition of real property/space, construction, renovation, repair, and relocation); and support service programs (to include personal property management, small purchases procurement, motor vehicle support, telephone systems, printing, and records disposition).
 - Provide overall management oversight, technical, and direct support to the United States Attorneys in the area of security programs (to include physical security, information security, communications, security, security awareness and safety).
 - Analyze, design, and provide automated services and systems in support of the litigation mission and of selected administrative functions of the United States Attorneys' offices including development, implementation, and monitoring of policies and programs for office automation, systems development activities, and data base maintenance.
 - Design, program, and support the operations and software for caseload and collections systems and administrative/litigative applications in the districts and the central systems, provide technical assistance, produce the Annual Statistical Report, and monitor the quality of the data of the Offices of the United States Attorneys.
 - Support the Offices of the United States Attorneys in the conduct of their Law Enforcement Coordination Programs as directed by the Attorney General: publication of a newsletter; assistance in providing speakers, materials, and any other technical assistance for Law Enforcement Coordinating Committee (LECC) functions; liaison with the LECC/Victim Witness Subcommittee of the Attorney General's Advisory Committee; and the promotion of the LECC Program throughout the federal and local government.
 - Serve as the liaison on Victim-Witness assistance activities within the Offices of the United States Attorneys, supporting the United States Attorneys in their work relating to these matters.
 - Provide budget and fiscal assistance and guidance to the 94 Offices of United States Attorneys.
 - Respond to requests under the Freedom of Information Act and Privacy Act (FOIA/PA) on behalf of the Offices of the United States Attorneys, coordinate and respond to litigation arising from these matters, and provide advice and training to the United States Attorneys' staffs relating to FOIA/PA.
 - Respond to inquiries from members of Congress and private citizens and review and comment on legislative and regulatory proposals relating to the activities of the Offices of United States Attorneys.



CRIMINAL PROSECUTIONS

The USAOs investigate and prosecute the vast majority of criminal cases brought by the federal government – representing an incredibly diverse workload. The types of cases include international and domestic terrorism; illegal immigration; southwest border enforcement; firearms and violent crime; identity theft; public corruption; procurement, securities, and mortgage fraud; gangs and organized crime; drug enforcement; human trafficking; and criminal civil rights. Many of these cases involve multiple defendants and are extremely complex.



The United States Attorneys receive most of their criminal referrals, or “matters,” from federal investigative agencies, including the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the United States Immigration and Customs Enforcement (ICE), the United States Secret Service, and the United States Postal Inspection Service. The USAOs also receive criminal matters from state and local investigative agencies, and sometimes through reports from private citizens. Following careful consideration of each criminal matter, the United States Attorney must decide whether to present the matter to a grand jury for indictment.

Federal Law Enforcement Partners



Although historically a large percentage of criminal defendants have pled guilty prior to trial, a USAO must always be prepared to go to trial after the grand jury returns an indictment. Careful and diligent preparation for trial, including thorough pre-trial discovery and the litigation of pre-trial motions, helps to clarify issues, promote efficiency, and protect a defendant’s rights under the Speedy Trial Act. When a defendant does not plead guilty, however, a trial before a petit jury or a judge (a bench trial) becomes necessary. If the defendant is convicted after trial, the USAO must participate in a sentencing hearing and also defend the conviction in post-trial litigation and on appeal. The USAOs handle most criminal appeals before the United States Court of Appeals. If there is a further appeal, the United States Attorney may be called upon to assist the Solicitor General in preparing the case for review by the United States Supreme Court.



CIVIL LITIGATION

The United States Attorneys initiate civil actions, referred to as “affirmative litigation,” to assert and protect the United States’ interests. They also defend the United States’ interests in lawsuits filed against the government, referred to as defensive civil litigation. In other civil cases, the United States is a third party, creditor, or intervener, such as representing the government’s interests in bankruptcy actions.

Examples of affirmative litigation include civil actions brought to enforce the nation’s environmental, admiralty, and civil rights laws; recoup money and recover damages resulting from federal program and other fraud; enforce administrative summonses; and forfeit assets seized by federal, state, and local law enforcement.

Defensive litigation includes actions seeking monetary damages for alleged torts, contract violations, and discrimination by the United States and its agents and employees. It also includes defending suits challenging government administrative actions, including Social Security disability determinations; habeas corpus petitions; and constitutional challenges to statutes and other federal policies. The USAOs represent and defend the government in its many roles – as employer, regulator, law enforcer, medical care provider, revenue collector, contractor, procurer, property owner, judicial and correctional systems managers, and administrator of federal benefits. When the United States is sued, the Department of Justice must be its legal representative.

Civil defensive work is unique because it is non-discretionary and non-delegable. Unlike criminal matters, civil defensive cases cannot be declined to manage or reduce an office’s caseload. All cases filed against the United States, its agencies, and employees in their official capacities must be defended.

CRIMINAL AND CIVIL APPEALS

Appeals require a thorough review of the entire record in the case, the filing of briefs, and in many, participation in oral argument before the United States Court of Appeals. In most appellate matters handled by the USAOs, the United States is the appellee and must respond to an appeal initiated by an opposing party. Accordingly, the appellate workload of the United States Attorneys fluctuates based on decisions outside their control. Furthermore, the complexity of appellate work and the time required to handle that work increases when the case presents complicated facts or novel questions of law.



CRIMINAL AND CIVIL DEBT COLLECTION

The USAOs are responsible for collecting both criminal and civil debt for the federal government. Each USAO has a Financial Litigation Unit (FLU) responsible for criminal and civil debt collection activities as well as an Affirmative Civil Enforcement staff devoted to civil debt collection.

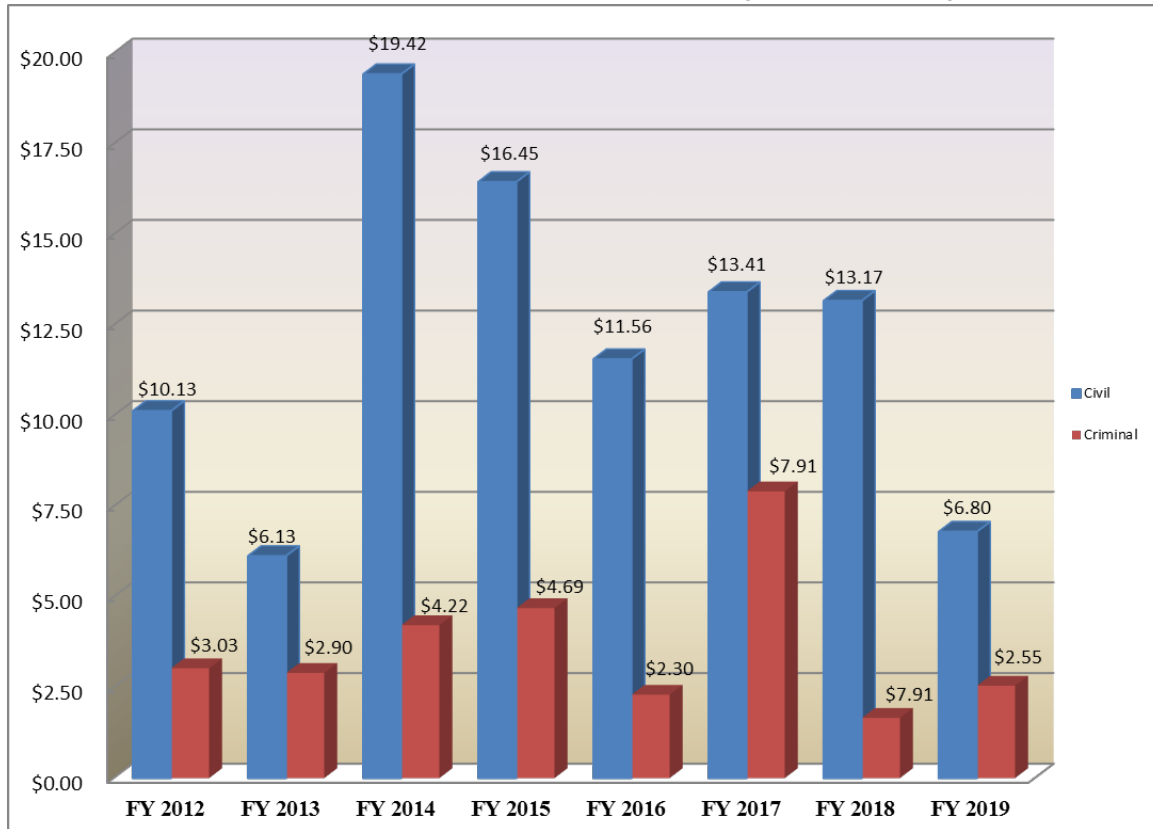
Debts are incurred by a criminal defendant when the defendant is sentenced by the court. These debts may be in the form of restitution to crime victims, fines imposed by the court, special assessments on each criminal conviction count, costs of prosecution and other costs, or forfeitures of appearance bonds. Interest may also be collected in certain cases. When restitution is ordered, the USAOs are involved in collecting federal restitution payments (owed to the United States) as well as non-federal restitution (owed to private individuals and entities). As a result of the Mandatory Victims Restitution Act (MVRA), courts must impose monetary restitution orders in all violent crimes and most property crimes, regardless of a defendant's ability to pay restitution. United States Attorneys are required to enforce restitution orders on behalf of all federal crime victims.

The United States Attorneys are also the legal representatives for other federal agencies to pursue repayment of debts. For example, when federal agencies lend money and the recipients default on repayment, or when federal agencies have paid on guaranteed loans that have not been repaid as provided for in the lending agreement, the United States Attorneys pursue repayment of the debt. The Departments of Agriculture, Education, Health and Human Services, Housing and Urban Development, Transportation, Veterans Affairs, and the Small Business Administration are some of these client agencies. The United States Attorneys file suit to obtain judgments to collect debts, foreclose on real property, compel physicians to repay or fulfill their commitment to the Public Health Service in return for education grants, sue to set aside fraudulent transfers of property which could be used to satisfy defaulted loans, and manage debtor repayment schedules.

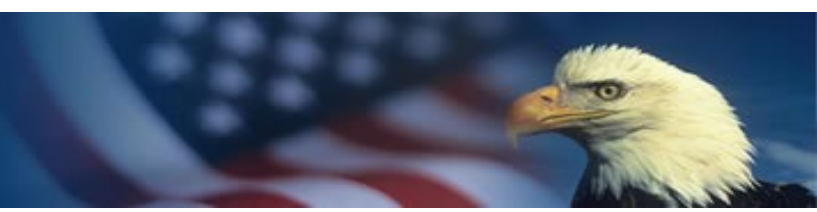


The table below illustrates the significant amount of debts collected each year from FY 2012 through the end of FY 2019.

Debt Collection Chart (in billions)



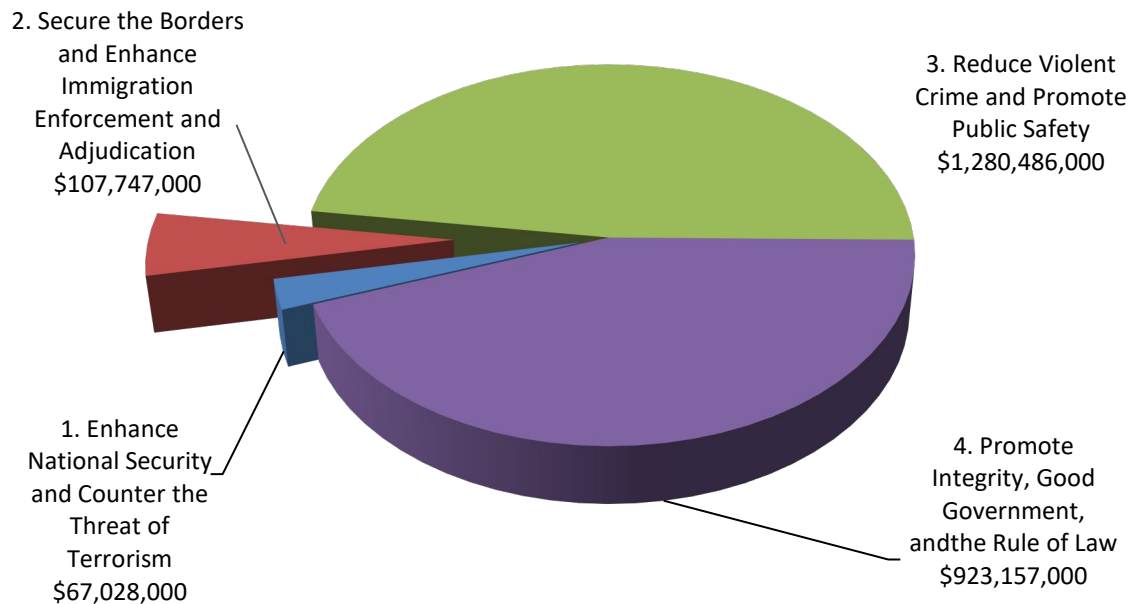
In FY 2019, the USAOs collected \$9.35 billion in criminal and civil debts. Of the total debts collected, USAOs recovered \$2.55 billion in criminal debts; and \$6.80 billion in civil debts. The United States Attorneys’ FY 2019 collection efforts, handled by a very small percentage of the total workforce, returned to the Treasury significant funding as compared to the \$2.21 billion appropriated in the FY 2019 budget for the entire United States Attorneys’ community.



B. Issues, Outcomes, and Strategies

The following chart and descriptions provide a brief summary of the Department’s Strategic Goals and Objectives in which the United States Attorneys play a role.

FY 2021 Total Request by DOJ Strategic Goal



DOJ Strategic Goal 1: Enhance National Security and Counter the Threat of Terrorism. (\$67,028,000)

- Disrupt and defeat terrorist operations (1.1).
- Combat cyber-based threats and attacks (1.2).

