

UNITED STATES  
DEPARTMENT OF JUSTICE

UNITED STATES ATTORNEYS



FY 2024  
CONGRESSIONAL JUSTIFICATION

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## I. Overview of the United States Attorneys

### A. Introduction

For FY 2024, the United States Attorneys request **\$2,870,374,000** and 12,356 positions, of which 6,578 are attorneys. The budget request contains program increases of 318 positions, including 185 attorneys and \$51,441,000 to prosecute violent crime and firearms violations; modernize core litigation functions; protect the public fisc by defending the interests of taxpayers and the United States; bolster cybersecurity; and support the Administration’s goal to convert our motor fleet to zero-emission vehicles.

Electronic copies of the Department of Justice’s Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet:

<https://www.justice.gov/doj/fy-2024-CJ>

**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 their 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 the 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 and seek to ensure that 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 their resources to further local priorities and to serve their 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 the Department's senior 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's subcommittees and working groups plays an important role in addressing Administration priorities.

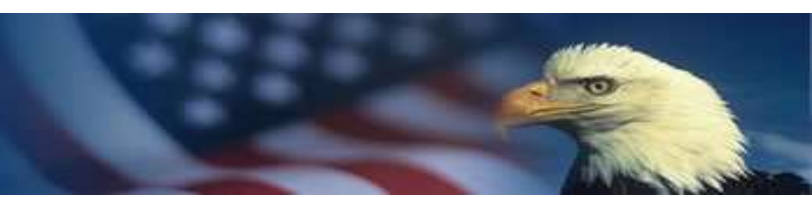
Examples of recent subcommittees include:

- Border and Immigration
- Civil Rights
- Controlled Substances
- Cyber and Intellectual Property
- Elder Justice Subcommittee
- Environmental Justice and Environmental Issues
- Law Enforcement Coordination, Victim Assistance and Community Relations
- Native American Issues
- Office Management and Budget
- Terrorism and National Security
- Violent and Organized Crime
- White Collar/Fraud

The working groups include:

- Administrative Officers
- Appellate Chiefs
- Civil Chiefs
- Criminal Chiefs





## **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 expeditor with respect to the Offices of the United States Attorneys, and between these offices and other elements of the Department [of Justice].” 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.

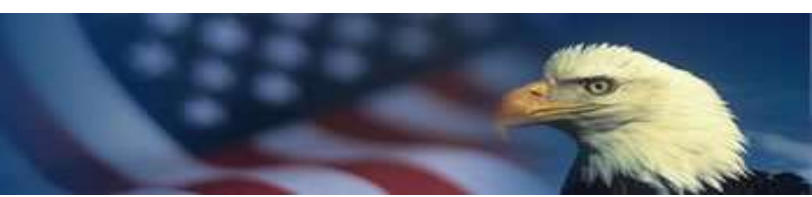
Under 28 CFR § 0.22, the Executive Office for United States Attorneys shall be under the direction of a Director who shall:

- 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 the Justice Manual 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, which shall provide training to all Department of Justice attorney and non-attorney legal personnel and publish the Department of Justice Journal of Federal Law and Practice.
- 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.

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.



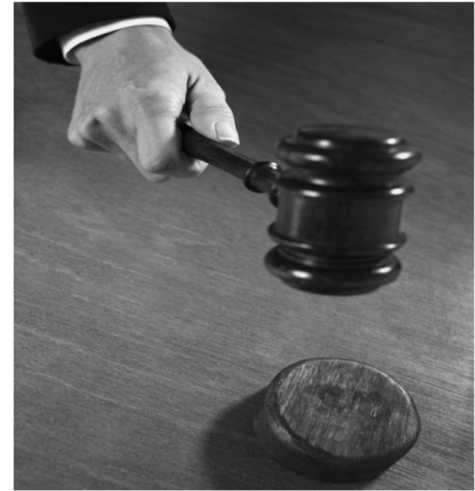


- Provide general legal interpretations, opinions, and advice to United States Attorneys in areas of recusals, cross-designations, outside activities, representation, allegations of misconduct, adverse actions, grievances, labor relations, and ethical and conflict of interest questions.
- Provide general 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 and 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 and 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, develop, and support the operations and software for caseload and collections systems and administrative/litigative applications in the districts and in central systems; provide technical assistance; produce the Annual Statistical Report; and monitor the quality of the data of the USAOs.
- Support the USAOs in the conduct of their law enforcement coordination programs.
- Serve as the liaison on victim-witness assistance activities within the USAOs, supporting the United States Attorneys in their work relating to these matters.
- Provide budget and fiscal assistance and guidance to the 94 USAOs.
- Respond to requests under the Freedom of Information Act and Privacy Act (FOIA/PA) on behalf of the USAOs, 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 USAOs.



## CRIMINAL PROSECUTIONS

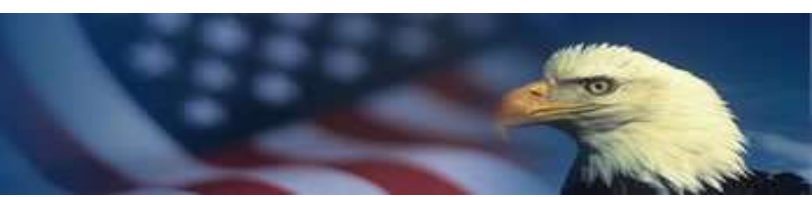
The USAOs investigate and prosecute the vast majority of criminal cases brought by the Federal Government – representing an incredibly diverse workload. The types of cases include violent crime and firearms; international and domestic terrorism; identity theft; public corruption; procurement, securities, and mortgage fraud; gangs and organized crime; drug enforcement; human trafficking; illegal immigration; southwest border enforcement; 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.



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 Constitution and 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 Courts of Appeal. 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 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. 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.

Defensive civil work is unique because it is non-discretionary and non-delegable. Unlike criminal matters, defensive civil 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.

In addition to defending the government, the USAOs 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.

## **CRIMINAL AND CIVIL APPEALS**

Appeals require a thorough review of the entire record in the case, the filing of briefs, and in many instances, 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 Program (FLP) responsible for criminal and civil debt collection activities as well as an Affirmative Civil Enforcement staff devoted to civil debt collection.

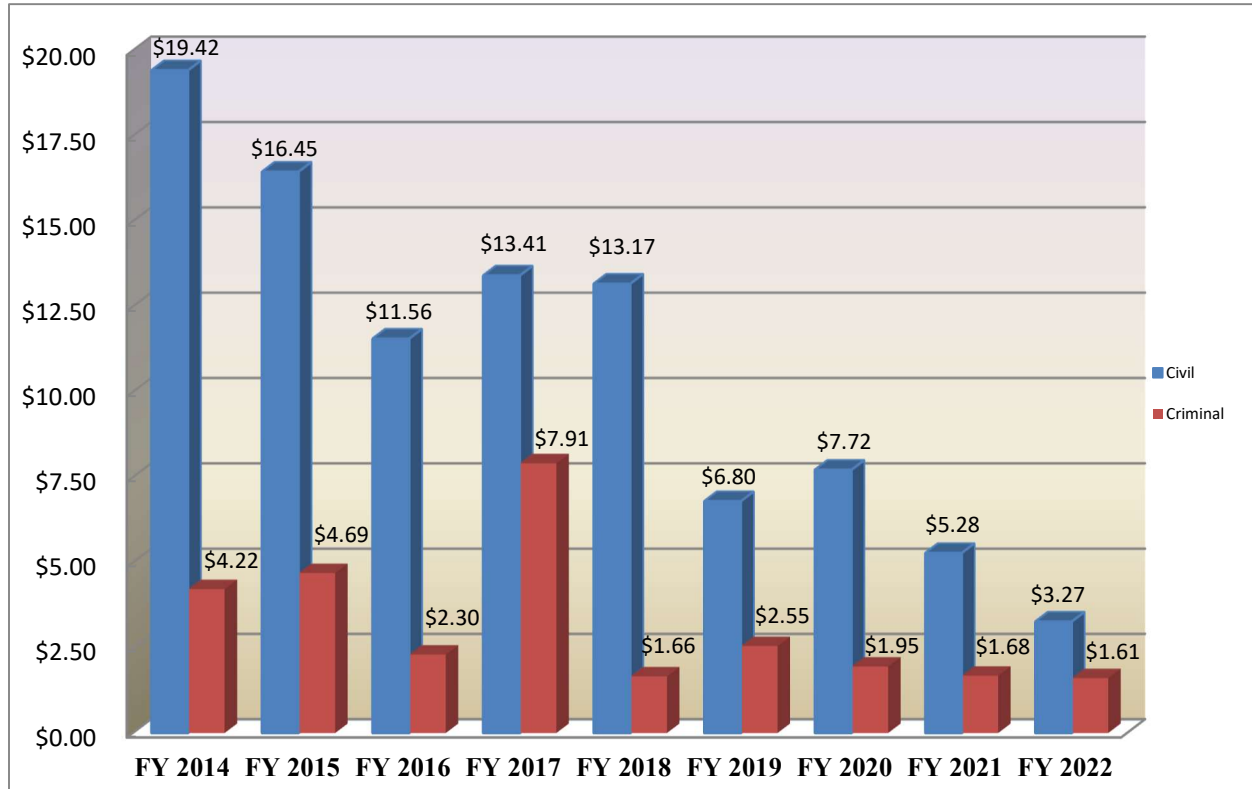
Debts are incurred by a criminal defendant when the defendant is sentenced by the court. These debts may be in the form of restitution to crime victims, fines imposed by the court, special assessments on each criminal conviction count, costs of prosecution and other costs, or forfeitures of appearance 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, and 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 debt collected each year from FY 2014 through the end of FY 2022.

### Debt Collection Chart (in billions)



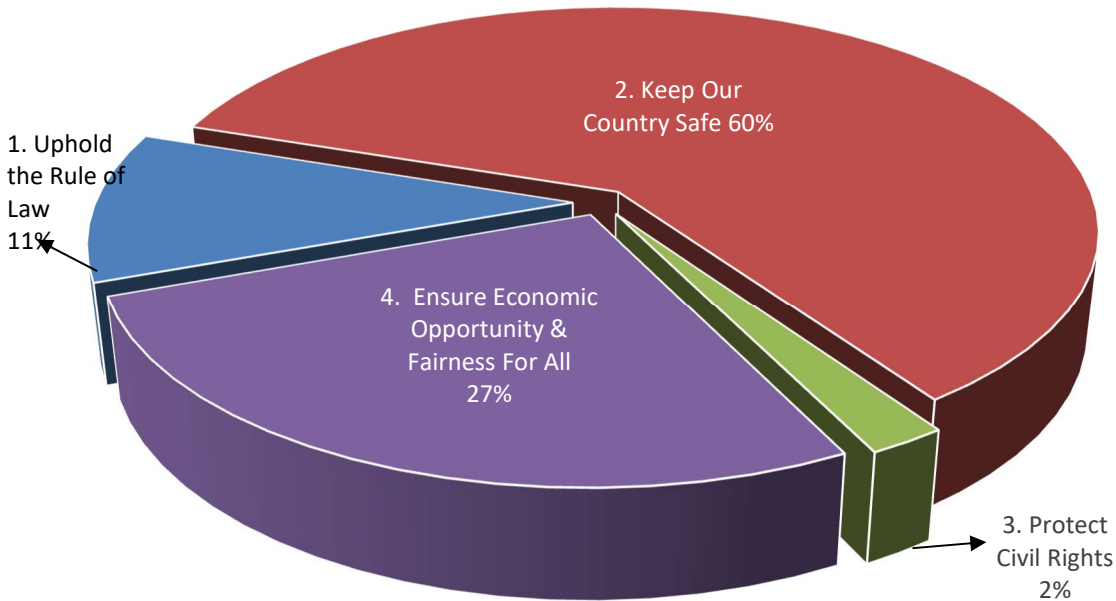
In FY 2022, the USAOs collected \$4.88 billion in criminal and civil debts. Of the total debts collected, USAOs recovered \$1.61 billion in criminal debts; and \$3.27 billion in civil debts. The United States Attorneys’ FY 2022 collection efforts, handled by a very small percentage of the total workforce, returned to the Treasury funding well in excess of the \$2.42 billion appropriated in the FY 2022 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 2024 Total Budget Request by DOJ Strategic Goal**



### **STRATEGIC GOAL 1: Uphold the Rule of Law = \$306,526,000**

- Protect Our Democratic Institutions.
- Promote Good Government.

### **STRATEGIC GOAL 2: Keep Our Country Safe = \$1,730,286,000**

- Counter Foreign and Domestic Terrorism.
- Combat Violent Crime and Gun Violence.
- Enhance Cybersecurity and Fight Cybercrime.
- Combat Drug Trafficking and Prevent Overdose Deaths.
- Protect Vulnerable Communities.

### **STRATEGIC GOAL 3: Protect Civil Rights = \$63,962,000**

- Combat Discrimination and Hate Crimes.
- Advance Environmental Justice and Tackle the Climate Crisis.

