

# DEPARTMENT OF JUSTICE

## AT A GLANCE:

**2006 Discretionary Budget Authority:** \$20.3 billion  
(Increase from 2005: 1 percent)

## Major Programs:

- Combating terrorism
- Drug enforcement
- Firearms and explosives enforcement
- Federal detention programs
- Prosecuting corporate fraud, and other criminal and civil legal activities



## MEETING PRESIDENTIAL GOALS

### *Protecting America*

- Combating terrorism and strengthening the Nation's intelligence.
- Reducing illegal drugs by targeting the 42 most significant drug organizations.
- Combating gun violence in the Nation's communities through Project Safe Neighborhoods.
- Providing additional Federal prison and detention capacity.

### *Supporting a Compassionate Society*

- Fighting child exploitation and maintaining support for missing children's initiatives.
- Supporting local law enforcement efforts to combat violence against women, provide victims' services, and expand the use of DNA to fight crime and to protect the innocent.
- Assisting communities by helping ex-offenders re-enter and reintegrate into society.
- Fighting human trafficking.

### *Making Government More Effective*

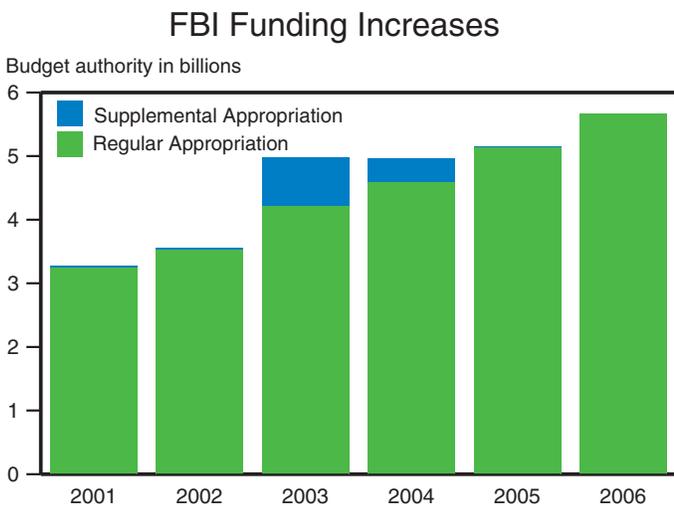
- Achieving \$2 billion of savings from reduction and elimination of programs that fail to demonstrate results.

## PROTECTING AMERICA

### *Combating Terrorism*

The President's highest priority for the Department of Justice (DOJ) continues to be the detection, prevention, investigation, and prosecution of terrorist attacks against U.S. citizens and interests. In the past year, the Department made 1,428 counterterrorism-related arrests, and prosecuted and obtained convictions in 497 terrorism-related and anti-terrorism cases. The 2006 Budget further strengthens these counterterrorism efforts, and proposes significant funding increases for the Federal Bureau of Investigation (FBI), the lead agency within DOJ for combating terrorism, to hire additional agents and intelligence analysts, as well as provide increased support to its counterterrorism mission.

The FBI has received significant resource increases in recent years, with funding rising from \$3.3 billion in 2001 to \$5.1 billion in 2005. The Budget proposes \$5.7 billion for the FBI in 2006, an increase of 11 percent over 2005. This level would support 2,945 counterterrorism agents and 2,746 intelligence analysts at the Bureau.



At the President's direction, since September 11, 2001, the FBI has undergone a transformation in its priorities, as well as its organization. First, the President set clear goals to ensure that protecting the United States from terrorist attacks was the FBI's top concern. Second, the FBI has utilized the vital tools of the USA PATRIOT Act to break down the wall separating law enforcement and intelligence functions, greatly improving coordination and information sharing within the Bureau. Third, the FBI established a comprehensive intelligence program to prevent terrorist attacks, an effort that has been accelerated by the passage of the

Intelligence Reform and Terrorism Prevention Act of 2004. The 2006 Budget supports the FBI's priorities and intelligence reform by providing new funding of \$294 million for counterterrorism and counterintelligence initiatives, and \$117 million to bolster the intelligence program. These funding initiatives will:

- Increase the resources and agents dedicated to terrorism investigations.
- Double the size of the FBI's Hostage Rescue Team.
- Hire 500 additional intelligence analysts to assist in the war on terrorism.
- Add \$75 million for the Terrorist Screening Center, which consolidates terror screening watchlists and supports Federal screeners worldwide, in addition to State and local law enforcement.
- Increase the Foreign Language Program by \$26 million to enhance the FBI's language translation capability, especially for anti-terrorism efforts.
- Expand the Legal Attaché program to augment the FBI's presence in other countries, especially for counterterrorism efforts.