DOJ Strategic Goal 2: Secure the Borders and Enhance Immigration Enforcement and Adjudication. (\$107,747,000)

- Prioritize criminal immigration enforcement (2.1).

DOJ Strategic Goal 3: Reduce Violent Crime and Promote Public (\$1,280,486,000)

- Combat violent crime, promote safe communities, and uphold the rights of victims of crime. (3.1).
- Disrupt and dismantle drug trafficking organizations to curb opioid and other illicit drug use in our nation. (3.2).



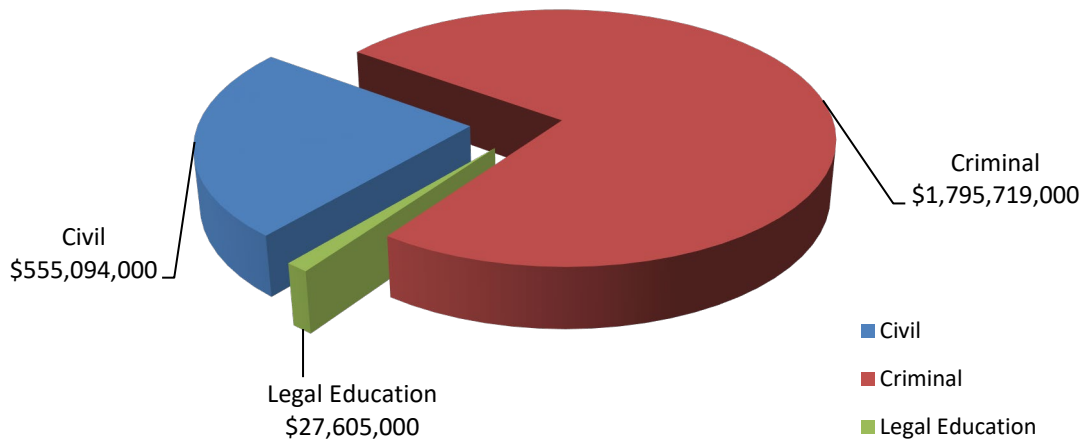
DOJ Strategic Goal 4: Promote Integrity, Good Government, and the Rule of Law (\$923,157,000)

- Uphold the rule of law and integrity in the proper administration of justice. (4.1).
- Defend first amendments rights. (4.2).

C. Full Program Costs

The United States Attorneys’ \$2,378,418 budget request for FY 2021 is divided into three decision units: criminal, civil, and legal education.

FY 2021 Budget Request by Decision Unit



Some programs, as well as management and administration costs, cross decision units. The performance and resource tables for each decision unit reflect the total costs of achieving the strategies that the United States Attorneys will employ in FY 2021. The various resource and performance charts incorporate the costs of lower level strategies which also contribute to the achievement of objectives, but which may not be highlighted in detail in order to provide a concise narrative. Also included are the indirect costs of continuing activities, which are central to the operations of each decision unit. This request will fund the United States Attorneys’ role in supporting the Department’s Strategic Plan. We will continue to provide federal leadership in preventing and controlling crime and seeking just punishment of those found guilty of unlawful conduct.



D. Performance Challenges

The United States Attorneys face both external and internal challenges that can impact their ability to meet their goals. Some of these performance challenges are summarized below.

External Challenges

Coordinating with External Partners: Law enforcement is a central element of the United States Attorneys' mission, yet the ability and willingness of other federal, state, tribal, and local law enforcement partners to coordinate and share intelligence, resources, and personnel with one another can pose significant challenges. Ongoing efforts ensure that meaningful partnerships with local law enforcement, public officials, and leaders in communities to safeguard the public remain relevant and collaborative. Failure to coordinate and collaborate can impede the prosecution of complex criminal activity and even disrupt ongoing investigations. Thus, we must continually strive to enhance coordination with our law enforcement partners.

Identifying Emerging Criminal Activities: Criminal activity, especially violent crime, continues to evolve in response to new technologies and law enforcement efforts. The proliferation of synthetic drugs requires additional analytical resources in order to accurately identify and schedule the compounds. Continued high levels of heroin abuse continue to put a strain on Department resources, particularly in terms of need for additional outreach and education to state and local communities.

Increased diversions of pharmaceutical drugs create a challenge for prosecution, as the process is extremely technical, time-consuming and document intensive. Fraud schemes, which have become more sophisticated and complex over time, can have a significant impact on individual financial stability as well as our economy. As a result, the United States Attorneys and their investigative partners are working to identify these criminal activities as they emerge so law enforcement can address these crimes in a timely and comprehensive manner.

Keeping Pace with Technology: As technology has evolved, so has the amount of electronically stored information that comprises critical evidence in our investigations and cases. To keep pace with this change and to ensure that our criminal and civil cases are adequately supported, the United States Attorneys must develop an integrated approach to electronic discovery (eDiscovery) that focuses on employee skills, training, best practices, and technological tools to help identify, collect, process, review, analyze, and present electronic evidence.

Internal Challenges

Maintaining a Skilled Workforce: To address certain external changes and challenges, such as increasing amounts of eDiscovery, the United States Attorneys need employees who can adapt to changes in the law, its practice, and the case analysis tools used in support of the United States Attorneys' mission. We must ensure that each USAO has sufficient access to qualified automated litigation support specialists and legal support staff who have the expertise necessary



to consult with attorneys on technical issues and institute and follow defensible practices with respect to electronic data. This requires a significant effort focused on improving the competencies of existing employees through training and hiring new employees with the appropriate skill sets.

Keeping Pace with Technology: New technologies have generated cutting-edge methods for committing crimes, such as the use of the Internet to commit identity theft and the use of peer-to-peer software programs to share large volumes of information in real time. These technologies continue to pose many challenges, with complexity and volume being the most prevalent.

The USAOs strive to keep pace with these cutting-edge methods and the exponentially increasing volume of data associated with a diverse range of cases. The United States Attorneys (USAs) must continue to develop innovative practices to ensure that each office has the capacity to process, analyze, and leverage electronic information. For example, the USAs have implemented eDiscovery processes to move from paper evidence to electronic evidence, and to manage, examine, and transfer large amounts of casework data. The USAs have used technologically advanced tools and processes in sophisticated cases, allowing for data integration from multiple source points, which is critical to organizing and prosecuting complex cases, such as healthcare fraud and securities fraud cases. The USAOs are looking to expand this support to other types of cases such as procurement fraud and data analytics capabilities.



II. Summary of Program Changes

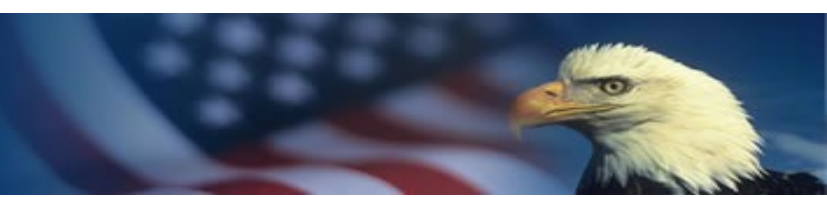
In FY 2021, the United States Attorneys’ budget request is \$2,378,418,000, which includes the following program changes: 125 positions; 108 FTE; and \$41,241,000 in program increases.

The following program changes are outlined in the chart below:

Item Name	Description				Page
	Purpose	Pos.	FTE	Dollars (\$000)	
Combatting Targeted Violence	Funding will be used to support the United States Attorneys’ offices (USAOs) with threat assessment, management, and mitigation specialists, as well as attorneys to manage prosecution, diversion, and other court proceedings associated with individuals mobilizing towards or involved in acts of targeted violence. In addition, funding will support USAO requests to contract with experts to support the program, including mental health practitioners, social workers, and intervention specialists.	75	75	22,000	40
Transnational Crime Prosecutions	Funding will be used to prosecute cases targeting the highest priority transnational criminal organizations impacting the United States’ public safety and national security interests, specifically MS-13 and organized crime gang prosecutions.	15	15	3,550	43
Opioid, Drug Trafficking and Criminal Case Analytics	This funding will be used to increase our drug enforcement efforts in disrupting the flow of illicit drugs and target those drug trafficking organizations most responsible for the opioid epidemic and drug-related violence in our communities. Funding is also provided for litigation case analytic capabilities.	25	13	5,690	47
Human Trafficking	The funding will be used to combat human trafficking and to provide case analytics capabilities to enhance investigation, discovery, case	0	0	4,223	51



	development, and trial preparation for the prosecution of these violent trafficking cases.				
Elder Justice	The funding will be used to conduct criminal prosecutions resulting from physical abuse, neglect, financial exploitation, psychological abuse, sexual abuse, and abandonment of older adults.	10	5	5,778	55
TOTAL		125	108	41,241	



III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, [\$2,254,541,000] \$2,378,418,000: Provided, That of the total amount appropriated, not to exceed \$19,600 shall be available for official reception and representation expenses: Provided further, That not to exceed \$25,000,000 shall remain available until expended: Provided further, That each United States Attorney shall establish or participate in a task force on human trafficking.

Analysis:

The United States Attorneys' re-propose an adjustment to the reception and representation funding limitation that was requested in the FY 2020 President's Budget submission. The establishment and maintenance of relationships with state and local officials is a critical component of the United States Attorneys' mission. Reception and representation activities better enable our United States Attorneys' offices (USAOs) to foster such relationships, which enhance cooperation with respect to common goals, such as reducing violent crime. The requested increase to \$19,600 will help ensure that reception and representation activities are available to a greater number of USAOs while ensuring that appropriated resources are utilized in the most effective manner.

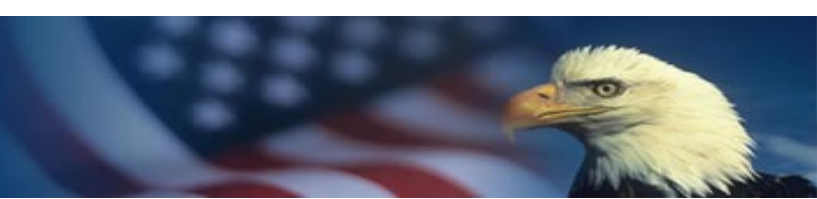


IV. Program Activity Justification

A. Criminal

Criminal Litigation	Direct Pos.	Estimated FTE	Amount
2019 Enacted	8,604	7,584	1,660,318,000
2020 Enacted	8,619	7,700	1,691,772,000
Adjustments to Base and Technical Adjustments	0	0	62,706,000
2021 Current Services	8,619	7,700	1,754,478,000
2021 Program Increases	125	108	41,241,000
2021 Request	8,744	7,808	1,795,719,000
Total Change 2020-2021	125	108	103,947,000

Criminal Litigation Information Technology Breakout	Perm. Pos.	FTE	Amount
2019 Enacted	344	344	132,240,000
2020 Enacted	344	344	134,223,000
Adjustments to Base and Technical Adjustments	0	0	2,013,000
2021 Current Services	344	344	136,237,000
2021 Request	344	344	136,237,000
Total Change 2020-2021	0	0	2,013,000



1. Program Description–Criminal Program Activity

The United States Attorneys will continue to play a vital role in violent crime across the country. USAs continue to address the illegal use of firearms and other acts of violence in our communities. Opioid and drug prosecutions will continue to be a priority, with a particular emphasis on the operations of large drug organizations. USAs will leverage a multi-agency focus on reducing violent and gun-related crime in particularly hard-hit urban areas by using innovative means to locate individuals, organizations and gangs within specific high crime jurisdictions. The U.S. Attorneys’ offices, in coordination with the FBI, local law enforcement, local community organizations, and mental health professionals, will use information from tip lines to detect and disrupt threats that law enforcement believe may be inclined toward targeted violence. These partnerships will be leveraged to create individualized threat mitigation plans that will endeavor to de-escalate high-risk community situations. USA will further use partnerships with federal, state and local law enforcement, and available tools and resources to develop and implement strategies for eradicating violent crime wherever it may occur.

USAO Success Story – Targeted Violence

The USAO in the **District of Massachusetts**, prosecuted Nicholas Zuckerman, 25, of Arizona, for posting threats on Instagram to bomb Harvard University and shoot attendees at a commencement event for black graduates. Zuckerman commented on a post published to Harvard University’s Instagram account, saying: “If the blacks’ only ceremony happens, then I encourage violence and death at it.

<https://www.justice.gov/usao-ma/pr/arizona-man-sentenced-threatening-harvard-black-commencement-attendees-2017>

Federal prosecution of crimes committed on our nation’s northern and southwestern borders is a critical part of our national security. Border-related cases span a wide range of priorities, including felony and misdemeanor immigration cases, human trafficking, alien smuggling, firearms and ammunition trafficking, document fraud, drug offenses, and significant threats from designated criminal and terrorist organizations.

For many years, the USAs have made violent crime prosecutions the largest category of criminal cases handled in their offices, and they will continue with those efforts. In addition, in recent years USAOs have dedicated resources to combat drug addiction and reduce drug trafficking and associated violence in our country. The Department remains committed to doing its part to protect the American people from the impact of targeted violence associated with deadly shootings, gun violence, drugs and drug-related crime nationwide. The USAOs work closely with federal, state, and local law

enforcement agencies to reduce drug production and trafficking, and to address drug-related violence and other violent crime.

The following cases are examples of the United States Attorneys’ criminal case successes:

- The USAO in the **Eastern District of New York**. On July 17, 2019, following a three-month trial, the United States District Court for the Eastern District of New York sentenced Joaquín “El Chapo” Guzmán-Loera to life plus 30 years in prison for his role as principal leader of a continuing criminal enterprise, the Mexican organized-crime syndicate known as the Sinaloa



Cartel. Under Guzmán's leadership, the Sinaloa Cartel was responsible for importing and distributing over a million kilograms of cocaine, marijuana, methamphetamine, and heroin in the United States. Guzmán enforced his will and maintained control of his drug empire through an army of lethal hitmen (sicarios) and a sophisticated communications network. He directed his sicarios to kidnap, interrogate, torture, and slaughter members of rival drug organizations, at times carrying out acts of violence himself, and relied on a vast network of corrupt government officials and employees to protect and further the interests of the cartel.