### **STRATEGIC GOAL 4: Ensure Economic Opportunity & Fairness = \$769,600,000**

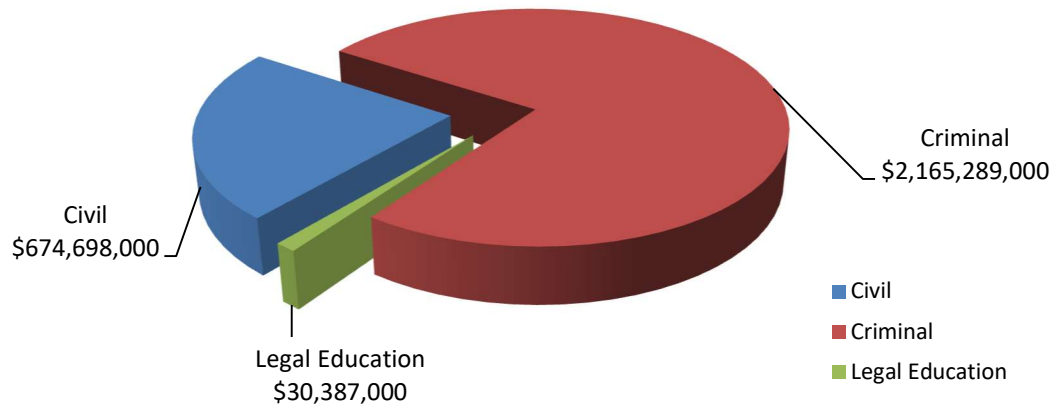
- Combat Corruption, Financial Crime, and Fraud.



### C. Full Program Costs

The United States Attorneys’ **\$2,870,374,000** budget request for FY 2024 is divided into three decision units: criminal, civil, and legal education.

**FY 2024 Budget Request by Decision Unit**



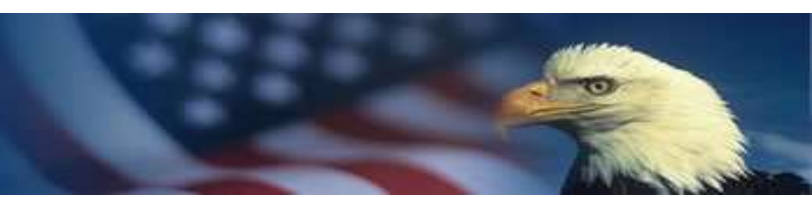
Some programs, as well as management and administration costs, cross decision units. The performance and resource tables for each decision unit reflect the total costs of achieving the strategies that the United States Attorneys will employ in FY 2024. Also included are the indirect costs of continuing 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, the USAOs must continually strive to enhance coordination with our law enforcement partners.



Identifying Emerging Criminal Activities: Criminal activity continues to evolve in response to new technologies and law enforcement efforts. The proliferation of synthetic drugs requires additional analytical resources to accurately identify and schedule the compounds. Persistent 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: New technologies have generated cutting-edge methods for committing crimes, such as the use of the dark web and encryption. The USAOs must also keep pace with the exponentially increasing volume and complexity of data associated with a diverse range of cases. The United States Attorneys must continue to develop innovative practices to ensure that each office has the capacity to process, analyze, and leverage electronic information. For example, the USAOs have implemented electronic litigation (eLitigation) processes to move from paper evidence to electronic evidence, and to manage, examine, and transfer large amounts of casework data. The USAOs 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.

### **Internal Challenges**

Maintaining a Skilled Workforce: To address certain external changes and challenges, such as increasing amounts of eLitigation, 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. Each USAO must have 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.

Adapting to Changing Technology: As technology has evolved, so have the types and amount of electronically stored information that comprises critical evidence in our investigations and cases. To keep pace with technological changes and to ensure that our criminal and civil cases are adequately supported, the United States Attorneys must develop an integrated approach to eLitigation that focuses on the protocols, best practices, and technological tools needed to identify, collect, process, review, analyze, and present electronic evidence.





## II. Summary of Program Changes

For FY 2024, the United States Attorneys’ budget request is \$2,870,374,000, which includes program increases totaling 318 positions; 159 FTE; and \$51,441,000. The program increases are outlined in the chart below:

Item Name	Description				Page
	Purpose	Pos.	FTE	Dollars (\$000)	
<b>Violent Crime Prosecutions</b>	Funding is needed to implement the Department’s violent crime reduction strategies. The resources will be used for additional prosecutors and support staff.	130	65	\$16,727	37
<b>Litigation Modernization (eLitigation)</b>	Funding will be used to fund the personnel, contractors, and software necessary to handle the processing, analysis, and presentation of evidence.	134	67	\$14,862	41
<b>Protecting the Public Fisc</b>	Funding is needed to defend the interests of the taxpayers and the United States by addressing significant increases in the defensive civil litigation workload.	50	25	\$8,238	46
<b>Cybersecurity Modernization</b>	Funding is requested to address increasing cyber threats on a recurring basis.	4	2	\$10,700	51
<b>Zero Emission Vehicles</b>	Funding is requested to support the Administration’s goal to transition the Federal motor vehicle fleet to clean and zero emission vehicles.	0	0	\$914	56
<b>TOTAL</b>		<b>318</b>	<b>159</b>	<b>\$51,441</b>	



### **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, [\$2,632,000,000] \$2,870,374,000: 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 \$40,000,000 shall remain available until expended: Provided further, That each United States Attorney shall establish or participate in a task force on human trafficking.

#### **Appropriations Language Analysis:**

N/A

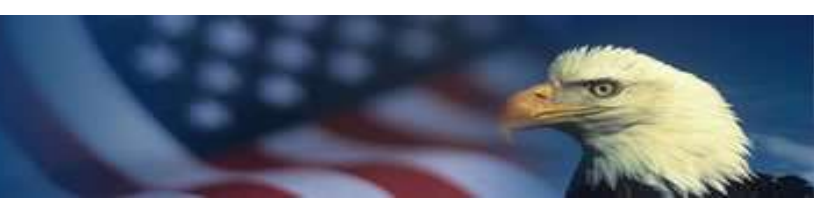


## IV. Program Activity Justification

### A. Criminal

<b>Criminal Litigation</b>	<b>Perm. Pos.</b>	<b>FTE</b>	<b>Amount</b>
2022 Enacted	8,619	7,570	1,823,948,000
2023 Enacted	9,321	8,073	1,983,296,000
Adjustments to Base and Technical Adjustments	0	352	147,074,000
2024 Current Services	9,321	8,425	2,130,370,000
2024 Program Increases	216	109	34,919,000
2024 Request	9,537	8,534	2,165,289,000
<b>Total Change 2023-2024</b>	<b>216</b>	<b>461</b>	<b>181,993,000</b>

<b>Criminal Litigation Information Technology Breakout</b>	<b>Perm. Pos.</b>	<b>FTE</b>	<b>Amount</b>
2022 Enacted	320	320	138,280,000
2023 Enacted	321	321	158,900,000
Adjustments to Base and Technical Adjustments	0	0	3,178,000
2024 Current Services	321	321	162,078,000
2024 Program Increase	9	5	9,443,000
2024 Request	330	326	171,521,000
<b>Total Change 2023-2024</b>	<b>9</b>	<b>5</b>	<b>12,621,000</b>



## 1. Program Description – Criminal Program Activity

The Department is committed to protecting national security and enforcing federal laws that protect public safety and keep our country safe. To realize these goals, the Department has prioritized protecting the American people from the impact of all types of violent crime, domestic terrorism, cybercrime, Indian country crimes, illegal firearms possession, drugs and gun related crimes that have been targeted nationwide to bring about safer communities. The United States Attorneys continue to play a vital role in combating these priorities.

Violent crime is devastating to communities in ways that are long-lasting and exceedingly difficult to overcome. As the chief federal law enforcement officers in their districts, U.S. Attorneys play an important role in taking a multi-agency focus on particularly hard-hit areas suffering from elevated violence, and using innovative means to locate individuals, illicit trafficking organizations, and street gangs within specific high crime jurisdictions. The USAOs continue to work with law enforcement and community partners to implement effective anti-violent crime strategies. Through a unified and cohesive effort working with federal, state, local, Tribal, and territorial law enforcement, and community counterparts, USAOs endeavor to reverse

surges in violent crime so that our neighborhoods can become safer places.

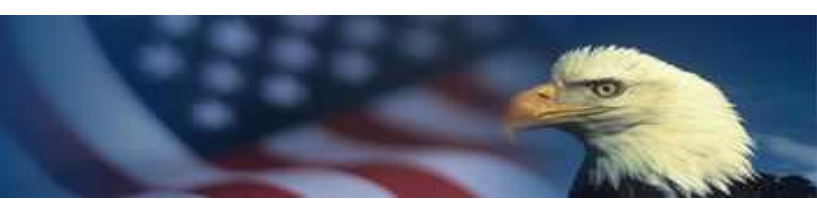
### **USAO Success Story – Violent Crime**

*United States v. Reffitt*. The USAO in the District of Columbia – Guy Wesley Reffitt, 49, of Wylie, Texas, was sentenced to 87 months in prison on civil disorder, obstruction of justice, and other charges for his actions before, during, and after the breach of the U.S. Capitol on Jan. 6, 2021. His and others’ actions disrupted a joint session of the U.S. Congress convened to ascertain and count the electoral votes related to the presidential election. The case was prosecuted by the U.S. Attorney’s Office for the District of Columbia. Valuable assistance was provided by the Department of Justice National Security Division’s Counterterrorism Section and the U.S. Attorney’s Offices for the Eastern and Northern Districts of Texas.

Domestic Terrorism poses significant threats to our Nation. The term “domestic terrorism” is interpreted broadly and includes all violent criminal acts in furtherance of ideological goals stemming from domestic influences, such as racial bias, and anti-government sentiment. The USAOs play a critical role in identifying, disrupting, and holding accountable domestic terrorists who engage in criminal conduct. In confronting this threat, the Department will ensure that it is using all available tools while remaining steadfast in protecting civil liberties and the rule of law.

While prosecuting terrorism, both international and domestic, will remain a top priority, the USAOs investigate and prosecute a wide range of white-collar crimes such as large-scale crimes committed in the financial sector, to cases involving employee embezzlement, fraudulent document fraud such unemployment

and insurance fraud, COVID-related fraud, and schemes to defraud the public. Opioid and drug prosecutions will continue to be a priority, with a particular emphasis on the operations of large drug organizations. In addition, the USAOs are committed to pursuing justice in violence related to hate crimes, harassment, and discrimination on behalf of vulnerable members of our society. The USAOs will also focus resources on targeting emerging threats in cybercrime and



cybersecurity as these threats pose a significant and increasing risk to our national security, our economic security, and our personal security.

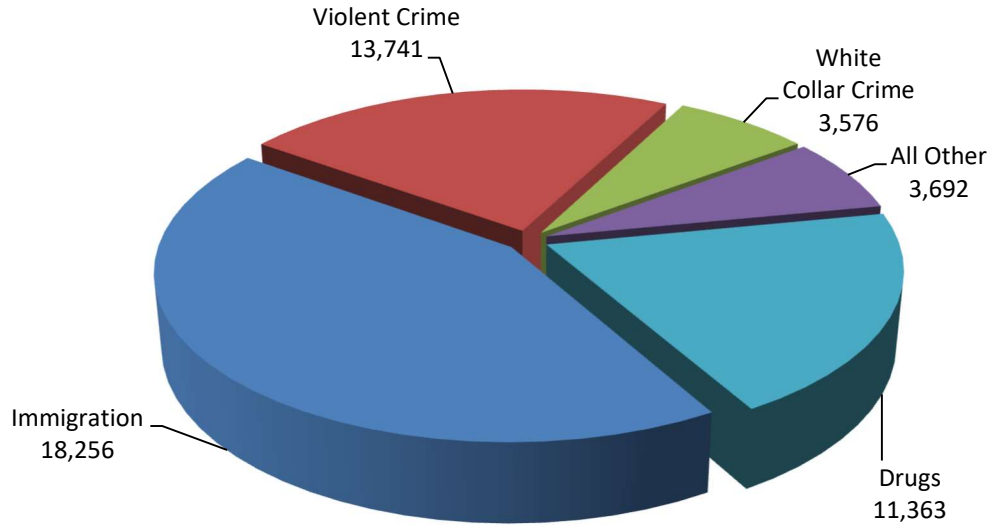
The following cases are examples of the breadth of United States Attorneys' criminal case successes:

