

# FY 2000

## Summary Performance Plan



Prepared by the Justice Management Division

March 1999

**Department of Justice**  
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**Table of Contents**

<b>Introduction.....</b>	<b>1</b>
<b>Relationship to the Strategic Plan .....</b>	<b>2</b>
<b>Relationship to the Budget.....</b>	<b>2</b>
<b>Organization of the Plan .....</b>	<b>3</b>
<b>PART I: Overview of FY 2000 Performance Goals .....</b>	<b>4</b>
<b>CORE FUNCTION 1: Investigation and Prosecution of Criminal         Offenses .....</b>	<b>4</b>
<b>CORE FUNCTION 2: Assistance to Tribal, State and Local         Governments .....</b>	<b>17</b>
<b>CORE FUNCTION 3: Legal Representation, Enforcement of Federal         Laws, and Defense of U. S. Interests .....</b>	<b>28</b>
<b>CORE FUNCTION 4: Immigration.....</b>	<b>37</b>
<b>CORE FUNCTION 5: Detention and Incarceration.....</b>	<b>46</b>
<b>CORE FUNCTION 6: Protection of the Federal Judiciary and         Improvements of the Justice System .....</b>	<b>54</b>
<b>CORE FUNCTION 7: Management.....</b>	<b>61</b>
<b>PART II: Measurement Issues.....</b>	<b>71</b>
<b>New Steps to Strengthen Data Capacity and Integrity .....</b>	<b>71</b>
<b>Measurement Issues of Special Relevance to DOJ Activities.....</b>	<b>74</b>
<b>Data Sources and Systems .....</b>	<b>81</b>
<b>APPENDIX A: Key Summary Indicators and Their Values</b>	
<b>APPENDIX B: Selected Sources of Performance Data</b>	
<b>APPENDIX C: Table of Cross-cutting Programs and Activities</b>	
<b>APPENDIX D: Glossary of Abbreviations and Acronyms</b>	

## Introduction

This Summary Performance Plan sets forth the major program goals the Department of Justice expects to achieve during fiscal year (FY) 2000. It summarizes and synthesizes the more detailed performance plans of specific Justice component organizations, including the Federal Bureau of Investigation, the Drug Enforcement Administration, the United States Attorneys, the United States Marshals Service, the Bureau of Prisons, the Immigration and Naturalization Service, and others. To understand the breadth, complexity and magnitude of Justice programs, as well as the goals and measures we will use to assess our performance, this summary document should be read in conjunction with these component-level plans. Together they constitute the Department's Annual Performance Plan for FY 2000. This Plan also revises the Department's Summary Performance Plan for FY 1999, submitted in February 1998, in accordance with appropriated resource levels.

The Summary Performance Plan is prepared in accordance with the requirements of the Government Performance and Results Act ("Results Act") and implementing guidance provided by the Office of Management and Budget. The Results Act is intended to improve the performance of federal programs by focusing on results, rather than activities. It requires that agencies identify long range strategic and annual performance goals that are both measurable and outcome oriented. It also requires that agencies report annually to the Congress and the public on their actual accomplishments in meeting these goals.

DOJ and its components have been working to develop a capability to measure and report program performance information, as required by the Results Act, and other congressional requirements such as those under the DOJ Drug Control Strategy. The identification and selection of meaningful performance indicators that reinforce a clear focus on mission outcomes has been a major challenge for all our components, as it is for law enforcement in general. Measurement issues are complex, involving long and short-term dimensions, as well as concerns of data integrity.

The public has traditionally viewed national crime rates as its most important indicator of success or failure in governmental efforts to fight crime. However, many external factors well beyond government's control play a role in the rise and fall of these rates. In addition, recent press reports have suggested that a preoccupation with crime rates at the local level may lead to the use of questionable data reporting practices or even the potential for falsifying crime records. Consequently, one of the first lessons under the Results Act appears to be that organizations that collect and report statistical information must carefully maintain established procedures and controls that help ensure data validity and reliability.

We have also learned that establishing a targeted level of performance in the field of law enforcement, and then measuring progress toward achieving that particular goal, involves many unique considerations and can raise serious ethical concerns. For example, the Attorney General has emphasized that the judgement and actions of DOJ personnel must never be perceived as being influenced by "bounty hunting" -- i.e., striving to reach a targeted goal or activity level for its own sake, without regard to the activity's larger purpose. Consequently, all DOJ components follow a policy of not setting targets of performance for certain selected indicators, e.g., arrests,

indictments, convictions, seizures. (We will, however, report prior-year actuals for these types of indicators because they can provide valuable context to the nature and level of enforcement activity.) DOJ's Criminal Division describes this uniqueness of law enforcement as guiding us to "do what is just . . . Success is when justice is served fairly and impartially; it is not reducible to simple numerical counts of arrests or convictions. . . .".

## Relationship to the Strategic Plan

The Department of Justice Strategic Plan for 1997-2002 states:

"Our mission at the United States Department of Justice is to enforce the law and defend the interests of the U. S. according to the law, provide Federal leadership in preventing and controlling crime, seek just punishment for those guilty of unlawful behavior, administer and enforce the Nation's immigration laws fairly and effectively and ensure fair and impartial administration of justice for all Americans."

The Strategic Plan also describes our long-range goals, strategies and performance indicators. It provides the foundation for our on-going efforts to improve the performance of our programs and establishes the framework for our annual performance plans and budgets. While the Strategic Plan is broad and long-range, this FY 2000 Summary Performance Plan is more specific and time-focused. Taken together with the individual performance plans of our component organizations, this summary plan describes what will be achieved within a specific year and with a specific level of resources.

Performance planning and budgeting at the Department of Justice are driven by and consistent with our long-range strategic goals. In keeping with this linkage, the Summary Performance Plan is organized according to the seven core functional areas identified in the Department's Strategic Plan. These are:

1. Investigation and Prosecution of Criminal Offenses
2. Assistance to Tribal, State, and Local Governments
3. Legal Representation, Enforcement of Federal Laws, and Defense of U.S. Interests
4. Immigration
5. Detention and Incarceration
6. Protection of the Federal Judiciary and Improvement of the Justice System
7. Management

## Relationship to the Budget

The Department of Justice decided early on to incorporate performance planning and reporting with the budget process. We recognized that performance information is vital to making resource allocation decisions and, therefore, should be an integral part of the budget. As a result of this decision to present performance information with the budget, individual annual performance plans have been prepared to accompany the budget request of specific Department components. As noted earlier, these individual annual performance plans provide more detailed

and complete information on the Department's programs and constitute the basis for the Department's Summary Performance Plan.

The Summary Performance Plan is consistent with the Department's FY 2000 budget and the goals listed are attainable within the resource levels requested. Goals will be revised as necessary to reflect approved funding levels.

## Organization of the Plan

The Plan is organized into two parts. Part I describes major FY 2000 themes and priorities for the Department for each core function followed by a discussion of the major resources and technologies that are needed to carry out the Plan. This section also includes a comprehensive crosswalk of the Department's strategic goals, FY 2000 performance goals, and key indicators. Here again, detailed information is provided in the component-specific plans and simply summarized here.

Part II addresses important measurement considerations. These include the availability and integrity of performance data, the sources from which the data are or will be drawn, the validity and appropriateness of certain indicators, and measurement issues of special relevance to DOJ activities.

The Appendices contain (1) a table that shows, for each Key Summary Level Indicator in the Plan, the actual and targeted values; (2) a listing of selected sources of performance data; (3) a table of cross-cutting programs and activities; and (4) a glossary of abbreviations and acronyms.

## **PART I: Overview of FY 2000 Performance Goals**

### **CORE FUNCTION 1: Investigation and Prosecution of Criminal Offenses**

At the heart of the Department of Justice's mission is our responsibility to enforce the Nation's laws through the investigation and prosecution of criminal offenses. The array of areas for which we are responsible are diverse and challenging, from cybercrime to drug crimes, to white collar fraud and child abductions, to terrorist acts and public corruption. Adding to this challenge is the complexity of the American criminal justice system. Law enforcement in the United States is an inherently shared responsibility and is addressed cooperatively among Department of Justice organizations, and with other federal, tribal, state, and local agencies. Several DOJ component organizations share primary responsibility for enforcing the Nation's criminal laws. In addition, the increased globalization of crime requires that DOJ pursue strengthened cooperation with other countries' law enforcement organizations.

The Federal Bureau of Investigation (FBI) has responsibility to investigate over 200 categories of federal crimes, as well as to gather information about activities that jeopardize the Nation's security. Another of its major functions is to provide cooperative law enforcement assistance and other specialized support when required.

The Drug Enforcement Administration (DEA) has responsibility to enforce the controlled substance laws and regulations of the United States, and to bring to justice those organizations and their principal members who are involved in the growing, manufacture and distribution of these substances destined for illicit traffic in the United States. The DEA focuses on the priorities of critical drug-related intelligence and other specialized enforcement assistance, and it supports non-enforcement programs aimed at reducing the availability of illicit controlled substances on the domestic and international markets.

The Immigration and Naturalization Service (INS) is charged with enforcing the Nation's immigration laws. Although Core Function 4 focuses on DOJ's Immigration efforts, the interrelationship between immigration issues and criminal offenses also makes INS an important agency in the fight against violent crime and terrorism, in addition to its more traditional immigration responsibilities.

The U.S. Attorneys and DOJ's Criminal Division are other key players in this core function because they prosecute violators of federal criminal law, seek punishment of those guilty of unlawful behavior and represent the United States in other specialized litigation. Both are also committed to devoting efforts to dismantle major drug organizations, to target violent crime and to prosecute high-priority white collar crime nationwide. These efforts are pursued in close cooperation with federal, tribal, state and local law enforcement.

In addition, the Antitrust, Civil, Civil Rights, Environment, and Tax Divisions perform critical and specialized functions in prosecuting violators of the Nation's antitrust, consumer, environmental, wildlife, and tax laws. Although they will often be involved in initiatives discussed in this section, the priority performance goals of these Divisions are primarily discussed in Core Function 3.

In FY 2000, while we continue to deal with the familiar problems of violent crime, white collar crime, and drugs, we must confront the increasing sophistication of criminals that will challenge our ability to prevent and solve crimes and bring criminals to justice. We will also face emerging complexities such as cybercrime, international crime, and terrorism. All of these areas are addressed in our FY 2000 performance plan. We will face these issues recognizing that DOJ is a crime-fighting partner with other federal, state and local agencies, and that we must work together strategically to define our roles and coordinate our efforts so that our scarce resources can have the greatest impact toward reducing crime and violence across America and around the world possible.

### **Violent Crime, Including Organized Crime and Drug and Gang-Related Violence**

In FY 2000, DOJ's principal law enforcement investigative agencies will counter violent crime by emphasizing targeted enforcement strategies. For example, the FBI, working closely with the DOJ's prosecutorial resources, will continue its five-year plan to eliminate La Cosa Nostra (LCN) as a crime factor in the United States. The FBI intends to remove LCN-affiliated individuals from organizations such as labor unions and contracting cartels that make up their base of power. A related FY 2000 goal is to undercut the strong financial underpinnings of these large criminal enterprises by putting renewed emphasis on efforts to prevent the laundering of their illegal proceeds and to forfeit their assets, thereby seeking to cripple permanently their illegal operations.

Another key part of DOJ's FY 2000 performance plan involves a stronger focus on the growing threat posed by emerging organized crime enterprises. These so-called "non-traditional" crime organizations have a rapidly expanding membership, can flourish in the drug underworld, and often employ violent means to establish themselves. The FBI and the DEA will be adapting new technologies to improve analytical support to investigations and strengthen their intelligence base about these non-traditional groups and their leadership in order to prevent them from gaining a stronger foothold. Another effort will focus on monitoring changes in patterns of abuse and shifts in trafficking trends to measure the impact of enforcement initiatives.

This FY 2000 performance plan also involves the continued commitment of resources for international liaison and enforcement efforts. This will help counter the foreign-based aspects of emerging threats such as Russian, Eastern European and other organized crime groups. The increasing international nexus of this new breed of criminal organization means that the corruption of key officials in major industries and the operation of large-scale money laundering schemes through banks, stock exchanges and commodities markets can flourish without regard to national boundaries.

Helping curtail gang-related violence and the illegal use of firearms are other major features of FY 2000 planning within this Core Function. In response to a surge in juvenile and gang-related violent crime between 1985 and 1995, DOJ has strongly supported the FBI's National Gang Strategy. This represents an appropriate and realistic targeting of limited federal resources to address unique crime problems that persist even when the overall level of violent crime may be decreasing. Similarly, the DEA will deploy its highly-successful Mobile Enforcement Teams to help meet emerging drug crises in particular localities, and the National Drug Intelligence Center (NDIC) will update its National Street Gang Survey Report, a key



reference for enforcement agencies. Implementation of the National Instant Criminal Background Check System will assist in performing checks on prospective firearms purchasers.

Another on-going initiative planned in this Core Function will address more aggressively the rising incidence of crimes against children, including abduction cases, sexual exploitation offenses against them, and the production of child pornography. DOJ's FY 2000 performance plan calls for the FBI to continue using multi-agency, multi-disciplinary teams to address these problems, including the growing use of the Internet and commercial on-line subscription services, to pursue related crimes.

FY 2000 Key Performance Goals	FY 2000 Key Performance Indicators
<p>1.1.1 <u>Organized Crime – La Cosa Nostra (LCN)</u> --In FY 2000, DOJ will work to restore open and free economic competition in industries influenced by organized crime. DOJ will do this by continuing to reduce the active LCN membership. [FBI, USAs, CRM]</p> <p>1.1.3 <u>Gang-related and Other Violence</u> --In FY 2000, DOJ will target and respond to particular local crime problems involving violence and gang activity, including drug-related crimes. To achieve this, DOJ will strive to reduce the level of violent crime by taking violent criminals and gangs off our streets through cooperative enforcement efforts with state and local law enforcement in programs such as FBI's Safe Streets Task Forces and DEA's Mobile Enforcement Teams (MET). We will do this to continue our efforts to reduce by 50% over 5-years the population of existing gangs identified as being the most dangerous. [FBI, DEA, USAs, CRM]</p> <p>1.1.4 <u>Crimes Against Children</u> --In FY 2000, DOJ will focus on an improved overall response capability in child abduction cases, including the use of multi-disciplinary teams of law enforcement and other professionals, so that the FBI is promptly notified of such incidents and can promptly deploy investigative assistance. DOJ will also increase efforts against those who commit sexual exploitation offenses against children, including those who traffic in child pornography. [FBI, USAs, CRM]</p>	<ul style="list-style-type: none"> <li>· Percentage reduction in LCN membership.</li> <li>· Number of violent criminals removed from the streets by federal investigation and prosecutorial efforts.</li> <li>· Number of Sexual Exploitation of Children predators arrested and convicted.</li> </ul>

NOTE: For a complete listing of summary performance goals and indicators by core function, refer to the charts at the end of each core function discussion. Indicators and their planned and target values are provided in Appendix A.

## **The Availability and Abuse of Illegal Drugs**

DOJ's FY 2000 performance plan strongly supports the President's anti-drug abuse policies and is consistent with both the general guidance of the Office of National Drug Control Policy (ONDCP) and DOJ's own Drug Control Strategic Plan. Both ONDCP and DOJ's program planning to curtail the use of illegal drugs is characterized by an increased focus on coordinated interagency enforcement efforts, thereby making better use of each agency's unique expertise. This approach also recognizes that a drug trafficker's criminal activity operates along a broad continuum that begins in the source and transit countries, continues to the entry points and the transportation and production infrastructure within this country, and then arrives at the street and neighborhood levels. DOJ's enforcement priority, working in concert with Treasury Department agencies such as the U.S. Customs Service and the Internal Revenue Service, will be disrupting and ultimately dismantling these drug organizations and their networks, including the money launderers that are critical to such operations.

In FY 2000, DOJ will continue its leadership role in supporting the intelligence needs of law enforcement officials and policymakers. Timely, accurate and useful intelligence is vital to defining and targeting the criminal activities of drug organizations and gangs that represent the most urgent threats. As part of this leadership role, DOJ, in cooperation with ONDCP and the Intelligence Community, will ensure a coordinated interagency approach to gathering, analyzing and disseminating intelligence information. DOJ will also continue to support actively the work of key interagency groups, including the National Drug Intelligence Center (NDIC), the El Paso Intelligence Center (EPIC) and the Financial Crimes Intelligence Center (FinCen).

Again in FY 2000, DOJ has a particular focus on enforcement efforts along the Southwest border. Our efforts here involve many agencies' strategies, from attacking the significant threat posed by the Colombian and the Mexican Criminal Enterprises (MCEs) trafficking in drugs, to the deployment of Border Patrol resources along the border. While the focus of the Border Patrol remains stemming illegal immigration, the interrelationship between alien and drug smuggling situates the Border Patrol in a position as a great asset to drug interdiction efforts.

To emphasize the interagency coordination that underlies efforts to disrupt and dismantle these transnational drug networks, DOJ's FY 2000 plan also calls for an increase in the number of Organized Crime Drug Enforcement Task Force (OCDETF) cases initiated. These OCDETF cases are multi-agency by definition and invariably involve several different jurisdictions. Most importantly, they help focus the varied expertise of the participating federal agencies. There will also be continued emphasis in FY 2000 on DOJ's anti-methamphetamine efforts, as well as the development and coordination of strategies against heroin.

DOJ's FY 2000 performance plan also emphasizes that initiatives other than direct enforcement will be important in the overall drug reduction effort. Therefore, DOJ will intensify its community outreach efforts to communicate a strong anti-drug abuse message and will put an increased emphasis on the value of education, treatment availability and volunteerism in drug prevention. The Office of Justice Programs (OJP) is involved in these efforts through programs such as the Drug Court and Byrne Formula and Discretionary Grant programs. These programs are discussed under Core Function 2.

FY 2000 Key Performance Goals	FY 2000 Key Performance Indicators
<p>1.2.2 <u>Attack on Major Drug Trafficking Criminal Enterprises</u> – In FY 2000, DOJ will continue its efforts to disrupt and dismantle the command and control operations of major drug trafficking criminal enterprises responsible for the supply of illicit drugs in the U.S. In FY 2000, DOJ will continue many focused initiatives and efforts that target major traffickers, including: the Southwest Border initiative; the Carribean initiative; the Source Country initiative; the Anti-Heroin strategy; the National Methamphetamine strategy; and OCDETF cases. [DEA, FBI, USAs, CRM/OCDETF, NDIC]</p> <p>1.2.3 <u>Reducing the Production of Illegal Drugs through Enforcement Efforts</u> – In FY 2000, DOJ will continue to reduce significantly the production and quantity of illegal drugs, including methamphetamine and marijuana, in the U.S. Through the National Methamphetamine Strategy and multi-agency coordinated efforts with other enforcement agencies, we will increase the number of clandestine laboratories seized and the number of prosecutions of rogue chemical companies that supply the precursors to methamphetamine manufacturers. [DEA, USAs, CRM, FBI]</p>	<p>· Number of indictments and convictions obtained in OCDETF cases involving targeted drug organizations</p> <p>· Quantity of drugs removed, including: cocaine, heroin, methamphetamine, marijuana, and other dangerous drugs.</p>

## Reducing Espionage and Terrorism

DOJ's FY 2000 performance plan maintains a strong focus on pursuing the early detection, investigation, and prosecution of terrorist conspiracies, and responding to terrorist acts, including cyberterrorism. There will be a prompt, aggressive, and fully-coordinated response to all terrorist acts directed against Americans, their interests or the National Information Infrastructure, including those located or originating from abroad. Consistent with legislative mandates and related Presidential directives, DOJ and its components coordinate with other Executive Branch agencies in these efforts. For all overseas-based incidents, particular liaison occurs with the Department of State. As another example, the National Defense Authorization Act of 1996 provided funding and a training mandate to assist State and local authorities in the proper response to a terrorist incident. The FBI participates with the Departments of Defense, Energy, Health and Human Services and the Environmental Protection Agency in the development and delivery of this training.

Key features of the DOJ FY 2000 performance plan will strengthen the Nation's response capability to terrorist episodes. Specifically, DOJ will work through the FBI, the U.S. Attorneys' Offices, OJP, and the Department's Criminal Division to establish or expand partnerships with state, local and international entities to better respond to domestic terrorist acts, cyberattacks and other threats. OJP's role in domestic preparedness is discussed under Core Function 2.

Recognizing the threat of terrorist acts to critical infrastructure, such as the information highway, power systems and transportation networks, the Attorney General created the National Infrastructure Protection Center (NIPC). In FY 2000, through the NIPC, DOJ will further our capabilities to coordinate and respond to the cyber and physical threats targeted at key infrastructure assets by operating the center 24-hours per day, 7-days per week.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
<p>1.3.1 <u>Preventing Terrorist Acts</u> – In FY 2000, DOJ, working with other federal agencies such as Treasury and State, will improve the Nation’s capability to prevent terrorist acts within the United States and abroad by: improving information gathering and analysis capabilities to evaluate threats and provide early detection of potential terrorist acts; investigating the fund-raising activities of terrorist organizations; planning, coordinating and conducting training exercises; and increasing the number of multi-agency Joint Terrorism Task Forces. [FBI, USA, CRM, INS]</p>	<p>Number of terrorist acts prevented.</p>

### **Reduce White-Collar Crime, Including Public Corruption**

DOJ's FY 2000 performance plan regarding white collar crime is based on the premise that a strong deterrent capability must be put in place that will prevent criminals from defrauding and therefore weakening the Nation's industries and institutions. In this area, the criminal threat comes from varied sources and may have any number of purposes and targets, e.g., public officials open to corruption; certain elements of high technology-related industries; cybercrime; and telemarketing, insurance, commodities, and other businesses susceptible to fraud. In monetary terms alone, the annual loss to American citizens and businesses is conservatively estimated in the billions of dollars.

During FY 2000, the FBI and DOJ's prosecutors will devote considerable resources to countering the type of computer crime that can cause major disruptions in commerce and information sharing. The FBI will expand its headquarters and field-based computer crime expertise, supported by the NIPC. In conjunction with state and local task forces, this will better equip the DOJ to investigate and prosecute computer crimes committed through the use of computers, pursuant to the President's directive contained in Executive Order 13010. Similarly, in FY 2000, DOJ's Criminal Division, in cooperation with the U.S. Attorneys and federal investigative agencies and state and local authorities, will focus attention on computer intrusions, as well as on other priority white-collar crime matters such as health care fraud, which is discussed in Core Function 3.