The 2006 Budget provides \$3.1 billion in homeland security-related funding for DOJ programs. In addition to the counterterrorism programs of the FBI and the Terrorist Screening Center, the Budget also includes funding for terrorism-related prosecution and detention, funds for converting older technology mobile radio and other systems to digital, narrowband communications, as well as State and local assistance programs such as the Regional Information Sharing System, USA Freedom Corps, and State and Local Anti-Terrorism Training.

### ***Targeting Drug Traffickers***

In March 2002, the Attorney General announced a comprehensive six-part drug enforcement strategy for DOJ. The strategy deploys numerous Federal law enforcement agencies to identify and target the most significant drug supply organizations and their related components. The central element of the strategy was the development of the first national list of priority drug trafficking targets, the Consolidated Priority Organization Targeting (CPOT) list, a unified list of international “command and control” drug traffickers and money launderers. These organizations and their related components, including the financial infrastructure supporting those enterprises, are targeted for investigations. Of the 58 organizations targeted during 2003 to 2004, 14 have been dismantled and eight others have been severely disrupted. Currently, there are 730 active investigations linked to the 42 targets on the 2005 List. DOJ also has established a comprehensive benchmark for the most prevalent illicit drugs, including marijuana and cocaine, and intends to reduce their availability and use by 10 percent between 2001 and 2008.

The Department’s Drug Enforcement Administration (DEA) is responsible for investigating drug trafficking organizations in tandem with the other Federal agencies participating in the Organized Crime and Drug Enforcement Task Force (OCDETF) program. During 2004, DEA and OCDETF successfully dismantled 36 organizations linked to those on the CPOT List, and significantly disrupted the activities of 159 others. The 2006 Budget provides \$38 million for enhancements in intelligence sharing and priority targeting, \$14 million for the operation and maintenance of the Drug Intelligence Fusion Center, and \$58 million for additional OCDETF agents, attorneys, and deputy marshals. In addition, a total of \$22 million has been provided in support of the Administration’s Afghanistan



The FBI’s Hostage Rescue Team (HRT) is an elite special counterterrorism tactical unit trained to respond in extraordinary situations, such as hostage rescue, high-risk arrests and searches, and weapons of mass destruction events. Recent HRT deployments have included Iraq, Afghanistan, the 2004 Summer Olympic Games, and the Presidential Inauguration. The 2006 Budget provides \$24 million in new funding to address HRT’s growing tactical responsibilities in crisis response situations. It also provides an additional \$10 million for the FBI to begin planning a new facility for HRT and its assets.

#### **Growth of the High-Intensity Drug Trafficking Area (HIDTA) Program**

In 1990, Federal funds were appropriated to five areas of the United States that were considered the most critical high-intensity drug trafficking area “gateways” for drugs entering the Nation. The five regions included specific designated areas in Los Angeles, Houston, New York/New Jersey, South Florida, and the Southwest Border. Today, the program is no longer well focused. From a small targeted program in 1990, HIDTAs now include 60 percent of the population of the United States.

## PROTECTING AMERICA—Continued

counter-narcotics initiative, which is needed to help promote the long-term stability of the country, as well as stem the supply of heroin to the global narcotics market.

The 2006 Budget also proposes transferring the High-Intensity Drug Trafficking Area (HIDTA) Program, operated by the Office of National Drug Control Policy, to DOJ in order for this drug control program to be better coordinated with OCDETF. The program has grown well beyond its intended scope from when it was first funded at \$25 million in 1990 for only five regions experiencing high levels of drug trafficking. It now spends \$227 million on 28 areas that include much of the populated United States. Efforts to focus the HIDTAs on the President's National Drug Control Strategy priority of targeting high-level organizations such as the CPOT List have failed and have been hindered by the practice of funding individual HIDTAs at the same level year after year. As a result, the Budget proposes reducing HIDTA funding to create a better-focused, more effective \$100 million program that gives Justice greater leeway to determine how funds will be targeted.

