

UNITED STATES
DEPARTMENT OF JUSTICE

UNITED STATES ATTORNEYS



FY 2017 PERFORMANCE BUDGET
CONGRESSIONAL SUBMISSION

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I. Overview of the United States Attorneys

A. Introduction

The United States Attorneys' mission as the nation's principal litigators supports three of the Department of Justice's strategic goals – (1) to prevent terrorism and promote the nation's security consistent with the rule of law, (2) to prevent crime, protect the rights of the American people, and enforce federal law, and (3) to ensure and support the fair, impartial, efficient, and transparent administration of justice at the federal, state, local, tribal, and international levels.

In FY 2017, the United States Attorneys request \$2,074,402,000 and 10,932 positions, of which 5,542 are attorneys. The budget request includes the following program increases: \$19,634,000 and 138 positions (including 24 attorneys) to address the paradigm shift from paper discovery to electronic discovery; \$5,000,000 and 53 positions for the Smart on Crime initiative; and \$2,426,000 and 10 positions for countering violent extremism.

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

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

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

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



community's needs. The USAOs also play a key role in the implementation of the Department's Smart on Crime initiative, which has fundamentally changed our approach to charging and sentencing in criminal cases.

The Attorney General's Advisory Committee of United States Attorneys

United States Attorneys provide advice and counsel to the Attorney General and senior policy leadership through the Attorney General's Advisory Committee (AGAC) and its various subcommittees and working groups. The AGAC was established in 1973, to give United States Attorneys a voice in advising the Attorney General on Department policies. The Committee is comprised of approximately 19 members, including 16 United States Attorneys, a Criminal Chief, a Civil Chief, and an Appellate Chief. The Committee members meet regularly with the Attorney General, the Deputy Attorney General, and the Associate Attorney General, and represent various federal judicial circuits, and offices. The AGAC has subcommittees and working groups to address the Administration's priorities.

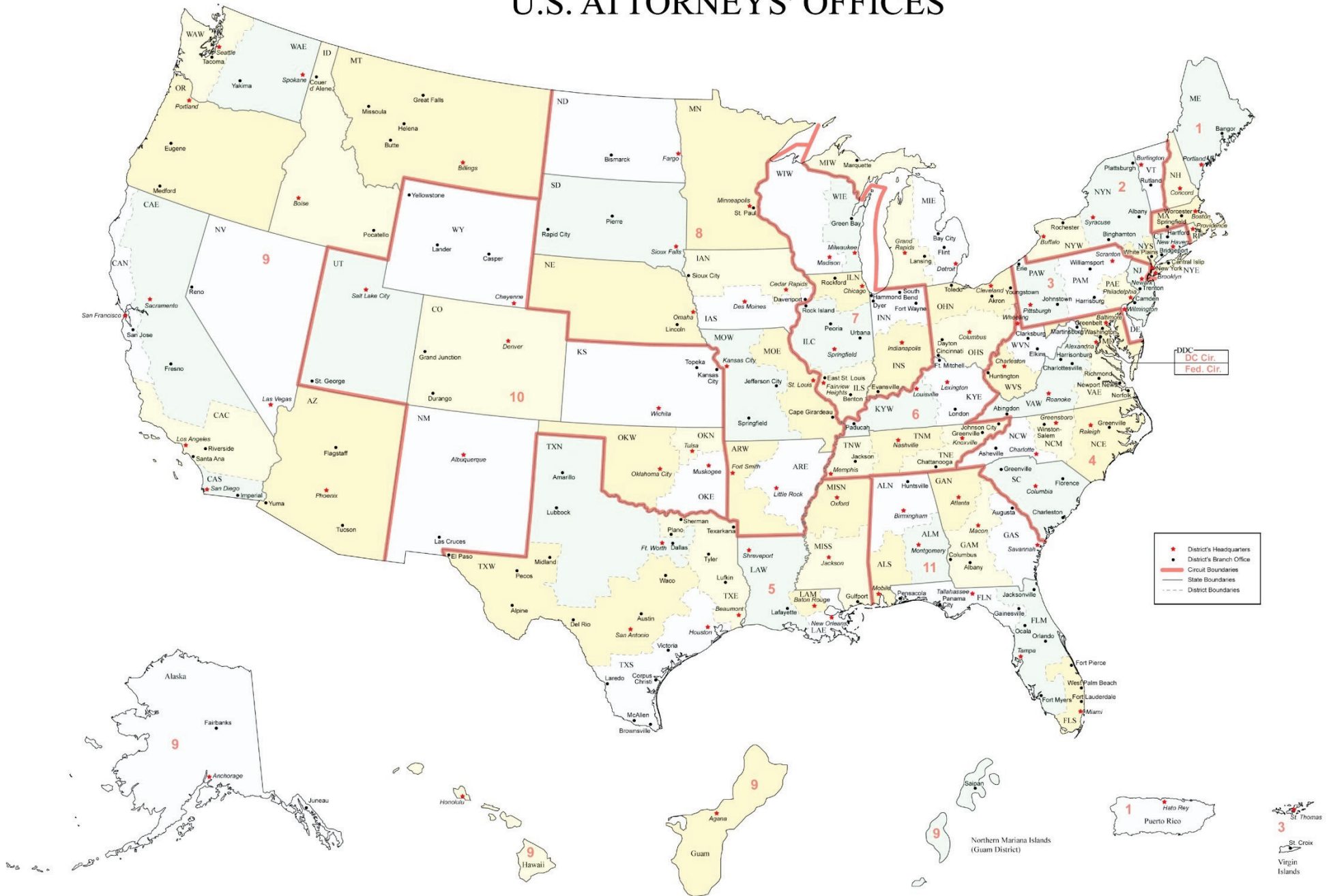
The subcommittees include:

- Border and Immigration Law Enforcement
- Civil Rights
- Criminal Practice
- Cyber/Intellectual Property
- LECC/Victim/Community Issues
- Native American Issues
- Office Management and Budget
- Terrorism/National Security
- Violent and Organized Crime
- White Collar/Fraud

The working groups include:

- Administrative Officers
- Appellate Chiefs
- Child Exploitation and Obscenity
- Civil Chiefs
- Controlled Substances and Asset Forfeiture
- Criminal Chiefs
- Domestic Terrorism
- Environmental Issues
- Forensic Science
- Health Care Fraud
- Local Government Coordination
- Medical Marijuana
- Security Issues
- Service Members and Veterans Rights

U.S. ATTORNEYS' OFFICES





Executive Office for the United States Attorneys

In 1953, Attorney General Order No. 8-53 established the Executive Office for United States Attorneys (EOUSA) to “provide general executive assistance and supervision to the offices of the United States Attorneys.” One of the original directives instructed EOUSA to “serve as liaison, coordinator, and expediter with respect to the Offices of the United States Attorneys, and between these offices and other elements of the Department [of Justice].” Under the guidance of the Director, EOUSA provides the 94 USAOs with general executive assistance and supervision; policy guidance; administrative management direction and oversight; operational support; and coordination with other components of the Department and other federal agencies. EOUSA’s responsibilities encompass legal, budgetary, administrative, and personnel services, as well as continuing legal education. EOUSA provides support and assistance to approximately 11,600 direct and reimbursable employees in 250 staffed offices throughout the country. See Exhibit A for an organization chart of EOUSA.

The following three program/functional areas fall under the immediate direction of the Director:

Resource Management and Planning; Information Technology; and Human Resources.

The responsibilities of these program areas are outlined below:

- The **Chief Financial Officer** provides the Director with expert advice on an annual budget of approximately \$2 billion, full-time equivalent (FTE) position allocations, resource management, and reimbursable agreements with the Department and other federal agencies. The CFO has responsibility for the following staffs: the **Resource Management and Planning (RMP) Staff**; the **Facilities and Support Services (FASS) Staff**; and the **Acquisitions Staff**. The **RMP Staff** is responsible for budget formulation, budget execution, financial management, audit reviews, and the detailee program. The RMP Staff compiles resource needs and formulates an annual budget submission for presentation to the Department, the Office of Management and Budget (OMB), and Congress. It also manages day-to-day financial operations through daily contact with the USAOs and through review of regular accountability reports. An internal Audit and Review Staff evaluates the internal controls in the USAOs and prepares districts for the annual independent federal financial audit. The Detailee Program Staff initiates and coordinates all detail assignments, both internal and external to our community. The Financial Systems Support Group (FSSG) provides financial systems support and expertise to the USAOs on all Departmental and EOUSA automated financial and accounting systems. RMP also develops performance measures for the United States Attorneys in accordance with the Government Performance and Results Act (GPRA) and coordinates quarterly status reporting and program assessments. The **FASS Staff** provides direct support and oversight of all USAOs in the areas of real property management, including space acquisition, relocation, design, repair, and management of rent payments. Support services include forms management, printing, and mail metering. The **Acquisitions Staff** supports both EOUSA and the USAOs by issuing contracts for supplies/services nationwide in compliance with applicable federal, departmental, and other regulations, policies, and procedures.



- The **Chief Information Officer** is responsible for providing advice and assistance to the Director of EOUSA and the senior staff to ensure that information technology is acquired and managed according to Department and EOUSA policies and procedures. The CIO directs and manages the following staffs. The **Case Management Staff** develops and maintains software applications and case management systems. The **Office Automation Staff** supports the purchase and installation of computer systems, equipment, and software; the maintenance of hardware and software; and end-user training. The **Telecommunications and Technology Development Staff** provides administrative and technical support to the USAOs in all telecommunications activities, including voice, data, and video. The **Information Security Staff** ensures the confidentiality, integrity, and availability of information and information systems to best support the mission of the United States Attorneys. The **Records Information Management Staff** coordinates and oversees electronic records and document management capabilities of all USAOs. The **Enterprise Voice-over Internet Protocol Staff** implements and maintains the next generation telephone service/system that integrates into the computer system, creating a more effective method of communication to maximize return on investment and contribute to the mission statement of the USAOs.
- The **Chief Human Resources Officer** is responsible for all aspects of human resource management, operations, policy, and practices in EOUSA and the USAOs. The **Human Resources Staff** assists EOUSA and the USAOs by providing employment services in such areas as position classification, staffing, compensation, employee benefits, performance management, pre-employment security, and employee assistance. Staff members provide guidance, advice, and training related to these programs and activities. The **Security and Emergency Management Staff** provides security program support for the USAOs, including policy and procedural assistance, training, education and awareness efforts, and emergency and contingency planning.

EOUSA also has two Deputy Directors who report to the Director. The **Deputy Director/Counsel to the Director** oversees the **Office of Legal and Victim Programs**; the **Strategic Communications Staff**; the **Data Integrity and Analysis Staff**; and the **Evaluation and Review Staff**. The functions of these units are outlined below:

- The **Office of Legal and Victim Programs** includes four staffs: **Asset Recovery**; **White Collar and Civil Litigation**; **Victim-Witness**; and **Indian, Violent and Cyber Crimes**. Each staff assists in the development and implementation of policies and procedures in its program areas, and serves as a liaison between the USAOs and other offices both inside and outside the Department. The **Asset Recovery Staff** supports the collection and enforcement efforts of district financial litigation programs, asset forfeiture programs, and bankruptcy. The **White Collar and Civil Litigation Staff** provides guidance and support to the USAOs in the areas of health care fraud, white collar crime, and civil defensive litigation. In addition, the staff coordinates the activities of the Affirmative Civil Enforcement Program, which uses civil statutes for federal law enforcement efforts in fighting economic fraud. The **Victim-Witness Staff** provides guidance and support for personnel in the USAOs who handle victim notification, explain to victims the criminal justice process, prepare victims



and witnesses for testimony and allocution, coordinate and accompany victims and witnesses to court proceedings, and provide victims with service referrals and emergency assistance. The staff also provides guidance and support to the USAOs on both civil and criminal Civil Rights issues. The **Indian, Violent and Cyber Crimes Staff** provides guidance and support to the USAOs in the areas of Native American issues, computer crime and intellectual property, immigration and border security, violent crime and gangs, and narcotics. The staff also provides management support for the Project Safe Neighborhoods and Project Safe Childhood programs.