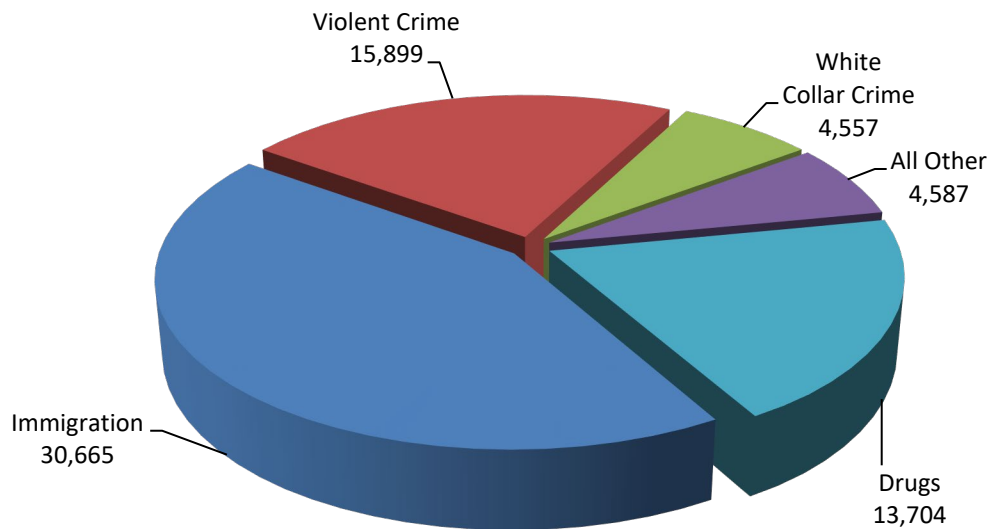
<https://www.justice.gov/usao-edny/pr/joaquin-el-chapo-guzman-sinaloa-cartel-leader-sentenced-life-prison-plus-30-years>

- The USAO in the *Western District of Texas*. On October 3, 2019, the United States District Court for the Western District of Texas sentenced Alaa Mohammad Allawi to 30 years in federal prison for distributing approximately 245 kilograms of fentanyl, cocaine, methamphetamine, oxycodone and Xanax. The distribution of fentanyl-laced oxycodone pills, through the use of the dark web and crypto currency, resulted in the overdose death of a United States Marine stationed at Camp Lejeune, North Carolina, and serious bodily injury to two Grand Forks, North Dakota, residents. The case was the culmination of a multi-year investigation involving multiple districts. On June 21, 2017, a federal grand jury in the Western District of Texas- San Antonio Division and seven others for their role in a conspiracy to distribute Oxycodone, Adderall, and Xanax pills laced with methamphetamine and fentanyl. Allawi manufactured the pills with materials he purchased over the dark net, using crypto-currency. Additionally, Allawi purchased commercial pill presses and fentanyl from the People's Republic of China to press and make the fraudulent pills. Allawi primarily utilized the dark net site, Alpha Bay to sell his pills, utilized the United States Postal Service to ship these pills, and he accepted numerous forms of crypto-currency as payment.
<https://www.justice.gov/usao-wdtx/pr/fentanyl-distributor-who-used-dark-web-and-crypto-currency-furtherance-his-criminal>
- The USAO in the *District of New Mexico*. In June 2019, the United States District Court for the District of New Mexico sentenced five members of the Sindicato de Nuevo Mexico (SNM) prison gang to life in prison after juries found them guilty in 2018 for committing murder in aid of racketeering. The defendants in this case were previously charged along with 17 others for murder and other offenses. Several of those charged went to trial, while others pleaded guilty.
<https://www.justice.gov/usao-nm/pr/five-sindicato-new-mexico-prison-gang-members-sentenced-life-prison-week-murders-aid-1>



As discussed earlier, the USAOs receive criminal referrals from federal investigative agencies as well as state and local investigative agencies. After careful consideration of the applicable law and evidence in each case, a USAO must decide whether to initiate a prosecution. During FY 2019, the USAOs filed 69,412 felony criminal cases against 87,266 defendants in United States District Court. The following chart shows the types of cases filed by the USAOs.

Criminal Workload FY 2019 Felony Cases Filed – 69,412



A total of 63,012 cases against 79,310 defendants were closed during FY 2019. Of the 79,310 defendants whose cases were closed, 93 percent or 73,934, either pled guilty or were found guilty after a trial. Of these, 54,801 defendants received prison sentences. One hundred and fifteen of these defendants received sentences of life imprisonment.

2. PERFORMANCE AND RESOURCE TABLE

PERFORMANCE AND RESOURCES TABLE													
Decision Unit: Criminal													
RESOURCES			Enacted		Actual		Projected		Changes		Requested (Total)		
			FY 2019		FY 2019		FY 2020		Current Services Adjustments and FY 2021 Program Changes		FY 2021 Request		
			FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)			7,885	1,660,318	7,584	1,660,318	7,700	1,691,772	108	103,947	7,808	1,795,719	
			200	[80,217]	185	[40,486]	200	[84,574]	0	0	200	[84,574]	
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2019		FY 2019		FY 2020		Current Services Adjustments and FY 2021 Program Changes		FY 2021 Request		
Performance Measure: Output	1.2;2.1;3.1;3.2	Number of Cases - Defendants Handled	178,654		199,833		201,831		2,018		203,849		
Performance Measure: Efficiency	1.2;2.1;3.1;3.2	Total Defendants Terminated	71,622		79,310		80,103		801		80,904		
Performance Measure: Outcome	1.2;2.1;3.1;3.2	Total Defendants Guilty	66,622		73,934		74,673		747		75,420		
Performance Measure: Outcome	1.2;2.1;3.1;3.2	Percentage of Cases Favorably Resolved	90.00%		93.00%		90.00%		0		90.00%		

Data Definition, Validation, Verification, and Limitations: Data is collected from the USA-5 monthly Resource Summary Report System, which summarizes the use of personnel resources allocated to USAOs. Data is also taken from the United States Attorneys' central Case Management System, which contains district information including criminal matters, cases, and appeals. The USAOs are required to submit bi-annual case data certifications to EOUSA. The data is reviewed by knowledgeable personnel such as supervisory attorneys and legal clerks in each district. Attorneys and support personnel are responsible for ensuring that local procedures are followed for maintaining the integrity of the data in the system. Terrorism cases include hoax and financing cases, as well as the traditional domestic and international terrorism cases. Terrorism-related cases involve national security/critical infrastructure, which are prosecuted against defendants whose criminal conduct may or may not be terrorist-related, but whose conduct affects national security or exposes critical infrastructure to potential terrorist exploitation. Note that the number of terrorist convictions does not reflect the range of prosecutorial work performed by USAOs that results in disruption of terrorist activity, and other work that does not result in criminal prosecutions because of intelligence gathering and other national security considerations.

2. PERFORMANCE AND RESOURCE TABLE

PERFORMANCE MEASURE TABLE										
Decision Unit: Criminal										
Strategic Objective	Performance Report and Performance Plan Targets		FY 2015	FY 2016	FY 2017	FY 2018	FY 2019		FY 2020	FY 2021
			Actual	Actual	Actual	Actual	Target	Actual	Target	Target
1.2; 2.1; 3.1;3.2	Performance Measure	Number of Cases - Defendants Handled	180,303	176,451	175,134	186,119	178,654	199,833	201,831	203,850
1.2; 2.1; 3.1;3.2	Performance Measure	Total Defendants Terminated	74,990	71,838	70,211	72,557	71,622	79,310	80,103	80,904
1.2; 2.1; 3.1;3.2	Performance Measure	Total Defendants Guilty	69,561	66,670	65,309	67,595	66,622	73,934	71,673	75,420
1.2; 2.1; 3.1;3.2	OUTCOME Measure	Percentage of Cases Favorably Resolved	92.7%	93.0%	93.0%	90.0%	90.0%	93.0%	90.0%	90.0%

N/A = Data unavailable



3. Performance, Resources, and Strategies

The Criminal Decision Unit contributes to the following Department' Strategic Goals:

Goal I: Enhance National Security and Counter the Threat of Terrorism. Within this goal, the decision unit's resources address the Department's Strategic Objective: 1.1 - Disrupt and defeat terrorist operations; and 1.2 – Combat cyber-based threats and attacks.

Goal II: Secure the Borders and Enhance Immigration Enforcement and Adjudication Prevent Crime. Within this goal, the decision unit's resources address the Department's Strategic Objectives: 2.1 - Prioritize criminal immigration enforcement.

Goal III: Reduce Violent Crime and Promote Public Safety. Within this goal, the decision unit's resources address the Department's Strategic Objectives: 3.1 - Combat violent crime, promote safe communities, and uphold the rights of victims of crime; 3.2 - Disrupt and dismantle drug trafficking organizations to curb opioid and other illicit drug use in our nation.

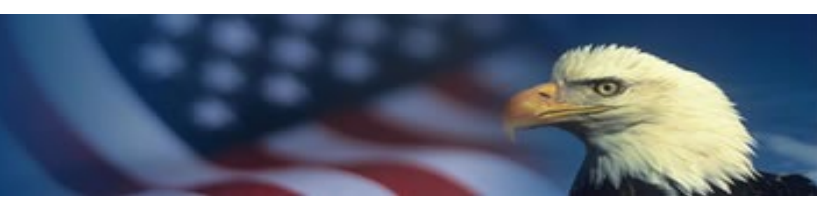
a. Performance Plan and Report for Outcomes

In the criminal area, the performance outcome measure for the United States Attorneys is the *percentage of criminal cases favorably resolved* during the fiscal year. The United States Attorneys has consistently met or exceeded its goal of 90 percent.

The United States Attorneys will continue to play a vital role in violent crime across the country. USAs continue to address the illegal use of firearms and other acts of violence in our communities. Drug prosecutions will continue to be a priority, with a particular emphasis on the operations of large drug organizations. USAs will leverage a multi-agency focus on reducing violent and gun-related crime in particularly hard-hit urban areas by using innovative means to locate individuals, organizations and gangs within specific high crime jurisdictions. Through partnerships of federal, state and local law enforcement, USA will utilize the tools and resources available to develop and implement strategies for eradicating violent crime wherever it may occur.

The USA's will aim to combat targeted violence, by supporting and working on the *Disruption and Early Engagement Program*. This program detects and disrupts individuals law enforcement believe may be inclined toward targeted violence by encouraging partnerships between U.S Attorney offices, the FBI, local law enforcement, local community organizations, and mental health professionals. These partnerships are intended to be leveraged in order to create individualized threat mitigation plans that will endeavor to deescalate high-risk community members.

Federal prosecution of crimes committed on our nation's northern and southwestern borders is a critical part of our national security. Border-related cases span a wide range of priorities, including felony and misdemeanor immigration cases, human trafficking, alien smuggling, firearms and ammunition trafficking, document fraud, drug offenses, and significant threats from



designated criminal and terrorist organizations. For many years, the USAs have made criminal immigration prosecutions the largest category of criminal cases handled in their offices, and they will continue with those efforts.

The United States Attorneys' will continue to prioritize cybercrime prosecutions, protecting Americans from similar threats in the future. Computer hacking, data thefts and cyberattacks can compromise national security and have the potential of crippling our nation's infrastructure. The U.S. Attorneys' offices innovative efforts to identify and prosecute crimes against the elderly and to serve and protect our elder population are key components of the Department's overall strategy to combat elder abuse and financial exploitation, encourage reporting abuse, and educate the public to make America safer for all.

Since President Trump signed the bipartisan Elder Abuse Prevention and Prosecution Act (EAPPA) into law, the Department of Justice has participated in hundreds of enforcement actions in criminal and civil cases that targeted or disproportionately affected seniors. In particular, this past March the Department announced the largest elder fraud enforcement action in American history, [charging more than 260 defendants in a nationwide elder fraud sweep](#). The Department has likewise conducted hundreds of trainings and outreach sessions across the country since the passage of the Act.

In combating these challenges, USA's efforts will focus on violent crime, illegal immigration, illegal prescription and dispensing of opioids, drug prosecutions, cybersecurity, and elder fraud.

The following cases are examples of the United States Attorneys' criminal case successes:

- The USAO in the **Western District of New York**. In March 2019, a federal jury in Buffalo, New York, convicted two defendants from California of narcotics conspiracy and money laundering conspiracy. The defendants were members of a transnational drug trafficking organization whose source of supply was the Sinaloa Cartel. The defendants used business front companies to launder over \$12,000,000 in drug proceeds from Buffalo, New York, to Los Angeles, California. Using these companies, the defendants disguised kilogram quantities of heroin, fentanyl, and cocaine described as other items such as "Sea Cucumbers." During the course of the investigation, law enforcement seized over \$5 million worth of illegal drugs, including 52.5 kilograms of cocaine, 17.5 kilograms of heroin, and 8.5 kilograms of fentanyl. The seized drugs potentially represented over 1.5 million doses or "hits" of cocaine and 2.7 million "hits" of heroin. Considering that two milligrams of fentanyl can be a lethal dose, the seized fentanyl was enough to kill over four million people. Fifteen other co-conspirators have been convicted in this case. On October 2, 2019, the two co-defendants who went to trial received a 150- and 120-month sentence, respectively.
- The USAO in the **Southern District of Florida**. On January 30, 2019, Michael Stapleton, of Jamaica, was sentenced to a total of 262 months in prison after having been convicted by a South Florida jury of running an international alien smuggling organization out of Freeport, Bahamas. Stapleton was convicted by a federal jury, of 47 criminal counts related to his involvement in an alien smuggling scheme. Stapleton was the head of a smuggling



organization operating out of Freeport, Bahamas. For several years, he coordinated the smuggling of aliens to the United States through Freeport from around the world. He arranged for them to be hidden in stash houses, hired smuggling captains, and arranged for boats to make crossing from the Bahamas to the United States. Stapleton used the vulnerability of the aliens to exploit them by demanding more money from them after they were in his power, keeping them in deplorable conditions, mistreating them, and sending them out in unsafe boats. In one smuggling venture, the aliens were pushed overboard in rough seas far from the beach, despite some of them not being able to swim. Stapleton was extradited to the United States in 2018. The Court found that Stapleton was the leader/organizer of the smuggling venture that involved between 20-99 victims, that he created a risk of substantial bodily harm, sexually assaulted two women, and possessed a firearm.

