



Fiscal Years
2007-2012

STRATEGIC PLAN



*Stewards of the
AMERICAN DREAM*

U.S. DEPARTMENT OF JUSTICE

Stewards of the American Dream:

The Department of Justice Strategic Plan

FY 2007-2012

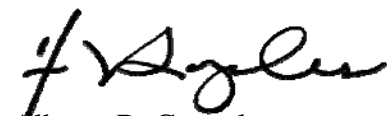
A MESSAGE

FROM THE ATTORNEY GENERAL

More than five years have passed since September 11, 2001, when horrific terrorist attacks claimed the lives of thousands of our fellow Americans. Those events have reminded us of the rich – but perishable – blessings of liberty. They gave us all a new appreciation for what we have to lose: a free and prosperous country, where we and our children can live without fear in the pursuit of happiness. At the Department of Justice, we have redoubled our commitment to defend our great Nation and her people.

When I laid out my strategic vision for the Justice Department, I made it clear that our mandate comes from a long history of protecting the American dream. That mandate is clearly reflected in the first goal of the *2007-2012 DOJ Strategic Plan*: “Prevent Terrorism and Promote the Nation’s Security.” But our mission at the Department is not limited to fighting terrorism. True liberty likewise depends on safe neighborhoods, equal opportunity, and government and corporate integrity. In addition to the fight against terrorism, the Justice Department will focus on five additional priority areas in the coming years: violent crime, drug trafficking, cybercrime, civil rights, and public and corporate corruption. I have charged the Department to focus on these priorities because I believe that success in these areas will help safeguard the American dream in the 21st century.

As the threats facing America have changed, the Department of Justice has changed to meet them. Our core objective is simple, but vitally important: we must meet every challenge to the security and liberty of the American people. I have seen in the eyes of the men and women who serve within the Department of Justice both a joy of service and an unyielding determination – together, we are committed to meeting the goals set out in this plan to protect and to serve the American people and our great Nation.



Alberto R. Gonzales

TABLE OF CONTENTS

Introduction	i
Matters of Justice: An Overview of Major Issues and Trends	1
Department of Justice Goals and Objectives: Fiscal Years 2007 - 2012	11
GOAL 1: Prevent Terrorism and Promote the Nation's Security	17
GOAL 2: Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the People.....	33
GOAL 3: Ensure the Fair and Efficient Administration of Justice	77
Managing the DOJ Mission.....	95
APPENDICES	
Appendix A: Long-Term Measurable Outcome Goals	105
Appendix B: Cross-Reference of Strategic Objectives	109
Appendix C: Program Evaluations	111
Appendix D: External Factors that May Affect Goal Achievement.....	117
Appendix E: Glossary of Abbreviations and Acronyms	119
Appendix F: Justice Component Web Sites.....	124

INTRODUCTION

"The American dream is about living and prospering in a secure, lawful, hopeful, and safe society, and it is a dream that for many years has been protected in large part by the actions and the activities of men and women just like you . . . we are the stewards of the American dream!"

*Attorney General Alberto R. Gonzales
February 15, 2006*

These words, spoken by Attorney General Alberto R. Gonzales to Department of Justice employees on the occasion of the first anniversary of his swearing in as Attorney General, speak to the tremendous responsibility of the Department to preserve the American dream for all those who live on our soil.

The responsibility extends over the broad spectrum of American life. It begins, however, with the fight on terrorism. Without a measure of security against enemies who seek to destroy the American promise of liberty and prosperity, the American dream cannot be realized. Since the attacks of September 11, 2001, providing that security has been the Department's top priority. As Deputy Attorney General Paul J. McNulty has said: "The extent of September 11th's impact on the Department of Justice cannot be overstated." As described in these pages, we will continue to enhance our counterterrorism capabilities by strengthening and restructuring our organizations, setting new priorities, and developing new investigative and prosecutorial methods. Moreover, we will continue to work vigorously within the Department, as well as with agencies outside, to improve how we collect, maintain, use, and disseminate intelligence information to preempt any future attacks.

Our responsibility extends beyond providing security from terrorists, however. It extends to making our streets safe for our families; to protecting our children from pernicious predators who exploit the advances of technology and the anonymity of the Internet to achieve their nefarious aims; and to ridding our communities of illegal guns and drugs, which erode our chances to live in a safe society and pursue our dreams.

DOJ's dedicated employees strive to create a level playing field for all Americans, by targeting those who would abuse their power, whether it be in government or the corporate world; they stand as advocates for the American people to protect the American way, whether by preserving the environment, business opportunity, or the stability of the justice system created by our forefathers and preserved by the generations of Americans that followed.

In his address, Attorney General Gonzales pledged all the Department's assets to a resolute approach to protect the dream: "With whatever resource we obtain as a department, we will work smarter, better, and more efficiently, which are the hallmark traits of good government and public service." The *DOJ Strategic Plan for FY 2007-2012* describes how we will use our resources. It assures the public that those resources will be devoted to our most critical mission areas, and that none will be wasted through duplicative or overlapping activities.

The plan describes comprehensive, realistic, multiyear strategies for carrying out the Department's mission and meeting our responsibilities. It is oriented toward achieving our vision of securing equal justice for all, enhancing respect for the rule of law, and making America a safer and less violent nation. It provides to the President, the Congress, and the American people an overview of the problems and challenges the Department faces in the years ahead and the goals and objectives we have set for ourselves. It is a reaffirmation of our commitment to be responsible stewards of the American dream.

THE DEPARTMENT OF JUSTICE MISSION, ORGANIZATION, AND CORE VALUES

General, the Department of Justice comprises some 40 separate component organizations, some with multiple areas of expertise, others with areas that are very specialized. (See organization chart.)

Mission

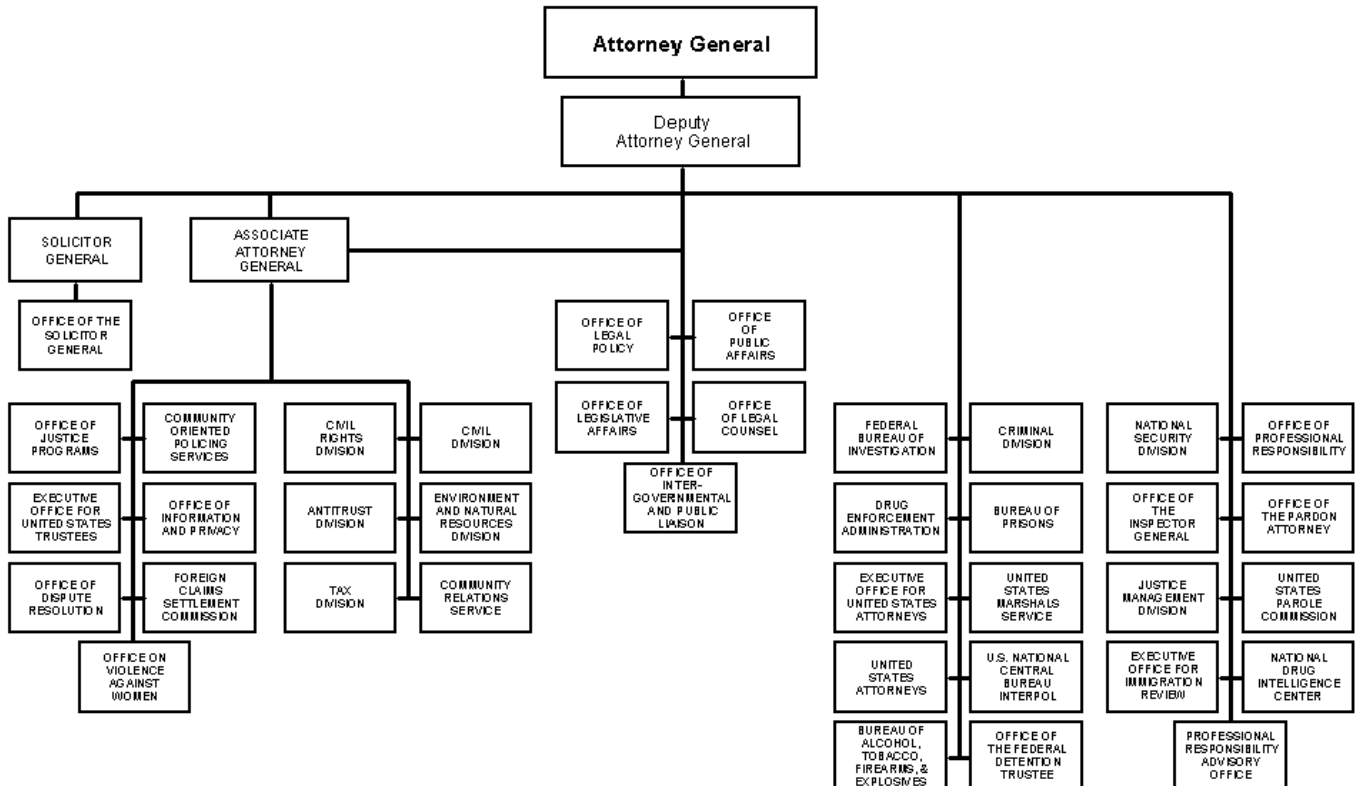
The mission statement of the Department of Justice reflects the breadth of its responsibility: "...to enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans."

Organization

A mandate as broad as that of the Department of Justice requires an organizational structure capable of meeting it. Led by the Attorney

These components include the United States Attorneys, who prosecute offenders and represent the United States Government in court; the major investigative agencies – the Federal Bureau of Investigation; the Drug Enforcement Administration; and the Bureau of Alcohol, Tobacco, Firearms, and Explosives – which deter and investigate crimes, and arrest criminal suspects; the United States Marshals Service, which protects the federal judiciary, apprehends fugitives, and detains persons in federal custody; the Office of the Federal Detention Trustee, which oversees detention management; and the Federal Bureau of Prisons which confines convicted offenders. The most recently established component is the National Security Division, which brings together national security, counterterrorism, counterintelligence, and foreign intelligence

U.S. DEPARTMENT OF JUSTICE



surveillance operations under a single authority.

Litigating divisions represent the interests of the American people and enforce federal criminal and civil laws. These organizations include the Antitrust Division, Civil Division, Civil Rights Division, Criminal Division, Environmental and Natural Resources Division, and Tax Division. The Office of Justice Programs and the Office of Community Oriented Policing Services provide leadership and grant assistance to state, tribal, and local governments, while the Office on Violence Against Women is responsible for activities under the Violence Against Women Acts of 1994 and 2000.

Other major departmental components include the National Drug Intelligence Center, the United States Trustees, the United States Parole Commission, the Justice Management Division, the Executive Office for Immigration Review, the Community Relations Service, the Office of the Inspector General, and several offices that advise the Attorney General on policy, law, legislation, and oversight.

Headquartered in Washington, D.C., the Department conducts most of its work in offices located throughout the country and overseas. To execute the mission, the Department depends on each of its 106,000 loyal, skilled, and dedicated employees.

Core Values

Our core values underlie our work, inform our strategic goals, and guide our employees:

❖ *Equal Justice Under the Law*

Upholding the laws of the United States is the solemn responsibility entrusted to us by the American people. We enforce these laws fairly and uniformly to ensure that all Americans receive equal protection and justice.

❖ *Honesty and Integrity*

We adhere to the highest standards of ethical behavior, cognizant that as custodians of public safety our motives and actions must be beyond reproach.

❖ *Commitment to Excellence*

We seek to provide the highest levels of service to the American people. We are effective and responsible stewards of the taxpayers' dollars.

❖ *Respect for the Worth and Dignity of Each Human Being*

We treat each other and those we serve with fairness, dignity, and compassion. We value differences in people and ideas. We are committed to the well-being of our employees and to providing opportunities for individual growth and development.

PLANNING, PERFORMANCE, AND BUDGET

The Department of Justice Strategic Plan for Fiscal Years 2007-2012 is prepared pursuant to the requirements of the Government Performance and Results Act. It updates and supersedes the strategic plan published by the Department at the end of September 2003, covering fiscal years (FY) 2003-2008. This updated plan, the first under Attorney General Alberto R. Gonzales, incorporates a number of changes that reflect the goals, objectives, and areas of emphases embraced by this Attorney General.

The plan for 2007-2012 also modifies slightly the alignment of the Department's strategic goals and objectives to facilitate alignment with the DOJ budget. The plan identifies three major goals instead of the four delineated in the last plan; the number of objectives rises by one, to 19. Supporting the objectives within the three goals are underlying management and support initiatives that cut across all program lines. Tied to these initiatives are the Office of Records Management Policy, Office of the Inspector General, Office of Professional Responsibility, and the Public Responsibility Advisory Office.

Support and enabling activities also incorporate elements of the President's Management Agenda.

Within the Department, strategic planning is the heart of the Department's efforts to implement performance-based management. The cycle involves setting long-term goals and objectives, translating these goals and objectives into budgets and program plans, implementing programs and monitoring their performance, and evaluating results. In this cycle, the Department's strategic plan provides the overarching framework for component strategic plans as well as annual performance plans, budgets, and reports.

The FY 2007 - 2012 plan has been updated using a mix of bottom-up and top-down approaches. Early in the process, components were invited to propose goals and objectives that they deemed most important to their missions. These proposals were reviewed by the Strategic Plan Working Group, which had general oversight responsibility for the plan's revision. The Group, led by the Assistant Attorney General for Administration, is composed of officials from the Offices of the Attorney General and Deputy Attorney General, as well as from the Offices of Legal Policy, Legislative Affairs, and the Inspector General. The Working Group represented the Department's leadership, and facilitated the clearance process through the Attorney General and his staff.

We regard this strategic plan as an improvement over its predecessors. Nevertheless, we recognize that further improvements can be made. Implementing a system that effectively links planning, budgeting, and performance is an ongoing process that demands constant, significant attention from the agency's leadership, as well as from its rank and file employees.

ORGANIZATION OF THE PLAN

The plan is divided into six sections. The first section introduces the plan and provides background information. The second gives an overview of the major issues and trends that are

driving our strategic goals and objectives. The next three sections set forth those goals, objectives, and strategies for the next 5 years. The last section provides a description of the key programs and initiatives, including the President's Management Agenda, which support or enable the mission. The Appendices include: (A) a listing of the long-term outcome goals for activities described in the plan; (B) a crosswalk between the strategic objectives in this plan compared to the previous version; (C) a schedule of ongoing and planned program evaluations within the components; (D) a summary of the external factors that may affect goal achievement; (E) a glossary of abbreviations and acronyms, and (F) a list of Justice component web sites.

The scope and complexity of the Department's mission make it impossible to describe in a single document the full range and content of the Department's programs and activities. Where appropriate, reference has been made to other plans and reports that provide more detailed information in specific areas. Included among these are the strategic plans drafted by several of the larger DOJ components. To access these plans, please refer to the specific component's web site.

This plan is available at <http://www.usdoj.gov>.

MATTERS OF JUSTICE



An Overview of Major Issues and Trends

MATTERS OF JUSTICE:

An Overview of Major Issues and Trends

The goals, objectives, and strategies of the Department of Justice Strategic Plan reflect the reality of law and justice in these days. The world remains a dangerous place, and the United States is more connected to the world and its dangers than ever before. As reflected in the plan, the Department of Justice (DOJ or the Department) will focus in the next few years on achieving the Attorney General's priority goals:

- (1) To detect and prevent terrorism;
- (2) To combat violent crime;
- (3) To combat computer crime, especially child pornography, obscenity, and intellectual property theft;
- (4) To combat illegal drugs;
- (5) To attack corporate and public corruption; and
- (6) To promote civil rights and civil liberties.

The Department has pursued these objectives with great success, though the threats to liberty can never be finally eradicated. Terrorists will plan attacks on this country for many years to come. Violent crime will always be part of the human condition. Predators will always seek to exploit the vulnerable, while criminal opportunists will ever seek to undermine the law and bilk the Government and the people it represents. In short, the price of liberty is vigilance.

TERRORISM

Since September 11, 2001, there have been no successful terrorist attacks launched within the United States. This success has not been an accident. Terrorist attacks have been launched after 2001 in Indonesia, Kenya, Spain, Great Britain, and other nations, and clearly would have been launched against the United States if they could be successfully undertaken.

Although DOJ is only one institution that has helped prevent terrorist attacks, its contributions to ensuring the safety of Americans from terrorist attack are significant.

The Department has disrupted terrorist threats through aggressive prosecution and by leveraging criminal charges and long prison sentences to gather intelligence. It is strengthening partnerships with state, local, and foreign governments. More than 450 individuals have been criminally charged in terrorism-related investigations, and nearly 300 have been convicted or pled guilty. Terrorist cells have been broken up in Virginia, Buffalo, Seattle, Portland, and Tampa. The Department has disrupted the terrorist financial network by freezing \$200 million in assets around the world.

Terrorism remains the Nation's greatest threat. Unless potential evildoers are monitored and thwarted, large numbers of innocent Americans can be killed in an instant. Antiterrorism efforts must be undertaken vigorously and continuously, since terrorists can succeed if they bypass defensive measures even once. In addition to unimaginable human toll, terrorism also threatens the economy. Some estimates of economic loss caused by the September 11 attacks run as high as \$3 trillion. Terrorists also seek to inflict psychological as well as physical trauma.

Vigilance against this threat requires not just working harder, but smarter. On March 9, 2006, President George W. Bush announced the new position of Assistant Attorney General for National Security in DOJ. The new division combines the Counterterrorism and Counterespionage Sections of the Criminal Division and the Foreign Intelligence Surveillance Act experts from the Office of Intelligence Policy and Review. The synergy gained by combining these resources will enhance the Department's ability to prevent, disrupt, and defeat terrorist operations before they occur, improve the Department's ability to

work with other intelligence agencies, and combat espionage against the United States.

COMBATING VIOLENT CRIME

Fighting violent crime is a key objective of DOJ. The Department's successes in fighting crime are often tangible, through gaining convictions of serious offenders, reducing crime levels, and restoring peacefulness to neighborhoods. But many of the Department's accomplishments in crime fighting, although real, are difficult to observe or quantify. A reduction in the violent crime rate means fewer victims, fewer people who have their lives disrupted, fewer people who have their bodily integrity violated, fewer people who have their property stolen or broken. It also means fewer relatives and friends mourning the loss of a loved one. According to one report, the estimated annual cost of crime to victims is at least \$450 billion. Therefore, significant declines in crime rate have saved Americans from huge losses – financial, physical, and emotional – that would have otherwise occurred at earlier high crime levels.

Although some cities recently reported an increase in the number of violent crimes, violent crime rates remain close to 30-year lows. Additionally, from 2001 - 2004, the violent crime rate was, on average, nearly a third lower than in the preceding 4 years. This is a tremendous accomplishment. Especially notable has been the reduction in violent crimes associated with use of firearms. The rates of murders, robberies and assaults committed with firearms have declined sharply. The rate of nonfatal victimizations involving firearms has fallen by 59% in the last decade, from 4.9 per 1,000 residents 12 and older in 1995, to 2 in 2005. During the same period, the firearm murder rate dropped from 5.6 to 3.8 per 100,000 residents. Despite this progress, gun crime continues to represent a substantial proportion of both fatal and nonfatal violent crime in America. In 2005, guns were used in just over two-thirds of the 16,700 homicides and in an estimated 419,000 nonfatal violent crimes in the United States.

DOJ remains committed to reducing gun crime in the next 5 years through the *Project Safe Neighborhoods (PSN) Initiative*, which targets gun crime by linking local, state, and federal

efforts, and providing those programs with the tools and resources they need to succeed. *PSN* emphasizes prevention, tactical intelligence gathering, aggressive prosecutions, and enhanced accountability. The project is designed and operated locally, and is led by the United States Attorney in each federal judicial district. The program funds new federal and state prosecutors, investigators, training, and community efforts to prevent and combat gun violence.

The *PSN Initiative* has led to an historic number of federal firearm prosecutions. In the last 5 years, federal firearms prosecutions have risen by 73%, and in the last fiscal year (FY 2005) a record 13,062 defendants were charged with a federal firearms crime. That same year, over 93% of offenders originally charged with a federal firearms crime received some term of imprisonment, and over 68% were sentenced to 3 or more years in prison. These prosecutions remove some of the most dangerous criminals from our communities.



Combating violent crime also requires pursuing gangs. Today, many gangs operate regionally, nationally, and even internationally, such that effective anti-gang activity requires federal involvement. Approximately 30,000 gangs, with 800,000 members, affect 2,500 communities in this country. And gangs bring violence and intimidation to those communities, which now include rural and suburban areas in addition to the country's urban centers. To address the prevalence of gangs and gang violence, the

Department has taken several important steps: First, DOJ established an Anti-Gang Coordination Committee to organize the Department's wide-ranging efforts to combat the scourge of gangs. Second, each United States Attorney appointed an Anti-Gang Coordinator to provide leadership and focus to anti-gang efforts at the district level. And third, the Anti-Gang Coordinators, in consultation with their local law enforcement and community partners, developed a comprehensive districtwide strategy to address the gang problem in their districts.

In addition, the Department has expanded the successful *PSN Initiative* to include new and enhanced anti-gang efforts, and launched the *Comprehensive Anti-Gang Initiative*, which focuses anti-gang resources on prevention, enforcement, and offender reentry efforts in six sites throughout the country. The Department has also created a new national Gang Targeting, Enforcement, and Coordination Center (GangTECC), bringing together all of the operational components of DOJ, as well as other agencies within the Federal Government. GangTECC is led by the DOJ's Criminal Division and coordinates overlapping investigations, ensures that tactical and strategic intelligence is shared among law enforcement agencies, and serves as a central coordinating center for multijurisdictional gang investigations. GangTECC works hand-in-hand with the new National Gang Intelligence Center.

DOJ components will also devote attention to gangs. The Bureau of Alcohol, Tobacco, Firearms, and Explosives has established the *Violent Crime Impact Team Initiative* to decrease the number of homicides, firearms-related homicides, violent crimes, and violent firearms crimes in cities where it is employed. It has focused on cities where violent crime rates had not followed the national trend, and sought to reduce rather than displace incidents of gun-related violence by targeting and arresting the "worst of the worst" violent offenders. The Federal Bureau of Investigation's (FBI) *National Gang Strategy* fights the most dangerous gangs with the coordinated resources of federal and local law enforcement, and brings to bear the federal racketeering statutes, intelligence, and investigative techniques used to defeat organized crime. Other DOJ components, such as the Office of Justice Programs (OJP) and the

Office of Community Oriented Policing Services, support the Department's anti-gang prevention and training efforts, and administer grants that focus resources toward local gang and gun crime reduction programs.

COMPUTER CRIME

The widespread ownership of personal computers and growth of the Internet have contributed to education, economic growth, and entertainment. They have also facilitated real-time interpersonal contact. But computers and the Internet are value neutral, and can be employed to cause harm by persons who are so inclined. Addressing increasingly serious and virulent computer crime, much of which is international in scope, and the growing future potential for such crime as Internet usage expands, is an important Department priority.