- The **Strategic Communications Staff (SCS)** supports EOUSA and the USAOs with external and internal communications, digital engagement, and multimedia. Working closely with the Department's Office of Public Affairs, SCS provides support on public affairs and media issues related to the USAOs. SCS also manages digital engagement at EOUSA, providing web content and social media management, development, and support for EOUSA and the USAOs, as well as multimedia services such as photography, audio/visual productions, and graphic design.
- The **Data Integrity and Analysis Staff** is responsible for providing statistical information and analysis for EOUSA. The staff provides data and analysis to EOUSA's leadership, and helps EOUSA respond to data requests from DOJ components, the White House, Congress, and the public. The staff also provides the United States Attorneys' community comprehensive quarterly analysis of work-year, caseload, and workload information, and produces the United States Attorneys' Annual Statistical Report.
- The **Evaluation and Review Staff** carries out EOUSA's responsibility under 28 C.F.R. Part 0.22 to evaluate the performance of the USAOs, to make appropriate reports, and to take corrective actions if necessary. The evaluation program enables EOUSA to fulfill this responsibility. In meeting these regulatory and statutory requirements, the evaluation program provides on-site management assistance to United States Attorneys, as well as a forum for evaluators and the office being evaluated to share information and innovative ideas. The feedback provided to EOUSA's leadership assists in addressing management issues in the USAOs and also as a vehicle for identifying and sharing best practices.





The **Deputy Director for Legal Management** oversees the following offices and staffs:

- The **Office of Legal Education (OLE)** develops, conducts, and authorizes the training of all federal legal personnel. OLE coordinates legal education and attorney training for the Department of Justice, other federal departments and agencies, as well as state and local law enforcement. OLE is a separate decision unit of the budget, and its functions and mission, which are largely completed at the National Advocacy Center (NAC) in Columbia, South Carolina, are discussed in greater detail in Section IV.C.
- The **Freedom of Information and Privacy Act (FOIA) Staff** processes all FOIA and Privacy Act requests for records located throughout EOUSA and the USAOs, provides legal guidance to the USAOs concerning FOIA/Privacy Act issues, represents them in administrative appeals, and assists AUSAs and Department of Justice attorneys in litigation in federal courts by providing draft pleadings and preparing legal documents.
- The **Equal Employment Opportunity and Diversity Management (EEO/DM) Staff**, which provides centralized leadership, coordination, and evaluation of all equal employment efforts within EOUSA and the USAOs, is comprised of three components – Complaint Processing, Affirmative Employment/Special Emphasis Programs, and training. The EEO mission supports the USAOs and EOUSA by providing timely and impartial customer service in the areas of conflict resolution; EEO complaint processing; civil rights policy development and training; language assistance plans; and diversity management assistance through training, outreach, and recruitment.
- The **General Counsel’s Office (GCO)** provides advice to the USAOs and EOUSA on a broad array of legal and ethical issues, including conflicts of interest, recusals, outside activities, gifts and financial disclosures, allegations of misconduct, personnel legal issues, discovery requests, and compliance with subpoenas. The GCO is also responsible for the employee relations programs of EOUSA and 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 international and domestic terrorism; immigration; child exploitation and obscenity; firearms and violent crime; identity theft; public corruption; procurement, securities, and mortgage fraud; gangs and organized crime; drug enforcement; human trafficking; and criminal civil





rights. Many of these cases involve multiple defendants and are extremely complex. The nature of today's crimes has required prosecutors to acquire extensive knowledge in a wide range of fields, such as banking, health care, computer technology, securities, and forensics.

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

Federal Law Enforcement Partners



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



CIVIL LITIGATION

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

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

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

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

CRIMINAL AND CIVIL APPEALS

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



CRIMINAL AND CIVIL DEBT COLLECTION

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

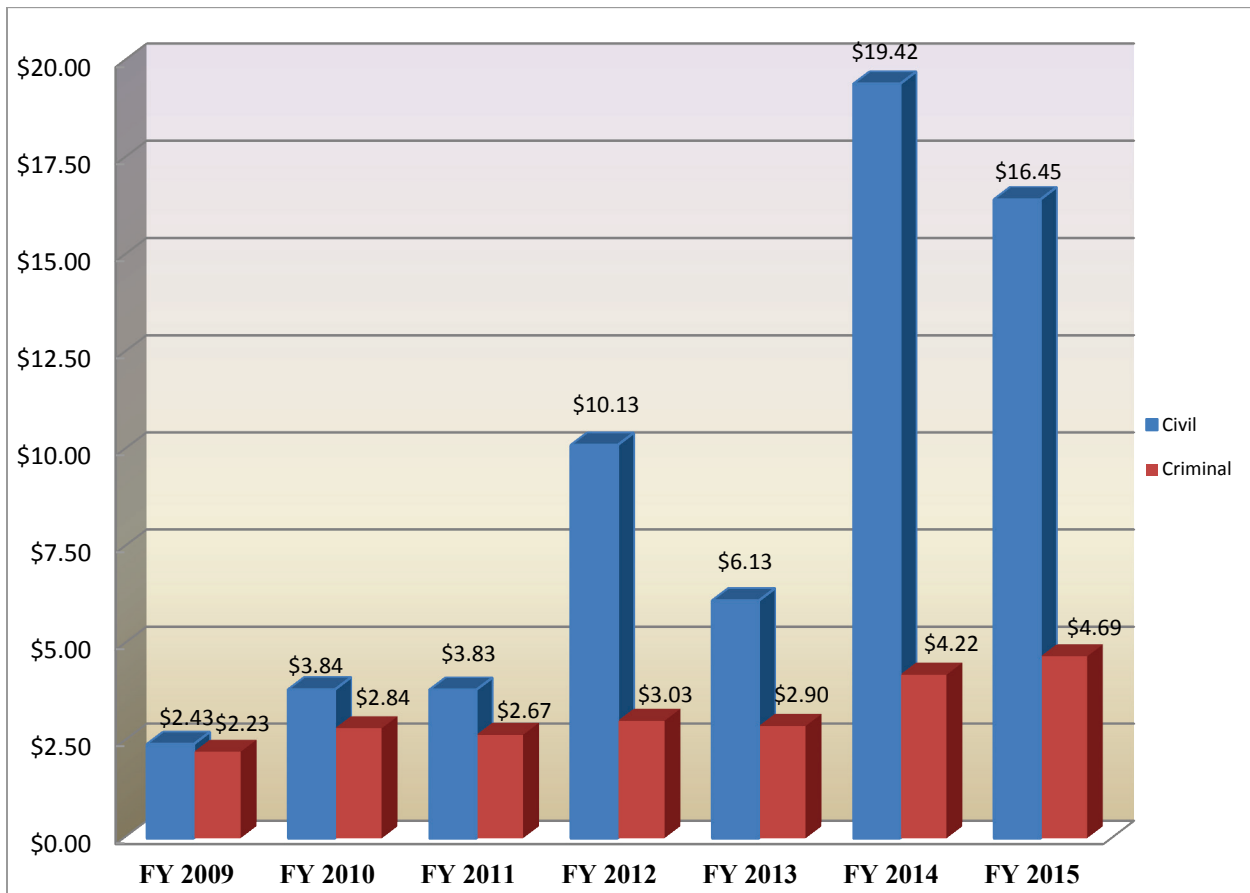
Debts are incurred by a criminal defendant when the defendant is sentenced by the court. These debts may be in the form of restitution to crime victims, fines imposed by the court, special assessments on each criminal conviction count, costs of prosecution and other costs, or forfeitures of appearance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

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



The table below illustrates the significant amount of debts collected each year from FY 2009 through the end of FY 2015.

Debt Collection Chart (in billions)



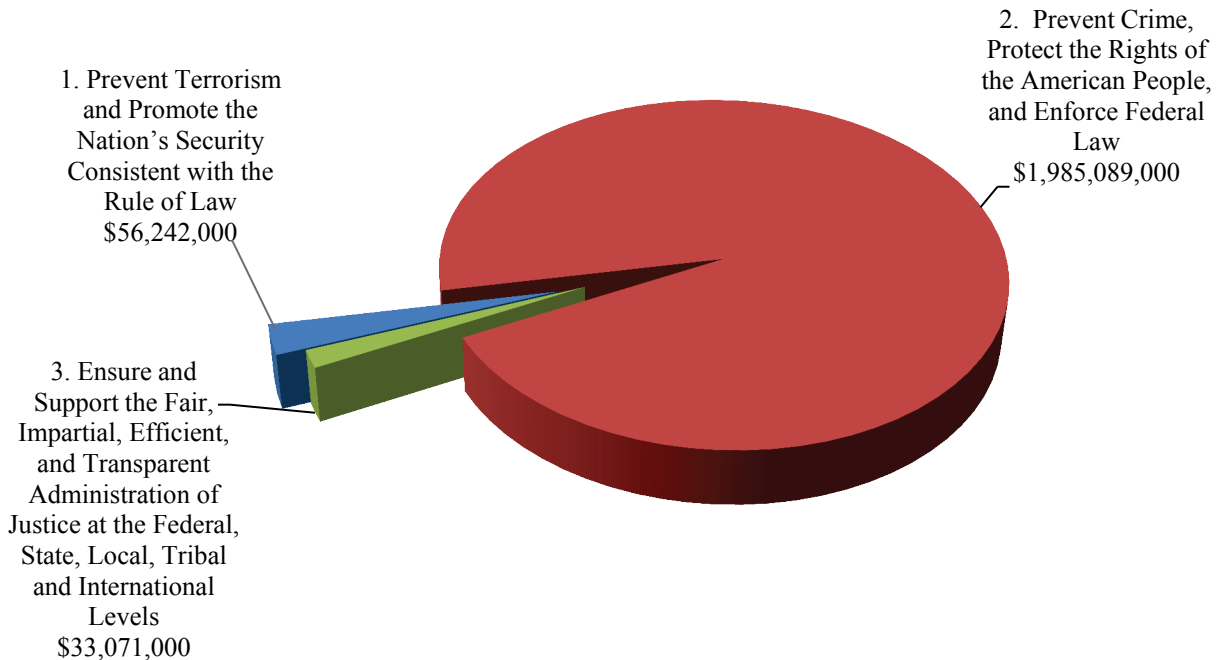
In FY 2015, the USAOs collected \$21.15 billion in criminal and civil debts. Of the total debts collected, USAOs recovered \$4.69 billion in criminal debts; and \$16.45 billion in civil debts. The United States Attorneys’ FY 2015 collection efforts, handled by a very small percentage of the total workforce, returned to the Treasury nearly eleven times the \$1.96 billion appropriated in the FY 2015 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 2017 Total Request by DOJ Strategic Goal



DOJ Strategic Goal 1: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law (\$56,242,000)

- Prosecute those involved in terrorist acts (1.2).
- Combat cyber-based threats and attacks through the use of all available tools, strong public-private partnership, and the investigation and prosecution of cyber threat actors (1.4).

DOJ Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law (\$1,985,089,000)

- Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers (2.1).
- Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to, America's crime victims (2.2).
- Disrupt and dismantle major drug trafficking organizations to combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs (2.3).