- The USAO in the **Eastern District of Texas** - In November 2022, Clifton Pape, 47, and Sally Jung, 59, each pleaded guilty to wire fraud violations and were sentenced to federal prison. Pape was sentenced to 121 months in federal prison and Jung received a sentence of 66 months in federal prison. They were also ordered to pay more than \$3.7 million in monetary penalties. Pape and Jung operated a sophisticated telemarketing scheme under the name My Buddy Loans from a house in Cleveland, Texas. In exchange for a fee, My Buddy Loans took personal identifying information from victims and promised to file an application for an agricultural grant, which they said was available to those who owned as little as one acre of land. [\*United States v. Pape-Jung\*](#)
- The USAO in the **District of Connecticut** – In January 2023, Lamain Heard, 33, of Bridgeport, was sentenced to 37 months of imprisonment, followed by three years of supervised release, for a federal firearm offense. According to court documents and statements made in court, law enforcement investigating gang-related violence and the potential for a retaliation shooting attempted to stop a car in Bridgeport. Heard, who was a passenger in the car, dropped a semiautomatic pistol in the car and then attempted to flee the scene before he was apprehended. [\*United States v. Heard\*](#)
- The USAO in the **District of Maine** – In January 2023, Kevin MacVicar, 31, was sentenced to 84 months in prison followed by five years of supervised release for possessing child sexual abuse materials. According to court records, between about February 2015 and February 2021, MacVicar possessed child pornography on his cell phone and electronic storage devices. He had obtained the images and videos from the Internet, including by participating in online forums dedicated to child sexual abuse material. Some of the images depicted children under 12. Child sexual abuse material – “child pornography” – captures the sexual abuse and exploitation of children. These images document victims’ exploitation and abuse, and they suffer re-victimization each time the images are viewed. [\*United States v. MacVicar\*](#)
- The USAO in the **Western District of Washington** – In April 2022, Denys Iarmak was sentenced to five years in prison in connection with his criminal work in the hacking group FIN7. Iarmak is the third member of FIN7 to be sentenced in the United States. Another FIN7 member Fedir Hladyr was sentenced to 10 years in prison, and FIN7 member Andrii Kolpakov was sentenced to seven years in prison. In the United States alone, FIN7 successfully breached the computer networks of businesses in all 50 states and the District of Columbia, stealing more than 20 million customer card records from over 6,500 individual point-of-sale terminals at more than 3,600 separate business locations. Companies that have publicly disclosed hacks attributable to FIN7 include chains such as, Chipotle Mexican Grill, Chili’s, Arby’s, Red Robin, and Jason’s Deli. [\*United States v. Iarmak\*](#)



## Criminal Workload

FY 2022 Cases Filed – 50,628



In FY 2022, the USAOs filed 50,628 felony criminal cases against 64,222 defendants in United States District Court. The above chart shows the types of cases filed by the USAOs. In addition to a total of 50,628 cases filed, a total of 49,409 cases against 62,462 defendants were closed during FY 2022. Of the 62,462 defendants whose cases were closed, 92 percent, or 57,506, either pled guilty or were found guilty after a trial. Of these, 45,469 defendants received prison sentences, and 84 of these defendants received sentences of life imprisonment.

## 2. PERFORMANCE AND RESOURCE TABLE

PERFORMANCE AND RESOURCES TABLE												
Decision Unit: Criminal												
RESOURCES (\$ in thousands)			Target		Actual		Target		Changes		Requested (Total)	
			FY 2022		FY 2022		FY 2023		Current Services Adjustments and FY 2024 Program Changes		FY 2024 Request	
Total Costs and FTE			FTE	\$0	FTE	\$0	FTE	\$0	FTE	\$0	FTE	\$0
			7,721	1,818,948	7,570	1,823,948	8,073	1,983,296	461	181,993	8,534	2,165,289
Reimbursable FTE and Costs: (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)												
			173	[88,310]	130	[52,057]	173	[52,057]	0	0	173	[52,057]
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2022		FY 2022		FY 2023		Current Services Adjustments and FY 2024 Program Changes		FY 2024 Request	
Workload Measure	2.2; 2.3; 2.4; 2.5; 2.6; 3.2; 4.2	Number of Cases - Defendants Handled	191,671		193,939		195,878		1,959		197,837	
Workload Measure	2.2; 2.3; 2.4; 2.5; 2.6; 3.2; 4.2	Total Defendants Terminated	56,917		62,462		63,087		631		63,717	
Workload Measure	2.2; 2.3; 2.4; 2.5; 2.6; 3.2; 4.2	Total Defendants Guilty	52,486		57,506		58,081		581		58,662	
Workload Measure	2.2; 2.3; 2.4; 2.5; 2.6; 3.2; 4.2	Percentage of Cases Favorably Resolved	90.00%		92.00%		90.00%		90.00%		90.00%	
The United States Attorneys do not update the actuals on Performance Tables until the end of the year, as the data is validated at that time and ready for release.												
Data Definition, Validation, Verification, and Limitations: The United States Attorneys view data reliability and validity as critically important in the planning and assessment of its performance. 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. EOUSA makes every effort to constantly improve the completeness and reliability of its performance information. 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.												

## 2. PERFORMANCE AND RESOURCE TABLE

Strategic Objective	PERFORMANCE MEASURE TABLE					
	Decision Unit: Criminal					
	Key Performance Measures		FY 2022		FY 2023	FY 2024
Target			Actual	Target	Target	
1.1	<b>Agency Priority Goals</b>	Percent of cases concerning COVID-19 related fraud in which the Department seeks restitution.	90%	99%	90%	90%
1.1	<b>Agency Priority Goals</b>	Percent of COVID-19 related fraud cases favorably resolved.	90%	98%	90%	90%
3.2	<b>Agency Priority Goals</b>	Percent of United States Attorney's Offices meeting at least annually with local law enforcement partners and community stakeholders to collaborate on efforts to prevent hate crimes and incidents. Reported annually.	65%	81%	100%	100%
2.3	<b>Key Performance Indicator</b>	Percent of Federal Violent Crime Defendants' Cases Favorably Resolved.	90%	98%	90%	90%
2.3	<b>Key Performance Indicator</b>	Volume of USAOs records uploaded to the National Instant Criminal Background Check System.	5%	4%	5%	5%
2.6	<b>Key Performance Indicator</b>	Percent of USAOs conducting training on trauma-informed and culturally sensitive approaches for attorneys, victim witness specialists, and support staff - Reported annually.	65%	46%	65%	70%
2.6	<b>Key Performance Indicator</b>	Percent of Indian Country homicide cases and sexual abuse cases favorably resolved.	90%	97%	90%	90%
3.5	<b>Key Performance Indicator</b>	Number of Environmental Justice Coordinators designated. Reported annually.	93	93	93	93
4.2	<b>Key Performance Indicator</b>	Percent of corporate criminal cases in which individual responsibility was evaluated - Reported annually.	95%	100%	95%	95%
4.2	<b>Key Performance Indicator</b>	Percent of corporate criminal resolutions containing compliance reporting obligations that are evaluated by DOJ at least annually.	95%	96%	95%	95%

The United States Attorneys do not update the actuals on Performance Tables until the end of the year, as the data is validated at that time and ready for release.





### 3. Performance, Resources, and Strategies

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

**Strategic Goal 1: Uphold the Rule of Law.** Within this priority area, the decision unit's resources address promoting good government through modernizing the processing of USAO knowledge, documents, and data required for today's litigation work.

**Strategic Goal 2: Keep Our Country Safe.** Within this priority area, the decision unit's resources address protecting national security, countering foreign and domestic terrorism, combating violent crime and gun violence, and enhancing cybersecurity and fighting cybercrime.

**Strategic Goal 3: Protect Civil Rights.** Within this priority area, the decision unit's resources address combating discrimination and hate crimes, advancing environmental justice, and protecting voting rights and fair elections.

**Strategic Goal 4: Ensure Economic Opportunity and Fairness.** Within this priority area, the decision unit's resources address combating corruption, financial crime, and fraud.

#### 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' community has consistently met or exceeded its goal of 90 percent by successfully resolving each of its prosecutions. The United States Attorneys will continue to individually assess each case brought for criminal prosecution in a manner that promotes the ends of justice.

The United States Attorneys will continue to play a vital role in combating violent crime across the country. Protecting the American people from terrorism, both international and domestic, will remain a top priority of the Department. The United States Attorneys will use the resources provided to us to identify and disrupt threats and keep our communities safe.

The United States Attorneys will continue to prioritize cybercrime prosecutions, protecting Americans from future occurrences of computer hacking, data thefts and cyberattacks. Such threats can compromise national security and have the potential of crippling our nation's infrastructure. The USAOs handle a broad range of the cyber cases from cyber threats, transnational criminal groups, infrastructure and ransomware attacks, and the use of cryptocurrency and money laundering to finance and profit from cyber-based crimes.

Federal prosecution of crimes committed on our nation's northern and southwestern borders 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.

The United States Attorneys continue to address the illegal use of firearms and other acts of violence in our communities. Drug prosecutions will also continue to be a priority, with a particular emphasis on the operations of large drug organizations.



USAOs will leverage a multi-agency focus on reducing violent and gun-related crime in particularly hard-hit areas by using innovative means to locate individuals, organizations, and gangs within specific high crime jurisdictions. As part of the Project Safe Neighborhoods (PSN) program, and through partnerships with federal, state, and local law enforcement, the United States Attorneys will utilize the tools and resources available to develop and implement strategies for eradicating violent crime wherever it may occur.

Fraud, in any form, continues to be a Department of Justice priority. The USAOs' will make every effort to identify and prosecute those offenses that are designed to produce financial gain using some form of deception. The United States Attorneys expect the workload to rise dramatically in the coming years because of fraud associated with the COVID-19 pandemic and the unprecedented government spending for pandemic relief. It will take several years to discover and investigate sophisticated schemes, such as those involving large-dollar relief programs like the Paycheck Protection Program (PPP), Economic Injury Disaster Loans (EIDL), and Unemployment Insurance (UI); and complex healthcare fraud schemes that take advantage of pandemic regulatory waivers, and fraud in healthcare provider payments. The USAOs' efforts continue to achieve tremendous results in combating fraud and protecting public rights and interests.

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

- The USAO in the **Eastern District of Kentucky** – In December 2022, Charles Ray Edwards was sentenced to 105 years in federal prison after being convicted of armed drug trafficking and attempted robbery following his July 2022 conviction. According to testimony at trial, Edwards was dealing heroin and fentanyl in the Southeastern Kentucky region. As part of his drug trafficking crimes, Edwards wounded two individuals in a shooting incident in Knox County. Then, during the attempted robbery, a bystander in the store was shot and killed. Edwards has a prior felony conviction and was prohibited from possessing firearms. [United States v. Edwards](#)
- The USAO in the **Western District of Pennsylvania** – In January 2023, Zachary Dinell, 29, formerly of Freedom, Pennsylvania, was sentenced to 204 months' imprisonment, followed by three years of supervised release for committing federal hate crimes and related offenses involving numerous severely disabled victims. Dinell and co-defendant Tyler Smith were employees of an in-patient health care facility located in New Brighton, Pennsylvania. Residents of the facility suffered from a range of severe physical, intellectual, and emotional disabilities, and required assistance with all activities of daily life, including bathing, using the bathroom, oral hygiene, feeding, and dressing. Dinell and Smith carried out assaults in a variety of ways, including by punching and kicking residents, jumping on residents, rubbing hand sanitizer in their eyes, spraying liquid irritants, including mouthwash, in their eyes and mouths, and in one instance removing a resident's compression stocking in a manner intended to inflict pain. The case against Smith remains pending, and he is presumed innocent unless and until proven guilty. [United States v. Dinell](#)



- The USAO in the **District of New Hampshire** – In November 2022, Dennis Michael Bousquet, 32, of Lisbon, NH, was sentenced to 210 months in federal prison and 20 years of supervised release for production and distribution of child sexual abuse material. According to court documents and statements made in court, Bousquet was observed by an undercover FBI agent in an online chat group devoted to child exploitation, to include the exchange of child sexual abuse material. During a chat with the undercover agent, Bousquet sent several sexually explicit images of a prepubescent child. Upon receiving these images, the FBI submitted emergency legal process to obtain subscriber information related to the target account. A review of this information and the associated IP address logs led federal agents to Bousquet’s residence. During the execution of a federal search warrant, Bousquet admitted to taking the images and disseminating them online. Bousquet further admitted to having engaged in similar conduct with another child several years ago. [United States v. Bousquet](#)
- The USAO in the **Western District of North Carolina** – In August 2022, Michael Moore was sentenced to 10 years in prison for his role in an online romance scheme that targeted older adults. Moore was also ordered to pay more than \$1.7 million in restitution to the victims of the fraud. Beginning in January 2016, Moore and others engaged in a fraudulent scheme to defraud unsuspecting victims, many of whom were in or near retirement, by perpetrating an online romance scam. Moore and his co-conspirators generally targeted victims through Facebook, senior dating websites, and other social media platforms, convincing victims through online communications that they were romantically interested in the victims. The fraudsters, who often claimed they were located overseas for work, would start requesting gift cards or small amounts of money, often falsely telling the victims they needed the money to pay for airfare or other travel expenses to visit the victims. In total, Moore and his co-conspirators stole over \$1.5 million from at least 30 victims through this romance scheme. A federal jury convicted Moore of wire fraud and two counts of making a false statement to an agency of the United States. [United States v. Moore](#)

### **USAO Success Story**

#### *United States v. Earls.*

The USAO in the **Eastern District of Oklahoma** – In October 2022, David Leroy Earls, age 36, was sentenced to 140 months imprisonment and 5 years of supervised release for three counts of Sexual Abuse in Indian country. Each count is ordered to run concurrently. The defendant was previously convicted by a federal jury. At the trial, the evidence proved Earls was in a relationship with the victim’s mother. The victim was intellectually disabled and required full time care. Earls took advantage of the victim’s disability and sexually abused her when she could not legally consent to sexual activity.