- The USAO in the **District of New Jersey**. On July 30, 2019, Jianhua “Jeff” Li, a Chinese national living in the United States on a student visa, was sentenced to 37 months in prison for his role in a scheme to traffic and smuggle counterfeit Apple products, including phony iPhones and iPads, from China into the United States. Li previously pleaded guilty to one count of conspiracy to traffic in counterfeit goods and labels and smuggle goods into the United States and one count of trafficking in counterfeit goods. According to documents filed in this case and statements made in court, from July 2009 through February 2014, Li, working through his company Dream Digital, conspired with others to smuggle and traffic into the United States from China more than 40,000 electronic devices and accessories, including iPads and iPhones, along with labels and packaging bearing counterfeit Apple trademarks. Li shipped the devices separately from the labels to avoid detection by law enforcement. The devices were then shipped to conspirators all over the United States. Proceeds were funneled back to conspirator accounts, with over \$1.1 million in sales proceeds wired from United States accounts into accounts Li controlled overseas.
- The USAO in the **District of Maine**. In December 2018, Rashad Sabree, was sentenced to 17 years in prison for two counts of sex trafficking by force, fraud, or coercion. Sabree coerced two young women to engage in commercial sex acts in Maine between December 2015 and January 5, 2016 by exploiting their heroin addictions, verbally abusing them, and threatening them with violence. Sabree controlled the victims by supplying them with just enough heroin to avoid opiate withdrawal, which involves severe pain and physical sickness, and then threatening to cut off their supply and cause them to suffer withdrawal if they refused to engage in commercial sex. The crime was reported on January 5, 2016, when a motorist called 911 after observing the Sabree striking one of the victims while driving on I-95 towards Massachusetts, resulting in Sabree’s arrest.

b. Strategies to Accomplish Outcomes

The United States Attorneys play a central role in assisting the Department in accomplishing its Strategic Goals and Objectives by contributing to seven of the Department’s eleven strategic objectives. In FY 2021, the United States Attorneys will continue to place a high priority on prosecutions related to national security as well as address other important priorities such as



illegal immigration; border enforcement; illegal prescription and dispensing of opioids; violent crime; illegal firearms; gang prosecution; transnational organized crime; Indian Country prosecution; cybercrime prosecutions; drug enforcement; human trafficking; and complex and multi-jurisdictional fraud – including elder justice, health care, identity theft, public corruption, corporate and investment fraud.

The United States Attorneys will also increase the use of technology in our practice of law. Technology provides a means to increase the productivity of existing resources. As criminal cases are increasingly “electronic”, providing technical training and recruiting a workforce with the skill sets needed to fully utilize the electronic tools available to the community are critical to the successful furtherance of our mission.

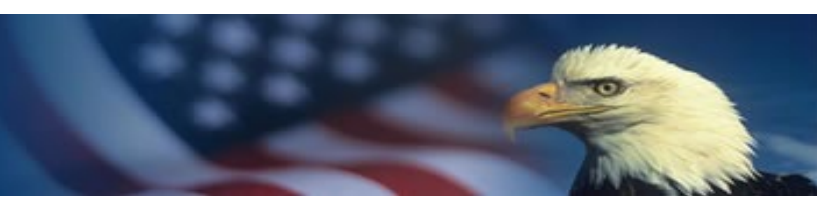
Other strategies include:

- Regular reviews and monitoring of case and workload data.
- Continue to look at operational efficiencies in order to preserve human capital, which is our most valuable resource.
- Continue to address emerging training needs through the Office of Legal Education.

c. Priority Goals

In Fiscal Years 2020 – 2021, the United States Attorneys will contribute to all four of the Department’s priority goal areas: A discussion of the activities in support of the priority areas will be provided at later date. The four priority area are:

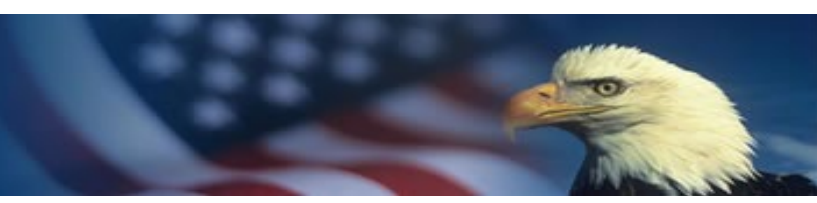
- *Combating Cyber-based Threats and Attacks;*
- *Combating the Opioid Crisis;*
- *Reducing Violent Crime and Promoting Public Safety; and*
- *Combating Elder Fraud*



B. Civil

Civil Litigation	Perm. Pos.	FTE	Amount
2019 Enacted	2,547	2,374	523,400,000
2020 Enacted	2,547	2,469	535,769,000
Adjustments to Base and Technical Adjustments	0	0	19,325,000
2021 Current Services	2,547	2,469	555,094,000
2021 Program Increases	0	0	0
2021 Request	2,547	2,469	555,094,000
Total Change 2020-2021	0	0	19,325,000

Civil Litigation Information Technology Breakout	Perm. Pos.	FTE	Amount
2019 Enacted	95	95	35,603,000
2020 Enacted	95	95	36,137,000
Adjustments to Base	0	0	542,000
2021 Current Services	95	95	36,679,000
2021 Request	95	95	36,679,000
Total Change 2020-2021	0	0	542,000



1. Program Description–Civil Program Activity

Civil litigation pursued by the United States Attorneys falls into two basic categories: (1) Affirmative civil litigation, in which the United States is the plaintiff; and (2) defensive civil litigation, in which the United States is the defendant. Affirmative civil litigation cases are actions taken by United States Attorneys to assert and protect the government’s interests. They include such issues as the enforcement of the nation’s environmental, admiralty, and civil rights laws, as well as the recovery of damages sustained by the government through fraud. The United States Attorneys also use affirmative civil litigation to recoup money owed and recover damages sustained by the government. Defensive civil litigation includes actions seeking monetary damages for alleged torts, contract violations, and discrimination by the United States and its agencies and employees.

USAO Success Story

In July, 2019, in the **Western District of New Jersey**, global consumer goods conglomerate Reckitt Benckiser Group plc (RB Group) agreed to pay \$1.4 billion to resolve its potential criminal and civil liability related to a federal investigation of the marketing of the opioid addiction treatment drug Suboxone. The resolution, the largest recovery to date by the United States in a case concerning an opioid drug included civil settlements with the federal government and the states totaling \$700 million.

<https://www.justice.gov/usao-wdva/pr/justice-department-obtains-14-billion-reckitt-benckiser-group-largest-recovery-case>

The United States Attorneys may also be called upon to represent the United States in cases that are not clearly defined as either affirmative or defensive civil litigation, but in which the government has an interest, such as bankruptcy cases in which the United States is a party. One key difference between affirmative and defensive civil litigation is that while United States Attorneys have some discretion in deciding which affirmative civil cases they will pursue, they must defend the government in all defensive civil litigation.

The United States Attorneys are required to defend an increasing number of civil actions brought by immigration detainees who either are

in deportation proceedings or are subject to final orders of deportation. Petitions for constitutionally required bond hearings brought by criminal aliens, challenges to denial of parole by arriving aliens, and expedited removal proceedings with respect to arriving aliens, present a growing challenge in the border states and at other locations with major ports of entry.

In FY 2019, the USAOs collected \$6.80 billion in civil debts, which is several times more than the entire United States Attorneys’ budget. The following cases are examples of the United States Attorneys’ civil successes in FY 2019:

- The USAOs in the **Northern District of Ohio and Georgia** - Avanir Pharmaceuticals. In September 2019, Avanir Pharmaceuticals (Avanir) entered into a global resolution of charges



involving paying kickbacks to providers in long term care (LTC) facilities to induce them to prescribe its drug Nuedexta to vulnerable elderly patients for behaviors commonly associated with dementia, which is not an approved use of the drug. The resolution included a \$95 million settlement under the False Claims Act, as well as a deferred prosecution agreement. Nuedexta is approved by the Food and Drug Administration for the treatment of pseudobulbar affect (PBA), which is a relatively rare condition characterized by involuntary, sudden, and frequent episodes of laughing or crying, and occurs secondary to a neurologic disease or brain injury. Avanir sought to capitalize on efforts by the Centers for Medicare and Medicaid Services to reduce the use of anti-psychotics on dementia patients in LTC facilities, based in part on CMS's concern that anti-psychotics can be and have been used as a form of chemical restraint for residents. Avanir engaged in misleading marketing, as well as kickbacks, to persuade providers that Nuedexta could be used to reduce a LTC facility's reliance on anti-psychotics.

- The USAO in the **Western District of North Carolina** - In March 2019, Duke University paid \$112.5 million to settle False Claims Act allegations that it violated the False Claims Act by submitting applications and progress reports that contained falsified research on federal grants to the National Institutes of Health (NIH) and to the Environmental Protection Agency (EPA). Duke receives millions of dollars in funding from NIH and the EPA for hundreds of grants each year. The settlement, in the Western District of North Carolina, resolved allegations that between 2006 and 2018, Duke knowingly submitted and caused to be submitted claims to the NIH and to the EPA that contained falsified or fabricated data or statements in 30 grants, causing the NIH and EPA to pay out grants funds they otherwise would not have.

USAO Success Story

In June 2019, in the **Central District of California**, opioid manufacturer Insys Therapeutics agreed to a global resolution to settle the government's separate criminal and civil investigations. As part of the civil resolution, Insys agreed to pay \$195 million to settle allegations, brought in five *qui tam* cases, that it violated the False Claims Act. Both the criminal and civil investigations stemmed from Insys's payment of kickbacks and other unlawful marketing practices in connection with the marketing of Subsys. Insys's drug Subsys is a sublingual fentanyl spray, a powerful, but highly addictive, opioid painkiller.

<https://www.justice.gov/opa/pr/opioid-manufacturer-insys-therapeutics-agrees-enter-225-million-global-resolution-criminal>



Civil matters and cases represent a significant part of the United States Attorneys' workload.

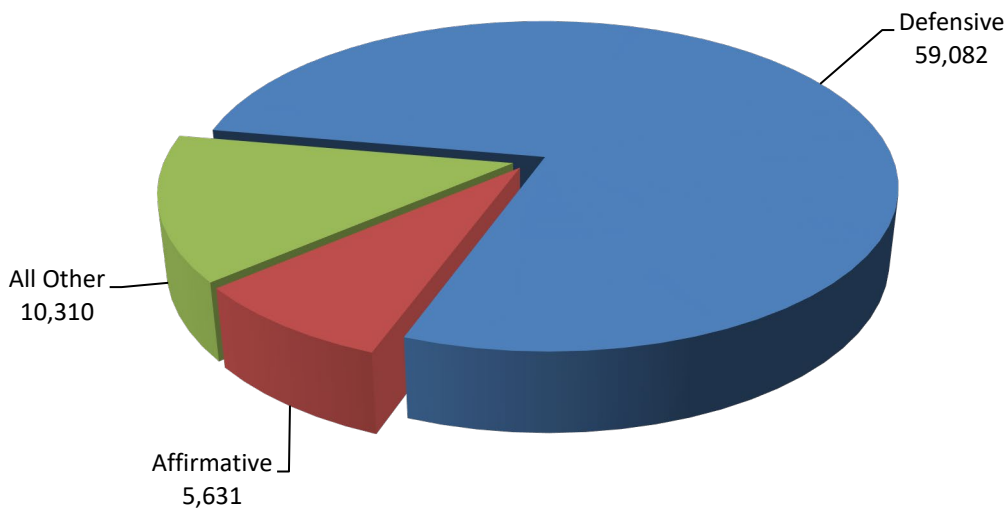
In FY 2019, the United States Attorneys received 81,902 civil matters, which represented 31 percent of all of the 266,756 criminal and civil matters received during the fiscal year. Of the civil matters received, 71 percent or 59,462 were defensive matters, 12 percent or 10,088 were affirmative matters, and 15 percent or 12,352 were other civil matters.

The United States Attorneys filed or responded to 75,029 civil cases in FY 2019, which represented 52 percent of the 144,441 criminal and civil cases filed during the fiscal year. Of the civil cases filed, 79 percent or 59,082 were defensive cases; eight percent or 5,631 were affirmative cases; and 14 percent or 10,316 were other civil cases.

The USAOs' successes in civil defensive litigation preserves taxpayer dollars and enhances the efficient operation of the federal government by defending the policies and programs of federal agencies against individual and class action lawsuits challenging agency authority or compliance with federal laws and the constitution.

USAOs track the different types of cases where they are able to defend the government and whether or not they are successfully resolved. In affirmative civil cases handled by USAOs, or jointly with the Civil Division, USAOs' successes have resulted in the collection of billions of dollars for the Government and victims of fraud.