FY 2000 Key Performance Goals	FY 2000 Key Performance Indicators
<p>1.4.2 <u>Health Care Fraud</u> – In FY 2000, DOJ will work with other federal agencies to confront the increase in</p>	<p>Medicare cost savings for targeted goods and</p>

<p>health care fraud by continuing to successfully prosecute and obtain judgments and settlements against providers, carriers and fiscal intermediaries that defraud Medicare, Medicaid and other federal health care programs. [FBI, USAs, CRM]</p> <p>1.4.3 <u>High Technology/"Computer Crime"</u>  In FY 2000, DOJ will continue its recent efforts to further develop its capacity to respond to cyber-attacks, computer thefts and intrusions affecting consumers, businesses and government. We will continue to increase the number of state and local computer crime task forces and increase the capability of the FBI and DEA to acquire, examine and present computer evidence, so that we can keep pace with and successfully investigate and prosecute the new breed of high-tech criminals [FBI, CRM, USAs, DEA]</p>	<p>services where egregious fraudulent billing is suspected.</p> <p>Arrests and convictions in computer intrusions.</p>
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### Coordination of DOJ Law Enforcement

The FY 2000 performance plan goals summarized throughout this core function that cut-across the major DOJ agencies, underscore the urgency that DOJ attributes to fully-coordinated, interagency enforcement efforts. Taking effective action against such fundamental threats as the illegal drug trafficking or potential assaults against the Nation's infrastructure can only occur when federal agencies cooperate and focus their limited resources in a targeted fashion in concert with state and local law enforcement agencies.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicator
<p>1.5.2 <u>Organized Crime Drug Enforcement Task Forces</u> -  - In FY 2000, DOJ will continue to strengthen the centralized management and coordination of the OCDETF activities in order to promote a coordinated drug enforcement effort. Particular emphasis will be placed on coordinating activities among the following entities: OCDETF regions, all federal drug and drug related law enforcement agencies, and the United States Attorneys' Offices, as well as the state and local drug law enforcement and prosecution agencies.  [CRM/OCDETF, Others]</p>	<p>Agency participation in OCDETF investigations resulting in criminal charges.</p>

### Resources, Means and Strategies

	1998 Actual	1999 Planned	2000 Requested

Core Function 1	\$5,301,572,000	\$5,529,929,000	\$5,874,253,000
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In FY 2000, the Department of Justice plans to spend nearly \$5.9 billion on this core function. This is an increase of 11% from 1998 levels and 6 % increase from 1999 levels..

### Information Technology

In FY 2000 the Department will invest approximately \$257 million in information technology to continue to provide law enforcement personnel with the automated tools to fight crime in today’s world, including the increasing incidents of “cybercrime” that cross national borders. The Attorney General recognizes that we cannot attack increasingly sophisticated criminal conspiracies or handle highly complex litigation without making long term investments in our people and giving them the tools and technologies to do their jobs.

The FBI is expanding its current information technology environment in order to facilitate the multi-agency cooperation and coordination necessary to combat counterterrorism, international crime, technology crime and other types of activities. To provide the information technology functionality required by investigators, analysts and other employees in FY 2000 the FBI is moving into the second year of a multi-year strategy, known as its **Information Sharing Initiative (ISI)**, to modernize and augment its computers, applications, and telecommunications networks. The ISI will yield improved collection, management, processing, analysis and exploitation of case information and intelligence; permit secure, controlled access to multi-agency information; and provide data integrity and security.

The DEA will continue deployment of **FIREBIRD** in FY 2000 and provide needed upgrades in offices where FIREBIRD was first deployed in 1995. FIREBIRD is an automated system which consolidates information from a variety of sources and gives special agents and intelligence specialists the ability to quickly access and analyze critical information in support of the fight against drugs in this country.

In FY 2000, DEA will continue development of the **Information Management Program and Case Tracking (IMPACT)** system, which will be incorporated into its FIREBIRD network. IMPACT will allow investigative staff to leverage existing information not possible without FIREBIRD. IMPACT is a mission oriented, field-led initiative that focuses on the collection, use and dissemination of information at the field level.

### Intelligence Technologies

**MERLIN** is DEA's advanced workstation to support the classified processing needs of intelligence analysts and special agents. It provides for the storage, dissemination and retrieval of investigative data, photos and reporting. MERLIN will be installed in DEA Headquarters and in all DEA Field Divisions, as well as in selected DEA foreign offices by FY 2000. The **Narcotics Enforcement Data Retrieval System (NEDRS)** is a classified system that will be developed to support classified drug enforcement investigations.

In FY 2000, and in the years to follow, the Department will increasingly rely on **Automated Litigation Support (ALS)** to meet the trial preparation and courtroom presentation needs of the litigating attorneys in both civil and criminal actions. The number of document-

intensive litigation cases for the Department is increasing each year--complex drug prosecutions, health care fraud investigations and financial litigation cases are experiencing tremendous growth. The burden of administrative work in trial preparation for these cases can be costly and time consuming. With proper litigation support, trial preparation is more efficient and speedy, and the trials themselves take less time and are more effective, allowing the Department's attorneys to bring more cases in the same amount of time.

## CORE FUNCTION 1: Investigation and Prosecution of Criminal Offenses

<p><b>Strategic Plan Goals:</b></p> <p><b>1.1 Reduce violent crime, including organized crime and drug and gang-related violence.</b></p> <p><b>1.2 Reduce the availability and abuse of illegal drugs through traditional and innovative enforcement efforts.</b></p> <p><b>1.3 Reduce espionage and terrorism (sponsored by foreign or domestic groups in the United States and abroad when directed at U.S. citizens or institutions).</b></p> <p><b>1.4 Reduce white-collar crime, including public corruption and fraud.</b></p>		
FY 2000 Performance Goals		Key Performance Indicators
1.1.1	<p><u>Organized Crime – La Cosa Nostra (LCN)</u>                      In FY 2000, DOJ will work to restore open and free economic competition in industries influenced by organized crime. DOJ will do this by continuing to reduce the active LCN membership. [FBI, USAs, CRM]</p>	<ul style="list-style-type: none"> <li>· Percentage reduction in LCN membership.</li> </ul>
1.1.2	<p><u>Organized Crime</u>                      Non-traditional and Emerging Groups–Nationally, DOJ will place priority on identifying high-impact investigative targets and allocating appropriate resources to deal with the problem. In FY 2000, DOJ will identify, disrupt and dismantle emerging organized criminal enterprises, including 12 Asian groups and 5 Russian groups. [FBI, USAs, CRM]</p>	<ul style="list-style-type: none"> <li>· Number of emerging criminal enterprises dismantled.</li> </ul>
1.1.3	<p><u>Gang-related and Other Violence</u>                      In FY 2000, DOJ will target and respond to particular local crime problems involving violence and gang activity, including drug-related crimes. To achieve this, DOJ will strive to reduce the level of violent crime by taking violent criminals and gangs off our streets through cooperative enforcement efforts with state and local law enforcement in programs such as FBI’s Safe Streets Task Forces and DEA’s Mobile Enforcement Teams (MET). We will do this to continue our efforts to reduce by 50 % over 5-years the population of existing gangs identified as being the most dangerous. [FBI, DEA, USAs, CRM]</p>	<ul style="list-style-type: none"> <li>· Number of violent criminals removed from the streets by federal investigation and prosecutorial efforts.</li> <li>· Percentage reduction in number of targeted gangs identified as being the most dangerous.</li> </ul>
1.1.4	<p><u>Crimes Against Children</u>                      In FY 2000, DOJ will focus on an improved overall response capability in child abduction cases, including the use of multi-disciplinary teams of law enforcement and other professionals, so that the FBI is promptly notified of such incidents and can promptly deploy investigative assistance. DOJ will also increase efforts against those who commit sexual exploitation offenses against children, including those who traffick in child pornography. [FBI, USAs, CRM]</p>	<ul style="list-style-type: none"> <li>· Number of Sexual Exploitation of Children predators and arrested and convicted.</li> </ul>
1.2.1	<p><u>Protecting U.S. Borders from the Drug Threat</u>                      In FY 2000, DOJ will improve its land border defense against drugs through the deployment of new personnel and advanced technology. [INS, DEA, FBI, CRM, NDIC]</p>	<ul style="list-style-type: none"> <li>· Quantity of drugs seized at or near the borders.</li> </ul>
1.2.2	<p><u>Attack on Major Drug Trafficking Criminal Enterprises</u>                      In FY 2000, DOJ will continue its efforts to disrupt and dismantle the command and control operations of major drug trafficking criminal enterprises responsible for the supply of illicit drugs in the U.S. In FY 2000, DOJ will continue many focused initiatives and efforts that target major traffickers, including: the Southwest Border initiative; the Caribbean initiative; the Source Country initiative; the Anti-Heroin strategy; the National Methamphetamine strategy; and OCDETF cases. [DEA, FBI, USAs, CRM/OCDETF, NDIC]</p>	<ul style="list-style-type: none"> <li>· Number of nationally coordinated investigations that lead to the disruption and dismantlement of multiple “cells” of the major drug trafficking organizations. [The Department will evaluate the significance of drug trafficking organizations and its members based upon defined criteria].</li> <li>· Number of indictments and convictions obtained in OCDETF cases involving targeted drug organizations.</li> </ul>
1.2.3	<p><u>Reducing the Production of Illegal Drugs through Enforcement Efforts</u>                      In FY 2000, DOJ will continue to reduce significantly the production and quantity of illegal drugs, including methamphetamine and</p>	<ul style="list-style-type: none"> <li>· Quantity of marijuana eradicated through the DEA Domestic Cannabis Eradication and Suppression Program.</li> </ul>



	<p>marijuana, in the U.S. Through the National Methamphetamine Strategy and multi-agency coordinated efforts with other enforcement agencies, we will increase the number of clandestine laboratories seized and the prosecutions of rogue chemical companies that supply the precursors to methamphetamine manufacturers. [DEA, USAs, CRM, FBI]</p>	<ul style="list-style-type: none"> <li>· Quantity of drugs removed, including: cocaine, heroin, methamphetamine, marijuana, and other dangerous drugs.</li> <li>· Number of chemical distributors diverting precursor and essential chemicals investigated and prosecuted.</li> <li>· Number of clandestine laboratories seized, dismantled, and properly disposed of.</li> </ul>
1.2.4	<p><u>International Drug Law Enforcement</u> In FY 2000, DOJ will continue to actively cooperate with foreign governments and enlist their support through technical assistance and training to investigate and prosecute major drug traffickers and their organizations, which threaten U.S. interests.. [DEA, FBI, USAs, CRM]</p>	<ul style="list-style-type: none"> <li>· Number of foreign counter drug investigators and prosecutors trained.</li> </ul>
1.2.5	<p><u>Comprehensive Investigative Intelligence Program to Effectively Support Investigations and Prosecutions</u> In FY 2000, DOJ will strengthen its various investigative intelligence programs to expand and foster the collection, analysis and dissemination of drug-related intelligence to federal agencies about major national and international drug trafficking organizations. [DEA, USAs, FBI, NDIC, INTERPOL]</p>	<ul style="list-style-type: none"> <li>· Number of queries and entries to drug databases.</li> <li>· Number of intelligence analysts trained.</li> </ul>
1.2.6	<p><u>Reduction of Demand</u> In FY 2000, DOJ will intensify its demand reduction efforts through educational outreach to communities, schools, employers, and the public. For example, we will continue our use of the Internet to publicize our anti-drug abuse message, and will pursue more interagency and public/private partnership opportunities, including mentoring and other early intervention strategies. DOJ will place a stronger emphasis on the value of education, treatment availability and volunteerism in drug prevention. [DEA]</p>	<ul style="list-style-type: none"> <li>· Number of persons and organizations receiving disseminated information regarding prevention programs.</li> </ul>
1.3.1	<p><u>Preventing Terrorist Acts</u> In FY 2000, DOJ, working with other federal agencies such as Treasury and State, will improve the Nation's capability to prevent terrorist acts within the United States and abroad by: improving information gathering and analysis capabilities to evaluate threats and provide early detection of potential terrorist acts; investigating the fund-raising activities of terrorist organizations; planning, coordinating and conducting training exercises. [FBI, USA, CRM, INS]</p>	<ul style="list-style-type: none"> <li>· Number of terrorist acts prevented.</li> </ul>
1.3.2	<p><u>Investigating and Prosecuting Terrorist Acts</u> In FY 2000, DOJ will continue its high rate of success in the investigation and prosecution terrorist acts and conspiracies. We will respond aggressively to all terrorist acts directed against American nationals and interests at home and overseas, through the use of well-trained special response capabilities and Joint Terrorism Task Forces. [FBI, USA, CRM, INS, USNCB/INTERPOL ]</p>	<ul style="list-style-type: none"> <li>· Number of terrorist cases investigated.</li> <li>· Number of terrorists arrested and convicted.</li> </ul>
1.3.3	<p><u>Improving Response Capabilities to Terrorist Acts</u> In FY 2000, DOJ will establish or expand upon partnerships with state, local and international entities to enhance domestic and international responsiveness to terrorist acts. The FBI will continue its lead responsibility for effectively managing the response to domestic terrorist incidents. [CRM, FBI, USAs]</p>	<ul style="list-style-type: none"> <li>· Number of additional districts with crisis response plans.</li> </ul>
1.3.4	<p><u>Protection of Critical Infrastructure</u> In FY 2000, DOJ will further its capabilities to coordinate and respond to cyber and physical threats to the Nation's critical infrastructure, including interagency cooperation with the Department of Defense and other responsible federal agencies. We will identify and eliminate key infrastructure vulnerabilities; provide 24/7 watch and warning capabilities; and improve investigations and protection through training and disseminating information and tools. [FBI, CRM]</p>	<ul style="list-style-type: none"> <li>· Computer intrusions investigated by the FBI.</li> <li>· Total key assets identified.</li> </ul>
1.4.1	<p><u>Public Corruption</u> In FY 2000, DOJ will combat corruption through the investigation of</p>	<ul style="list-style-type: none"> <li>· Investigations and convictions.</li> </ul>

	alleged wrongdoing by officials and employees at all levels of government, and will take appropriate prosecutorial action. [USA, CRM, FBI]	· Recoveries and restitutions resulting from investigations and convictions.
1.4.2	<u>Health Care Fraud</u> In FY 2000, DOJ will work with other federal agencies to confront the increase in health care fraud by continuing to successfully prosecute and obtain judgments and settlements against providers, carriers and fiscal intermediaries that defraud Medicare, Medicaid and other federal health care programs. [FBI, USAs, CRM]	· Medicare cost savings for targeted goods and services where egregious fraudulent billing is suspected.
1.4.3	<u>High Technology/"Computer Crime"</u> In FY 2000, DOJ will continue its recent efforts to further develop its capacity to respond to cyber-attacks, computer thefts and intrusions affecting consumers, businesses and government. We will continue to increase the number of state and local computer crime task forces and increase the capability of the FBI and DEA to acquire, examine and present computer evidence, so that we can keep pace with and successfully investigate and prosecute the new breed of high-tech criminals [FBI, CRM, USAs DEA]	· Number of agents and prosecutors trained to conduct advanced computer fraud investigations relating to both federal crimes and national security. · Arrests and convictions in computer intrusions. · Number of Information Technology state and local tasks forces.
1.4.4	<u>Financial Institutions, Telemarketing, and Other Fraud</u> In FY 2000, DOJ will continue to identify and target fraud schemes, such as financial institution fraud and telemarketing fraud directed against the elderly. [FBI, CRM, USAs]	· Indictments and convictions in white collar crimes. · Economic loss to financial institutions due to fraud in targeted cities.
1.5.1	<u>International Cooperation</u> In FY 2000, DOJ, in conjunction with the Department of State, will continue to enlist the active cooperation of foreign governments in our law enforcement efforts. We will maintain our overseas presence in areas of critical concern [FBI, DEA, CRM]; develop bilateral and multilateral agreements [CRM, FBI]; provide training and technical assistance to our foreign counterparts including assistance in money laundering and asset forfeiture law [CRM]; and increase our use of INTERPOL in assisting efforts against international crime, including locating fugitives abroad [INTERPOL, CRM, others].	· Number of new extradition treaties with other countries entering into force, with a view toward the extradition of nationals. · Number of new mutual legal assistance treaties with other countries entering into force. · Number of new INTERPOL cases.
1.5.2	<u>Organized Crime Drug Enforcement Task Force</u> In FY 2000, DOJ will continue to strengthen the centralized management and coordination of the OCDETF activities in order to promote a coordinated drug enforcement effort. Particular emphasis will be placed on coordinating activities among the following entities. OCDETF regions, all federal drug and drug related law enforcement agencies, and the United States Attorneys' Offices, as well as the state and local drug law enforcement and prosecution agencies. [CRM/OCDETF, Others]	· Agency participation in OCDETF investigations resulting in criminal charges.
1.5.3	<u>Indian Country Crimes</u> In FY 2000, DOJ will work with tribal authorities to combat and reduce the incidence of violent crime on Indian reservations, especially that related to gang activity, through the use of Safe Trails Task Forces, and the identification of particular enforcement priorities. [USAs, FBI]	· Increase in cases on Indian lands.

## **CORE FUNCTION 2: Assistance to Tribal, State and Local Governments**

is one of the most important ways the DOJ carries out its leadership role in preventing and controlling crime. The Department recognizes that effective law enforcement requires a concerted

Three components are in the forefront of DOJ's efforts to assist states and localities. The Office of Justice Programs (OJP) provides financial support, technical assistance and training to

and collects and publishes statistical information. The Office of Community Oriented Policing Services (COPS) supports local efforts to hire and deploy additional police officers and adopt

officials and civic leaders to prevent and resolve disputes and conflicts emanating from racial or ethnic tension.

OJP's National Institute of Justice (NIJ) is the research and development arm of DOJ. It is charged with investing public funds to develop knowledge that will reduce crime, enhance public

research into the causes and prevention of crime and tests and evaluates new approaches, techniques and technologies.

safety concerns, especially those that are felt at the community level. NIJ will build local crime data collection and analysis capacity in urban, suburban, and rural communities to improve models

the effectiveness of selected community crime prevention interventions. NIJ will also provide technical assistance to state and local governments to help them to use the latest in high

on current efforts to address critical forensic science needs in state and local levels of the criminal justice systems. For instance, NIJ technology centers locate and fund high-priority, hard-to-find

NIJ will expand this activity with a new initiative that will award grants to states to improve their investigative and analytic capabilities.

statistics on the incidence of computer crime and cyber-fraud and on the size and scope of the Indian country criminal justice system. There is little information available about these two

these two areas and focus its resources more effectively.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicator
<p><b>2.1.1 Research and Evaluation</b>            In FY 2000, DOJ will expand and improve its research and statistical gathering efforts in order to advance knowledge of, and provide timely and useful information to, state and local governments on major research and evaluation findings about crime and crime control efforts. [OJP/NIJ, BJS]</p>	<ul style="list-style-type: none"> <li>• Number of research and evaluation efforts, statistical information requests, and reports provided.</li> </ul>

### **Forming New Community Partnerships Against Crime, Youth Violence and Drugs**

Youth violence and drug abuse continue to be major national problems and DOJ's FY 2000 performance plan supports many programs at the state and local level designed to address these problems. OJP, as it seeks to involve citizens in innovative community programs that can make a difference, will undertake initiatives that target neighborhood-based problems, with emphasis on violent crime committed by gangs and juveniles. In addition, an expansion of OJP's Partnerships to Reduce Youth Gun Violence initiative will provide assistance to communities in the implementation of seven program strategies to address the prevention, intervention and suppression of juvenile gun violence. The Byrne Formula and Discretionary Grants will emphasize drug control strategies and violent crime prevention.

In FY 2000, DOJ will help build community partnerships to combat youth violence and drug use. OJP's "Weed and Seed" Program will provide funding for 201 sites. OJP's Drug Court Program will also continue to seek to leverage the coercive power of the criminal justice system to reduce recidivism and substance abuse among nonviolent substance-abusing offenders, and to increase their likelihood of successful rehabilitation. In FY 2000, the Drug Court Program will be expanded.

DOJ will work to promote stronger linkages between local communities and their criminal justice system to ensure public safety. This will be accomplished through an enhanced commitment to community justice initiatives at the local level. Community justice builds on the problem-solving ethic of community policing by expanding it to other traditional criminal justice institutions such as prosecution, courts, and corrections. Among the key principles of community justice is its focus on making the justice system more responsive to the community, stressing the need to make amends to victims of crime and linking the justice system to drug treatment and other social service resources.

<b>FY 2000 Key Performance Goal</b>	<b>FY 2000 Key Performance Indicators</b>
<p>enforcement and prevention strategies to counter youth violence through targeted programs that provide funding</p> <p>example:</p> <ul style="list-style-type: none"> <li>· Under the Prevention of Youth Gun Violence initiative we will provide assistance to the prevention, intervention and suppression of juvenile gun violence. [OJP]</li> <li>We will continue to provide Byrne Formula and governments for demonstration programs, training, and technical assistance in improving emphasis on drug control strategies and violent crime prevention. [OJP]</li> </ul>	<ul style="list-style-type: none"> <li>• Reduction of the incidence of juveniles illegally juveniles, especially those involved in the juvenile justice system. Reduction of juvenile gun-related crimes.</li> <li>Number of promising program funded to replicate discretionary grant programs.</li> </ul>

In FY 2000, DOJ will continue its efforts to improve the nation's capacity to respond to incidents of terrorism involving weapons of mass destruction. Most state and local governments using chemical, biological or nuclear weapons. Federal leadership in counterterrorism technology development, training and equipment acquisition, therefore, will result in better- prepared state

In FY 2000, the OJP will continue to provide assistance to state and local governments by implementing several targeted training programs focusing on providing both basic awareness and local emergency response agencies with resources to procure equipment critical to an effective response capability.

to provide training for civilian public safety bomb technicians in techniques to locate, identify, render safe and dispose of improvised hazardous devices, including those containing weapons of

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
<p>2.1.6 <u>Improve Domestic Preparedness</u>            In FY 2000, DOJ will provide training and grants for the procurement of equipment to a minimum of 157 local jurisdictions, and 55 states and territories to improve the nation's capacity to respond to terrorist incidents involving weapons of mass destruction. [OJP]</p>	<ul style="list-style-type: none"> <li>· Number of law enforcement officers and trainers trained.</li> <li>· Number of first responder teams provided basic and advanced level equipment through grants.</li> </ul>

### Operational and Special Support

In FY 2000, DOJ will continue to provide support to federal, state and local criminal justice agencies with high quality technical and forensic assistance. Two major FBI initiatives will be operational in FY 2000—NCIC 2000 and IAFIS. These new, advanced systems will significantly enhance the ability of law enforcement to rapidly obtain information on persons suspected of crimes.

Forensic Services will also be a special focus in FY 2000. Working together with federal, state, private and research laboratory facilities, DOJ will undertake a Regional Crime Lab Network program that will enhance forensics capabilities available to all in the criminal justice system. FBI will continue the development of the Combined DNA Information System and DRUGFIRE, making more information available to the law enforcement community.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
<p>2.1.7 Support improved criminal and juvenile justice capabilities at the state and local levels by providing high quality training, research, evaluation and assistance with new technologies, and, if requested, direct operational support for resolving unusual crime problems. [OJP/BJA, FBI]</p>	<ul style="list-style-type: none"> <li>· Average response times for identifying fingerprints under IAFIS.</li> </ul>

### Emphasizing Community Policing

DOJ has consistently emphasized the need for developing strong problem-solving partnerships between law enforcement organizations and communities. The Community Oriented Policing Services (COPS) program is another example of how DOJ is seeking to accomplish this goal. An important part of COPS' mission is promoting widespread adoption of community policing. In FY 2000, the COPS Office will emphasize community policing through the Department's 21<sup>st</sup> Century Policing Initiative, which includes the goal of funding 130,000 to 150,000 officers over 1992 levels. Funds from this initiative will help communities continue to enhance their community policing efforts by hiring, redeploying, and retaining officers. Further, the initiative will expand the scope of community involvement in the criminal justice process through community prosecution programs and grants to establish community-based crime prevention programs.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicator
2.2.2 In FY 2000, DOJ will provide funding for an additional 4,000 officers, toward the 21 <sup>st</sup> Century Policing Initiative goal of funding 130,000 to 150,000 police officers over 1992 levels. [COPS]	<ul style="list-style-type: none"> <li>Number of new police officers funded as a result of COPS' funding.</li> </ul>

## Combating Violence Against Women and Children

Violence against women and children is a major concern to the Attorney General and the President. To comply with the Violence Against Women Act of 1994 (VAWA), which also addresses violence against children, DOJ has established the Violence Against Women Grants Office. Its mission is to restructure and strengthen the criminal justice system's response to crimes of violence committed against women and enhance the services available to victims of such violence through the award of grants to state, local, tribal and other public and private entities, including those in rural areas. A related responsibility is to ensure that domestic violence is recognized and treated as a serious violation of criminal law.