The United States Attorney’s Office for the Eastern District of Oklahoma prosecuted the case because the defendant in this case is a member of a federally recognized Indian tribe and the crimes occurred in Pushmataha County, within the boundaries of the Choctaw Nation Reservation, and within the Eastern District of Oklahoma.



## b. Strategies to Accomplish Outcomes

The United States Attorneys play a central role in assisting the Department in accomplishing its core priorities by contributing to keeping our country safe, protecting civil rights, ensuring economic opportunity and fairness, managing excellence, and prioritizing immigration enforcement. In FY 2024, the United States Attorneys will continue to place a high priority on prosecutions related to domestic terrorism, combating violent crime and gun violence, enhancing cybersecurity, dismantling violent drug trafficking gangs and cartels while addressing the problem of substance abuse, protecting the most vulnerable in our communities, prosecuting white collar crime and protecting the public fisc from fraud on government programs.

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.
- Continuing to look at operational efficiencies in order to preserve human capital, which is our most valuable resource.
- Continuing to address emerging training needs through the Office of Legal Education.

## c. Priority Goals

*The Department has six new priority goals for FYs 2023 - 2024: 1) Combat Pandemic Fraud, 2) Reduce Gun-Related Violence, 3) Combat Ransomware Attacks, 4) Combat Hate Crimes and Promote Trust and Accountability in Law Enforcement, 5) Reinvigorate Antitrust Enforcement and Consumer Protection, and 6) Improve the Administration of Immigration Courts.*

While the United States Attorneys will continue to support all the priority areas going forward into FY 2024, we will specifically be reporting on the following priority goals:

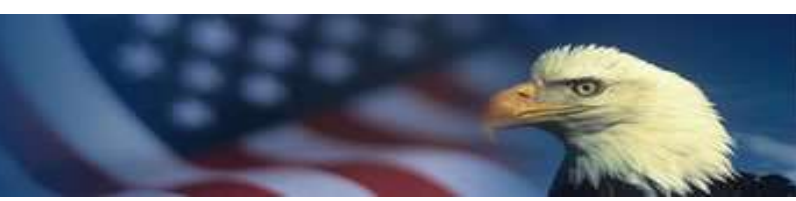
- 1) ***Combat Pandemic Fraud:*** To uphold the rule of law and preserve public trust in government programs, the USAOs will enhance its efforts to protect the public fisc from fraud, waste, and abuse by (1) seeking restitution in at least 90 percent of applicable criminal cases concerning COVID-19 related fraud; and (2) increasing the percentage of COVID-19 related fraud cases favorably resolved to 90 percent.
- 2) ***Combat Hate Crimes and Promote Trust and Accountability in Law Enforcement:*** The Department will combat hate crimes by (1) ensuring that 100 percent of the USAOs meet at least annually with local law enforcement partners and community stakeholders to collaborate on efforts to prevent hate crimes and incidents.



**B. Civil**

<b>Civil Litigation</b>	<b>Perm. Pos.</b>	<b>FTE</b>	<b>Amount</b>
2022 Enacted	2,547	2,524	576,983,000
2023 Enacted	2,664	2,631	620,267,000
Adjustments to base and Technical Adjustments	0	57	39,371,000
2024 Current Services	2,664	2,688	659,638,000
2024 Program Increases	102	50	15,060,000
2024 Request	2,766	2,738	674,698,000
<b>Total Change 2023-2024</b>	<b>102</b>	<b>107</b>	<b>54,431,000</b>

<b>Civil Litigation Information Technology Breakout</b>	<b>Perm. Pos.</b>	<b>FTE</b>	<b>Amount</b>
2022 Enacted	85	85	37,229,000
2023 Enacted	85	85	44,825,000
Adjustments to Base and Technical Adjustments	0	0	896,000
2024 Current Services	85	85	45,721,000
2024 Program Increase	1	1	2,272,000
2024 Request	86	86	47,993,000
<b>Total Change 2023-2024</b>	<b>1</b>	<b>1</b>	<b>3,168,000</b>



## 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.

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.

### *USAO Success Story*

#### *United States v. Danske*

The USAO in the **Southern District of New York** – In December 2022, Danske Bank A/S (Danske Bank), a global financial institution headquartered in Denmark, pleaded guilty and agreed to forfeit \$2 billion to resolve the United States’ investigation into Danske Bank’s fraud on U.S. banks. According to court documents, Danske Bank defrauded U.S. banks regarding Danske Bank Estonia’s customers and anti-money laundering controls to facilitate access to the U.S. financial system for Danske Bank Estonia’s high-risk customers, who resided outside of Estonia – including in Russia. The Justice Department will credit nearly \$850 million in payments that Danske Bank makes to resolve related parallel investigations by other domestic and foreign authorities.

The United States Attorneys are also 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. The USAOs effectively carry out the Department’s mission to “ensure fair and impartial administration of justice for all Americans,” and effectively defend against the rise in the number and complexity of immigration, prisoner litigation, and Freedom of Information Act (FOIA) cases.

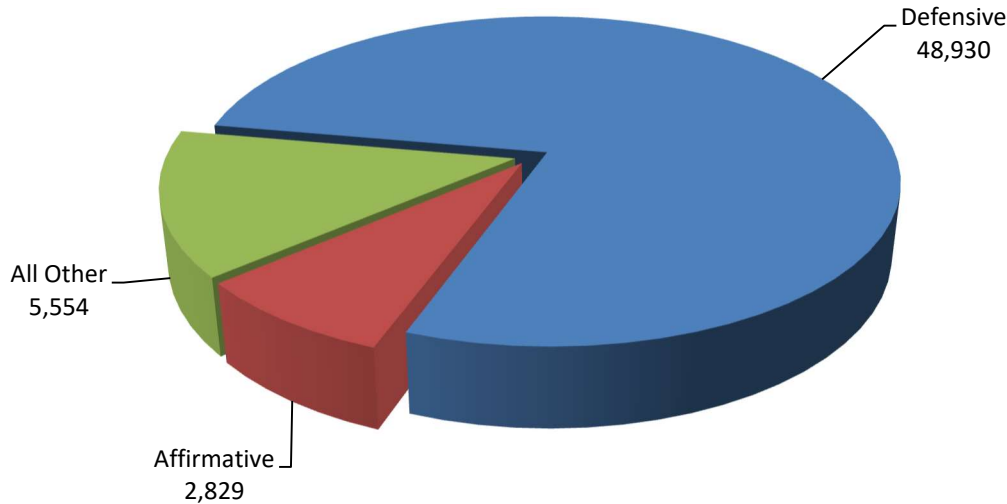


The following cases are examples of the United States Attorneys' civil casework successes:

- The USAO in the **District of Kansas** – In July 2022, a complaint was filed in the District of Kansas to forfeit cryptocurrency paid as ransom to North Korean hackers or otherwise used to launder such ransom payments. The FBI filed a sealed seizure warrant for the funds worth approximately half a million dollars. The seized funds include ransoms paid by health care providers in Kansas and Colorado. According to court documents, North Korean hackers used a ransomware strain called Maui to encrypt the files and servers of a medical center in Kansas. After more than a week of being unable to access encrypted servers, the Kansas hospital paid approximately \$100,000 in Bitcoin to regain the use of their computers and equipment. Because the Kansas medical center notified the FBI and cooperated with law enforcement, the FBI was able to identify the never-before-seen North Korean ransomware and trace the cryptocurrency to China-based money launderers. [\*United States v. Account xxx5190 et al.\*](#)
- The USAO in the **Central District of California** – In August 2022, Ventura County's organized health system and three medical care providers have agreed to pay a total of **\$70.7 million** to settle allegations that they broke federal and state laws by submitting or causing the submission of false claims to Medi-Cal related to Medicaid Adult Expansion under the Patient Protection and Affordable Care Act (ACA) in three separate settlement agreements. (1) Ventura County Medi-Cal Managed Care Commission which does business as Gold Coast Health Plan; (2) Dignity Health, a San Francisco-based not-for-profit hospital system that operates two acute care hospitals in Ventura County; and (3) Clinicas del Camino Real, Inc. (Clinicas), a non-profit healthcare organization headquartered in Camarillo. The three settlements resolve allegations that Gold Coast, Ventura County, Dignity, and Clinicas knowingly submitted or caused the submission of false claims to Medi-Cal for "Additional Services" provided to Adult Expansion Medi-Cal members. The United States and California alleged that the payments were not "allowed medical expenses" under Gold Coast's contract. As a result of the settlements, Gold Coast will pay \$17.2 million to the United States; Ventura County will pay \$29 million to the United States; Dignity will pay \$10.8 million to the United States and \$1.2 million to the State of California; and Clinicas will pay \$11.25 million to the United States and \$1.25 million to the State of California. [\*United States v. Ventura\*](#)
- The USAO in the **District of Vermont** – In November 2022, Modernizing Medicine, Inc. (ModMed), an electronic health record (EHR) technology vendor located in Boca Raton, Florida, agreed to pay \$45 million to resolve allegations that it violated the False Claims Act (FCA), 31 U.S.C. §§ 3729-3733, by accepting and providing unlawful remuneration in exchange for referrals and causing its users to report inaccurate information in connection with claims for federal incentive payments. The Anti-Kickback Statute prohibits anyone from offering or paying, directly or indirectly, any remuneration — which includes money or any other thing of value — to induce referrals of items or services covered by Medicare, Medicaid, and other federally funded programs. The United States alleged that ModMed violated the FCA and the Anti-Kickback Statute through three marketing programs. [\*U.S. ex rel. Long v. Modernizing Medicine, Inc.\*](#)



### Civil Workload FY 2022 Cases Filed/Responded To – 57,313



Civil matters and cases represent a significant part of the United States Attorneys’ workload. In FY 2022, the United States Attorneys received 63,464 civil matters, which represented 43 percent of all the 146,823 criminal and civil matters received during the fiscal year. Of the civil matters received, 78 percent or 49,437 were defensive matters, 11 percent or 6,791 were affirmative matters, and 11 percent or 7,236 were other civil matters.

The United States Attorneys filed or responded to 57,313 civil cases in FY 2022, which represented 53 percent of the 107,941 criminal and civil cases filed during the fiscal year. Of the civil cases filed, 85 percent or 48,930 were defensive cases; five percent or 2,829 were affirmative cases; and 10 percent or 5,554 were other civil cases.

The USAOs’ successes in defensive civil 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 can 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.



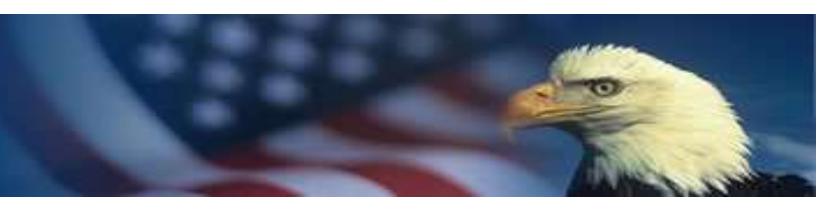
**2. PERFORMANCE AND RESOURCE TABLE**

<b>PERFORMANCE AND RESOURCES TABLE</b>												
<b>Decision Unit: Civil</b>												
<b>RESOURCES (\$ in thousands)</b>			<b>Target</b>		<b>Actual</b>		<b>Target</b>		<b>Changes</b>		<b>Requested (Total)</b>	
			<b>FY 2022</b>		<b>FY 2022</b>		<b>FY 2023</b>		<b>Current Services Adjustments and FY 2024 Program Changes</b>		<b>FY 2024 Request</b>	
<b>Total Costs and FTE</b>			<b>FTE</b>	<b>\$0</b>	<b>FTE</b>	<b>\$0</b>	<b>FTE</b>	<b>\$0</b>	<b>FTE</b>	<b>\$0</b>	<b>FTE</b>	<b>\$0</b>
			2,573	576,983	2,524	576,983	2,631	620,267	107	54,431	2,738	674,698
<b>Reimbursable FTE and Costs: (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)</b>												
			43	[22,078]	32	[13,014]	43	[13,014]	0	0	43	[13,014]
<b>TYPE</b>	<b>STRATEGIC OBJECTIVE</b>	<b>PERFORMANCE</b>	<b>FY 2022</b>		<b>FY 2022</b>		<b>FY 2023</b>		<b>Current Services Adjustments and FY 2024 Program Changes</b>		<b>FY 2024 Request</b>	
<b>Workload Measure</b>	2.4; 2.6; 3.2; 4.2	Number of Matters Handled	83,656		76,562		77,328		773		78,101	
<b>Workload Measure</b>	2.4; 2.6; 3.2; 4.2	Number of Total Judgments and Settlements	39,128		30,761		31,069		311		31,379	
<b>Workload Measure</b>	2.4; 2.6; 3.2; 4.2	Number of Judgments in Favor of the U.S. and Settlements	30,573		23,131		23,362		234		23,596	
<b>Workload Measure</b>	2.4; 2.6; 3.2; 4.2	Percentage of Cases Favorably Resolved	80.00%		80.00%		80.00%		N/A		80.00%	
The United States Attorneys do not update the actuals on Performance Tables until the end of the year, as the data is validated at that time and ready for release.												
Data Definition, Validation, Verification, and Limitations: The United States Attorneys view data reliability and validity as critically important in the planning and assessment of its performance. 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. EOUSA makes every effort to constantly improve the completeness and reliability of its performance information. 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.												