### *Detaining Violent Criminals*

The Bureau of Prisons (BOP) and the Office of the Federal Detention Trustee (OFDT) ensure that Federal criminals are appropriately detained and incarcerated to assure public safety. Taken together, the cost of Federal incarceration and detention activities now accounts for over a third of DOJ's annual budget. At present, there are over 182,000 inmates in Federal custody, of which approximately 25 percent represent immigration-related arrests. In addition, the number of Federal detainees has experienced record growth, up almost 200 percent over the past decade with the largest increases occurring along the U.S. Southwest border due to Department of Homeland Security (DHS) and DOJ border enforcement and protection initiatives.



No one is exempt from correctional officer training at BOP. Responding to emergencies is the first and most important job of every single BOP employee from the Director of the Bureau to the budget office and from the warden to the physician—everyone, no matter the rank, profile, or job is a correctional officer first. Rigorous correctional officer training for everyone instills a sense of security, competence, and camaraderie in the BOP ranks that is essential to maintaining prison safety and security.

The 2006 Budget includes \$85 million to open three new prisons (one high-security, one medium-security, and one secure women's prison) and to expand two other facilities. When fully activated, these prisons will add a total of 3,164 beds to help meet BOP's growing inmate capacity needs. In addition, \$37 million is provided to pay for the added costs for food, security, medical care, and clothing of almost 4,300 inmates in existing BOP facilities, and \$20 million in initial funding is included for 1,600 new private contract beds. While additional prison space is being added, the Budget continues a moratorium on additional new prison construction until the bureau completes an evaluation of its existing low- and minimum-security prison facilities for potential modification to house higher security inmates. BOP also has begun to institute several management initiatives to streamline operations and reduce costs, including consolidating correctional officer training, centralizing prisoner sentence and

inmate designation functions, relocating human resource and employee development functions, and transferring inmates with the most critical medical needs to dedicated BOP medical centers. For 2006, \$1.2 billion is provided to OFDT to support an average daily detainee population in excess of 60,000.

The aggressive enforcement of the Administration's law enforcement initiatives, and the resulting detainee population increase, has continued to challenge detention planning and forecasting. The Department is committed to enhancing its forecasting models, which requires balanced coordination among DOJ and DHS components. OFDT will improve forecasting by considering DOJ and DHS policy decisions, along with information received from the Administrative Office of the United States Courts. DOJ law enforcement policies—for example, those relating to gun and drug initiatives—affect the number of Federal arrests and criminal prosecutions. The size and scope of DHS border control and protection initiatives—including putting more border patrol agents on the borders—influences the Federal prisoner and detainee populations and affects detention costs.

### ***Prosecuting Corporate Fraud and Violent Crime***

The United States Attorneys prosecute violators of Federal law including corporate criminals. Criminal penalties assessed by the Federal courts, mostly for U.S. Attorney criminal fraud prosecution efforts, increased by 30 percent in 2004. The 2006 Budget supports these ongoing activities with \$1.6 billion. In addition, the Department's litigating divisions are combating corporate fraud and other cases. And, in the past four years, this Administration has increased Federal prosecutions of the criminal misuse of firearms by 76 percent. In 2004, the Justice Department filed 11,067 Federal firearms cases, the highest number of such cases on record for a single year.

### ***Assisting State and Local Law Enforcement***

The 2006 Budget includes \$2.4 billion for State and local assistance programs, including Project Safe Neighborhoods, the DNA Initiative, USA Freedom Corps, State and Local Anti-Terrorism Training, and the Regional Information Sharing System. These and other programs funded within DOJ enhance the capability of State and local governments to reduce crime in our communities, as well as our vulnerability to terrorism.