During FY 2000, important initiatives will be supported under this program to address different aspects of this unique type of violence. Several are described below.

- The **Grants to Encourage Arrest Policies Program** assists communities in creating a unified, coordinated response to domestic violence that includes rigorous enforcement of protection orders and arrest and prosecution of batterers. It also involves appropriate supervision of and intervention with batterers in the community, and legal and support services for domestic violence victims.
- Under a five-year research and evaluation initiative proposed in FY 2000, the **VAWA Managing Sex Offenders Training Program** will attempt to understand how to most effectively manage sex offenders in the community. The long-range goal of this research initiative, which will be administered by NIJ, is to develop and disseminate a highly effective, interdisciplinary, widely useful, and safe approach to the management of sex offenders in the community. It is estimated that there are over 265,000 convicted sex offenders (rape and sexual assault) under the jurisdiction of corrections agencies, with more than half under some form of community supervision. Since the majority of all offenders will be released to the community at some point, effective supervision strategies must be explored.

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FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
<p>2.5.1 In FY 2000, DOJ will continue to develop and expand programs and services that target the reduction of the incidence and consequences of family violence, including domestic violence and child victimization. Specifically:</p> <ul style="list-style-type: none"> <li>· The Law Enforcement and Prosecution Grant Program will provide formula grants to states, localities, and tribal governments to develop and strengthen coordinated law enforcement and prosecution strategies in order to combat and reduce the number of violent crimes committed against women in the jurisdictions funded. [OJP/VAWGO]</li> <li>· The Grants to Encourage Arrest Policies Program will encourage aggressive enforcement of protection orders, arrest and prosecution of batterers, and other interventions designed to treat domestic violence as a serious violation of the law. [OJP/VAWGO]</li> <li>· The Rural Domestic Violence and Child Abuse Enforcement Assistance program will provide financial assistance to rural communities to improve their response to domestic violence and child abuse. [OJP/VAWGO]</li> <li>• The Sex Offenders Training Program will train state and local officials how to most effectively manage sex offenders in the community. [OJP/VAWGO]</li> </ul>	<ul style="list-style-type: none"> <li>· Number of states, localities, and Indian tribal governments that introduce coordinated justice approaches to address violent crimes against women.</li> <li>· Number of grantees that implement mandatory or pro-arrest policy as part of a coordinated response to violence against women.</li> <li>· Number of jurisdictions that provide services to previously under served populations in rural communities.</li> <li>• Number of jurisdictions that implement new policies and procedures to supervise and manage cases involving release of sex offenders.</li> </ul>

### Promoting the Integration of Technology Among State and Local Governments

OJP has included two new initiatives in the FY 2000 budget specifically oriented toward promoting interconnectivity and interoperability among state and local criminal justice agencies. These initiatives are consistent with the National Performance Review's recommendations to provide immediate access to information and to improve public safety communications among criminal justice agencies. The goal of OJP's Information Technology Integration Initiative is to improve state and local criminal justice through the development of criminal justice information systems where state and local authorities with responsibilities for law enforcement, courts, prosecution, public defense, corrections, probation and parole will have immediate access to information necessary to respond to and resolve the consequences of criminal activity. OJP's Public Safety and Telecommunications Assistance Program will focus on promoting planning efforts among state and local law enforcement so that their radio systems will be compatible with



the digital narrowband radio systems that federal law enforcement organizations will be using in the future.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
2.1.2 In FY 2000, DOJ will expand efforts to promote integration of technology among state and local criminal justice agencies. Efforts will focus on promoting planning among state and local governments to ensure that law enforcement radio systems will be compatible with digital narrowband radio systems used by federal law enforcement organizations. [OJP]	<ul style="list-style-type: none"> <li>• Percent increase in operability of national clearinghouse providing system integration information.</li> <li>• Number of pilot projects completed.</li> </ul>

All of the programs and initiatives discussed in this section are joint efforts among various organizations, both public and private, consistent with the missions of OJP, COPS, and CRS. An example of interagency coordination is the Missing Children initiative. Both OJP and the FBI are working together and with local communities and law enforcement organizations to increase the number of children returned, unharmed, to their parents.

### Resources, Means, and Strategies

	1998 Actual	1999 Planned	2000 Requested
Core Function 2	\$5,665,225,000	\$5,770,919,000	\$4,342,357,000

In FY 2000, the Department of Justice plans to spend \$4.3 billion on this core function. This is a decrease of 23% from 1998 levels and 25% decrease from 1999 levels.

### Information Technology

Cooperation and information exchange with state and local government to ensure all law-abiding citizens remain safe in their communities is one of the Attorney General's highest priorities. In FY 2000, the Department will invest approximately \$76 million to support components to achieve their goals in this area.

As discussed above, in FY 2000 the FBI's **Integrated Automated Fingerprint Identification System (IAFIS)** and **National Crime Information Center (NCIC)** will be fully operational. IAFIS is a rapid response, paperless system that will receive and process electronic images, criminal histories and related identification data for the entire criminal justice community. NCIC 2000 will replicate the information services currently provided by the FBI NCIC system (National Crime Information Center), as well as provide enhancements for fingerprint matching capabilities and additional files such as mugshots and pictures of stolen property for over 79,000 authorized users.

The **Combined DNA Index System (CODIS)** will be enhanced in FY 2000 and continue to provide state and local law enforcement with DNA information not otherwise available to

them. The **National Criminal Instant Background Check System (NICS)**, deployed in FY 1999, will continue to assist states to prevent the illegal sale of handguns. The **National Integrated Ballistics Information Network (NIBIN)** system uses advanced graphic capabilities to identify firearms used in the commission of a crime from bullets found at the crime scene and allows federal, state, and local forensics laboratories to share information.

### **Facilities**

The FBI seeks \$9,000,000 for the upgrade of the Hazardous Devices School (HDS). The HDS is the only domestic formal training program for state and local law enforcement to learn safe and effective bomb disposal operations.

## CORE FUNCTION 2: Assistance to Tribal, State and Local Governments

<p><b>Strategic Plan Goals:</b></p> <p><b>2.1 Improve the crime-fighting and criminal/juvenile justice system capabilities of tribal, state and local governments.</b></p> <p><b>2.2 Strengthen and improve community police services and, by the year 2000, increase the number of officers funded by 100,000 over 1992 levels.</b></p> <p><b>2.3 Support innovative, community-based strategies aimed at reducing crime, delinquency and violence in our communities.</b></p> <p><b>2.4 Uphold the rights of, and improve services to, America's crime victims.</b></p> <p><b>2.5 Reduce the incidence of violence against women.</b></p>		
<b>FY 2000 Performance Goals</b>		<b>Key Performance Indicators</b>
2.1.1	<p><u>Research and Evaluation</u></p> <p>In FY 2000, DOJ will expand and improve its research and statistical gathering efforts in order to advance knowledge of, and provide timely and useful information to, state and local governments on major research and evaluation findings about crime and crime control efforts. [OJP/NIJ, BJS]</p>	<ul style="list-style-type: none"> <li>• Number of research and evaluation efforts, statistical information requests, and reports provided.</li> </ul>
2.1.2	<p>In FY 2000, DOJ will expand efforts to promote integration of technology among state and local criminal justice agencies. Efforts will focus on promoting planning efforts among state and local governments to ensure that law enforcement radio systems will be compatible with digital narrowband radio systems used by federal law enforcement organizations. [OJP]</p>	<ul style="list-style-type: none"> <li>• Percent increase in operability of national clearinghouse providing system integration information.</li> <li>• Number of pilot projects completed.</li> </ul>
2.1.3	<p>In FY 2000, DOJ will continue to emphasize both enforcement and prevention strategies to counter youth violence through targeted programs that provide funding and specialized assistance to states and localities. For example:</p> <ul style="list-style-type: none"> <li>• Under the Prevention of Youth Gun Violence initiative we will provide assistance to communities to implement strategies to address the prevention, intervention and suppression of juvenile gun violence. [OJP]</li> <li>• We will continue to provide Byrne Formula and Discretionary Grants to state and local governments for demonstration programs, training, and technical assistance in improving the criminal justice system with special emphasis on drug control strategies and violent crime prevention. [OJP]</li> </ul>	<ul style="list-style-type: none"> <li>• Reduction of the incidence of juveniles illegally carrying guns.</li> <li>• Increase in services and resources for at-risk juveniles, especially those involved in the juvenile justice system.</li> <li>• Reduction of juvenile gun-related crimes.</li> <li>• Number of promising program models/prototypes developed.</li> <li>• Number of successful formula grant projects funded to replicate discretionary grant programs.</li> <li>• Number of training and technical assistance sessions associated with the formula program.</li> </ul>
2.1.4	<p><u>Indian Country</u></p> <p>In FY 2000, DOJ will focus on criminal and juvenile justice system improvements in Indian country. This will include:</p> <ul style="list-style-type: none"> <li>• Providing grants to Indian Tribes to develop and enhance their judicial systems, train local court personnel, support youth anti-violence initiatives and for basic law enforcement needs. [OJP, COPS]</li> <li>• The number of AUSAs will be expanded with the goal of providing a basic level of law enforcement service commensurate with national averages. [USAs]</li> <li>• Providing grants for jail construction that will result in new or alternative beds becoming available. [OJP]</li> </ul>	<ul style="list-style-type: none"> <li>• Number of grants provided.</li> <li>• Number of detention beds constructed on Indian reservations.</li> </ul>
2.1.6	<p><u>Improve Domestic Preparedness</u></p> <p>In FY 2000, DOJ will provide training and grants for the procurement of equipment to a minimum of 157 local jurisdictions, and 55 states and territories to improve the nation's capacity to respond to terrorist incidents involving weapons of mass destruction. [OJP]</p>	<ul style="list-style-type: none"> <li>• Number of training sessions conducted.</li> <li>• Number of law enforcement officers and trainers trained.</li> <li>• Number of first responder teams provided basic and advanced level equipment through grants.</li> </ul>

2.1.7	Support improved criminal and juvenile justice capabilities at the state and local levels by providing high quality training, research, evaluation and assistance with new technologies, and, if requested, direct operational support for resolving unusual crime problems. [FBI, OJP]	<ul style="list-style-type: none"> <li>· Average response times for identifying fingerprints under IAFIS.</li> <li>· Number of White Collar Crime investigations supported by grants.</li> <li>· Number of criminal justice and regulatory personnel trained.</li> </ul>
2.1.8	<u>National Instant Criminal Background Check System</u> In FY 2000, DOJ will use the National Instant Criminal Background Check System (NICS) to assist State and local law enforcement in performing criminal background checks of prospective firearms purchasers, as provided by the Brady Handgun Violence Prevention Act. [FBI, OJP/BJS]	<ul style="list-style-type: none"> <li>· Estimated number of persons with criminal records prevented from purchasing firearms.</li> <li>· Number of states receiving grants under NCHIP.</li> </ul>
2.2.1	In FY 2000, DOJ, through the COPS program, will advance the implementation of community policing. [COPS]	<ul style="list-style-type: none"> <li>· Number of standardized packages of materials developed for grantees to provide guidance and implement community policing.</li> <li>· Number of law enforcement agencies that have received COPS' grants.</li> </ul>
2.2.2	In FY 2000, DOJ will provide funding for an additional 4,000 officers, toward the 21 <sup>st</sup> Century Policing Initiative goal of funding 130,000 to 150,000 police officers over 1992 levels. [COPS]	<ul style="list-style-type: none"> <li>· Number of new police officers funded as a result of COPS' funding.</li> </ul>
2.3.1	In FY 2000, DOJ will play a more active role in assisting communities to respond to, and resolve, racial and ethnic tension. Through the Community Relations Service, DOJ will provide conflict resolution service, conflict prevention and resolution training and technical assistance to communities. [CRS]	<ul style="list-style-type: none"> <li>· Number of cases in which the potential for conflict, violence, or civil disorder is reduced or ameliorated due to mediation and/or conciliation services.</li> <li>· Number of communities which will develop the capacity to respond independently to racial and ethnic tensions.</li> </ul>
2.3.2	In FY 2000, DOJ will continue to encourage community-based approaches to crime and justice at the state and local level. For example: <ul style="list-style-type: none"> <li>· The Weed and Seed program will fund 201 sites. [OJP]</li> </ul>	<ul style="list-style-type: none"> <li>· As indicated by customer surveys, percentage of funded sites that believe community policing efforts and related crime-prevention activities are working to reduce the incidence of crime. (OJP)</li> </ul>
2.3.3	<u>Drug Courts</u> In FY 2000, DOJ will expand its Drug Courts initiative. We expect that 80% of the total drug court participants will not commit other crimes while participating in the program. [OJP]	<ul style="list-style-type: none"> <li>· Number of new Drug Courts.</li> <li>· Percent of Drug Court participants who do not commit other crimes while participating in the program.</li> </ul>
2.4.1	In FY 2000, DOJ will continue full implementation of programs supported through the Crime Victims Fund, as well as other initiatives designed to ensure the safety of, and assistance to, all victims and witnesses. We will: [OJP] <ul style="list-style-type: none"> <li>· Provide training to criminal justice personnel, victim service providers, and others.</li> <li>· Provide information and assistance on promising projects and other issues.</li> <li>· Provide grants to states to develop programs to assist crime victims and improve handling of child abuse cases and to compensate crime victims.</li> </ul>	<ul style="list-style-type: none"> <li>· Number of victim/witness assistance promising practices adopted.</li> <li>· Percent of states that develop long-range funding strategies for victims' programs.</li> <li>· Percent of states that implement needs assessments to identify gaps in victim services.</li> </ul>
2.4.2	In FY 2000, DOJ will expand child victimization prevention programs, such as the Missing Children's Program and the Court Appointed Special Advocates program. <ul style="list-style-type: none"> <li>· The Missing Children's Program will train over 34,000 law enforcement and other personnel and respond to an estimated 135,000 hotline calls. [OJP]</li> <li>· The CASA Program will serve an estimated 180,000 children in 840 jurisdictions nationwide. [OJP]</li> </ul>	<ul style="list-style-type: none"> <li>· Number of law enforcement and other personnel trained.</li> <li>· Number of hot line calls.</li> <li>· Number of children and jurisdictions served by the Missing Children's Program</li> <li>· Number of state-wide and local CASA</li> </ul>

		programs.
2.5.1	<p>In FY 2000, DOJ will continue to develop and expand programs and services that target the reduction of the incidence and consequences of family violence, including domestic violence and child victimization. Specifically:</p> <ul style="list-style-type: none"> <li>· The Law Enforcement and Prosecution Grant Program will provide formula grants to states, localities, and Indian tribal governments to develop and strengthen coordinated law enforcement and prosecution strategies in order to combat and reduce the number of violent crimes committed against women in the jurisdictions funded. [OJP/VAWGO]</li> <li>· The Grants to Encourage Arrest Policies Program will encourage aggressive enforcement of protection orders, arrest and prosecution of batterers, and other interventions designed to treat domestic violence as a serious violation of the law. [OJP/VAWGO]</li> <li>· The Rural Domestic Violence and Child Abuse Enforcement Assistance program will provide financial assistance to rural communities to improve their response to domestic violence and child abuse. [OJP/VAWGO]</li> <li>• The Sex Offenders Training Program will train state and local officials how to most effectively manage sex offenders in the community. [OJP/VAWGO]</li> </ul>	<ul style="list-style-type: none"> <li>· Number of states, localities, and Indian tribal governments that introduce coordinated justice approaches to address violent crimes against women.</li> <li>· Number of grantees that implement mandatory or pro-arrest policy as part of a coordinated response to violence against women.</li> <li>· Number of jurisdictions that provide services to previously under served populations in rural communities.</li> <li>• Number of jurisdictions that implement new policies and procedures to supervise and manage cases involving release of sex offenders.</li> </ul>

### **CORE FUNCTION 3: Legal Representation, Enforcement of Federal Laws, and Defense of U. S. Interests**

The DOJ is the Nation's litigator and is often described as the largest law office in the world. The Department's attorney staff is administratively organized into the 94 U.S. Attorney Offices, six litigating divisions (the Antitrust Division, the Civil Division, the Civil Rights Division, the Criminal Division<sup>1</sup>, the Environment and Natural Resources Division, and the Tax Division), and the Office of the Solicitor General. The U.S. Attorneys serve as the Attorney General's chief law enforcement officer in each judicial district and represent the United States in most civil and criminal matters. The litigating divisions are centralized repositories of specialized expertise and perform many critical functions, including: representing the United States in cases that present novel and complex legal and factual issues; multi-district cases that require a centralized and coordinated response; cases that require extensive contact with client agencies whose headquarters are in Washington, DC; or, cases in which the U.S. Attorney may be recused. The Office of the Solicitor General represents the United States before the U.S. Supreme Court and authorizes and monitors the government's activities in the Nation's appellate courts. The U.S. Attorneys, the litigating divisions and the Office of the Solicitor General share responsibility for representing the United States and enforcing the Nation's antitrust, civil, civil rights, environment, and tax laws. Together they ensure that the Federal Government speaks with one voice with respect to the law.

The Attorney General has identified a number of priorities that DOJ's litigating divisions and the U.S. Attorneys will be focusing on in FY 2000. These include an initiative to protect the public fisc from unmeritorious claims and defend challenges to the Federal Government's regulations and initiatives through affirmative and defensive litigation; to expand the use of Alternative Dispute Resolution and negotiation in *appropriate* civil cases; to continue to focus on enforcing the law even when parties or misdeeds affecting the U.S. are beyond our shores; and to increase efforts to combat specialized white-collar crime. Initiatives identified in the Department's FY 1999 Performance Plan, such as the initiative to stop the proliferation of hate crimes, will continue in FY 2000.

#### **Protecting the Public Fisc**

Monetary claims against the government can involve huge sums of money. Ensuring that only those claims with merit under the law are paid is the responsibility of the Civil, Environment and Natural Resources, and Tax Divisions, as well as the U.S. Attorneys. DOJ attorneys save taxpayers billions of dollars each year by defeating unwarranted claims and recovering money lawfully owed to the United States. In particular, to stem the tide of health care fraud, the U.S. Attorneys, the Civil and Criminal Divisions, and the FBI have joined forces with federal and state agencies, including the Department of Health and Human Services. In FY 2000, DOJ will continue to combat pervasive fraud against Medicare, Medicaid, CHAMPUS, and other federally-funded healthcare programs, ensuring that limited health resources are used to pay lawful claims. Additionally, in FY 2000, the Tax Division and the U.S. Attorneys will continue efforts to

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<sup>1</sup>The Criminal Division is primarily involved in criminal law enforcement activity, as discussed in Core Function 1.

protect the fisc against taxpayers who raise frivolous tax-protest arguments or who attempt to improperly conceal their assets through fraudulent conveyances or other unlawful means. Finally, the Civil Division's defense of more than 120 cases arising from the implementation of banking reforms will progress through FY 2000, making effective use of attorney resources, industry experts, litigation support, and dispute resolution techniques to avert payment of potentially billions of dollars in excessive claims.

Equally important as the defeat of unjustified monetary claims are the litigating organizations' efforts to uphold provisions of law that are challenged in court. It is vitally important that our litigating divisions and the U.S. Attorneys continue in FY 2000 to successfully defend against the Constitutional and statutory challenges to the Federal Government's regulations and program initiatives. For example, the Civil Division will continue to defend against constitutional challenges to the Violence Against Women Act and the intent of Congress in regard to immigration laws. The Environment and Natural Resources Division will continue to defend against challenges to the Federal Government's lawful use, transportation, and destruction of hazardous materials, including the Army's \$12 billion Chemical Demilitarization Program.

### **Combating Specialized White-Collar Crime**

DOJ's Antitrust, Environment and Natural Resources, and Tax Divisions, in conjunction with the U.S. Attorneys and the FBI, also enforce several specialized criminal statutes designed to protect the public health, to protect competition and American consumers, and to prosecute criminal acts arising under the Nation's Internal Revenue Code. DOJ will increase efforts to combat these specialized types of white-collar crime.

In FY 2000, DOJ will increase efforts to address several types of environmental crime. DOJ attorneys and investigators will place special emphasis on curtailing: (1) the illegal transportation of hazardous materials; (2) efforts by environmental remediators who commit fraud and make false statements regarding the safety of underground storage tanks; and (3) individuals who willfully pollute the Nation's rivers and waterways.

The DOJ efforts to prosecute and deter private cartel behavior will continue in FY 2000. The Antitrust Division leads the Department's activities in this area. In FY 2000, attention will be placed on investigating and challenging violations of Section 1 of the Sherman Act, including such per se violations as price fixing, bid rigging, and horizontal customer and territorial allocations. The Department employs a wide range of investigatory techniques to detect collusion and bid rigging, including joint investigations among DOJ's Antitrust Division, the U.S. Attorneys, and the FBI, as well as grand jury investigations.

The increasing globalization of specialized types of white-collar crime continues to be a problem. The Antitrust, Environment and Natural Resources, and Tax Divisions, in concert with the U. S. Attorneys and the FBI, will also continue to address the increase in the internationalization of many illegal activities that affect the lives of our citizens. In FY 2000, DOJ attorneys will put special emphasis on uncovering the illegal activities of domestic and foreign companies whose activities affect U.S. consumers, and thwarting efforts to smuggle hazardous substances and protected species into the United States.

### **Cooperation with International, State, Local and Tribal Law Enforcement Agencies**

Our efforts to combat crime and represent the interests of the United States in court is heavily dependent upon establishing and maintaining cooperative relationships with other law enforcement entities. The efforts of DOJ's litigating divisions and the U.S. Attorneys to fight hate crimes, protect the public fisc and defend against challenges to the Federal Government's regulations and program initiatives, as well as address the overseas connection of many illegal activities, are assisted through cooperative efforts with international, state and local law enforcement entities and coordination with other agencies. For example:

- The Civil Rights Division, the U.S. Attorneys' and the FBI will continue to implement the Department's coordinated response to hate crimes. In FY 2000, our efforts to combat this nationwide problem will continue to involve efforts to work with our law enforcement partners, including other Federal law enforcement agencies, State attorneys general, and local prosecutors and investigators.
- Violations of the Internal Revenue Code drain the Federal fisc and undermine public trust in the voluntary tax system. The Tax Division, working in coordination with the Internal Revenue Service, continues to work at achieving more effective, efficient, fair and uniform results in tax enforcement and litigation. In FY 2000, DOJ attorneys will place special emphasis on promoting compliance with U.S. and foreign tax laws through appropriate litigation in the nation's trial and appellate courts, thereby enhancing both specific and general deterrence and fostering international law enforcement cooperation.
- One of the effective tools used to decrease anti-competitive behavior affecting U.S. businesses and consumers is the establishment and use of international enforcement agreements. Therefore, in FY 2000, the Antitrust Division will continue to work toward establishing new international enforcement agreements and will continue to expand use of existing international law enforcement mechanisms.