2. PERFORMANCE AND RESOURCE TABLE

PERFORMANCE MEASURE TABLE						
Strategic Objective	Decision Unit: Civil					
	Key Performance Measures		FY 2022		FY 2023	FY 2024
			Target	Actual	Target	Target
1.1	<b>Agency Priority Goals</b>	Percent of COVID-19 related fraud cases favorably resolved.	90%	98%	90%	90%
3.2	<b>Agency Priority Goals</b>	Percent of United States Attorney’s Offices meeting at least annually with local law enforcement partners and community stakeholders to collaborate on efforts to prevent hate crimes and incidents. Reported annually.	65%	81%	100%	100%
2.6	<b>Key Performance Indicator</b>	Percent of USAOs conducting training on trauma-informed and culturally sensitive approaches for attorneys, victim witness specialists, and support staff. Reported annually.	65%	46%	65%	70%
3.5	<b>Key Performance Indicator</b>	Number of Environmental Justice Coordinators designated.	93	93	93	93

The United States Attorneys do not update the actuals on Performance Tables until the end of the year, as the data is validated at that time and ready for release.



### 3. Performance, Resources, and Strategies

The Civil Decision Unit contributes to the following Department' Priority Areas:

**Strategic Goal 1: Uphold the Rule of Law.** Within this priority area, the decision unit's resources modernize the processing of USAO knowledge, documents, and data required for today's litigation work.

**Strategic Goal 3: Protect Civil Rights.** Within this priority area, the decision unit's resources address our civil rights work.

**Strategic Goal 4: Ensure Economic Opportunity and Fairness.** Within this priority area, the decision unit's resources address all forms of fraud to protect consumers.

#### 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 and defensive 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 eLitigation, the technological and resource needs of our civil cases continue to grow. 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 manage electronic data efficiently and effectively in their cases, AUSAs and support staff will be trained on eLitigation issues, including but not limited to how to use existing and new technologies.



**C. Legal Education**

<b>Legal Education</b>	<b>Perm. Pos.</b>	<b>FTE</b>	<b>Amount</b>
2022 Enacted	53	53	23,937,000
2023 Enacted	53	53	28,437,000
Adjustments to Base and Technical Adjustments	0	0	488,000
2024 Current Services	53	53	28,925,000
2024 Program Increase	0	0	1,462,000
2024 Request	53	53	30,387,000
<b>Total Change 2023-2024</b>	<b>0</b>	<b>0</b>	<b>1,950,000</b>

<b>Legal Education Information Technology Breakout</b>	<b>Perm. Pos.</b>	<b>FTE</b>	<b>Amount</b>
2022 Enacted	4	4	1,773,000
2023 Enacted	4	4	1,808,000
Adjustments to Base and Technical Adjustments	0	0	36,000
2024 Current Services	4	4	1,844,000
2024 Program Increase	0	0	0
2024 Request	4	4	1,844,000
<b>Total Change 2023-2024</b>	<b>0</b>	<b>0</b>	<b>36,000</b>



## 1. Program Description–Legal Education

The Office of Legal Education (OLE) develops and conducts training for all Department attorney and non-attorney legal personnel [28 C.F.R. §0.22 (2019)]. OLE’s classroom training is conducted at the National Advocacy Center (NAC), a premier federal training facility in Columbia, South Carolina that features an integrated instructional and residential facility with rooms for up to 264 guests. Although distance education historically composed a small part of OLE’s overall training portfolio, that changed significantly during the pandemic.

The NAC was closed for residential training through June 2022 due to the COVID-19 pandemic. During this time, OLE provided extensive virtual training through online courses, webinars, and courses in its unique Virtual Classroom (VC). OLE sponsored 150 webinar trainings for 29,209 attendees and 53 full online courses for 11,935 attendees. Another 3,378 trained in the VC. Students earned 45,308 CLE credits through OLE’s webinars offered in alone in FY 2022.

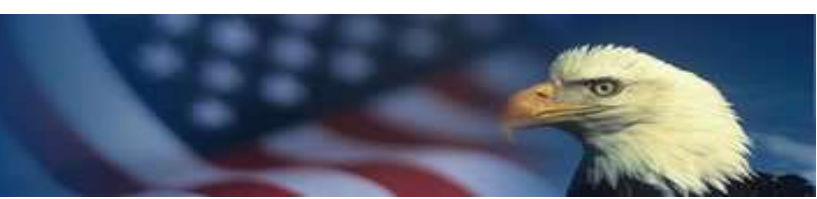
The NAC welcomed students again in July 2022, resuming residential skills training in the final three months of FY 2022. OLE provided essential skills training to civil, criminal, and appellate attorneys in areas like trial and appellate advocacy and negotiation. OLE also offered national security classes that require in-person training. Students expressed renewed appreciation for the chance to learn at the NAC and make connections with colleagues that only happen in person. Demand for virtual training and CLE continues, even as OLE resumes residential training. OLE’s new challenge is meeting pent-up demand for residential training, especially among newly hired attorneys, while continuing the output of distance training the community has come to expect.

In addition to the live, synchronous training, OLE provided extensive and improved asynchronous (on-demand) training. One of the most significant improvements was OLE’s launch of a user-friendly video platform, USAflix, on which the United States Attorneys’ community viewed 22,887 programs in the first year. Users watched thousands more programs on learnDOJ and WestLegalEd Center (WLEc) to satisfy mandatory training requirements and earn CLE credit. Specifically, 39,110 videos were completed on learnDOJ, and OLE provided 17,333 users with CLE credit in FY 2022 through WLEc. This is in addition to CLE credit OLE provided for students who attended webinars and online courses.

OLE continued its prolific annual output of new Blue Books, bimonthly Journals, weekly DOJBook podcasts, and daily DOJBook updates. The DOJBook, which OLE updates daily, continues to be the most accessed resource, with 414,875 views in FY 2022. OLE published its first *OLE Style Manual* and shipped 1,998 books and journals. OLE published five issues of the DOJ Journal, and they were viewed 7,991 times. Podcasts drew 9,063 listeners.

### Unit Work Descriptions

OLE’s Publications Unit continues to maintain and update the DOJBook, the most-viewed online legal resource available on the Department intranet. DOJBook is also the repository of DOJ policy and guidance on priority topics. DOJBook’s podcasts, first launched in September of 2018, remain popular.



The Criminal training team delivers residential and distance learning training programs for federal criminal prosecutors of all levels. In FY 2022, the team offered critical skills courses during the limited reopening period of July through September and continued virtual delivery of well-attended and well-received training on trial advocacy, the federal sentencing guidelines, and combatting all kinds of crime including cybercrime, drug offenses, violent offenses, human trafficking and white-collar crime.

The National Security training team responds to a broad array of training needs relating to security, international and domestic terrorism, and crisis management. In FY 2022, the team worked with DOJ's National Security Division to deliver extensive training on investigating and prosecuting both domestic and international terrorism. An increase in demand for this training is expected beyond FY 2022.

The National Indian Country Training Initiative (NICTI) team reached thousands through its Criminal Jurisdiction in Indian Country (CJIC) training program. The NICTI Coordinator, as co-chair of the Department's Missing or Murdered Indigenous Persons Initiative (MMIP) training working group, provided critical training on this program to thousands more.

The Legal Programs, Civil Law & Advocacy Training (LPCA) team executed multi-day courses on trial advocacy, deposition skills, and motions practice. It also hosted training for DOJ personnel who bring civil enforcement actions on behalf of the United States and for DOJ civil attorneys who defend the United States against suits under the False Claims Act, Federal Tort Claims Act, and more.

The Litigation Technology and Support training team (LTS Team) continues to offer litigation technology training for attorneys and non-attorneys and to teach attorneys and legal support staff to use all of DOJ's available eLitigation tools to litigate their cases more skillfully and efficiently. It will continue to play a key role in achieving the Department's eLitigation priorities.

Finally, 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). The major focus of this support is assisting OPDAT in its transition from international face-to-face training to webinars and courses online. In FY 2022, OLE assisted DOJ's individual Resident Legal Advisors (RLAs) who serve these communities around the globe by providing train-the-trainer courses, by sharing advice and strategies for transitioning from traditional face-to-face training to distance education and providing them the training resources needed to succeed.

## 2. PERFORMANCE AND RESOURCE TABLE

PERFORMANCE AND RESOURCES TABLE												
Decision Unit: Legal Education												
RESOURCES (\$ in thousands)			Target		Actual		Target		Changes		Requested (Total)	
			FY 2022		FY 2022		FY 2023		Current Services Adjustments and FY 2024 Program Changes		FY 2024 Request	
Total Costs and FTE			FTE	\$0	FTE	\$0	FTE	\$0	FTE	\$0	FTE	\$0
			53	23,937	53	23,937	53	28,437	0	1,950	53	30,387
Reimbursable FTE and Costs: (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)												
			0	[0]			0	[0]	0	[0]	0	[0]
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2022		FY 2022		FY 2023		Current Services Adjustments and FY 2024 Program Changes		FY 2024 Request	
Workload Measure	All	Number of Students Trained through Residential and Virtual Instruction	N/A		45,655		N/A		N/A		N/A	
The United States Attorneys do not update the actuals on Performance Tables until the end of the year, as the data is validated at that time and ready for release.												



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

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

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

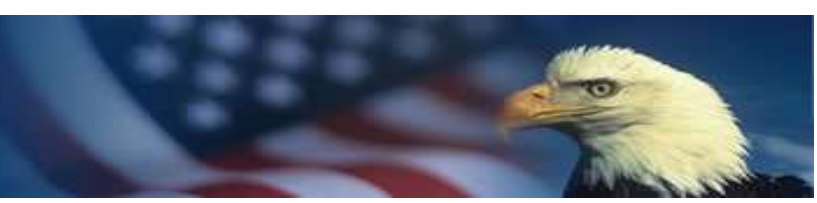
The performance measure for this decision unit is the number of students trained. In FY 2022, OLE trained 44,522 individuals virtually through a mix of online courses, VC courses, and webinars. It trained another 1,133 residentially.

OLE continues its comprehensive plan to measure the effectiveness and impact of its training. By gathering and analyzing data regarding the efficacy of training events, OLE confirmed their relevance and usefulness. Across all delivery methods, OLE's programs received consistently high scores and participants were overwhelmingly satisfied, with an average of 93 percent of respondents recommending OLE's courses (in all delivery formats) to others. Feedback shows students consistently cited examples of how they would apply knowledge and skills obtained to improve performance.

#### **b. Strategies to Accomplish Outcomes**

OLE will continue to offer high quality legal education through a combination of distance learning and classroom instruction when face to face interaction is necessary or optimal to achieve training objectives. It will continue to serve as a premiere and secure training venue for trial practice training and gatherings of USAO and DOJ personnel. It will continue using valid instructional design methods to increase engagement and learning retention and to tailor methods of instruction to meet identified objectives. OLE will meet the anticipated ongoing high demand for synchronous distance training through continued use of online courses, webinars, and its Virtual Classroom. It will meet demand for asynchronous training with written resources and videos on demand, including ones eligible for CLE credit.





## V. Program Increases by Item

**Item Name:** Violent Crime Prosecutions

**Budget Decision Unit(s):** Criminal Litigation

Program Increase: Positions **130** Attorneys **100** FTEs **65** Dollars **\$16,727,000**

### Description of Item

The United States Attorneys request **\$16.7 million** and **130 positions (100 Attorneys)** to implement the Department’s violent crime reduction strategies essential to upholding its fundamental goal of keeping the American people safe. These resources will increase the United States Attorneys’ offices’ (USAOs) abilities to target priority violent street gangs and drug traffickers in jurisdictions that are suffering from elevated levels of violence, accept more high priority firearms cases for federal prosecution, shut down pipelines feeding illegally trafficked firearms into regions affected by gun violence around the country, and implement holistically effective approaches that reduce violent crime and strengthen community and partner relations.

The impacts of violent crime are devastating to communities across the country. Through a unified and cohesive effort of federal, state, and local law enforcement – backed by additional prosecution resources – individuals who inflict the greatest harm on our population can be taken off the streets, recent surges in violent crime can be mitigated, and neighborhoods can become safer places.

### Justification

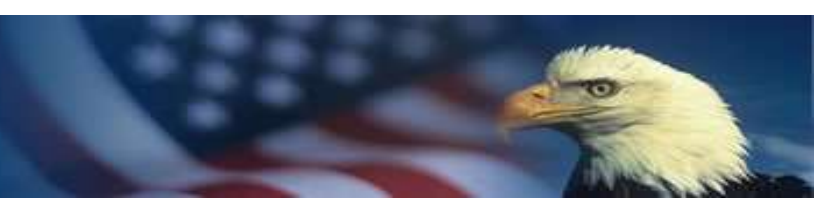
According to the FBI’s Uniform Crime Reporting data, from 2019-2020, the nation’s violent-crime rate increased approximately 5 percent<sup>1</sup> and the expanded homicide offense count (murders and nonnegligent manslaughter) increased by over 22 percent.<sup>2</sup> On top of the increases from that period, the Major Cities Chiefs Association (MCCA), an association of police executives from 70 of the United States’ largest cities reported that from 2020-2021, increases in homicides (6 percent) and aggravated assaults (3 percent) had occurred across the 70 reporting cities. Some of these cities reported double-digit increases in homicides and/or aggravated assaults.<sup>3</sup> In addition, MCCA data show that while both homicides and rapes decreased by 5 percent from 2021-2022, robberies increased by 5 percent and aggravated

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<sup>1</sup> <https://crime-data-explorer.app.cloud.gov/pages/explorer/crime/crime-trend>.