Today crime, including violent crime, is at a 30-year low. The Project Safe Neighborhoods (PSN) initiative, announced by the President and the Attorney General in 2001, is a comprehensive strategy that brings together Federal, State, and local agencies to continue the record reduction in the violent crime in our communities. Working with the Department, each community tailors the program to target problems associated with the criminal misuse of firearms and to build on local capacities. Since 2001, the Administration has dedicated \$1.3 billion in Federal resources to PSN, including grants to State and local task forces through the Office of Justice Programs (OJP), increased Federal prosecutors within U.S. Attorneys Offices, and additional agent and training resources within the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). For 2006, the Budget requests \$363 million for PSN, an increase of \$138 million, or 61 percent, over the 2005 enacted level. The program increase will:

- Provide \$74 million in grant assistance for State and local prosecution of criminal misuse of firearms;
- Increase funding for States to update criminal history records, which are needed to deter illegal firearms purchases, by \$34 million, which is more than double the 2005 enacted level; and
- Augment Project ChildSafe, which distributes gun locks to prevent misuse of guns by children and youth, by \$29 million over the 2005 enacted level.

## **PROTECTING AMERICA—Continued**

The 2006 Budget continues funding for the President's DNA initiative, Advancing Justice Through DNA Technology, a plan to devote more than \$1 billion over five years to help realize the full potential of DNA technology in the criminal justice system. The initiative advances the use of DNA to solve crimes and exonerate the innocent. The initiative will help clear the backlog of unanalyzed DNA samples from the most serious violent offenders, invest in DNA analysis technology for crime labs, train criminal justice professionals to make better use of DNA evidence, and promote the use of DNA to identify missing persons. The Administration proposes \$236 million in 2006 for the initiative, an increase of over \$68 million over the 2005 enacted level.

Through the efforts of the FBI, DEA, ATF, U.S. Marshals, and State and local assistance, the Administration is committed to further reducing the violent crime rate in the Nation. In June 2004, the Attorney General announced a targeted effort to deploy teams of Federal law enforcement agents and prosecutors to 15 cities to work with local law enforcement to curb the rate of violent crime in some of the communities not sufficiently benefiting from the overall reduction in the crime rate. DOJ will continue to support the deployment of these Violent Crime Impact Teams as part of this initiative in 2006.

## SUPPORTING A COMPASSIONATE SOCIETY

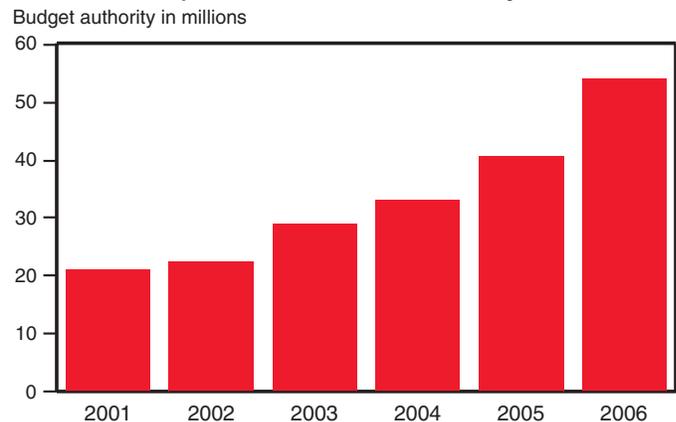
### *Protecting Our Children*

DOJ is committed to fighting child pornography and obscenity, and to protecting children from trafficking and other forms of exploitation. The Department works with other law enforcement agencies to target, dismantle, and prosecute predatory child molesters and those who traffic in child pornography. The Criminal Division's High-Tech Investigative Unit (HTIU) is staffed with computer forensic experts, who work with Federal agents and prosecutors and use their technological expertise against Internet-based child pornographers and adult obscenity offenders. The HTIU receives and reviews more than 100 tips per month from the Federal Trade Commission and organizations such as the National Center for Missing and Exploited Children. The Budget increases funding by \$13 million for the Justice Department's efforts to fight child pornography and obscenity, including the Criminal Division programs, the FBI's Innocent Images Initiative, which investigates sexual predators who use the Internet to prey on children, and the Internet Crimes Against Children Task Forces, which links Federal, State, and local law enforcement efforts.

Child abductions, especially by strangers, are among the most tragic of crimes. Yet, with the help of the growing AMBER (America's Missing: Broadcast Emergency Response) Alert network, more children are being found and returned to their homes. AMBER Alerts are emergency alerts broadcast by local authorities when law enforcement discovers that a child has been abducted and is in imminent danger of harm. Since the President announced an Administration effort to expand and coordinate the AMBER Alert network in October 2002, AMBER Alert has been credited with the recovery of over 150 children, or over 80 percent of all 188 recoveries since AMBER Alert began in Texas in 1996. Today, there are 96 AMBER plans operating across the country, including 30 local, 17 regional, and 49 statewide plans. The Budget includes \$5 million for the continued development of the successful AMBER Alert network across America.