FY 2000 Key Performance Goals	FY 2000 Key Performance Indicators
<p>3.1.2 <u>Pattern or Practice Civil Rights Violations</u> In FY 2000, DOJ will devote increased attention to pattern or practice cases in civil rights cases, including fair housing, fair lending, employment discrimination, disability, and police misconduct matters. [CRT, USAs, FBI]</p> <p>3.2.1 <u>Enforcement of Natural Resource Laws</u> In FY 2000, DOJ attorneys and investigators will continue efforts to ensure the vigorous pursuit of violators of environmental laws thereby enhancing the health of all Americans. DOJ will increase efforts to enforce federal agency regulations implemented to effectuate the goals of the Administration's <u>Clean Water Action Plan</u> and the defense of the Federal Government's use, transportation, and storage of hazardous materials. In addition, DOJ will cooperatively participate in activities that lead toward the effective protection of tribal sovereignty, lands and natural resources. [ENRD, USAs, FBI]</p> <p>3.3.1 <u>Promotion of Competition</u> In FY 2000, DOJ will review the growing number of increasingly complex and international merger transactions for potential competitive issues; successfully challenge anticompetitive practices in the civil non-merger area; intensify the focus on detecting and successfully prosecuting massive criminal antitrust conspiracies; expand cooperative efforts with international enforcement authorities; and increase the dollar value of savings to the consumer from its enforcement actions. [ATR, USAs, FBI]</p> <p>3.4.1 <u>Fair and Uniform Enforcement of Tax Laws</u> In FY 2000, DOJ will further efforts to fairly pursue civil and criminal violators of our tax laws, focusing particularly on illegal tax protest efforts to undermine compliance with the International Revenue Service code and evade or avoid federal income taxes. [TAX, USAs]</p>	<ul style="list-style-type: none"> <li>• Number and percent increase in pattern or practice cases.</li> <li>• Number and percent of affirmative cases resolved successfully.</li> <li>• Success rate for merger transactions challenged. Successes include mergers that are abandoned, "fixed first," filed as cases with consent decrees, filed as cases but settled prior to litigation, or filed as cases and litigated successfully.</li> <li>• Success rate for civil non-merger matters where the Antitrust Division expressed concern. Successes include matters where practices changed after investigation initiated, filed as cases with consent decrees, filed as cases but settled prior to litigation, or filed as cases and litigated successfully.</li> <li>• Total dollar value of savings to the consumer in instances where the Antitrust Division has taken a specific action that resulted in less anticompetitive behavior.</li> <li>• Taxpayer appeals (civil) successfully resolved, at least in part, by the Government.</li> </ul>

## Continuing Efforts Against Hate Crimes

The President announced his commitment to "mount an all-out assault on hate crimes, to punish them swiftly and severely, and to do more to stop them from happening in the first place." In response to this directive, DOJ's FY 2000 performance plan calls for continued implementation of a comprehensive approach to hate crime enforcement including the work of the Civil Rights Division, the U.S. Attorneys, the FBI, the Community Relations Service, the Bureau of Justice Statistics and the Department's senior policy offices. In FY 2000, DOJ will continue to work together with state and local officials and community groups to promptly and effectively investigate and prosecute those responsible for hate crimes. Efforts to promote public education and community outreach will also continue in FY 2000.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
<p>3.1.1 <u>Hate Crimes</u>            In FY 2000, DOJ will continue to devote increased attention to hate crime cases, with the Civil Rights Division, FBI, U.S. Attorneys, Office of Justice Program's Bureau of Justice Statistics (BJS), and the Community Relations Service (CRS) working to implement a coordinated plan to improve the federal response to hate crimes. DOJ officials will work closely with other federal law enforcement entities including the Bureau of Alcohol, Tobacco, and Firearms, state and local prosecutors, law enforcement, and community groups, to effectuate a comprehensive approach to hate crime enforcement. Efforts will be undertaken to further the development of procedures to (1) expand education and training in the area of hate crimes; (2) improve the quality and accuracy of hate crime statistics; (3) improve the geographic coverage of hate crime statistics; and (4) implement procedures that will result in reliable hate crime trend data. [CRT, USAs, FBI, OJP/BJS, CRS]</p>	<ul style="list-style-type: none"> <li>• Number of investigations and prosecutions of hate crimes, and cooperative efforts made with state attorneys general, local prosecutors and law enforcement officials, and community groups.</li> </ul>

## Alternative Dispute Resolution

The Department of Justice is committed to the use of Alternative Dispute Resolution (ADR) methods to assist in the efficient and appropriate resolution of cases and issues. ADR is being considered and utilized in a significant number of cases including tort claims; environmental disputes; work place disputes; affirmative civil rights cases; False Claims Act cases, issues of administrative law, and disputes involving Native American Tribes.

In FY 2000, DOJ attorneys will continue to place emphasis on the expanded and appropriate use of ADR.

- ADR is increasingly used in the Appellate Courts to resolve environmental cases because it often results in a better conclusion and focuses efforts on protecting public health the environment and managing the natural resources of the nation,

rather than on protracted litigation. For this reason, the Environment and Natural Resources Division will increase efforts to apply ADR across the spectrum of cases that the Division handles, including appellate cases.

- The Americans with Disabilities Act (ADA) specifically encourages the use of ADR methods, including mediation, to resolve disputes arising under the ADA. In FY 2000, the Civil Rights Division will continue to expand its efforts to achieve meaningful compliance with the ADA while accomplishing the Attorney General's objective of using ADA in appropriate cases.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
<p>3.5.3 <u>Alternative Dispute Resolution</u>            In FY 2000, DOJ attorneys will increase efforts to employ ADR including mediation, negotiation, and other litigation streamlining techniques in appropriate civil cases [USAs, CIV, ENRD, CRT, ATR]</p>	<ul style="list-style-type: none"> <li>• Number of cases in which ADR was used.</li> </ul>

As stated in its strategic plan, all DOJ components are dedicated to making the legal system of the United States work fairly for all Americans. In FY 2000, DOJ's litigating organizations will continue their efforts toward that end.

### **Resources, Means, and Strategies**

	1998 Actual	1999 Planned	2000 Requested
Core Function 3	\$909,195,000	\$960,495,000	\$1,107,980,000

In FY 2000, the Department of Justice plans to spend \$1.1 billion on this core function. This is an increase of 22% from 1998 levels and a 15 % increase from 1999 levels.

### **Information Technology**

In FY 2000 the Department will spend approximately \$186 million to support attorneys from litigating divisions and U.S. Attorneys in Washington, DC, and across the country to effectively manage, access, use, and disseminate large volumes of information. Our attorneys depend increasingly on information technology to gather and organize evidentiary documentation for trial preparation and to communicate complex information to judges and jurors during courtroom presentation. Cases like health care fraud litigation that requires timely access to massive volumes of paper and electronic data sources spotlight the critical importance of information technology to litigating attorneys. In addition, the Attorney General is especially committed to funding technology that increases the proper exchange of information between law enforcement personnel, prosecutors and trial attorneys.

The Department will continue to invest in **Automated Legal Research** capabilities, **Case Management** technologies, and **Litigation Support** systems to decrease the amount of time necessary to complete a document-intensive trial, and to facilitate comprehension by the jury of the evidence presented at trial. These technologies and systems will better enable all litigating organizations to meet their performance goals in the areas of antitrust actions, civil rights enforcement, environmental and natural resource laws, and tax litigation and better serve the public interest through cost-effective use of technology.

## CORE FUNCTION 3: Legal Representation, Enforcement of Federal Laws, and Defense of U.S. Interests.

<p><b>Strategic Plan Goals:</b></p> <p><b>3.1 Protect the civil rights of all Americans.</b></p> <p><b>3.2 Safeguard America’s environment and natural resources.</b></p> <p><b>3.3 Promote competition in the United States economy through enforcement of, improvements to, and education about antitrust laws and principles.</b></p> <p><b>3.4 Promote the fair, correct and uniform enforcement of the federal tax laws and the collection of tax debts.</b></p> <p><b>3.5 Represent the United States in all civil matters for which the Department of Justice has jurisdiction.</b></p>		
FY 2000 Performance Goals		Key Performance Indicators
3.1.1	<p><u>Hate Crimes</u></p> <p>In FY 2000, DOJ will continue to devote increased attention to hate crime cases, with the Civil Rights Division, FBI, U.S. Attorneys, Office of Justice Program’s Bureau of Justice Statistics (BJS), and the Community Relations Service (CRS) working to implement a coordinated plan to improve the federal response to hate crimes. DOJ officials will work closely with other federal law enforcement entities including the Bureau of Alcohol, Tobacco, and Firearms, state and local prosecutors, law enforcement, and community groups, to effectuate a comprehensive approach to hate crime enforcement. Efforts will be undertaken to further the development of procedures to (1) expand education and training in the area of hate crimes; (2) improve the quality and accuracy of hate crime statistics; (3) improve the geographic coverage of hate crime statistics; and (4) implement procedures that will result in reliable hate crime trend data. [CRT, USAs, FBI, OJP/BJS, CRS]</p>	<ul style="list-style-type: none"> <li>· Number of investigations and prosecutions of hate crimes, and cooperative efforts made with state attorneys general, local prosecutors and law enforcement officials, and community groups.</li> </ul>
3.1.2	<p><u>Pattern or Practice Civil Rights Violations</u></p> <p>In FY 2000, DOJ will devote increased attention to pattern or practice cases in civil rights cases, including fair housing, fair lending, employment discrimination, disability, and police misconduct matters. [CRT, USAs, FBI]</p>	<ul style="list-style-type: none"> <li>· Number of and percent increase in pattern or practice cases.</li> </ul>
3.1.3	<p><u>Protection of Voting Rights</u></p> <p>In FY 2000 and continuing through FY 2003, DOJ will devote increased attention to the enforcement of the Voting Rights Act and the review of electoral redistricting plans within the statutory 60-day requirement [CRT ]</p>	<ul style="list-style-type: none"> <li>• Percent of redistricting plans reviewed within statutory guidelines.</li> <li>• Number of complex voting cases successfully litigated.</li> </ul>
3.2.1	<p><u>Enforcement of Natural Resource Laws</u></p> <p>In FY 2000, DOJ attorneys and investigators will continue efforts to ensure the vigorous pursuit of violators of environmental laws thereby enhancing the health of all Americans. DOJ will increase efforts to enforce federal agency regulations implemented to effectuate the goals of the Administration’s <u>Clean Water Action Plan</u> and the defense of the Federal Government’s use, transportation, and storage of hazardous materials. In addition, DOJ will cooperatively participate in activities that lead toward the effective protection of tribal sovereignty, lands and natural resources. [ENRD, USAs, FBI]</p>	<ul style="list-style-type: none"> <li>· Number of convictions in criminal environmental and wildlife cases.</li> <li>· Number and percent of affirmative cases resolved successfully.</li> <li>· Percent of amount at issue saved in Land Acquisition cases.</li> <li>· Dollar value of fines, penalties, injunctive relief, supplemental environmental projects, and natural resources damages.</li> </ul>
3.3.1	<p><u>Promotion of Competition</u></p> <p>In FY 2000, DOJ will review the growing number of increasingly complex and international merger transactions for potential competitive issues; successfully challenge anticompetitive practices in the civil non-merger area; intensify the focus on detecting and successfully prosecuting massive criminal antitrust conspiracies; expand cooperative efforts with international enforcement authorities; and increase the dollar value of savings to the consumer from its enforcement actions. [ATR, USAs, FBI]</p>	<ul style="list-style-type: none"> <li>· Success rate for merger transactions challenged. Successes include mergers that are abandoned, “fixed first,” files as cases with consent decrees, filed as cases but settled prior to litigation, or filed as cases and litigated successfully.</li> <li>· Success rate for civil non-merger matters where the Antitrust Division expressed concern. Successes include matters where practices changed after investigation initiated, filed as cases with consent decrees, filed as cases but settled prior to litigation, or filed as cases and</li> </ul>

		<ul style="list-style-type: none"> <li>litigated successfully.</li> <li>· Dollar amount of commerce affected in relevant markets where positive outcome was achieved in criminal matters.</li> <li>· Number of Division requests for assistance from international antitrust enforcement authorities.</li> <li>· Total dollar value of savings to the consumer in instances where the Antitrust Division has taken a specific action that resulted in less anticompetitive behavior.</li> </ul>
3.4.1	<u>Fair and Uniform Enforcement of Tax Laws</u> In FY 2000, DOJ will further efforts to fairly pursue civil and criminal violators of our tax laws, focusing particularly on illegal tax protest efforts to undermine compliance with the International Revenue Service code and evade or avoid federal income taxes. [TAX, USAs]	<ul style="list-style-type: none"> <li>· Taxpayer appeals (civil) successfully resolved, at least in part, by the government.</li> <li>· Number of successfully resolved civil cases.</li> <li>· Level of voluntary compliance rate.</li> </ul>
3.4.2	<u>International Tax Compliance</u> In FY 2000, DOJ attorneys will place special emphasis on promoting compliance with U.S. and foreign tax laws through the appropriate litigation in the nation's trial and appellate courts. [TAX, USAs]	
3.5.1	<u>Protecting the Public Fisc</u> In FY 2000, DOJ will protect the public fisc by recovering money owed to the government and by defeating unmeritorious monetary claims against the government in civil cases. DOJ will successfully resolve challenges to congressional enactments, federal programs and policy initiatives. [CIV, USAs]	<ul style="list-style-type: none"> <li>· Dollar amount collected from affirmative civil cases.</li> <li>· Percent of favorable resolutions in defensive, civil monetary cases.</li> </ul>
3.5.2	<u>Civil Enforcement</u> In FY 2000, efforts will focus on 1) continuing to combat health care fraud against federally funded programs in concert with federal and state law enforcement programs; 2) aggressively pursuing fraud against financial institutions and pension funds; and 3) continuing to combat terrorism, seek to remove criminal aliens and enforcing the nation's immigration laws by defending administrative decisions and INS program and policies. [CIV, USAs]	<ul style="list-style-type: none"> <li>· Percent of favorable resolutions in civil immigration cases.</li> <li>· Percent of favorable resolutions in civil health care fraud cases.</li> <li>· Percent of favorable resolutions in civil cases.</li> </ul>
3.5.3	<u>Alternative Dispute Resolution</u> In FY 2000, DOJ attorneys will increase efforts to employ ADR including mediation, negotiation, and other litigation streamlining techniques in appropriate civil cases [USAs, CIV, ENRD, CRT, ATR]	<ul style="list-style-type: none"> <li>• Number of cases in which ADR was used.</li> </ul>

## **CORE FUNCTION 4: Immigration**

The four DOJ components with primary responsibility for carrying out the goals and strategies stated in Core Function 4 are INS, the Executive Office for Immigration Review (EOIR), the Civil Division and the United States Attorneys' Offices. As noted above, INS' primary mission is to administer and enforce the Nation's immigration laws. In carrying out this charge, INS engages in activities ranging from determining the admissibility of persons seeking entry into the U.S., to processing and granting immigration-related benefits, to patrolling the borders, to investigating illegal employment at the workplace, to disrupting and dismantling fraud and smuggling organizations. In addition, INS detains and removes those individuals who have no lawful status that allows them to remain in the U.S. Because the activities that facilitate illegal immigration often give rise to other criminal activity, such as drug smuggling and terrorism, INS also plays an important role in Core Function 1.

EOIR's mission is to provide separate and independent fora for the objective, unbiased adjudication of disputes between INS and aliens or other individuals regarding immigration status, removal or the availability of relief under the law. In the conduct of this mission, EOIR and its components--the Board of Immigration Appeals, the Immigration Courts, and Administrative Law Judges--seek to render fair and proper decisions in a timely and efficient manner.

The Civil Division and the United States Attorneys' Offices defend the decisions of INS and EOIR. By defending policies and administrative decisions, the Civil Division strengthens immigration enforcement activities.

### **Ensuring Accurate Data**

Over the past 4 years, INS has vastly increased its investment in automation technology and systems, and the integrity of its alien records and information infrastructure. New and re-engineered systems critical to our enforcement and benefits processing, such as IDENT, ENFORCE, and CLAIMS, are now becoming operational and are an increasingly important part of daily operations at INS. In FY 2000, INS will maintain a large number of mission-critical operational and administrative support data systems, will complete the basic implementation of the new financial management system (FFMS), and will continue building upon these investments. INS will improve its data management, data systems and related systems support to ensure that mission-critical information is provided to the Service's employees, its partner agencies, and to its customers.

In FY 2000, INS will also continue its records modernization and improvement activities to improve timeliness and reliability of alien-based information needed by all INS operational units, and by other customers. Modernization and improvements will change the way in which INS manages its paper records and electronic information by establishing greater controls over these records; improving the integrity of records, improving user confidence in the accuracy and completeness of the data; and by reducing dependency on paper files.

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FY 2000 Key Performance Goals	FY 2000 Key Performance Indicators
<p>4.1.1 <u>Data and Systems Integrity</u>            In FY 2000, INS will continue efforts to improve the accuracy and timely availability of data used to provide information to the public and to ensure immigration-related benefits and enforcement actions are based on correct and complete information. Specifically, INS will increase the integrity of mission-critical data in the Service's key information systems, will increase the effective use of automation in the processing of benefits applications and Service actions; provide ADP technical training and assistance to users; and will modernize and increase the integrity of alien files (A-file) records and information [INS]</p> <p>4.1.2 <u>Data Systems Deployment and Usage</u>            In FY 2000, INS will maintain major data systems that support immigration-related enforcement and benefits functions (ENFORCE, CLAIMS and IDENT); strive for high usage rates of these systems by INS enforcement employees; and increase the impacts resulting from increased deployment and use. [INS]</p>	<ul style="list-style-type: none"> <li>· Auditor findings on new Financial Management System (FFMS).</li> <li>· Number of INS locations to which designated mission critical systems are deployed.</li> <li>· Use of designated mission critical systems where deployed.</li> </ul>

## Immigration Services

During FY 2000, INS will continue its re-engineering efforts aimed at delivering services that are timely, consistent, fair, and of high quality, with continued emphasis on ensuring the integrity of applications for immigration benefits. INS will take its "lessons learned" from previous and on-going re-engineering experiences and incorporate them into all application processes. Major service enhancements that were begun in previous years will continue. Such enhancements, which improve automated systems in support of benefits applications processing include: fingerprinting; telephone-based information services; and forms distribution for customers.

In FY 2000, INS will measure customer satisfaction associated with service delivery programs and provide opportunities for customer feedback and suggestions for service improvements.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
4.2.1 <u>Reengineering Immigration Services</u>	



<p>In FY 2000, DOJ will support INS' continuing reengineering efforts aimed at improving program integrity and delivering benefits services that are timely, consistent, fair and of high quality, especially in the area of Naturalization casework, by improving current processing times for these services to 6 months. [INS]</p>	<p>Time between submission of application for naturalization and case completion.</p>
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## Securing the Border

INS will continue with its border control strategic plan in FY 2000, deploying resources to additional areas of Texas, New Mexico, California and Arizona, while maintaining its existing control on areas already positively impacted. As anticipated, the Border Patrol is witnessing the movement of concentrated illegal alien traffic away from areas that were designated as initial phases in the INS resource deployment strategy. INS anticipates that additional corridors, in the Gulf, for example, will be identified, and that these regions will begin to realize additional resource deployments as more areas of the Southwest border are controlled, and illegal alien traffic and smuggling activities predictably shift to those new areas.

Additional impacts on the operational effectiveness and deterrence level within identified zones can be achieved by the continued systematic deployment of technology and other resources that directly support enforcement operations. INS will continue developing an intelligence infrastructure with the goal of supporting all enforcement efforts, and creating seamless border coverage that integrates border and interior enforcement efforts. INS also will engage in the interception and repatriation of mala fide travelers and offshore migrants en route to the United States.

During FY 2000, INS will continue to design, engineer, integrate, install and optimize digital, encrypted, narrowband, interoperable wireless communications systems to support the INS' operational requirements while continuing to provide operations and maintenance support to maintain the existing INS wireless communications systems. INS plans to work closely with the DOJ wireless management office to ensure that INS system buildout is consistent with the overall technical objectives of the Department. INS plans to commence Encrypted Voice Radio Program (EVRP) systems in a number of northern Sectors and Districts, as well as complete EVRP systems in the Buffalo, New York Sector and District. Linking remote video surveillance camera (RVS) sites with the triggering ground sensors and centralized Integrated Computer-Aided Detection controllers (ICAD) into the Integrated Surveillance Intelligence System (ISIS) will also be a priority. INS will procure night vision devices to support border activities with emphasis on supporting Operation Rio Grande and operations in the western portion of INS' Western Region.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
<p>4.3.1 <u>Controlling the Border</u>            In FY 2000, DOJ will continue supporting and implementing the INS' Border Patrol Strategic Plan. Specifically, INS will maintain control in areas where deterrence strategies have been successfully implemented and increase its flexibility to respond to new areas of concern. Increase the level of operational effectiveness within identified zones of the Southwest border in regards to illegal alien border crossing and drug interdiction. [INS]</p>	<p>Level of operational effectiveness in targeted "zones" along the Southwest border.</p>

### Facilitating Lawful Travel

In FY 2000, INS will improve the facilitation of lawful traffic and commerce by increasing the use of approaches for sorting passengers and vehicles into high- and low-risk categories, and by the increased use of automation and technologies, such as dedicated commuter lanes and accelerated passenger lanes, to expedite pre-enrolled travelers. INS will improve traveler facilitation by expanding staff to new Ports-of-Entry and expanding the hours of operation at some northern land and sea ports through the use of remote video and videophone inspection equipment. The distribution of Immigration Inspectors in FY 2000 will focus on traffic management at land and air Ports-of-Entry by staffing inbound lanes to minimize traffic congestion and delays.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
<p>4.4.1 <u>Facilitation of Port Traffic</u>            During FY 2000, DOJ, in cooperation with other federal agencies servicing ports-of-entry, will reduce waiting times at airports and land ports-of-entry. The targets are to clear 72% of commercial air flights through primary inspection in 30 minutes or less, and 80% of the time that land border POE's are open, wait times do not exceed 20 minutes. [INS]</p> <p>4.4.2 <u>Port Automation</u>: In FY 2000, DOJ will support INS efforts to increase INS use of automated facilitation technologies (e.g., INSPASS, Dedicated Commuter Lanes/SENTRI lanes). [INS]</p>	<p>Percent of total commercial air flights to clear primary inspection in 30 minutes or less.</p> <p>Percent of land border wait times that did not exceed 20 minutes.</p> <p>Percent of travelers inspected by automated systems equipped with INSPASS and SENTRI.</p>

### Interior Enforcement

In FY 2000, INS will continue to implement the comprehensive interior enforcement strategy it will adopt in FY 1999. This strategy will call for increased cross-component and cross-regional planning and action, concentrating on critical common targets: the prompt removal of high-priority categories of illegal aliens, the deterrence of unauthorized migration; and the

minimization of harm to the public and national security by aliens. INS will continue to place emphasis on the removal of deportable criminal aliens and the efficiency and effectiveness of the Institutional Removal Program, which includes institutional hearings and county jail programs.

In FY 2000, INS will continue to pursue and remove aliens receiving final orders by focusing on high-priority cases. INS will target its efforts to include implementing revised detention procedures for aliens with final orders, increasing use of the National Crime Information Center, and developing additional agreements with foreign governments to facilitate removal, repatriation, and information sharing.

INS also will continue to prevent the presence of illegal aliens and support the integrity of the legal immigration process by assisting employers with compliance of Sanctions laws, and acting as a catalyst to lawful employment by improving detection of illegal presence and fraud, and by increasing the use of intelligence information.