<sup>2</sup> <https://crime-data-explorer.app.cloud.gov/pages/explorer/crime/shr>.

<sup>3</sup> <https://majorcitieschiefs.com/wp-content/uploads/2022/02/MCCA-Violent-Crime-Report-2021-and-2020-Year-End.pdf>.



assaults increased by less than one percent during that same period.<sup>4</sup> Gun violence is a major driver of the recent increases in violent crime. A report issued in May 2022 by the Centers for Disease Control and Prevention noted that the rate of firearm murders rose nearly 35 percent from 2019-2020, reaching its highest level since 1994.<sup>5</sup>

In response to the rising violent crime levels, in May 2021, the Department launched a comprehensive violent crime reduction strategy to protect American communities, focusing especially on the gun violence that is often at its core. Working with law enforcement and community partners, the USAOs have worked to strengthen their crime reduction strategies by focusing on the most significant drivers of violent crime in their jurisdictions. In particular, USAOs have aligned their efforts with nationwide initiatives such as Project Safe Neighborhoods (PSN) to comprehensively address violent crime by fostering trust and legitimacy in our communities, supporting community-based organizations that help prevent violence from occurring in the first place, setting focused and strategic enforcement priorities, and measuring the results of our efforts. These strategies recognize that we are most successful when we work closely with state, local, Tribal, and territorial counterparts – and when we support and amplify their frontline efforts. In addition, in July 2021, the Department established Firearms Trafficking Strike Forces (FTSFs) to help reduce gun violence by disrupting illegal firearms trafficking in key trafficking corridors across the country. The FTSFs have focused on shutting down illegal gun trafficking that travels from source cites, through other communities, and into five key market regions: New York, Chicago, Los Angeles, the San Francisco Bay Area and Sacramento region, and Washington, D.C. The USAOs continue to work with Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) on prosecutions emanating from the FTSFs' investigations.

To further the Department's efforts to reduce violent crime, the USAOs need the requested resources to target the sources of the crime and increase and build upon cooperative efforts with law enforcement agencies and regional partners to combat violent crime. Resources are required to ramp up support to prosecute those accountable for the increased violent crime in areas that are hardest hit. In addition, AUSAs are needed to address other critical areas of the PSN strategy such as building partnerships, instituting evidence-based crime prevention and intervention programs, and pursuing all mechanisms and research that provide insight into the most effective methods to reduce violent crime.

With the resources requested, the USAOs will be better equipped to fully use all the federal statutory tools to combat violent drug traffickers and gangs as well as increase their violent-crime prosecutions. Moreover, these resources will strengthen the USAOs' ability to fully implement the Department's strategy of thoroughly collaborating with our law enforcement and community partners to further reduce violent crime in the places we call home.

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<sup>4</sup> <https://majorcitieschiefs.com/wp-content/uploads/2023/02/MCCA-Violent-Crime-Report-2022-and-2021-Year-End.pdf>.

<sup>5</sup> <https://www.cdc.gov/mmwr/volumes/71/wr/mm7119e1.htm>.



## **Impact on Performance**

Additional resources will better position the United States Attorneys with the necessary staff and tools to assist the Department's goals in responding directly to increases in violent crime. The additional positions requested will be used to enhance the collective effort of federal, state, and local law enforcement in combatting the recent surges in violent crime and making neighborhoods safer places.

The requested resources will address the following Strategic Goals and Objectives:

Goal II: Keep Our Country Safe; Objective: 2.3: Combat Violent Crime and Gun Violence.



## Violent Crime Funding

### 1. Base Funding

FY 2022 Enacted				FY 2023 Enacted				FY 2024 Current Services			
Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)
746	467	746	137,086	1,046	667	896	172,132	1,046	667	1,046	198,362

### 2. Personnel Increase Cost Summary

Type of Position/Series	FY 2024 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Attorneys (0905)	14,476	100	263.9	144.7	117.7	11,771	0
Paralegals (0900-0999)	2,152	30	122.5	71.7	66.2	1,986	1,128
<b>Total Personnel</b>	<b>16,627</b>	<b>130</b>				<b>13,758</b>	<b>1,128</b>

### 3. Non-Personnel Increase/Reduction Cost Summary

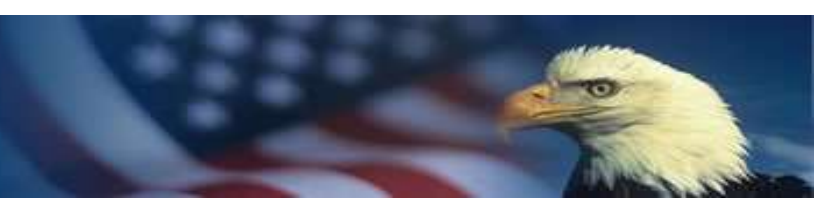
Non-Personnel Item	FY 2024 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Training	100	n/a	n/a	0	0
<b>Total Non-Personnel</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### 4. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Current Services	1,046	667	1,046	198,362	0	198,362	0	0
Increases	130	100	65	16,627	100	16,727	13,758	1,128
<b>Grand Total</b>	<b>1,176</b>	<b>767</b>	<b>1,111</b>	<b>214,989</b>	<b>100</b>	<b>215,089</b>	<b>13,758</b>	<b>1,128</b>

### 5. Affected Crosscuts

This program change will be reported in the Violent Crime crosscut.



**Item Name:** **Litigation Modernization (eLitigation)**

**Budget Decision Unit(s):** Criminal Litigation, Civil Litigation, and Legal Education

**Program Increase:** Positions **134** Attorneys **35** FTEs **67** Dollars **\$14,862,000**

### **Description of Item**

The United States Attorneys request **\$14.9 million** and **134 positions** (35 Attorneys) to ensure that the community has the personnel necessary to implement the technological and procedural requirements for prosecuting in the 21st century. As Electronically Stored Information (ESI) has become the key evidence in increasingly more criminal and civil cases, it has created a necessity to litigate cases more efficiently. However, this requires that the United States Attorneys' offices (USAOs) improve eLitigation skills (collection, processing, analysis, and presentation of evidence), update their governance structures, and embrace new best practices and technology. The resources provided in this request will ensure USAOs are equipped to effectively and efficiently achieve just and favorable case outcomes while meeting their legal and ethical discovery obligations in this digital environment.

### **Justification**

Most cases in the USAOs involve electronic evidence, and USAOs are collecting it at a rapidly increasing rate. As a result, the extensive growth in quantity, complexity, and use of data in both civil cases and criminal prosecutions is presently taxing their abilities to execute their missions. For example, nearly every violent crime case now involves capturing, storing, and processing electronically stored information. The search of just one violent offender's 64 GB mobile phone can equate to 4.8 million pages worth of data spread over numerous different formats such as phone call records, voice mail messages, text messages, contact lists, communications made via chat applications, photographs, videos, social media posts, Internet searches, location data, trips made with ride applications, and records of purchases. In addition, it is important to note that document-intensive complex civil and white collar criminal cases often involve even larger amounts of ESI.

Current cases require sophisticated technology, tools, and skilled staff to process and make effective use of the immense volume of data routinely pulled from smart phones, email providers, social media accounts, surveillance equipment, business records, and other electronic devices. Due to the expanding volume and complexity of this electronic evidence, case team members in the USAOs are required to dedicate ever-increasing time to processing and producing data, as well as to substantively reviewing it for evidentiary value. Further, legal and professional obligations concerning ESI are changing the nature of modern legal practice. For



instance, the federal rules of criminal and civil procedure both mandate that the parties meet and confer early in the case to discuss discovery issues around ESI. And multiple jurisdictions have revised the definition of “competence” in their professional responsibility rules to include an understanding of relevant technologies and have instituted education requirements on eLitigation issues.

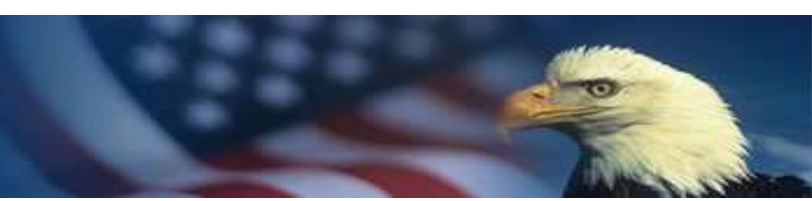
While storage needs are swelling, the USAOs are playing catch-up with the rest of the legal world regarding the paradigm shift in how data is stored and managed. For years, private law firms have utilized secure unified cloud storage and processing solutions while the USAOs continued to use outdated systems and processes to maintain case knowledge and documents. Prior to the enactment of the FY 2023 budget, the USAOs operated with a patchwork of storing and organizing key USAO documents, including the use of local computer hard drives, local district shared and non-shared servers, and district-specific cloud drive storage space. This patchwork resulted in limited access to key information, lack of version control to understand case history, potential non-compliance with records retention and information management regulations, no standard approach to query or search for enterprise-wide information, and increased costs to maintain multiple, potentially duplicative document management solutions.

In 2020, the Attorney General ordered improvements to the Department’s eLitigation capabilities. The Attorney General explained that the Department must have skilled personnel, acquire advanced technology, employ sound practices, develop integrated systems, and provide comprehensive training to advance its electronic litigation capabilities. Subsequent to the Attorney General’s order, the Department added [Justice Manual Section 1-11.000](#), which provides that Department employees must develop and maintain eLitigation skills and that subject matter experts are expected to promote eLitigation proficiency within their components by providing training, guidance, and supervision to support effective eLitigation practices. Each USAO is required to designate criminal, civil, and technical eLitigation Coordinators.

To meet the challenges presented by this evolving landscape, and be consistent with the Department’s guidance, EOUSA and the USAOs have focused on making improvements in three key areas: people, technology, and processes.

As part of the FY 2023 enacted level, the United States Attorneys will acquire the technological tools, deliver the training processes, and hire some of the key positions necessary to start implementing the modernization of our eLitigation practices. In order to successfully complete the transition to a more efficient and effective means of managing the immense amount of ESI data critical to prosecuting today’s cases, the USA requests resources for the human capital component of the eLitigation implementation plan, which is the full complement of skilled positions required to deliver the solution.

The FY 2024 eLitigation investment request builds upon the FY 2023 resources to strategically hire individuals who possess the knowledge needed to use existing and new eLitigation tools, to adapt to the ever-changing landscape of eLitigation, and to serve as eLitigation subject matter experts (SMEs) within their respective offices. Attorneys are an integral part to building an effective and comprehensive eLitigation program because of their

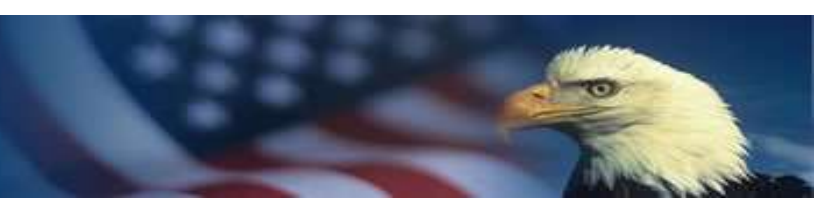


knowledge and experience with office-wide discovery and case management practices; litigation support and consultation at all stages of litigation; and engagement with law enforcement partners, client agencies, opposing counsel, and the court. Their role will be to guide their AUSA colleagues, support staff, law enforcement, and client agencies through eLitigation; lead local eLitigation management; and develop and implement USAO-specific policies and procedures for managing electronic case data. These attorneys will serve as the SMEs described in the new Justice Manual provision and will lead eLitigation change in the USAOs. The support positions will assist with a variety of technical eLitigation needs, including using discovery processing tools, setting up electronic data review platforms, and consulting with attorneys on effective ways to search large amounts of electronic data. The positions will also assist the USAOs with the nationwide configuration, implementation, and steady-state activities associated with this initiative. Lastly, they will play an essential role in providing programmatic support regarding eLitigation policies, resources, and best practices; meeting federal regulations for cybersecurity; and providing operational support for cloud-based eLitigation solutions.

### **Impact on Performance**

To create an integrated approach to litigating in the 21<sup>st</sup> century, additional resources are necessary to avoid or minimize any serious litigation risks for the Department.

The requested resources will support all the Strategic Goals and Objectives.