Child Pornography

Child pornography is a visual record of sexual abuse. Many of its victims suffer the consequences their entire lives: at the time it is created, when the images are distributed and viewed, and later into adulthood. The exchange of child pornography on the Internet validates and encourages those who collect this material. In this context, computers facilitate victimization. Not so long ago, a possessor of child pornography needed to obtain a hard copy, or, if he produced it himself, could not rapidly distribute large numbers of copies. Now pornographic material can be quickly and easily downloaded and distributed over the Internet. An estimated 20,000 images of child pornography are posted on the Internet each week. Those images increasingly represent severe sexual abuse and rape of younger and younger children, even infants.

Similarly, in the past, a child molester met his victims in person one at a time, at considerable risk of detection. These factors have changed. A child molester can enter chat rooms and adopt a false identity to gain personal information from potential victims. Various studies demonstrate that one child in five receives an unwanted sexual solicitation online each year. Three percent of children receive an aggressive sexual

solicitation in which someone asks to meet them somewhere, calls them, or sends mail, money, or a gift. One in four children receives an unwanted exposure to sexually explicit material.

Combating child pornography and cyber enticement, therefore, will continue to be an important priority of the Department. Investigations, arrests, and convictions for child pornography have greatly increased in the past decade. The effort focuses on online organizations, individuals who travel to have sex with children, and producers, distributors, and possessors of child pornography. The Criminal Division's Child Exploitation and Obscenity Section has recently created a High Tech Investigative Unit to tackle the most complex and advanced offenses committed against children online. DOJ has also created the Internet Crimes Against Children task force program, a network of coordinated regional task forces that help state and local law enforcement agencies to develop an effective response to cyber-enticement and child pornography cases.

In an effort to marshal all of our collective resources - federal, state and local - the Attorney General commenced an initiative called *Project Safe Childhood* in May 2006. *Project Safe Childhood* is modeled on the successful effort to combat gun crime, *PSN*. Every United States Attorney will work with partners at every level of government to more effectively investigate and prosecute child predators and to rescue victims. Given the ever expanding territory represented by the Internet, only through a coordination of effort can DOJ and its partners make the Internet safe.

Intellectual Property Theft

Today piracy is a worldwide, multibillion dollar illicit economy that threatens our national economic security as well as the health and safety of our citizens. Online piracy is particularly challenging to law enforcement because it is harder to detect than traditional piracy, and costs the pirates almost nothing to operate, while rapidly generating countless perfect digital copies. Even when law enforcement successfully shuts down digital piracy, any copies previously distributed remain

on the Internet and can quickly and easily spawn a new generation of pirated products.

In 2004, the Department created a Task Force on Intellectual Property. In October of that year, the Task Force issued a comprehensive report listing 31 recommendations for improving the Department's efforts. In June 2006, Attorney General Gonzales issued a Progress Report announcing that all 31 recommendations had been implemented and, in some cases, exceeded.

The Department has established the Computer Hacking and Intellectual Property (CHIP) program, in which prosecutors work closely with the FBI and other agencies to encourage high tech entities to refer cases to law enforcement. DOJ will continue to focus on these crimes in coming years, and is expanding CHIP entities in United States Attorneys' offices; increasing the number of complex, multidistrict and international intellectual property enforcement actions; and strengthening the Department's ability to bring intellectual property charges in organized crime, illegal importation, and fraud cases. The Criminal Division's Computer Crime and Intellectual Property Section (CCIPS) investigates and prosecutes intellectual property theft.

Identity Theft

Computers can also facilitate identity theft. There are multiple ways in which this can occur. Phishing techniques by perpetrators deceive victims into providing personal information. Also, computer files that contain personal data can be compromised, such as by hacking or theft of laptops. Identity theft permits the commission of crime to be attributed to someone else, and can be a way for terrorists to hide their identities and more covertly plan attacks. It can also cause difficulties to individuals whose credit ratings are jeopardized and who suffer various other harms which are costly to rectify in time and money.

President Bush has established an Identity Theft Task Force that is chaired by the Attorney General and co-chaired by the Chairman of the Federal Trade Commission. This Task Force

will report to the President by the fall of 2006 on the scope of the problem, and actions to better protect personal privacy information, improve prosecution and enforcement, increase cooperation with private entities that hold personal data, strengthen outreach, and recommend enactment of new legislation.

ILLEGAL DRUGS

Illicit drug production, transportation, and distribution comprise a worldwide criminal enterprise, which annually generates billions of dollars in illegitimate revenue. The Office of National Drug Control Policy estimates that Americans spend \$65 billion annually on illegal drugs. International drug cartels, domestic drug distribution networks, and drug dealers in general use the proceeds from their illegal activity to proliferate global lawlessness. International drug cartels and organizations are responsible for much of the illegal domestic drug supply in the United States. The Administration and the Department are committed to attacking market vulnerabilities in the illegal drug trade and applying pressure to reduce profits and raise the risks of drug trafficking.

Illegal drug use poses serious negative social consequences, especially for young people. Children often suffer physical or psychological harm and neglect resulting from their presence at or near sites of drug production (especially methamphetamine) or from exposure to illegal drugs or persons under the influence of illegal drugs. Drug users can become addicted, jeopardizing their health and reducing their chances of completing their educations or becoming or remaining productive workers. Rampant drug abuse in any neighborhood prevents it from fully prospering. Additionally, drug use is strongly associated with crime. People commit crimes while on drugs, people commit crime to gain money to purchase drugs, and drug trafficking is, of course, a serious crime.

Methamphetamine

Nationally, the concern regarding the illicit use or production of methamphetamine continues, due to the environmental impact, the growing

presence of super labs in Mexico, and among other things, the uniquely destructive nature of meth itself. Some of the chemicals used to produce methamphetamine have independent toxicity; when combined, they can have serious toxic and explosive effects. The process of making methamphetamine – in both large and small laboratories – involves at least one, and sometimes more than one, stage with a significant risk of explosion or fire. Methamphetamine is unique in that making it is easy but dangerous, posing the risk of explosion, exposing families, children, and neighborhoods to toxic chemicals.

The virulence of the meth epidemic is seen in increases in drug treatment admissions, emergency room visits, and criminal justice encounters. In a recent speech in Georgia, the Attorney General related that 1 in 10 persons being sent to prison in that state is going for a meth-related offense. DOJ is working with federal, state, tribal, and local law enforcement and our international partners to combat methamphetamine production and trafficking. For example, the Drug Enforcement Administration (DEA) has refocused its Mobile Enforcement Teams to prioritize the investigation of methamphetamine organizations and directed certain Clandestine Lab Enforcement Teams to refocus investigative efforts towards methamphetamine organizations. In addition, DOJ has increased its cooperation with Mexican law enforcement authorities to disrupt and dismantle methamphetamine trafficking organizations. The Department has also been seeking the cooperation of precursor source countries in order to cut off the international supply of the precursor chemicals to methamphetamine producers.

Drug Diversion

Of all the major drugs of abuse, only marijuana is available as a natural, harvested product. The others, whether they are illicit drugs such as cocaine, heroin, methamphetamine, or legitimately produced pharmaceuticals, must be produced or manufactured. Most of the drugs in the illicit traffic are products of illicit processing or synthesis. However, the fastest rising category of drug abuse is prescription drugs, which are often legitimately manufactured

controlled substances being diverted from their lawful purpose into illicit drug traffic.

Many of the narcotics, depressants, and stimulants manufactured for legitimate medical use are subject to abuse, and have therefore been brought under legal control. The goal of controls is to ensure that these "controlled substances" are readily available for medical use, while preventing their distribution for illicit sale and abuse.

Diversion cases involve, but are not limited to, inappropriate prescribing, illegal sales, employee theft, doctor shopping, fraudulent prescriptions, pharmacy theft, illicit Internet pharmacies, and foreign diversion and smuggling into the United States. As with any other criminal investigation, DEA identifies, targets, disrupts, and dismantles individuals and organizations that traffic in controlled substances. In addition, DEA conducts regular regulatory investigations of manufacturers, wholesalers, and distributors to determine compliance with regulatory and statutory requirements.

Southwest Border Initiative

Mexican drug groups operating along America's 2,000 mile border with Mexico have become the world's preeminent drug traffickers. Organizationally complex with a high propensity for violence, these groups transport multi-ton shipments of heroin, methamphetamine, and marijuana. They are also hired by trafficking groups from Colombia to transport equally large amounts of cocaine into the United States.

To counter this threat, the *Southwest Border Initiative* (SWBI) was created in 1994. Today, the SWBI is a cooperative effort that involves thousands of law enforcement officers from the DEA; FBI; Department of Homeland Security's Bureau of Customs and Border Protection, which includes the United States Border Patrol; United States Attorneys; and state and local law enforcement agencies. This coalition works together to execute a strategy of attacking major Mexican-based trafficking organizations on both sides of the border simultaneously, by employing enhanced intelligence and

enforcement initiatives and cooperative efforts with the Government of Mexico.

The strategy that resulted is a consensus document that establishes United States policy and implementation actions to enhance national security to protect the American people from the corrosive effects of illegal drug smuggling across the Southwest Border. The strategy directs the coordination of United States Government counterdrug and border security initiatives to achieve a comprehensive national effort involving federal, state, local, tribal, and private sector entities.

The strategy seeks to attack the illicit drug industry as close to the source as possible and to ensure that operations in and around the Southwest Border are enhanced through the implementation of the strategy.

ATTACK CORPORATE AND PUBLIC CORRUPTION

Two forms of corruption, corporate fraud and government corruption, are DOJ priorities because of the extent and seriousness of their existence to a free democratic society. Free markets are vital to supporting the capital flow upon which a vibrant economy depends. People are more willing to invest where they believe that their capital will fund remunerative economic activity rather than fraudulently overstated profits or personal gain by corporate executives. Honesty and transparency in corporate reporting attracts capital from all over the world. In their absence, the Nation's financial markets lose an important competitive advantage, investors are reluctant to purchase shares, and individuals who own stock directly or through pension funds face potential losses, possibly catastrophic in the case of company pension plans. Economic prosperity is threatened. Executives of major companies may be tempted to take large short term financial rewards if they view as insubstantial the risk of apprehension far down the road. More than in most criminal law areas, prosecution of corporate criminals has a significant element of general deterrence. The Department's aggressive pursuit of corporate misfeasance signals to executives who might

yield to temptation that a long jail sentence is not worth a short term ill-gotten financial gain.

Criminal conduct by government officials is also worthy of DOJ's priority attention. Respect for the rule of law declines when public officials set a poor example of conforming to law. In addition, federal tax collections support all levels of government to some degree. Public officials are to be stewards of federal tax money. When they fail to do so, whether or not they are federal officials, the Federal Government has a strong interest in holding them accountable. Moreover, the nature of state and local governments may in some instances make difficult the prosecution of corrupt officials at the state or local level. In those instances in which American citizens are being deprived of their right to honest government, federal prosecutorial action may be warranted. Finally, the electoral process must be fair if the transfer of governmental power is to be legitimate and for peaceful political change to occur.

Corporate Fraud

The 1990's bull market created a climate that was ripe for corporate corruption. Corporate executives failed to comply with accounting rules so as to overstate earnings, which often directly enhanced their compensation. Outside professionals, such as accounting firms and investment banks, were sometimes complicit in the fraud. Some corporate executives violated their legal obligations to the corporation and its shareholders and gained personally. To deal with the numerous acts of corporate deception, President Bush created the Corporate Fraud Task Force, on which DOJ has played an important role. It has obtained 1,063 corporate fraud convictions, including 167 corporate chief executive officers and 36 chief financial officers. Its high profile criminal cases include Adelphia, Martha Stewart, Bernard Ebbers, Frank Quattrone, Kenneth Lay, and Jeffrey Skilling. Prosecuting corporate fraud will remain an important objective in the coming years. This type of crime requires new strategies to keep pace with criminal innovation.

Public Corruption

The Department has also been active in prosecuting public corruption. The Public Integrity Section of the Criminal Division takes the lead in these investigations. If, for instance, the national security interests of the United States would lead an objective official to choose one corporation's product to achieve a defense purpose, but instead an official allows her ties to another corporation to affect the procurement decision, not only is the public deprived of honest government, but the security of the country may be negatively affected.

In the last 2 years, FBI investigations have led to corruption convictions for more than 1,000 government employees, including military personnel. Corruption indictments are up more than 40%. In the last 18 months, some 200 agents have been added to the 400 already working on public corruption cases. These additional resources will continue to support DOJ's anti-corruption activities.

Another important priority in public corruption is ensuring the integrity of voting. In 2002, DOJ established its *Ballot Access and Voting Integrity Initiative*. Since the initiative began, more than 95 persons have been charged with election fraud offenses, and over 55 of these defendants have been convicted of such charges as voter intimidation, voting by ineligible individuals, bribery, destruction of valid ballots or registrations, altering vote tallies, multiple voting, ballot fraud, and ballot box tampering or destruction.

PROMOTE CIVIL RIGHTS AND CIVIL LIBERTIES

The Department's sixth priority goes to the essence of America: protecting civil rights and liberties. America was created to safeguard certain inalienable rights. DOJ's strong efforts in this area are directed to some of the most important rights: freedom, dignity, and participation. No one should be subjected to unfair treatment for demanding these rights.

The Department's *Operation Home Sweet Home* was created to expose and eliminate housing discrimination in this country. This initiative focuses on increased testing and awareness. Testing has been concentrated in areas that have experienced a significant volume of bias-related crimes such as cross burnings or assaults on minorities. *Operation Home Sweet Home* will increase the number of paired test investigations in the future to an all-time high.

Human trafficking is also a priority in this area. Traffickers often prey on individuals who are poor, frequently unemployed, and may lack access to social safety nets. Victims are lured with false promises of good jobs and better lives, and then forced to work under brutal and inhuman conditions. Frequently, human trafficking involves sexual exploitation of women and children, or exploitation of agricultural and sweatshop workers, as well as domestic servants.

DOJ has greatly expanded efforts to combat these horrific conditions. In 2005, FBI began its *Human Trafficking Initiative*, opened 146 investigations, and made 48 arrests. In FY 2005, the Civil Rights Division and United States Attorneys' offices prosecuted 95 defendants, twice that of the prior year. Since 2001, human trafficking prosecutions have increased by 300%.

In addition, the Civil Rights Division has brought together federal, state, and local law enforcement officers to establish antitrafficking task forces. OJP has provided funds to establish 32 anti-trafficking task forces around the country. In the future, DOJ will continue to combat this terrible crime.

In recent years, the Department has filed more cases to enforce the minority language provisions of the Voting Rights Act than in the previous 26 years. DOJ's enforcement and compliance efforts are working, as evidenced by registration among Hispanics and Filipinos rising by more than 20% after it filed suit in San Diego County, California. After DOJ undertook efforts to increase voting rights protections in Harris County, Texas, the turnout among eligible Vietnamese voters doubled.

THE FUTURE

The Department has actively advanced its priorities, as outlined above. But the FY 2007-2012 Strategic Plan is not so much about what DOJ has done, or even plans to continue to do, as to outline what should be done. As successes are achieved, other problems arise. Importantly, with large but not unlimited resources, the Department must regularly evaluate its priorities and how best to achieve them. We will give national security our highest priority, but will also ensure that our other critical mission areas are addressed effectively and efficiently.

Terrorism will continue to be a particular focus. But new technologies will require different responses. Investigation and prosecutions will be paramount, but new initiatives will always be considered. And operations may change as the National Security Division becomes fully functional as a stand-alone entity.

Crime has been reduced dramatically. But in a sense, the lowest-hanging fruit has been picked. Now that low crime rates may be rising, it may be necessary to reevaluate where the best contribution can be made to fighting crime. Some successful operations, such as fighting gangs and guns, may warrant expansion.

Computer crime is a daunting challenge because it grows as quickly as the Internet. DOJ is expanding its resources to prevent child victimization and intellectual property theft that is facilitated by computer technology. Expansion of CHIP units may continue to be warranted as intellectual property theft grows in scope and monetary losses increase.

Drug use is falling, but remains a significant problem. DOJ will constantly consider how best to combat illegal drug use.

Corporate and public corruption always demand action. Although the great majority of corporate officers and public officials are honest and law-abiding, not all of them are; DOJ plays a vital role in apprehending dishonest individuals. It must do so sufficiently frequently as to provide a

credible deterrent to others who would contemplate such unlawful activity.

Protecting civil rights and liberties also requires reemphasis and readjustment. Human trafficking and housing discrimination have been combated at record levels in recent years. Other civil rights violations may occur more frequently and warrant greater attention in the years ahead.

In the pages that follow, DOJ will describe its strategic plan for FYs 2007-2012. This plan outlines the Department's goals in a variety of areas and the plans it has adopted to achieve them. It builds on the good works described above to continue to deliver to the American people the important protections they have a right to demand.

DEPARTMENT OF JUSTICE GOALS AND OBJECTIVES



Fiscal Years 2007-2012

DEPARTMENT OF JUSTICE

GOALS AND OBJECTIVES:

FISCAL YEARS 2007-2012

The strategic goals and objectives described in the pages that follow reflect the priorities of the President, the Attorney General, and the Department of Justice (DOJ or the Department) components. Broad and long-term, they respond to evolving conditions in the United States and the world today. DOJ components frequently and routinely operate in several areas of law enforcement and the administration of justice. In practice, nearly all contribute to all of the goals identified in the plan. Their inclusion under a specific goal or objective here is a matter of administrative convenience to comport with Office of Management and Budget (OMB) Circular A-11, which calls for the alignment of goals with budget requests in strategic plans. As will be noted in the plan, many are undertaken in collaboration with, or the support of, other federal, state, and local agencies.

Several major themes underpin the Department's goals and objectives. These include:

Partnerships. Recognizing that cooperation, as well as economies of scale, can be realized during efforts to meet the mission, our plan reflects a heightened emphasis on partnerships. We remain committed to continuing and strengthening collaborative efforts with other federal agencies, states and localities, tribal governments, community groups, foreign countries, and others.

Leadership. As an agency with unique authorities, opportunities, and capabilities, DOJ has indispensable leadership responsibilities to those who fight crime and administer justice at the state, local, and tribal level, as well as in the international sphere. We are committed to meeting these responsibilities through example and material assistance.

Preparedness. We remain committed to maintaining a high-level capability to deter and respond quickly to newly emerging crime threats, including those threats posed by new technology and criminal strategies. Preparedness involves attention to internal core infrastructure needs to ensure that adequate skills, tools, and processes are in place for meeting the new challenges that face us.

Integrity. Our leadership role and the funds entrusted to us by the taxpaying public demand that we maintain the highest levels of integrity and trustworthiness. This affects not only the way we carry ourselves as representatives of the law, but the manner in which we manage the resources entrusted to us to carry out our mission.

A summary of our strategic goals and objectives follows:

- | Goal 1 | <i>Prevent Terrorism and Promote the Nation's Security</i> |
|---------------|--|
| 1.1 | Prevent, disrupt, and defeat terrorist operations before they occur |
| 1.2 | Strengthen partnerships to prevent, deter, and respond to terrorist incidents |
| 1.3 | Prosecute those who have committed, or intend to commit, terrorist acts in the United States |
| 1.4 | Combat espionage against the United States |

Goal 2 ***Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People***

- 2.1 Strengthen partnerships for safer communities and enhance the Nation's capacity to prevent, solve, and control crime
- 2.2 Reduce the threat, incidence, and prevalence of violent crime
- 2.3 Prevent, suppress, and intervene in crimes against children
- 2.4 Reduce the threat, trafficking, use, and related violence of illegal drugs
- 2.5 Combat public and corporate corruption, fraud, economic crime, and cybercrime
- 2.6 Uphold the civil and constitutional rights of all Americans
- 2.7 Vigorously enforce and represent the interests of the United States in all matters over which the Department has jurisdiction
- 2.8 Protect the integrity and ensure the effective operation of the Nation's bankruptcy system

Goal 3 ***Ensure the Fair and Efficient Administration of Justice***

- 3.1 Protect judges, witnesses, and other participants in federal proceedings, and ensure the appearance of criminal defendants for judicial proceedings or confinement
- 3.2 Ensure the apprehension of fugitives from justice
- 3.3 Provide for the safe, secure, and humane confinement of detained persons awaiting trial and/or sentencing, and those in the custody of the Federal Prison System
- 3.4 Provide services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards
- 3.5 Adjudicate all immigration cases promptly and impartially in accordance with due process
- 3.6 Promote and strengthen innovative strategies in the administration of state and local justice systems
- 3.7 Uphold the rights and improve services to America's crime victims

STRATEGIC GOAL I



**Prevent Terrorism and Promote
the Nation's Security**

GOAL I

PREVENT TERRORISM AND PROMOTE THE NATION'S SECURITY

Citizens of a nation paralyzed by fear do not dream of their future; they are obsessed with survival in the present. The terrorist attacks of September 11, 2001, were intended not only to wreak physical damage on lives and property, but to reach more deeply into the American psyche, to dash the dream of Americans that they and their children would live and prosper in a lawful, hopeful, and safe society. If Americans were to live in constant fear and dread for the safety of their families and possessions – and for their futures – the terrorists would have scored a resounding victory.

As “stewards of the American dream,” the leaders and employees of DOJ are resolved that our dreams remain intact, that we enjoy the security and peace of mind to pursue our dreams, terrorist intentions notwithstanding. “Awaiting an attack is not an option,” Deputy Attorney Paul McNulty has said, and the DOJ priorities reflect that intention. Since September 11, the prevention of terrorist attacks has been the Federal Bureau of Investigation’s (FBI) top priority and overriding focus; similarly, the prosecution of persons suspected of terrorist acts is the top priority of United States Attorneys and the Criminal Division. Although these three organizations are prominent in the Department’s Strategic Goal One, the attention to terrorism is evident throughout the DOJ Strategic Plan. Nearly every component within the Department has approached its mission with the understanding that terrorism has recast the landscape.

As in the past, DOJ’s approach to protecting our citizens is by preventing terrorist acts; by investigating and prosecuting those who commit, or intend to commit, terrorist acts in the United States; and by combating espionage against the United States by strengthening counterintelligence capabilities. As is evident in the strategic plan, this approach relies heavily on the partnerships we have forged with international as well as domestic law

enforcement entities. Experience is showing us that the best means to overcome the terrorist threat is to unite with peace-loving allies to fight it.

STRATEGIC OBJECTIVE I.1

Prevent, disrupt, and defeat terrorist operations before they occur

Terrorism is the most significant national security threat our country faces. DOJ’s top priority in response to the threat is clear: it must prevent, disrupt, and defeat terrorist operations before attacks occur. The magnitude of the September 11 attacks transformed the Department’s approach to terrorism from one of reaction and response to one of prevention. As the Attorney General has said, “for those of us in government whose job it is to protect our country from terrorism, every day is September 12th.”

“We will continue to use every tool and authority available to us to identify risks at the earliest stage possible.”