- Investigate and prosecute corruption, economic crimes, and transnational organized crime (2.4).
- Promote and protect American civil rights by preventing and prosecuting discriminatory practices (2.5).
- Protect the federal fisc and defend the interests of the United States (2.6).

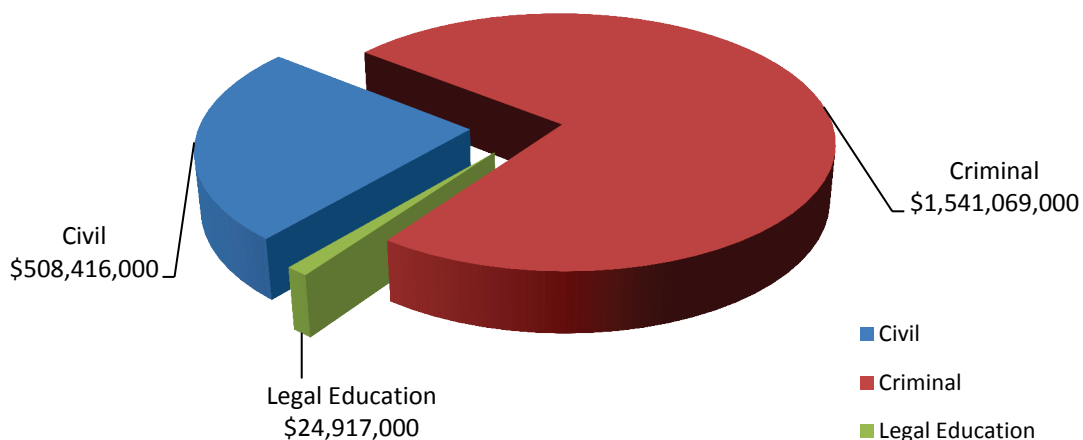
DOJ Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels (\$33,071,000)

- Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs (3.1).
- Reform and strengthen America’s criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in reentering society (3.4).
- Strengthen the government-to-government relationship between tribes and the United States, improve public safety in Indian Country, and honor treaty and trust responsibilities through consistent, coordinated policies, activities, and litigation (3.8).

C. Full Program Costs

The United States Attorneys’ \$2,074,402,000 budget request for FY 2017 is divided into three decision units: criminal, civil, and legal education.

FY 2017 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 2017. The various resource and performance charts incorporate the costs of lower level strategies which also contribute to the achievement of objectives, but which may not be highlighted in detail in order to provide a concise narrative. Also included are the indirect costs of continuing activities, which are central to the operations of each decision unit. This request will fund the United States Attorneys' role in supporting the Department's Strategic Plan. We will continue to provide federal leadership in preventing and controlling crime and seeking just punishment of those found guilty of unlawful conduct.

D. Performance Challenges

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

External Challenges

Coordinating with External Partners. Law enforcement is a central element of the United States Attorneys' mission, yet the ability and willingness of other federal, state, tribal, and local law enforcement partners to coordinate and share intelligence, resources, and personnel with one another can pose significant challenges. Failure to coordinate and collaborate can impede the prosecution of complex criminal activity and even disrupt ongoing investigations. Thus, we must continually strive to enhance coordination with our law enforcement partners.

Identifying Emerging Criminal Activities. Criminal activity, especially fraud, continues to evolve in response to new technologies and law enforcement efforts. 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 financial frauds as they emerge so law enforcement can address these crimes in a timely and comprehensive manner.

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



Internal Challenge

Maintaining a Skilled Workforce. To address certain external changes and challenges, such as increasing amounts of eDiscovery, the United States Attorneys need employees who can adapt to changes in the law and its practice. We must ensure that attorneys and support staff have the skills necessary to effectively represent the interests of the United States. This requires a focus on improving the competencies of existing employees through training and hiring new employees with the appropriate skill sets.

USAO Success Story - Indian Country -

Over the last four and one-half years, United States Attorneys' offices with responsibility for Indian country prosecutions have seen their caseloads for crimes committed on tribal lands increase. This increase shows the fruits of our labor since the Department of Justice implemented the Indian Country Law Enforcement Initiative in January 2010. The districts focused on fully leveraging vital partnerships with tribal, local, and state agencies to address violent crime and victimization in tribal communities. The increase in prosecutions of Indian Country crime is the direct result of the many initiatives led by USAOs' across the country, including strategies that place federal prosecutors on the reservations on a frequent basis to enhance criminal investigations and communication.



II. Summary of Program Changes

In FY 2017, the United States Attorneys’ budget request is \$2,074,402,000, which includes the following program changes: 201 positions (including 24 attorneys); 101 FTE; and \$27,060,000 in program increases. The following program changes are outlined in the chart below:

Item Name	Description				Page
	Purpose	Pos.	FTE	Dollars (\$000)	
eDiscovery	These resources will address the paradigm shift from paper discovery to electronic discovery.	138	69	19,634	44
Prevention and Reentry Coordinators	These resources will ensure that every district has a dedicated Prevention and Reentry Coordinator to work hand-in-hand with law enforcement, the courts, and community partners.	53	27	5,000	49
Countering Violent Extremism (CVE)	These resources will further develop and implement the Countering Violent Extremism (CVE) initiative within ten 'USAOs that currently are or will participate in the CVE initiative.	10	5	2,426	54
TOTAL		201	101	27,060	



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, [~~\$2,000,000,000~~] \$2,074,402,000: *Provided*, That of the total amount appropriated, not to exceed \$7,200 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$25,000,000 shall remain available until expended: *Provided further*, That each United States Attorney shall establish or participate in a task force on human trafficking.



IV. Program Activity Justification

A. Criminal

Criminal Litigation	Direct Pos.	Estimated FTE	Amount
2015 Enacted	8,105	7,258	1,449,270,000
2016 Enacted	8,176	7,623	1,485,996,000
Adjustments to Base and Technical Adjustments	0	27	35,951,000
2017 Current Services	8,176	7,650	1,521,947,000
2017 Program Increases	145	73	19,122,000
2017 Request	8,321	7,723	1,541,069,000
Total Change 2016-2017	145	100	55,073,000

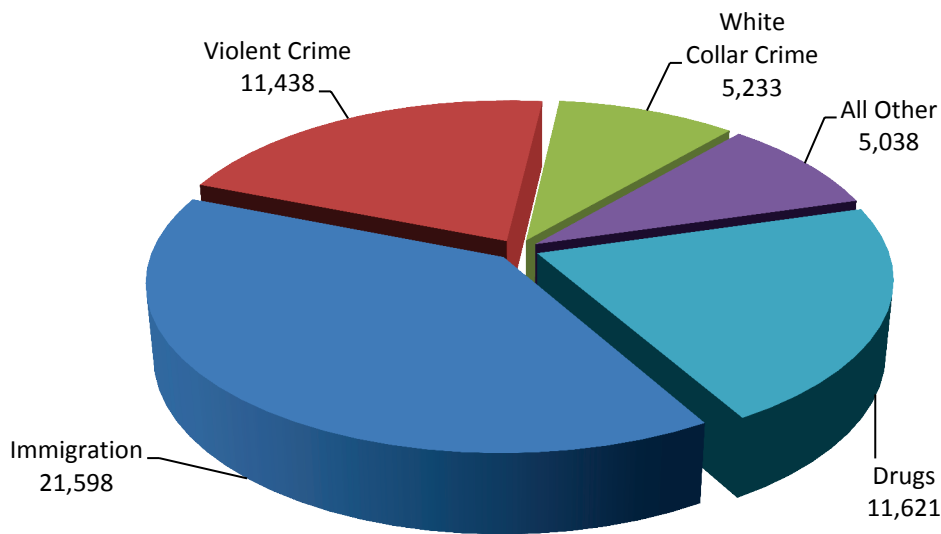
Criminal Litigation Information Technology Breakout	Perm. Pos.	FTE	Amount
2015 Enacted	344	344	121,441,000
2016 Enacted	344	344	128,360,000
Adjustments to Base and Technical Adjustments	0	0	1,925,000
2017 Current Services	344	344	130,285,000
2017 Request	344	344	130,285,000
Total Change 2016-2017	0	0	1,925,000



1. Program Description–Criminal Program Activity

As discussed earlier, the USAOs receive criminal referrals from federal investigative agencies as well as state and local investigative agencies. After careful consideration of the applicable law and evidence in each case, a USAO must decide whether to initiate a prosecution. During FY 2015, the USAOs filed 54,928 felony criminal cases against 73,316 defendants in United States District Court. The following chart shows the types of cases filed by the USAOs.

Criminal Workload
FY 2015 Felony Cases Filed – 54,928



A total of 56,138 cases against 74,990 defendants were closed during FY 2015. Of the 74,990 defendants whose cases were closed, 92.8 percent or 69,561, either pled guilty or were found guilty after a trial. Of these, 55,840 defendants received prison sentences. One hundred and three of these defendants received sentences of life imprisonment. The rate of convicted defendants who received prison sentences has been approximately 80 percent over the last five years.



USAO Success Story –Immigration

The United States Attorney's Office for the Southern District of Florida successfully prosecuted a 28-person marriage and immigration fraud scheme. The case was investigated by ICE/HSI and USCIS. Between May 2011 and February 2014, organizers and lead defendants Chavez and Baez, and several recruiters also named in the indictment, arranged for United States citizens and lawful permanent residents to enter into fraudulent marriages with aliens for the purpose of evading the immigration laws of the United States. The defendants charged the aliens a fee to arrange the fraudulent marriages, notarized the fraudulent marriage licenses, completed the necessary immigration paperwork, and prepared the co-conspirators for their interviews with United States Citizenship and Immigration Services. The co-conspirators also charged the aliens a fee to enter into the fraudulent marriages. The two ring leaders were sentenced to 21 months imprisonment and had their US citizenship revoked and naturalization certificates canceled. A recruiter was sentenced to 10 months of imprisonment. The remaining defendants were sentenced to a range of time for their conduct. One defendant, a Colombian national, remains a fugitive.

USAO Success Story *- Cyber Crime -*

In June 2015, in the Eastern District of New York, Qendrim Dobruna, a member of an international cybercrime syndicate, was sentenced to 50 months in federal prison, and was ordered to pay restitution in the amount of \$14 million for his role in hacking into the computer systems of U.S.-based financial institutions, stealing prepaid debit card data, and eliminating withdrawal limits. The stolen card data was then disseminated worldwide and used in making fraudulent ATM withdrawals in excess of \$14 million in a single weekend. Dobruna pled guilty to bank fraud in July 2014.