More than 600,000 incidents of domestic violence were committed in the United States in 2003. Approximately one-third of women who are murdered each year are killed by their current or former husband or partner. Children who are subjected to domestic violence often grow up to inflict violence on others, creating a cycle of violence that must be stopped. In the 2002 Budget, the President requested and secured a \$100 million increase in funding for Violence Against Women Act programs and has continued to provide similar levels of funding in every Budget since then. In an effort to combat this problem, the Administration has obtained over \$1.8 billion in funding since 2001 for programs that combat violence against women. The Budget requests \$386 million for Violence Against Women Act programs that target domestic violence and strengthen services for victims and their dependents, which are funded primarily through DOJ's Office on Violence Against Women.

Protecting Our Children from Exploitation and Obscenity



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## **SUPPORTING A COMPASSIONATE SOCIETY—Continued**

### ***Helping Prisoners and Ex-Offenders Reintegrate into Society***

More than 600,000 offenders are released from prisons each year and face multiple barriers upon their return to society, including inadequate job skills and housing. Approximately two-thirds of prisoners are re-arrested within three years of their release, and half return to prison during that same period. To confront this problem, the President announced in his 2004 State of the Union Address a four-year \$300 million Prisoner Re-entry Initiative to help individuals leaving prison make a successful transition to community life and long-term employment. Drawing on the collaborative efforts of the Departments of Labor, Housing and Urban Development, and Justice, and harnessing the experience of faith-based and community organizations, the program will offer a range of job training, housing, and mentoring services that will help reduce recidivism and ensure that former prisoners are reintegrated into society. The President's Budget provides \$75 million for this initiative in 2006, including \$15 million within DOJ.

Many in America's prisons are struggling with substance abuse problems that hinder their successful reintegration into society. The President's Budget provides \$44.1 million for the Residential Substance Abuse Treatment (RSAT) Program. RSAT helps States and local governments implement drug treatment programs in correctional facilities so that offenders can reenter society free of addiction.

### ***Fighting Human Trafficking***

The Administration is committed to ending trafficking in human beings, which is a modern day form of slavery and an affront to human dignity. According to some estimates, each year at least 700,000, and as many as four million people, primarily women and children, are trafficked around the world and exploited for sexual purposes or for labor without compensation. Of these, 14,500 to 17,500 people are trafficked annually into the United States. In 2002, President Bush signed Executive Order 13257 to establish a Cabinet-level Interagency Task Force to Monitor and Combat Trafficking in Persons, in which the Department actively participates. The FBI and the Criminal Section of the Civil Rights Division investigate cases of human trafficking in conjunction with DHS immigration and customs enforcement agents. From 2001 to 2003, the Department opened 210 new human trafficking investigations, more than double the number opened in the previous three years, and the Civil Rights Division and the U.S. Attorneys initiated 111 trafficking prosecutions. In 2004, alone, the Department opened 130 trafficking investigations and undertook 51 prosecutions.

## **MAKING GOVERNMENT MORE EFFECTIVE**

### ***Reducing or Eliminating Non-performing Programs***

The President's Budget reduces or eliminates a number of programs that do not have a record of demonstrating results, including:

- General purpose State and local law enforcement programs, such as the Community Oriented Policing Services (COPS) Hiring Grants and the Byrne Justice Assistance Grants that are not able to effectively demonstrate an impact on reducing crime. A 2004 Program Assessment Rating Tool (PART) assessment rated the COPS Hiring Grants as Results Not Demonstrated with respect to reducing crime, notwithstanding the program's funding of over 100,000 police officers, exceeding the program's original commitment. Elimination of these programs will save \$635 million a year.
- State Criminal Alien Assistance Program (SCAAP) grants, which serve as a form of revenue sharing rather than assistance targeted to a particular need. A 2005 PART assessment rated SCAAP as Results Not Demonstrated. Ending this program will save \$301 million a year.
- Juvenile Accountability Block Grants (JABG), which provide a variety of non-focused juvenile justice grants to States and localities. A 2004 PART assessment rated JABG as Ineffective. Terminating this program will save \$54 million a year.
- Programs like the Byrne Discretionary Grants and the COPS Law Enforcement Technology Grants, which are earmarked in their entirety by the Congress, prevent targeting of assistance based on need or priority. Eliminating these programs will save \$305 million a year.