*Deputy Attorney General,
May 2006*

Strategies to Achieve the Objective

Deploy the National Security Division to combat terrorism and protect national security

An evolving threat like global terrorism requires evolving structures and strategies to combat it. The creation of the National Security Division (NSD) within DOJ is an example of how the Government is adapting to the war on terrorism. The NSD is responsible for assisting the Attorney General and other senior Department and Executive Branch officials in ensuring that the national security-related activities of the

United States are consistent with relevant law; overseeing terrorism investigations and prosecutions; handling counterespionage cases and matters; obtaining court authorization for the collection of foreign intelligence under the Foreign Intelligence Surveillance Act (FISA); and conducting oversight of intelligence agency compliance with certain national security legal requirements.

A consolidation of DOJ's Office of Intelligence Policy and Review and the DOJ Criminal Division's Counterterrorism and Counterespionage Sections, NSD's core mission is to coordinate the Department's efforts to combat terrorism and protect national security. The organizational changes strengthen the Department's efforts to combat terrorism and other threats to our national security. In an era when it is increasingly important to balance and closely coordinate intelligence and law enforcement responsibilities, the NSD will be able to provide constructive and effective approaches to counterterrorism (CT) and counterespionage cases, and thoughtful, innovative legal and policy guidance.

Employing renewed and newly implemented investigative tools and coordinating with partners in the law enforcement and intelligence communities, the NSD will be able to effectively and efficiently collect foreign intelligence, investigate and prosecute cases, and conduct vigorous oversight related to matters that include weapons of mass destruction, domestic and international terrorism, suspected terrorists, terrorist financing, and the enforcement of United States export control laws. By utilizing disruption strategies, targeting and defeating means of material support, and improving tools to prevent and disrupt radicalization and recruitment, NSD will protect our Nation's security and fight terrorism at home and abroad.

Implement a three-pronged approach (intelligence, operations, and integration) to support global counterterrorism activities that attack the enemy and diminish its key resources and support

In Intelligence, the FBI CT Workforce will collect, report, analyze, and disseminate critical information. The FBI will ensure that the human

and technological assets necessary to facilitate the collection of raw intelligence data will be in place. Additionally, the intelligence information the FBI produces will be tailored to the customer's requirements and be timely in its delivery. The FBI will also evaluate how effective its products are in driving decision making.

In Operations, the CT Workforce will mitigate threats and ensure effective crisis response. The FBI will prioritize investigative and operational efforts toward the collection of intelligence, and ensure, when applicable, that law enforcement tools to mitigate threats to the public are appropriately utilized. In all instances, the FBI Counterterrorism Division (CTD) and the Field CT Workforce will work to execute the specific aspects of our threat mitigation strategy (The Joint Terrorism Task Forces (JTTFs), as the CT action arm of the Federal Government domestically, will serve as the centerpiece in threat mitigation and crisis response efforts as described in Strategic Objective 1.2).

In Integration, the CT Workforce will lead a collaborative environment that fuses intelligence and operations to achieve a coordinated response. To this end, it is essential that the FBI understand its roles and requirements and accept accountability for its actions through effective program management. In terms of the CT strategy, program management includes the (1) allocation of resources (utilization), (2) specification of tools, (3) uniform reporting, and (4) policy requirements.

Promote and, when available, use new legislation and authorities to collect foreign intelligence information and conduct investigations and prosecutions of terrorist incidents

Because modern terrorism can defy conventional crime fighting laws and authorities, the Department will endorse changes that will strengthen the likelihood of criminal terrorists being identified and brought to justice, while at the same time protecting civil liberties. Among these laws are those related to surveillance and wiretapping, which ensure law enforcement's ability to trace the communications of terrorists using current technologies and new ones that may be developed in the coming years. Under the President's leadership, Congress has

amended the laws to place terrorism on a par with organized crime and drug trafficking. The Department will continue to assess the need for greater legal restrictions on terrorist activities while protecting civil liberties of law-abiding citizens.

Attack the infrastructure by which terrorists travel internationally by targeting smuggling organizations and strengthening worldwide enforcement mechanisms

The Extraterritorial Criminal Travel (ECT) Strike Force, developed in 2006, leverages investigative and prosecutorial expertise to attack foreign-based criminal travel networks. A number of the Department of Homeland Security's (DHS) Immigration and Customs Enforcement (ICE) field offices will be assigned targets identified as criminal travel networks of significant national concern, including those engaged in the movement of aliens from countries of special interest. Field office investigations will be guided by a cadre of ICE agents and Criminal Division attorneys with experience in international investigations and prosecutions. Success in this effort will enable us to disrupt and dismantle criminal travel network operations, identify and seize their assets and illegal proceeds, detect and repair international travel vulnerabilities exploited by these networks, reduce the potential for terrorist mobility overseas, and cripple their ability to enter and travel within the United States.

Improve host-nation law enforcement agencies that are on the front lines of terrorism in an effort to control indigenous crime and reduce the proliferation of related transnational crime

The Criminal Division's International Criminal Investigative Training Assistance Program (ICITAP) will continue to develop assistance programs that effectively strengthen foreign law enforcement institutions to prevent, disrupt, and defeat money laundering, terrorist financing, and terrorist acts. ICITAP's strategy is to deliver programs and products that focus on developing sustainable law enforcement institutions to combat the terrorist threat. Examples of these programs and products include developing a regional organized crime strategy; assisting in

the establishment of a marine police force; designing a training program for border security; assisting local governments with the development of a national CT strategy; and developing a Total Information Management System that facilitates the identification and apprehension of national and international fugitives and terrorists.

Prepare foreign counterparts to cooperate more fully and effectively with the United States in combating terrorism and related transnational crime

The Criminal Divisions' Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) will provide assistance to foreign counterparts to improve the skills of foreign prosecutors, investigators, and judges; encourage legislative and justice sector reform in countries with inadequate laws; and promote the rule of law and regard for human rights. It will bolster foreign counterparts' CT regimes by placing CT Resident Legal Advisors (RLAs) in all frontline countries, and by the enactment of antiterrorism legislation, the delivery of skills development training to prosecutors and judges, and the establishment of task forces to focus on particular criminal activity, such as money laundering and terrorism. Such assistance enhances the ability of foreign governments to prevent terrorism, or disrupt it before it passes through their borders to threaten the United States, and establishes a framework for effective international law enforcement cooperation.

Implement the legal tools within our authority to prevent terrorist threats

DOJ's Criminal Division is responsible for handling requests for the imposition of Special Administrative Measures (SAMs), for the potential Government monitoring of prisoners' communications with their attorneys; reviewing applications for S Visa nomination status, for granting visas to aliens who assist United States law enforcement in the investigation and prosecution of crimes and terrorist activities; and administering the International Prisoner Transfer Program.

In this role, the division will expand the list of permissible limitations on SAM restrictees' outside contacts, in order to prevent the spread of possible terrorist-related or national security information. It will maintain regular contact with the representatives of many foreign governments in an effort to maximize the number of foreign-national prisoners that can be transferred to their home countries, and prevent harm to persons or properties by providing SAMs for specific inmates in a timely manner.

Aggressively investigate and prosecute corrupt embassy and consular officials

United States officials abroad exercise considerable discretion in approving and issuing visas for entry into the United States, and corrupt officials present a substantial threat to the prevention, disruption, and defeat of terrorist operations. The Criminal Division's Public Integrity Section works with the Department of State's (DoS) Diplomatic Security Service to investigate allegations of corruption on the part of officials in United States embassies and consulates around the world. Public Integrity Section attorneys will continue to prosecute corrupt embassy and consular officials in order to insure the integrity of the visa process.

Assist foreign partners to ensure international judicial cooperation

DOJ's Criminal Division Office of International Affairs (OIA) takes the lead role in making formal requests to countries around the world in order to secure the return of international fugitives and evidence critical to the investigation and prosecution of terrorist activity. Using a network of bilateral extradition treaties, mutual legal assistance treaties (MLATs), and multilateral conventions, OIA will work closely with United States and foreign prosecution, law enforcement, and judicial authorities in matters relating to CT investigations and securing critical evidence located outside the jurisdiction of the United States.

Protect the Nation's cyber infrastructure from attacks

Through the Internet, terrorists and hostile adversaries plan and commit crimes against the United States under a veil of anonymity. They conduct operational planning, raise funds, recruit co-conspirators, and even launch attacks on information systems that may result in the disruption of critical systems. Consequently, the United States Government's CT and national security operations increasingly focus on online conduct and communications, and agencies within the intelligence and homeland security communities routinely seek out DOJ's Computer Crime and Intellectual Property Section's (CCIPS) expertise and experience in the law and technology that governs the Internet and computer-based communications.

Accordingly, CCIPS is engaged in multiple interagency efforts to prevent terrorism. Most of these activities involve DHS and the National Security and Homeland Security Councils. Some of CCIPS' CT and national security activities are conducted through the National Cyber Response Coordination Group (NCRCG), an interagency body that CCIPS co-chairs with DHS and the Department of Defense (DoD). The NCRCG is a forum of federal agencies that facilitates intra-governmental coordination and public/private preparedness operations to respond to and recover from large-scale cyber attacks, including attacks committed by terrorists. CCIPS' investment of resources into the NCRCG has resulted in new interagency processes, procedures, and planning to ensure that the United States Government is prepared in the event of a significant cyber incident precipitated by terrorists or hostile nations. CCIPS also works with FBI's Cyber Division, which has responsibilities for criminal and intelligence investigations, on counterintelligence matters involving nation-states.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Extraterritorial Criminal Travel Strike Force.** Criminal Division's Domestic Security Section works closely with ICE in the development and implementation of the ECT Strike Force, a component of our *National Strategy to Combat Terrorist Travel* that was mandated by the Intelligence Reform Act of 2004.
- ❖ **State Border Service.** A DHS ICE Special Agent, detailed to ICITAP, has served as an ongoing advisor to the State Border Service on immigration and cross-border enforcement issues since February 2003. The ICE agent provides on-the-job training and assistance to State Investigation & Protection Agency Management and the Counter Terrorism Unit.
- ❖ **Terrorist Finance Working Group.** OPDAT participates in the Terrorist Finance Working Group (TFWG), chaired by the DoS, coordinating with members of other agencies. The TFWG is engaged in CT technical assistance programs to ensure that efforts are not duplicated. The investigation and prosecution of embassy and consular officials requires close collaboration with the DoS Diplomatic Security Service.
- ❖ **Investigative Data Warehouse.** Maintained by the FBI, the Investigative Data Warehouse (IDW) is a centralized, web-enabled, closed system repository for intelligence and investigative data. In addition to Bank Secrecy Act data provided by the Department of Treasury's Financial Crimes Enforcement Network (FinCEN), IDW includes information contained in myriad other law enforcement and intelligence community databases.

- ❖ **E-GUARDIAN.** E-Guardian is an automated method for sharing certain unclassified fields from Guardian's Terrorism Threat System with state and local law enforcement officers via the FBI's Law Enforcement Online (LEO).

STRATEGIC OBJECTIVE 1.2

Strengthen partnerships to prevent, deter, and respond to terrorist incidents

As an official of the FBI's CTD has stated, "Before September 11th, we collected information to solve crimes. . . Now, we are sharing information and working together every day to prevent crime, and to prevent the next terrorist act....we are working together in new ways and with new partners." Like the shift from response to prevention, the sharing of information with our partners marks a departure from DOJ's previous mode of operating. The Department recognizes that the most efficient

"[W]e are working together in new ways and with new partners."

*FBI official,
March 2005*

and effective means of fighting terrorism is to communicate, coordinate, and cooperate (C-3) with our trusted partners engaged in the global war on

terrorism. Those partners include the Intelligence and Law Enforcement Communities, DoS, DHS, DoD, and certain foreign governments. DOJ will seek to complement its internal capacity by developing treaties with foreign powers and agreements with other agencies to share intelligence and collaborate on criminal investigations.

To support the global war on terrorism and to protect the Nation from terrorist attacks, the Drug Enforcement Administration (DEA) has reshaped its operations and intelligence capabilities and its operational philosophy. In addition, DEA is formalizing new partnerships abroad and with United States intelligence and national security communities. In Afghanistan, DEA's Foreign Deployed Advisory Support Teams (FAST) are building the infrastructure and establishing the country's counternarcotic capabilities. Also, DEA has provided thousands of hours of classroom training for Afghan officials assigned to the National Interdiction

Unit and the Counter Narcotics Police of Afghanistan, as well as for British coalition forces. The education that DEA provides in the areas of drug investigations, clandestine lab hazards and safety, and evidence is crucial to building an effective, independent, and sustainable counternarcotic force within Afghanistan.

The OIA establishes staffs and supports the Department's Attache positions around the world. This is an initiative that is reaping major benefits in addressing our global anti-crime and antiterrorism initiatives overseas. It directly supports United States law enforcement personnel and prosecutors (federal, state and local) in their efforts to obtain evidence and fugitives located abroad. DOJ Attaches work directly with United States and foreign law enforcement, prosecutors, and judges on operational matters. The Attaches serve a cross-cutting function, supporting cases and investigations directed by a variety of sections of the Criminal Division, United States Attorneys' offices, and state and local authorities.

Strategies to Achieve the Objective

Through the National Security Division, coordinate with federal, state, and local government agencies in a comprehensive effort to develop and maintain enhanced domestic preparedness

Employing renewed and newly implemented investigative tools and coordinating with our partners in the law enforcement and Intelligence Communities, the NSD will be able to effectively and efficiently collect foreign intelligence and investigate and prosecute terrorism- and national security-related cases.

Through the Crisis Management Coordinator Program and the realignment and strengthening of resources, the NSD will fully coordinate with federal, state, and local government agencies in a comprehensive effort to develop and maintain enhanced domestic preparedness. The organization will align critical incident response plans with the National Response Plan and build regional capability to respond to terrorist and other incidents. It will also plan and conduct

challenge exercises to test and improve readiness.

Assist foreign partners to ensure international judicial cooperation

NSD will assist in drafting antiterrorism laws and treaties and provide consultation and training in specific investigative and prosecution strategies. NSD will work closely with counterparts in other countries on parallel and intersecting investigations and prosecutions, utilizing all existing tools, including MLATs, extradition treaties, and sharing of information and evidence.

NSD will work through multilateral fora, such as the G-8, the Organization of American States, and the European Union, as well as through bilateral efforts, and, in coordination with the DoS, will increase information-sharing and strengthen the laws and prosecutive tools of our allies and emerging nations.

Use Anti-Terrorism Advisory Councils to coordinate the exchange of terrorism-related information, as well as provide or facilitate counterterrorism training for all appropriate parties in a judicial district

The Anti-Terrorism Advisory Councils (ATACs) are an effort to maintain a coordinated and consistent national program, while at the same time empowering United States Attorneys' offices across the country to pursue terrorism investigations and prosecutions. The ATACs have helped reduce the "stovepiping" of information and helped to "connect the dots" to prevent terrorists from exploiting gaps in our CT efforts. At the direction of the Attorney General, each United States Attorney's office identifies an experienced prosecutor to serve as the Anti-Terrorism Coordinator for that specific district. Assisted by the Counterterrorism Section of the NSD, representatives from federal law enforcement agencies (including the FBI, DEA, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), the United States Marshals Service (USMS), Secret Service, and the DHS Directorate of Border and Transportation Security), and various state and local law enforcement organizations comprise each district's ATAC. The ATACs are a national



network that coordinates specific antiterrorism initiatives, conducts training programs, and facilitates information-sharing. They work closely with the FBI's JTTFs across the country.

Cultivate new partnerships to further the organization's mission to prevent transnational crime and terrorism

Active in more than 50 nations, ICITAP's training strategies are the nexus to United States Government and non-governmental organizations (NGOs), expanding the training and technical resources provided to foreign law enforcement and other foreign assistance programs. ICITAP's strategy is to continue to foster relationships with various organizations through program collaboration and interagency working groups. The Millennium Challenge Corporation is ICITAP's newest partner in foreign assistance and, together, the partners have developed new programs in Malawi, Ukraine, and Kyrgyzstan. ICITAP was instrumental in the development of the Pakistan Federal Investigations Agency's Special Investigation Group that is responsible for investigating terrorist-related bombings and other terrorist activity.

Improve the skills of foreign prosecutors, investigators, and judges; encourage legislative and justice sector reform in countries with inadequate laws; and promote the rule of law and regard for human rights

OPDAT has developed highly complex and politically sensitive legal technical assistance programs targeting terrorist financing in more than 20 of the Department's priority countries. OPDAT coordinates and implements bilateral

training programs for prosecutors, investigators, and judges that present international standards and best practices in the areas of money laundering and terrorist financing. OPDAT also implements regional meetings assisting Middle Eastern, Asian, and African nations in developing new laws and procedures to combat the abuse of charities, bulk cash smuggling, money laundering, and other methods known to finance terrorist activities.

OPDAT also places RLAs in-country to assist in criminal justice reforms and to foster close relations with foreign counterparts. CT RLAs develop technical assistance programs for prosecutors, judges, and investigators to help enhance skills development and to implement new money laundering and terrorist financing laws and procedures. Most importantly, the RLA CT program strengthens bilateral relations and cooperation on criminal justice matters.

Train domestic security forces in Iraq

The difficulties faced by security personnel of the newly-elected Iraqi Government are well-known, as these forces struggle to regain control of the country from various insurgent groups. To assist the Iraqis in this struggle, the United States Government has entered into agreements to provide training for the Iraqi police force. The FBI has constant representation through a fully staffed Legal Attache Program (Legat) office in the American Embassy, Baghdad, which handles a wide variety of onsite issues and provides extensive coordination for training ventures. The FBI has been integrally involved in the training of the Iraqi Police Service and the Iraqi Security Forces. A joint Iraqi-United States Major Crimes Task Force (MCTF) was initiated to thoroughly investigate violent attacks on the stability of the Iraqi nation. The primary objective of the MCTF is to select, vet, and train a core group of Iraqi National Police officers in the investigation of complex criminal investigations. Improving the professionalism and skills of the police force will result in successful prosecutions of criminals and elimination of insurgents, thus providing improved security.

Support the Legal Attache Program mission

The FBI's Legat program works in close coordination with the Department's counterparts in the law enforcement and intelligence community overseas to prevent, mitigate, and investigate terrorist attacks on United States interests abroad. Legats establish and maintain prompt and continuous exchange of information with foreign law enforcement and intelligence agencies, essential to the successful fulfillment of the FBI's CT responsibilities.

The Department will continue to assess the need for an expansion of Legat program into additional areas of the world where the CT mission may need additional support and involvement. The expansion strategy is designed to optimize the FBI's overseas abilities and support its core investigative priorities through assisting foreign agencies with legitimate investigative requests. The FBI Office of International Operations will consider areas for expansion in nations or regions known for terrorist group origins, fund raising, transit, support, and/or sympathy.

The Criminal Division of the Department currently has attaches stationed in 10 countries around the world. These DOJ attaches work closely with FBI Legats and other United States law enforcement attaches, and United States and foreign prosecution, law enforcement, and judicial authorities to support CT investigations.

Enhance and enable trusted partners

The path to success prominently includes the FBI's enhancement and enabling of our trusted partners, such as the Intelligence and Law Enforcement Communities, DHS, DoD, DoS, and certain foreign governments, to ensure they are informed of FBI intelligence and investigative results so they too can act against any significant threat. The most efficient and effective means to fight terrorism is to C-3 with our trusted partners engaged in the global war on terror. C-3 requires maintaining and growing existing relationships as well as developing new relationships.

To meet the enforcement requirements of our partners, the FBI will orient and focus collection and reporting efforts around their unique and specific needs. The Bureau will also improve information-sharing and collaboration between key internal and external partners. Historically the FBI and its CTD have operated with the paradigm of "need to know." Today, the FBI's paradigm is a "need to share." The FBI will work within and outside the boundaries of the FBI organization to make sure the organization transforms to a "need to share" culture.

Engage the Bureau of Alcohol, Tobacco, Firearms, and Explosives in strong partnerships with the law enforcement community to capitalize on its expertise and combat terrorism

ATF will continue to bring its authorities and expertise in the investigation and regulation of firearms and explosives to a wide variety of partnerships combating terrorism. ATF presently participates in several intra- and inter-departmental efforts aimed at pooling investigative resources, providing training, and sharing intelligence. ATF special agents are assigned to JTTFs nationwide, providing access to investigative expertise and information-sharing. ATF works closely with DOJ's National ATAC Coordinator and provides training on ATF investigative strategies, capabilities, and activities to ATAC coordinators at United States Attorneys offices, intelligence research specialists, other Federal prosecutors, and Law Enforcement Coordinating Council members. ATF also supports the Federal Air Marshals by supporting the Force Multiplier Program. Nationwide, ATF leads or participates on literally hundreds of enforcement task forces, all of which enhance information-sharing that serves to deter and disrupt terrorist and criminal activity.

Building on its expertise in explosives, ATF operates as a critical partner in DoD's Terrorist Explosive Device Analytical Center (TEDAC), where partners conduct technical and forensic analyses of improvised explosive devices (IEDs) to link incidents and perpetrators in support of preventive and protective missions against terrorism. Since March 2005, ATF special agents and explosives enforcement officers (EEOs) have been playing a lead role in the Combined Explosives Exploitation Cell (CEXC)

that responds to and investigates attacks involving IEDs in Iraq. The CEXC mission is a part of the U.S. Military Central Command, and the assigned personnel respond to terrorist bombing attacks, providing onsite investigative assistance in processing post-blast incidents directed at U.S. and allied forces and lending their specific expertise to analyze information to prevent additional attacks.

Finally, ATF conducts advanced firearms and explosives training for Federal, U.S. military, state, local, and international students on topics that include the safe destruction of explosives, on-scene analytical and advanced post-blast analysis, and firearms trafficking. Through the International Law Enforcement Academy (ILEA), ATF provides advanced instruction to law enforcement officials from more than 50 countries.



Use the Foreign Deployed Advisory Support Teams Program to implement counternarcotics strategies and deny drug-related terrorist activities

In support of the Administration's *Counternarcotics Strategy for Afghanistan*, DEA has established the FAST Program. These five investigative and intelligence support teams advise, train, and mentor their Afghan counterparts in the National Interdiction Unit of the Counter Narcotics Police – Afghanistan, and directly augment the Kabul Country Office. FAST helps institute self-reliant counterdrug operations in the Afghan Government. Since the program's establishment in Fiscal Year (FY) 2005, FAST has played a pivotal role in protecting the lives of both our United States military and our coalition partners in Afghanistan. The teams have identified

narcotics traffickers involved in targeting United States forces with IEDs and have provided critical information obtained from DEA human intelligence sources to United States Special Forces Teams. Additionally, DEA has requested funding to expand the FAST Program into the Western Hemisphere where illicit drugs flowing to the United States are produced or transited.