Another major component of the FY 2000 performance plan is INS' ability to implement its National Anti-Smuggling Strategy. In FY 2000, INS will begin to monitor possible shifts in vertical smuggling corridors, and will continue to target enforcement activity in specific zones. Anti-smuggling strategies will be coordinated with border and overseas initiatives to prevent, identify, disrupt and dismantle smuggling operations and organizations, including those linked to unauthorized employment or criminal organizations. INS will also continue enforcement activities in pursuit of major fraud conspiracies and from threats posed by terrorism and criminal activity committed by foreign nationals.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicator
<p>4.5.3 <u>Interior Anti-smuggling</u>            In FY 2000, DOJ will continue the implementation of the National Anti-Smuggling Strategy, and will begin to monitor the shifts in "vertical" smuggling corridors. INS will continue enforcement activity coordinated with intelligence, border, and overseas initiatives to prevent, identify, disrupt, and dismantle smuggling, terrorist, and organized crime and related overseas document fraud organizations. [INS]</p>	<p>Cases presented for prosecutions and assets seized from smugglers and fraud organizations and facilitators and apprehension of criminal and terrorist aliens.</p>

### Immigration Review and Litigation

Both INS and EOIR are committed to the prompt and fair resolution of matters brought before EOIR. In FY 2000, EOIR's Immigration Judges will complete 95 percent of its expedited asylum, Institutional Hearing Program, and detained cases within established target timeframes.

By defending immigration laws and policies and administrative judgments regarding alien removal in federal courts, the Civil Division and the United States Attorneys uphold the intent of Congress and secure the efforts of the immigration agencies.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicator
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<p>4.6.1 <u>Immigration Review</u>  During FY 2000, Immigration Judges will complete 95% of expedited asylum, Institutional Hearing Program (IHP) and detained cases within target timeframes. These timeframes are: (1) asylum cases within 180 days of filing by aliens with the DOJ; (2) IHP cases prior to aliens' release from incarceration; and (3) detained cases within 30 days of filing with the Immigration Court.  [EOIR]</p>	<p>Immigration Court cases received and completed within target timeframes.</p>
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## Community Outreach

INS will continue its efforts to work pro-actively and collaboratively with external groups in the development and implementation of immigration policies and practices. Specifically, INS will seek input on its policies and practices which pose a significant community impact. At the national level, INS will continue to meet with and solicit input from organizations and individuals that represent community-focused interests. At the regional and district levels, INS will continue to meet with communities, community focus groups, state and local organizations and individuals to address community-focused needs and interests.

## Resources, Means and Strategies

	1998 Actual	1999 Planned	2000 Requested
Core Function 4	\$3,053,245,000	\$3,134,960,000	\$3,617,560,000

In FY 2000, the Department of Justice plans to spend \$ 3.6 billion on this core function. This is an increase of 18% from 1998 levels and an increase of 15 % from 1999 levels.

## Information Technology

The foundation of achieving performance improvements in the administration and delivery of immigration services is the cost effective use of information technology. In FY 2000 the Department will invest approximately \$303 million for information technology to provide timely, high quality services to all the citizens and non-citizens across the country and outside our national borders who interact with the Immigration Service each day. In FY 2000 the Department will continue to invest in developing and upgrading the **Technology Infrastructure Project (TIP)** to ensure an adequate platform for deploying systems across the country. Enhancements to the **Computer Linked Application Information System (CLAIMS)** are integral to the success of the continuing reengineering efforts aimed at improving the timely processing and correct adjudication of applications and petitions for immigration benefits.

INS will continue during FY 2000 to further deploy the **IDENT** and **ENFORCE** systems to support agents protecting the borders. Deployment to critical border locations was completed in FY 1999, and deployment will continue to newly selected sites in FY 2000. In addition, INS will apply other technology tools to aid its enforcement effort, including the use of sensors and infrared border monitoring equipment. The Department is continuing its investment in the **Verification Information Systems** to provide accurate and current information on the alien status of individuals, and support the immigration-related requirements of other Federal, state, and local agencies - and of employers. Continued investment in the **Automated Nation-wide System for Immigration Review (ANSIR)** will support improved caseload management in immigration courts across the country and at the Board of Immigration Appeals.

### **Enforcement Technology**

In FY 2000, INS will continue its deployment of critical enforcement technology that not only provides for greater officer safety, but it also serves as a valuable force-multiplying element, augmenting front-line effectiveness. The FY 2000 request contains an enhancement of \$50 million to deploy additional **Integrated Surveillance Intelligence Systems (ISIS)**, a critical enforcement technology that not only provides for greater officer safety, but it also serves as a valuable force-multiplying element, augmenting front-line effectiveness. Such technology provides a constant enforcement presence in specific locations, where here-to-fore there was limited coverage. Moreover, the next generation of the ISIS initiative links camera and sensor technology with global positioning technology, providing a real time observation capacity alerting Border Patrol agents of border intrusions.

### **Construction**

In FY 2000, INS will continue its ongoing Border Patrol and Detention construction initiatives along the Southwest border. In the past few years, INS' antiquated facilities, particularly its Border Patrol stations, have absorbed considerable agent deployments, which only served to exacerbate an already overcrowded situation. To remedy this, INS will devote a \$48.1 million enhancement request to complete the construction of Border Patrol stations, and to plan and design new stations. Additionally, INS will devote a \$22.5 million enhancement request to construct additional detention facilities, as well as to modify and renovate existing detention space. Finally, INS will address the unworkable workspace issues facing the service-side of the agency. This effort will require \$27 million, recurred for the subsequent four years, to mitigate this unmanageable situation.

## CORE FUNCTION 4: Immigration

<p><b>Strategic Plan Goals:</b></p> <p><b>4.1 Enhance the integrity and integration of data and data systems operated by the INS in order to establish fully-integrated data systems supporting the enforcement and service functions of the INS; enhance the sharing of relevant data with other Federal agencies; and support INS management and decision-making processes.</b></p> <p><b>4.2 Deliver services to the public in a timely, consistent, fair and high quality manner.</b></p> <p><b>4.3 Secure the land border, ports-of-entry and coasts of the United States against illegal migration through effective use of technology and personnel resources focused on enhancing the deterrence to entry and apprehending and removing those who attempt to enter illegally.</b></p> <p><b>4.4 Facilitate lawful travel and commerce across the borders of the United States.</b></p> <p><b>4.5 Maximize deterrence to unlawful migration and enforce immigration laws in the interior through effective and coordinated use of resources to reduce the incentives of unauthorized employment and assistance; remove deportable/inadmissible aliens expeditiously; address interior smuggling and benefit and document fraud; and increase intergovernmental cooperation and the integration of activities among law enforcement entities at all levels of government.</b></p> <p><b>4.6 Expedite the adjudication of immigration cases while insuring due process and fair treatment for all parties.</b></p> <p><b>4.7 Improve the development and implementation of immigration-related policies and practices by incorporating input from a broad range of internal and external contacts.</b></p>		
FY 2000 Performance Goals		Key Performance Indicators
4.1.1	<p><u>Data and Systems Integrity</u></p> <p>In FY 2000, INS will continue efforts to improve the accuracy and timely availability of data used to provide information to the public and to ensure immigration-related benefits and enforcement actions are based on correct and complete information. Specifically, INS will increase the integrity of mission-critical data in the Service's key information systems, will increase the effective use of automation in the processing of benefits applications and Service actions; provide ADP technical training and assistance to users; and will modernize and increase the integrity of alien files (A-file) records and information. [INS]</p>	<ul style="list-style-type: none"> <li>· Auditor findings on new Financial Management System (FFMS).</li> <li>· Number of employees trained.</li> <li>· Number of sites receiving ADP office automation installations or upgrades.</li> </ul>
4.1.2	<p><u>Data Systems Deployment and Usage</u></p> <p>In FY 2000, INS will maintain major data systems that support immigration-related enforcement and benefits functions ( ENFORCE, CLAIMS and IDENT); strive for high usage rates of these systems by INS enforcement employees; and increase the impacts resulting from increased deployment and use. [INS]</p>	<ul style="list-style-type: none"> <li>· Number of INS locations to which designated mission critical systems are deployed.</li> <li>· Usage of designated mission critical systems where deployed.</li> </ul>
4.2.1	<p><u>Reengineering Immigration Services</u></p> <p>In FY 2000, DOJ will support INS' continuing reengineering efforts aimed at improving program integrity and delivering benefits services that are timely, consistent, fair and of high quality, especially in the area of Naturalization casework, by improving current processing times for these services to 6 months. [INS]</p>	<ul style="list-style-type: none"> <li>· Time between submission of application for naturalization and case completion.</li> <li>· Average time to respond to customers' requests for forms.</li> </ul>
4.2.2	<p><u>Service to Federal, State and Local Governments</u></p> <p>In FY 2000, consistent with DOJ's efforts to provide high quality services to its customers, INS will improve the effectiveness and timeliness of INS' alien status verification services for other federal, state and local governments, and employers and maintain the number of verification pilot projects mandated by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 at 5,500 employers while improving response time for the verification of employment authorizations. [INS]</p>	<ul style="list-style-type: none"> <li>· Average response time for status verification for benefits.</li> <li>· Average response time for status for verification of employment authorization.</li> </ul>
4.3.1	<p><u>Controlling the Border</u></p> <p>In FY 2000, DOJ will continue supporting and implementing the INS' Border Patrol Strategic Plan. Specifically, INS will maintain control in areas where deterrence strategies have been successfully implemented and increase its flexibility to respond to new areas of concern. Increase the level of operational effectiveness within identified zones of the Southwest border in regards to illegal alien border crossing and drug interdiction. [INS]</p>	<ul style="list-style-type: none"> <li>· Level of operational effectiveness in targeted "zones" along the Southwest border.</li> </ul>
4.3.2	<p><u>Hampering Border and International Smuggling</u></p> <p>In FY 2000, DOJ will continue to strengthen INS' capability to</p>	<ul style="list-style-type: none"> <li>· Increase in mala fide travelers and offshore migrants intercepted en route to the U.S.</li> </ul>

	apprehend and deter persons attempting illegal entry by hampering the efforts of alien smugglers and drug carriers. [INS]	· Offshore prosecutions assisted by INS.
4.4.1	<u>Facilitation of Port Traffic</u> During FY 2000, DOJ, in cooperation with other federal agencies servicing ports-of-entry, will reduce waiting times at airports and land ports-of-entry. The targets are to clear 72% of commercial air flights through primary inspection in 30 minutes or less, and 80% of the time that land border POE's are open, wait times do not exceed 20 minutes. [INS]	· Percent of total commercial air flights to clear primary inspection in 30 minutes or less. · Percent of land border wait times that did not exceed 20 minutes.
4.4.2	<u>Port Automation</u> In FY 2000, DOJ will support INS efforts to increase its use of automated facilitation technologies (e.g., INSPASS, Dedicated Commuter Lanes/SENTRI lanes). [INS]	· The percent of travelers inspected by automated systems equipped with INSPASS and SENTRI.
4.5.1	<u>Removals</u> In FY 2000, DOJ will increase the number of removals from the U.S. above the number of removals projected for FY 1999. [INS]	· Total number of final order criminal alien removals. · Total number of final order non-criminal alien removals.
4.5.2	<u>Worksite Enforcement</u> In FY 2000, DOJ will assist employers with compliance in Sanctions law while improving the detection of illegal presence and fraud. INS will increase the use of intelligence information, leads, and estimates to develop better cases. [INS]	· Number of criminal Sanctions cases presented against employers. · Percentage of fines issued to employers who knowingly hire or continue to employ unauthorized workers to total fines in Sanctions cases.
4.5.3	<u>Interior Anti-smuggling</u> In FY 2000, DOJ will continue the implementation of the National Anti-Smuggling Strategy, and will begin to monitor the shifts in "vertical" smuggling corridors. INS will continue enforcement activity coordinated with intelligence, border, and overseas initiatives to prevent, identify, disrupt, and dismantle smuggling, terrorist, and organized crime and related overseas document fraud organizations.	· Cases presented for prosecutions and assets seized from smugglers and fraud organizations and facilitators and apprehension of criminal and terrorist aliens.
4.6.1	<u>Immigration Review</u> During FY 2000, Immigration Judges will complete 95% of expedited asylum, Institutional Hearing Program (IHP) and detained cases within target timeframes. These timeframes are: (1) asylum cases within 180 days of filing by aliens with the DOJ; (2) IHP cases prior to aliens' release from incarceration; and (3) detained cases within 30 days of filing with the Immigration Court. [EOIR]	· Immigration Court cases received and completed within target timeframes.

## **CORE FUNCTION 5: Detention and Incarceration**

This Core Function describes DOJ's responsibilities for the confinement of persons convicted of federal crimes and sentenced to terms of incarceration, and those charged with federal offenses and detained while awaiting trial or sentencing, a hearing on their immigration status, or deportation. Three of DOJ's components—the Bureau of Prisons (BOP), the United States Marshals Service (USMS), and Immigration and Naturalization Service (INS)—engage in activities related to this Core Function.

BOP's primary responsibility resides with maintaining secure, safe and humane correctional institutions for sentenced offenders placed in its custody. BOP develops and operates correctional programs that seek a balanced application of concepts of punishment, deterrence, incapacitation and opportunities to prepare the offender for successful reintegration into society. Through the National Institute of Corrections, BOP provides assistance to state and local correctional agencies.

BOP conducts its incarceration function using a range of BOP-run institutions of varying security levels, as well as the use of privately operated facilities, including half-way houses and community corrections facilities. While BOP deals with the special problems that accompany the long-term custody and care of sentenced federal prisoners, BOP is also a major provider of detention bedspace. BOP operates several metropolitan detention centers in cities where detention beds from non-federal providers are not sufficient.

Over the next few years, BOP faces several challenges. During FY 1998, the BOP experienced the largest one year population increase in its history. At midnight on September 30, 1998, the BOP total inmate population was 122,316, an increase of more than 10,027 over the population at the end of FY 1997. Despite an ambitious facility expansion program, the continued growth in the inmate population is affecting the BOP crowding rate. From 1990 - 1996, the crowding rate decreased every year to a low of 124% in 1996. During this past year, however, the population growth of more than 10,000 far exceeded the 5,077 new beds constructed, and the crowding rate has crept back up to 128 percent. The National Capital Revitalization and Self-Government Act of 1997 will result in BOP assuming the responsibility to house all DC adult felons sentenced to a term of confinement. Efforts are well underway for BOP to house and contract for the housing of this population. The Act requires that 2,000 DC inmates be housed in contract facilities by FY 2000 and, as soon as practical, others shall be transferred to BOP. At the end of FY 1998, approximately 850 DC inmates were housed in BOP facilities. In addition, beginning in FY 2000 BOP is requesting funds to begin to assume the responsibility of the non-returnable INS detainee population who can not be repatriated to their homeland and require ongoing detention. DOJ, BOP, and INS are currently reviewing information on this population to determine if some of the detainees can be housed in contract facilities beginning in FY 2000. BOP is planning additional federal bedspace for higher-security, long-term INS detainees and has requested additional construction funding in FY 2000.

Persons charged with federal offenses and detained while awaiting, or during, trial are primarily the responsibility of USMS, as are pre-sentence inmates. USMS does not operate any detention centers; rather it obtains the beds it needs to house this population from state and local jails and detention centers, BOP, INS and private facilities. USMS is responsible for ensuring that



detainees make their scheduled court appearances, thereby contributing to the orderly work of the federal courts.

INS likewise detains persons who are charged with violating immigration law, have entered the U.S. illegally, or have been ordered deported. INS houses its detainees in its own detention facilities (Service Processing Centers), contract facilities, state and local jails, and BOP facilities.

### **Meeting Detention Needs**

In FY 2000, DOJ's performance plan includes goals to provide sufficient bedspace for the expected increase in the detention populations of both USMS and INS. INS anticipates its population will continue to increase as a result of additional enforcement staffing and the continued implementation of recent legislation. USMS' pre-trial and pre-sentenced population has increased rapidly in recent years, likely the result of the many new enforcement personnel that various DOJ components have received during the past several years.

The success of our investigators and prosecutors at solving crimes, arresting suspects and trying cases has led to a rapidly growing jail and prison population. Successes like Operation Gatekeeper place increasing workload demands on both the detention and incarceration activities of DOJ, and when planning for major enforcement operations, it is critical to consider the full range of DOJ needs. Successful enforcement requires more than just agents, prosecutors and support, but also detention and incarceration needs. Both the Bureau of Prisons' (BOP) sentenced inmate population and the United States Marshals Service's (USMS) pretrial population are at all-time high levels, and continue to grow at rates faster than predicted. This tremendous growth has further crowded a prison system already burdened by overpopulation. In FY 2000, BOP will activate new detention centers in Philadelphia, Houston and Brooklyn, providing additional detention bedspace to DOJ.

Another key component of the detention system is the Justice Prisoner and Alien Transportation System (JPATS). In FY 1999, JPATS will be managed as a revolving fund operation of the USMS, and USMS, BOP and INS share the costs for their use of JPATS. JPATS is critical for the safe and efficient movement of inmates and detainees alike. In FY 2000, several enhancements are anticipated for the JPATS system, and JPATS will increase its service level to move more prisoners and detainees.

FY 2000 Key Performance Goals	FY 2000 Key Performance Indicators
<p><b>5.1.1 Detention</b>            In FY 2000, DOJ will work cooperatively with the private sector, state, and local governments to establish and maintain adequate capacity to detain persons in federal custody in cost-effective, safe, secure and humane facilities, while awaiting trial, a hearing or deportation. [USMS, INS, BOP]</p> <ul style="list-style-type: none"> <li>· Specifically, we will obtain sufficient detention space for an estimated average daily population of 35,300 persons in the custody of the USMS. The BOP will continue to support USMS requirements by housing a significant number, over 25% of federal pretrial detainees in BOP facilities, and will open 3 detention centers in FY 2000 (Houston, Philadelphia and Brooklyn). The remainder will be housed in non-federal facilities (e.g., state and local jails, private facilities).</li> <li>· We will also provide detention space for persons in the custody of INS to 14,118 beds in FY 2000.</li> </ul>	<ul style="list-style-type: none"> <li>· Average daily detention population in custody.</li> <li>· Per Capita and Jail Day costs.</li> <li>· Percentage of federal facilities with ACA accreditations.</li> </ul>
<p><b>5.1.2 Justice Prisoner and Alien Transportation System</b>            In FY 2000, DOJ will improve the operating efficiency of the Justice Prisoner and Alien Transportation System (JPATS) by acquiring needed aircraft and providing on-site aircraft maintenance at the Hangar in Oklahoma City to reduce aircraft down times and flight delays and prevent unnecessary maintenance costs. Also, access to the Automated Prisoner Scheduling System will be provided to the INS and BOP, as well as enhancements to the system. JPATS estimates requirements for over 156,000 prisoners, detainee and deportable alien air movements, which is a 10 percent increase over the estimated 140,000 movements in 1999 [USMS, BOP, INS]</p>	<ul style="list-style-type: none"> <li>· Per prisoner costs of transport.</li> <li>· Percentage of seats filled in flights transporting prisoners.</li> <li>· Percent of time JPATS owned aircraft are not available due to unscheduled maintenance.</li> <li>· Number of accidents, injuries, escapes.</li> <li>· USMS progress toward implementing the automated prisoner scheduling system.</li> <li>· Number of prisoners moved.</li> <li>· User satisfaction.</li> </ul>

## Expanding Prison Capacity

As noted above, the inmate population is growing at a tremendous rate as a result of DOJ's successful enforcement initiatives. In addition to the number of new admissions, the average time served per inmate has contributed to recent growth of the federal inmate population. In particular, increases in drug cases, combined with longer sentences for drug convictions, and increased immigration cases along the Southwest border are the main reasons for recent population growth. In FY 1998, the population has already increased by over 10,000 inmates. We must ensure that we have sufficient prison beds to house our inmates safely and humanely.

Our continued success in drug and immigration enforcement must be complemented by housing for these offenders.

To help keep pace with overcrowding, BOP will continue to plan and construct additional capacity, especially medium and high security institutions where overcrowding is particularly acute at 44 and 59 percent, respectively.

BOP will also continue to add capacity to absorb approximately 7,200 D.C. felons into the federal prison system, as required by the National Capital Revitalization and Self-Government Improvement Act. According to provisions in the law, at least 2,000 low security inmates will be placed in contract facilities. Medium and high security DC inmates will be housed with other inmates in existing BOP facilities under construction when completed.

FY 2000 Key Performance Goals	FY 2000 Key Performance Indicators
<p>5.2.1 <u>Prisoner Bedspace Capacity Activations</u>            In FY 2000, DOJ will support BOP's efforts to reduce the system-wide overcrowding rate to 31% with the addition of over 4,300 new beds resulting from the activations of Victorville (medium security and camp); Forrest City (camp); Houston, Philadelphia and Brooklyn (detention centers). [BOP]</p>	<ul style="list-style-type: none"> <li>· Number of beds added.</li> <li>· Percent overcrowding by security level.</li> </ul>
<p>5.2.4 <u>National Capital Revitalization and Self-Government Improvement Act of 1997</u>            In FY 2000, the Department will continue implementation of the National Capital Revitalization and Self-Government Improvement Act of 1997 ("the Act") which transfers to the BOP the responsibility for housing felons sentenced under the DC Code and to the U.S. Parole Commission (USPC) the responsibility for conducting parole hearings for these felons. By December 31, 1999, the BOP will contract to house 2,000 D.C. adult sentenced felons. In FY 2000, construction will continue toward completion of Federal Correctional Institutions to absorb D.C. sentenced felons into the Federal Prison System. USPC will conduct about 450 hearings per month. [BOP, USPC]</p>	<ul style="list-style-type: none"> <li>· Number of D.C. sentenced felons housed in facilities owned or contracted by the Federal Government.</li> <li>· Number of correctional facilities in planning or construction mode which will help to absorb the D.C. sentenced felon population into the federal prison system.</li> <li>· Average number of parole hearings held each month.</li> </ul>

### Maintaining the Prison System

In FY 2000, BOP is expected to have a system-wide overcrowding level of 31%, well above the 15% target set by the Administration. Further, while BOP is opening many new institutions in the next several years, BOP also has many institutions that are over 50 years old. The combined issues of overcrowding—which results in heavier use on the facility—plus the advanced age of many institutions is cause for concern about the maintenance of BOP facilities. In FY 2000, BOP will continue to survey the needs of its older institutions and to request funding to address the serious maintenance and safety issues at its institutions.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
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<p>5.3.1 <u>Modernization and Repair</u>  In FY 2000, DOJ will support BOP's Modernization and Repair (M&amp;R) program to maintain BOP facilities to provide a safe and secure environment. BOP will continue its special survey program of 15 facilities, which are over 50 years old and have not undergone major renovations and improvements, to develop detailed long range master plans for these facilities. [BOP]</p>	<ul style="list-style-type: none"> <li>· Number of projects in process and completed during the Fiscal Year</li> <li>· Number of planned special "50+" surveys completed.</li> <li>· Percentage of Life Safety discrepancies completed.</li> </ul>
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## Inmate Management

Inmate programs are key correctional management tools used by BOP to reduce inmate idleness, enhance institutional safety and security, and provide inmates the opportunity for positive change and to prepare them for successful reentry into society upon their release. In FY 2000, BOP will provide services and programs to address these goals. BOP will continue to meet the requirement that all eligible inmates receive residential drug treatment.