### ***Update on the President's Management Agenda***

The table that follows provides an update on DOJ's implementation of the President's Management Agenda as of December 31, 2004.

**MAKING GOVERNMENT MORE EFFECTIVE—Continued**

	Human Capital	Competitive Sourcing	Financial Performance	E-Government	Budget and Performance Integration
<b>Status</b>					
<b>Progress</b>					

Over the past year, the DOJ has made strong progress in implementing most areas of the President’s Management Agenda. DOJ developed a human capital plan that is guiding its implementation of individual performance plans that tie to strategic goals, and has assessed management competencies for skills gaps. DOJ completed one standard competition of FBI vehicle maintenance that will yield \$10.5 million in net savings over the next five years. By 2008, DOJ will have competed 55 percent of suitable commercial positions. DOJ continues to address weaknesses in its financial systems with a goal of achieving substantial Federal Financial Management Improvement Act compliance during 2005. The Department is also addressing the weaknesses in OJP’s grant accounting that caused DOJ to receive a disclaimer on its 2004 financial statements. DOJ continues IT improvements in support of the 24 E-Government initiatives (including reviewing all planned IT investments for duplication of E-Gov initiatives and submitting plans for implementing E-Gov initiatives for human resources and financial and grant management). DOJ also has addressed security issues for most systems, although serious inadequacies remain in protecting critical cyber infrastructure. The Department also has made improvements in budget and performance integration by incorporating performance information into managers’ appraisals and using PART reviews to justify budget requests and direct program improvements.

Initiative	Status	Progress
Faith-Based and Community Initiative		
Real Property Asset Management		

DOJ has strengthened its outreach to community organizations, including faith-based organizations, as well as implementation and planning for new pilot initiatives. In the coming year DOJ will be giving special attention to improving the quality of data collection in support of the initiative, as well as improving planning and goal achievement. In support of the Real Property Initiative, the Department developed a draft asset management plan and updated policy guidance for DOJ components.

**Department of Justice**  
(In millions of dollars)

	2004 Actual	Estimate	
		2005	2006
<b>Spending</b>			
Discretionary Budget Authority:			
Federal Bureau of Investigation .....	4,569	5,145	5,701
Drug Enforcement Administration .....	1,648	1,631	1,694
Federal Prison System <sup>1</sup> .....	4,768	4,754	4,755
United States Marshals Service.....	727	748	790
Bureau of Alcohol, Tobacco, Firearms, and Explosives:			
Existing law .....	826	878	804
Legislative proposal (fee-funded activity).....	—	—	120
Detention Trustee .....	841	874	1,222
United States Attorneys .....	1,527	1,542	1,626
General Legal Activities .....	614	626	680
Office of Justice Programs, COPS, Office on Violence Against Women.....	3,024	2,796	1,504
Organized Crime and Drug Enforcement Task Force .....	548	554	662
All other .....	449	633	780
Subtotal, Discretionary budget authority .....	19,541	20,181	20,338
Less Crime Victims' Fund Rescission.....	—	—	-1,267
Total, Discretionary budget authority .....	19,541	20,181	19,071
<i>Memorandum: Budget authority from enacted supplementals .....</i>	<i>81</i>	<i>25</i>	<i>—</i>
Total, Discretionary outlays .....	21,048	19,738	21,223
Mandatory Outlays:			
Bureau of Alcohol, Tobacco, Firearms, and Explosives:			
Legislative proposal .....	—	—	-120
All other <sup>2</sup> .....	7,921	1,448	2,293
Total, Mandatory outlays .....	7,921	1,448	2,173
Total, Outlays.....	28,969	21,186	23,396

<sup>1</sup> Net of \$314 million rescission of unobligated balances.

<sup>2</sup> 2004 mandatory outlays include completion of funding associated with the September 11th Victim Compensation Fund.