PERFORMANCE AND RESOURCES TABLE

Decision Unit: Criminal

RESOURCES		Enacted		Actual		Projected		Changes		Requested (Total)			
		FY 2015		FY 2015		FY 2016		Current Services Adjustments and FY 2017 Program Changes		FY 2017 Request			
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000		
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		7,438	1,478,799	7,258	1,449,270	7,623	1,485,996	100	55,073	7,723	1,541,069		
		1,136	[269,175]	1,044	[262,511]	1,262	[332,294]	18	5,095	1,280	[337,389]		
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE		FY 2015		FY 2015		FY 2016		Current Services Adjustments and FY 2017 Program Changes		FY 2017 Request	
Program Activity	1.2	Terrorism/Terrorist-Related		345	51,056	345	51,056	345	51,056	0	0	345	51,056
Performance Measure: Output	2.1,2.2,2.3,2.4,2.5,2.6,3.1,3.4,3.8	Number of Cases - Defendants Handled		181,606		180,303		181,606				181,606	
Performance Measure: Efficiency	2.1,2.2,2.3,2.4,2.5,2.6,3.1,3.4,3.8	Total Defendants Terminated		90,461		74,990		90,461				90,461	
Performance Measure: Outcome	2.1,2.2,2.3,2.4,2.5,2.6,3.1,3.4,3.8	Total Defendants Guilty		83,860		69,561		83,860				83,860	
Performance Measure: Outcome	2.1,2.2,2.3,2.4,2.5,2.6,3.1,3.4,3.8	Percentage of Cases Favorably Resolved		90.00%		92.70%		90.00%				90.00%	

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

PERFORMANCE MEASURE TABLE										
Decision Unit: Criminal										
Strategic Objective	Performance Report and Performance Plan Targets		FY 2011	FY 2012	FY 2013	FY 2014	FY 2015		FY 2016	FY 2017
			Actual	Actual	Actual	Actual	Target	Actual	Target	Target
			1.2;2.1,2.2,2.3,2.4, 2.5,2.6;3.1, 3.4, 3.8	Performance Measure	Number of Cases - Defendants Handled	161,202	201,412	197,001	188,272	181,606
1.2;2.1,2.2,2.3,2.4, 2.5,2.6;3.1, 3.4, 3.8	Performance Measure	Total Defendants Terminated	90,461	87,709	82,092	80,174	90,461	74,990	90,461	90,461
1.2;2.1,2.2,2.3,2.4, 2.5,2.6;3.1, 3.4, 3.8	Performance Measure	Total Defendants Guilty	83,360	80,963	75,718	74,392	83,860	69,561	83,860	83,860
1.2;2.1,2.2,2.3,2.4, 2.5,2.6;3.1, 3.4, 3.8	OUTCOME Measure	Percentage of Cases Favorably Resolved	92.7%	92.0%	92.0%	92.7%	90.0%	92.7%	90.0%	90.0%
N/A = Data unavailable										



3. Performance, Resources, and Strategies

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

Goal I: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law. Within this goal, the decision unit's resources address the Department's Strategic Objective: 1.2 - Prosecute those involved in terrorist acts; and 1.4 – Combat cyber-based threat and attacks through the use of all available tools, strong public-private partnership, and the investigation and prosecution of cyber threat actors.

Goal II: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law. Within this goal, the decision unit's resources address six of the Department's Strategic Objectives: 2.1 - Combat the threat, incidence, and prevalence of violent crime; 2.2 - Prevent, and intervene in crimes against vulnerable populations; uphold the rights of, and improve services to, America's crime victims; 2.3 – Combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs; 2.4 - Combat corruption, economic crimes, and international organized crime; 2.5 – Promote and protect Americans' civil rights; and 2.6 – Protect the federal fisc and defend the interests of the United States.

Goal III: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels. Within this goal, the decision unit's resources address the Department's Strategic Objectives: 3.1 - Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs; 3.4 - Reform and strengthen America's criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in reentering society; and 3.8 - Strengthen the government-to-government relationship between tribes and the United States, improve public safety in Indian Country, and honor treaty and trust responsibilities through consistent, coordinated policies, activities, and litigation.

a. Performance Plan and Report for Outcomes

In the criminal area, the performance measure for the United States Attorneys is the percentage of criminal cases favorably resolved.

The United States Attorneys play a vital role in the development and implementation of the strategies that support the Department's Smart on Crime initiative. Smart on Crime directs USAOs to address crime in the full context in which it occurs. This requires USAOs to focus not only on criminal prosecution, but on prevention, reentry, diversion, and community outreach and engagement of all kinds. Criminal prosecutions, of course, are and will remain the backbone of USAO activity. USAOs will continue to focus on the most serious violent offenders—the “worst of the worst”—as targets for federal prosecution. Each and every case will be evaluated on its individual merits consistent with the Department's priorities.



Successful federal investigations and prosecutions bring justice to victims and a sense of stability and security to the communities affected by crime. It is from this core work that the stature of the USAO within the community and the United States Attorney's "convening authority" flows. However, USAO prevention, reentry, and community engagement efforts, when joined with coordinated and targeted prosecutions, can be extremely effective in improving public safety, building trust in law enforcement, and reducing recidivism over the longer term.

The United States Attorneys have already begun to undertake this work as an important element of their larger public safety and community outreach mission. The United States Attorneys closely work with criminal justice and social service partners to aid inmates in their efforts to reenter society. During FY 2015, more than 88 FTE were spent on reentry and prevention efforts. As Smart on Crime policies are implemented, the number of hours spent on reentry and prevention are expected to continue to increase.

The very essence of the Smart on Crime initiative is reforming the criminal justice system in the 21st century. USAOs continue to implement new and dynamic reentry and diversion programs designed to widen the number of potential participants, lower recidivism, and improve public safety. USAOs have begun supplementing existing efforts by sponsoring seminars, outreach events, and job fairs. Their efforts have been both varied and widespread, as described below.

- The USAO in Mobile, Alabama recently organized a meeting with potential employers at the Mobile Chamber of Commerce. The event hosted many offenders seeking work. During the event, offenders were able to participate in mock interviews. Potential employers were made aware of the federal bonding program for ex-offenders, as well as a federal tax credit that may be available for employers of ex-offenders.
- In the Eastern District of Pennsylvania, the USAO hosted a meeting of key federal, state, and local leaders concerned with improving reentry and reducing recidivism in Philadelphia. That initial meeting grew into the Philadelphia Reentry Coalition, which is now comprised of over 20 organizations, including federal, state, and local law enforcement, prison, and probation officials, prosecutors, defenders, academics, and non-profit organizations.
- In the Central District of Illinois, the USAO is the key player in the Pretrial Alternatives to Detention Initiative (PADI), a ground breaking program that for years was the first of its kind. The program is designed for defendants with substance abuse issues. The USAO refers a potential candidate to the Probation Office, which in turn consults with a substance abuse provider, and together they evaluate the candidate to ensure that he or she has a legitimate substance abuse problem.

With appropriate funding, USAOs can establish more prevention and reentry programs and enhance community involvement in these efforts. Opportunities include the ability to convene key criminal justice stakeholders to address broader issues of public safety, including prevention, diversion and reentry.



Financial industry fraud has shaken the world’s confidence in the United States financial system. Losses by victims in financial fraud cases have ranged from millions of dollars to billions of dollars. Mortgage fraud and foreclosure rescue scams routinely involve millions of dollars in losses and multiple defendants, including mortgage brokers, real estate agents, appraisers, closing agents, and false buyers and sellers who receive kickbacks. Efforts to combat financial and mortgage fraud will continue to play a key role not only in ensuring that those who have engaged in fraudulent activities will be held accountable for their illegal conduct, but in deterring future fraudulent conduct and in recovering funds for fraud victims.

The USAOs continue to develop innovative practices to assist with the prosecution of public corruption and economic crimes. For example, the United States Attorneys have implemented e-discovery processes to move from paper evidence to electronic evidence and to manage, examine, and transfer large amounts of data. In addition, the United States Attorneys have used Palantir in sophisticated cases. Palantir is a software platform that allows for data integration from multiple source points which is critical to organizing and prosecuting complex cases. Palantir transforms the presentation of data from the traditional flat Excel spreadsheet into a more visual platform for use during investigation and trial. Currently, Palantir is being used to support healthcare fraud and securities fraud cases, and we are looking to expand this support to other types of cases such as procurement fraud.

b. Strategies to Accomplish Outcomes

In FY 2017, the United States Attorneys will continue to place a high priority on prosecution related to national security as well as address other important priorities such as reentry and prevention efforts, financial and mortgage fraud, gun safety, child exploitation, violent crime, cybercrime, and human trafficking.

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.
- Leveraging technology to improve efficiency and enhance information flow organization-wide and with our partners.
- Continue to look at operational efficiencies in order to preserve human capital which is our most valuable resource. Continue to address emerging training needs through the Office of Legal Education.



USAO Success Story *- Financial Fraud -*

On May 27, 2015, a 47-count indictment was unsealed in the Eastern District of New York, charging 14 defendants with racketeering, wire fraud and money laundering conspiracies, among other offenses, in connection with the defendants' participation in a 24-year scheme to enrich themselves through the corruption of international soccer. The guilty pleas of four individual defendants and two corporate defendants were also unsealed. The defendants charged in the indictment include high-ranking officials of the Fédération Internationale de Football Association (FIFA), the organization responsible for the regulation and promotion of soccer worldwide, as well as leading officials of other soccer governing bodies that operate under the FIFA umbrella. The defendants also include United States and South American sports marketing executives who are alleged to have systematically paid and agreed to pay well over \$150 million in bribes and kickbacks to obtain lucrative media and marketing rights to international soccer tournaments.

c. Priority Goals

In FYs 2016 - 2017, the United States Attorneys contribute to the Department's five priority goals:

National Security: Protect Americans from terrorism and other threats to National Security. By September 30, 2017, the Department of Justice will disrupt 250 terrorist threats and groups.

Combating Cyber Threats: Identify and pursue cyber threat actors. By September 30, 2017, the Department of Justice will disrupt and dismantle 1,000 cyber threat actors while successfully resolving 90 percent of both national security and criminal cyber cases.

Enhancing Public Safety: Strengthen relationships with the communities we serve, and enhance law enforcement capabilities by constructing new foundations of trust, respect and mutual understanding. By September 30, 2017, increase by 40 percent, the number of law enforcement officers and community members engaged in technical assistance and training activities supportive of community policing to ensure police reform and, produce an informed citizenry.

Vulnerable People: Protect the most vulnerable among us, including victims and survivors of human trafficking. By September 30, 2017 the Department of Justice will:



- Open investigations concerning the sexual exploitation of children (5% over FY 15 target); increase the number of open investigations concerning human trafficking (5% over FY 15 target)
- Open investigations concerning non-compliant sex offenders (3% increase over baseline)
- Percent of civil rights cases that are favorably resolved – criminal and civil (85%)
- Increase the number of human trafficking leads and complaints reviewed by the Human Trafficking Prosecution Unit (5% increase over baseline)

Fraud and Public Corruption: Protect the American people from fraud and public corruption. By September 30, 2017, the Department of Justice will increase the number of new investigations by 2 percent with emphasis on holding individuals accountable associated with fraud and public corruption, including white collar crime, financial fraud, and health care fraud.

The United States Attorneys' progress regarding this goal is reported quarterly to the Department.

In FYs 2014 - 2015, the United States Attorneys contributed to two priority goals:

Financial Fraud and Healthcare Fraud: Protect the American people from financial and healthcare fraud: In order to reduce financial and healthcare fraud, by September 30, 2015, the Department will reduce by 3 percent over FY 2013 levels, the number of financial and healthcare fraud investigations pending longer than 2 years to efficiently and effectively drive those investigations to resolution.

Status: Over the past two years, the numbers of investigations pending longer than 24 months have trended downward due to a greater awareness of the “aging matters” by United States Attorney Offices (USAOs). Data concerning health care fraud and financial fraud matters pending for 24 months or more are now posted on each USAO’s internal data page.

Vulnerable People: Protect vulnerable populations by increasing the number of investigations and litigation matters concerning child exploitation, human trafficking, and non-compliant sex offenders; and by improving programs to prevent victimization, identify victims, and provide services. By September 30, 2015, by working with federal, state, local, and tribal partners, the Department will protect potential victims from abuse and exploitation through one set of key indicators:

- Open litigation matters concerning sexual exploitation of children and human trafficking (5 percent increase over baseline).

Status: The United States Attorneys exceeded its two-year target by 7 percent.