Deny safe havens to criminal organizations involved in drug-related terrorist activities

Through *Operation Containment*, DEA is working with 18 countries to reduce the flow of Afghan heroin into world markets. DEA's *Operation Containment* seeks to deny safe havens to criminal organizations involved in drug trafficking, drug-related terrorist activities, and money laundering, thus depriving drug trafficking organizations of their illicit profits. Established in 2002, *Operation Containment* also targets other illicit materials such as precursor chemicals, weapons, ammunition, and the currency routinely used by heroin trafficking organizations to finance illegal activities. This program was established because of the lack of fully developed institutional systems, such as courts and law enforcement agencies, for drug enforcement in Afghanistan.

Use intelligence to support counternarcotics strategies and stop drug-related terrorist activities

In addition to its traditional drug law enforcement mission, DEA has assumed new intelligence responsibilities and functions in 2006 to support the global war on terror. DEA's Intelligence Program has refocused its strategic drug intelligence program to include identifying emerging threats and providing predictive intelligence that contributes to planning for the allocation of enforcement resources. DEA also has expanded its Intelligence Program to include: establishing the Office of National Security Intelligence; appointing a DEA representative to the National Security Council Office for Combating Terrorism, part of the Intelligence Community; assisting DOJ in creating and establishing the Organized Crime Drug Enforcement Task Force (OCDETF) Fusion Center; implementing the National Virtual

Pointer System and the Centers for Drug Information to South Asia; and initiating at the El Paso Intelligence Center (EPIC) Open Connectivity and the System Portal that includes the National Seizure System. In addition, DEA has established an Intelligence Program in Afghanistan that enhances drug intelligence collection, analysis, and sharing with our other federal and international partners to support the identification and dismantlement of drug trafficking organizations that are involved in transnational crime and support to terrorism.

Investigate and prosecute drug trafficking organizations that use the profits of drug trafficking to finance international terrorism

Since September 11, 2001, the Special Operations Division's (SOD) Narco-Terrorism Section has actively worked with the intelligence community to develop leads to assist in targeting terrorist organizations that traffic in narcotics. Criminal Division's Narcotic and Dangerous Drug Section (NDDS) attorneys have worked closely with these agents to coordinate these investigations, ensuring that actionable leads are sent to the appropriate agencies and protecting any classified sources of information. The Department will continue this effort in the future by investigating and prosecuting narco-terrorism organizations and discerning the financing that drug trafficking provides to terrorist groups; by sharing actionable leads and intelligence with other enforcement organizations involved in narco-terror investigations; and by working closely with members of the Intelligence Community and playing an active role in protecting classified sources of information.

Use our international partnerships to negotiate and enter into extradition treaties

International cooperation is critical in our battle to fight international terrorism. Terrorism and transnational crime know no boundaries and the battle against foreign threats and illegal enterprises that often fund or support terrorists' activities cannot be thwarted within United States borders. As a result, strong partnerships with our international counterparts are needed.

Extradition and mutual legal assistance requests are critical tools for law enforcement and prosecutors in bringing criminals, including terrorists, to justice. Without such tools, terrorists will remain at large and evidence will be unavailable. While the United States has extradition treaties in force with over 110 countries around the world, there remain scores of countries in which the United States has no extradition treaty. DOJ, through the Criminal Division and FBI Legats, is currently involved in a variety of important treaty negotiations, including the 50 bilateral instruments that are needed to give effect to the United States - European Union agreements on extradition and mutual legal assistance. Such treaties create a partnership between the United States and its foreign partners in bringing justice to all criminals.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Anti-Terrorism Advisory Councils.** Staffed by an experienced Assistant United States Attorney prosecutor as district coordinator, with representatives from FBI, ATF, DEA, USMS, Secret Service, DHS Directorate of Border and Transportation Security, as well as state and local law enforcement, ATACs coordinate specific antiterrorism initiatives, initiate training programs, and facilitate information-sharing.
- ❖ **Foreign Terrorist Tracking Task Force.** Led by the FBI, and including DoD, DHS, DoS, the Social Security Administration, the Office of Personnel Management, the Department of Energy, and the Central Intelligence Agency (CIA), the mission of the Foreign Terrorist Tracking Task Force (FTTTF) is to provide information that helps keep foreign terrorists and their supporters out of the country or leads to their exclusion, removal, surveillance, or prosecution.

- ❖ **Joint Terrorism Task Forces.** Found in each of the FBI's 56 districts, JTTFs perform cohesive intelligence, investigative, and prosecutorial functions to disrupt terrorist activities. The JTTF program currently consists of 101 task forces. Federal full-time participants include several bureaus under DHS; USMS; ATF; the Naval Criminal Investigative Service; CIA; DoS Diplomatic Security Service; United States Postal Inspection Service; Internal Revenue Service (IRS); Air Force Office of Special Investigations; Defense Intelligence Agency; Defense Criminal Investigative Service; United States Park Police; and the Treasury Inspector General for Tax Administration.

- ❖ **Projects Under the Auspices of the National Joint Terrorism Task Force.**
 - Correctional Intelligence Initiative:* designed to enhance intelligence-sharing between correctional agencies and the JTTF with regard to terrorism matters in general and to prevent prison radicalization in particular;
 - Visa Revocation Project:* designed to identify and locate known or suspected terrorists whose visas have been revoked by the United States DoS and who may be currently residing in the United States;
 - Operation Tripwire:* designed to improve the gathering and sharing of the FBI's intelligence base of possible domestic terrorist sleeper cells.

- ❖ **Transitional Security and Rule of Law Working Group.** DOJ participates in DoS Coordinator for Reconstruction and Stabilization meetings designed to develop inter-operability and integration between civilian assets and the United States military in future post-conflict and stabilization operations to prevent terrorism.

- ❖ **International Law Enforcement Academies.** DOJ participates in this working group designed to address curriculum, funding, and specialized training issues on various topics, such as CT and organized crime.

- ❖ **United Nations Mission in Kosovo.** DOJ's ICITAP coordinates with the United Nations Mission in Kosovo (UNMiK) to ensure that

the development of the civilian police is properly managed and integrated into the international community's overall strategy. In Kosovo, ICITAP also works in collaboration with the Organization for Security and Cooperation in Europe through the development of the Kosovo Police Service School, which has trained more than 7,300 police officers since 1999.

- ❖ **Counternarcotics Strategy for Afghanistan.** DEA works with the United States Embassy Kabul, DoS, DoD, and the Government of Afghanistan in support of the *Counternarcotics Strategy for Afghanistan*, which is designed to reduce heroin production and contribute to the stabilization and rebuilding of the country.

- ❖ **El Paso Intelligence Center.** DEA and partner agencies jointly support and use EPIC and various other intelligence centers, systems, and networks to provide counternarcotics and CT-related information and analysis, promote information-sharing, and ensure the coordination of investigations in order to disrupt, dismantle, and prosecute major organizations responsible for the supply of illicit drugs in America and the flow of drug money.

STRATEGIC OBJECTIVE 1.3

Prosecute those who have committed, or intend to commit, terrorist acts in the United States

Strategies to Achieve the Objective

Build strong cases for prosecution through the United States Attorneys' offices and the Counterterrorism Section of the National Security Division

United States Attorneys' offices in each district, in conjunction with skilled attorneys from the Counterterrorism Section of the Criminal Division, will work to build strong cases, coordinating efforts throughout investigations, so that evidence is solid, properly obtained and developed, and appropriately preserved while

protecting classified evidence and other intelligence interests. In certain instances, prosecutors will utilize the ATACs to coordinate efforts that require the assistance of other law enforcement organizations. With coordinated prosecution strategies, federal and local law enforcement authorities will be better guided toward the strongest, most relevant evidence available for a sound prosecution.

Deploy the Anti-Terrorism Advisory Councils created within each judicial district to coordinate specific antiterrorism initiatives, initiate training programs, and facilitate information-sharing

The ATACs, described earlier under Strategic Objective 1.2, will coordinate antiterrorism initiatives by ensuring that federal, state, and local enforcement efforts are focused and coordinated as they pursue targets that may be connected to terrorism. They will also mobilize certain national prevention-based initiatives that involve significant prospects of imminent prosecution, and they will provide a central forum for agencies to congregate and identify potential terrorism links. ATACs will sponsor various training programs related to terrorism. They will facilitate information-sharing among various law enforcement entities and will disseminate terrorism-related information to ATAC members on a regular basis. The advisory councils will work in close coordination with the JTTFs.

Investigate and mitigate threats

The prevention strategy measures success not only by prosecutions brought and won, but also by threats disrupted and terrorist acts avoided, many of which may not result in criminal prosecutions. In addition, cutting off the provision of support and resources to terrorists and foreign terrorist organizations through the use of tools such as material support statutes are essential to preventing terrorist attacks. Finally, prosecutions of offenses that terrorists often commit, such as identity theft and

immigration violations, have been sought since September 11 in cases where they are the only available avenues of deterring and disrupting potential terrorist planning and support activities without compromising national security information.

Focus Racketeering Influenced Crime Organization methods and charges on the United States-based terrorist infrastructure

The Criminal Division's Organized Crime and Racketeering Section (OCRS) will partner with the Counterterrorism Section of the National Security Division in the Terrorist Financing Unit to identify, investigate, and dismantle the United States-based terrorist infrastructure. Regular meetings among personnel involved in terrorist financing and organized crime prosecution will be held to discuss policy and management, joint education and training, information-sharing, and case partnerships.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **The National Security Council's Policy Coordination Committee for International Organized Crime.** The OCRS, will be involved in a senior targeting group tasked to identify and prioritize targets, develop strategies and policies, and oversee the implementation of programs designed to combat international organized crime activities that threaten the national security of the country.

STRATEGIC OBJECTIVE 1.4

Combat espionage against the United States

Foreign espionage strikes at the heart of our national security, impacting our political, military and economic strengths. In recent years, the foreign intelligence threat to the United States

"[I]n deciding whether to prosecute, we will not wait to see what can become of risks."

Deputy Attorney General, May 2006

has expanded dramatically and has become more complex and less predictable in scope and nature. In addition to traditional threats targeted toward obtaining sensitive information on traditional United States targets (i.e., national defense, military operations and policy, United States intelligence, and science and technology information), numerous non-traditional threats and targets have emerged.

Moreover, many of these intelligence threats have expanded their targets to include other sectors affecting United States security, most notably sensitive economic information and proprietary technology information. Concurrently, foreign threats now have elaborate, sophisticated networks consisting of governmental and non-governmental entities engaged in long-term efforts to obtain information using a wide array of intelligence collection platforms to achieve their goals.

Foreign intelligence threats are planned, authorized, and financed by powers beyond our boundaries. Rapid and continuous changes in technology have provided these foreign intelligence threats with new, inexpensive, and efficient means to target, collect, and disseminate sensitive information. Intelligence operations against the United States are now far more fluid and complex than at any time in the past, making detection and prevention far more difficult.

Strategies to Achieve the Objective

Protect United States national security against foreign intelligence operations and espionage, including economic espionage

The FBI Counterintelligence Program will strive to combat espionage by becoming more proactive and preventive in approach, leading to early indications and warnings of traditional espionage, as well as other less traditional espionage-related activities like the illicit transfer of technology, export control, theft of intellectual property (IP), and trade secret compromise. The program's focus will be on developing strategic partnerships with and across the spectrum of military, industrial, and research stakeholders, owners and developers.

The FBI Counterintelligence Program will: 1) engage and lead in the cultivation of strategic partnerships; 2) identify specific targets of, and vulnerabilities to, foreign intelligence service intrusion, and 3) identify priority threat country objectives and operations via sophisticated human intelligence and technical counterintelligence operations, including offensive and defensive cyber techniques.

Successful efforts in this area will enable the United States to identify intelligence service objectives, officers, assets, and operations; disrupt intelligence service operations; and change the behavior of targeted/exploited institutions and individuals. These efforts will prevent the proliferation of chemical, biological, radiological, nuclear, and explosives information, technology and materials; foreign intelligence penetration of the United States Intelligence Community; foreign intelligence penetration of other United States Government agencies and contractors; and foreign intelligence compromise of Critical National Assets.

Strengthen the Department's intelligence base and analytical capability to assess and respond to intelligence threats

The robust and enhanced use of intelligence information has become a critical tool in fighting the war on terror. The FISA, as amended, has proven to be one of the most critical instruments in that effort, and the NSD now oversees the Department's implementation of that Act. With the reorganization of the FBI's national security activities into a National Security Branch and the consolidation of the Department's counterintelligence components into the NSD, the Department is positioned better to improve its capacity to evaluate and anticipate threats posed by the intelligence activities of foreign powers.

Effective performance in this area will ensure appropriate oversight of agents of foreign powers. The NSD's Foreign Agents Registration Act component will continue to maintain and update the Foreign Agents Registration database, respond to requests for legal opinions concerning registration requirements, report to Congress on a semi-

annual basis, and conduct proper compliance audits of registrants.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Regional Counterintelligence Working Groups.** Led by the FBI and established in late 2003 to implement the *National Strategy for Counterintelligence*, the groups address intelligence gaps and identify counterintelligence trends and priorities in the operational arena among United States Intelligence Community agencies at the field level. Initiatives include joint operations, new databases, and expanded interagency communications.
- ❖ **National Counterintelligence Working Group.** Led by the FBI, with counterintelligence agency head-level representatives and other guests, the group's mission is ongoing interagency planning for better coordination of counterintelligence operations and initiatives among United States Intelligence Community agencies.
- ❖ **Agents-in-Lab Initiative.** Based upon a Congressional mandate, FBI agents have been placed in key Department of Energy laboratories. Based upon their placement, the laboratories' awareness of the threat has significantly increased and actionable intelligence for both the laboratory and the FBI has increased.
- ❖ **Business Alliance.** FBI allies with representatives of major Government contractors to build executive-level relationships and foster threat and vulnerability information-sharing with private industries located within territories having at-risk and sensitive national security and economic technologies, and research and development projects.

- ❖ **Academic Alliance.** DOJ participates in open dialogue with the presidents of major universities and raises awareness of covert interests of foreign intelligence services in their proprietary information and IP.

STRATEGIC GOAL II



**Prevent Crime, Enforce Federal Laws, and
Represent the Rights and Interests of
the American People**

GOAL 2

PREVENT CRIME, ENFORCE FEDERAL LAWS, AND REPRESENT THE RIGHTS AND INTERESTS OF THE AMERICAN PEOPLE

Although the prevention of terrorism is the Department's top priority, it is not the only priority. Goal 2 encompasses what was traditionally viewed as the heart of DOJ's mission: the enforcement of the law. This goal covers a broad range of issues, including violent crime, illegal drugs, vicious gangs, and gun violence. It involves white collar crimes, such as health fraud, corporate fraud, and public corruption. It involves computer crime, including identity theft, IP crime, and other kinds of cybercrime. And it covers the exploitation of the vulnerable, particularly children, in all its various forms: pornography, trafficking, and abuse.

Goal Two also describes the role of the Department as the Nation's chief litigator, representing the United States Government and the people in court, enforcing federal civil and criminal statutes, including those protecting civil rights, safeguarding the environment, preserving a competitive market structure, defending the public fisc against unwarranted claims, and preserving the integrity of the Nation's bankruptcy system.

Among the DOJ components that share responsibility for this strategic goal are the United States Attorneys; ATF; the FBI; the DEA; the United States Trustee Program (USTP); the Office of Justice Programs (OJP); the Office on Violence Against Women (OVW); Community Oriented Policing Services (COPS); the International Criminal Police Organization (INTERPOL); Civil Rights Division; and the Civil, Criminal, Antitrust, Environment, and Tax Divisions.

STRATEGIC OBJECTIVE 2.1

Strengthen partnerships for safer communities and enhance the Nation's

capacity to prevent, solve, and control crime

Preventing and controlling crime is critical to ensuring the strength and vitality of democratic principles, the rule of law, and the fair administration of justice. Most of the responsibility for crime control and prevention falls to the law enforcement officers found in our states, cities, and neighborhoods. The Federal Government can be effective in these areas only to the extent that it can enter into partnerships with these crimefighters on the streets. DOJ, principally through the efforts of OJP, OVW, and COPS, provides innovative leadership to federal, state, local, and tribal justice systems, disseminating state-of-the-art knowledge and practices across America, and providing grants for their implementation. By promoting these state and local partnerships, DOJ ensures that everyone works together towards a common goal: reducing crime and keeping the dream alive for all Americans.

Strategies to Achieve the Objective

Improve policing and prosecution effectiveness

This broad objective will be achieved by improving policing effectiveness with specific types of crime, including drugs, white collar, cyber, and hate crimes. OJP will aid law enforcement with cold cases, human trafficking, gun violence, domestic violence, and child abuse. The office will emphasize innovative, collaborative initiatives such as the community-based Weed and Seed Program. Prosecution effectiveness will be enhanced through implementation of the *Capital Litigation Improvement Initiative* that provides prosecutors

with the tools, knowledge, and resources to try capital cases effectively.

OJP will enhance tribal justice by supporting implementation and continuing operation of tribal judicial systems. Initiatives include establishing core tribal court structures; improving case management; training court personnel; acquiring additional equipment and/or software; enhancing prosecution and indigent defense; supporting probation diversion and alternative sentencing programs; accessing services; focusing on juvenile services and multidisciplinary protocols for child physical and sexual abuse; and structuring intertribal or tribal appellate systems.

Enhance the capabilities of jurisdictions to share information

DOJ has initiated a comprehensive approach to confront and overcome barriers to information-sharing in the Law Enforcement Information-Sharing Program (LEISP). LEISP is a nationwide law enforcement information-sharing collaboration connecting multiple partners including the FBI, other DOJ components, DHS, the intelligence community, and local law enforcement agencies across America. LEISP focuses on enabling law enforcement agencies to access shareable DOJ information in a timely and secure manner. With less time spent requesting information, law enforcement can focus on transforming intelligence into action. Because guidelines for ensuring security, privacy, and accountability are strictly enforced, LEISP partners can readily share information among each other.

Training and recommendations from OJP and the National Criminal Intelligence Sharing Plan are consistent with and complementary to guidelines contained within the LEISP. Additionally, through the *Global initiative*, OJP addresses the policy, connectivity, and jurisdictional issues that have hampered effective justice information-sharing.

Increase the availability and use of technological resources for combating crime

OJP is uniquely positioned to spur the adoption of innovative and proven cost-effective crime-fighting equipment across America. The 18,000 law enforcement agencies across the Nation have become more reliant on new and advanced equipment to effectively and efficiently carry out the responsibilities for public safety. This increased reliance is due to improved performance that well-designed and properly-implemented equipment yields and the need to counter criminals who increasingly use advanced technologies themselves. OJP will research, develop, test, and evaluate recommendations spanning the full range of criminal justice requirements, including less-lethal weapons, surveillance technologies, information and communications systems, forensics, and personal protective equipment. This information will help inform thousands of procurement decisions made each year by state, local, and tribal law enforcement that obligate hundreds of million of dollars.

OJP recently initiated the President's five-year, \$1 billion *DNA initiative* to improve the Nation's capacity to use DNA evidence by eliminating casework and convicted offender backlogs; funding research and development; improving crime lab capacity; providing training for all stakeholders in the justice system; and conducting testing to identify the missing. Newer DNA analysis techniques can yield results from biological evidence invisible to the naked eye, even in cases where the evidence is contaminated. Today, police departments throughout the country are reexamining unsolved rape, homicide, and other cases using advanced DNA methods. Newly processed DNA profiles are uploaded into the FBI's Combined DNA Index System (CODIS) so the data can be compared with DNA profiles derived from convicted offenders and evidence samples already in the national system. Matches are confirmed by obtaining and analyzing a second sample from the suspect.

While DNA technology is helping to solve crimes and exonerate the innocent across the country, many public crime laboratories are not fully equipped to handle the increased demand for DNA testing. Some laboratories have large backlogs of unanalyzed DNA samples from convicted offenders and crime scenes, which can significantly delay criminal investigations and the administration of justice. OJP's *DNA*

Initiative and other efforts are designed to increase the availability and use of these technological resources for combating crime.

Strengthen the capacity of law enforcement agencies nationwide to implement community policing strategies

Community policing promotes and supports problem-solving tactics and community-police partnerships to address crime and disorder problems proactively. Community policing stresses the importance of police collaboration with community stakeholders (e.g., school communities, community groups, businesses, and faith-based organizations) to fight crime and disorder problems. Departments that practice community policing work with these community groups and individuals to identify persistent local problems, learn more about why these problems occur, and address the underlying conditions that lead to these problems, so that future crimes can be prevented.

The three primary elements of community policing are: 1) community/law enforcement partnerships; 2) problem solving; and 3) organizational transformation. The COPS Office builds and sustains the capacity of law enforcement agencies to implement community policing strategies to improve crime fighting capability through grant assistance, training and technical assistance, and publications that promote the use of community policing strategies to fight crime and disorders.

In addition to grant resources, the COPS Office assists law enforcement agencies and communities through training, technical assistance, and publications to expand the adoption of community policing strategies nationwide. As law enforcement priorities shift and new concerns emerge, COPS develops and tailors training curricula, technical assistance workshops, and publications to address the emerging needs of the agencies and the communities they serve.

Provide federal leadership

DOJ will provide federal leadership in its capacity as the primary implementer of the

Violence Against Women Act (VAWA). Under the direction of the Attorney General, OVW will work closely with components within DOJ, as well as with other federal agencies and the public, to provide effective policy intended to end violence against women and hold perpetrators accountable.

Develop capacity of new coordinated community responses

OVW understands that the most effective way to combat violence against women is to establish a strong coordinated community response (CCR). This method of creating working relationships among the community to quickly and safely serve victims of domestic violence, sexual assault, and stalking has proven time and time again to be effective. Pilot programs, such as the *President's Family Justice Center Initiative*, which support the CCR method by creating a one-stop shop for domestic violence victim resources, are improving the way victims are served. Under this method, victims are more likely to stay engaged with the legal system to restore their lives and bring perpetrators to justice.

Enhance collaboration

The spirit of the VAWA is often referred to as the CCR. That is, in order to be effective in responding to intimate partner violence, sexual assault, and/or stalking, a community needs to work together, each member doing his or her job knowing and depending on the strengths of the other community members. Law enforcement officers, prosecutors, judges, and advocates cannot respond adequately to violence against women without one another's support, as well as the support of the community as a whole. By working together, these individuals can create a system that will keep victims safe and hold offenders accountable.

OVW has embraced this philosophy at all levels. Applicants for federal grant funding need to demonstrate how their community is working together and have community partners sign a memorandum of understanding (MOU) outlining how that collaboration will operate under the grant. OVW program specialists are assigned to monitor the grant recipients and work closely

with the grantee, as well as with components within OJP, such as the National Institute of Justice (NIJ), the Bureau of Justice Statistics, and the Office for Victims of Crime (OVC). Additionally, OVW works closely with other DOJ components including ATF, FBI, and the Executive Office of the United States Attorneys (EOUSA). The Secretary of the Department of Health and Human Services (HHS) co-chairs an Advisory Committee on Violence Against Women with the Attorney General.

