

UNITED STATES ATTORNEYS
(Dollars in thousands)

	Perm. Pos.	FTE	Amount
1999 actuals (Direct).....	8,448	8,664	\$1,043,315
1999 actuals (VCRP).....	596	437	94,412
Total, 1999 actuals.....	9,044	9,101	1,137,727
2000 appropriation.....	9,120	9,398	1,161,957
Government-wide .38% rescission pursuant to P.L. 106-113.....	...	...	(22)
2000 appropriation 1/ 2/.....	9,120	9,398	1,161,935
Increases (see p. 32).....	....	....	70,981
2000 base.....	9,120	9,398	1,232,916
Program changes (detailed below).....	651	328	58,085
2001 estimate	9,771	9,726	1,291,001

1/ While HIDTA transfers are included in the 1999 actuals, they are not shown for 2000 or 2001 because final decisions on amounts have not been made.

2/ Additionally, reimbursable resources of \$22,400,000 are available for Health Care Fraud and Abuse Control.

Note:

In addition to the direct appropriation, total reimbursable resources of 887 positions, 847 workyears and \$86,582,000 will be provided from the ICDE appropriation in FY 2001.

Comparison by activity and program	2000 Appropriation			2001 Base			2001 Estimate			Increase/Decrease		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
1. United States Attorneys:												
Criminal litigation	6,842	6,993	\$844,003	6,842	6,993	\$896,831	7,397	7,272	\$945,523	555	279	\$48,692
Civil litigation	2,050	2,142	258,997	2,050	2,142	275,285	2,135	2,185	283,718	85	43	8,433
Legal Education	36	37	17,315	36	37	17,579	36	37	17,616	....	....	37
Management and Administration	192	226	41,620	192	226	43,221	203	232	44,144	11	6	923
Total	9,120	9,398	1,161,935	9,120	9,398	1,232,916	9,771	9,726	1,291,001	651	328	58,085
Reimbursable FTE	....	1,041	....	....	1,041	....	....	1,041	....	....	....	....
Grand Total	9,120	10,439	1,161,935	9,120	10,439	1,232,916	9,771	10,767	1,291,001	651	328	58,085

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<u>Program Changes</u>	<u>Perm.</u> <u>Pos.</u>	<u>FTE</u>	<u>Amount</u>
Firearms Prosecutions.....	163	82	\$14,518
<p>An increase of 163 positions (113 attorneys), 82 workyears and \$14,518,000 is sought to prosecute more federal firearms violators. The additional resources will enable the various U.S. Attorney offices to implement firearms prosecution programs modeled after successful pilot programs in Richmond, VA and Boston, MA. and to respond to the additional Bureau of Alcohol, Tobacco and Firearms agents proposed to address federal firearms violations.</p> <p>According to the FBI, approximately 68 percent of the murders committed in 1997 involved the use of firearms. Also, there were a total of 414,530 violent crimes committed with the use of firearms. Further, the FBI reported that firearms were the weapons of choice in nearly two-thirds of all murders, and handguns accounted for over half the gun-related homicides in 1997.</p>			
Violent Crime in Indian Country.....	60	30	4,699

An increase of 60 positions (33 attorneys), 30 workyears and \$4,699,000 is sought to support the Administration's initiative to reduce violent crime, gang-related violence and juvenile crime on Indian reservations.

Federal investigation and prosecution of felonies (and misdemeanors involving non-Indian offenders and Indian victims) in Indian Country cannot be deferred to any local jurisdiction. Federal law enforcement is both the first and the only avenue of protection for the victims of these crimes. Like the USA for the District of Columbia, USAs in Indian Country are essentially district attorneys for the citizens in their respective districts; that is, they have responsibility for prosecuting all major crimes committed by or against Indians on the reservations in their districts.

