



Asset Forfeiture Program (AFP)

FY 2023 Budget Request At A Glance	
FY 2022 President's Budget:	\$20.5 million (Discretionary Authority) \$1,432.2 million (431 positions) (Indefinite Authority)
Current Services Adjustments:	+\$0 (Discretionary Authority) +\$54.4 million (Indefinite Authority)
Program Changes:	+\$0 (Discretionary Authority) -\$66.7 million (Indefinite Authority)
FY 2023 Budget Request:	\$20.5 million (Discretionary Authority) \$1,419.9 million (431 positions) (Indefinite Authority)
Change From FY 2022 President's Budget:	+\$0 (Discretionary Authority) -\$12.2 million (-0.9%) (Indefinite Authority)

Mission:

The Asset Forfeiture Program (AFP) touches every Federal, State, tribal, and local law enforcement agency in the country, and the related cases are handled by all 94 U.S. Attorneys' Offices and the Department of Justice's Criminal Division. Through joint partnerships among law enforcement at all levels, domestically and internationally, the AFP mission is to use asset forfeiture consistently and strategically as a tool to deter, disrupt and dismantle criminal enterprises by depriving criminals of the fruits and instrumentalities of their illicit activity. Whenever possible, the program seeks to restore property to innocent victims of criminal fraud schemes.

Organization:

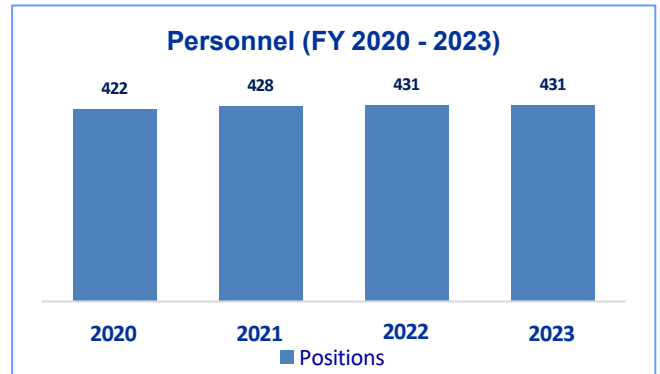
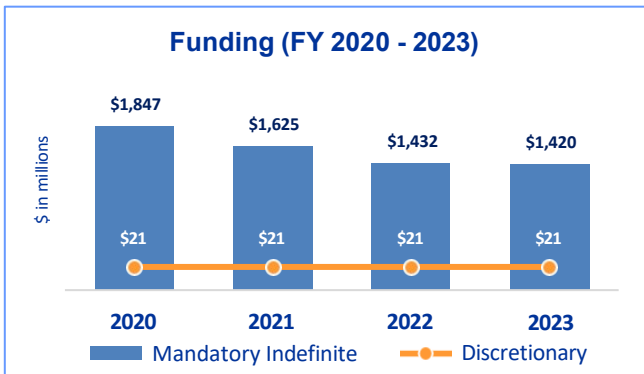
The Asset Forfeiture Management Staff (AFMS) is in Washington, DC, and is responsible for the administrative management and operational functions, including review and evaluation of all AFP activities and budgeting, financial management, and contracting operations related to the fund. AFMS also provides centralized operations and development of forfeiture-related systems and applications used by law enforcement officers and prosecutors to account for assets seized from criminal enterprises. Participating agencies include the Drug Enforcement Administration (DEA), the Federal Bureau of Investigation (FBI), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the U.S. Marshals Service (USMS), the U.S. Attorneys (USA), the Criminal Division's (CRM) Money Laundering and Asset Recovery Section, and several other Federal law enforcement agencies. Allocation recommendations are forwarded to the Office of the Deputy Attorney General through the Justice Management Division.

Resources:

All AFP funding is provided from forfeiture activities. While \$20.5 million is designated as discretionary and may be used for non-forfeiture related activities, the remaining \$1.4 billion is designated as mandatory. The mandatory portion will be used to pay victims and third parties, share resources with State and local participants, and fund programs in support of the AFP.

Personnel:

The AFP's direct positions for FY 2023 total 431 positions. This includes 36 positions in AFMS and sub-allotments of 217 positions for the USMS, 113 positions for CRM, 57 positions for the USA, 4 positions for the ATF, and 4 positions for the FBI.



FY 2023 Strategy:

In FY 2023, the Department's forfeiture program will play a critical role in disrupting and dismantling illegal enterprises, depriving criminals of the proceeds of illegal activity, deterring crime, and restoring property to victims.

The AFP directly supports State and local law enforcement participation in joint Federal law enforcement operations to provide a key force multiplier in targeting violent crime, including gang activities, organized crime, illegal drug activities, gun violence, and fugitive apprehensions. Annually, approximately 6,000 State and local law enforcement agencies receive Assets Forfeiture Fund (AFF) support to help compensate them for their joint efforts with Federal task force operations, including costs associated with the Communications Assistance for Law Enforcement Act. The program will continue to support reimbursement for overtime and equipment, such as vehicles and protective gear to enhance officer safety and the effectiveness of these joint operations.