B. Civil

Civil Litigation	Perm. Pos.	FTE	Amount
2015 Enacted	2,479	2,221	480,584,000
2016 Enacted	2,502	2,340	489,477,000
Adjustments to Base and Technical Adjustments	0	3	11,001,000
2017 Current Services	2,502	2,343	500,478,000
2017 Program Increases	56	28	7,938,000
2017 Request	2,558	2,371	508,416,000
Total Change 2016-2017	56	31	18,939,000

Civil Litigation Information Technology Breakout	Perm. Pos.	FTE	Amount
2015 Enacted	95	95	32,696,000
2016 Enacted	95	95	34,558,000
Adjustments to Base	0	0	519,000
2017 Current Services	95	95	35,077,000
2017 Request	95	95	35,077,000
Total Change 2016-2017	0	0	519,000



1. Program Description–Civil Program Activity

Civil litigation pursued by the United States Attorneys falls into two basic categories:

(1) affirmative civil litigation, in which the United States is the plaintiff; and (2) defensive civil litigation, in which the United States is the defendant. Affirmative civil litigation cases are actions taken by United States Attorneys to assert and protect the government’s interests. They include such issues as the enforcement of the nation’s environmental, admiralty, and civil rights laws, as well as the recovery of damages sustained by the government through fraud.

The United States Attorneys also use affirmative civil litigation to recoup money owed and recover damages sustained by the government. Defensive civil litigation includes actions seeking monetary damages for alleged torts, contract violations, and discrimination by the United States and its agencies and employees.

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.

Affirmative civil cases can return substantial monies to the federal Treasury. In FY 2015, the USAOs collected \$16.45 billion in civil debts, which is several times more than the entire United States Attorneys’ budget. The following cases are examples of the United States Attorneys’ affirmative civil successes in FY 2015:

- On February 3, 2015, the Department of Justice, 19 states, and the District of Columbia entered into a \$1.375 billion settlement agreement with the rating agency Standard & Poor’s (S&P) Financial Services LLC, along with its parent corporation McGraw Hill Financial Inc., to resolve allegations that S&P had engaged in a scheme to defraud investors in structured financial products known as Residential Mortgage-Backed Securities (RMBS) and Collateralized Debt Obligations (CDOs). The agreement resolves the Department’s 2013 lawsuit against S&P, along with the suits of 19 states and the District of Columbia. Each of the lawsuits allege that investors incurred substantial losses on RMBS and CDOs for which S&P issued inflated ratings that misrepresented the securities’ true credit risks. Other allegations assert that S&P falsely represented that its ratings were objective, independent and uninfluenced by S&P’s business relationships with the investment banks that issued the securities.
- On July 10, 2015, Detroit-area hematologist-oncologist Farid Fata, M.D., was sentenced to 45 years in prison for administering medically unnecessary infusions or injections to 553 individual patients and submitting to Medicare and private insurance companies approximately \$34 million in fraudulent claims. Fata pled guilty in September 2014 to 13 counts of health care fraud, one count of conspiracy to pay or receive kickbacks and



two counts of money laundering. This case was investigated by the Medicare Fraud Strike Force, under the supervision of the Criminal Division's Fraud Section, and the U.S. Attorney's Office for the Eastern District of Michigan.

- On July 7, 2015, in the Eastern District of Kentucky, Vicki S. House, the executive director of a Lexington-based home health agency agreed to pay the U.S. Government \$1.1 million to settle allegations that she provided unlawful compensation to physicians who referred patients to the agency, in violation of the Stark Law. From March 2006 through April 2010, House provided compensation to three local physicians who referred patients to Nurses' Registry. Nurses' Registry then submitted claims to Medicare seeking payment for the services it provided to the patients referred by these physicians. The case was handled by the U.S. Attorney's Office for the Eastern District of Kentucky.
- On July 20, 2015, in the Central District of California, Artak Ovsepien was sentenced to 15 years in federal prison for his role in a \$20 million scheme to defraud Medicare and Medi-Cal by fraudulently prescribing expensive anti-psychotic medications and then re-billing the government for those drugs repeatedly. Ovsepien, along with three other defendants, were found guilty by a jury of conspiracy to commit health care fraud, aggravated identity theft, conspiracy to misbrand pharmaceutical drugs, false statements to the federal government, and conspiracy to use other persons' identification documents in furtherance of fraud. The scheme generated fraudulent billings of more than \$20 million, of which Medi-Cal and Medicare actually paid more than \$9 million. The case was handled by the United States Attorney's Office for the Central District of California.

Civil matters and cases represent a significant part of the United States Attorneys' workload. In FY 2015, the United States Attorneys received 110,362 civil matters, which represented 45 percent of all of the 247,051 criminal and civil matters received during the fiscal year. Of the civil matters received, 76 percent or 83,770 were defensive matters, ten percent or 11,572 were affirmative matters, and 14 percent or 15,020 were other civil matters. The United States Attorneys filed or responded to 102,104 civil cases in FY 2015, which represented 65 percent of the 157,032 criminal and civil cases filed during the fiscal year. Of the civil cases filed, 81 percent or 82,788 were defensive cases; eight percent or 7,658 were affirmative cases; and 11 percent or 11,658 were other civil cases.

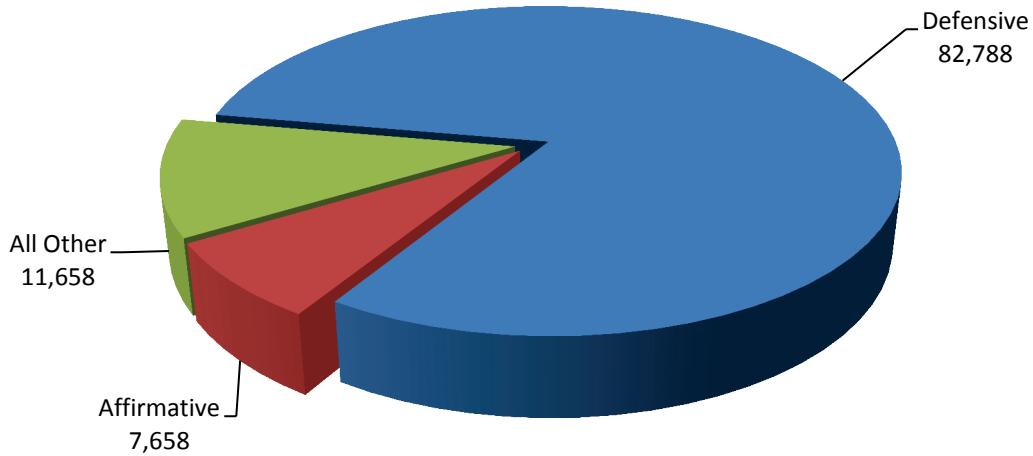
The USAOs' successes in civil defensive litigation preserves taxpayer dollars and enhances the efficient operation of the federal government by defending the policies and programs of federal agencies against individual and class action lawsuits challenging agency authority or compliance with federal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

USAOs track the different types of cases where they are able to defend the government and whether or not they are successfully resolved. In affirmative civil cases handled by USAOs, or jointly with the Civil Division, USAOs' successes have resulted in the collection of billions of dollars for the Government and victims of fraud. Between FY 2010 and FY 2015, the number of



civil cases filed or responded to increased by 22 percent or 18,505 - from 83,599 cases to 102,104, and the number of civil cases referred to the United States Attorneys increased by 20 percent or 18,164 - from 92,198 in FY 2010 to 110,362 cases in FY 2015. The number of defensive civil cases filed increased by 26 percent or 17,110 - from 65,678 cases in FY 2010 to 82,788 in FY 2015.

**Civil Workload
FY 2015 Cases Filed/Responded To – 102,104**



USAO Success Story

On December 30, 2014, the United States Attorney's Office for the Northern District of Illinois announced that it collected \$118.9 million in FY 2014. These collections included more than \$29.8 million in criminal debts, more than \$80.4 million in civil actions, and more than \$8.7 million collected through asset forfeiture proceedings, resulting in the office's total collections exceeding more than four times its budget of approximately \$28.1 million in FY 2014. Over the last 11 fiscal years combined, the office has collected more than \$1 billion on behalf of the United States.

2. Performance and Resource Tables

PERFORMANCE AND RESOURCES TABLE												
Decision Unit: Civil												
RESOURCES			Enacted		Actual		Projected		Changes		Requested (Total)	
			FY 2015		FY 2015		FY 2016		Current Services Adjustments and		FY 2017 Request	
			FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
CIVIL LITIGATION			2,277	450,940	2,221	480,584	2,340	489,477	31	18,939	2,371	508,416
Reimbursable FTE and Costs (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)			420	[110,552]	420	[105,421]	430	[133,445]	0	0	430	[133,445]
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2015		FY 2015		FY 2016		Current Services Adjustments and FY 2017 Program		FY 2017 Request	
Workload Measure: Output	2.5, 2.6	Number of Matters Handled	107,155		124,172		107,155				107,155	
Performance Measure: Output	2.5, 2.6	Total Judgements and Settlements	40,241		45,501		40,241				40,241	
Performance Measure: Output	2.5, 2.6	Number of Judgements in favor of the U.S. and Settlements	32,976		31,995		32,976				32,976	
Performance Measure: Outcome	2.5, 2.6	Percentage of Cases Favorably Resolved	80.00%		81.60%		80.00%				80.00%	

PERFORMANCE MEASURE TABLE

Decision Unit: Civil

Strategic Objective	Performance Report and Performance Plan Targets		FY 2011	FY 2012	FY 2013	FY 2014	FY 2015		FY 2016	FY 2017
			Actual	Actual	Actual	Actual	Target	Actual	Target	Target
	2.5, 2.6	Performance Measure	Number of Matters Handled	102,114	116,662	116,346	106,879	107,155	124,172	107,155
2.5, 2.6	Performance Measure	Number of Total Judgements and Settlements	39,416	42,618	40,667	39,283	40,241	45,501	40,241	40,241
2.5, 2.6	Performance Measure	Number of Judgements in favor of the U.S. and Settlements	31,856	32,619	32,606	31,167	32,976	31,995	32,976	32,976
2.5, 2.6	OUTCOME Measure	Percentage of Cases Favorably Resolved	80.0%	82.0%	82.0%	82.3%	80.0%	81.6%	80.0%	80.0%
<p>N/A = Data unavailable</p>										



3. Performance, Resources, and Strategies

The Civil Decision Unit contributes to the Department's Strategic Goal II: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law. Within this goal, the Civil Decision Unit's resources specifically address two of the Department's Strategic Objectives: 2.5 – Promote and protect American' civil rights; and 2.6 – Protect the federal fisc and defend the interests of the United States.

USAO Success Story
- Health Care Fraud -

On June 24, 2015, the United States Attorney's Office for the Northern District of Georgia reached a civil settlement with DaVita Healthcare Partners, Inc., the largest provider of dialysis services in the United States, in the amount of \$450 million to resolve claims that it violated the False Claims Act. This civil settlement resolves allegations brought in a whistleblower action that DaVita devised and employed dosing grids and/or protocols specifically designed to create unnecessary waste of the drugs Venofer and Zemplar. The drugs were packaged in single-use vials, which are intended for one-time use. Medicare would reimburse a dialysis provider for certain waste if the dialysis provider – acting in good faith – discarded the remainder of the drug contained in a single-use vial after administering the requisite dose and/or quantity of the drug to a Medicare patient.

a. Performance Plan and Report for Outcomes

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

b. Strategies to Accomplish Outcomes

As civil cases are increasingly "electronic" – meaning that technology plays a major role in areas such as electronic case filing and e-Discovery. The technological and resource needs of our civil cases continue to grow. While technology provides a means to increase productivity with existing resources, some USAO personnel have difficulty transitioning to new technological solutions, placing greater demands on technical training and hiring employees with the appropriate skill sets.