The number of prosecutions in Indian Country has increased in recent years. This is due the presence of Assistant U.S. Attorneys who engage in victim or witness interviews or other case preparation matters. For example, the regular presence of an AUSA on the Yankton Indian reservation (District of South Dakota) resulted in an increase in cases filed from 21 in 1995, to 58 in 1998. Similarly, the presence of an attorney on the Tohono O'Odham reservation (also in the District of South Dakota) resulted in an increase in child sex abuse cases filed from 21 in 1996, to 55 in 1997. The ability to maintain a consistent presence in Indian Country is time consuming but critical to ensure that federal statutory responsibility is fulfilled.

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<u>Program Changes</u>	<u>Perm. Pos.</u>	<u>FTE</u>	<u>Amount</u>
Computer Crime and Intellectual Property Theft.....	50	25	\$3,948

The USAs request 50 new positions (28 attorneys), 25 workyears and \$3,948,000 in support of the USAs' White Collar Crime program in the specific areas of computer and intellectual crimes.

The Administration is committed to protecting the nation's businesses and citizens from computer criminals and thefts of Intellectual Property. To do so, the USAs need additional attorney staffing to investigate and prosecute cases of national interest.

According to figures released by the Department of Commerce in 1999, the combined copyright and trademark industries represent the second fastest growing sector of the economy behind Internet-related electronic commerce. These industries have cited increased infringement, both domestically and abroad, particularly Internet-facilitated piracy and the online distribution of counterfeit products, as a significant threat to increased growth in this vital economic area.

Civil Defensive Litigation.....	76	38	5,744
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This initiative requests 76 positions (36 attorneys) 38 workyears and \$5,744,000 in support of Civil Defensive litigation, wherein the USAs defend the Government in suits seeking monetary damages and/or challenging federal programs policies. A recent statutory expansion of federal employee rights has already caused an explosion of complex, labor-intensive litigation. Another recent statutory change shifted from private insurance companies to the United States the liability and the cost of defending medical malpractice for a pool of more than nine million patients.

The Judgment Fund is a permanent appropriated fund, established by Congress to pay settlements and judgments against the United States. The following facts underscore the need for additional USA resources: in 1995, about \$300 million was disbursed from the Fund; in 1997, nearly \$1 billion was paid out; by mid-1999 approximately \$750 million had already been disbursed. The need for additional resources is exacerbated by the fact that as agencies downsize, they cut back on the level of litigation support they provide to the USAs. Defensive civil units in the USA offices must invest additional resources to fill the void created by client agency cutbacks, just to keep abreast of the incoming caseload.

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<u>Program Changes</u>	<u>Perm. Pos.</u>	<u>FTE</u>	<u>Amount</u>
Child Exploitation and Pornography.....	47	24	\$4,059

This initiative requests 47 new positions (31 attorneys), 24 workyears and \$4,059,000 to enable the USAs to increase the number of investigations and prosecutions of alleged pedophiles and other persons who engage in sexually explicit activities involving children and/or their images.

Child pornographers, who were once relegated largely to illicit books, magazines, and mailings, have emerged as a significant problem on the Internet. This medium has enabled pedophiles to virtually contact others of the same ilk and potential victims.

The Child Pornography Prevention Act of 1996 created new child pornography offenses and increased penalties for child sexual abuse and child pornography offenses. An example of the USAs' work in this area is that of a former pediatrician in Lynchburg, VA who was sentenced to 33 months in prison and fined \$60,000 for receiving and possessing sexually explicit images of children. The sentence included 3 years of supervised release following incarceration.

Immigration.....	48	24	3,844
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This requested enhancement of 48 positions (27 attorneys), 24 workyears and \$3,844,000 will enable the USAs to complement additional INS resources and to address a projected increase in the number of immigration cases filed.

Additional USA resources are needed to complement enhancements provided to the INS over the past four years. In 1996, the INS employed a total of approximately 5,750 Border Patrol agents; in 1999, total Border Patrol strength reached 8,275, and an additional 430 agents were enacted for 2000. That's an increase of 2,955 Border Patrol agents (51 percent), with no concomitant increase in the number of immigration prosecutors. Similarly, the number of INS inspectors and investigators has increased approximately 11 percent, from 1996 (6,032), to 1999 (6,669). Enhancements in these areas also generate workload that must be handled by the USAs.