Civil Workload
FY 2019 Cases Filed/Responded To – 75,029

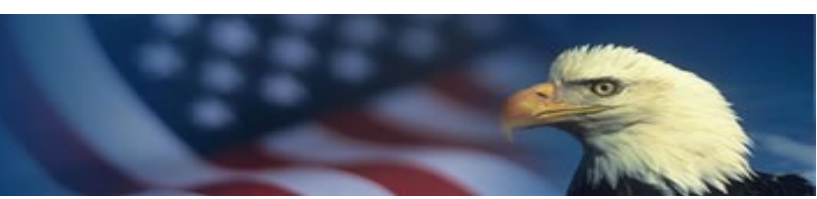


2. PERFORMANCE AND RESOURCE TABLE

PERFORMANCE AND RESOURCES TABLE												
Decision Unit: Civil												
RESOURCES			Enacted		Actual		Projected		Changes		Requested (Total)	
			FY 2019		FY 2019		FY 2020		Current Services Adj and FY 2021 Program Changes		FY 2021 Request	
			FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
CIVIL LITIGATION			2,469	523,400	2,374	523,400	2,469	535,769	0	19,325	2,469	555,094
Reimbursable FTE and Costs (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)			4	[5,733]	4	[5,733]	4	[5,733]	0	0	4	[5,733]
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2019	FY 2019	FY 2020	FY 2020	Current Services Adj and FY 2021 Program Changes	FY 2021 Request				
Workload Measure: Output	4.1; 4.2	Number of Matters Handled	100,800	94,029	94,969	94,969	950	95,919				
Performance Measure: Output	4.1; 4.2	Total Judgements and Settlements	41,339	35,234	35,586	35,586	356	35,941				
Performance Measure: Output	4.1; 4.2	Number of Judgements in favor of the U.S. and Settlements	31,608	25,930	26,189	26,189	262	26,451				
Performance Measure: Outcome	4.1; 4.2	Percentage of Cases Favorably Resolved	80.00%	83.00%	80.00%	80.00%	0	80.00%				

2. PERFORMANCE AND RESOURCE TABLE

PERFORMANCE MEASURE TABLE										
Decision Unit: Civil										
Strategic Objective	Performance Report and Performance Plan Targets		FY 2015	FY 2016	FY 2017	FY 2018	FY 2019		FY 2020	FY 2021
			Actual	Actual	Actual	Actual	Target	Actual	Target	Target
4.1; 4.2	Performance Measure	Number of Matters Handled	124,172	119,699	98,814	93,521	100,800	94,029	94,969	95,919
4.1; 4.2	Performance Measure	Number of Total Judgements and Settlements	45,501	48,113	40,524	36,595	41,339	35,234	35,586	35,942
4.1; 4.2	Performance Measure	Number of Judgements in favor of the U.S. and Settlements	31,995	34,988	30,985	27,492	31,608	25,930	26,189	26,451
4.1; 4.2	OUTCOME Measure	Percentage of Cases Favorably Resolved	81.6%	80.0%	78.0%	78.0%	80.0%	83.0%	80.0%	80.0%



3. Performance, Resources, and Strategies

The Civil Decision Unit contributes to the Department’s Strategic **Goal IV: Promote Integrity, Good Government, and the Rule of Law**. Within this goal, the decision unit’s resources specifically address two of the Department’s Strategic Objectives: 4.1 – Uphold the rule of law and integrity in the proper administration of justice; and 4.2 – Defend first amendments rights.

a. Performance Plan and Report for Outcomes

Prosecution of civil litigation is an essential and vital component of the mission of the United States Attorneys. Affirmative civil litigation seeks redress for fraud, waste, and abuse in federal programs and ensures that the government is fully compensated for the losses and damages caused by those who have enriched themselves at the government’s expense. In addition, all lawsuits filed against the federal government must be defended. The United States Attorneys’ successes in civil litigation preserve taxpayer dollars and uphold the requirements and intent of federal laws and programs. The performance measure for civil litigation relates to the percentage of judgments and settlements resolved in favor of the government.

b. Strategies to Accomplish Outcomes

As civil cases are increasingly “electronic” – meaning that technology plays a major role in areas such as electronic case filing and eDiscovery, the technological and resource needs of our civil cases continue to grow. In order to ensure the USAOs can prosecute cases in an efficient, cost-effective, and comprehensive manner, the United States Attorneys will further leverage technologically advanced tools and processes. These tools and processes allow prosecutors to manage, examine, and transfer large amounts of casework data, thereby improving efficiency and enhancing information flow organization-wide and with our partners.

While technology provides a means to increase productivity, the successful implementation of advanced technological solutions necessitates hiring employees with the appropriate skill sets and providing relevant technical training. The United States Attorneys will maximize existing resources by hiring qualified individuals who have the expertise necessary to consult with attorneys on technical issues and institute and follow defensible practices with respect to electronic data. To efficiently and effectively manage electronic data in their cases, AUSAs and support staff will be trained on eDiscovery issues, including but not limited to how to use existing and new technologies.

Other strategies include:

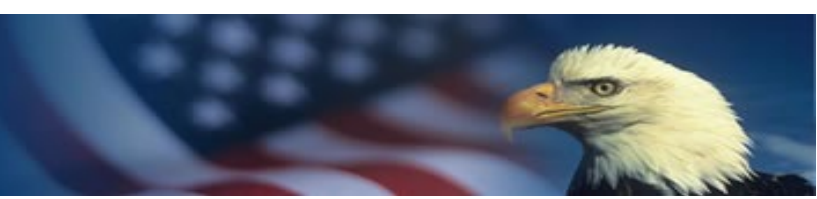
- Regular reviews and monitoring of case and workload data.
- Continue to look at operational efficiencies in order to preserve human capital.
- Continue to address emerging training needs through the Office of Legal Education.



C. Legal Education

Legal Education	Perm. Pos.	FTE	Amount
2019 Enacted	53	53	28,282,000
2020 Enacted	53	53	27,000,000
Adjustments to Base and Technical Adjustments	0	0	605,000
2021 Current Services	53	53	27,605,000
2021 Program Increase	0	0	0
2021 Request	53	53	27,605,000
Total Change 2020-2021	0	0	605,000

Legal Education Information Technology Breakout	Perm. Pos.	FTE	Amount
2019 Enacted	4	4	1,695,000
2020 Enacted	4	4	1,695,000
Adjustments to Base and Technical Adjustments	0	0	26,000
2021 Current Services	4	4	1,721,000
2021 Request	4	4	1,721,000
Total Change 2020-2021	0	0	26,000



1. Program Description–Legal Education

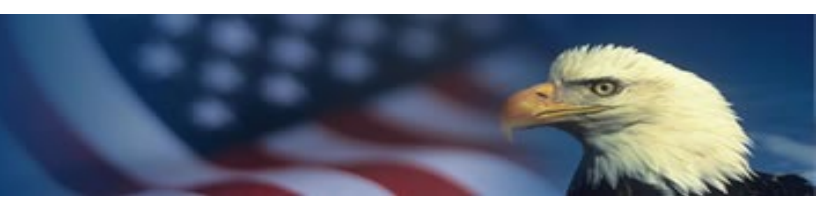
The Office of Legal Education (OLE) develops, conducts, and authorizes the training of all federal legal personnel [28 C.F.R. §0.22 (1990)]. OLE coordinates legal education and attorney training for the Department of Justice and other departments and agencies of the Executive Branch. Virtually all of OLE’s classroom training is conducted at the National Advocacy Center (NAC), a premier federal training facility in Columbia, South Carolina. The NAC features an integrated instructional and residential facility.

In FY 2019, OLE managed 172 courses and events at the NAC, as well as offsite locations, including traditional advocacy skills training, seminars on substantive areas of the law, and litigation technology training. In FY 2019, 18,806 individuals participated in training hosted by OLE at the NAC. OLE staff also participated in specialized training in 44 remote locations that reached 9,118 individuals. In addition, 84,955 training events occurred which reached individual users through one of OLE’s distance education offerings (Video on Demand, Webinars, CLE through WestLegalEd, and Podcasts).

For all of its programs, OLE uses experienced federal trial and appellate attorneys as instructors to present lectures, lead discussion groups, direct evidentiary exercises, and offer personalized critiques. Federal judges also participate in OLE’s advocacy courses, presiding over mock trials and mock appellate arguments. The caliber of the OLE faculty and the use of sophisticated technology and facilities provide students with unique training experiences in trial and appellate advocacy. A significant feature of the advocacy training is the use of “learn-by-doing” exercises which concentrate on courtroom skills. These exercises simulate courtroom activities and provide students with classroom critiques and individual presentation replay analysis.

OLE helps support the United States Attorneys’ community by designing and delivering training to support the Attorney General’s priority initiatives, including seminars on violent crime and firearms prosecutions, narcotics, and criminal immigration. Additionally, OLE develops distance education programs on opioid prosecutions and programs highlighting the lessons learned from high profile prosecutions.

The Publications Unit continues to edit and publish the DOJ Journal of Federal Law and Practice, formerly the U.S. Attorneys’ Bulletin, which includes issues on important topics such as Cybercrime and Cyber Threats, Appeals, and Asset Forfeiture and Money Laundering. The Unit published three training manuals or “blue books”: Violent Crime Prosecutors’ Manual, Federal Narcotics Prosecutions (two volumes), and Collateral Review of Federal Criminal Convictions. In FY 2020, the Publications Unit expects to publish updates to Federal Grand Jury Practice and the Manual on Recurring Problems in Criminal Trials. The Unit continues to maintain and update DOJBook, formerly USABook, and an online legal resource available on the Department intranet, which includes electronic versions of all OLE publications, indictment forms, and jury instructions for all circuits, as well as many significant monographs and litigation manuals. It is also the repository of DOJ policy and guidance on priority topics such as the First Step Act. The DOJBook Podcast, a distance learning project, remains popular with approximately 1,400 downloads per month (over 25,000 to date). The DOJBook site received more than one million page views in FY 2019.

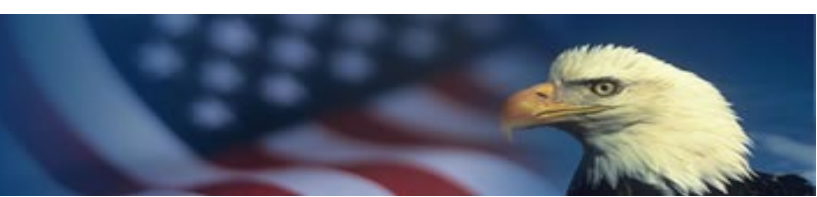


The National Security (NS) team responds to a broad array of training needs. OLE sponsored seven National Security (NS) residential courses, including six courses hosted at the NAC and one course hosted in the National Capitol Region in a Sensitive Compartmented Information Facility (SCIF) at the TOP SECRET/SCI clearance level. In addition, NS hosted a working group meeting at the National Security Division (NSD), which included national security prosecutors from across the USAO community meeting with NSD Trial Attorneys and senior leaders to strategically plan training for fiscal years 2020-21. The NS team also sponsors residential courses for Intelligence Specialists and District Office Security Managers.

In FY 2019, the National Indian Country Training Initiative (NICTI) sponsored 12 residential courses (464 students) at the National Advocacy Center (NAC) and an extensive distance education portfolio. The residential trainings were a mix of repeated and new course offerings. Additionally, the Indian country team coordinated development of the national Criminal Jurisdiction in Indian Country (CJIC) training program. Successful completion of the CJIC course is necessary for tribal and local law enforcement officers who are not recent graduates of the BIA's police training program to get a Special Law Enforcement Commission (SLEC). An SLEC allows those officers to enforce federal criminal statutes and federal hunting and fishing regulations in Indian Country. A new training calendar is published at the start of each fiscal year. In FY 2019, there were 20 CJIC classes held around the country with 499 students in attendance. The NICTI Coordinator prepares and updates the training curriculum for all of the classes held around the country. This provides AUSAs teaching the class with an "off the shelf" prepared curriculum. It also ensures that the curriculum is standardized. The NICTI prints and ships all of the student binders for every USAO hosted class held around the country. This arrangement ensures that the USAOs timely receive the materials needed to teach the course. In addition to residential training at the NAC, the NICTI Coordinator taught at many trainings around the country. These trainings were hosted by Federal agencies, USAOs, the BIA and DOJ sponsored training and technical assistance providers. An additional 3,220 students attended lectures provided by the NICTI Coordinator at these field-based trainings. A total of 4,647 federal, state and tribal criminal justice, social service and medical providers received training provided by the NICTI in FY 19.

OLE continues to support EOUSA's commitment to develop the capacity of USAOs to conduct modern eLitigation. In support of EOUSA's eLitigation initiative, OLE developed a training plan to ensure that all employees have the legal and technical eLitigation competencies required for their positions. During FY 2019, OLE developed and tested a new Virtual Classroom, designed to provide virtual hands-on technology training tied specifically to core eLitigation competencies for support staff and AUSAs. Training in the Virtual Classroom was launched in FY 2020. In addition to embedding technical and legal segments into existing residential courses, OLE hosted a working group to develop a new course for civil support staff on eLitigation.

During FY 2019, the Litigation Technology and Support Team (LTST) executed 20 residential courses and working groups at the NAC, 6 community-wide virtual training sessions, 4 courses in DC, and 3 courses in San Diego. Training was provided for support staff, attorneys, and IT personnel. The LTST will continue to work closely with EOUSA's Office of Legal Programs, Office of the Chief Information Officer, and the eLitigation Working Group to identify and meet the USAOs' growing and evolving training needs.