Support the progress of existing coordinated community responses

A CCR is intended to bring about a philosophical change in the community that encourages various stakeholders to work together to help victims and bring perpetrators to justice. This change happens gradually and may not be reflected in measurable terms. Applications that exemplify the philosophy of the CCR will continually score better during the competitive process than those which do not.

Measure effectiveness of funded projects

OVW has undertaken a significant effort to implement a system for measuring the effectiveness of projects supported by VAWA grant monies. To assist in this work, the Office entered into a cooperative agreement with the University of Southern Maine, Muskie School of Public Service, and Institute for Child and Family Policy ("the Muskie School") to develop tools for grantee self-reporting, analysis of grantee data, and draft reports to Congress. As a result, OVW and the Muskie School have developed 12 new progress reporting forms that gather information on OVW's grant programs. Each form is individualized to allow grantees to report on the types of activities – for example, training, criminal justice activities, victim services – supported by their grant funding. Through an agreement with OJP's Office of the Chief Information Officer, OVW also has developed computerized "smart" versions of the forms that grantees submit online through the Grants Management System (GMS). By the end of FY 2005, all progress report forms for OVW's grant programs were available on GMS for grantee reporting.

Fund community programs that are sustainable

OVW has put several procedures in place to improve the sustainability of community programs beyond Federal funding:

- Each applicant for competitive funding must develop a sustainability plan as part of their grant application;
- Formula programs require a 25% match;
- All program awards have been extended from a 12- or 18-month to a 24-month period;
- OVW has contracted with technical assistance providers that specialize in program sustainability;
- All technical assistance providers are instructed to emphasize the long-term benefits of the CCR when working with grantees; and
- All solicitations have been revised for clarity so that applicants understand the application requirements and scoring method.

Key Crosscutting Programs and Activities

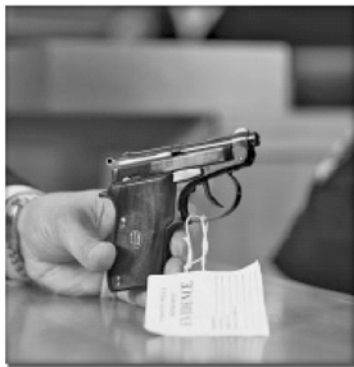
The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Interagency efforts.** OVW collaborates on a regular basis with other federal, state, local, and private entities to share promising practices, co-sponsor conferences on common issues, and discuss policy questions that impact shared constituent groups. OVW works closely with HHS and DoD, to address such issues as the co-occurrence of domestic violence and child

maltreatment and sexual assault in the military. OVW and the Office for Women's Health in HHS share the joint responsibility for managing the National Advisory Committee on Violence Against Women that provides advice and guidance to the Attorney General and Secretary of HHS on implementation of the VAWA.

STRATEGIC OBJECTIVE 2.2

Reduce the threat, incidence, and prevalence of violent crime



Gun violence and gang violence continue to inflict a heavy toll on communities across America. Indiscriminate gun fire and the presence of armed gang members are

factors that reduce the quality of life for our citizens. Major violent crime incidents, such as sniper murders, serial killings, and criminal gangs can paralyze whole communities and stretch state and local law enforcement resources to their limits. Significant instances of bank/armored car robberies, extortions, kidnappings, and product tampering have a dramatic effect on the welfare of citizens and the economy of the United States. The reduction of the threat and incidence of violent crime is a priority issue for DOJ.



Strategies to Achieve the Objective

Combat gun violence through Project Safe Neighborhoods

Project Safe Neighborhoods (PSN) is a nationwide commitment to reduce gun crime in America. The effectiveness of PSN is based on the ability of local, state, and

"Every American deserves to live free from the fear of violent crime."

*Attorney General,
February 2006*

federal agencies to cooperate in a unified offensive led by the United States Attorney in each of the 94 federal judicial districts across the United States. Through collaboration with federal, state, and local law enforcement, each United States Attorney will implement the five core elements of PSN -- partnerships, strategic planning, training, outreach, and accountability - in a manner that is contoured to fit the specific gun crime problems in that district. The goal is to create safer neighborhoods by reducing gun violence and sustaining that reduction.

PSN reduces gun crime in America by networking existing local programs that target gun crime and providing these programs with additional tools necessary to be successful. Funding for the initiative is used to hire new federal and state prosecutors, support investigators, provide training, distribute gun lock safety kits, deter juvenile gun crime, and develop and promote community outreach efforts, as well as to support other gun violence reduction strategies.

The initiative requires every United States Attorney to coordinate all gun-related programs at the federal, state, and local law level within the district. Each United States Attorney has established a task force consisting of federal and local officials to review and prepare gun cases for prosecution in the most appropriate forum. The strategic plans for PSN, like the specific gun violence problems, vary from one community to another. In order to maintain an edge in the attack on gun violence, this initiative mandates more expansive and comprehensive training for federal, state, and local law enforcement officers and prosecutors.

Community outreach and public awareness are essential components of the initiative. By conveying the priorities, message, and results of this enhanced enforcement effort to the media and community members, the United States Attorney can help shape the attitudes of law abiding citizens and those who would otherwise believe they can violate gun laws with impunity.

Implement a comprehensive anti-gang strategy

"Gangs shatter the dreams of those who succumb to their false promises and wreak havoc on nearly everyone in their path."

*Attorney General,
February 2006*

This program will incorporate (1) prevention, (2) enforcement, and (3) reentry efforts to address gang membership and gang violence at every stage. The Department will make grant funding available (1) to support

comprehensive prevention efforts such as the Gang Reduction Program, which focuses on reducing youth-gang crime and violence by addressing the full range of personal, family, and community factors that contribute to juvenile delinquency and gang activity; (2) to help support enforcement programs that will focus law enforcement efforts on the most significant violent gang offenders; and (3) to create mentor-based reentry assistance programs that will provide transitional housing, job readiness and placement assistance, substance abuse treatment, and mental health treatment to prisoners re-entering society.

Target, investigate, and prosecute the most violent street gangs in our cities and communities

The FBI will continue to focus its *National Gang Strategy* (NGS) on major violent domestic street gangs and drug enterprises that pose significant threats to the integrity of American society. Historically, NGS groups have displayed the ability to be well-organized, innovative, and extremely violent in protecting and securing the organizations' criminal goals. Coupled with the ability to quickly expand nationally, NGS groups are formidable opponents of law enforcement.

These organizations have a strong foothold in many rural and urban cities across the country, and therefore need to be targeted and/or monitored proactively through joint federal, state, and local investigative initiatives to neutralize future growth.

ATF will continue to infiltrate, investigate and seek prosecution for violent gang members who use firearms in furtherance of their criminal activity. ATF has a history of successful investigation and prosecution, often in partnership with state and local law enforcement, of outlaw motorcycle organizations, street gangs, and violent anti-Government groups. With respect to organized gun trafficking, ATF will identify trafficking patterns from its crime gun trace data and will target and investigate the traffickers as part of its *Integrated Violence Reduction Strategy*. The FBI, through its Safe Streets Task Forces, targets the organized acquisition, transportation, and distribution of firearms by violent street gang enterprises. This is designed to supplement the arsenal of investigative tools used by task force investigators to target criminal enterprises.

Certain criminal enterprises pose a significant threat to American society because of their multidivisional or multijurisdictional nature, their propensity for violence, and their rapid proliferation. These enterprises, nearly all of which have numerous factions, include the Bloods, Crips, Folk Nation, People Nation, Mara Salvatrucha, 18th Street Gang, La Raza, Border Brothers, Outlaw Motorcycle Gangs, and Prison Gangs. The ATF and FBI have concentrated resources to counter their expansion and violent criminal activity by identifying and neutralizing emerging national trends. In responding to the national priorities, the two agencies will identify, prioritize, and target violent street gangs whose activities pose a significant multijurisdictional threat.

Deploy the National Gang Targeting, Enforcement, and Coordination Center to disrupt and dismantle violent gangs in the United States that threaten national security, border protection, and public safety

Established to serve as a critical catalyst in a unified federal effort to combat violent gangs,



the National Gang Targeting, Enforcement, and Coordination Center (GangTECC) will create law enforcement strategies and facilitate operations across agency lines aimed at dismantling national and transnational violent gangs. The center will coordinate overlapping investigations, ensure that tactical and strategic intelligence is shared among law enforcement agencies, and serve as a central coordinating center for multijurisdictional gang investigations involving federal law enforcement agencies. This will also allow participating agencies to access and exploit each respective agency's gang intelligence, allow immediate access to operational information in a co-located environment, and provide a strong, national deconfliction center for gang operations.

GangTECC will accomplish its mission by:

- Assisting the initiation of gang-related investigations and enhancing existing investigations and prosecutions;
- Aiding in coordination, deconfliction, and effectiveness of gang-related initiatives, investigations, and prosecutions;
- Developing an enhanced understanding of the national gang problem and proposing strategies to neutralize the most violent and significant threats; and
- Coordinating with and supporting the National Gang Intelligence Center (NGIC), led by the FBI.

Deploy Violent Crime Impact Teams to combat violent crime

ATF and the Department established the *Violent Crime Impact Team (VCIT) Initiative*, a focused component of PSN, in 15 cities. Under VCIT, ATF partners with DEA, the USMS, ICE, the FBI, EOUSA, state and local law enforcement, and others to aggressively pursue the most violent offenders in targeted high crime areas within selected cities to reduce homicides and firearms-related violent crime. These multi-agency enforcement teams identify, target, disrupt, arrest, and prosecute the "worst of the worst" criminals. These efforts are designed to produce long-term reductions in firearms violence rather than a mere shift of the violence to adjacent neighborhoods.

Ten best practices guide the VCIT initiative: (1) setting clear goals and measuring performance, (2) developing collaborative partnerships with local police, (3) targeting the "worst of the worst" criminals, (4) using the full array of intelligence assets, (5) maintaining a fluid and dynamic approach when targeting offenders and hot spots, (6) conducting proactive street enforcement with local police in targeted hot spots, (7) deploying resources during peak hours of criminal activity, (8) investigating the sources of firearms linked to violent crime, (9) prioritizing prosecution of defendants linked to targeted hot spots, and (10) publicizing success stories.

The VCITs, along with the FBI's Safe Streets Task Forces, target the most violent gangs and arrest their leadership and enforcers. Through programs that include the provision of transitional housing, job placement, and substance abuse and mental health treatment, VCIT ensures that offenders returning to society do not revert to violence.

Vigorously prosecute organized crime and racketeering

The OCRS supervises the investigation and prosecution of cases handled by specialized Organized Crime Strike Force Units within United States Attorneys' offices in 21 federal districts. These cases directly relate to the strategic objective of reducing the threat,

incidence, and prevalence of violent crime, as they include some of the largest and most complex cases dealing with terrorism, public corruption, and violent gangs.

The strategies of OCRS in meeting the strategic objective are to maintain a cadre of experienced prosecutors in its Litigation Section to assist the United States Attorneys' Offices' Organized Crime Strike Force Units in organized crime cases; target specific organized criminal enterprises to eliminate their power and influence; and target, investigate, and prosecute the most violent street gangs.

Provide operational enforcement assistance and training to tribal governments

The Department will continue to provide both training and direct investigative and prosecutorial assistance to tribal governments. Accordingly, the U. S. Attorneys have designated Assistant United States Attorneys as tribal liaisons to work cooperatively with tribal police, prosecutors, and judges. The FBI, which has primary jurisdiction over major crimes committed by or upon Indians within Indian Country, funds training, operational expenses, and equipment purchases for Indian Country law enforcement efforts.

Through its Office of Indian Country Investigations, the FBI assists tribes in the investigation of violent crimes committed in Indian Country. In addition, the Bureau provides a large share of the forensic exams for FBI Indian Country investigations, either directly through its own laboratory or by funding non-FBI labs. The Indian Country Evidence Task Force, created on June 1, 2000, is composed of FBI Laboratory experts in the disciplines of DNA, trace evidence, latent fingerprints, and firearms.

Enforce regulatory requirements for firearms and explosives

ATF enforces the import provisions of the Arms Control Export Act, the Gun Control Act, and the National Firearms Act. ATF works closely with DHS to monitor imports and exports of firearms to ensure that their international movement is consistent with law. ATF's Industry Operations



Investigators (IOIs) and examiners regulate the firearms industry to prevent prohibited persons, or those acting for them, from obtaining entry into the legitimate firearms industry. ATF IOIs conduct onsite inspections at applicant premises and examiners conduct thorough background checks on applicants.

ATF's regulation and criminal enforcement of explosives laws and regulations (part of the agency's integrated *Explosives Threat Assessment and Prevention Strategy*) prevent thefts and the acquisition and use of explosives for criminal or terrorist purposes. ATF IOIs and specialists inspect explosives facilities to ensure that federally mandated safety and security standards are met; conduct background checks on all license/permit applicants and employees of explosives facilities; and issue licenses and permits to non-prohibited persons. ATF special agents investigate the criminal use of explosives, working with IOIs to respond to explosives thefts; investigate bombings; and conduct proactive explosives enforcement activities.

Provide technical assistance and support to law enforcement partners to fight violent crime

ATF's EEOs provide technical assistance and support in explosives matters. These bomb technicians each have between 12 and 35 years of experience in explosives and bomb disposal. EEOs render explosive devices safe, disassemble explosive and incendiary devices, prepare destructive device determinations, and render expert testimony in support of such determinations in state and federal criminal court proceedings. EEOs also provide expert analysis and onsite investigative technical

assistance at bombing and arson scenes and scenes where explosions of an undetermined nature have occurred. They provide assistance and training in all aspects of explosives handling, usage, and destruction; threat vulnerability assessments; and all other explosives-related matters for ATF and state and local law enforcement agencies.

The FBI conducts fingerprint checks through its Integrated Automated Fingerprint Identification System (IAFIS), criminal history based checks through its National Crime Information Center (NCIC), and background checks on prospective firearm purchasers using the National Instant Criminal Background Check System (NICS). The Bureau also provides DNA profile-matching services through CODIS, including the Mitochondrial DNA database being created within CODIS.

Prevent violent crime in the United States by reducing international violent crime

The ICITAP strategy for reducing the threat of violent crime is to increase the understanding of international norms, best practices, and policies through comprehensive foreign assistance programs that address gangs, paramilitaries, and other violent groups. ICITAP is currently working with other federal law enforcement agencies, police, and prosecutors from Honduras, Guatemala, El Salvador, and Mexico to assemble a Gang Enforcement course that will be presented at the ILEAs in San Salvador.

One of OPDAT's strategic goals is to assist partner countries to control their domestic violent crime problems, including organized crime, before they are exported to the United States. OPDAT supports this strategy by providing comprehensive technical assistance and training to law enforcement officials across the Americas on the prevention and combating of international gangs. OPDAT is working with other federal law enforcement agencies, police, prosecutors, and corrections officials to develop this curriculum addressing gang-related violence in Central America and how to deter its spread to the United States.

As the central point of contact for all INTERPOL related business for the United States and its

various law enforcement authorities, the United States National Central Bureau (USNCB) will ensure that all investigative information received from foreign sources about suspected criminals who may attempt to enter or operate in the United States is shared with appropriate United States law enforcement and border protection personnel. USNCB posts information on foreign wanted criminals, including violent criminals, into United States databases expeditiously and accurately; enables direct query access to INTERPOL databases to United States federal, state and local law enforcement entities; and makes biometric records such as fingerprints and photographs of known international criminals available to DHS Custom and Border Protection so that violent offenders are denied entry into the United States.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Advisory Committee on the Criminal Rules.** The Criminal Division's Office of Policy Legislation works closely with the United States Sentencing Commission on the Advisory Committee on the Criminal Rules.
- ❖ **Women's Justice Empowerment Initiative.** ICITAP is working very closely with the United States Agency for International Development (USAID), the National Security Council, the DoS Bureau for International Narcotics and Law Enforcement Affairs (INL), United States embassies, and USAID missions in Kenya, South Africa, Benin, and Zambia to design and implement the *Women's Justice Empowerment Initiative*, which aims to combat gender-based violence in these four African countries by raising awareness, improving the host countries' ability to investigate and prosecute the violent crimes, and reintegrating victims into society.

- ❖ **Civilian Police Assistance Training Team.** ICITAP is leading the Civilian Police Assistance Training Team within the Internal Affairs directorate of the Iraqi Ministry of Interior, which has successfully trained more than 15,000 Iraqi police to date in specialized and advanced courses in kidnapping investigations, violent crimes, and organized crimes investigations.
- ❖ **Interagency partnerships.** ATF works closely with other departmental agencies as well as federal, state, local, tribal, and foreign law enforcement partners. ATF also has key relationships with firearms and explosives industry associations to fully leverage available resources to keep firearms and explosives out of the hands of criminals.

STRATEGIC OBJECTIVE 2.3

Prevent, suppress, and intervene in crimes against children

Children are the most vulnerable and most exploited members of our society. The criminal victimization of children impacts not only the victims but also their families, community, and society at large. Children, because of their legal and social vulnerabilities, may be victimized in a variety of ways involving physical and sexual abuse. Most recently, the route to this kind of abuse has been through the Internet. The Internet has provided sexual predators with anonymity, speed of communication, and global access to potential victims.

Strategies to Achieve the Objective

Implement Project Safe Childhood to protect the Nation's children

On May 17, 2006, the Attorney General launched *Project Safe Childhood* (PSC) to combat the online exploitation and victimization of children. Implementation of PSC by the United States Attorneys and their designated PSC Coordinators will be achieved through three major steps: building partnerships, strategic planning, and implementing accountability measures. The project comprises

Internet Crimes Against Children (ICAC) Task Forces and other federal, state, and local law enforcement organizations that will investigate and prosecute crimes against children facilitated through the Internet or other electronic media and communications devices.

The key to successful implementation of PSC will be to develop and foster meaningful partnerships among federal, state, and local law enforcement, as well as with nonprofit and private entities, within every district. Each United States Attorney is responsible for completing a local strategic plan and for ensuring that it facilitates effective implementation of PSC within his or her district. The project will 1) integrate the efforts of PSC partners to investigate and prosecute child exploitation cases and to identify and rescue child victims; 2) provide for local PSC participation in national initiatives; 3) increase federal investigations and prosecutions in child exploitation cases; 4) assess appropriate training needs of law enforcement officials; and 5) coordinate local public awareness and education campaigns. Accountability will be ensured through semi-annual reports to EOUSA updating the progress of the district's partnership in achieving the goals of PSC.

Protect the welfare of America's children by enforcing federal criminal statutes relating to the exploitation of children and obscenity

The mission of the Criminal Division Child Exploitation and Obscenity Section (CEOS) is to protect the welfare of America's children and communities by enforcing federal criminal statutes relating to the exploitation of children and obscenity. To that end, CEOS will work through PSC to identify the vulnerabilities of the child pornography industry in order to attack them at every angle, both domestically and overseas. Through the *Innocence Lost Initiative*, a partnership established to help identify victims and get them the services they need while effectively investigating and prosecuting the offenders, CEOS will also address the growing problem of children forced into prostitution. Finally, CEOS will address sex tourism by increasing the number of child sex tourism cases investigated and prosecuted and by identifying deficiencies in existing legislation and proposing appropriate amendments.

The protection of our Nation's children has been, and will continue to be, one of the Department's highest priorities. Guided by the leadership of the Attorney General, PSC aims to combat the proliferation of technology-facilitated sexual exploitation crimes against children. The threat of sexual predators soliciting children for physical sexual contact is well-known and serious; the danger of the production, distribution, and possession of child pornography is equally dramatic and disturbing. The response to these growing problems must be coordinated, comprehensive, and robust. It must aim to vigorously investigate and prosecute and to protect and assist victimized children. The recent passage of the Adam Walsh Child Protection and Safety Act considerably expands the Department's legal arsenal to protect our children from sexual

"{When the Adam Walsh Act} . . . is fully implemented, unregistered sex offenders will be considered federal fugitives, and they will be a priority for Deputy U.S. Marshals across this country."

Director, U.S. Marshals Service, July 2006

predators. The Department will be: creating an office to set standards and administer grant programs related to sex offender registration and notification; working to locate and apprehend sex offenders who violate registration requirements; and expanding the resources to ICAC Task Forces and the National Center for Missing and

Exploited Children (NCMEC).

Combat the proliferation of child pornography/child sexual exploitation facilitated by online computers

The *Innocent Images National Initiative* (IINI), a component of the FBI's Cyber Crimes Program, is a proactive, intelligence-driven, multiagency investigative initiative designed to identify, investigate, and prosecute sexual predators who use the Internet and other online services to sexually exploit children. IINI identifies and rescues witting and unwitting child victims and establishes a law enforcement presence on the Internet as a deterrent to subjects who exploit children.

The International Task Force includes international officers from more than 20 countries. IINI officers investigate cases involving peer to peer file-sharing, newsgroups, and E-groups. The IINI also targets thousands of subscribers to child pornography web sites. The Innocent Images Unit has a strong analytical component which specifically addresses Internet child exploitation on a daily basis. Employees are also assigned full time at the NCMEC.

Combat child abduction and prostitution

The FBI plays a critical role in the law enforcement community's response to child abductions through its Child Abduction Rapid Deployment (CARD) Teams. CARD Teams are designed to rapidly deploy experienced crimes-against-children investigators to assist state and local law enforcement during the most critical time period following a child abduction. Research has shown that the majority of children abducted are killed within several hours of the actual abduction. The teams are regionally located throughout the United States to allow for a rapid response to those areas where a child was last seen.

The FBI has acquired a technology-enabled solution to enhance its response to child abductions. The solution integrates several data and analytical capabilities into one system which will provide critical investigative lead information in the 2-3 hour window immediately after a child has gone missing. Child abductions sometimes involve sex offenders; this solution enables the FBI to identify all sex offenders who have or had a presence within the vicinity of a child abduction, as well as identify key locations where an abducted child may be taken.

Implement the "Innocence Lost" initiative

In June of 2003, the FBI Criminal Investigative Division/Violent Crimes Section/Crimes Against Children Unit, together with the CEOS and the NCMEC, introduced the national initiative known as *Innocence Lost*. This initiative addresses the domestic trafficking of children for the purposes of prostitution. Task forces and/or working groups have been established in 26 cities throughout the United States.

"...the Internet has drawn a large and growing audience of child sexual predators."

Assistant Attorney General, Office of Justice Programs, June 2006

Participate in Internet Crimes Against Children -- America's Missing: Broadcast Emergency Response Alert

This program is the primary vehicle for building an infrastructure to support the national effort to prevent the abduction and exploitation of our Nation's children, including support for the NCMEC. A key component of NCMEC is the ICAC Regional Task Force Program. This program is specifically designed to encourage communities to adopt a multidisciplinary, multijurisdictional response to technology-facilitated child sexual victimization, including online enticement and the proliferation of child pornography. This program is a network of 45 multiagency, multijurisdictional Regional Task Forces providing nationwide coverage in the investigation and prosecution of ICAC cases.