The number of immigration cases filed along the Southwest Border quadrupled from 1995 (1,742), to 1999 (6,975). Further, to underscore the fact that illegal immigration is not unique to the Southwest, the number of cases filed in the Nation's interior increased five and half times from, 1995 (180), to 1999 (991). Taken together these statistics indicate a significant trend in the level of immigration enforcement required to protect the Nation's borders.

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<u>Program Changes</u>	<u>Perm. Pos.</u>	<u>FTE</u>	<u>Amount</u>
Infrastructure.....	47	24	\$12,123

The requested enhancement of **47 positions, 24 workyears and \$12,123,000** is sought to provide assistance to the 94 U.S. Attorney offices. The enhancement is spread across the following activities: Information Technology and Network Infrastructure (\$9,286,000), Litigation Support (37 positions, 19 workyears and \$2,393,000) and Accounting Technicians (10 positions, 5 workyears and \$444,000).

Additional Information Technology resources enable the U.S. Attorney offices to establish a dedicated automation activity that will support their standard office automation infrastructure, including project and task management, integration, maintenance and support services. With the migration to the Justice Consolidated Network (JCON), the cost of hardware, software, installation and a scheduled technology refresh program are included in the Legal Activities Office Automation (LAOA) request for all JCON II participants. However, funding for support services is not included in the LAOA request. While funding was obtained in 1999 to cover the costs directly associated with becoming Y2K compliant, this funding did not cover all costs associated with movement to the new JCON II standards.

Additional Litigation Support resources will complement the work of the computer systems managers located in the various U.S. Attorney offices. Essentially, **37 Litigation Support Managers (LSMs)** will take over the management of the litigation function. Similar to such positions in the private sector, the LSMs will assist in identifying the appropriate utilization of computer technology in litigation. For example, in a large health care fraud case involving hundreds of thousands of documents, the LSM would be called upon to evaluate requirements and then define appropriate software and/or applications, which would provide the most effective support in the investigation and litigation efforts. The LSM would also provide an early analysis of how best to accumulate and analyze a multitude of information. Just as important, the LSM would be called upon to choose the appropriate devices for communicating the information and its analysis to juries.

Ten additional positions are sought to enable the U.S. Attorneys to hire accounting technicians to manage appropriated and reimbursable funding totaling more than **\$1.3 billion** and allocated to 13 separate accounts in 1999. Obligation authority for each of these accounts is delegated to each of the U.S. Attorney offices, which are responsible for ensuring that obligations are incurred in accordance with the various management responsibilities delegated to each office. Over the past few years, more delegations of authority and management responsibilities, such as maintaining payroll management and budget tracking systems, have been given to the individual field offices. In some offices, the only way to address the additional workload generated by these additional responsibilities is to use receptionists, secretaries and paralegals in positions such as draft payment clerk, draft disbursement officer and transaction approving official. Further, several statutory requirements mandate better funds management oversight in federal agencies, and better cost information for program managers and outside information requesters. The additional resources sought for this initiative will enable the U.S. Attorneys to address these information requirements.

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Child Support Enforcement.....	95	48	\$5,000
<p>The Child Support Recovery Act (CSRA) and the Deadbeat Parents Punishment Act of 1998 provided the U.S. Attorney offices with new imperatives. The 10 paralegal positions provided in 1998 enhanced the CSRA efforts in the 10 districts that received them. However, insufficient resources are available in other districts that expressed the need for paralegals to conduct child support activities. The requested enhancement of 95 positions, 48 workyears and \$5,000,000 will enable the U.S. Attorney offices to provide adequate child support enforcement staff in every U.S. Attorney office where such services are needed. The consensus among Assistant U.S. Attorneys who prosecute child support cases that a substantial amount of background work is needed to amass the documentary evidence needed to support these prosecutions. This work often cannot be done by state child support enforcement personnel because of excessive caseloads or because the non-custodial parent and his or her assets are located in distant states. Thus, it is imperative that adequate federal resources be made available to address this workload.</p>			
D.C. Superior Court.....	63	32	3,978

Additional resources sought to fund this initiative will be allocated to two separate activities: Investigative Support and Victim/Witness Assistance.