The AFP faces several challenges, both internal and external. For example, a structural decline in asset seizure activity over the past several years has made the Program increasingly reliant on sporadic and unpredictable revenues from large forfeiture cases to cover normal operating expenses. AFMS is working with partner agencies to align the Program's core annualized program expenses to a level that can be more fully supported by predictable case receipts.

A part of the strategy is to implement a major modernization project to the Consolidated Asset Tracking System (CATS). CATS is the core business application for the AFP, and it currently integrates 20 separate applications. The system was originally released in 1994 and has not been refreshed since 2004. This refresh will ensure AFMS' ability to maintain the appropriate security level and support patching required to make the system less vulnerable to hacking attempts. The refresh will ensure continued access for CATS users and facilitate the timely entry of data to allow the Program to meet its deadlines and produce accurate financial statements.

In recent years, the Program has focused increasing attention on building technical and operational capacity to investigate complex economic crime. The globalization of economic and financial systems, the rapidly changing nature of technology, and the growing sophistication of criminal organizations have increased the prevalence of economic crime. When foreign governments, terrorists, or well-established international criminals are involved, the investigative techniques often require specialist teams, as well as analytical tools and methods to evaluate many variations of highly complex, technical, and data-intensive crimes. The Program funds traditional infrastructure and operational needs while also investing in new techniques that expand asset forfeiture's impact.

FY 2023 Program Changes:

Asset Forfeiture Program (Permanent Indefinite Authority)

AFP Program Adjustments: -\$66.7 million and 0 positions Current FY 2023 estimates for AFP mandatory expenses are \$66.7 million below FY 2023 current services. Current services include the net balance from the FY 2022 sequester cut and FY 2023 sequester restoration, inflationary costs, and the FY 2023 pay raise. The AFP Mandatory budget authority amount in FY 2023 is \$12.2 million lower than the current FY 2022 projected budget authority. The decrease from FY 2022 to FY 2023 is due to a decrease in anticipated Equitable Sharing payments, which is partially offset by the inflationary increases and pay raise increases in other cost categories.

Rescission – Assets Forfeiture Fund: -\$100.0 million and 0 positions. The rescission cancels \$100.0 million in prior year balances.

Asset Forfeiture Program (Discretionary Authority)

No program changes requested.

Asset Forfeiture Program
(Dollars in Thousands)

	Asset Forfeiture Program (Permanent Indefinite Authority)			Asset Forfeiture Program (Discretionary Authority)			Total		
	Pos	FTE	Amount	Pos	FTE	Amount	Pos	FTE	Amount
2021 Appropriation	428	409	1,704,848	0	0	20,514	428	409	1,725,362
2021 Sequester Cut	0	0	-79,950	0	0	0	0	0	-79,950
2021 Enacted with Rescissions	428	409	1,624,898	0	0	20,514	428	409	1,645,412
2022 Continuing Resolution	431	414	1,486,589	0	0	20,514	431	414	1,507,103
2022 Sequester Cut	0	0	-54,406	0	0	0	0	0	-54,406
2022 President's Budget	431	414	1,432,183	0	0	20,514	431	414	1,452,697
2023 Request	431	416	1,419,938	0	0	20,514	431	416	1,440,452
Change 2023 from 2022 President's Budget	0	2	-12,245	0	0	0	0	2	-12,245
Technical Adjustments									
FY 2022 Sequester available in FY 2023	0	0	54,406	0	0	0	0	0	54,406
Total Technical Adjustments	0	0	54,406	0	0	0	0	0	54,406
Base Adjustments									
Pay & Benefits	0	2	0	0	0	0	0	2	0
Total Base Adjustments	0	2	0	0	0	0	0	2	0
2023 Current Services	431	416	1,486,589	0	0	20,514	431	416	1,507,103
Program Changes									
Increases:									
Subtotal, Program Increases	0	0	0	0	0	0	0	0	0
Decreases:									
AFP Program Adjustments	0	0	-66,651	0	0	0	0	0	-66,651
Subtotal, Program Decreases	0	0	-66,651	0	0	0	0	0	-66,651
Total Program Changes	0	0	-66,651	0	0	0	0	0	-66,651
2023 Request	431	416	1,419,938	0	0	20,514	431	416	1,440,452
2023 Balance Rescission	0	0	-100,000	0	0	0	0	0	-100,000
2023 Request with Rescission	431	416	1,319,938	0	0	20,514	431	416	1,340,452

Asset Forfeiture Program (Permanent Indefinite Authority)

(Dollars in Thousands)

Comparison by activity and program	2022 President's Budget			2023 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
AFF - Permanent, Indefinite Authority	431	414	1,432,183	431	416	1,486,589
Total	431	414	1,432,183	431	416	1,486,589

Comparison by activity and program	2023 Total Program Changes			2023 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
AFF - Permanent, Indefinite Authority	0	0	-66,651	431	416	1,419,938
Total	0	0	-66,651	431	416	1,419,938

Asset Forfeiture Program (Discretionary Authority)

(Dollars in Thousands)

Comparison by activity and program	2022 President's Budget			2023 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
AFF - Appropriated, Definite Authority	0	0	20,514	0	0	20,514
Total	0	0	20,514	0	0	20,514

Comparison by activity and program	2023 Total Program Changes			2023 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
AFF - Appropriated, Definite Authority	0	0	0	0	0	20,514
Total	0	0	0	0	0	20,514