FY 2000 Key Performance Goals	FY 2000 Key Performance Indicators
<p>5.4.1 <u>Inmate Services</u>  In FY 2000, DOJ will support BOP's efforts to provide services and programs to address inmate needs that contribute to their successful reintegration into society. These efforts will include the following. [BOP]</p> <ul style="list-style-type: none"> <li>· Providing adequate medical care.</li> <li>· Offering appropriate dietary requirements</li> <li>· Ensuring that all medically fit inmates required to work do so.</li> <li>· Delivering residential drug treatment to 100% of eligible inmates.</li> <li>· Providing general education and skills-based training.</li> <li>· Affording inmates the opportunity to participate in other productive activities such as "special needs" programs, worship services, adult education, parenting classes, etc.</li> </ul>	<ul style="list-style-type: none"> <li>· Percentage of inmates enrolled in one or more educational programs.</li> <li>· Number of participants in residential drug treatment programs.</li> <li>· Number of beds available for residential drug treatment programs.</li> </ul>

## Resources, Means and Strategies

	1998 Actual	1999 Planned	2000 Requested
Core Function 5	\$4,438,573,000	\$4,639,502,000	\$5,183,990,000

In FY 2000, the Department of Justice plans to spend \$5.1 billion on this core function. This is an increase of 17% from 1998 levels and a 12% increase from 1999 levels..

## **Information Technology**

In FY 2000 approximately \$173 million will be allocated to managing the information that enables the Department to maintain prisoners and protect the public. BOP and the Marshals Service depend on information technology to maintain and track the safety of federal prisoners while housed in prisons and community settings and while in transport between residential settings and the courts. The Department will continue to fund the **SENTRY** system maintained by the BOP including the conduct of a study mandated by the Information Technology Investment Board to assess technology options to ensure that current levels of IT support are maintained in future years. The Department will also continue to fund **BOPNet**, the wide area network that enables communications among prison facilities across the country.

The Department is requesting funds for the USMS to continue planning for the **Justice Detainee Information System (JDIS)**. JDIS is an offender-based information system which will integrate into a single application information related to: warrant/summons administration; investigation support; jail and facility management; prisoner population management; prisoner transportation; and prisoner booking. When deployed, JDIS will provide US Marshals in the field with a single point of access to this information and better support the **Justice Prisoner and Alien Transportation System (JPATS)** which received increased funding in FY 1999.

## **Facilities**

BOP requests \$87 million in FY 2000 to operate a medium security facility with a work camp at Victorville, California, a minimum security camp at Forrest City, Arkansas, and three detention centers at Houston, Philadelphia and Brooklyn.

BOP is requesting \$411 million in construction funding for 9 facilities in FY 2000 to alleviate overcrowding in BOP facilities, complete construction required to be able to absorb the DC felon population and house a portion of the INS non-returnable population. BOP requests site and planning funding for 6 facilities, and full construction funding for 3 facilities. In addition, BOP requests a permanent increase of \$27 million for modernization and repair of existing BOP facilities, of which 39 are over 30 years old and 28 are over 50 years old. Finally, INS requests \$22.5 million for detention space, which is discussed in Core Function 4.

## CORE FUNCTION 5: Detention and Incarceration

<p>Strategic Plan Goals:</p> <p>5.1 Provide for the safe, secure and humane confinement of persons who are detained while awaiting trial or sentencing, a hearing on their immigration status, or deportation.</p> <p>5.2 Ensure that sufficient prison capacity exists so that violent and other serious criminal offenders are imprisoned to the fullest extent of the law.</p> <p>5.3 Maintain and operate the Federal prison system in a safe, secure, humane and efficient manner.</p> <p>5.4 Provide productive work, education, medical and other programs to meet inmate needs and facilitate their successful reintegration into society, consistent with community expectation and standards.</p>	
FY 2000 Performance Goals	Key Performance Indicators
<p>5.1.1 <u>Detention</u>            In FY 2000, DOJ will work cooperatively with the private sector, state, and local governments to establish and maintain adequate capacity to detain persons in federal custody in cost-effective, safe, secure and humane facilities, while awaiting trial, a hearing or deportation. [USMS, INS, BOP]</p> <p>Specifically, we will obtain sufficient detention space for an estimated average daily population of 35,300 persons in the custody of the USMS. The BOP will continue to support USMS requirements by housing a significant number, over 25% of federal pretrial detainees in BOP facilities, and will open 3 detention centers in FY 2000 (Houston, Philadelphia and Brooklyn). The remainder will be housed in non-federal facilities (e.g., state and local jails, private facilities).</p> <p>We will also maintain detention space for persons in the custody of INS of 14,118 beds in FY 2000.</p>	<ul style="list-style-type: none"> <li>· Average daily detention population in custody.</li> <li>· Number of federal detention centers activated.</li> <li>· Number of accidents and injury investigations</li> <li>· Per Capita and Jail Day costs.</li> <li>· Percentage of federal facilities with ACA accreditations.</li> </ul>
<p>5.1.2 <u>Justice Prisoner and Alien Transportation System</u>            In FY 2000, DOJ will improve the operating efficiency of the Justice Prisoner and Alien Transportation System (JPATS) by acquiring needed aircraft and providing on-site aircraft maintenance at the Hangar in Oklahoma City to reduce aircraft down times and flight delays and prevent unnecessary maintenance costs. Also, access to the Automated Prisoner Scheduling System will be provided to the INS and BOP, as well as enhancements to the system. JPATS estimates requirements for over 156,000 prisoners, detainee and deportable alien air movements, which is a 10 percent increase over the estimated 140,000 movements in 1999. [USMS, BOP, INS]</p>	<ul style="list-style-type: none"> <li>· Per prisoner costs of transport.</li> <li>· Percent of seats filled in flights transporting prisoners.</li> <li>· Percent of time JPATS owned aircraft is not available due to unscheduled maintenance.</li> <li>· Number of accidents, injuries, escapes.</li> <li>· USMS progress toward implementing the automated prisoner scheduling system.</li> <li>· Number of prisoners moved.</li> <li>· User satisfaction.</li> </ul>
<p>5.2.1 <u>Prisoner Bedspace Capacity Activations</u>            In FY 2000, DOJ will support BOP's efforts to reduce the system-wide overcrowding rate to 31% with the addition of over 4,300 new beds resulting from the activations of Victorville (medium security and camp); Forrest City (camp); Houston, Philadelphia and Brooklyn (detention centers). [BOP]</p>	<ul style="list-style-type: none"> <li>· Number of beds added.</li> <li>· Percent overcrowding by security level.</li> </ul>
<p>5.2.2 <u>Prison Construction</u>            In FY 2000, DOJ will continue to support BOP's construction program to build additional facilities needed to assume the DC inmate population and to reduce the overcrowding levels at existing facilities.</p>	<ul style="list-style-type: none"> <li>· Number of facilities under design or construction.</li> </ul>
<p>5.2.3 <u>Contract Confinement</u>            In FY 2000, to help ensure sufficient capacity to imprison violent offenders to the fullest extent of the law, DOJ will increase to 12% the percentage of its population in other than BOP facilities. These include, half-way houses, contract facilities, and home confinement. [BOP]</p>	<ul style="list-style-type: none"> <li>· Number of inmates in alternative confinement programs.</li> </ul>
<p>5.2.4 <u>National Capital Revitalization and Self-Government Improvement Act of 1997</u>            In FY 2000, the Department will continue implementation of the National Capital Revitalization and Self-Government Improvement Act of 1997 ("the Act") which transfers to the BOP the responsibility for housing felons sentenced under the DC Code and to the U.S. Parole Commission (USPC) the responsibility for conducting parole hearings for</p>	<ul style="list-style-type: none"> <li>· Number of D.C. sentenced felons housed in facilities owned or contracted for or by the Federal Government.</li> <li>· Number of correctional facilities in planning or construction mode which will help to absorb the</li> </ul>

	<p>these felons. By December 31, 1999, the BOP will contract to house 2,000 D.C. adult sentenced felons. In FY 2000, construction will continue toward completion of Federal Correctional Institutions to absorb D.C. sentenced felons into the Federal Prison System. USPC will conduct about 450 hearings per month. [BOP, USPC]</p>	<p>D.C. sentenced felon population into the federal prison system.</p> <ul style="list-style-type: none"> <li>· Average number of parole hearings held each month.</li> </ul>
5.3.1	<p><u>Modernization and Repair</u>  In FY 2000, DOJ will support BOP's Modernization and Repair (M&amp;R) program to maintain BOP facilities to provide a safe and secure environment. BOP will continue its special survey program of 15 facilities, which are over 50 years old and have not undergone major renovations and improvements, to develop detailed long range master plans for these facilities. [BOP]</p>	<ul style="list-style-type: none"> <li>· Number of projects in process and completed during the Fiscal Year</li> <li>· Number of planned special "50+" surveys completed.</li> <li>· Percentage of Life Safety discrepancies completed.</li> </ul>
5.4.1	<p><u>Inmate Services</u>  In FY 2000, DOJ will support BOP's efforts to provide services and programs to address inmate needs that contribute to their successful reintegration into society. These efforts will include the following. [BOP]</p> <ul style="list-style-type: none"> <li>· Providing adequate medical care.</li> <li>· Offering appropriate dietary requirements.</li> <li>· Ensuring that all medically fit inmates required to work do so.</li> <li>· Delivering residential drug treatment to 100% of eligible inmates.</li> <li>· Providing general education and skills-based training.</li> <li>· Affording inmates the opportunity to participate in other productive activities such as "special needs" programs, worship services, adult education, parenting classes, etc.</li> </ul>	<ul style="list-style-type: none"> <li>· Percentage of inmates enrolled in one or more educational programs.</li> <li>· Number of participants in residential drug treatment programs.</li> <li>· Number of beds available for residential drug treatment programs.</li> </ul>

## CORE FUNCTION 6: Protection of the Federal Judiciary and Improvements of the Justice System

The DOJ has significant responsibility for ensuring the effective, efficient and secure operations of the federal justice system. It does so by protecting judicial proceedings; ensuring the safe and secure environment of the federal courts; apprehending fugitives from justice; promoting the participation of victims at every stage of criminal and juvenile proceedings; administering the Nation's bankruptcy laws; and providing support to state and local governments.

### Protecting the Judiciary

The primary responsibility of the USMS is protection of the federal judiciary and ensuring that all federal court proceedings take place in an environment free and clear of intimidation and violence. In FY 2000, USMS will continue to provide the necessary services and expertise to maintain a high level of security in the federal judicial environment. Also in FY 2000, USMS will take steps to upgrade physical security at existing courthouses as resources permit, and ensure that new courthouses open with appropriate security measures in place. In addition, USMS will continue to monitor, assess, and investigate threats made against judicial personnel, witnesses, and victims in order to ensure their safety.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
<p>6.1.1 In FY 2000, DOJ will continue to deter, and to respond to, threats to the safety of federal judges, other court personnel and witnesses and participants in federal judicial proceedings. Our primary goal is to ensure that no judge, other court participant, or witness is the victim of an assault stemming from his or her involvement in a federal court proceeding. Specifically in FY 2000:</p> <ul style="list-style-type: none"> <li>· We will effectively identify, assess and respond to threats against court personnel and property.</li> <li>· We will enhance the physical security of [9] new and renovated federal courthouses.</li> <li>· We will provide for the long-term protection of federal witnesses and their family members. [USMS, BOP]</li> </ul>	<ul style="list-style-type: none"> <li>• Percentage of federal criminal court proceedings meeting USMS security requirements.</li> <li>• Number of threats and assaults against judges and other court personnel.</li> <li>• Number of threats and actual assaults against protected federal witnesses.</li> <li>• Number of courthouses receiving enhanced physical security.</li> </ul>

### Seized Assets Management

The asset seizure and forfeiture program is a powerful tool against large criminal organizations as well as a financial tool for other law enforcement efforts. The success of the program relies on close coordination between law enforcement agencies, the U.S. Attorneys, and the USMS. The USMS has two primary roles in the asset forfeiture program: operational and administrative. Operationally, the USMS is responsible for the execution of court orders to seize the assets; administratively, the USMS is responsible for the maintenance, preservation, and



disposition of the assets. In FY 2000, the USMS will improve accountability, control, and oversight for the asset forfeiture program by ensuring a timely disposal of all seized property, within time frames based on the type of property, and by ensuring that all seized property is sold at a reasonable value.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
<p>6.1.2 <u>Assets Forfeiture</u>            The Department will increase accountability of the asset forfeiture program. The USMS will increase efforts to improve the timeliness of property disposal, the effectiveness and cost efficiency of program support and oversight functions, and training of personnel responsible for the operation of the Asset Forfeiture Program.</p>	<ul style="list-style-type: none"> <li>· Percent of real property sold at 85% or more of its market value. This indicator measures whether adequate safeguards are in place to ensure proper valuation of properties seized and unnecessary loss of revenue does not occur.</li> <li>· Percent of real property disposed of within one year. This indicator measures whether real property is disposed of within 12 months so that the government is not maintaining properties longer than necessary.</li> <li>· Dispose seized properties</li> <li>· Decrease days needed to dispose of property from USMS custody.</li> </ul>

### **Fugitive Apprehension**

The USMS is the federal agency primarily responsible for the apprehension of fugitives from justice: prison escapees, bail jumpers, parole and probation violators, individuals for whom bench warrants have been issued by federal judges, and individuals for whom warrants have been referred by DEA. The USMS receives approximately 19,000 felony warrants each year, and, in FY 2000, will close approximately 80% of these warrants within the first year. Also, in FY 2000, the USMS will continue to apprehend fugitives as quickly as possible to prevent more acts of violent crime by those fugitives. The USMS will also continue to improve its fugitive apprehension methods through the use of automated information systems, electronic surveillance equipment, and specially trained investigators.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicator
<p>6.1.3 <u>Fugitive Apprehension</u>            In FY 2000, DOJ will continue to identify and target for apprehension the most violent fugitives that are charged with serious federal criminal offenses. In support of this goal, the U.S. Marshals Service (USMS) will close 80% of its felony warrants (Class 1 warrants) within 1 year. [USMS]</p>	<p>Percent of Class 1 warrants closed within 1 year.</p>

### Promoting the Participation of Victims and Witnesses

In FY 2000, DOJ will continue to give high priority to increasing the participation of victims and witnesses in the judicial process. Specifically, DOJ will take steps to ensure that there is full compliance with the Attorney General’s Guidelines for Victim and Witness Assistance through increased training for law enforcement officers and prosecutors in victim/witness responsibilities and notification procedures.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
<p>6.2.1 <u>Victims and Witnesses</u>            In FY 2000, DOJ will promote increased participation of victims and witnesses throughout each stage of a judicial proceeding. At the federal level, we will train federal law enforcement officers and prosecutors in victim-witness responsibilities. We will also further develop and deploy a nationwide automated victim notification system. We will take steps to ensure that there is full compliance with the Attorney General’s Guidelines for Victim and Witness Assistance. [USAs, CRM, FBI, OJP/OVC]</p>	<ul style="list-style-type: none"> <li>• Percentage of U.S. Attorneys Districts complying with automated notification requirements.</li> <li>• Number of victims and witnesses receiving assistance.</li> <li>• Satisfaction level of victims and witnesses receiving assistance.</li> </ul>

### Protecting the Integrity of the Bankruptcy System

In FY 2000, DOJ, through the U.S. Trustee (UST) system, will continue to enforce the bankruptcy laws and regulations of the Nation. The UST program will continue efforts to reduce its overall caseload, particularly older cases, by providing administrative support to move cases expeditiously through the bankruptcy process. When appropriate, in FY 2000, the UST will continue to inform law enforcement agencies of possible violations of bankruptcy laws and continue to participate in task forces designed to identify and prosecute individuals or organizations engaged in the fraudulent use of bankruptcy laws.

FY 2000 Key Performance Goal	FY 2000 Key Performance Indicators
<p>6.3.1 <u>Bankruptcy Caseload</u>            In FY 2000, DOJ will emphasize the timely administration of bankruptcy cases and will meet projected increases in all Chapter filings while maintaining or reducing existing chapter 7 and chapter 11 case backlogs. The U.S. Trustee Program will also increase the number of civil enforcement actions filed in response to misconduct and fraud, and increase contacts with federal, state and local law enforcement agencies to assist in reducing such fraud. [USTP]</p>	<ul style="list-style-type: none"> <li>· Number of old (three years or more) bankruptcy cases as a percentage of total caseload.</li> <li>· Distribution of funds to creditors.</li> <li>· Number of civil enforcement actions and criminal referrals.</li> </ul>

### Resources, Means and Strategies

	1998 Actual	1999 Planned	2000 Requested
Core Function 6	\$579,016,000	\$599,818,000	\$698,520,000

In FY 2000, the Department of Justice plans to spend \$ 698 million on this core function. This is an increase of 21% from 1998 levels and a 16% increase from 1999 levels.

#### Information Technology

The Department plans to invest approximately \$216 million on information technology initiatives in FY 2000 to maintain and enhance overall performance in this core functional area. The improved use of information resources to support access and use of NCIC 2000 and the newly deployed IAFIS. In FY 2000, the Department will focus attention on the planning and development for the **STARS financial management system** in the USMS. In addition, the Department will continue to operate and maintain the **U.S. Trustees Information Management System (USTIMS)** and support the timely administration and resolution of bankruptcy cases.

#### Facilities

The USMS recently completed a nationwide survey of USMS space in courthouse facilities, which identified those facilities that are not meeting USMS security standards, and provides a basis to prioritize the facilities predicated on the severity of the security need. USMS space includes the detention cellblocks, secure prisoner circulation corridors, courtroom holding cells, sallyports, and prisoner elevators. Additionally, computer rooms must be upgraded to provide adequate physical and environmental safeguards. In support of efforts to upgrade courthouse facilities, the USMS is seeking \$3,696,000. The requested resources will serve as a base for regular and ongoing renovation and will allow the USMS to gradually bring all its facilities up to the security standards.

## **Equipment**

In FY 2000, the Department will invest \$63,681,000 on radio communications equipment for the investigative and operational activities of its law enforcement components. The equipment the components currently use is old and outdated and must be replaced. Further, all federal spectrum users must narrow by one half the bandwidth used to transmit radio signals by the year 2005 for Very High Frequency allocations and 2008 for Ultra High Frequency allocations.

The USMS is also seeking \$9,000,000 to equip and furnish new and renovated courthouses. The USMS will install security systems, telephones, radio equipment and furniture in 9 new and 47 renovated courthouses. Security systems provide for central control of critical prisoner pathways and for the safety of judges, USMS personnel, and the public.

## CORE FUNCTION 6: Protection of the Federal Judiciary and Improvement of the Justice System

<p><b>Strategic Plan Goals:</b></p> <p><b>6.1 Protect the Federal judiciary and ensure the safe and secure operation of the Federal court system.</b></p> <p><b>6.2 Promote the participation of victims and witnesses throughout each stage of criminal and juvenile justice proceedings at the Federal, State and local levels and in Indian country.</b></p> <p><b>6.3 Protect and preserve the integrity of the bankruptcy system, maximize the dollar return to creditors, and monitor the cost of bankruptcy administration.</b></p>		
FY 2000 Performance Plan Goals		Key Performance Indicators
6.1.1	<p>In FY 2000, DOJ will continue to deter, and to respond to, threats to the safety of federal judges, other court personnel and witnesses and participants in federal judicial proceedings. Our primary goal is to ensure that no judge, other court participant, or witness is the victim of an assault stemming from his or her involvement in a federal court proceeding. Specifically in FY 2000:</p> <ul style="list-style-type: none"> <li>· We will effectively identify, assess and respond to threats against court personnel and property.</li> <li>· We will enhance the physical security of [9] new and renovated federal courthouses.</li> <li>· We will provide for the long-term protection of federal witnesses and their family members. [USMS, BOP]</li> </ul>	<ul style="list-style-type: none"> <li>· Percentage of federal criminal court proceedings meeting USMS security requirements.</li> <li>· Number of threats and assaults against judges and other court personnel.</li> <li>· Number of threats and actual assaults against protected federal witnesses.</li> <li>· Number of courthouses receiving enhanced physical security.</li> </ul>
6.1.2	<p><u>Assets Forfeiture</u></p> <p>In FY 2000, DOJ will increase accountability of the asset forfeiture program. The USMS will increase efforts to improve the timeliness of property disposal, the effectiveness and cost efficiency of program support and oversight functions, and training of personnel responsible for the operation of the Asset Forfeiture Program.</p>	<ul style="list-style-type: none"> <li>· Percent of real property sold at 85 percent or more of its market value. This indicator measures whether adequate safeguards are in place to ensure proper valuation of properties seized and unnecessary loss of revenue does not occur.</li> <li>· Percent of real property disposed of within one year. This indicator measures whether real property is disposed of within 12 months so that the government is not maintaining properties longer than necessary.</li> <li>· Dispose seized properties</li> <li>· Decrease days needed to dispose of property from USMS custody.</li> </ul>
6.1.3	<p><u>Fugitive Apprehension</u></p> <p>In FY 2000, DOJ will continue to identify and target for apprehension the most violent fugitives that are charged with serious federal criminal offenses. In support of this goal, the U.S. Marshals Service (USMS) will close 80% of its felony warrants (Class 1 warrants) within 1 year. [USMS]</p>	<ul style="list-style-type: none"> <li>· Percent of Class 1 warrants closed within 1 year.</li> </ul>
6.1.4	<p><u>Automated Data Processing (ADP) and Telecommunications</u></p> <p>In FY 2000, DOJ will integrate and connect all major computer systems in the USMS. In addition, the USMS will increase its ability to manage personnel and financial resources, detainee information, and improve safeguards against unauthorized access or use of the systems by investing in the ADP infrastructure.</p>	<ul style="list-style-type: none"> <li>· Time saved in rating and ranking resumes.</li> <li>· Time saved per site booking prisoners.</li> <li>· Time saved scheduling each prisoner.</li> <li>· Percent of JFMIP criteria met using STARS.</li> <li>· Number of USMS systems meeting DOJ 2640.2C. (AIS security requirements for operations systems.)</li> </ul>
6.2.1	<p><u>Victims and Witnesses</u></p> <p>In FY 2000, DOJ will promote increased participation of victims and witnesses throughout each stage of a judicial proceeding. At the federal level, we will train federal law enforcement officers and prosecutors in victim-witness responsibilities. We will also further develop and deploy a nationwide automated victim notification system. We will take steps to ensure that there is full compliance with the Attorney General's Guidelines for Victim and Witness Assistance. [USAs, CRM, FBI,</p>	<ul style="list-style-type: none"> <li>· Percentage of U.S. Attorneys Districts complying with automated notification requirements.</li> <li>· Number of victims and witnesses receiving assistance.</li> <li>· Satisfaction level of victims and witnesses receiving assistance.</li> </ul>

	OJP/OVC]	
6.3.1	<p><u>Bankruptcy Caseload</u></p> <p>In FY 2000, DOJ will emphasize the timely administration of bankruptcy cases and will meet projected increases in all Chapter filings while maintaining or reducing existing chapter 7 and chapter 11 case backlogs. The U.S. Trustee Program will also increase the number of civil enforcement actions filed in response to misconduct and fraud, and increase contacts with federal, state and local law enforcement agencies to assist in reducing such fraud. [USTP]</p>	<ul style="list-style-type: none"> <li>· Number of old (three years or more) bankruptcy cases as a percentage of total caseload. (Chapters 7 and 11)</li> <li>· Distribution of funds to creditors. (Chapters 7, 12, and 13)</li> <li>· Number of civil enforcement actions and criminal referrals.</li> </ul>

## CORE FUNCTION 7: Management

Although the primary focus of this FY 2000 Summary Performance Plan is on the programmatic goals related to carrying out the Department's mission, achieving these goals is dependent on strong and effective management practices. This Core Function includes departmental management priorities for the year ahead. These department-wide priorities cut across all functional and organizational boundaries and address such fundamental issues as integrity and accountability, planning, evaluation, financial management, information technology, customer service, and human resources.