Other strategies include:

- Regular reviews and monitoring of case and workload data.
- Leveraging technology to improve efficiency and enhance information flow organization-wide and with our partners.
- Continue to look at operational efficiencies in order to preserve human capital.
- Continue to address emerging training needs through the Office of Legal Education.



C. Legal Education

Legal Education	Perm. Pos.	FTE	Amount
2015 Enacted	53	53	30,146,000
2016 Enacted	53	53	24,527,000
Adjustments to Base and Technical Adjustments	0	0	390,000
2017 Current Services	53	53	24,917,000
2017 Request	53	53	24,917,000
Total Change 2016-2017	0	0	390,000

Legal Education Information Technology Breakout	Perm. Pos.	FTE	Amount
2015 Enacted	4	4	1,557,000
2016 Enacted	4	4	1,646,000
Adjustments to Base and Technical Adjustments	0	0	24,000
2017 Current Services	4	4	1,670,000
2017 Request	4	4	1,670,000
Total Change 2016-2017	0	0	24,000



1. Program Description—Legal Education

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

In FY 2015, OLE managed 209 courses and events at the NAC, as well as offsite locations, including traditional advocacy skills training, seminars on substantive areas of the law, leadership training, and automated litigation support training. In FY 2015, 25,989 individuals participated in training hosted by OLE, (13,444 attended live training through courses or other events and 12,545 individuals received training through one of OLE's distance education offerings).

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

In addition to its advocacy skills training, OLE conducts substantive programs on federal criminal, civil, and administrative law for attorneys in the Executive Branch, including those in the Department of Justice. OLE offers training on a wide variety of criminal topics including fraud and white collar crime, cybercrime, violent crime, narcotics prosecutions, and child exploitation. OLE's civil and administrative law training includes instruction on discovery, bankruptcy, federal employment, environmental law, and Freedom of Information Act. Course instruction emphasizes the realities of federal practice. Federal attorneys from every agency, including the Department of Justice, are participants as well as advisors, curriculum developers, lecturers, and instructors. OLE is also meeting the demand for attorney management training for senior criminal and civil attorneys by providing management courses for attorney supervisors of all levels developed by OLE's Justice Leadership Institute (JLI). Additionally, the JLI provides leadership training to USAO attorney and support staff supervisors.

OLE develops and administers paralegal courses covering basic and advanced skills in civil, criminal, and appellate practice. Training for other support staff personnel (e.g., systems managers, Administrative Officers and Budget Officers) in USAOs is provided through OLE, which develops the curriculum and recruits instructors.

OLE provided training in areas covered in the Department's Strategic Plan, including Financial and Mortgage Fraud and Cybercrime, Crimes Against Children, Anti-Terrorism, Violent Crime/Gun Violence Reduction, Crimes in Indian Country, Drug Enforcement, Official



Corruption, Bankruptcy and Sound Management. Of significance for FY 2015 was the Individual Accountability in Corporate Prosecutions Training and the National Reentry Training in support of the Attorney General's Smart on Crime initiative.



Recognizing the need to provide more distance learning opportunities, OLE continued to update and expand its Video on Demand (VOD) library, permitting USAO and DOJ litigating division employees to view OLE programming “on demand” at their desktop through OLE’s Learning Management System, LearnDOJ. There are currently more than 681 programs available, including programs on *Brady/Giglio*, e-Discovery, and a New Employee Orientation. In FY 2015, DOJ employees who accessed the VOD library completed more than 74,245 videos. LearnDOJ is accessed by many DOJ components and is administered by the Justice Management Division. LearnDOJ gives OLE increased functionality to build Individual Development Plans, assessment tools, and greater compliance management. It is also available via the Internet and can function as a virtual training system with the ability to integrate technologies such as Adobe Connect.

OLE’s Justice Television Network (JTN) is a satellite-based IP video network with over 260 locations, including 92 USAOs (Guam/Northern Marianas excluded). This delivery method currently reaches all USAOs, all FBI Field and international offices, and most DOJ components, including major bureau headquarters in the DC metro area, reaching approximately 60,000 DOJ employees. During its 25 hours of weekly broadcasts, JTN broadcasted 965 programs, including 45 live events, and 35 programs eligible for Continuing Legal Education (CLE).

CLE credit is provided through OLE for many OLE-sponsored courses. OLE is the primary source of instruction for DOJ attorneys and AUSAs from the 94 USAOs. Basic programs for newly hired attorneys include criminal, civil, and appellate advocacy; federal practice seminars; and specialty courses in priority substantive areas of the law. Advocacy skills programs are available to new and experienced trial attorneys. The Criminal Federal Practice course is designed for attorneys with litigation experience who are new to the federal civilian legal system (e.g., former state and military prosecutors), and as continuing training for Department of Justice attorneys after the basic criminal and civil trial advocacy courses. In FY 2015, OLE continued to



provide additional web-based CLE through its contract with West Legal Ed Center, offering 24-hours a day access to more than 7,000 CLE programs from more than 50 leading CLE providers.

During FY 2015, Department attorneys viewed 11,226 West Legal Ed programs, earning over 9,159 CLE credits, further expanding OLE's ability to provide needed training.

OLE's Publications Unit edits and publishes the United States Attorneys' Manual, the United States Attorneys' Bulletin, and a number of practical skills manuals. OLE published six editions of the United States Attorneys' Bulletin on a variety of topics, including Export Control Laws, Violent Crimes, Financial Intelligence, Community Outreach, Environmental Crimes and Criminal Discovery, all of which are accessible on the DOJ Internet website. The Publications Unit continued to maintain and update the USABook, an online legal resource available on the Department intranet that includes electronic versions of all OLE publications, forms including indictment and jury instructions for all circuits and many significant monographs and policy manuals. They also published Blue Books on Immigration Law and the National Security Prosecutor's Manual. In FY 2015, the USABook site received more than 650,000 page views.

OLE continued its tradition of providing training support to Department of Justice personnel assisting foreign prosecutors through the Criminal Division's Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT). In FY 2015, OLE staff hosted OPDAT and State Department-sponsored study tours to the NAC for prosecutor training personnel from Albania, Bangladesh, Indonesia, Kenya, Pakistan, the Philippines, Serbia, Singapore and the Ukraine. OLE staff assisted OPDAT with regional prosecutorial training events in Malta (for West Africa) and Croatia (the Western Balkans and Eurasia). OLE staff also worked with OPDAT to provide advice and assistance to the judicial and prosecutorial training centers in Bosnia and Herzegovina.

2. Performance and Resource Table

PERFORMANCE AND RESOURCES TABLE												
Decision Unit: Legal Education												
RESOURCES			Enacted		Actual		Projected		Changes		Requested (Total)	
			FY 2015		FY 2015		FY 2016		Current Services Adjustments and FY 2017 Program Changes		FY 2017 Request	
			FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
LEGAL EDUCATION			53	30,761	53	30,146	53	24,527	0	390	53	24,917
Reimbursable FTE and Costs (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)			3	[4,265]	3	[4,055]	3	[5,133]			3	[5,133]
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2015		FY 2015		FY 2016		Current Services Adjustments and FY 2017 Program Changes		FY 2017 Request	
Performance Measure: Outcome	1.2;2.1,2.2,2.3,2.4, 2.5,2.6; 3.1,3.4,3.8	Number of Students Trained	24,000		25,989		24,000				24,000	



3. Performance, Resources, and Strategies

The Legal Education Decision Unit contributes to the following Department's Strategic Goals:

Goal I: Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law. Within this goal, the decision unit's resources address the Department's Strategic Objective: 1.2 - Prosecute those involved in terrorist acts; and 1.4 – Combat cyber-based threat and attacks through the use of all available tools, strong public-private partnership, and the investigation and prosecution of cyber threat actors.

Goal II: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law. Within this goal, the decision unit's resources address six of the Department's Strategic Objectives: 2.1 - Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers; 2.2 - Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America's crime victims; 2.3 – Disrupt and dismantle major drug trafficking organizations to combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs; 2.4 - Investigate and prosecute corruption, economic crimes, and transnational organized crime; 2.5 – Promote and protect American civil rights by preventing and prosecuting discriminatory practices; and 2.6 – Protect the federal fisc and defend the interests of the United States.

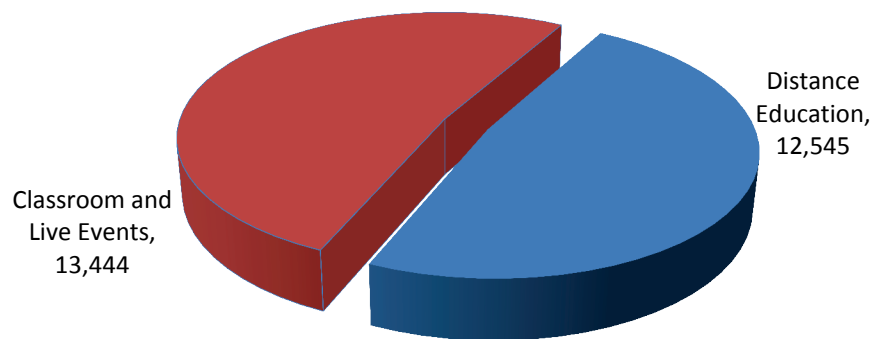
Goal III: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels. Within this goal, the decision unit's resources address the Department's Strategic Objectives: 3.1 - Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership and programs; 3.4 - Reform and strengthen America's criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in reentering society; and 3.8 - Strengthen the government-to-government relationship between tribes and the United States, improve public safety in Indian Country, and honor treaty and trust responsibilities through consistent, coordinated policies, activities, and litigation.



a. Performance Plan and Report for Outcomes

The performance measure for this decision unit is the number of students trained. In FY 2015, OLE sponsored classroom training and other live events for 13,444 individuals. In addition, approximately 12,545 individuals were trained through one of OLE’s distance education offerings, including continuing legal education programs broadcast via satellite, and other means, for a total of 25,989 students trained in FY 2015.

FY 2015 Individuals Trained



This compares with a total of 24,045 in FY 2014 –12,568 individuals trained in-person and 11,477 individuals trained by satellite, videotape and other training.

b. Strategies to Accomplish Outcomes

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



V. Program Increases by Item

Item Name:	e-Discovery Program Initiative
Strategic Goal:	Goal II: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.
Strategic Objective:	Objective: 2.1: Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers. Objective: 2.2: Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America's crime victims. Objective: 2.4: Investigate and prosecute corruption, economic crimes, and transnational organized crime. Objective: 2.6: Protect the federal fisc and defend the interests of the United States.
Budget Decision Unit(s):	Criminal and Civil Litigation

Program Increase: Positions **138** Attorney **24** FTE **69** Dollars **\$19,634,000**

Description of Item

The United States Attorneys request a total of 138 positions (24 attorneys, 114 support staff) to (1) increase the number of personnel available to counsel and support USAOs on legal and technical electronic discovery (e-Discovery) matters; (2) provide specialized training on eDiscovery issues for all attorneys and support staff so they have the knowledge and tools necessary to process, analyze, and utilize electronic information in a legally defensible manner; and (3) ensure appropriate levels of eDiscovery resources (including staffing, training, and technology) are available throughout the lifecycle of any investigation or case that the USAO pursues.

Justification

The USAOs have an immediate need for resources to address the paradigm shift from paper discovery to electronic discovery in a comprehensive manner. As technology has evolved, so has the amount of electronic information that comprises the evidence in our investigations and cases. To keep pace with this change and to ensure that our federal criminal and civil cases are



adequately supported, the United States Attorneys community must devote more personnel – and personnel with the appropriate skill sets – to collect, process, review, and produce e-Discovery. This request seeks to address this core need of the United States Attorneys community, so that no United States Attorney will ever compromise a case, or decline to prosecute or bring a case, because of an inability to process, analyze, or utilize electronic information.