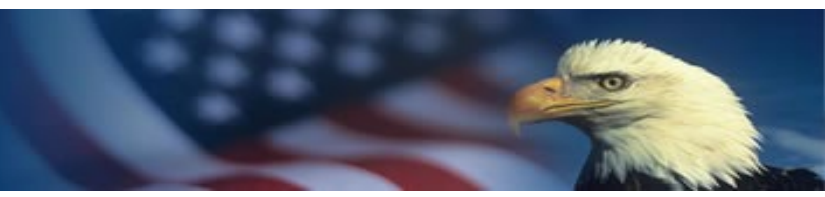


Recognizing the need to provide more distance learning opportunities, the Distance Education Team and the Justice Television Network (JTN) staff continues to live stream presentations from classroom training at the NAC. One hundred forty seven presentations were live-streamed in FY 2019, up from 66 in FY2018. In FY 2019, OLE also produced 184 recorded studio shows, which were added to the Video on Demand (VOD) library, permitting USAO and DOJ litigating division employees to view OLE programming “on demand” at their desktop through the Department’s Learning Management System, learnDOJ. OLE also broadcast 416 programs and delivered 29 live webinars, including 16 that were eligible for Continuing Legal Education (CLE) credit. In FY 2019, OLE continued to provide additional web-based CLE through its contract with West LegalEdcenter, offering 24-hours a day access to approximately 6,000 CLE programs from more than 40 leading CLE providers. During FY 2019, over 1,100 Department employees completed 5,919 programs on West LegalEdcenter, earning 7,903 CLE credits, further expanding OLE’s ability to provide needed training.

OLE continues its tradition of providing training support to Department of Justice personnel by assisting foreign judges and prosecutors who provide peer training in their respective countries through the Criminal Division’s Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT). In FY 2019, OLE staff hosted visiting judges and prosecutors from the countries of Bosnia, Ethiopia, Georgia, and Sri Lanka at the National Advocacy Center, providing information on principles of adult learning, curriculum design, program management, and faculty development. OLE staff traveled to the country of Indonesia where they assisted the development of a training program for corruption prosecutors and conducted a Train-the-Trainer workshop for Maltese training managers. OLE staff also visited the country of Malta and assisted prosecutor trainers from Africa and the Middle East to design curriculum for terrorism training. In Malta, they also conducted a Train-the-Trainer program for the Maltese International Institute for Justice.

2. PERFORMANCE AND RESOURCE TABLE

PERFORMANCE AND RESOURCES TABLE												
Decision Unit: Legal Education												
RESOURCES			Enacted		Actual		Projected		Changes		Requested (Total)	
			FY 2019		FY 2019		FY 2020		Current Services Adjustments and FY 2021 Program Changes		FY 2021 Request	
			FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
LEGAL EDUCATION			53	28,282	53	28,282	53	27,000	0	605	53	27,605
Reimbursable FTE and Costs (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)												
			3	[5,633]	3	[4,780]	3	[5,633]	0	\$0	3	[5,633]
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2019		FY 2019		FY 2020		Current Services Adjustments and FY 2021 Program Changes		FY 2021 Request	
Performance Measure: Outcome	1.1; 1.2; 2.1; 3.1; 3.2; 4.1; 4.2	Number of Students Trained	24,000		18,806		24,000				24,000	



3. Performance, Resources, and Strategies

The Legal Education Decision Unit contributes to all of the Department's Strategic Goals.

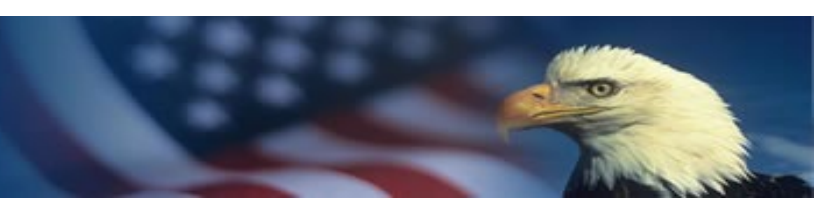
a. Performance Plan and Report for Outcomes

The performance measure for this decision unit is the number of students trained. In FY 2019, OLE sponsored classroom training and other live events for 18,806 individuals. In addition, 84,955 training events occurred which reached individual users through one of OLE's distance education offerings (Video on Demand, Webinars, CLE through WestLegalEd, and Podcasts).

This compares with a total of 12,719 individuals trained in-person and 9,481 individuals trained by distance training in FY 2018. Although distance education offerings have increased significantly, some of this increase can be attributed to better data collection methods for both distance education offerings and training in remote locations.

b. Strategies to Accomplish Outcomes

The United States Attorneys will continue to ensure that high quality legal education is available for basic and advanced legal training through traditional classroom instruction and expanded use of distance learning.



V. Program Increases by Item

Item Name:	Combatting Targeted Violence
Strategic Goal:	Goal III: Reduce Violent Crime and Promote Public Safety
Strategic Objective:	Objective: 3.1: Combat violent crime, promote safe communities, and uphold the rights of victims of crime
Budget Decision Unit(s):	Criminal Litigation
Program Increase:	Positions <u>75</u> Attorney <u>50</u> FTE <u>75</u> Dollars <u>\$22,000,000</u>

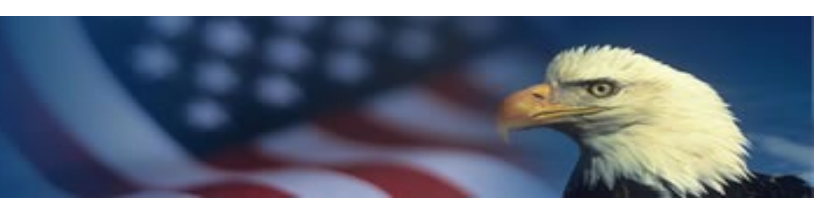
Description of Item

The United States Attorneys request **\$22 million** to combat targeted violence, including supporting the Attorney General’s recently-announced National Disruption and Early Engagement Programs, which encourage a multi-disciplinary approach to address concerning behavior and potential acts of violence.

Funding is needed to provide the United States Attorneys’ offices (USAOs) with experts in threat assessment and management, including threat mitigation, as well as attorneys to manage the prosecution, litigation, diversion and/or other court proceedings arising from cases associated with mass shootings, terrorism, threats, and related violence or potential violence. The specialists will liaise with internal and external stakeholders and assist prosecutors with related training and formulating appropriate individualized intervention strategies, which include, but are not limited, to mental health treatment, diversion programs and enforcement options. Both the attorneys and the specialists will be hired through a competitive allocation process based on district or regional need. In addition, funding will support requests from USAOs to contract with individuals with additional expertise to support the programs, including clinical psychologists, social workers and other mental health specialists.

Justification

On October 16, 2019, the Attorney General announced the Department's national strategy to disrupt potential mass shootings and other rapidly mobilizing threats by engaging with subjects using a variety of threat assessment and threat mitigation tools and tactics, including pre- and post- arrest measures. This strategy is aimed at preventing such threats through early detection, multi-disciplinary collaboration and proactive intervention plans. Through this strategy, prosecutors and investigators are encouraged to liaise with mental health and threat assessment experts at the earliest stage of concern to determine a suspect’s risk for engaging in violence and to develop a threat management plan, which may not include the use of prosecution.



The requested resources will facilitate USAOs in developing and fully implementing such alternatives to prosecution plans, utilizing in-house experts, consultants and training. Some offices will hire specialists who can masterfully navigate the complexities of threat assessment, work respectfully and collaboratively with multi-disciplinary partners, and provide sound guidance to Assistant U.S. Attorneys and other personnel on management strategies. Some USAOs will need funding to contract with mental health professionals to perform threat assessments, develop management plans, conduct training and perform other associated activities. Some USAOs will seek attorneys to work with either contracted experts or fulltime government professionals to manage the litigation that arises from these cases.

Impact on Performance

The requested investment is critical to implementing the Attorneys General’s strategy and to lead an effort to refine our ability to identify, assess and engage potential mass shooters and other violent actors before they strike.

The requested resources will address the following Strategic Goals and Objectives, and the strategies to achieve the objectives:

Goal III: Reduce Violent Crime and Promote Public Safety; Objective: 3.1: Combat violent crime, promote safe communities, and uphold the rights of victims of crime.

Strategies:

Strategy 2: Support our State, local and tribal partners in making our communities safe

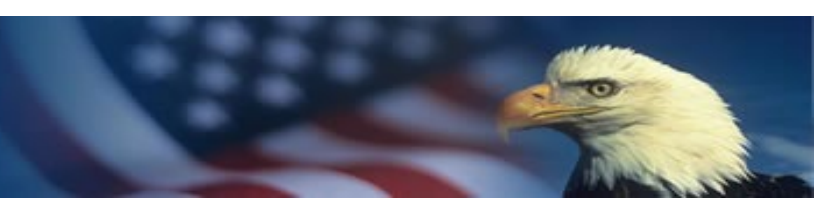
As part of the Department’s nationwide violence reduction strategy, the Department will support, train, and work in partnership with state, local, and tribal partners to make communities safer.

Strategy 4: Identify, arrest, and prosecute violent criminals for gun violence and other violent crimes

The Department will identify the offenders who are committing crimes in locations with the highest violent crime rates, and ensure that they are prosecuted in the jurisdiction—Federal, State, local, or tribal—that will provide the most appropriate and immediate sanction.

The requested resources will address the following Priority Goals:

- Reducing Violent Crime and Promoting Public Safety



Combatting Targeted Violence Funding

Base Funding

FY 2019 Enacted				FY 2020 Enacted				FY 2021 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
0	0	0	0	0	0	0	0	0	0	0	0

Personnel Increase Cost Summary

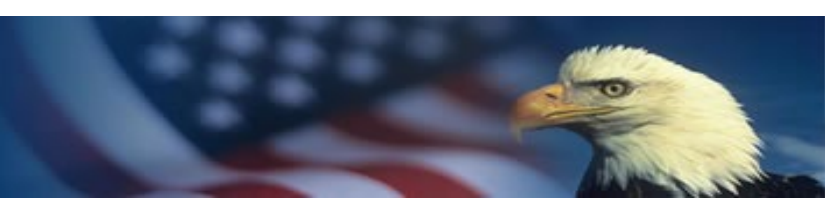
Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2021 Request (\$000)	FY 2022 Net Annualization (change from 2021) (\$000)	FY 2023 Net Annualization (change from 2022) (\$000)
Attorney	230.8	50	11,541	0	0
Professional Support	160.5	25	4,013	0	0
Total Personnel		75	15,554	0	0

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2021 Request (\$000)	FY 2022 Net Annualization (Change from 2021) (\$000)	FY 2023 Net Annualization (Change from 2022) (\$000)
Contractor and Other Funding	N/A	N/A	6,446	0	0
Total Non-Personnel	N/A	N/A	6,446	0	0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2022 Net Annualization (Change from 2021) (\$000)	FY 2023 Net Annualization (Change from 2022) (\$000)
Current Services	0	0	0	0	0	0	0	0
Increases	75	50	75	15,554	6,446	22,000	0	0
Grand Total	75	50	75	15,554	6,446	22,000	0	0



Item Name: **Transnational Crime Prosecutions**

Strategic Goal: **Goal III: Reduce Violent Crime and Promote Public Safety**

Strategic Objective: **Objective: 3.1:** Combat violent crime, promote safe communities, and uphold the rights of victims of crime.

Objective: 3.2: Disrupt and dismantle drug trafficking organizations to curb opioid and other illicit drug use in our nation.

Budget Decision Unit(s): Criminal Litigation

Program Increase: Positions **15** Attorney **15** FTE **15** Dollars **\$ 3,550,000**

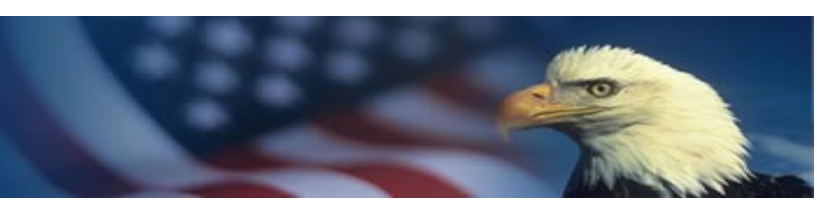
Description of Item

The United States Attorneys request **\$3.6 million** to hire **15 positions (15 Attorneys)**, to be allocated to the United States Attorneys' offices (USAOs) to prosecute cases targeting the highest priority transnational criminal organizations impacting the United States' public safety and national security interests, specifically MS-13 and organized crime gang prosecutions.

The Department works to reduce violent crime and opioid trafficking by targeting and dismantling gangs and criminal groups that pose the greatest threat to public safety. To address these threats, the Department is committed to vigorous enforcement efforts against violent transnational criminal organizations and gangs, such as MS-13, and drug trafficking organizations (DTOs) using all available tools, including complex and international investigations, wire and electronic interceptions, impactful prosecutions, and extraditions. This enhancement will allow the USAOs to apply additional resources to investigating and prosecuting violent gangs, DTOs involved in opioid trafficking, and priority transnational organized crime.

Justification

Violent gangs, such as MS-13, continue to grow in numbers and expand their criminal activities, as they continually strive to maintain control of neighborhood-based gangs and national-level street gangs. According to the National Gang Intelligence Center, neighborhood-based gangs are reported to be the highest threat, perpetuating violence, drug distribution, and opportunistic crimes in communities throughout the country. Many gangs expand their reach through migration into communities across the nation, and continue to form partnerships with other



criminal organizations in order to widen their networks and increase their power. Neighborhood and national-level gangs have connected with Central American and Mexico-based DTOs to support gang activity. These DTOs in turn distribute deadly opioids, causing opioid overdoses to rise, with the National Institute on Drug Abuse reporting approximately 47,600 overdose deaths involving opioids. DTOs and criminal groups have trafficked opioids across the Southwest border and through dark web sales, and have distributed fentanyl and other illicit opioids across the country. The threat posed by these criminal organizations – and MS-13 in particular – is so severe that on August 16, 2019, Attorney General William Barr announced the formation of Joint Task Force Vulcan to focus on eradicating MS-13.