Resources requested for the Investigative Support program (43 positions, 22 workyears and \$2,863,000) will enable the U.S. Attorney for the District of Columbia (USA/DC) to hire in-house investigators to augment investigative services provided by the Metropolitan Police Department (MPD). The USA/DC is unique among U.S. Attorney offices in its dual responsibility for prosecution of violations of federal criminal statutes in District Courts and violations of the District of Columbia Code in the Superior Court of the District of Columbia. Unlike most federal cases, where defendants are arrested after a thorough investigation, a case in the Superior Court Division usually begins with a preliminary investigation, followed by an arrest by the MPD. An arrest by MPD is based on probable cause to believe that the arrestee has committed a crime. Thus, it signals the beginning, rather than the culmination, of an in-depth investigation into the circumstances surrounding the crime. Hence, MPD presents the prosecutor with felony cases that require a substantial amount of investigative effort in order to procure an indictment in the Grand Jury and to secure a conviction thereafter. However, once MPD makes an arrest, the case is considered "closed" for MPD's statistical purposes and far too often the burden of completing the investigation seems to shift to the USA/DC. Ironically, the only way for prosecutors to carry out this responsibility is to call on MPD detectives to go back out onto the streets to complete the required investigatory tasks. But a shortage of MPD officers and the relegation of many of these cases to "overtime" status does not allow the MPD to fulfill all the investigatory needs of prosecutors. The additional resources sought here will enable the USA/DC to fill the investigation void left by the MPD.

As set forth in the Victim and Witness Protection Act of 1982, the Crime Control Act of 1990, the Violent Crime Control and Law Enforcement Act of 1994, and pursuant to the Attorney General's Guidelines, the Department must ensure that innocent victims of all crime have their rights upheld, have their dignity and

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privacy respected and be treated with fairness. During prosecution, it is the Victim/Witness personnel who are responsible for compliance with these mandates. The 2000 Attorney General's Guidelines on Victim and Witness Assistance will be implemented during the upcoming year. These guidelines will require that notification and other services be provided to victims and witnesses in Superior Court. Adding the requested security specialists and advocates will significantly increase the Department's ability to comply with federal statutes and policies. An additional 20 positions, 10 workyears, and \$1,115,000 are sought for this initiative.

Short-term Witness Protection..... 2 1 \$172

Over the past decade, the Department of Justice, largely through the U.S. Attorney offices, has become increasingly involved in the prosecution of violent crime. As a result, the problem of threats to, and intimidation of, witnesses in prosecutions is increasing. Witnesses to violent crime, particularly gang-related violent crime, are often the targets of intimidation, threats and assaults. Effective law enforcement requires that prosecutors and law enforcement agencies be able to respond to the needs of threatened and intimidated witnesses.

The Short-term Protection Program has been operating in the District of Columbia since 1991. The program was designed for witnesses facing serious threats from alleged criminals if they remained in the city, but for whom the threat did not extend beyond the District of Columbia and where the expectation is that the threat will dissipate once the case in which the witness will testify has been completed. The Program has provided services to approximately 175 witnesses since its inception in 1991. The Program has been successful: no witness in the Program has been harmed, and the office of the USA/DC reports a very high conviction rate for cases involving witnesses enrolled in the Program. The additional resources sought for this initiative will enable the U.S. Attorneys to expand the Program to two other cities outside of the District of Columbia.

Total Program Changes, U.S. Attorneys..... 651 328 58,085