Attorneys:

Currently, each USAO designates one civil Electronic Discovery Office Coordinator (EDOC), one criminal eDiscovery Coordinator, and one EDOC-Specialist (a litigation support technologist with eDiscovery expertise). As these designations are collateral duties, the AUSAs who fill these roles also have full case loads. As such, their availability to consult on eDiscovery issues, remain current on eDiscovery law, and provide training to other USAO personnel is limited. Providing full-time eDiscovery attorneys dedicated to consulting with AUSAs, assisting with project management, and drafting USAO-specific guidance would provide a valuable and much needed resource to the offices. These eDiscovery attorneys can address eDiscovery issues throughout the lifecycle of a case instead of on an ad hoc, time-allowed basis.

Providing dedicated eDiscovery attorneys to the USAOs follows the private sector’s model for addressing the complex world of eDiscovery. Private law firms employ full time “eDiscovery attorneys” whose role is not to litigate individual cases, but to address and solve the wide range of issues at the intersection of law and technology: the identification, collection, processing, review, discovery, and trial presentation of electronically stored information (ESI). Many corporations have created in-house positions for eDiscovery attorneys or hire outside counsel to fill the same role. These attorneys help bridge the gap between law and technology by bringing together the right people, practices, and technology to solve eDiscovery issues. This proposal seeks to adopt this practice from private industry to upgrade the USAOs’ litigation capabilities to be more on par with private law firms.

Given the proliferation of electronic data and the current limited eDiscovery resources in the USAOs, the United States Attorneys’ community requires 22 AUSAs dedicated to eDiscovery – specifically, two eDiscovery attorneys for the 11 judicial circuits (excluding the D.C. and Federal Circuits). These positions will allow the USAOs to effectively and efficiently address eDiscovery legal issues and processes in their cases.

Litigation Support Technologists:

Litigation Support Technologists assist with a variety of technical eDiscovery needs, including but not limited to:

- Working with AUSAs, client agencies, and agency IT departments to understand agency information architecture, where relevant data may reside, and the format in which relevant data can be extracted from their systems;
- Using eDiscovery processing tools to convert unstructured data so that it may be placed into an electronic document review platform;
- Consulting with AUSAs on the appropriate metadata fields to produce to or request from opposing counsel;



- Setting up electronic data review platforms;
- Advising AUSAs on the appropriate eDiscovery tools for use in a particular case;
- Consulting with AUSAs on effective ways to search large amounts of electronic data for specific information; and
- Using trial presentation software to prepare exhibits for trial.

Current litigation support staffing levels are inconsistent among the USAOs. For example, one office may have no litigation support, while another may rely on a combination of paralegals, legal assistants, and a systems manager to provide litigation support services. In both of these examples, the USAO lacks qualified litigation support technologists to assist with the increasingly technical duties described above. In other instances, large districts may have a team of full-time litigation support technologists, but the team cannot meet the demands of the district's heavy case load. In such instances, paralegals, legal assistants, and even AUSAs (often with little background in the technical aspects of eDiscovery), must navigate how best to handle ESI in their cases, creating a risk that it will not be handled appropriately. This proposal seeks to provide all offices with a sufficient number of qualified automated litigation support specialists who have the expertise necessary to consult with attorneys on technical issues and institute and follow defensible practices with respect to electronic data.

Training:

To efficiently and effectively manage electronic data in their cases, AUSAs and support staff require training on eDiscovery issues, including but not limited to how to use existing and new technologies. Current training on these tools is limited to classroom training at the National Advocacy Center, on-demand videos, and brown bag seminars. These training opportunities, however, do not meet the immediate need for case teams to be trained in-district on document review tools using their own case data. Accordingly, this proposal seeks funding to retain contract eDiscovery trainers who will provide in-district training. This training can be invaluable to case teams as it allows them to identify potential limitations with their data sets and shows them how to effectively create and manage sets of documents slated for case team review. It also allows case teams to consult with trainers to assist in the development of complex searches or the use of advanced analytical tools.

Information Technology Tools:

The USAOs fund litigation support technology needs on an ad hoc basis. E-Discovery technology proposals must compete with other non-eDiscovery related technology funding requirements, and are often funded through end of year direct funding or Three Percent funding. These funding sources are not dedicated to eDiscovery, and some funding sources have limitations attached to them. Due to the complexity and evolving nature of eDiscovery, there is a clear need to have a portion of direct funds dedicated to eDiscovery. Nowhere is this more apparent than in the selection and adoption of eDiscovery technology. This proposal seeks funding to support a variety of software tools that will address the USAOs' eDiscovery needs now and in the future. It also seeks funding to support a software test lab that will be responsible for testing various software solutions identified by EOUSA to support the mission of the USAOs.



A software test lab, which will be staffed by one attorney and two litigation support technologists, will enhance EOUSA's ability to ensure that the software it purchases not only meets the needs of USAO users but is the most cost effective solution. The test lab will provide formal environment for vetting software tools to identify flaws in design, poor performance, inefficient processes, and any incompatibility issues with hardware.

Special Litigation Funds:

The USAOs require additional resources to handle large-scale, data intensive cases that cannot be supported by EOUSA's centralized Litigation Technology Service Center. Such cases require the collection, organization, and analysis of large amounts of electronically stored information, and the limited litigation budget of a USAO can be depleted by the attendant imaging, software, hardware, and analysis costs. Special litigation funds would allow offices to quickly ramp up support and resources to address the unique needs of these cases and to host their data on review platforms supported by contract vendors. We estimate that \$10M in special litigation funds would support 10 such large-scale cases per year.

Impact on Performance

The requested resources will address **Goal II: Prevent crime, protect the rights of the American people, and enforce the law; including Objective 2.1: Combat the threat, incidence, and prevalence of violent crime by leveraging strategic partnerships to investigate, arrest, and prosecute violent offenders and illegal firearms traffickers; Objective 2.2: Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America's crime victims; Objective 2.4: Investigate and prosecute corruption, economic crimes, and transnational organized crime; and Objective 2.6: Protect the federal fisc and defend the interests of the United States.**



e-Discovery Program Initiative Funding

Base Funding

FY 2015 Enacted				FY 2016 Enacted				FY 2017 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2017 Request (\$000)	FY 2018 Net Annualization (change from 2017) (\$000)	FY 2019 Net Annualization (change from 2018) (\$000)
Attorney	118,658	24	2,847,792	2,054,880	0
Litigation Support Technologist	92,154	114	10,505,556	7,074,954	0
Total Personnel		138	13,353,348	9,129,834	0

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2017 Request (\$000)	FY 2018 Net Annualization (Change from 2017) (\$000)	FY 2019 Net Annualization (Change from 2018) (\$000)
IT Funding, Training, Contractors, and Litigation	N/A	N/A	6,280,652	0	0
Total Non-Personnel	N/A	N/A	6,280,652	0	0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2018 Net Annualization (Change from 2017) (\$000)	FY 2019 Net Annualization (Change from 2018) (\$000)
Current Services	0	0	0	0	0	0	0	0
Increases	138	24	69	13,353,248	6,280,652	19,634,000	9,129,834	0
Grand Total	138	24	69	13,353,248	6,280,652	19,634,000	9,129,834	0



Item Name: **Prevention and Reentry Coordinators**

AG Targeted Priority Options: Protecting Americans from National Security Threats
Protecting Americans from Violent Crime
Protecting Americans from Healthcare and Financial Fraud
Protecting the Most Vulnerable Members of Society
Addressing the Smart on Crime Initiative

Strategic Goal: **Goal III:** Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels

Strategic Objective: **Objective 3.4:** Reform and strengthen America’s criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in reentering society.

Budget Decision Unit(s): Criminal

Program Increase: Positions **53** Attorney **0** FTE **27** Dollars **\$5,000,000**

Description of Item

The United States Attorneys request a total of 53 positions, 27 FTE, and \$5,000,000 to support an increase in personnel resources to fully implement the Smart on Crime initiative. This request will support an increase in personnel completely dedicated to implementing the Smart on Crime initiative and to supporting USAO outreach efforts. Smart on Crime is a multi-pronged approach to prioritizing the work of the USAOs and finding holistic and comprehensive solutions to improving public safety and reducing recidivism, while efficiently and fairly utilizing scarce public resources. The Smart on Crime initiative consists of the following five principles:

- I) Prioritize prosecutions to focus on the most serious cases.
- II) Reform sentencing to eliminate unfair disparities and reduce overburdened prisons.
- III) Pursue alternatives to incarceration for low-level, non-violent crimes.
- IV) Improve reentry to curb repeat offenses and re-victimization.
- V) “Surge” resources to violence prevention and protecting the most vulnerable populations.



Justification

The USAOs will utilize the requested resources to hire permanent, full time Prevention and Reentry Coordinators. These positions will allow USAOs to expand their prevention, reentry, diversion, and community outreach work without draining other resources devoted to criminal prosecution. In FY 2015, in addition to allocating over 60 attorneys to work on Smart on Crime enforcement, prevention and/or reentry issues, EOUSA allocated 40 Smart on Crime support positions. These support positions, many of which are now on-board and working, have helped the USAO community as a whole build a more robust presence in the reentry, prevention and community outreach area. The additional Coordinator positions requested here can help those districts that did not receive a Smart on Crime support position last year, as well as those districts that did receive a support position but can effectively utilize an additional Coordinator position, based on the particular needs and ongoing initiatives in that district.

The type of prevention, reentry, and community outreach work that Coordinators can undertake is as varied and unique as the districts themselves. USAOs have a vital role to play both in direct crime prevention efforts and in facilitating and coordinating the crime prevention and reentry efforts of community organizations. The requested Coordinator positions can disseminate information about successful programs and serve as clearinghouses for productive and successful prevention, diversion, or reentry efforts. The new Coordinators can work with local officials to identify organizations that may partner with USAOs in working to lower recidivism.

The USAO community has already made a great start in expanding their role beyond simply the enforcement of federal criminal laws. During FY 2015, at least 51 USAOs participated in a reentry court of some kind. These programs, of course, require collaboration with the courts and cannot be undertaken unilaterally by USAOs. They focus intensive supervision, education, counseling, mentoring, and training efforts on those recently released individuals who are at high or medium risk of committing additional crimes while on supervised release. Federal reentry courts are still being evaluated and studied, but initial indications show that they can be very effective in lowering recidivism. In addition, during FY 2015, at least 25 USAOs participated in a pre-sentence diversion court program. This represents a 56 percent increase from FY 2014, when 16 USAOs responded that they participated in such programs.

USAOs can use the requested Coordinator positions to support both reentry courts and diversion court programs. For instance, the Reentry Coordinator at the USAO in Philadelphia has created an ongoing program whereby law students from local law schools provide legal support to reentry court participants. This can include help in obtaining basic legal documentation, such as a social security card or driver's license, as well as representing the individual in traffic court to address overdue fines or fees that may have accrued when the individual was imprisoned and unable to pay the fine. Creating such a program that draws on area law schools and the local bar association takes time and effort, and is the type of work that a Coordinator can achieve.



USAOs can also play an important role in achieving better employment for reentrants. Clearly, steady and meaningful employment is a key factor in maintaining a crime-free lifestyle. The USAOs in Grand Rapids, MI and in New Orleans have initiated programs that work with the community to identify employers who can employ former offenders for at least two years, and to pair them with suitable, realistic job candidates. Programs such as these improve public safety by breaking down stereotypes and fostering greater employment for formerly incarcerated persons. The requested Coordinator positions could undertake much of the work needed to put such programs in place.