The America's Missing: Broadcast Emergency Response (AMBER) Alert network provides for the broadcast of emergency messages when a law enforcement agency determines that a child has been abducted and is in imminent danger. The broadcasts include information about the child and the abductor, such as physical descriptions and information about the abductor's vehicle, which could lead to the child's recovery.

Combat international and domestic organizations that prey on children

The Department will target, prosecute, and seize the assets of international and domestic commercial child sexual exploitation rings, sex tourism operations, and organizations that facilitate the travel of individuals for the purposes of exploitation. By dismantling these organizations, the Department eliminates ways for criminals to traffic or smuggle children across borders. The Department is able to do that because of its expertise in targeting trafficking organizations, identifying and seizing the assets of criminal organizations through financial

analysis, and conducting prosecutions under the Racketeering Influenced Crime Organization (RICO) statutes.

Increase the capacity of foreign law enforcement to effectively prevent, suppress, and intervene in crimes against children

ICITAP has successfully collaborated with OPDAT and host-country governments throughout the world to develop Trafficking In Persons programs in more than 20 nations (e.g., Albania, Azerbaijan, Bosnia-Herzegovina, Bulgaria, Costa Rica, Georgia, Indonesia, Kosovo, Macedonia, Moldova, Nigeria, Romania, Serbia-Montenegro). These programs provide law enforcement and legislative tools needed to investigate and prosecute traffickers, as well as protect victims and witnesses. The division's goal is to design programs dedicated to successfully investigating and dissolving criminal networks responsible for illegal migration and human trafficking. Working with ICITAP, OPDAT assists countries with inadequate laws to address international trafficking in women and children.

Develop intelligence and leads to combat child exploitation

The USNCB – INTERPOL's Child Exploitation and Obscenities Program cooperates with domestic and foreign law enforcement agencies to develop criminal intelligence and investigative leads for rescuing children from sexual abuse, prosecuting obscenity cases, and dismantling international websites containing child pornography images. The program utilizes the INTERPOL Green Notices, bulletins shared among INTERPOL organizations to alert law enforcement about the global migratory movements of career criminals, such as convicted child molesters, between countries.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective

involving DOJ components and organizations outside the Department:

- ❖ **Interagency partnerships.** United States Attorneys partner with: state and local prosecutors; federal law enforcement agencies with a local presence; ICAC task forces, chiefs of police, sheriffs, and other state law enforcement officers in the district; local child advocacy centers, victim advocacy groups, victim service organizations, parental groups, school administrators, educators and leaders of extracurricular activities.
- ❖ **International Law Enforcement Cooperation and Training.** CEOS participates in a number of international partnerships to increase the Department's ability to work across borders to address child exploitation and sex violations. These partnerships include bilateral meetings with British law enforcement and Russian law enforcement; participation in the Virtual Global Task Force; and the involvement of CEOS attorneys in INTERPOL's Specialist Group on Crimes Against Children, and the G8 Law Enforcement Projects Sub Group.
- ❖ **Federal Agency Task Force on Missing and Exploited Children.** The Department is a key member of this interagency task force that helps ensure interagency coordination among DOJ, DHS, the United States Postal Inspection Service, NCMEC, and others.
- ❖ **Operation Predator.** Headed by ICE, *Operation Predator* seeks to identify, investigate, and arrest child predators such as child molesters, child sex tourists, human smugglers and child traffickers, in addition to traders, producers, and distributors of Internet child pornography. More than half of the *Operation Predator* arrests are foreign national sex offenders whose crimes justify their removal from the United States. As part of this effort, ICE works with USNCB – INTERPOL to enhance foreign government intelligence on these deported sex offenders.

STRATEGIC OBJECTIVE 2.4

Reduce the threat, trafficking, use, and related violence of illegal drugs

The Department's drug strategy utilizes the collective talent and expertise of several federal law enforcement agencies to identify and target the most significant drug supply organizations and components nationwide, and to attack the financial infrastructure supporting those enterprises, thereby disrupting and ultimately dismantling them. The cycle of illegal drugs begins with their cultivation or manufacture, carries through their distribution, and ends with the laundering of their profits. The Department also focuses enforcement resources on identifying and eliminating the individual retail-level traffickers who sell drugs on the streets. Over the years, the Department has mounted, and will continue to mount, a comprehensive, multilevel, organizational attack on the drug trafficking and money laundering organizations that pose the greatest threat.

Strategies to Achieve the Objective

Target drug traffickers and their organizations through the Organized Crime Drug Enforcement Task Forces or equally complex investigations, using Asset Forfeiture as well as other tools when appropriate, and investigate and prosecute the movement of drug proceeds into, within, and outside of the United States.

The Department's counternarcotics strategy is built around the recognition that the best way to attack sophisticated narcotics trafficking and money laundering organizations and their attendant criminal activity (e.g. corruption, violent crime, and tax evasion) is through the use of a coordinated, interagency task force. The Department implements this strategy in several ways. The Department's long-standing OCDETF Program, with its seven participating federal law enforcement agencies, is the centerpiece of the Department's drug strategy. The OCDETF Program uses its wide range of agency expertise, experience, and capabilities to disrupt and dismantle the highest level drug trafficking organizations. The multi-agency, DEA-led Special Operations Division (SOD)

coordinates the largest national and international drug trafficking investigations.

The Department, in cooperation with the Departments of Treasury and Homeland



Security, is committed to identifying and attacking money laundering through a coordinated national approach targeting specific sectors of the financial system. Coordinating the use of asset forfeiture in our efforts to combat drug trafficking is also critical. Through the appropriate use of asset forfeiture, the Department attacks the economic infrastructure of criminal organizations to take the profit out of drug trafficking and deprive the criminals of the illegally-gotten gains which are used to operate and expand their enterprises. DEA's *Anti-Money Laundering Strategy* targets the flow of drug money back to sources of drug supply to prevent these funds from financing the next cycle of illegal drugs destined for the United States consumer market. In addition, given the nature and scope of DEA's operations and its global presence, evidence and intelligence gleaned from investigations often provide critical information on terrorist financing, which is immediately shared with agencies charged primarily with counterterrorism responsibilities.

Disrupt and dismantle Consolidated Priority Organization Targets

The OCDETF Program creates and maintains the Administration's Consolidated Priority Organization Targets (CPOT) list – the "Most Wanted" drug trafficking and money laundering organizations believed to be primarily responsible for the Nation's illicit drug supply. The objective is to dismantle these organizations so that reestablishment of the same criminal organization is impossible and the

sources of the drugs are eliminated. DEA is a leading participant in the multi-agency investigations that result in the disruption or dismantlement of CPOT organizations. These investigations are intelligence-driven operations that identify and target international drug trafficking organizations that play significant roles in the production, transportation, distribution, financing, or other support of large scale drug trafficking.



Target major international drug trafficking organizations

Working through the Criminal Division's NDDS, the Department will continue aggressively to expand and pursue the prosecution of *Bilateral Case Initiative* cases and to target those individuals and criminal organizations posing the most significant threat to the United States. NDDS, working with DEA Special Agents, will make a concerted effort to identify and target CPOTs and other major drug traffickers around the world. To this end, NDDS will apply the full range of its multifaceted expertise; the Litigation Section will target drug organizations in Latin America and other regions, and conduct

investigations involving the Internet-based distribution of dangerous drugs, steroids, and pseudoephedrine (used in methamphetamine); SOD will coordinate nationwide, multijurisdictional cases involving electronic surveillance to dismantle drug trafficking organizations; the Wiretap Unit, created through OCDETF funding, will write wiretap affidavits and manage electronic surveillance cases in large-scale SOD-coordinated multijurisdictional narcotics investigations; and the Policy Unit will coordinate a bilateral working group that addresses a range of persistent, long-standing, and interlocking challenges related to United States-Colombian law enforcement cooperation.

Combat major drug trafficking organizations through the Organized Crime Drug Enforcement Task Force Fusion Center.

To achieve the maximum impact against the organizations primarily responsible for the flow of illicit drugs into America, intelligence must drive enforcement efforts and law enforcement must collaborate across regions and agencies to strategically attack these organizations. Intelligence-driven investigations and coordinated, strategic enforcement initiatives are essential components of the Department's drug strategy. To enhance DOJ's overall capacity to engage in intelligence-driven enforcement, OCDETF created the OCDETF Fusion Center (OFC) – a comprehensive data center containing all drug and related financial intelligence information from OCDETF's investigative agencies, the National Drug Intelligence Center (NDIC), the FinCEN, and others.

The OFC is designed to conduct cross-agency integration and analysis of drug and related financial data, to create comprehensive intelligence pictures of targeted organizations, including those identified as CPOTs and Regional Priority Organization Targets (RPOTs), and to pass actionable leads through the multi-agency Special Operations Division (SOD) to OCDETF participants in the field. The work of the OFC ultimately results in the development of coordinated, multi-jurisdictional OCDETF investigations and prosecutions of the most significant drug trafficking and money laundering networks. Moreover, the OFC's synthesis of investigative drug data with financial data has significantly improved the Department's ability to

simultaneously attack the financial base of these organizations and thereby disgorge these drug trafficking organizations of their profits.

The OFC is an integrated, co-managed Center overseen by the OCDETF Executive Office, and includes agents and/or analysts from ATF, DEA, FBI, FinCEN, IRS, NDIC, USMS, and the U.S. Coast Guard (USCG). Attorneys from the Criminal Division's NDDS and Asset Forfeiture and Money Laundering Section (AFMLS) assigned to SOD provide the legal oversight for the OFC, and coordinate the multinational investigations and prosecutions supported by the OFC and by SOD. The OCDETF Executive Office continues to seek the participation of additional relevant agencies in the OFC, and to develop governing memorandums of understanding.

Reduce the flow of illicit drugs, money, and chemicals between the source zones and the United States

The Department will meet this objective through its *International Drug Flow Prevention Strategy*, which involves multiple agencies in numerous countries. This bilateral strategy is specifically designed to disrupt the flow of illicit drugs, money, and chemicals between source zones and the United States by attacking drug organizations' vulnerabilities in their supply, transportation systems, and financial infrastructures. The DEA will continue its focus through institution building with host nation governments, developing personal liaisons with host nation law enforcement authorities, conducting bilateral investigations, and by attacking the command and control structures of major drug trafficking organizations. These efforts are based on gathering, compiling, and analyzing intelligence from multiple participating agencies, including DoD, the USCG, DHS' Bureau of Customs and Border Protection, the National Security Agency, the CIA, the Defense Intelligence Agency, the FBI, and host national law enforcement and military counterparts from Colombia, Ecuador, Panama, Costa Rica, Nicaragua, El Salvador, Honduras, Guatemala, Belize, and Mexico.

Those who suffer the "second hand" effects of methamphetamine include the victims of methamphetamine-related crimes, innocent children whose homes have been turned into clandestine lab sites, law enforcement officers that work with the hazardous materials found at lab sites, and the environment from the five to six pounds of toxic waste produced for every pound of methamphetamine cooked.

Administrator, DEA, May 2006

Strengthen counternarcotics efforts to combat illicit drug trafficking along the Southwest Border

Drug smuggling and money laundering along the U.S.-Mexico border poses a significant national security issue for the United States. The Southwest Border provides hundreds of miles of open areas, an ideal environment for cross-border drug trafficking and money laundering activities. The Department's efforts along the Southwest Border are designed to enhance the collection of intelligence on cross-border trafficking activities, improve information-sharing among United States and Mexican agencies, disrupt and dismantle trafficking organizations, interdict illegal bulk currency movements, and enhance Mexico's counterdrug capabilities. In the past, DEA has successfully implemented law enforcement and intelligence collection operations and initiatives such as the *International Drug Flow Prevention Strategy*, the *Methamphetamine Strategy*, and *Operations United Eagles, Gear Grinder, Falling Star, Noble Hero, and White Fang* in support of Southwest Border counternarcotics efforts.

The United States counterdrug, CT, and immigration enforcement missions are interrelated due to criminal activities involving drug trafficking, alien smuggling, and terrorism. Implementation of the Department's Southwest Border initiatives and operations, which are coordinated with federal, state, local, tribal, and the Government of Mexico, addresses joint issues and enforcement efforts, specifically the illicit narcotics threat, and significantly improves overall interdiction efforts at the Southwest Border.

Reduce the threat, trafficking, and use of methamphetamine

Methamphetamine is a growing problem in the United States. Once confined primarily to the west and midwest, it is now spreading across the eastern half of the United States. Because of the unique characteristics of methamphetamine, fighting the drug demands

aggressive, collaborative efforts. The Administration is focused on the following six methods to combat methamphetamine: increase DEA's enforcement operations and arrests; make methamphetamine prosecutions a priority for United States Attorneys; work with state and local law enforcement; provide information and awareness training; strengthen international partnerships, specifically between the United States and Mexico; and use additional tools to target methamphetamine traffickers, such as the Combat Methamphetamine provisions contained in the USA Patriot Act. DEA's enforcement efforts to



date include the following significant and successful interagency initiatives, which will serve as a blueprint for future efforts:

- disruption and dismantlement of major methamphetamine trafficking organizations;
- participation in *Project Prism*, an international initiative aimed at assisting governments in developing and implementing operating procedures to control and monitor trade in amphetamine-type stimulant precursors to prevent their diversion;
- the assignment of Diversion Investigators to our foreign offices to work on preventing the diversion of List I chemicals used in the manufacture of

methamphetamine and pharmaceutical controlled substances;

- the establishment of a Methamphetamine Task Force within DEA dedicated to improve the Federal Government's response to and policies for methamphetamine production, trafficking, and use; and
- the agency's continued work to ensure that only legitimate businesses with adequate chemical controls are licensed to handle bulk pseudoephedrine and ephedrine in the United States.

Detect pharmaceutical diversion and reduce the threat posed by the illicit sale of pharmaceuticals via the Internet

The diversion and abuse of pharmaceuticals poses a serious threat to the health and safety of Americans. The availability of these substances via the Internet has become a significant challenge for law enforcement. Internet-based drug traffickers selling pharmaceutical substances mask their activities as legitimate online pharmacies. These products are sold illegally without face-to-face medical examinations or proper tests, without follow-up care, and with no guarantee of safety or effectiveness. To combat the spread of rogue pharmacies responsible for the illegal sale of pharmaceuticals over the Internet, DEA developed the *Online Pharmacy Strategy*. This strategy counters emerging on-line pharmacy trafficking trends by targeting foreign and domestic command and control communications and financial operations. The strategy utilizes a combination of enforcement, legislation, and demand reduction efforts with enhanced technology to address the illicit sale of controlled substance pharmaceuticals by on-line "pharmacies."

Disrupt and dismantle violent gangs involved in drug trafficking

Major violent street gangs have become an increasing threat to the security and the safety of our domestic communities. Law Enforcement authorities throughout the country report that

gangs responsible for most of the serious violent crime in the major cities of the United States commonly use drug trafficking as a means to finance their criminal activities. These drug-trafficking gangs are often well organized, have an identifiable hierarchy with clear levels of command and control, and utilize sophisticated techniques and organizational processes to further their drug trafficking efforts. To combat gangs involved in drug trafficking, DEA participates in multi-agency law enforcement task forces that focus on gangs and violent crime, including GangTECC and the NGIC. Also, DEA participates in the Office of National Drug Control Policy's (ONDCP) High Intensity Drug Trafficking Area (HIDTA) Program, which is active in several areas nationwide and targets gang members due to their involvement in drug trafficking.

Develop international assistance programs that effectively reduce the threat, trafficking, use, and related violence of illegal drugs

The mission of ICITAP is to improve host nation law enforcement agencies in an effort to control indigenous crime, which will ultimately reduce the proliferation of related transnational crime. ICITAP's assistance programs play an integral part in global efforts to combat drug trafficking by introducing complex, comprehensive strategies that deliver training, resources, and investigative capabilities to law enforcement agencies around the world. ICITAP's strategy is to deliver programs and products that focus on developing sustainable law enforcement institutions to reduce the threat, trafficking, use, and related violence of illegal drugs.

OPDAT supports the strategic objective by preparing foreign counterparts to cooperate more fully and effectively with the United States in combating narcotics trafficking. OPDAT provides technical assistance to develop and strengthen legislative regimes needed to combat narcotics trafficking. It also provides training and skills workshops for prosecutors, judges, and investigators to implement the regimes once they are enacted.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Organized Crime Drug Enforcement Task Force.** The Department of Justice is responsible for the administration of the OCDETF Program, which includes organizations within DOJ (DEA, FBI, ATF, USMS, U.S. Attorneys' Offices, Criminal Division, Tax Division), DHS (ICE, USCG), and the Department of Treasury (IRS Criminal Investigations), as well as state and local law enforcement agencies. Its purpose is to coordinate investigations of those national and international drug trafficking and money laundering organizations most responsible for the supply of illegal drugs in this country.

- ❖ **Synthetic Drug Control Strategy.** DOJ and the ONDCP have joined other high-ranking U.S. anti-drug officials and the Deputy Chief of Mission of the Embassy of Mexico to release the Synthetic Drug Control Strategy. The Strategy, a companion document to the President's National Drug Control Strategy, details plans for unprecedented cooperation with Mexico and other international partners to drastically reduce the flow into the United States of both methamphetamine and the precursor chemicals used to produce the drug. The Synthetics Strategy outlines a three-tiered approach to the United States' international efforts: improving intelligence and information on the global market for precursor chemicals; effective implementation of the Combat Meth Act, which sets a national standard for restricting the retail sale of precursor chemicals within the United States; and strengthening law enforcement and border control activities, particularly with Mexico.

- ❖ **Anti-Money Laundering Strategy.** In addressing the drug money laundering threat, DEA works closely with the

Department of Treasury and FinCEN. DEA also deals with the banking industry, both on the local level through its Financial Investigative Teams and at the headquarters level with the Anti-Money Laundering Compliance Units; with the Bank Secrecy Act Advisory Group; and with host country banking associations through their law enforcement counterparts and with host country Financial Intelligence Units.

- ❖ **Interagency Pharmaceutical Task Force.** The Department participates on this task force, which looks at all aspects of the issue of rogue Internet pharmacies, with DEA, NDDS, the Food and Drug Administration, ICE, FBI, DEA, and Postal Inspection.

STRATEGIC OBJECTIVE 2.5

Combat public and corporate corruption, fraud, economic crime, and cybercrime

Public corruption cases continue to be one of the Attorney General's top six enforcement priorities. Integrity in government and business are essential for a strong America. Citizens rely on the honesty and integrity of government officials, corporate executives, and others charged with the public's trust. At every level – federal, state, and local – it is imperative that we enforce the laws that protect the integrity of our economic and political systems. No one is above the law – not a city councilperson, a chief executive officer, or a United States Senator.

Corruption, whether public or corporate, is a form of white collar crime. White Collar Crime encompasses illegal acts characterized by deceit, concealment, or violations of trust. These acts are generally not dependent on the application or threat of physical force or violence. They are committed by individuals and organizations in order to obtain money, property, and services, or to secure personal or business advantage.

The true cost of white collar crime is not always measurable in dollars. The corruption of public officials undermines trust in government. Corporate fraud and some Internet fraud schemes, such as market manipulation of certain stocks, can cause massive losses for

unwary investors. Other schemes, such as fraudulent online sales can create a risk of economic loss, if not physical harm. Unchecked, white collar crime can have a devastating impact on the Nation's public welfare and economic well-being.

Just as the Internet and other global network computer systems have transformed the way we conduct business, run governments, educate, and communicate, such networks have also provided a powerful new medium in which to commit unlawful acts. The Internet provides con artists, extortionists, vandals, and other criminals with formidable tools to commit traditional and new crimes. Because end users are spread across the world, a single scheme through the Internet can reach a vastly larger pool of potential victims than was possible a decade ago, at a far lower cost and unprecedented speed. The Internet also can provide a veil of anonymity that is difficult or impossible to achieve except in cyberspace.

Strategies to Achieve the Objective

Deter public corruption by increasing its investigation and prosecution

One way to reduce future corruption is to vigorously investigate and prosecute current corruption and to seek substantial prison terms for persons convicted of these crimes. Aggressive and effective prosecutions, followed by long sentences, send a clear message that these crimes will not be tolerated and that those engaging in them do so at their peril. The Department intends to increase its efforts against corruption in three ways: first, it will increase awareness of public corruption, of the significant harm it causes, and the interest the Department has in combating it at all levels of government; second, it will make public corruption investigations and prosecutions a top priority; and third, it will increase the number and scope of training events for federal prosecutors and investigators that focus on the handling of corruption investigations and prosecutions.

Combat corporate corruption

The Criminal Fraud Section will combat corporate corruption by providing policy support to the Corporate Fraud Task Force and tracking major corporate fraud casework developments and outcomes; ensuring the forfeiture of criminal proceeds assets and securing recovery of assets for the victims of corporate frauds; providing support to United States Attorneys' offices on major corporate fraud investigations; developing and supporting training programs for investigators and prosecutors with the National Advocacy Center; and evaluating, interpreting, and proposing legislation dealing with corporate fraud.

Increase the investigation and prosecution of corporate fraud to restore confidence in the securities economy



The Department has adopted the position that the efficiency and effectiveness of securities markets is substantially enhanced by consistent and successful prosecution of criminal offenses. Working closely with the Securities Exchange Commission, the Commodity Futures Trading Commission, and state regulatory entities, the Department has placed an emphasis on investigating allegations of corporate and securities fraud. The Department intends to continue addressing this problem by aggressively pursuing prosecution of corporate executives, employees, or their associates who deceive public shareholders and/or illegally enrich themselves at the expense of the public. The Sarbanes-Oxley Act, a recently enacted law which imposes significant new corporate governance and financial statement reporting obligations on public companies, will significantly deter corporate executives from engaging in corporate fraud in the future.

Support the national effort to combat foreign official corruption and deny safe haven to corrupt foreign officials and their criminal proceeds

AFMLS will perform operational work and develop policy initiatives to trace, forfeit, recover, and return proceeds of foreign official corruption. Often referred to as "kleptocracy," large-scale foreign corruption matters involve extraordinary sums of money and typically entail complicated financial transaction and multijurisdictional litigation. The division will assist by promoting investigation and prosecution of foreign corruption and related money laundering cases and asset forfeiture actions to recover the proceeds of foreign corruption; developing United States policy and international best practices in this area; providing technical assistance to enhance legal systems that combat corruption and seek to recover the proceeds of corruption; and negotiating international agreements regarding the disposition of forfeited corruption proceeds.

Bolster the effectiveness of white collar crime investigations and prosecutions by strengthening coordination among domestic and international law enforcement agencies

Key Department strategies for addressing white collar crime are developing partnerships with, and fostering coordination among, domestic and international law enforcement and regulatory agencies. The growth of electronic evidence and records, electronic commerce, and globalization magnify impediments that must be overcome in combating white collar crime and make such coordination indispensable. Because the Department's prosecutorial efforts are reliant upon effective detection and investigation, DOJ components have increased their participation on multi-agency task forces and collaborative initiatives to maximize opportunities to coordinate detection, investigation, and prosecution efforts. Additionally, the DOJ and FBI currently operate the Internet Fraud Complaint Center, which

"No one is above the law... not a city councilperson, a CEO, a member of Congress or an Administration official."