### Maintaining Integrity

No goal is more important than that of maintaining the public's trust in the integrity of Justice programs and personnel. To that end, the independent Office of Inspector General investigates allegations of misconduct and carries out an aggressive program of audits and inspections. In addition, the Office of Professional Responsibility investigates allegations concerning the conduct of Department attorneys and law enforcement officers. Both the OIG and OPR also actively work with the component internal review units to deter and investigate improper behavior.

FY 2000 Performance Goal	FY 2000 Performance Indicators
<p><b>7.1.1 Oversight and Integrity.</b>            In FY 2000, the Department, through its independent Office of Inspector General (OIG) will continue to ensure integrity in DOJ programs and operations, including those related to the conduct of litigation and other representation activities. The OIG will focus its resources on increasing joint agency task force and working group activity by 20% (over FY 1997 actuals), affording the opportunity to determine criminal activity, reduce employee misconduct, and protect the civil rights of individuals while maximizing resource use efficiency. Additionally, OPR will continue to focus its resources on allegations that the Department's prosecutors and civil litigators engaged in misconduct in handling litigation, particularly those that involve judicial findings of prosecutorial misconduct. [OIG,OPR]</p>	<ul style="list-style-type: none"> <li>· Total number of OIG priority investigations closed and priority investigations remaining in an open status. These investigations include fraud, bribery, rights violations, drug violations, and sexual contact.</li> <li>· Number of administrative actions taken by components, as reported to the OIG.</li> <li>· Percentage increase of OIG participation in joint agency task forces and working groups.</li> <li>· Total number of OPR investigations closed and remaining in an open status.</li> </ul>

### Freedom of Information and Privacy Act (FOIA)

The Department recognizes that importance of a timely response to Freedom of Information and Privacy Act (FOIA) requests. Therefore, the Department will not only reduce the backlog of FOIA requests, but will achieve substantial gains in responding to FOIA requests in a more timely fashion.

### Customer Service

Consistent with the Justice Management Division's (JMD) mission statement and related descriptions of functional responsibilities, the Management and Planning Staff (MPS) works closely with the Budget Staff and other JMD staffs to guide various DOJ management improvement efforts, including overall implementation of the Government Program and Results Act (GPRA), conduct of program evaluations and reviews, encouragement of a customer service orientation, support for the Vice President's National Performance Review and other related efforts. However, important program performance information cannot always be converted into quantifiable data and, therefore, readers are encouraged to review the more complete narrative descriptions of accomplishments contained in the JMD-specific performance plan.

The following information is illustrative of progress that has either been made or is anticipated in the following areas:

### **Strategic Planning and Program Evaluation and Review:**

- DOJ developed and presented to Congress (by the September 1997 statutory deadline) DOJ's strategic plan. Working closely with JMD staffs, the DOJ also completed the first annual performance plan, as required by GPRA, and submitted it to Congress in February 1998. Both these documents were also referenced as providing general guidance to support the FY 2000 budget formulation process.
- Representative of the reviews of interest to DOJ leadership or outside overseers are the following:
  - Functional review of DOJ's litigating divisions (10-96)
  - Options for Legislation for Medicare Rates for Health Services for Detainees (12-96)
  - Review of INTERPOL (3-97)
  - Review of USMS Air Ambulance Services (7-97)
  - Options Paper/Fingerprinting Asylum Applications (7-97)
  - Review of Detention and Incarceration Programs within DOJ (phased reports issued in 7-97 and in 3-98)
  - Review of Community Relations Service (4-98)
- Scheduled studies are expected to address the following topics: performance systems used for DOJ's agent and attorney personnel; USMS' policies and procedures regarding the special assignments of deputies; feasibility of establishing a national sexual predator reporting system; options for DOJ workplace privacy policy; review of INS' naturalization process; and access to INS information when performing background checks on gun purchases.



**The Justice Program Review (JPR) Performance:**

- The INS is DOJ’s primary organization with fundamental and substantial program responsibilities that directly correspond to the implementation of customer service standards. As one of the Administration’s newly-designated “impact agencies,” the INS is pursuing a full range of customer service activities. For example, INS completed 11 reinvention projects as part of the Customer Service Lab at the INS El Paso District Office. One of these projects, the installation of information kiosks, increased customer access to information by 500 percent and reduced waiting time for that information from 1 hour to just minutes.

In addition, INS has incorporated and highlighted a number of specific customer service-oriented indicators in its GPRA-based performance measurement tables. These INS measures provide specificity in support of an FY 2000 performance goal that reads: “Deliver services to the public in a timely, consistent, fair and high quality manner.” Please refer to the “Immigration” core function section of this summary plan or to INS’ own performance plan for a complete discussion of anticipated customer service improvements.

- DOJ’s Justice Program Review (JPR) project also successfully completed the SENTRI lab pilot. Congress subsequently requested SENTRI lanes at five additional sites including the world’s busiest border port-of-entry, San Ysidro, CA.

More information on customer service is available from the National Performance Review (NPR) website. Similarly, the JPR team developed a home page to provide information and assistance regarding reinvention activities at DOJ.

- DOJ also completed consultant-supported redesign blueprint of INS' naturalization program and received some positive feedback from Congress regarding these efforts.

FY 2000 Key Performance Goals	FY 2000 Key Performance Indicators
<p><u>7.2.1 Freedom of Information and Privacy Act (FOIA)</u>            In FY 2000, DOJ will achieve substantial gains in responding to FOIA/PA requests, providing more timely responses to requests from the public. [FBI]</p>	<p>Reduction in backlog of FOIA requests.</p>
<p><u>7.2.2 Customer Service Standards</u>            In FY 2000, DOJ will continue to emphasize a customer focus in its service and benefits programs. This will include requirements for all affected components to update and report on the status of published standards; expand the number of programs and activities that have customer service standards and that report on customer satisfaction; and undertake more aggressive efforts to integrate published standards into component performance plans. [JMD, DOJ Components]</p>	<p>Number of program and activities with customer service standards.</p>

7.2.3 Provide information to the public and to stakeholders in an open, timely and complete manner, as appropriate. [DOJ components]	Percentage of component performance plans that include valid measures of customer satisfaction.
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## Financial Management

We are continuing to improve financial management practices throughout the Department. For FY 2000, the continuing goal is to receive an unqualified opinion on the Department's audited financial statements.

The Department continues to make progress toward upgrading, consolidating, and integrating its financial management systems. The Justice Management Division initiated a series of enhancements to the Financial Management Information System (FMIS). The FMIS is the system used by the Offices, Boards, and Divisions of the Department and the Bureau of Prisons. The U.S. Marshals Service is continuing implementation of a Financial Management System Software (FMSS), **STARS**, schedule system through a cross-servicing agreement with the Department of Commerce. The Federal Bureau of Investigation plans to conduct a review of its Financial Management System. The current system is dated and needs to be replaced or significantly enhanced. The Drug Enforcement Administration implemented a FMSS schedule system through a cross-servicing agreement with the U.S. Geological Survey, Department of the Interior. The Immigration and Naturalization Service initiated the implementation of a FMSS system with the Department of Commerce. In addition, the Federal Prison Industries, Inc., is continuing to implement the Management Control System, an integrated "mixed system" providing a standard system for manufacturing and financial data processing requirements. The Office of Justice Programs accepted a proposal offered by Digital System Group to implement a FMSS schedule system to replace its existing financial management system.

The Department has developed and is implementing a corrective action plan to obtain an unqualified opinion on all its financial statements. The scope of the Department's Financial Statement Working Group has been expanded to track and report the status of actions undertaken by each bureau component to resolve deficiencies which may prevent the Department from obtaining an unqualified audit opinion. Progress is being continuously monitored and reported to OMB quarterly.

The Department performed a comprehensive, Department-wide, debt management review. The review focused on the efforts of the Department and its components to implement the Debt Collection Improvement Act (DCIA) and improve debt management and debt accounting policies and practices. The report on the review provides (1) an inventory of the Department's debt; (2) detailed information on debt management and accounting practices; and (3) a Department-wide plan to fully implement the DCIA and correct deficiencies identified during the review in debt management and accounting practices.

## Planning and Evaluation

The Department recognizes that strategic information and technology are key to 21<sup>st</sup> century crime fighting. DOJ's FY 2000 performance plan supports the utilization of these tools to minimize crime and maximize the consequences for its perpetrators. The Office for Strategic Support's mission will be to provide assistance to the federal component of collaborative

partnerships, working closely with Office of the Associate Attorney General and other components developing community wide initiatives.

Spurred by the Results Act and other statutory initiatives to improve management, the Department is taking steps to improve its planning and evaluation capabilities. The Department believes that better planning along with the systematic assessment of results can make a significant impact on the efficiency and effectiveness of government operations. Planning helps insure that resources and programs are aligned against long term strategic goals and that efforts of multiple agencies are coordinated. Evaluation provides the necessary feedback to know whether our goals are being achieved and what works best.

Several of the Department’s components [including the FBI, DEA, USMS, BOP, and INS] either have prepared or are in the process of preparing strategic plans. As noted earlier, a department-wide strategic plan for the period 1997-2002 was submitted to the President and the Congress in September 1997 and provides the framework for this Summary Performance Plan. Although this plan, the first ever department-wide strategic plan, was a good start, improvements are necessary if the plan is to be of greater utility. The Department intends to begin in the next several months the process of preparing a new strategic plan, to be submitted no later than September 30, 2000, that will correct deficiencies in the earlier document.

The Department is also embarking on a project, described more fully in the next section of this Plan, to establish a performance measurement process and system that will insure that performance information is collected, analyzed and reported. In addition, the Department intends to reinvigorate efforts to formally evaluate its programs. We are seeking FY 2000 funding to support a series of evaluations to be performed by outside contractors of high priority programs identified by the Attorney General.

FY 2000 Key Performance Goals	FY 2000 Key Performance Indicators
<p>7.3.1 <u>Reinvention Laboratories</u> In FY 2000, DOJ will continue to foster innovation and improvement through its Justice Performance Review program. [JMD]</p> <p>7.3.2 <u>Financial Management</u> In FY 2000, DOJ will continue to strengthen and improve its financial management practices. Specifically, we will:</p> <ul style="list-style-type: none"> <li>· Demonstrate continued progress toward achieving unqualified audit opinions on financial statements required by the Government Management Reform Act.</li> <li>· Continue to support the efforts of the components to develop an integrated financial</li> </ul>	<ul style="list-style-type: none"> <li>· Number of reinvention labs sponsored.</li> <li>· Number of DOJ annual financial statements that received an unqualified audit opinion.</li> </ul>

<p>management system which provides accurate, reliable, and timely financial information. [JMD]</p> <p><u>7.3.3 Planning and Evaluation</u>          In FY 2000, DOJ will develop a new department-wide strategic plan. We will also continue to develop and implement a performance measurement process and system. In addition, we will conduct evaluations of selected high priority DOJ programs. [JMD, DOJ components]</p> <p>In FY 2000, DOJ will utilize multi-disciplinary, collaborative, information driven, problem-solving to increase public safety in any given community.</p>	<p>Number of program evaluations initiated and completed.</p>
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## Information Technology

The wise use of advanced information technology continues to be pivotal to mission performance. In FY 2000, DOJ will continue to implement its department-wide information technology architecture in order to promote interoperability and the development and maintenance of common standards, guidelines, and services among Justice information systems. Additionally, the Department expects that by FY 2000 the use of “digital signatures” will expedite the processing of documents and move the Department closer to becoming an information rather than paper-driven organization. We will also continue the work of the Information Technology Investment Board, chaired by the Deputy Attorney General. This Board reviews and approves major IT investments and monitors compliance with cost, schedule and performance targets.

## Computer Security

In FY 2000, DOJ will continue to improve the security of its computer and telecommunications systems. The operational systems in the five major law enforcement components will be accredited in accordance with security requirements. In addition, in FY 2000, the OIG will devote 30 percent of the Computer Security and Information Technology Audit Office (CSITAO) resources to security reviews of the Department’s myriad and diverse electronic information systems to promote the more efficient, effective, and secure operation of the systems reviews. [JMD,OIG]

The Department expects to meet Year 2000 requirements. Department leadership is aggressively monitoring this issue and providing periodic reports to OMB and the Congress.

JMD has been actively involved in fostering component involvement in the development and deployment of new technologies across the Department and is leading the Department-wide effort to accomplish a smooth Year 2000 transition and ensure that contingency plans are in place if problems do arise. The leadership of JMD, in defining a departmental architectural blueprint, will work to ensure the development and operation of secure, integrated information systems.

FY 2000 Key Performance Goals	FY 2000 Key Performance Indicator

<p><u>7.4.1 Capital Planning</u> In FY 2000, DOJ will continue to improve and expand its capital planning process by considering the expansion of its use of the ITIB investment criteria to the evaluation of proposed investments in information systems that are not currently subject to the ITIB review process. [JMD]</p> <p><u>7.4.2 Architecture and Infrastructure</u> In FY 2000, DOJ will continue to implement its department wide information technology architecture in order to enable components to enhance operational capabilities and lower costs through controlled migration to a secured, interoperable computer and communication environment. [JMD]</p> <p><u>7.4.3 Computer Security</u> In FY 2000, DOJ will enhance the authentication capabilities of the Department to increase the secure use of electronic messaging and document exchange in support of law enforcement and litigation personnel. [JMD, OIG]</p> <p><u>7.4.4 Year 2000</u> In FY 2000, DOJ will be compliant with Year 2000 requirements for all its mission-critical systems. [JMD, DOJ Components]</p>	<ul style="list-style-type: none"> <li>· Percentage of new and ongoing investment subject to ITIB evaluation criteria.</li> <li>· Percentage of component compliance with architectural standards on new information technology investments.</li> <li>· Secure exchange of information using authentication technologies in a cross-organizational pilot implementation that builds on the FY 1999 prototype project.</li> <li>· Percentage of systems that successfully pass the January 1, 2000 date without significant interruption in operation or data loss.</li> </ul>
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## Resources, Means, and Strategies

	1998 Actual	1999 Planned	2000 Requested
Core Function 7	\$109,410,000	\$113,503,000	\$268,383,000

In FY 2000, the Department of Justice plans to spend \$268 million on this core function. This is an increase of 145% from 1998 levels and is 136% increase from 1999 levels.

### Information Technology

In FY 2000 the Department will spend approximately \$1 million on supporting the ongoing effective and efficient management of Department programs. We are continuing to improve our financial management practices and information across the Department. DOJ's goal is to achieve unqualified audited financial statements, for itself and its components, in FY 2000. The INS is making a significant investment in a new **Federal Financial Management System (FFMS)**; the USMS is undertaking an IT initiative to develop the **Standard Tracking, Accounting, and Reporting System (STARS)**. The operational **Consolidated Asset Tracking System (CATS)** will support improved management of the disposal of forfeited assets.

The Department is funding significant upgrades to the technical infrastructure that supports the Offices, Boards, and Divisions within the Department and the Senior Management offices. The **Justice Consolidated Office Network (JCON)** will provide basic office automation services. The **Justice Consolidated Network (JCN)** is designed to provide a Department-wide a communications backbone using FTS2000 services to reduce costs, increase reliability, simplify network management, provide a common security approach, and achieve interoperability.

## CORE FUNCTION 7: Management

<p><b>Strategic Goals:</b>  <b>7.1 Strengthen oversight and integrity programs, ensure consistent accountability and emphasize our core mission responsibilities.</b>  <b>7.2 Meet or exceed the expectations of our customers.</b>  <b>7.3 Achieve excellence in management practices.</b>  <b>7.4 Make effective use of information technology (IT).</b></p>		
	<b>FY 2000 Performance Goals</b>	<b>Key Performance Indicators</b>
7.1.1	<p><u>Oversight and Integrity.</u>            In FY 2000, the Department, through its independent Office of Inspector General (OIG), and the Office of Professional Responsibility (OPR), will continue to ensure integrity in DOJ programs and operations, including those related to the conduct of litigation and other representation activities. The OIG will focus its resources on increasing joint agency task force and working group activity by 20% (over FY 1997 actuals), affording the opportunity to determine criminal activity, reduce employee misconduct, and protect the civil rights of individuals while maximizing resource use efficiency.</p> <p>OPR will continue to focus its resources on allegations that the Department's prosecutors and civil litigators engaged in misconduct in handling litigation, particularly those that involve judicial findings of prosecutorial misconduct. [OIG, OPR]</p>	<ul style="list-style-type: none"> <li>· Total number of OIG priority investigations closed and priority investigations remaining in an open status. These investigations include fraud, bribery, rights violations, drug violations and sexual contact.</li> <li>· Number of administrative actions taken by components, as reported to the OIG.</li> <li>· Percentage increase of participation in joint agency task forces and working groups.</li> <li>· Total number of OPR investigations closed and remaining in an open status.</li> </ul>
7.2.1	<p><u>Freedom of Information and Privacy Act (FOIA)</u>            In FY 2000, DOJ will achieve substantial gains in responding to FOIA/PA requests, providing more timely responses to requests from the public.</p> <p>In FY 2000, the FBI will achieve reductions in the backlog of FOIA requests by a total of 64% over FY 1998 totals. [FBI]</p>	<ul style="list-style-type: none"> <li>· Reduction in backlog of FOIA requests.</li> </ul>
7.2.2	<p><u>Customer Service</u>            In FY 2000, DOJ will continue to emphasize a customer focus in its service and benefits programs. This will include requirements for all affected components to update and report on the status of published standards; expand the number of programs and activities that have customer service standards and that report on customer satisfaction; and undertake more aggressive efforts to integrate published standards into component performance plans. [DOJ components]</p>	<ul style="list-style-type: none"> <li>· Number of programs and activities with customer service standards.</li> </ul>
7.2.3	<p>Provide information to the public and to stakeholders in an open, timely and complete manner, as appropriate. [DOJ components]</p>	<ul style="list-style-type: none"> <li>· Percentage of component performance plans that include valid measures of customer satisfaction.</li> </ul>
7.3.1	<p><u>Reinvention Laboratories</u>            In FY 2000, DOJ will continue to foster innovation and improvement through its Justice Performance Review program. [JMD]</p>	<ul style="list-style-type: none"> <li>· Number of reinvention labs sponsored.</li> </ul>
7.3.2	<p><u>Financial Management</u>            In FY 2000, DOJ will continue to strengthen and improve its financial management practices. Specifically, we will:</p> <ul style="list-style-type: none"> <li>· Demonstrate continued progress toward achieving unqualified audit opinions on financial statements required by the Government Management Reform Act.</li> <li>· Continue to support the efforts of the components to develop an integrated financial management system which provides accurate, reliable, and timely financial information. [JMD]</li> </ul>	<ul style="list-style-type: none"> <li>· Number of DOJ annual financial statements that received an unqualified audit opinion.</li> </ul>
7.3.3	<p><u>Planning and Evaluation</u>            In FY 2000, DOJ will develop a new department-wide strategic plan. We will also continue to develop and implement a performance</p>	<ul style="list-style-type: none"> <li>· Number of program evaluations initiated and completed.</li> </ul>

	<p>measurement process and system. In addition, we will conduct evaluations of selected high priority DOJ programs. [JMD, DOJ components]</p> <p>In FY 2000, DOJ will utilize multi-disciplinary, collaborative, information driven, problem-solving to increase public safety in any given community. [DOJ Components]</p>	
7.4.1	<p><u>Capital Planning</u> In FY 2000, DOJ will continue to improve and expand its capital planning process by considering the expansion of its use of the ITIB investment criteria to the evaluation of proposed investments in information systems that are not currently subject to the ITIB review process. [JMD]</p>	<p>Percentage of new and ongoing investment subject to the ITIB evaluation criteria.</p>
7.4.2	<p><u>Architecture and Infrastructure</u> In FY 2000, DOJ will continue to implement its department-wide information technology architecture in order to enable components to enhance operational capabilities and lower costs through controlled migration to a secured, interoperable computer and communication environment. [JMD]</p>	<p>Percentage of component compliance with architectural standards on new information technology investments.</p>
7.4.3	<p><u>Computer Security</u> In FY 2000, DOJ will continue to improve the security of its computer and telecommunications systems. <b>The operational systems in the five major law enforcement components will be accredited in accordance with security requirements.</b> In addition, in FY 2000, the OIG will devote 30 percent of the Computer Security and Information Technology Audit Office (CSITAO) resources to security reviews of the Department's myriad and diverse electronic information systems to promote the more efficient, effective, and secure operation of the systems reviewed. [JMD; OIG]</p>	<p>Secure exchange of information using authentication technologies in a cross-organizational pilot implementation that builds on the FY 1999 prototype project.</p>
7.4.4	<p><u>Year 2000.</u> In FY 2000, DOJ will be compliant with Year 2000 requirements for all its mission-critical systems. [JMD; DOJ Components]</p>	<p>Percentage of systems that successfully pass the January 1, 2000 date without a significant interruption in operation or data loss.</p>



## **PART II: Measurement Issues**

Developing an organizational capability to measure and report program performance information is necessary to comply fully with the Results Act. DOJ and its components have worked to identify a range of performance indicators that keep the primary focus on mission outcomes, while minimizing reliance on output measures. In addition, components are working to ensure full compliance with the Attorney General's concerns over the appearance of "bounty hunting." As discussed in the sections that follow, we expect that there will continue to be refinements and changes as our components deal with the complexities of data management and program measurement in a law enforcement environment.

### **New Steps to Strengthen Data Capacity and Integrity**

Whether requested by agency managers, Congress or the general public, there is an increasing call for more detailed and subject-specific performance information. Such new requirements for specialized data require time and funding commitments to resolve measurement and definition issues, determine data collection and reporting mechanisms, and actually undertake the required research or process.

#### **Identification of Data Sources.**

DOJ's plan for FY 2000 either begins or reinforces steps that address important performance measurement and data integrity concerns of the Results Act. For example, we have begun to identify specific data sources for the indicators included in this plan. For the most part, these sources are major statistical reports or internal case processing and management systems. Examples of these are listed in Appendix A.

We have also put in place an across-the-board DOJ requirement that each of our component's FY 2000 budget requests specifically identify the data source(s) for each of the indicators included in their more detailed plans. Although data are available for the vast majority of indicators, in a few areas new data collection systems must be developed or existing ones modified. We have also asked our components to discuss steps they will take to insure the accuracy of data reported under their systems. Because we rely so heavily on our component-level systems to address data integrity, we believe these new requirements are key improvements.

#### **Integrating Program and Financial Data**

We have taken steps to include a stronger programmatic focus in our financial management systems and related reports. Our goal, as stated in our Five-Year Financial Management Plan and in this Summary Performance Plan, is to provide complete and useful financial information that fully supports financial and performance reporting, so that program and financial managers can achieve their objectives. We are moving toward this goal by installing new accounting systems in the DEA, INS, OJP and USMS and by completing the migration of the Bureau of Prisons to the Department's system. We are also migrating JMD's debt collection accounting and disbursing system to the Department's accounting system. We are committed to the full deployment, by FY

2000, of JMD's automated debt collection and litigation support system, which will support the financial litigation efforts of the U.S. Attorneys and the Department's litigating divisions.

In addition, DOJ's Justice Management Division established a Managerial Cost Accounting Standards Working Group to develop a program framework in support of our audited financial statements. Specifically, the Working Group developed standards for classifying DOJ expenses according to the core function structure of the DOJ strategic plan. This action will further support DOJ's measurement of performance as required by the Results Act.

### **Development of a Performance Measurement Process and System**

In FY 1999 we are embarking on a new initiative to develop a systemic performance measurement process and system. With contractor assistance, we expect to make substantial progress in refining and clarifying measures; identifying data sources; assessing data quality, consistency and reliability; and collecting, verifying, analyzing and displaying actual performance data. The undertaking is envisioned as a two-phased project. The first phase will focus on the data requirements for reporting results of DOJ drug control programs. The second phase will expand the project to other program areas and support preparation of the Results Act performance report. This phase also calls for the design and testing of a decision-support system that uses technology such as data warehousing to meet multiple and changing needs for performance information.