## Litigation Modernization (eLitigation) Funding

### 1. Base Funding

FY 2022 Enacted				FY 2023 Enacted				FY 2024 Current Services			
Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)
160	6	160	36,081	291	71	226	70,711	291	71	291	81,404

### 2. Personnel Increase Cost Summary

Type of Position/Series	FY 2024 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Attorneys (0905)	5,066	35	263.9	144.8	117.7	4,120	0
Litigation Technologist (0900-0999)	8,580	93	163.5	92.3	68.7	6,388	0
Info Technology Mgmt. (2210)	748	6	223.9	124.7	97.3	584	0
<b>Total Personnel</b>	<b>14,395</b>	<b>134</b>				<b>11,092</b>	

### 3. Non-Personnel Increase/Reduction Cost Summary

*This request includes funding to purchase software necessary to make a paradigm shift away from local desktop processing to cloud processing in the USAOs, and to support contractors.*

Non-Personnel Item	FY 2024 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Software	267	n/a	n/a	0	0
Contractors	200			0	0
<b>Total Non-Personnel</b>	<b>467</b>		<b>0</b>	<b>0</b>	<b>0</b>

### 4. Justification for Non-Personnel Annualizations

*USA will need \$467,000 in annual costs for software and contractual support.*



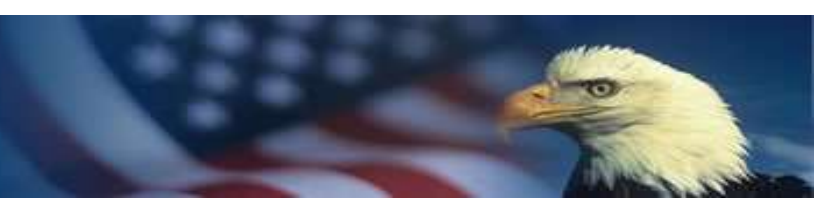


**5. Total Request for this Item**

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Current Services	291	71	291	47,804	33,600	81,404	0	0
Increases	134	35	67	14,395	467	14,862	11,092	0
<b>Grand Total</b>	<b>425</b>	<b>106</b>	<b>358</b>	<b>62,199</b>	<b>34,067</b>	<b>96,266</b>	<b>11,092</b>	<b>0</b>

**6. Affected Crosscuts**

N/A



**Item Name:** **Protecting the Public Fisc**

**Budget Decision Unit(s):** Civil Litigation and Legal Education

**Program Increase:** Positions **50** Attorneys **50** FTEs **25** Dollars **\$8,238,000**

**Description of Item**

The United States Attorneys request **\$8.2 million** and **50 positions (50 attorneys)** to defend the interests of taxpayers and the United States by addressing the significant increase in the defensive civil litigation workload in recent years, driven primarily by dramatic increases in immigration cases, prisoner litigation, and Freedom of Information Act (FOIA) cases that the USAOs are required to defend. Notably, this enhancement would mark the first time that new, dedicated resources are allocated to this critical and mandatory casework. Currently, many USAOs are struggling to address these caseloads, and have found it necessary to redirect existing, limited resources to address the volume of defensive civil casework. Given the many pressing priorities that offices face, and the unique requirements and skillsets associated with civil casework, absent an infusion of resources in this important area, we risk jeopardizing the quality of representation that the USAOs can provide.

**Justification**

For over two decades, the United States Attorneys’ has relied solely on base funding to support defensive civil litigation. However, because the USAOs must defend their defensive civil cases, the rising workload inevitably limits the resources available for priority affirmative civil litigation enforcement and civil rights initiatives. For several years the USAOs have been increasingly pressed for defensive civil attorney resources, making the recent increases in immigration, FOIA, and prisoner caseloads particularly difficult.<sup>1</sup>

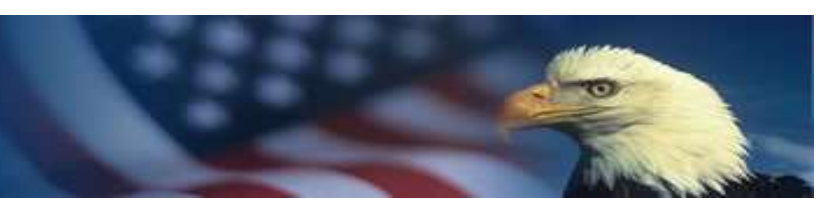
- *Immigration Cases*

Since Fiscal Year (FY) 2015, the number of civil defensive immigration cases filed nationwide has risen from 2,045, to 8,543 in FY 2022. This amounts to a 318 percent increase in the number of immigration cases USAOs are required to defend, including a 48 percent increase from FY 2021 to FY 2022. In FY 2023 case filings are on pace to reach 9,720 new cases,<sup>2</sup> which is another 14 percent increase. The USAOs are also required to

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<sup>1</sup> Defensive civil litigation consists primarily of defensive torts, employment discrimination, immigration, FOIA Administrative Procedure Act, prisoner litigation, and civil rights.

<sup>2</sup> Numbers are a straight-line projection based on data through December 2022.



defend a mounting number of multi-plaintiff and class action lawsuits challenging the United States' immigration policies, detention determinations, status determinations, and a myriad of other immigration-related issues. Consistent with the rise in immigration cases, attorney work time devoted to these cases has more than doubled the FY 2015 work time levels, and there is no reason to expect the total number of immigration cases or work hours nationwide will go down in the foreseeable future.

Because the Department's Civil Division Office of Immigration Litigation (OIL) district court section has also seen a significant increase in its workload, it has faced considerable challenges to maintain its past practice of handling almost all business-related immigration cases. These cases often now come to the USAOs. In addition, OIL is delegating an increasing number of class action cases to the USAOs for handling. Over a dozen districts are handling class actions, or multiple class actions, that previously would have been handled by OIL. It is important to note that the number of reported immigration cases understates the actual number of individual claims the USAOs are handling.<sup>3</sup> These cases are time and discovery intensive, exhausting USAO civil resources.

The variety of immigration cases that USAOs handle continues to expand to include habeas corpus cases against United States Immigration and Customs Enforcement (ICE) by immigrant detainees, often involving statutory or constitutional challenges to extended detention either during removal proceedings or while awaiting removal, cases against United States Citizenship and Immigration Services (USCIS), seeking Administrative Procedure Act (APA) review of I-130 denials, I-140 denials, H-1B denials, and denials of immigrant visa petitions for intracompany managers/executives. The USAOs are also defending challenges to the Presidential Proclamation, rescission of Deferred Action for Childhood Arrivals (DACA), ICE detainers, and actions to enjoin ICE from conducting civil arrests at or near state courthouses. Other cases include challenges to bond hearings, litigation in connection with detainee hunger strikes, and a host of other miscellaneous matters that makes the immigration caseload particularly demanding.<sup>4</sup>

This enhancement also seeks funding for training. As USAOs have had to take on more complex immigration cases, such as class actions, AUSAs require training in immigration areas where USAOs have not typically focused their efforts. To be effective, such training is best delivered through a mix of distance and classroom methods.

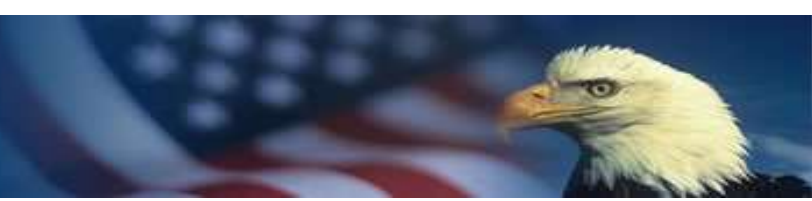
- *FOIA Litigation*

The number of new FOIA cases defended by USAOs nationwide has been generally increasing for many years, with sharp increases from 435 cases in FY 2016 to 756 cases in

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<sup>3</sup> For example, the USAO for the District of Columbia had several cases with more than 10 individual plaintiffs, including one with more than 50, and the USAO for the Eastern District of New York had one case with 70 individual plaintiffs. Thus, the growth in the immigration caseload that USAOs are handling is even larger than the case numbers reflect.

<sup>4</sup> Increased immigration enforcement efforts generate collateral FOIA, Federal Tort Claims Act, and *Bivens* cases arising out of the operations of local immigration agencies that civil AUSAs are also required to defend.



FY 2020. The case volume the last two years does not suggest a likely return to FY 2016 levels, with 638 cases in FY 2021 and 684 cases in FY 2022. While these increases in caseloads are most acutely felt in the USAO for the District of Columbia (USAO-DC) due to a FOIA venue provision making DC a proper venue for all FOIA cases, several other large districts have seen significant increases as well. The overall trend of elevated cases is expected to continue, aided in part by the caselaw governing awards of attorneys’ fees, which has made it easier for requesters, particularly public interest groups, to obtain “prevailing party” status and access the fee-shifting provision in FOIA.

- *Prisoner Litigation*

Between FY 2018 and FY 2021, attorneys devoted to prisoner litigation grew by almost 75 percent, and is anticipated to increase by another 11 percent in FY 2023.<sup>5</sup> Although some of this surge is COVID-related, it is not anticipated that these numbers will return to pre-FY 2017 levels in the foreseeable future. The additional work time required in recent years to support efforts in this category alone places a significant strain on the USAOs’ ability to meet other civil casework needs.

### **Impact on Performance**

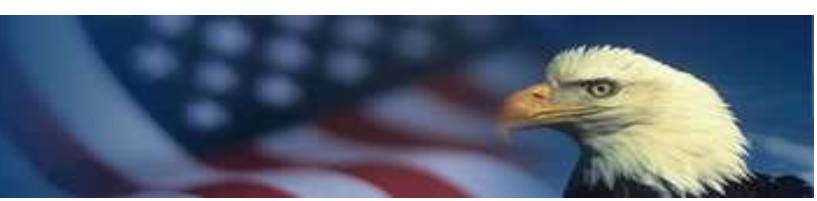
For the USAOs to effectively carry out the Department’s mission to “ensure fair and impartial administration of justice for all Americans,” and to effectively defend against the crushing rise in the number and complexity of immigration, FOIA, and prisoner cases, additional defensive civil positions are necessary. Litigating civil defensive cases is non-discretionary and USAOs have no control over the volume of cases they must defend. The decades of increasing caseloads have inevitably and significantly squeezed USAOs’ ability to conduct all other types of affirmative litigation, including fraud, civil rights, and environmental cases. In addition, the crushing caseloads continue to undermine USAOs’ ability to retain and train their civil AUSAs.

The requested resources will address the following Strategic Goals and Objectives:

Goal I: Upholding the Rule of Law; Objective: 1.1: Protect Our Democratic Institutions.

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<sup>5</sup> FY 2023 numbers are based on a straight-line projection using data through December 2022.



## Protecting the Federal Fisc Funding

### 1. Base Funding

FY 2022 Enacted				FY 2023 Enacted				FY 2024 Current Services			
Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)
1,030	680	1,030	190,511	991	651	991	187,493	991	651	991	187,493

### 2. Personnel Increase Cost Summary

Type of Position/Series	FY 2024 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Attorneys (0905)	7,238	50	263.9	144.7	117.7	5,886	0
<b>Total Personnel</b>	<b>7,238</b>	<b>50</b>				<b>5,886</b>	<b>0</b>

### 3. Non-Personnel Increase/Reduction Cost Summary

*The request includes residential and virtual training for all Assistant United States Attorneys.*

Non-Personnel Item	FY 2024 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Training	1,000	0	0	0	0
<b>Total Non-Personnel</b>	<b>1,000</b>			<b>0</b>	<b>0</b>

### 4. Justification for Non-Personnel Annualizations

*Training is required on an annual basis for Assistant United States Attorneys to keep pace with new policies. As USAOs have had to take on more complex immigration cases, such as class actions, AUSAs require training in immigration areas where USAOs have not typically focused their efforts. To be effective, such training is best delivered through a mix of distance and classroom methods.*



**5. Total Request for this Item**

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Current Services	991	651	991	187,493	0	187,493	0	0
Increases	50	50	25	7,238	1,000	8,238	5,886	0
<b>Grand Total</b>	<b>1,041</b>	<b>701</b>	<b>1,016</b>	<b>194,731</b>	<b>1,000</b>	<b>195,731</b>	<b>5,886</b>	<b>0</b>

**6. Affected Crosscuts**

N/A.



**Item Name:** Cybersecurity Modernization

Budget Decision Unit(s): Criminal and Civil Litigation

Program Increase: Positions 4 Attorneys 0 FTEs 2 Dollars \$10,700,000

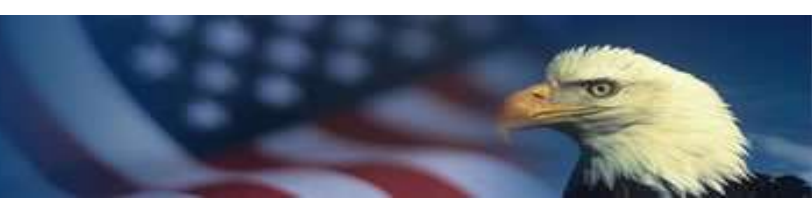
**Description of Item**

The United States Attorneys request **\$10.7 million** and **four positions** to secure critical infrastructure, covering digital environments. The request addresses increasing cyber threats on a recurring basis by enhancing key National Institute of Standards and Technology (NIST) cybersecurity framework functions.