*Attorney General,
February 2006*

coordinates domestic and international Internet investigations. Moreover, the Corporate Fraud Task Force, formed under Presidential directive and chaired by the Deputy Attorney General, was formed to address the barrage of corporate fraud cases.

Investigate and prosecute high-technology crimes

Given the wide array of cyber threats, a multipronged strategy has been developed to target the most significant of them. Computer intrusions that are driven by terrorist activities are the first priority of the Department and the FBI, followed by foreign government-sponsored operations and criminal operations.

"With the advent of the Information Age . . . the threats we face have become more dangerous and more diverse."

FBI Director, February 2006

The United States is facing an increasing threat from high-technology crime. Therefore, the Department will increase its efforts to investigate and prosecute such crime and to work with other government agencies

to ensure a coordinated response. The Department will develop and support the development of tools, legal approaches, and operational strategies to assist law enforcement in investigating criminal activity that increasingly abuses the power of global networks and computers. The Department's Computer Crime and Telecommunications Coordinator (CTC) program, created to address high-technology crimes, has proven to be one of the most effective prosecutive networks in the country. Designated prosecutors in each of the United States Attorney's offices are specially trained to handle computer crime and IP cases. In addition, the Department recently created Computer Hacking and Intellectual Property (CHIP) units in 25 United States Attorney's offices to supplement the CTC program.

With the increasing globalization of crime, DOJ will work with its international partners to develop the global infrastructure - legal, technical, and operational - necessary to combat criminal activity involving computers, networks,

and IP. The Department also continues to provide training and assistance to federal, state, and local law enforcement. Such assistance has included building virtual and personal networks among law enforcement personnel to facilitate cooperation in the investigation of complex cases. Recognizing that technologies affect public safety, the Department will work with the computer and telecommunications industry to ensure that industry understands the public safety implications of the technology it develops. At the same time, DOJ will strive to ensure that law enforcement understands the new technologies that may present threats to public safety.

Focus on asset forfeiture and money laundering

All white collar crimes are conducted for profit, and the single largest deterrent to and punishment for such activity is the forfeiture of the ill-gotten assets. Even though prosecutors only recently have had the legal tools to directly forfeit the proceeds of white collar crime, about half of the deposits to the Assets Forfeiture Fund are non-drug related, showing significant efforts toward using this tool in non-drug related crimes for profit. Likewise, money laundering cuts across all white collar crimes, and the need for these criminals to disguise the source of their ill-gotten proceeds, is a vulnerability to be exploited.

Combat computer and intellectual property crime

The Department of Justice's Task Force on Intellectual Property will continue to coordinate the Department's overall strategy to combat intellectual property theft. Through this effort, CCIPS will continue to coordinate investigative and prosecution resources for maximum efficiency in the battle against computer and IP crime. CCIPS will pursue the following strategies as it attempts to meet this objective:

- Identify, investigate, and prosecute individuals and groups stealing and trafficking in personal identifying information online, through participation in the Identity Theft Task Force;

- Target and prosecute organizations that commit large-scale IP theft by providing training and legal expertise to organized crime and antiterrorism prosecutors;
- Target and prosecute international attacks on global networks by use of malicious code, in cooperation with private sector stakeholders;
- Target and prosecute intrusions into Government and key infrastructure computer systems, partnering with law enforcement agencies and the NCRCG;
- Develop the IP Law Enforcement Coordinator program to address international IP crime;
- Increase the effectiveness and reach of the National CHIP Coordinator Program;
- Increase the training and technical support available to CHIP coordinators through CCIPS Cybercrime Lab Capabilities; and
- Foster participation in international cooperation networks, focusing on doubling the number of participants in the International 24/7 Assistance Network.

Combat international corruption and international financial crimes

DOJ will enforce and aggressively investigate and prosecute violations of the Foreign Corrupt Practices Act (FCPA). To that end the Criminal Division Fraud Section will conduct a broad public outreach campaign to publicize the scope and requirements of the FCPA and the Department's enforcement policies to deter violations. It will also maintain and develop close institutional relationships with foreign counterparts of the Fraud Section, and coordinate with other federal departments in matters concerning international treaties.

Combat mass-marketing fraud, identity theft, and other related fraud schemes

The Department will target investigations at criminal organizations generating significant criminal proceeds through fraud and identity theft schemes. DOJ will participate in strategic initiatives with United States federal and foreign investigative agencies to target domestic and international fraud schemes, and will develop innovative training for United States and foreign law enforcement authorities on mass-marketing fraud and identity theft.

Combat health care fraud

DOJ will combat health care fraud by assisting in managing the Health Care Fraud and Abuse Control Program; supporting the United States Attorneys' offices with legal and investigative guidance and training in prosecuting criminal health care fraud cases; and coordinating and promoting large-scale, multidistrict health care fraud investigations and multiagency enforcement projects.

Spearhead strategic enforcement initiatives to combat all types of fraud stemming from disasters

The Department will focus on fraud which is perpetrated when disasters occur. This includes charity fraud, identity theft, emergency-benefit fraud, procurement fraud, and public corruption. The Criminal Fraud Section will also spearhead the establishment and operation of command centers for disasters, such as the Hurricane Katrina Fraud Task Force Command Center, and coordinate and support multiagency efforts to collect intelligence information, reports, and complaints and generate referrals for disaster-related fraud.

Deliver programs designed to enhance the ability of foreign governments to contain or disrupt white collar crimes before they pass through their borders to threaten the United States

OPDAT supports this strategy by strengthening coordination among domestic and international

law enforcement agencies and conducting programs that promote transparency, develop guidelines and standards for professional conduct, establish vetting procedures, and set up dedicated public corruption units. They will focus on white collar crime programs addressing corruption (public and corporate), money laundering, fraud and economic crimes, and IP rights and cybercrime.

Combat criminal organizations and individual operations engaged in fraud schemes which target our Nation's financial institutions

The FBI will identify, target, disrupt, and dismantle criminal organizations and individual operations engaged in fraud schemes which target our Nation's financial institutions, particularly in the areas of check fraud, mortgage fraud, and bankruptcy fraud. Additionally, the FBI will seek to identify, undertake, and promote prevention measures, where available, to reduce the opportunity for fraud to take place within the financial institution arena.

It will do so by identifying and dismantling criminal enterprises targeting financial institutions on a national or regional basis; improving and maintaining the FBI's intelligence base in non-traditional and expanding industries such as credit card companies, credit bureaus, credit card processors, and various components within the real estate industry; and improving and maintaining the FBI's efforts relating to the investigation of bankruptcy fraud matters.

Target major fraud against individuals, businesses, and industries

The FBI's Economic Crimes Unit will investigate, reduce, and prevent the significant frauds targeted against individuals, businesses, and industries, including major corporate frauds, other securities and commodities market frauds, schemes targeting the insurance industry, illegal telemarketing organizations, multiple or large scale prime bank frauds, advance fee schemes, pyramid schemes, and business frauds.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Interagency partnerships, task forces, and work groups.** DOJ components collaborate with a broad range of organizations in their efforts to combat public and corporate corruption, fraud, economic crime and cybercrime. These include the Identity Theft Task Force; the NCRCG, the primary interagency mechanism for facilitating cooperation and information-sharing during a cyber event of national significance; Strategy Targeting Organized Piracy/National Intellectual Property Law Enforcement Coordination Council, designed to protect IP rights in the United States and abroad; the Securities and Commodities Fraud Working Group, composed of regulatory agencies, self-regulatory enforcement groups, and the Public Company Accounting Oversight Board; the Organization for Economic Cooperation and Development's (OECD) Bribery Group, consisting of foreign delegations that discuss anti-bribery laws in each OECD country; the United Nations' Crime Commission Interagency Expert Group on Fraud and Criminal Misuse of Identity; Internet and Telemarketing Fraud Working Group; the National Level Health Care Fraud Working Group, comprised of representatives from federal and state health care program and investigative agencies; and the Hurricane Katrina Fraud Task Force Command Center.
- ❖ **Department of State International Narcotics and Law Enforcement Bureau.** OPDAT partners with the INL to implement the corruption, fraud, and economic crime programs in Central and Eastern Europe and Eurasia. It also frequently works with the United States Patent and Trademark Office, Commerce Department, DHS' ICE, and the FBI in its IP and cybercrime programs.

- ❖ **Integrity Committee of the President's Council on Integrity and Efficiency and the Executive Council on Integrity and Efficiency.** The Public Integrity Section serves as a legal advisor to the President's Council on Integrity and Efficiency/Executive Council on Integrity and Efficiency (PCIE/ECIE), composed of the Inspectors General of the various agencies of the executive branch of the Federal Government. The Integrity Committee of the PCIE/ECIE is charged by the Executive Order with handling allegations against Inspectors General and senior members of their staff.

STRATEGIC OBJECTIVE 2.6

Uphold the civil and constitutional rights of all Americans

Our Nation's civil rights laws prohibit discriminatory conduct in a wide variety of settings, such as housing, employment, voting, mortgage lending, education, public accommodations, access by the disabled to services and facilities, activities that receive federal financial assistance, and the treatment of juvenile and adult detainees, as well as residents of public institutions. The federal civil rights laws also provide safeguards against criminal actions such as official misconduct by law enforcement personnel, trafficking in persons, and bias motivated crimes.

The federal anti-discrimination statutes reflect some of America's highest ideals and aspirations: equal treatment and equal justice under law. The Department is committed to upholding the civil and constitutional rights of all Americans, including the most vulnerable members of our society. DOJ will ensure compliance with basic federal civil rights protections through a multifaceted program of criminal and civil enforcement designed to target and deter discriminatory conduct. We also seek voluntary compliance with civil rights statutes through a variety of educational, technical assistance, and outreach programs.

Strategies to Achieve the Objective

Improve efforts to eradicate the modern-day slavery of human trafficking

DOJ will promote interagency coordination and apply vigorous and intensified enforcement efforts to thwart the trafficking of women, children, and other vulnerable victims. This effort is a civil rights priority for the Department because it strikes at our Nation's core value -- the right to freedom as promised in the Declaration of Independence and guaranteed by the 13th Amendment of the Constitution. In the last 5 years, the DOJ Civil Rights Division has more than quadrupled the enforcement of human trafficking cases.

Combat housing discrimination through "Operation Home Sweet Home"

The Civil Rights Division will continue its efforts to ensure that all Americans have an unfettered chance at the American dream by having non-discriminatory access to the housing of their choosing. The Attorney General, inspired by the plight of displaced victims of Hurricane Katrina who were suddenly forced to find new places to live, announced *Operation Home Sweet Home* – a concentrated initiative to expose and eliminate housing discrimination. This new initiative focuses on expanding the Civil Rights Division's Fair Housing Act testing program, which investigates suspected offenders, with testing visits designed to expose discriminatory practices.

"I care about applying the law to everyone equally, so that everyone has an equal opportunity to pursue the American dream."

*Attorney General,
February 2006*

Over the next 2 years, we will bring the number of these targeted tests to an all-time high, ensuring the rights of all Americans to fairly obtain housing. Although concentrated testing for housing discrimination will be done in areas affected by the effects of Hurricane Katrina, the initiative is nationwide in scope, and includes areas that have experienced a significant

volume of bias-related crimes, such as cross burnings or assaults on minorities.

Expand efforts to guarantee voting rights of all citizens

DOJ will address voting rights violations, ensure access to the polls for all who qualify, protect the integrity of the ballot process, and promote voter confidence in our country's democratic system. We will do so through such activities as vigorous election monitoring, outreach, and adherence to the Department's *Ballot Access and Voting Integrity Initiative*. DOJ has filed more cases to protect the rights of voters under the minority language provisions of the Voting Rights Act in the past 5 years than in the previous 26 year history of the Act. The Department also has launched the most extensive election monitoring effort in history, a record that we will continue to expand upon in future elections.

Ensure that persons with disabilities have access to our Nation's civic life

We will continue our vigorous investigation and prosecution of violators of the Americans with Disabilities Act. In protecting the rights of persons with disabilities, we will continue to



negotiate agreements with states, cities, and townships across the country. We will also continue to bring lawsuits to create housing opportunities for persons with disabilities. DOJ will apply to this area the same steadfast efforts which have led to nearly double the number of pattern or practice sexual harassment cases brought against landlords.

Combat religious discrimination and promote religious liberty for persons of all religious faiths and denominations

Religious liberty was central to the Founders' vision for America, and is the "first freedom" listed in the First Amendment of the Bill of Rights. A critical component of religious liberty is the right of people of all faiths to participate fully in the benefits and privileges of society without facing discrimination based on their religion.

The DOJ Civil Rights Division enforces federal statutes that prohibit discrimination based on religion in education, employment, housing, public accommodations, and access to public facilities. In addition, the division prosecutes bias crimes committed against individuals because of their religion and acts of vandalism and arson against houses of worship. The Civil Rights Division also is authorized to bring suit to enforce the Religious Land Use and Institutionalized Persons Act of 2000, which protects individuals and houses of worship from discriminatory and unduly burdensome zoning regulations, and protects the religious exercise of prisoners and other institutionalized persons.

Protecting the rights of Americans to worship freely had been a category of enforcement too often neglected, despite the fact that religion is a protected category in almost all of the civil rights statutes that we enforce. Since 2001, however, we have brought cases of religious discrimination in all the areas assigned to our jurisdiction, including employment, education and housing. The Civil Rights Division will work diligently in the coming years to continue this effort to ensure protections. In addition, we will actively enforce the land-use provisions of the Religious Land Use and Institutionalized Persons Act, passed unanimously by Congress in 2000, to protect houses of worship from

discriminatory or unjustifiably burdensome zoning regulation.

Target outreach programs, technical assistance, and training efforts that will promote voluntary compliance with our Nation's civil rights laws

Outreach and technical assistance will continue to play a vital role to ensure compliance with the civil rights statutes. The division regularly works to educate the American business community, state and local governments, and other federal agencies about the requirements of the federal civil rights laws – and we will continue to do so. Our efforts include a comprehensive program of technical and legal assistance, training, interagency coordination, and regulatory, policy, and program review.

Training is a vital tool to sharpen our enforcement efforts, both across the Department and within the division. The Office of Professional Development, newly created in January 2006, has spearheaded our efforts to educate, encourage, and work collaboratively with the United States Attorneys' offices in the vigorous enforcement of the civil rights laws.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Interagency partnerships.** Generally, the Department's civil rights enforcement and outreach efforts are coordinated with all federal agencies that provide financial assistance to state, local, and nonprofit agencies, and with other federal agencies with civil rights enforcement responsibilities (e.g., the Departments of Homeland Security, Health and Human Services, Housing and Urban Development (HUD), Education, Labor, and Transportation). Coordination includes long-standing working relationships, such as jointly developing policy guidelines and handling enforcement

cases, and more short-term task forces to address specific problems. Current task forces and agreements include:

Interagency Fair Lending Task Force.

The bank regulatory agencies (Federal Reserve Board, Office of Thrift Supervision, Office of the Comptroller of the Currency, and Federal Deposit Insurance Corporation), HUD, and DOJ are members of an interagency fair lending task force that meets regularly to consult on fair lending policy and periodically issues joint policy statements. There are also various working groups to promote voluntary compliance with fair lending requirements, such as the Department's Civil Rights Division working with the Federal Reserve Board, Federal Deposit Insurance Corporation, and other bank regulatory agencies.

Memorandum of Understanding on Housing Rights.

The Department's Civil Rights Division and HUD have two separate Memoranda of Understanding. The first MOU was established with HUD to coordinate civil provisions of the Fair Housing Amendments Act. The second MOU was established to ensure that criminal interference with housing rights is addressed through the most effective means. HUD refers all reports of the use of force or threats to interfere with an individual's housing rights to the Civil Rights Division. This allows criminal violations to be addressed through prosecution and then processed for civil remedies through HUD.

Memorandum of Understanding on Low-Income Housing Tax Credit Program.

The Departments of Justice, Treasury, and HUD have an MOU to promote enhanced compliance with the Fair Housing Act in the Low-Income Housing Tax Credit (LIHTC) Program administered by the IRS.

Trafficking Victims Protection Act. The Criminal Section of the Civil Rights Division works closely with the FBI, the Criminal Division, United States Attorneys' offices, the Department of Labor (DOL), DHS, state and local law enforcement, and NGOs across the country to identify victims of

illegal trafficking, many of whom are women and children, and to investigate and prosecute trafficking crimes. The Trafficking Victims Protection Act, first enacted in 2000 and most recently reauthorized on January 10, 2006, expanded the scope of federal enforcement authority over trafficking offenses. We are continuing our outreach programs in this area, coordinating trafficking enforcement efforts by training

"Human trafficking is nothing short of modern-day slavery."

*Assistant Attorney General,
Civil Rights Division,
March 2006*

local and federal prosecutors in the techniques of prosecuting trafficking cases, and providing expert guidance on the Trafficking Victims Protection Act.

Interagency Working Group on Limited English Proficiency.

The Civil Rights Division's Coordination and Review Section (COR) plays a central role in ensuring implementation and enforcement of civil rights laws affecting persons with Limited English Proficiency (LEP). COR works with 80 federal agencies to ensure that they produce plans to provide meaningful access to LEP individuals in their own conducted programs. The Working Group has active representation by more than 35 federal agencies.

Uniformed Service Employment and Reemployment Rights Act Memorandum of Understanding.

In a September 28, 2004, MOU between DOJ and DOL, the two agencies agreed on enforcement responsibility of the Uniformed Service Employment and Reemployment Rights Act (USERRA) by DOJ, through the Civil Rights Division, and DOL, consistent with the provisions of the statute. The MOU outlines that the Veterans' Employment and Training Service agency of DOL will initially investigate USERRA complaints and attempt to resolve them. If a complainant requests a referral to DOJ, the Solicitor of DOL will review the complaint and identify the issues, analyze the law, and present a recommendation as to whether DOJ should provide representation to the complainant.

State or Local Employment

Discrimination. Pursuant to Section 706 of Title VII of the Civil Rights Act, DOJ, through the Civil Rights Division, may file suit against a state or local government employer based upon an individual charge of discrimination referred by the Equal Employment Opportunity Commission (EEOC), following a determination by the EEOC that the charge has merit and efforts to obtain voluntary compliance are unsuccessful.

Project Civic Access. The Disability Rights Section of the Civil Rights Division works cooperatively with local governments to expand access to public facilities, services, and programs. Through Project Civic Access, DOJ accesses entire towns and counties, providing local officials with a roadmap to bringing all of their facilities, services, and programs into compliance with the federal law.

STRATEGIC OBJECTIVE 2.7

Vigorously enforce and represent the interests of the United States in all matters over which the Department has jurisdiction

Sometimes called the Nation's largest law office, DOJ is the Nation's chief litigator. Its attorneys represent the United States Government in court, enforcing federal civil and criminal statutes, including those preserving a competitive market structure, safeguarding the environment, and defending the public fisc against unwarranted claims.

Carrying out these responsibilities is the primary task of the United States Attorneys, the Department's litigating divisions, and the Office of the Solicitor General. The United States Attorneys serve as the Attorney General's chief law enforcement officers in each of the 94 federal judicial districts, representing the United States in both civil and criminal matters. The litigating divisions are centralized staffs with specialized expertise in particular areas of federal law, including antitrust, environmental, tax, civil justice, and criminal law. The Office of the Solicitor General represents the interests of the United States before the United States Supreme Court and authorizes and monitors the

Government's activities in the Nation's appellate courts. Together, these DOJ components ensure that the Federal Government speaks with one voice with respect to the law.

ANTITRUST

The work of the Antitrust Division is broken down into two broad categories, criminal and civil. On the criminal side, antitrust violations are increasingly complex, including bid-rigging schemes and price fixing cartels that are highly sophisticated, increasingly international, significant for the large volumes of commerce involved, and extremely broad in terms of the number of businesses and consumers affected.

In civil matters, the division maintains and promotes competitive markets largely by enforcing federal antitrust laws. These laws affect virtually all industries and apply to every phase of business, including manufacturing, transportation, distribution, and marketing. They prohibit a variety of practices that restrain trade, such as mergers likely to reduce the competitive vigor of particular markets and predatory acts designed to maintain or achieve monopoly power. Successful enforcement of these laws – which both decreases and deters anticompetitive behavior - saves American consumers billions of dollars, allows them to receive goods and services of the highest quality at the lowest price, and enables American businesses to compete fairly, both nationally and internationally.

Several key trends have impact on the division's antitrust efforts. The first of these is the globalization of trade. The second is rapid technological change. The third is deregulation. All three trends have ramifications for the division's antitrust work and workload.

The value of mergers occurring globally is significant, and large cross-border mergers are

"Secret agreements among competitors to fix prices, allocate customers, or reduce output are . . . a direct assault on the principles of competition that drive our market economy."

Deputy Assistant Attorney General, Antitrust Division, March 2005

no longer an anomaly. In the division's civil non-merger program, the cases it encounters also often have global reach. Whether taking more time to coordinate with foreign antitrust counterparts or expending more money to translate foreign documents, the division's increasingly common investigations with international dimensions are significantly more complex than in previous years.

Important American and foreign industries continue to be characterized by unprecedented levels of technological change. The accelerated flow of information means the collection and review of evidence has become more laborious. The greater technological sophistication of the marketplace means the methods to constrain competition have become more sophisticated as well. New industries are created virtually overnight. The division must stay on top of all these developments to enforce effectively the antitrust laws.

In recent decades, through legislative and other changes in the United States, basic industries, such as telecommunications, energy, financial services, and transportation have been deregulated. This transition has meant an increased role for antitrust – both working with various agencies to find ways to replace regulatory constraints with competitive incentives and effectively following up with necessary enforcement of the broader antitrust laws as may become necessary.

Strategies to Achieve the Objective:

Investigate, challenge, and prosecute international price-fixing cartels

The division deters anticompetitive behavior affecting United States businesses and consumers by investigating and prosecuting violations of America's antitrust laws. While the division remains vigilant in the face of all criminal antitrust activity, it has placed a priority on the successful prosecution of international price-fixing cartels. These cartels pose a number of challenges: they are highly sophisticated, significant for the large volumes of commerce involved, and extremely broad in terms of the number of businesses and consumers affected. The division is committed to meeting these

challenges. Successful enforcement of these laws saves American consumers millions of dollars, allows them to receive goods and services of the highest quality at the lowest price, and engenders fair competition for American businesses at home and abroad.

Investigate and litigate business arrangements and practices that encourage anticompetitive behavior and reduce competition

The division employs two distinct strategies to decrease and deter anticompetitive business behavior and practices. First is its merger enforcement strategy. This strategy focuses on the investigation and litigation of instances in which monopoly power is sought, attained, or maintained through anticompetitive conduct. The Government seeks injunctive relief against mergers and acquisitions that may substantially lessen competition.