USAOs continue to confront these issues by devoting significant resources to prosecuting these cases. However, additional prosecutors and associated funding are needed to address the growing influence of transnational organized crime. Assistant United States Attorneys (AUSAs) have increasingly relied on social-media evidence to build cases against gangs, criminal groups, and DTOs. Computer applications that organize social-media evidence into useful information have become important tools for AUSAs and support staff in such cases and provide efficiencies in executing casework.

This funding will improve and expand the prosecution of priority violent gangs, DTOs, and transnational criminal organizations that significantly impact public safety and national security. The requested resources will provide additional attorneys to coordinate, direct, and prosecute the highest priority transnational criminal organizations impacting the public safety and national security interests of the United States.

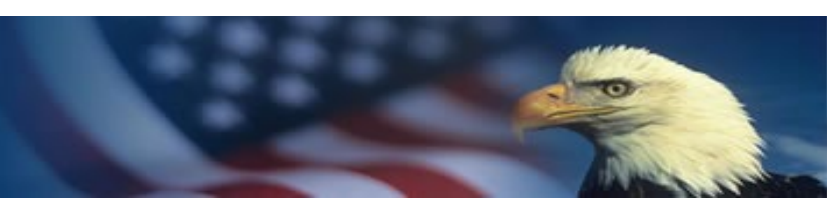
Impact on Performance

The requested investment is critical to increasing our transnational enforcement efforts to support the USAOs in dismantling and targeting the highest level of transnational criminal networks, violent gangs, and DTOs that present a significant existing or emerging threat to the public safety, economic, or national security interests of the United States.

The requested resources will address the following Strategic Goals and Objectives, and the strategies to achieve the objectives:

Goal III: Reduce Violent Crime and Promote Public Safety; including; **Objective: 3.1:** Combat violent crime, promote safe communities, and uphold the rights of victims of crime.

Strategy 1: Disrupt and dismantle violent transnational criminal organizations and gangs, such as MS-13. The Department works to reduce violent gang crime by targeting and dismantling gangs that pose the greatest threat to public safety. To address this threat, the Department is committed to vigorous enforcement efforts against violent transnational criminal organizations and gangs such as MS-13, using all of the tools at the Department's disposal, including extraditions and building the capacity of our foreign partners to investigate and to prosecute those criminal networks before they can reach our borders.



Objective: 3.2: Disrupt and dismantle drug trafficking organizations to curb opioid and other illicit drug use in our nation.

Strategies:

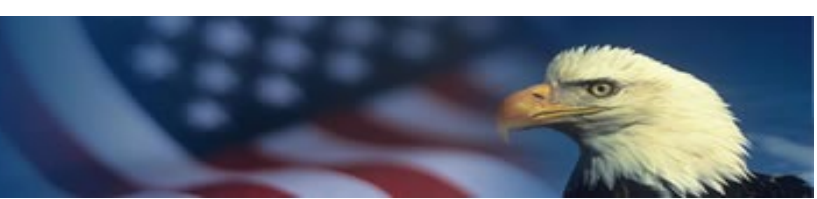
Strategy 1: Identify and disrupt organized crime and drug networks, to address the safety and security threats posed by organized crime and drug networks, the Department will target the most significant and violent offenders.

Strategy 2: Enforce drug trafficking laws including opioid-related health care fraud to reduce opioid addictions and deaths, the Department will enforce drug trafficking laws against those who traffic in illicit opioids and will work to ensure compliance with the Controlled Substances Act (CSA) to reduce opioid use, addiction, and deaths in the United States.

Strategy 3: Engage the community to raise awareness and reduce demand for opioids and illicit drugs, the Department will engage with the community to raise awareness and reduce demand for opioids and illicit drugs.

The requested resources will address the following Priority Goals:

- Reducing Violent Crime and Promoting Public Safety
- Combating the Opioid Crisis



Transnational Crime Prosecutions Funding

Base Funding

FY 2019 Enacted				FY 2020 Enacted				FY 2021 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
88	60	88	17,442	88	60	88	17,442	88	60	80	17,442

Personnel Increase Cost Summary

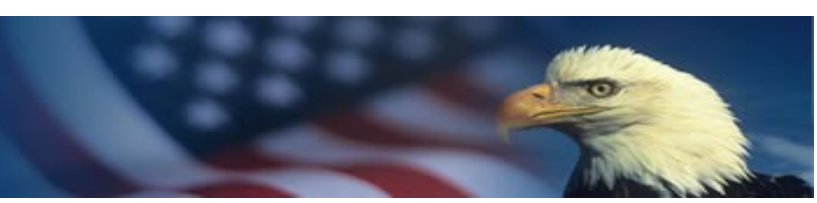
Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2021 Request (\$000)	FY 2022 Net Annualization (change from 2020) (\$000)	FY 2023 Net Annualization (change from 2021) (\$000)
Attorney	230.8	15	3,462	0	0
Total Personnel		15	3,462	0	0

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2021 Request (\$000)	FY 2022 Net Annualization (Change from 2020) (\$000)	FY 2023 Net Annualization (Change from 2021) (\$000)
Litigation funding	N/A	N/A	88	0	0
Total Non-Personnel	N/A	N/A	88	0	0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2022 Net Annualization (Change from 2020) (\$000)	FY 2023 Net Annualization (Change from 2021) (\$000)
Current Services	88	60	88	17,442	0	17,442	0	0
Increases	15	15	15	3,462	88	3,550	0	0
Grand Total	103	75	103	20,904	88	20,992	0	0



Item Name: Opioid, Drug Trafficking Prosecutions and Criminal Case Analytics

Strategic Goal: Goal III: Reduce Violent Crime and Promote Public Safety

Strategic Objective: Objective: 3.2: Disrupt and dismantle drug trafficking organizations to curb opioid and other illicit drug use in our nation.

Budget Decision Unit(s): Criminal Litigation

Program Increase: Positions 25 Attorney 10 FTE 13 Dollars \$5,690,000

Description of Item

The United States Attorneys request **\$5.7 million** to hire **25 positions (10 Attorneys)** which will be allocated to the United States Attorneys’ offices (USAOs) to combat drug addiction and reduce drug trafficking and associated violence in our country. Included in this request is funding for litigation case analytics capabilities. Funding is also requested for translation services to enhance investigation, discovery, case development, and trial preparation for opioid and drug trafficking, and violent crime cases. As the USAOs are tasked with combatting increasingly complex crimes involving electronic means of communication, this funding will provide them with resources to more effectively and efficiently investigate and prosecute cases, uphold and enforce the rule of law, and protect victims. The Department remains committed to doing its part to protect the American people from the impact of drugs and drug-related crime nationwide. The funding will also be used to conduct criminal prosecutions for drug-related violence.

Justification

The Department is dedicated to holding repeat offenders found in possession of drugs, regardless of the amount, accountable for their criminal conduct, to dismantling drug trafficking organizations (DTO) engaged in drugs, fraud, and corruption, and to bringing violent criminals to justice in the federal justice system. The USAOs work closely with federal, state, and local law enforcement agencies to reduce drug production and trafficking, and to address drug-related violence and other violent crime.

The enhancement will drive outcomes in opioid and drug trafficking, and violent crime cases using data analytics software to support legal analysis, fact-finding, and litigation review. This enhancement is also intended to equip all USAOs with additional tools for preventing and combatting crime in a comprehensive manner. That is why funding for translation costs, which are often incurred in drug and violent crime cases, is also being requested. The ability to translate criminal conversations conducted in a foreign language is critical to the successful prosecution of these cases.



This enhancement also seeks non-personnel funding for law enforcement coordination and community outreach. Cooperation and collaboration among USAOs and their federal, state, local and tribal law enforcement partners is essential to combatting drug-related crimes. Law enforcement partnerships are proven force multipliers that yield concrete results. Funding to convene meetings, trainings, and conferences on law enforcement efforts in these areas will enhance communication and coordination. Community outreach and efforts to prevent drug-related crime and reduce the demand for drugs are an important part of the Department's strategy in this area.

On March 29, 2017, President Trump signed an Executive Order establishing the President's Commission on Combatting Drug Addiction and the Opioid Crisis. On October 26, 2017, the president declared the opioid abuse crisis a national public health emergency, and one week later the President's Commission released its comprehensive final report. Drug overdose has overtaken firearms and automobile accidents as the leading cause of accidental or unintentional injury death in the United States.

As the number of personnel dedicated to diversion investigations has increased, the arrests and potential defendants identified for prosecution have also increased. The requested resources will help ensure that the USAOs will continue to generate cases for prosecution and will continue to pursue the highest administrative, civil, and criminal sanctions available. The USAOs remain committed to the apprehension and prosecution of DTOs and violent offenders who undermine the safety and security of our communities. In addition, the USAOs continue to support the law enforcement operations of their federal, state and local law enforcement partners in the investigation, dismantlement and prosecution of criminal organizations.

Impact on Performance

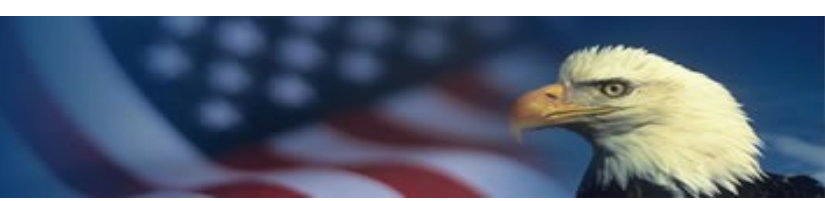
The requested investment is critical to increasing our drug enforcement efforts in disrupting the flow of illicit drugs into our country, and in reducing drug trafficking. These resources will enable the Department to target those drug trafficking organizations most responsible for the opioid epidemic and drug-related violence in our communities, as well as ensure safety of first responders who are on the front lines protecting the American people.

The requested resources will address the following Strategic Goals and Objectives, and the strategies to achieve the objectives:

Goal III: Reduce Violent Crime and Promote Public Safety; including **Objective: 3.2:** Disrupt and dismantle drug trafficking organizations to curb opioid and other illicit drug use in our nation.

Strategies:

Strategy 1: Identify and disrupt organized crime and drug networks, to address the safety and security threats posed by organized crime and drug networks, the Department will target the most significant and violent offenders.

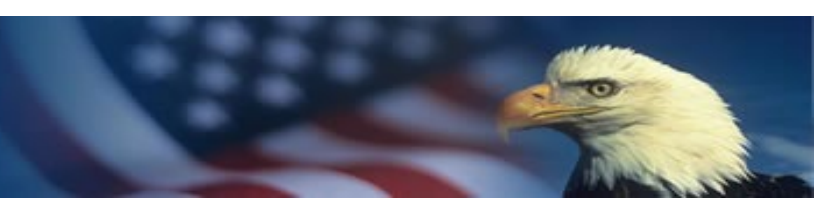


Strategy 2: Enforce drug trafficking laws including opioid-related health care fraud to reduce opioid addictions and deaths, the Department will enforce drug trafficking laws against those who traffic in illicit opioids and will work to ensure compliance with the Controlled Substances Act (CSA) to reduce opioid use, addiction, and deaths in the United States. The Department will also pursue opioid prosecutions through the Medicare Fraud Strike Force, and against physicians, pharmacists, and drug companies, where appropriate.

Strategy 3: Engage the community to raise awareness and reduce demand for opioids and illicit drugs, the Department will engage with the community to raise awareness and reduce demand for opioids and illicit drugs.

The requested resources will address the following Priority Goals:

- Combating the Opioid Crisis
- Reducing Violent Crime and Promoting Public Safety



Opioid, Drug Trafficking Prosecutions and Criminal Case Analytics Funding

Base Funding

FY 2019 Enacted				FY 2020 Enacted				FY 2021 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
495	339	495	85,699	510	354	510	89,164	510	354	510	89,164

Personnel Increase Cost Summary

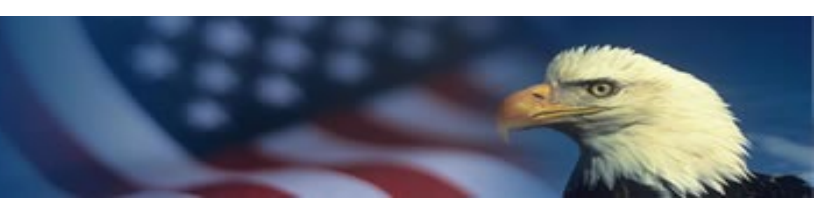
Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2021 Request (\$000)	FY 2022 Net Annualization (change from 2021) (\$000)	FY 2023 Net Annualization (change from 2022) (\$000)
Attorney	126.6	10	1,266	945	0
Case Analyst	77.8	15	1,166	1,052	0
Total Personnel		25	2,432	1,997	0

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2021 Request (\$000)	FY 2022 Net Annualization (Change from 2021) (\$000)	FY 2023 Net Annualization (Change from 2022) (\$000)
Case Related Funding	N/A	N/A	3,258	0	0
Total Non-Personnel	N/A	N/A	3,258	0	0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2022 Net Annualization (Change from 2021) (\$000)	FY 2023 Net Annualization (Change from 2022) (\$000)
Current Services	510	354	510	89,164	0	89,164	0	0
Increases	25	10	13	2,432	3,258	5,690	1,997	0
Grand Total	535	364	523	91,596	3,258	94,854	1,997	0



Item Name: Human Trafficking Prosecutions

Strategic Goal: Goal III: Reduce Violent Crime and Promote Public Safety

Strategic Objective: Objective: 3.1: Combat violent crime, promote safe communities, and uphold the rights of victims of crime

Budget Decision Unit(s): Criminal Litigation

Program Increase: Positions 0 Attorney 0 FTE 0 Dollars \$4,223,000

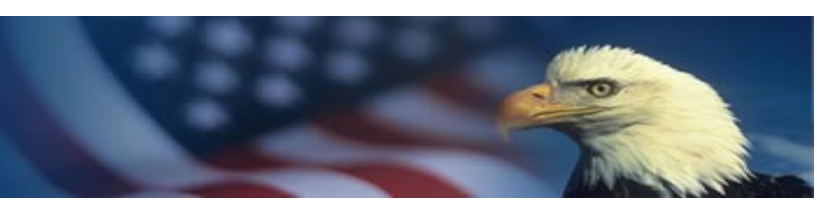
Description of Item

The United States Attorneys request **\$4.2 million** to combat trafficking in persons, also known as human trafficking. Funding is needed to provide case analytics capabilities to enhance investigation, discovery, case development, and trial preparation for the prosecution of these violent trafficking cases. As part of the Department’s efforts to fight violent crime, combatting human trafficking continues to be a high priority for United States Attorneys and the Department. The United States Attorneys’ offices’ (USAOs’) innovative efforts to identify and prosecute trafficking crimes and to serve and protect some of the nation’s most vulnerable persons are key components of the Department’s overall efforts to fight human trafficking, and working with our federal, state, local, and tribal partners in task forces enhances the efficacy and reach of the USAOs in this fight.