Coordinators can also support USAO prevention and community outreach initiatives. For example, the USAOs in both Boston and Miami are integrally involved in “prison in-reach” programs. These programs bring prosecutors, social services, faith based resources, and mentors to offenders shortly before they are released in an effort to make clear that the entire community is poised to help the returning individual make a successful transition to life after prison. There is a great deal of work to be done in setting up and running these programs, which Coordinators can undertake.

USAOs also continue to address the prevention side of the heroin epidemic. USAOs have held summits on this issue, gathering not only law enforcement stakeholders, but leaders in the relevant health care, addiction, and medico-legal death investigation fields. For instance, the USAO in San Diego recently co-sponsored a successful state-wide summit on heroin and prescription drug abuse. The event brought together renowned experts and speakers on addiction, treatment, enforcement, and family counseling, among other issues. Large summits such as this can take months to plan, and Coordinators can supplement and enhance the “convening power” of the United States Attorney in making such summits a reality.

Other USAOs have created unique programs that not only help prevent crime, but also facilitate a better understanding between the community and law enforcement generally. In Mobile, Alabama, the USAO has developed a creative program that partners the FBI with area high schools to educate the students about law enforcement encounters. Students come to an FBI facility where they and the FBI engage in role play regarding street and home law enforcement encounters and traffic stops. Students are also given the opportunity to see hypothetical crime scenarios from the perspective of law enforcement, seeing the risks and judgment calls that law enforcement must make. By engaging in reverse role plays this program helps bridge the understanding gap that can exist between young people and law enforcement.

Other USAO prevention programs focus on a younger cohort to begin bridging the gap even earlier. For example, an employee from the Delaware USAO, utilizing a structured, age-appropriate curriculum, teaches at-risk 5th graders about the social and legal consequences of poor decision making. The USAO Coordinator is in the classroom one hour a week for 18 weeks during the school year. The curriculum focuses on the legal and social consequences of juvenile crimes, such as truancy, illicit drug use, shoplifting and graffiti. Such programs teach students techniques for resolving conflict and resisting peer pressure. These activities help build positive relationships between students and legal authorities, reduce prejudice, increase appreciation of diversity, and help students develop positive aspirations as alternatives to criminal activities.



The type of prevention and outreach work being done across the USAO community is not limited to schools or traditional work with community groups. For example, the USAO in Philadelphia helped support a documentary film authored by a formerly incarcerated person about his experience and others in returning to society after prison. The documentary has been shown to numerous community groups and criminal justice stakeholders, including judges and prosecutors, as well as the public generally. Screenings are followed by a panel discussion with a USAO representative, the film's author, and/or another formerly incarcerated person. The film effectively depicts the realities faced by real people in trying to return to life after prison. All of the work described above can be enhanced and increased with the addition of the requested Coordinator positions.

Impact on Performance

This initiative will address **Strategic Goal III: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels**, specifically **Objective 3.4: *Reform and strengthen America's criminal justice system by targeting only the most serious offenses for federal prosecution, expanding the use of diversion programs, and aiding inmates in reentering society.***

This initiative will further address the **Attorney General's targeted Priority Goal 1: Protecting Americans from National Security Threats; Goal 2: Protecting Americans from Violent Crime; Goal 3: Protecting Americans from Healthcare and Financial Fraud; and Goal 4: Protecting the Most Vulnerable Members of Society**, by dedicating efforts to successfully promote fundamental reforms to the criminal justice system that will improve public safety, save money, and ensure the fair enforcement of Federal laws. Furthermore, the United States Attorneys have been involved in developing the Department's **Strategic Objective Review** to prioritize federal cases and to exercise informed prosecutorial discretion by increased education about understanding of all the factors that comprise the Smart on Crime initiative.



Prevention and Reentry Coordinators Funding

Base Funding

FY 2015 Enacted				FY 2016 Enacted				FY 2017 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)
120	77	66	17,081,000	120	77	120	10,647,000	120	77	120	28,435,000

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2017 Request (\$000)	FY 2018 Net Annualization (change from 2017) (\$000)	FY 2019 Net Annualization (change from 2018) (\$000)
Reentry Coordinator	86,843	53	4,603,000	3,008,000	0
Total Personnel		53	4,603,000	3,008,000	0

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2017 Request (\$000)	FY 2018 Net Annualization (Change from 2017) (\$000)	FY 2019 Net Annualization (Change from 2018) (\$000)
Training	N/A	N/A	397,000	0	0
Total Non-Personnel	N/A	N/A	397,000	0	0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2018 Net Annualization (Change from 2017) (\$000)	FY 2019 Net Annualization (Change from 2018) (\$000)
Current Services	120	77	120	19,414,000	9,021,000	28,435,000	0	0
Increases	53	0	27	4,603,000	397,000	5,000,000	3,008,000	0
Grand Total	173	77	147	24,017,000	9,418,000	33,435,000	3,008,000	0



Item Name: Countering Violent Extremism Initiative

Strategic Goal: **Goal II:** Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law.

Goal III: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels.

Strategic Objective: **Objective: 2.2:** Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America's crime victims.

Objective: 2.4: Investigate and prosecute corruption, economic crimes, and transnational organized crime.

Objective: 3.1: Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership programs.

Budget Decision Unit(s): Criminal Litigation

Program Increase: Positions **10** Attorney **0** FTE **5** Dollars **\$2,425,750**

Description of Item

The United States Attorneys' request ten Outreach Specialist positions and \$2,425,750 to further develop and implement the Countering Violent Extremism (CVE) initiative. The personnel funding will support the placement of Community Resilience Coordinators (CRCs) within ten USAOs that currently are participating, or will participate, in the CVE initiative. The non-personnel funding will support the efforts of those ten USAOs to partner with and empower their respective communities to address and prevent radicalization and violence.

Justification

In an effort to prevent all types of extremism that lead to violence, in December 2011, the President announced the *Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism in the United States (SIP)*. United States Attorneys play a critical role in the SIP, particularly with regard to its first prong: enhancing federal engagement with and support to local communities that may be targeted by violent extremists. At its very basic level, CVE focuses on using prevention and intervention approaches to minimize the risk of individuals being inspired by violent extremist ideologies or recruited by violent extremist groups.



In March of 2014, the National Security Council requested assistance from three regions to pilot an initiative to reduce violent extremism: the Greater Boston region, the St. Paul/Minneapolis region, and the Greater Los Angeles area. The United States Attorney in each region was selected as the local lead for the initiative. With the support of the Department of Justice, Federal Bureau of Investigation, Department of Homeland Security, and National Counterterrorism Center, a range of non-governmental, governmental, faith-based, and academic stakeholders in each region began to develop locally-driven frameworks intended to serve as a foundation to assist communities in working together to build resilience and a capacity to prevent individuals, especially young people, from being inspired, recruited, and then radicalized to violence.

Although these three regions were initially selected both for the strength of their existing community collaboration and partnerships, as well as their vulnerability to threats of recruitment, recruitment efforts by extremists are not limited to those regions. United States Attorneys' offices in areas outside of the three initial pilot regions have started grass roots efforts in their communities to address and prevent recruitment, radicalization, and violence and to build community resilience against violent extremism. In addition, as recently as July 6, 2015, President Barack Obama, in remarks made at the Pentagon on the progress on the fight against the Islamic State of Iraq and the Levant (ISIL), stated that the United States must remain vigilant in protecting against attacks on the homeland, which includes acknowledging and addressing that ISIL has been particularly effective in targeting vulnerable populations and communities within the United States. The CVE initiative is an integral part of the strategy to combat ISIL and other terrorist organizations.

Community Resilience Coordinators

Although the United States Attorneys in the pilot regions have achieved notable successes, they have been challenged by a lack of dedicated resources for such an intense and high profile effort. Personnel charged with CVE outreach were asked to dedicate more and more of their time to the initiative, especially in its nascent phase – time that would have been otherwise spent on important existing responsibilities. USAO personnel also faced significant challenges with building local trust and confidence, particularly in Muslim communities, as many Muslim Americans expressed concerns about targeting by the government and raised suspicions about the true scope of the initiative. To some, it appeared as if the USAO was engaging in double-speak – on the one hand, recognizing the vulnerability of certain communities to recruitment efforts and seeking to lend community support to those vulnerable populations, and on the other hand, prosecuting those who provide aid to terrorist organizations.

To address these concerns and in order to fully engage in this initiative in true partnership without stigmatizing any communities, the USAOs seek to hire CRCs who have a social work, social science, and/or community engagement background and can implement community-based prevention approaches that focus on empowering communities to work together to prevent violence. The CRCs will work with nonprofits, civic organizations, and faith-based entities on programs that focus on violence intervention and prevention.



Non-Personnel Funding

Effectively implementing the CVE initiative requires resources to fund community-driven solutions that are not criminal-justice-oriented but instead address community needs and are responsive to the threats posed to vulnerable populations. Some examples of where such funding would be utilized are:

- Prevention efforts focused on youth: self-advocacy and conflict resolution skills; anger management and conflict-resolution skills; mentorship and leadership development; afterschool activities; and promotion of non-violent activism strategies;
- Community Awareness Briefings that provide information to the community on recruitment efforts and warning signs of radicalization;
- Counter-messaging strategies such as internet-based messaging; peer-to-peer support; and town halls/listening sessions;
- Contracts with social workers and case managers to conduct intervention strategies with vulnerable youth;
- Crisis-intervention dialogues to address returning travelers and their families; and
- Various other training and public awareness campaigns.

Impact on Performance:

The requested resources will address **Goal II:** Prevent crime, protect the rights of the American people, and enforce the law, **Objective 2.2:** Prevent and intervene in crimes against vulnerable populations and uphold the rights of, and improve services to America's crime victims; and **Goal III:** Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels, **Objective: 3.1:** Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders, through innovative leadership programs.

The requested increase in funding is necessary to effectively implement and further develop the National Security Council's CVE initiative, as well as to fulfill the USAOs' responsibilities in crime prevention. The USAOs have been charged with leading this initiative within the selected regions, and have done so without any dedicated resources toward this effort. Despite a strong commitment, resource and personnel constraints are two primary challenges in achieving success, and as the initiative expands, these challenges will grow. In short, the creation of these new positions will fill a gap in the USAOs' existing structure relative to the CVE initiative. With qualified personnel focused on this effort and non-personnel funding available for programs, USAOs will be best positioned to lead and support community stakeholders in efforts to prevent violence extremism and to build resilience in their communities.



Countering Violent Extremism Initiative Funding

Base Funding

FY 2015 Enacted				FY 2016 Enacted				FY 2017 Current Services			
Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)	Pos	Atty	FTE	\$(000)

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2017 Request (\$000)	FY 2018 Net Annualization (change from 2017) (\$000)	FY 2019 Net Annualization (change from 2018) (\$000)
Outreach Specialists	67,575	10	675,750	546,040	0
Total Personnel		10	675,750	546,040	0

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2017 Request (\$000)	FY 2018 Net Annualization (Change from 2017) (\$000)	FY 2019 Net Annualization (Change from 2018) (\$000)
Outreach Activities	N/A	N/A	1,750,000	0	0
Total Non-Personnel	N/A	N/A	1,750,000	0	0

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)	FY 2018 Net Annualization (Change from 2017) (\$000)	FY 2019 Net Annualization (Change from 2018) (\$000)
Current Services	0	0	0	0	0	0	0	0
Increases	10	0	5	675,750	1,750,000	2,425,750	546,040	0
Grand Total	10	0	5	675,750	1,750,000	2,425,750	546,040	0



VII. EXHIBITS

