

<[REDACTED]>; [REDACTED] <[REDACTED]>; [REDACTED] (USANYS)
<[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS)
<[REDACTED]>; [REDACTED]. (USANYS) 4 <[REDACTED]>; [REDACTED] (USANYS)
<[REDACTED]>
Cc: [REDACTED], [REDACTED] (USANYS) 3 <[REDACTED]>; [REDACTED] 1 <[REDACTED]>;
[REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>; [REDACTED] (USANYS)
<[REDACTED]>; [REDACTED] (USANYS) <[REDACTED]>
Subject: Forfeiture Funding Requests

Chiefs,

As will be discussed at the (crim div) unit chiefs meeting today, each year we obtain a substantial amount of funding for case expenses from forfeiture funds allocated by EOUSA. Andrew and I will be compiling the Office's requests for such funding for FY22 (October 1, 2021 to September 30, 2022), which are due to EOUSA on April 30. We need your help gathering requests from your units by next Monday (4/26), to allow us time to review and edit or add to them as needed to ensure we are able to defend them with EOUSA and the ultimate decision-makers at DOJ-JMD.

Below is some general guidance on these requests, and attached are requests submitted by all units for last year as a starting point; a spreadsheet of all the requests by unit to make it easier to pull yours out; and the FY22 Model Form to fill out for each case. Please complete (or have your AUSAs complete) the Form for each case where there could be significant expenses, and email them to me and Andrew. If you have line AUSAs fill the forms out, please gather them all together to send us in one batch, and make sure they do NOT send them direct to EOUSA via the email listed on the form.

At minimum, people should submit requests for (1) all cases we submitted on last year that are not completed/will not definitely be completed by September 30th; (2) any cases where they have already received forfeiture funding; or (3) any cases hosting data on Relativity with PAE Labat. As discussed below, however, only submit requests where the estimated amount of forfeited assets is over \$1 million.

Types of Expenses

We can request funds to cover all manner of non-routine expenses, such as:

- (1) Outside vendors for financial analysis/tracing, document review and discovery support, forensic analysis, etc.
- (2) Expert consultants (but NOT expert witnesses for actual testimony, which comes from a different fund)
- (3) Data- or document-hosting (including Relativity on PAE)
- (4) Large translation or transcription expenses
- (5) Foreign travel (still not looking super plausible at the moment I grant you, but remember this is for 2022 expenses)

This is not an exhaustive list and we have been able to use this funding for a wide variety of expenses in the past, so you should consider anything you think may be helpful to an investigation. Any questions, just let us know.

Estimated Amount of Forfeited Assets (and Minimum Amount)

The estimated amount of forfeited assets should be the amount of proceeds (or value of significant facilitating/involved in ML property) we estimate resulted from the offense(s).

In order to justify our very large funding requests to DOJ, we rely on the argument that the potential forfeiture in these cases is a significant multiple of the requested funding. In light of this, please only submit requests in cases where the amount of proceeds/forfeitable property is greater than \$1 million.

Other Information for Requests

Case Name and Number – make sure to include both the case name and the USAO No.

Amount of Request – make sure the specific expense type amounts add up to the total request amount.

Case Synopsis – This should be (1) a basic description of the nature of the investigation/prosecution, including the amount of proceeds of the scheme (that supports the estimated amount of assets) and (2) an explanation of the need for the expenses listed. Also note any seized/restrained property we've already got in hand, which obviously helps justify spending money on the case.

Thanks!

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Co-Chief, Money Laundering and Transnational Criminal Enterprises Unit
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