Justification

Each United States Attorney’s Office (USAO) continues to lead or participate in a human trafficking task force, with the vast majority of the USAOs serving as task force leaders. In order to assist in these efforts, several years ago the Department provided USAOs with guidance for establishing and coordinating human trafficking task forces. Human trafficking specifically targets the trafficked person as an object of criminal exploitation. The purpose from the beginning of the trafficking enterprise is to profit from the exploitation of the victim. Fraud, force and coercion all play a major role in trafficking. While trafficking victims are often found in sweatshops, domestic work, restaurant work, agricultural labor, prostitution, and sex entertainment, they may be found anywhere in the United States doing almost anything profitable to their handlers.

Multi-disciplinary task forces are an effective way to address the challenge of human trafficking, and USAOs have made significant efforts to lead and participate in task forces that address trafficking crimes. Task force membership generally includes federal law enforcement partners, state and local law enforcement, and various concerned non-governmental organizations (NGOs), including those providing victim services. In addition, some task forces also include tribal law

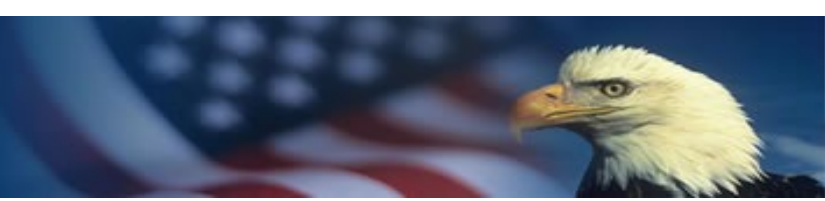


enforcement, community and faith-based organizations, legal aid, and child and family services agencies. These efforts not only improve criminal investigations and prosecutions, but also assist in related issues, such as meeting survivors' unique needs.

Funding for case analytics will significantly improve the effectiveness of human trafficking investigations and prosecutions. Data analytics are needed in both the sex trafficking and labor trafficking contexts. Sex traffickers rely heavily on social media and other forms of electronic communication to communicate with their victims and those willing to pay for sexual services. When social media communications are subpoenaed, companies most often produce returns in native format, generating impossibly complex and voluminous data. These returns can run hundreds of thousands of pages long, and tracking posts or conversations without case analytics is highly susceptible to error. Moreover, understanding top online contacts by hand is not possible. Case analytics converts the social media returns into a manageable, comprehensible, usable format. Because this type of evidence is critical in these cases, prosecutors must have access to data analytics to effectively review, synthesize, and present the social media data.

Case analytics can be used, too, to identify targets for labor trafficking investigations. The Department of Labor, Department of Homeland Security, and state agencies maintain data that can be analyzed for irregularities which may point to labor exploitation. These predictive analytics can lead to follow-up investigations and prosecutions of labor trafficking businesses and networks.

This enhancement also seeks non-personnel funding for law enforcement coordination and community outreach. Cooperation and collaboration among USAOs and their federal, state, local and tribal law enforcement partners is essential to combatting these crimes, which plague all communities. Law enforcement partnerships are proven force multipliers that yield concrete results. Funding to convene meetings, trainings, and conferences on law enforcement efforts in these areas will enhance communication and coordination. Funding is also needed for community outreach and prevention efforts, which are an important part of the Department's strategy to combat these crimes. Educating other governmental organizations, NGOs, and community members facilitates information sharing and also builds rapport and trust among partners in the anti-trafficking community, leading to more effective law enforcement, victim identification, and the provision of services. In addition, increasing awareness of human trafficking among community members empowers them to report suspected instances of trafficking to the appropriate authorities and advise potential victims where to get help.



Impact on Performance

The requested investment is critical to increasing our enforcement efforts in human trafficking work, including participation in task forces, and addressing related issues such as regional coordination and information-sharing and addressing trafficking victims' unique needs.

The requested resources will address the following Strategic Goals and Objectives, and the strategies to achieve the objectives:

Goal III: Reduce Violent Crime and Promote Public Safety; including **Objective: 3.1:** Combat violent crime, promote safe communities, and uphold the rights of victims of crime.

Strategies:

Strategy 2: Support our State, local and tribal partners in making our communities safe

As part of the Department's nationwide violence reduction strategy, the Department will support, train, and work in partnership with state, local, and tribal partners to make communities safer.

Strategy 3: Protect victims of crime from exploitation and re-victimization

Individuals impacted by crime face the daunting task of rebuilding and healing while navigating the criminal justice system. The Department will work to protect victims and provide them with a voice during the investigation and prosecution of their case.

The requested resources will address the following Priority Goals:

- Reducing Violent Crime and Promoting Public Safety



Human Trafficking Funding

Base Funding

FY 2019 Enacted				FY 2020 Enacted				FY 2021 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
46	39	46	10,111	46	39	46	10,111	46	39	46	10,111

Personnel Increase Cost Summary

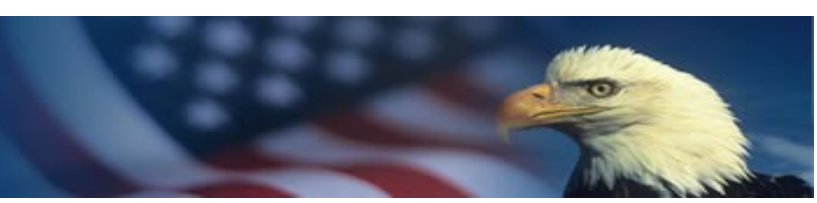
Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2021 Request (\$000)	FY 2022 Net Annualization (change from 2021) (\$000)	FY 2023 Net Annualization (change from 2022) (\$000)
Total Personnel		0	0	0	0

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2021 Request (\$000)	FY 2022 Net Annualization (Change from 2021) (\$000)	FY 2023 Net Annualization (Change from 2022) (\$000)
Case Analytics	N/A	N/A	3,223	0	0
Training & Outreach	N/A	N/A	1,000	0	0
Total Non-Personnel	N/A	N/A	4,223	0	0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2022 Net Annualization (Change from 2021) (\$000)	FY 2023 Net Annualization (Change from 2022) (\$000)
Current Services	46	39	46	10,111	0	10,111	0	0
Increases	0	0	0	0	4,223	4,223	0	0
Grand Total	46	39	46	10,111	4,223	14,334	0	0



Item Name: Elder Justice Prosecutions

Strategic Goal: **Goal III:** Reduce Violent Crime and Promote Public Safety

Strategic Objective: **Objective: 3.1:** Combat violent crime, promote safe communities, and uphold the rights of victims of crime

Budget Decision Unit(s): Criminal Litigation

Program Increase: Positions **10** Attorney **0** FTE **5** Dollars **\$5,778,000**

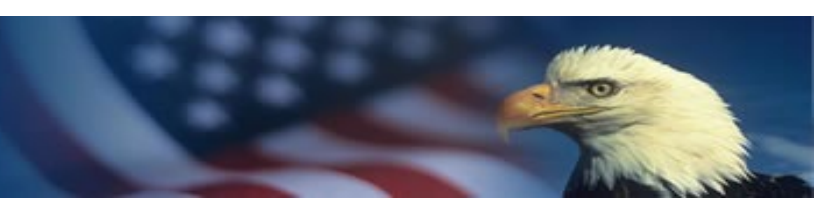
Description of Item

The United States Attorneys request **\$5.8 million** and **10 positions** to promote elder justice, and end dangerous practices that harm one of America’s most vulnerable and growing populations. Funding is also needed to provide case analytics capabilities, to enhance investigation, discovery, case development, and trial preparation for the prosecution of frauds upon elder victims. Elder justice remains a high priority for United States Attorneys and the Department. The United States Attorneys’ offices’ (USAOs’) innovative efforts to identify and prosecute crimes against the elderly and to serve and protect our elder population are key components of the Department’s overall strategy to combat elder abuse and financial exploitation, encourage reporting abuse, and educate the public to make America safer for all.

Justification

To enhance the Department’s response to crimes against seniors and comply with the 2017 Elder Abuse Prevention and Prosecution Act, each U.S. Attorney designated an Elder Justice Coordinator in January 2018. Each USAO Elder Justice Coordinator is responsible for serving as the legal counsel for the federal judicial district on matters relating to elder abuse; prosecuting and assisting in the prosecution of elder cases; conducting public outreach and awareness activities relating to elder abuse; and ensuring the collection of data required to be collected under the Elder Abuse Prevention and Prosecution Act. The dedicated USAO positions being requested will enhance these efforts to guard against elder abuse and financial fraud, a nationwide issue that affects people of every ethnic background, gender, and financial status.

Funding is needed to provide case analytics to assist with combatting increasingly complex crimes involving electronic means of communication. This enhancement will provide USAOs with resources to more effectively and efficiently investigate and prosecute cases, uphold and enforce the rule of law, and protect elder victims. Seniors often plan for retirement or manage their savings later in life, making them more vulnerable to becoming victims of investment fraud schemes. Fraudsters take advantage of the elderly by posing as financial advisors to get access to retirement funds and savings. In elder financial exploitation cases, which can involve large, data-intensive financial fraud schemes, analytics can help prosecutors search and manipulate high-



volume, diverse datasets to make critical connections in their evidence. Case analytics are also helpful in cases involving scammers who contact their victims by email. Elderly victims, who are often not technologically savvy, are tricked into downloading fake anti-virus software that allows fraudsters access to personal information on their computers. Seniors are also susceptible to responding to phishing emails sent by scammers asking them to update their bank or credit card information on a phony website. With case analytics, USAO personnel can take disparate email formats retrieved from search warrants and subpoenas and present them in a single analytic platform along with key metadata such as email addresses, and timestamps. Other tools that can be brought to bear in appropriate cases include semantic graphics such as timelines and histograms, as well as geospatial mapping. These analytics can be particularly valuable in elder fraud cases, which often involve transnational organizations who communicate with their accomplices and victims electronically.

This enhancement will also provide larger USAOs with analysts who will work closely with case teams to use software tools to analyze key evidence and develop trial exhibits and demonstratives. For smaller USAOs that do not require full-time analysts, the enhancement will provide funding for specialized, short-term contract litigation support to answer questions case teams have about large or complex case data. Case analytics tools would allow USAOs to more effectively and efficiently prosecute these cases and safeguard the elderly by giving them access to a range of tools that will allow them to review and analyze these electronic communications.

This enhancement also seeks non-personnel funding for law enforcement coordination and community outreach. Cooperation and collaboration among USAOs and their federal, state, local enforcement partners is essential to combatting these crimes, which plague all communities. Funding to convene meetings, trainings, and conferences on law enforcement efforts in these areas will enhance communication and coordination. Funding is also needed for community outreach and prevention efforts, which are an important part of the Department's strategy to investigate and prosecute these crimes.

Impact on Performance

The requested investment is critical to increasing our enforcement efforts in this area, and protecting older adults from physical abuse, neglect, financial exploitation, psychological abuse, sexual abuse, and abandonment.

The requested resources will address the following Strategic Goals and Objectives, and the strategies to achieve the objectives:

Goal III: Reduce Violent Crime and Promote Public Safety; including **Objective: 3.1:** Combat violent crime, promote safe communities, and uphold the rights of victims of crime.

Strategies:

Strategy 1: Protect victims of crime from exploitation and re-victimization, Individuals impacted by crime face the daunting task of rebuilding and healing while navigating the criminal



justice system. The Department will work to protect victims and provide them with a voice during the investigation and prosecution of their case.

The requested resources will address the following Priority Goals:

- Combatting Elder Fraud



Elder Justice Funding

Base Funding

FY 2019 Enacted				FY 2020 Enacted				FY 2021 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
0	0	0	0	0	0	0	0	0	0	0	0

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2021 Request (\$000)	FY 2022 Net Annualization (change from 2021) (\$000)	FY 2023 Net Annualization (change from 2022) (\$000)
Data Analyst	77.8	10	778	701	0
Total Personnel		10	778	701	0

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2021 Request (\$000)	FY 2022 Net Annualization (Change from 2021) (\$000)	FY 2023 Net Annualization (Change from 2022) (\$000)
Case Analytics	N/A	N/A	4,000	0	0
Training & Outreach	N/A	N/A	1,000	0	0
Total Non-Personnel	N/A	N/A	5,000	0	0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2022 Net Annualization (Change from 2021) (\$000)	FY 2023 Net Annualization (Change from 2022) (\$000)
Current Services	0	0	0	0	0	0	0	0
Increases	10	0	5	778	5,000	5,778	701	0
Grand Total	10	0	5	778	5,000	5,778	701	0



VII. EXHIBITS