**Justification**

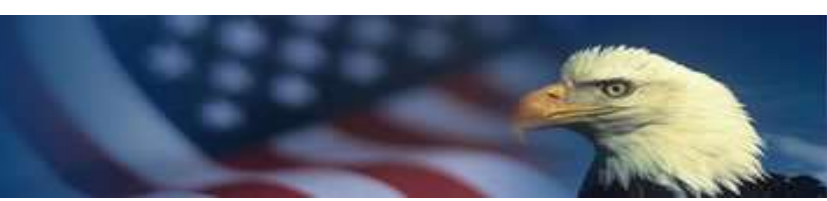
The United States Attorneys have made initial investments in foundational cybersecurity capabilities and associated programs, both protecting our information technology (IT) enterprise and enabling core litigation functions like eDiscovery. Petabytes of Controlled Unclassified Information are stored, processed, and distributed across this IT infrastructure that must be secured and simultaneously available to our federal prosecutors. With the rising sophistication of advanced cyber and insider threat actors and corresponding increases in the velocity and ferocity of attacks, the USAOs need enhanced cybersecurity capabilities to counter these threats and ensure continuity of the United States Attorneys’ litigation operations with a commensurate level of recurring investment in technology and contractual support. Investments in new technology and expanding existing capacity will modernize critical cybersecurity capabilities to meet both the advanced cyber threat and newly mandated federal requirements. The President’s Executive Order 14028, *Improving the Nation’s Cybersecurity*, and related Office of Management and Budget (OMB) memoranda, call for a broad sweeping set of capabilities. These capabilities were identified to address recent cyber breaches like SolarWinds.

Executive Order 14028 requires the adoption of security best practices that lead to a Zero Trust Architecture (ZTA). This proposed investment area aligns with the Department of Homeland Security Cybersecurity and Infrastructure Security Agency (DHS CISA) Zero Trust Architecture initiative as well as investigative and remediation capabilities related to cybersecurity incidents called out in OMB Memorandum 22-09 *Federal Zero Trust Strategy*, and OMB Memorandum 21-31 *Improving the Federal Government’s Investigative and Remediation Capabilities Related to Cybersecurity Incidents*. CISA’s zero trust model describes five complementary areas of effort or Pillars. They are Identity, Devices, Networks, Applications and Workloads, and Data, with three themes that cut across these areas (Visibility and Analytics, Automation and Orchestration, and Governance).



- Pillar 1 - Identity: \$5.4 million - An identity refers to an attribute or set of attributes that uniquely describe an agency user or entity. Resources in this area will support *Identity and Access Management (IdAM)* to ensure that attorneys can assert trusted identities, bound to credentials that meet strong multifactor authentication requirements ultimately enabling fine-grained access to litigation applications and data. Funding is for software, hardware, government positions and contractual support.
- Pillar 2 - Device: \$0.8 million - A device refers to any hardware asset that can connect to a network, including Internet of Things (IoT) devices, mobile phones, laptops, servers, and others. This area will support *USAp Protect*, which provides Endpoint Protection and Encryption and ensures virtual machines, tablets, laptops, workstations, and servers are secured with tools like advanced threat and ensuring that data is encrypted. This also includes the ability to deploy Endpoint Detection and Response (EDR) capabilities using threat hunting techniques to identify indicators of compromise and isolate malware and threat actor movement. Funding is for software and contractual support.
- Pillar 3 - Network/Environment: \$1.0 million - A network refers to an open communications medium, including agency internal networks, wireless networks, and the Internet, used to transport messages. This area will utilize *Secure Web Gateway*, a key component in the Department's Zero Trust Model, ensuring that no actor, system, network, or service operating outside or within the security perimeter is the trusted. The Department ZTA model uses a trust broker that mediates connections between applications and users, then examines person identities and device compliance enabling attorneys and external partners trusted access to key resources while being continuously monitored. Funding is for software, hardware, government positions and contractual support.
- Pillar 4 - Application Workload: \$0.5 million - Applications and workloads include agency systems, computer programs, and services that execute on premise, as well as in a cloud environment. This area supports the *USA Vulnerability Assessment and Penetration Testing (VAPT) Program*, which provides critical tools and staff to conduct security testing, insight into the security posture of our environment, and quicker remediation actions to resolve critical vulnerabilities and weaknesses. In addition, resources will support the *Enterprise Vulnerability Management System (EVMS) Program*, which assesses and monitors the risk posture of our Information Technology Enterprise (ITE). Funding is for software and contractual support.
- Pillar 5 - Data: \$3.0 million – The United States Attorneys' data must be protected on devices, in applications, and networks. Resources in this area will support *USAanalytics*, which will provide advanced analytics, artificial intelligence, and machine learning to identify actionable intelligence and respond effectively and efficiently with automated playbooks. Specifically, these resources include the additional capabilities to manage the increased log system process capabilities expected to grow from 1.5TB to 10TB of data daily. In addition, data security requires the *Security Orchestration and Automated Response (SOAR)* implementation, which will integrate with the existing Security Information and Event Management platform to effectively monitor security events throughout their systems





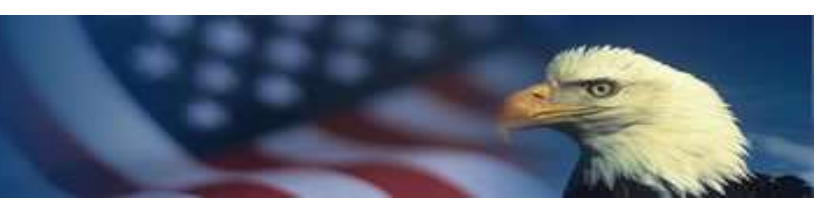
and cloud infrastructure and successfully automate our security responses, ultimately minimizing the impact of the cyber event. Funding is for software, hardware, government positions and contractual support.

**Impact on Performance**

The requested funding is necessary to allow the USAOs to continue to strengthen cybersecurity tools and techniques and safeguard the data, systems, and networks essential for the United States Attorneys to meet its mission.

The requested resources will address the following Strategic Goals and Objectives:

Goal II: Keep Our Country Safe; Objective: 2.4: Enhance Cybersecurity and Fight Cybercrime.



## Cybersecurity Modernization Funding

### 1. Base Funding

FY 2022 Enacted				FY 2023 Enacted				FY 2024 Current Services			
Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)
242	193	242	64,167	237	188	237	71,818	237	188	237	71,818

*Note: Current services include both cybercrime and cybersecurity resources.*

### 2. Personnel Increase Cost Summary

Type of Position/Series	FY 2024 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Info Technology Mgmt. (2210)	499	4	223.9	124.7	97.3	389	0
<b>Total Personnel</b>	<b>499</b>	<b>4</b>				<b>389</b>	<b>0</b>

### 3. Non-Personnel Increase/Reduction Cost Summary

*This request includes funding to provide critically needed Investments in new cybersecurity technology to support initiatives targeting ZTA implementation, and to expand existing capacity that will modernize cybersecurity capabilities to meet both the advanced cyber threat and newly mandated federal requirements. Specifically included are:*

- *Purchase software to support USA's platform pillars, such as IdAM, USAp Protect, Secure Web Gateway, USAVAPT, and EVMS, USAanalytics and SOAR. The estimated cost for all software is \$3.6 million.*
- *Purchase hardware and infrastructure to support USA's platforms, such as IdAM, Secure Web Gateway and USAanalytics. The estimated cost is \$429,000.*
- *Procure contractual support for all USA platforms. The estimated cost is \$6.2 million.*

Non-Personnel Item	FY 2024 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Cybersecurity	10,201	n/a	n/a	0	0
<b>Total Non-Personnel</b>	<b>10,201</b>			<b>0</b>	<b>0</b>



**4. Justification for Non-Personnel Annualizations**

*USA will need full funding annually for software to maintain the necessary cybersecurity upgrades.*

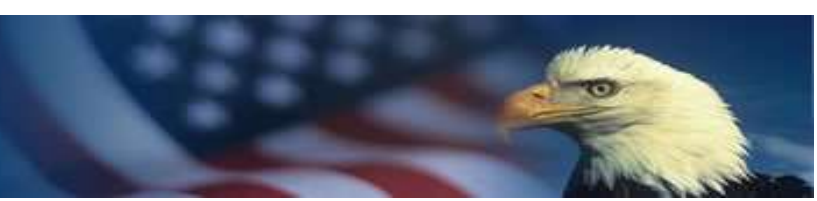
*USA will need annual contractor support associated with the cybersecurity modernization effort.*

**5. Total Request for this Item**

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Current Services	237	188	237	64,357	7,461	71,818	0	0
Increases	4	0	2	499	10,201	10,700	389	0
<b>Grand Total</b>	<b>241</b>	<b>188</b>	<b>239</b>	<b>64,856</b>	<b>17,662</b>	<b>82,518</b>	<b>389</b>	<b>0</b>

**6. Affected Crosscuts**

This program change will be reported in the Cyber crosscut.



**Item Name:** Zero Emission Vehicles

Budget Decision Unit(s): All

Program Increase: Positions 0 Attorneys 0 FTEs 0 Dollars \$914,000

**Description of Item**

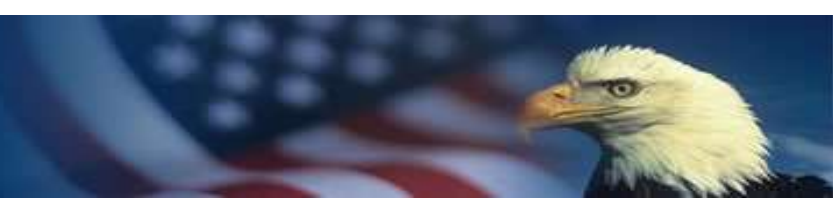
The United States Attorneys request **\$0.9 million** to support the President’s goal to reduce greenhouse gas emissions (GHG) across federal operations with the procurement, operation, and management of electric vehicles and the installation of the required charging/fueling infrastructure. This request aligns with the policies and targets set forth in Executive Order (E.O.) 14008, *Tackling the Climate Crisis at Home and Abroad* and E.O. 14057, *Catalyzing Clean Energy Industries and Jobs through Federal Sustainability*, which aim to reduce GHG emissions and its environmental impacts.

**Justification**

In support of the Administration’s efforts to transition to a fully Zero Emission Vehicle (ZEV) Federal fleet, the Department will focus on the acquisition of ZEVs (battery electric, plug-in electric hybrid, and hydrogen fuel cell vehicles) and deploy a vehicle charging infrastructure across its major user components. These acquisitions are a significant step towards eliminating tailpipe GHG emissions from the Department’s fleet and aligning fleet operations with the Department’s comprehensive plan to meet the goal of achieving a fully ZEV fleet in accordance with the guidance in E.O. 14008.

Additionally, E.O. 14057 outlines the Administration’s policy to achieve a carbon pollution-free electricity sector by 2035 and net-zero emissions economy-wide by no later than 2050. A critical factor in reaching these goals is for agencies to achieve 100 percent ZEV acquisitions by 2035, including 100 percent zero-emission light-duty vehicle acquisitions by 2027.

To reach these objectives, USA will use the requested funds to prioritize ZEV acquisitions of government and contractor-owned, operated, or leased vehicles to replace its current motor fleet, thereby making a direct impact on our greenhouse gas emissions. In addition, the United States Attorneys will procure and operate the Electric Vehicle Supply Equipment (EVSE) necessary to support the new ZEV fleet. These resources include the planning and equipment to support a battery and plug-in hybrid electric vehicle charging infrastructure.

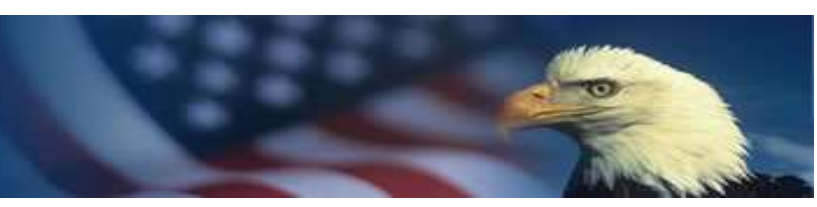


## **Impact on Performance**

To implement the policy, goals, and provisions as set forth in Executive Orders 14008 and 14057 requiring agencies prioritize base fleet resources for the operation and procurement of new ZEVs and deploy a vehicle charging infrastructure utilizing EVSE.

The requested resources will address the following Strategic Goals and Objectives:

Goal III: Protect Civil Rights, Objective 3.5: Advance Environmental Justice and Tackle the Climate Crisis.



## Zero Emission Vehicles Funding

### Base Funding

FY 2022 Enacted				FY 2023 Enacted				FY 2024 Current Services			
Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)	Pos	Agt/ Atty	FTE	Amount (\$000)
0	0	0	0	0	0	0	0	0	0	0	0

### Personnel Increase Cost Summary

Type of Position/Series	FY 2024 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				1st Year	2nd Year	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
<b>Total Personnel</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2024 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Acquisitions	914	0	1	0	0
<b>Total Non-Personnel</b>	<b>914</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>

### Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/ Atty	FTE	Personnel	Non- Personnel	Total	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Current Services	0	0	0	0	0	0	0	0
Increases	0	0	0	0	914	0	0	0
<b>Grand Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>914</b>	<b>0</b>	<b>0</b>	<b>0</b>



## VII. EXHIBITS