### **Focus on Evaluation**

Each DOJ component organization uses an assortment of investigative, litigation, technical assistance, training or other strategies to conduct its mission activities, whether these activities involve investigating crime or helping prepare inmates to reintegrate into society. A performance measurement system, by itself, will not be able to establish definitive causal relationships between the "inputs" of specialized strategies and the outcomes for which they are intended. A strong evaluative capability will be needed to help make those types of assessments.

DOJ and the Office of Justice Programs (OJP) have long been committed to the value of research and evaluation. The 1994 Crime Control Act added a new impetus to these efforts at the same time that it put new focus on several specific programs, i.e., community-oriented policing services; grants to counter violence against women; sentencing and corrections programs, and Drug Courts. Consistent with the 1994 statute, each program office that administers these programs has allocated up to five percent of its funds to support evaluative studies of the new programs by OJP's National Institute of Justice (NIJ). In addition to its national-level evaluations, the NIJ encourages partnerships between researchers and the police, corrections officials, and other justice practitioners to study topics important to the local jurisdiction.

Other DOJ components have also begun to put more emphasis on evaluation. For example, the BOP recently undertook an evaluation of its residential drug abuse treatment program, designed to monitor inmates up to three years following release from BOP custody. This study is being conducted with funding and assistance from the National Institute on Drug Abuse. An interim report, based on inmates who have been released into the community for six months, suggests that BOP's institutional treatment programs are effective in reducing recidivism and

substance abuse. Although it may take years more to validate, these preliminary findings underscore the importance of BOP's tracking the inmates' level of participation in such treatment programs.

Our FY 2000 performance plan anticipates that we will put far more emphasis on program evaluation in the future. It is anticipated that we will have a formal evaluation agenda in place during the current year.

## **Development of New Measures**

DOJ and its components are beginning to reassess certain performance indicators to address emerging crime threats and the evolving enforcement responses. For example, a new FBI focus on preventing specifically-targeted crime now requires more attention to measures that are anticipatory, not reactive. Using the example of hate crimes, the FBI explains that this approach might involve tracking the "proportion of agencies and communities that adopt and use training and (other) models developed" . . . to counter this problem. In other words, more emphasis is being given to the implementation of process or procedural changes that will result in the prevention of such crime. Similarly, the FBI states that the truest measure of anti-terrorism efforts will be the "ability to respond to terrorist acts before they occur."

Determining the success of certain specialized federal enforcement efforts will likely involve the design of new sets of measurement tools, covering not only enforcement strategies, but also long-term economic impact, as shown by industry and market indices. For example, in the white collar crime (WCC) area, DOJ's Antitrust Division is developing "proxy" measures that give an indication of the magnitude of its enforcement efforts, as well as the "economic reach" of the Division's efforts. The FBI's WCC program is also exploring use of new measures, moving beyond tracking of traditional data. For example, the FBI's traditional WCC measures include the simple number of informations and indictments obtained and an estimated gross dollar value of recoveries and restitutions. By contrast, its new measures tend to be far more specific and geared to the strategy being used, e.g., per cent of financial institution fraud cases investigated by local law enforcement in areas covered by FBI task forces and economic loss to financial institutions related to durable medical equipment. Actual data for some of these newer measures is already being tracked.

Other DOJ components are working to revise or develop additional measures that will support a stronger capacity to understand the nature of the crime threat and determine what type and level of resources with which to respond. For example, the USMS' FY 2000 performance plan includes a new performance indicator ("inappropriate communications received" by the judiciary) in order to better differentiate among the various types of threats regularly directed against judges and other court personnel. In addition, the USMS is working to develop a measure that will track the average number of days to close Class 1 warrants, for both domestic and international fugitives.

## **Inspector General Plans**

To further assist with implementation of the Results Act, various Offices of the Inspector General in Executive agencies are undertaking plans to examine the data integrity concerns of performance information. DOJ's OIG has indicated that they will do significantly more in the area of verification and validation of supporting data sources and information systems used for the performance measures outlined in agency performance reports and strategic plans. The OIG's role will be to assess the performance goals to ensure that they are appropriate, objective, quantifiable, and measurable. The OIG plans to be able to report on the key outputs, service levels, and outcomes.

In a related effort, being undertaken as part of the implementation of the Government Management and Reform Act, DOJ's OIG has begun an internal control assessment of DOJ's case management systems. The objective of this assessment is to determine whether controls exist to ensure that information provided by DOJ to client agencies is accurate and complete.

## **Measurement Issues of Special Relevance to DOJ Activities**

This section includes brief descriptions of certain data and measurement issues and related actions that emerged during DOJ's early experience with implementing the Results Act. Although not all-inclusive, we have selected several of the more significant of these issues and generally grouped them according to core function. We believe they illustrate some of the unique measurement issues and concerns that we confront in federal law enforcement efforts.

### **Law Enforcement and Criminal Prosecution Measurement Issues**

There are many different and sensitive factors that play a role in attempts to measure performance in the investigation and prosecution of criminal offenses. Foremost among these is the previously-noted Attorney General directive that "bounty hunting" never be associated with federal enforcement activities. Consistent with this policy, all DOJ components with criminal investigative responsibilities currently report only prior-year "actual" data for certain key indicators, e.g., indictments, convictions and seizures. We believe this policy properly insulates our agent and attorney personnel from inappropriate pressure to project and achieve a targeted level of enforcement activity. It also protects the justice system from being perceived as encouraging a "quota-driven" approach to measurement. At the same time, this policy emphasizes that we maintain a record of past performance, thereby establishing overall accountability for specific results.

A second important factor is that many federal law enforcement activities will require more than one year to achieve results. Consequently, indicators are difficult to quantify on an annualized basis. Subjects of federal investigations usually have wide-ranging criminal influence and measuring success against them should involve analyses that are equally wide-ranging. An example of this is the Federal Bureau of Investigation's (FBI) effort against organized crime/La Cosa Nostra (LCN) syndicates. The outcome measure selected is "Percentage reduction in LCN membership." Additional outcome measures are still under development, and illustrate the long-term and difficult nature of designing true outcome measures. For less sophisticated organized

crime groups, e.g., gangs, the FBI believes that impact may be more readily measurable, focusing on the actual disruption, dismantlement, and changes in amount of criminal activity by these groups. However, a multi-year effort is still anticipated.

In addition, in certain specialized enforcement areas, e.g., drug abuse, trying to evaluate the success of law enforcement through indicators such as “overall drug usage percentages” can be misleading. DOJ believes that measures such as drug use are generally dictated by the “demand side” whereas the majority of our enforcement efforts, especially those of the Drug Enforcement Administration (DEA), are primarily focused on the supply side. On the whole, demand reduction activities are not part of the core missions of DOJ’s criminal enforcement organizations and comprise only a relatively small proportion of their budgets. Also, several other aspects of drug law enforcement are particularly difficult to quantify and performance data can be easily misinterpreted. For example, DEA states that the “impact of investigative intelligence is difficult to quantify”. . . and that, much like arrest and conviction data, they “must be accompanied by a qualitative assessment.” DOJ’s Criminal Division notes, in support of the Interagency Crime and Drug Enforcement program, that “it is extremely difficult to evaluate the significance of a particular law enforcement action based merely upon statistical figures.”

Other significant issues that influence how we measure progress in criminal investigations and other litigation include the following:

- **There is no reliable baseline data for certain types of White Collar Crime or newly-emerging threats, e.g., computer crime. Where they exist, data trends may be inconclusive.** For example, some estimates of the extent of computer crime range from 40 thousand to 900 million per year – and use of the INTERNET is expanding exponentially. In addition, DOJ’s Antitrust Division observes that there is no “anti-trust crime rate” against which to measure the efficacy of enforcement. Also, the FBI’s assessment is that the effort to quantify the scope of technology-based crime is complicated by a victim’s frequent refusal to report such crime due to such factors as a fear of adverse publicity.

Despite these difficulties, DOJ enforcement components are working to develop reasonable measures and identify baseline data that are as clearly and directly linked to the outcome intended as possible. For example, over the past three years the FBI has supported an annual survey by the Computer Security Institute to establish better baseline data on the nature and scope of technology-based crime.

- **DOJ efforts to assess progress in the high-priority National and Economic Security areas are complicated by several key external factors that are particularly difficult to control.** For example, threats are often foreign-based and so cannot be easily managed. As noted in the FBI’s draft strategic plan, certain threats “are planned, authorized, and financed by government entities beyond our boundaries and the reach of our laws. Measures of success in these areas will gauge the FBI’s capacity to detect potential hostile activities by foreign powers against the United States. . . .”

- **For certain priority programs (e.g., protecting the Nation’s infrastructure and countering cybercrime), achieving a specific level of “readiness” may be the most appropriate indicator of success. Although more difficult to measure, prevention and deterrence are increasingly viewed as the most desirable outcomes for some DOJ programs.** In the context of counter-terrorism, this “readiness” measure may entail such elements as being “fully staffed” or properly “trained/equipped” to meet the identified threat. In another example, DOJ’s Antitrust Division is trying to develop qualitative measures related to deterrence.
- **Certain DOJ programs must rely heavily on “output” indicators. These can be especially useful for those parts of an organization’s mission that require the delivery of specialized expertise or other technical support functions.** For example, DOJ’s Criminal Division tracks the number of “computer crime training sessions held” which is consistent with its related strategy of providing expert technical and legal support to prosecutors and investigators. Another significant output it tracks is “number of multi-district narcotic investigations coordinated.” This directly relates to the Division’s goal of “fostering coordination among DOJ components and their counterparts.” These types of output tracks, as well as centrally-maintained “case counts” (that provide breakouts by offense categories) provide an important reference points, as well as some indication of the resources being directed toward certain problems. They are also responsive to certain stakeholders or customers.
- **Many of DOJ’s caseload projections are based on historical trends. Ongoing improvements to case management systems may change how these projections are made.** For example, DOJ’s Civil Division makes its estimates on the assumption that federal courts will keep pace with current trends and notes that “any change in court output will have an impact” on these estimates. The Tax Division is in the process of redesigning its system and expects that fully automating its statistics function may cause some variation in the way some statistics are calculated.

### **State and Local Assistance-related Measurement Issues**

There are also unique factors that influence how we measure performance in providing law enforcement assistance to state and local governments, often in close partnership with other public or private organizations. We have learned in particular that the provision of technical assistance and a strong commitment to routine monitoring and program evaluation are elements vital to measuring program success.

DOJ and the Office of Justice Programs (OJP) share the belief that research and evaluation strengthens the potential for identifying and collecting data that is both reliable and valid. Evaluations may take two years to publish results and even then may not necessarily generate findings that are uniformly applicable to other projects. Nevertheless, results from long-term “impact evaluations” can have significant consequences because they may guide policy or program funding decisions. For example, preliminary results from Abt Associates’ evaluation of the Weed & Seed program provide important implications for future expansion of the program.

DOJ's FY 2000 Plan reinforces the approach that a strong central office review and monitoring capability will further improve data integrity/verification efforts in grant-making programs. For example, in both the Community Oriented Policing Services (COPS) and the Weed and Seed programs, validation data from sites was improved by a central requirement that appropriate information be included in the 1998 grant applications. These data, in turn, will be verified by site visits over the year. OJP also notes that one focus of its "Statewide Community Initiative" will be on strengthening efforts to validate performance measures through a planned review of progress reports, telephone contacts, and on-site monitoring.

Other significant measurement issues include the following:

- **Many performance indicators in this functional area are also necessarily "output"-oriented, e.g., number of grants/projects awarded or managed; training provided; forensic examinations performed, etc.** DOJ believes that such measures are appropriate and consistent with OMB guidance and that they provide valuable information on the type and extent of services being provided to agencies and the public in general.
- **The success of DOJ programs in this area is dependent on the capabilities of state and local systems and successful interaction with them, as well as grantees. Future system-wide improvements are expected to rely heavily on shared advances in information technology.** In recognition of this, OJP will be supporting a major "information technology integration" initiative that will facilitate development of shared systems. Among other improvements, this should strengthen the overall capacity to meet evolving data requirements. In addition, OJP is supporting new initiatives designed to address increasing operational concerns in the criminal justice community regarding issues of standardization, change of custody procedures, and laboratory capacities. The development of baseline data and best-practice guidelines for investigative and forensic sciences is anticipated and shows how DOJ assistance can foster system-wide improvements.

The COPS program provides another example of how we rely on state and local partnerships to gauge our successes in providing useful assistance. In addition to its own management system, semi-annual surveys, the triennial COPS Count and other internal databases, COPS will look to some of its partners such as the Federal Law Enforcement Training Center, the Community Policing Consortium, and the Regional Community Policing Institutes to provide data related to COPS' training activities.

- **As DOJ assistance programs are increasingly targeted at the neighborhood level, additional importance is given to those performance indicators that capture local feedback, including customer surveys.** For example, as part of its Safe Havens initiative, OJP is tracking a performance measure that identifies the percentage of participants who "feel that community policing is working to reduce crime." These and other related performance data elements were refined during 1998 in consultation with the Justice Research and Statistics Association.

Finally, tracking post-treatment success in some specialized areas of assistance can be problematic. For example, DOJ components have supported a variety of programs intended to reduce or eliminate future abuse among drug offenders. However, some states or programs may have experienced funding or other difficulties in establishing mechanisms to track drug use and recidivism among program participants, particularly during a follow-up period in the community.

### **Immigration-related Measurement Issues**

The accuracy and reliability of immigration-related statistics has been the focus of much attention over the years. DOJ's Immigration and Naturalization Service (INS) has made substantial progress in making improvements in this area, including the implementation of previous General Accounting Office (GAO) recommendations. In fact, the INS has established "data integrity and integration" as an agency-wide priority. This action reflects INS' determination to review its data collection, processing and reporting activities in order to "increase efficiency, consistency, accuracy, and timeliness of data availability." INS has committed itself to address the areas of technology deployment and support, system utilization and effectiveness, financial systems and records modernization and integrity, and information effectiveness.

In addition, DOJ and INS have engaged independent contract assistance as part of a sustained effort to implement an entirely new Naturalization process. An important part of this project is to identify and begin tracking performance measures that will systematically test features of the new process and flag opportunities for improvement. Measures are being designed and put in place for each of the Naturalization program's key subprocesses, including the operation of INS call centers, the fingerprinting process, the role of its Service Centers, and the adjudication ceremony itself. Because this is a relatively new effort, significant measurement difficulties are still being met, e.g., need to redefine certain metrics, smooth out reporting and other coordination issues among agencies, etc. A related part of this larger effort is a contractor-supported project to reduce the Naturalization program's existing backlog. Monitoring performance will be a key part of this undertaking as well.

INS' FY 2000 performance plan calls for it to initiate evaluations of new and pilot programs, including those mandated by the Illegal Immigration Reform and Immigrant Responsibility Act, and to expand its evaluation of several employment verification pilot programs mandated by Congress. A proposed survey of recently-naturalized citizens is expected to provide in-depth information to evaluate the enhancements now being implemented and to guide further improvements. In addition, the INS has used existing resources to join with the National Institutes of Health and the National Science Foundation in cosponsoring the pilot of a survey of new immigrants.

Finally, INS has taken several steps to meet prior GAO criticisms. For example, GAO reported in July 1998 that INS' Statistics Branch had been "working to improve its capacity and coordination by hiring qualified professional staff and by coordinating its statistical activities with other agencies that produce data on the foreign-born."<sup>2</sup> The GAO report also states that experts on immigration statistics "credit the Branch for making improvements in its capacity to produce

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<sup>2</sup> GAO report entitled "Immigration Statistics" Guidance on Producing Information on the U.S. Resident Foreign-Born July 22, 1998



statistical information.” INS has noted that it believes that it could make further improvements, including undertaking ongoing quality assurance programs and publishing statistical standards to act as overall guidance.

Noted below are some other key issues affecting performance measurement in DOJ’s immigration-related programs.

- **Successful deployment and utilization of advanced operational support systems, e.g., INS’ CLAIMS 4.0, ENFORCE and IDENT systems, are closely linked to overall data management improvements. In turn, these deployments are dependent on the availability of resources.** INS’ FY 2000 performance plan acknowledges this interconnection by establishing as a specific goal the number of employees who will receive technology infrastructure “refreshment” for the systems in place. In addition, its plan sets specific utilization goals, e.g., “maintaining a 95% utilization of ENFORCE and IDENT at sites where they have been deployed.”
- **Improvements in certain data integrity areas are often interconnected with other ongoing improvement initiatives. INS’ Records Modernization program is heavily dependent on the approval and establishment of a National Records Center (NRC) in FY 1999. Proposed performance measures may remain under development during this period, although they can still provide useful information regarding the ultimate outcome of the proposed initiative.** INS has used its performance plan to describe different initiatives to improve the timeliness and reliability of alien-based information, including establishment of the NRC. Its proposed future measures include a “reduction in time to transfer physical files” and an “increase in the proportion of information access that is done through (means) other than hard copy.”
- **Feedback from users will ultimately determine the adequacy of improvements to the accuracy, timeliness, and relevance of information in databases.** INS has established “improvements in data entry accuracy and timeliness” as key indicators in this area, but has determined that “user satisfaction with mission-critical data and reports” is the most appropriate “outcome” indicator to measure progress.

### **Incarceration and Detention-related Measurement Issues**

Accurately estimating immediate and long-term needs for confinement bedspace is an urgent concern of several DOJ components, i.e., the Bureau of Prisons (BOP), the U.S. Marshals Service (USMS), and the INS. Developing such projections is an inexact science because there are so many factors outside the control of any single DOJ component that influence future prison and detention populations. The pace and success of investigations and prosecutions to counter constantly changing patterns of drug trafficking and illegal immigration along the Southwest Border are just two of the factors involved.

BOP’s goal of “adding capacity to keep pace with inmate population growth and reduce overcrowding” -- and achieving a specific level of reduced overcrowding within a specific timeframe -- is directly tied to population projections and an assumed level of funding. An

example of the difficulty of accurately forecasting prison population occurred during FY 1998 when BOP revised its projections upward twice due to substantial increases in the number of drug convictions, the number of immigration cases from the Southwest Border, and a higher than expected influx of D.C. inmates. These increases directly affected BOP's goal to reduce its overall overcrowding rate to 15 per cent and contributed to an end of year overcrowding rate of 26 percent. This illustrates how unanticipated trends or events, combined with lower funding levels than initially planned, can impact an agency's ability to achieve its stated goals.

The BOP uses two essential types of data to predict its future inmate population. The first is based upon the actual sentences of inmates. Because the federal government uses determinate sentencing, this data is quite accurate and stable. The second type of data used in the BOP projection model are defendants in cases commenced. Recent trends in these data help BOP anticipate the number of its future admissions. However, abrupt changes in the actual number of defendants can produce relatively large errors in the projections. Since these data depend on the local resources and policy decisions of law enforcement and the U.S. Attorneys, trends in the number of defendants in cases commenced are difficult to predict.

Other significant measurement concerns or improvements underway in this functional area, not necessarily limited just to the overcrowding issue, include the following:

- **Success in maintaining planned activation schedules (i.e., tracking the number and timeliness by which its facilities become operational) is another important measurement or reliability factor.** In 1977, the BOP changed the method used for estimating activation dates by adopting a more conservative approach that resulted in pushing back estimated activation three to six months per project. Previously, activation dates reflected substantial completion of construction at the site, usually when staff were beginning to arrive. Currently, the dates reflect the point when inmates arrive at the facility, and are more in line with the historical record of activation. In addition, activation schedules are affected by contractor delays, weather-related problems, and unanticipated site difficulties.
- **Projecting detention bedspace needs has been similarly difficult for the USMS, particularly on a district-by-district basis.** As part of its underlying mission to support the safe and efficient operation to the Federal judiciary, the USMS has primary responsibility for detaining Federal prisoners and delivering them to and from court proceedings. The USMS' ability to meet the daily prisoner housing (an average of over 25,000 each day during 1997) and transportation workload is complicated by the constantly shifting nature of law enforcement activity. The USMS has been using contract support to design a viable model for making better projections.
- **As in other functional areas, the continuing development of internal accounting and financial management systems will strengthen the ability to produce program and performance information.** For example, the USMS is developing a Standardized Tracking and Reporting System (STARS) that holds promise for further improvements in data integrity. According to USMS's performance plan, this system is being implemented

in headquarters in FY 1998 and in the field during FY 1999. Phase 3 of STARS would provide additional reporting upgrades, including an Executive Information System that will allow ad hoc queries by managers.

- **SENTRY is BOP's primary source for tracking program performance information, but its capabilities have been limited.** A number of steps are planned to improve data accuracy and completeness of SENTRY data. For example, the BOP has tasked specific "subject matter expert" offices within the agency with validating and ensuring accuracy of performance indicator data provided and the data is centrally collected by a BOP headquarters division. Top management of BOP have taken ownership of their performance indicators and will continue striving to refine and improve these indicators and their sources.

## Data Sources and Systems

As noted previously, DOJ has instructed its components to identify within their individual performance plans the specific sources of data for each indicator. For the vast majority of these indicators, data are already collected and reported through existing statistical series or internal data systems. Appended to this plan is a summary of the principal sources of FY 2000 performance data.

Some indicators require modifications or enhancements to data collection systems. For example, the OCDETF program plans to work with the investigative agencies and the U.S. Attorneys to collect data on completed investigations regarding the extent to which the goal of dismantling or disrupting the criminal organization has been achieved. The U. S. Attorneys plan to begin to collect data on victim impact statements in Federal criminal proceedings. DEA will be expanding the use of post deployment reviews to measure the effectiveness of its MET program.

There will also be continuing refinements made as research continues in response to changing crime patterns and problems. As one example, the problem of police use of excessive force received increased public attention in the past few years as a result of a number of highly publicized cases. The Crime Control Act of 1994 (Title XXI) strengthened the federal role in controlling such conduct and instructed the Attorney General to "acquire data about the use of excessive force by law enforcement officers" and publish an annual summary of that data. One early finding, jointly determined by the FBI and OJP's National Institute of Justice, was that no single data collection mechanism could provide a complete picture of this problem, although several methods (use of court records and data on citizen complaints to the police) were possible. Subsequently, the Bureau of Justice Statistics (BJS) awarded the International Association of Chiefs of Police (IACP) a grant, co-funded by NIJ, for the National Police Use of Force Database Project to collect incidence data nationwide. In the first year, the IACP developed software that enables police agencies to record a wide range of information such as type and level of force used, characteristics of the officer and the suspect, and outcome of complaints if one is filed. The next step is collecting the data from police agencies in the seven states where the project is being piloted.

DOJ also recognizes that performance information must have some uniformity in definition and be accessible to line managers if it is to be meaningful. For many DOJ components, data

integrity is heavily dependent on the effectiveness of its operational case tracking systems. For example, DOJ's Criminal Division currently relies on its sections to report workload data using an established format to ensure uniformity across the Division. To ensure more complete and accurate data, this process will be automated with the roll out of the Division's case tracking system. The Civil Division relies heavily on its own automated tracking system (CASES) to meet management and planning needs. Because it has made data accuracy an important goal of the system, the Division has in place numerous safeguards, including a contractor staff review of case listings, the generation of exception reports, and follow-up interviews with attorneys regarding case status. Despite these efforts some data limitations do exist, e.g., incomplete data on case terminations and attorney time. To its credit, Civil Division managers have made adherence to the reporting requirements of CASES a performance element in all attorney work plans.