Second, the division's civil non-merger enforcement strategy supports the investigation and prosecution of civil non-merger matters to suspend or deter anticompetitive behavior. Other behavior, such as group boycotts or exclusive dealing arrangements that inappropriately restrain free and open trade or commerce, is illegal under Section 1 of the Sherman Act.

Advance procompetitive national and international laws, regulations, and policies

With a number of activities distinct in form and audience, the division promotes competition through further improvement of the competitive landscape at all levels: inter- or intra-governmentally, nationally, and internationally. Division resources are devoted to participation in interagency regulatory processes, for example, to ensure that business practices conform to regulatory rules. In addition, division officials routinely participate in interagency task forces related to competition issues. At the international level, division membership in bodies such as the World Trade Organization provides an opportunity for the promotion of "competition friendly" policies and practices. In all cases, the division's goal remains the deterrence of anticompetitive behavior.

Guide and educate businesses, consumers, and counterpart agencies about antitrust law to increase their awareness and understanding

Whether through direct contact and targeted communication with specific audiences, or via the development, publication, and distribution of policy guidance, the division seeks to increase the breadth and depth of awareness of antitrust law. One example of division activity in this area is the Business Review Program, which provides information on antitrust law and how it applies under different situations, along with the likely reaction of the division to a proposed business action or arrangement. Another example is tailored training provided to state antitrust attorneys and investigators. In all instances, by reaching as many individuals, companies, agencies, and other groups as possible, and by providing them with detailed and specific guidance on the law, the division seeks to promote competitive behavior and deter anticompetitive behavior.

Key Crosscutting Programs and Activities

The following is representative of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Antitrust Division and Federal Trade Commission Merger Clearance Process.** The Antitrust Division and the Federal Trade Commission (FTC), bringing complementary areas of expertise, work together closely to determine which body will review and/or investigate an intended merger transaction. Throughout the clearance process the agencies maintain close communication in order to ensure that competitive concerns are addressed efficiently and effectively and that the process is undertaken without unduly burdening legitimate business interests.

ENVIRONMENT & NATURAL RESOURCES

"[W]e renew our commitment to enforcing the laws that protect our environment and our beautiful and valuable natural resources."

Assistant Attorney General, Environment and Natural Resources Division, April 2006

As the Nation's chief environmental litigator, the Department enforces federal pollution abatement laws to protect the health and environment of the United States and its citizens. DOJ also defends suits challenging environmental and conservation laws, programs, and activities; represents the United States in all matters concerning the protection, use, and development of the Nation's natural resources and public lands; and litigates on behalf of Indian tribes and individual Indians.

In performing these functions, the Department seeks to obtain redress of past and ongoing violations that harm the public health and the environment, ensure that those who violate criminal statutes are appropriately punished, establish credible deterrents against future violations of these laws, recoup federal funds spent to abate environmental contamination, and obtain money to restore or replace natural resources damaged by oil spills or the release of hazardous substances into the environment. We also take action to ensure that the Federal Government receives appropriate royalties and income from activities on public lands and waters.

In addition, the Department defends challenges to federal environmental and conservation programs and activities by representing the United States in all matters concerning the protection, use, and development of the Nation's public lands and natural resources. Representing virtually every federal agency, DOJ faces a growing workload in a wide variety of natural resource areas, including litigation over water quality and watersheds, the management of public lands and natural resources, endangered species and sensitive habitats, and land acquisition exchanges. The Department executes its responsibilities in these areas through the Environment and Natural Resources Division (ENRD).

A related concern is the trust relationships the United States has with Indians and Indian tribes through numerous treaties, statutes, and Executive Orders. Under these authorities, the Federal Government performs a number of functions on behalf of these tribes, including litigating to establish or defend their rights. These suits include establishing and protecting hunting and fishing rights, collecting damages for trespass on Indian lands, and establishing reservation boundaries and land rights.

Strategies to Achieve the Objective

Pursue civil enforcement cases against those who violate laws that protect public health, the environment, and natural resources

The Department will represent federal agencies in litigation and assist in the development of effective enforcement strategies that seek compliance with, and deter violation of, the Nation's environmental protection and conservation laws. The Department strives for the fair and consistent application of these laws throughout the country. For example, ENRD enforces statutes designed to address the cleanup of hazardous waste sites; the management of hazardous wastes and used oil; the pollution of surface waters and the integrity of drinking water; the quality of air and the regulation of chemical substances and mixtures which present a risk to human health and the environment; the regulation of pesticides; claims



that wetlands or other United States waters have been filled without required Clean Water Act permits; and the regulation of ocean and coastal water.

In these cases, the Department will work to attain economic parity for the vast majority of law-abiding United States businesses by assuring that illegal operators do not gain an economic advantage through noncompliance with the Nation's environmental laws. That this approach has been effective is evidenced by the Department's landmark settlements with the petroleum refining industry. Approximately 80% of the Nation's refining capacity has been brought under consent decrees which will result in the reduction of an estimated 315,000 tons per year of harmful air emissions. Similarly, the Department has brought approximately 83% of uncontrolled ethanol production capacity under federal consent decrees requiring new pollution controls. Additionally, ENRD will maintain the integrity of our Nation's infrastructure and continue to enforce infractions involving pipeline integrity, leaky storage tanks, endangerment from chemical and manufacturing plants, and threats to public drinking water systems.

Conserve the Superfund

The Superfund law provides funding for the cleanup of contaminated hazardous waste sites and for the reimbursement of cleanup costs by those responsible for the contamination. The Department's cost recovery litigation returns money to the Superfund to help sustain the fund and in turn support the cleanup of additional dangerous sites. The Department will continue its emphasis on recovering cleanup costs from those responsible for contamination as well as litigating and negotiating with the responsible parties to get them to perform the cleanup in the first instance, thereby conserving the Superfund for other cleanups.

Ensure proper payments to the United States from income-generating activities on public lands, and pursue claims for natural resource damages

It will take enforcement actions to protect endangered species, sensitive habitats, and natural resources in national parks and marine

sanctuaries. DOJ will pursue claims for natural resource damages on behalf of federal agencies that act as trustees of those resources, including the Interior, Agriculture, and Commerce Departments. DOJ will seek claims for contribution against private parties for contamination of public lands and recoupment of monies spent by the USCG to clean up oil spills.

In carrying out these responsibilities, the Department will continue to emphasize the use of Alternative Dispute Resolution and other litigation-streamlining techniques to achieve faster, more comprehensive, and more cost-effective resolution of these complex cases.

Investigate and prosecute environmental actions

Prosecution remains a cornerstone of the Department's integrated approach to ensure broad-based environmental compliance. Notably, it is the goal of investigators and prosecutors to discover and prosecute criminals before there has been substantial damage done to the environment, resulting in serious health effects or economic damage to consumers or honest competitors.

ENRD enforces criminal statutes designed to punish those who would pollute the Nation's air and water; illegally store, transport, and dispose of hazardous wastes; illegally transport hazardous materials; unlawfully deal in ozone-depleting substances; and lie to officials to cover up their criminal conduct.

The deterrent effect of criminal enforcement is difficult to measure, but available research indicates that a strong criminal enforcement program deters violations and thereby protects human health, natural resources, endangered species, and the competitive position of legitimate companies. ENRD will enhance its capability to convict and deter environmental crimes through leading law enforcement initiatives such as the Chlorofluorocarbon Phaseout, vessel pollution, laboratory fraud, and hazardous materials transportation initiatives, training, outreach, and domestic and international cooperation and coordination.

Defend United States interests in suits challenging crimes statutes and agency actions

The Department will continue to represent federal agencies, including the Environmental Protection Agency (EPA), the Army Corps of Engineers, the Department of the Interior, and the United States Forest Service, in suits challenging the Government's administration of federal environmental, conservation, and land management laws. The Department also will defend claims arising under the Comprehensive Environmental Response, Compensation, and Liability Act, that a federal agency is a liable party at a Superfund site and so must share in the costs of cleanup. The Department will continue to represent agencies against allegations that they have taken real property without just compensation, violating the Fifth Amendment.

As defense counsel, the Department represents federal land management agencies in challenges to regulatory and permits activities which impact public lands. ENRD will defend decisions to allow oil and gas leasing on public lands, including the National Petroleum Reserve - Alaska, along with other actions the land management agencies take in fulfillment of their multiple use mandates. The Department also will defend the management and planning activities of the National Marine Fisheries Service and Fish and Wildlife Service regarding endangered species and habitats.

The Department faces a growing caseload in the natural resource areas. Defensive litigation includes representing United States interests in general stream adjudications which affect hundreds of thousands of parties and tens of thousands of water claims in western states; lawsuits over the restoration and management of public lands, waters, and natural resources; wildlife protection; and the acquisition of federal property.

Act in accordance with United States trust responsibilities to Indian tribes and individual Indians in litigation involving the interests of Indians

The United States has established trust relationships with Indians and Indian tribes through numerous treaties, statutes, and Executive Orders. Under these authorities, the Federal Government is obligated to perform a number of functions on behalf of these tribes, including litigating to establish or defend their rights, as well as protecting the more than 56 million acres of land held in trust by the United States. The Department represents the United States in its trust capacity. This work includes development, investigation, and litigation of environmental issues that arise on Indian reservations, and the pursuit of longstanding land and water claims on behalf of Indian tribes. The Department is responsible for protecting treaty-based hunting and fishing rights. The Department is also charged with protecting tribal regulatory, adjudicatory, and tax jurisdiction, including a tribe's sovereignty to exercise jurisdiction in domestic relations cases involving tribal members, and to enforce gaming laws and state compacts.

Develop partnerships with other federal agencies, state and local governments, and interested parties to maximize environmental compliance and improve natural resource management

ENRD emphasizes constructive relationships with all involved federal agencies, state and local governments, tribes, and the public. We will continue to make it a priority to work cooperatively with state attorneys general on joint enforcement actions. States are now routinely given the opportunity to join the Department in enforcement cases and, where appropriate, share in any penalties obtained in settlements. Through supplemental environmental projects in civil cases, the public harmed by an illegal activity can also obtain some remediation of the harm caused by such violations. Also, Department attorneys have created a potential model for resolving future disputes among tribes, states, and local governments by mediating what is believed to be the first negotiated settlement of a challenge

by a state to an Interior Department decision to accept land into trust status.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Pipeline Safety.** The Department, in conjunction with the Department of Transportation, EPA, and other federal and state agencies, is involved in litigation to ensure the safety of interstate pipelines.
- ❖ **Water Rights Adjudication and Public Land Management.** With federal land management agencies, states, tribes, and other interested parties, ENRD is involved in a number of complex negotiations over water allocations among various user groups in the western United States.
- ❖ **Environmental Remediation and Natural Resource Restoration.** The Department partners with states and tribes to obtain both the cleanup of contaminated sites and the restoration or replacement of natural resources damaged by the contamination. For example, the Department is representing three federal agencies (EPA, Department of the Interior, and the National Oceanic and Atmospheric Administration) concerning the contamination of the Hylebos



Waterway, part of the Commencement Bay Superfund Site in the state of Washington. Working closely with the state and two Indian tribes, the Department has obtained a series of settlements to address the contamination of the Waterway's sediments and the restoration of federal, state and tribal resources damaged by the contamination.

- ❖ **Criminal Jurisdiction on Indian Reservations.** The Department is defending a statute that closes a potential loophole in criminal jurisdiction by providing Indian tribes with the jurisdiction to prosecute crimes committed by non-member Indians within the boundaries of a reservation. The state of Montana has joined the United States in defending this statute, and other states similarly support the assertion of tribal jurisdiction in this context.
- ❖ **Land Acquisition and Everglades Restoration.** The Department is working to acquire land in South Florida needed by the Corps of Engineers, the EPA, and other federal and state agencies for implementation of the plan designed to improve water quality and drainage.

TAX

The Department strives to enforce the federal tax laws consistently and impartially and to ensure that taxpayers are treated fairly. The Department's Tax Division is unique among Department components because of the indispensable role that it plays in the federal tax system. In this role, the Tax Division works closely with the IRS, which is responsible for 95% of the revenue collected by the Federal Government annually. In one way or another, almost all of the Tax Division's activities are designed to help close the multibillion dollar tax gap—the difference between tax owed and tax collected. Those activities consist principally of:

- Enforcement of the Nation's criminal tax laws;

- Representation of the United States in federal civil tax litigation in all state and federal trial courts, except the United States Tax Court; and
- Representation of the United States in all federal civil tax litigation in the federal circuit courts of appeals and in the state appellate courts.

Strategies to Achieve the Objective

Identify, investigate, and prosecute tax fraud

In addition to its continuing work prosecuting a wide variety of tax crimes, the division has launched a series of new initiatives to deter noncompliance and help ease the burden of noncompliance on law-abiding taxpayers who pay their fair share of taxes. The division has redoubled efforts to address tax crime involving income from a legal source—such as the consultant who reports only part of his income, the restaurant owner who skims from the cash register, or the doctor who keeps two sets of bookkeeping records. The IRS estimates that at least \$345 billion in revenue is lost each year through the evasion of taxes on income from legal sources.

"The Department of Justice is committed to using all available law enforcement tools to recover tax revenue, punish tax offenders, and to prevent future misconduct"

Assistant Attorney General, Tax Division, April 2006

The division also concentrates on several other areas of noncompliance. For example, it focuses on prosecuting promoters of sham trusts and other illegal schemes designed to avoid taxes; illegal tax protestors who engage in tax evasion schemes and those who harass IRS employees; and taxpayers who use tax haven and other offshore countries to evade United States taxes. The Tax Division participates in the following joint task forces with other Department components and other federal agencies, which enables the Tax Division to help formulate national programs, strategy, and procedures in a coordinated attack on financial

crime. Tax Division prosecutors lend their financial expertise to task force prosecutions, and tax fraud charges are frequently an important component of these prosecutions. Some of these task forces are:

- **OCDETF.** Representatives of the Tax Division are liaison attorneys with the various regions of the OCDETF, are formal members of its policy formation body, and prosecute drug cases.
- **Corporate Fraud Task Force.** The Assistant Attorney General for the Tax Division is a member of the Corporate Fraud Task Force, and Tax Division attorneys assist in the prosecution of corporate fraud cases.
- **Domestic Terrorism Task Force.** The Tax Division is represented on the Domestic Terrorism Task Force chaired by the Terrorism Violent Crimes Section of the Criminal Division. Tax Division prosecutors investigate and prosecute domestic groups that funnel money to international terrorists.
- **Political Corruption Task Forces.** Tax Division attorneys work on a number of different task forces investigating and prosecuting political corruption with United States Attorneys' offices and other Department components.

Focus civil enforcement efforts to promote tax compliance

The Tax Division's primary strategy to reduce the tax gap is to litigate, both defensively and affirmatively, federal civil tax cases filed by and against taxpayers in the federal courts. Through this litigation, the division ensures that the tax laws are properly enforced, often targeting particularly acute tax enforcement problems that threaten to seriously undermine tax administration.

As part of its representation of the Government in the courts, the Tax Division conducts in each civil tax case an independent review of the IRS's

views and administrative determinations to ensure that the Government's position is consistent with applicable law and policy. This independence, backed by a willingness to engage in aggressive litigation where appropriate, ensures collection of taxes owed, while also serving as a check against potential abuses in tax administration.

Tax Shelters

The Tax Division combats complex and abusive corporate and individual tax shelters, which cost the Treasury an estimated \$10 billion annually. As the Government's representative in court in tax refund suits and other cases involving these shelters, the Tax Division is instrumental in shutting the shelters down. The stakes in these cases—which regularly involve millions of dollars in tax revenue with respect to the parties in suit and implicate billions more with respect to other shelter purchasers—are often enormous.

The division has also successfully obtained orders enforcing IRS administrative summonses issued to major professional services firms believed to promote these shelters and continues to pursue similar orders in ongoing litigation. These orders will assist the IRS in gathering information concerning the promotion of these shelters, help the IRS identify purchasers of the shelters, and enable the IRS to determine whether these firms have complied with the shelter-registration and shelter-investor list maintenance requirements imposed by the Internal Revenue Code.

Schemes, Scams, and Tax Protest

Over the last several years, the division has sued to enjoin hundreds of tax-scheme promoters— who cost the Treasury billions of dollars each year by pushing bogus tax advice (e.g., tax credit for slavery reparations; income earned within United States not subject to federal taxation) over the Internet and in the media—and has obtained court orders shutting down several multimillion-dollar schemes.

In a complementary effort, the Tax Division's prosecutors have obtained numerous indictments and convictions against abusive scheme promoters in cases involving hundreds of millions of dollars in evaded taxes.

The Tax Division also deals with the fallout from the promotions, defending the Government in the hundreds of new cases brought each year that involve frivolous tax-protest claims—many of them the same claims targeted through the division’s injunction suits. Vigorous and successful defense of these cases is essential to preserve public confidence in the tax system and to ensure that honest taxpayers are not discouraged from voluntarily paying their taxes by the perception that those who engage in illegal tax-protest activity have “gotten away with it.”

Tax Collections and Offshore Tax Evasion

The Tax Division frequently files suits to collect revenue, deter illegal activity, and address systematic noncompliance with the tax laws, including suits: (1) to reduce to judgment tax, penalty, and interest assessments made by the IRS; (2) to void fraudulent transfers made by delinquent taxpayers to place their assets out of the reach of the IRS; and (3) to enforce federal tax liens on these and other assets. The division also represents the Government in more complex, tax-related bankruptcy matters, many of which have significant collection potential.

The division targets particularly serious collection enforcement problems. In this regard, as part of an IRS initiative aimed at the use of offshore tax havens by taxpayers to hide income and assets, the Tax Division has obtained court orders allowing the IRS to obtain data from three major credit card companies to identify United States taxpayers who use credit cards issued by offshore banks in tax haven countries. The division also helped the IRS obtain records from merchants and retailers to uncover the names of their customers who used these credit cards. Because of the Tax Division’s important role, representatives from the division’s criminal and civil sections participate in the IRS steering committee for this enforcement initiative, one of the most important in IRS history. The division is also handling collections and other enforcement actions against taxpayers identified through the initiative.

Tort Defense

The Tax Division also conducts defensive litigation vital to the protection of the IRS agents and officers engaged in tax assessment and collection activity. Specifically, the division

vigorously defends these agents and officers, and the Government itself, against spurious damages suits arising out of that activity. Absent representation of the quality provided by the division, these suits could cripple or seriously impair effective tax collection and enforcement.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Training Revenue Agents to Detect Tax Evasion Schemes.** As part of its effort to stop abusive tax scheme promotions, Tax Division attorneys regularly give training presentations to IRS revenue agents and other IRS personnel across the country to educate them about how to develop evidence that will support a suit to shut down a promotion at its source - the promoters and salesmen. These presentations have led to an increase in injunction suits filed by the Department to halt tax evasion promotions on the Internet and elsewhere.
- ❖ **Protecting Federal Instrumentalities from State and Local Taxation.** The Tax Division represents numerous other federal departments, agencies, and instrumentalities in cases involving the immunity of the Federal Government from state and local taxation. Although these representations often culminate in litigation, the division has had great success in heading off much litigation through prelitigation consultations with appropriate state and local officials.

CIVIL

DOJ, through its Civil Division and the United States Attorneys, each year represents some 200 federal agencies, the United States Congress, and the public treasury in litigation arising from federal contracts or alleged Government misconduct. The Civil Division

represents the Government's interests in litigation spanning a wide range of civil cases that encompass virtually every aspect of the Federal Government. Division attorneys recover money defrauded from Government programs, enforce consumer protection laws, administer national compensation programs, and defend the constitutionality of federal statutes, policies, and programs. Among the laws and policies of greatest importance to the Department, the Congress, and the public are those intended to protect our Nation's security.

The Department has experienced a substantial increase in civil litigation targeting the Government's coordinated response to the September 11 attacks and legal challenges to the Administration's CT policies. Civil attorneys defend against challenges to the constitutionality of CT laws, such as the USA PATRIOT Act, and protect Presidential war powers. Other landmark cases deal with access to immigration hearings in "special interest" cases and defend the holding of detainees in Guantanamo Bay. By upholding the Secretary of State's designations of foreign terrorist organizations and defending the subsequent freeze on their assets, DOJ effectively strips such groups of their ability to fund terrorism. Immigration attorneys defend the Government's efforts to detain and remove foreign-born terrorists and criminal aliens.

Since September 11, the division has handled and assisted in hundreds of cases involving aliens of national security interest. Vigorous defense of these cases is critical to our national security and the safety of our communities. Every year, thousands of aliens go to federal court to oppose orders of detention, expulsion, or exclusion. Immigration litigation has been the fastest growing component of the Civil Division's docket – the number of pending cases has nearly tripled in the past 4 years, growing from 6,200 cases in FY 2002 to over 17,000 cases in FY 2005. The growth stems primarily from heightened immigration enforcement activities pursued by DHS.

Most civil suits handled by the Department are defensive in posture and have huge sums of money at risk. Plaintiffs advancing contract claims, allegations of negligence, claims of patent infringement, and the like, seek to assign

liability to the Government. Most significant has been the emergence of a variety of class actions challenging the Federal Government's actions, such as the handling of Indian Trust Funds, loan-making by farm credit programs, and employment practices. At the same time, Department attorneys are defending massive suits alleging breach of contract in defense procurement, nuclear waste disposal, and the savings and loan industry. It is the Department's job to protect the treasury by ensuring that only meritorious claims are paid.

The laws, programs, and policies of the United States are often attacked in court. Recent litigation involves some of the most probing issues of our time. Examples include the Children's Internet Protection Act, inclusion of the phrase "under God" in the Pledge of Allegiance, use of marijuana for medical purposes, the No Child Left Behind Act, and the military's "Stop-Loss" policy. Unlike the majority of civil suits handled by the Department which involve monetary claims, these lawsuits seek remedies that can affect vital aspects of our society and governance – for example, how we respond to terrorism and poverty or the President's authority to wage war.

The United States Treasury loses hundreds of millions of dollars each year as a result of procurement fraud, health care fraud, loan defaults, and bankruptcies. These losses reduce resources vital to a host of federally-funded programs, including Medicare. More than \$17 billion has been recovered in civil fraud cases since the False Claims Act was amended in 1986, including \$10.8 billion in health care fraud. Today's docket includes a number of matters that are massive with respect to potential recoveries, the size of evidentiary collections, and the complexity of issues that underscore the Government's case. As our adversaries enlist the help of top law firms and consultants, substantial Government resources are required to achieve favorable settlements and judgments on behalf of the United States and victims of crime.

Finally, violations of the Food, Drug and Cosmetic Act, the Consumer Product Safety Act, and the Federal Trade Commission Act pose threats to the health and safety of millions of Americans. When such violations involve major

patterns of fraud, illegal conduct, and unfair credit and marketing practices, the Department pursues civil and criminal actions to stop and deter such activity. Success in these cases protects consumers from dangerous or worthless products and exploitive practices. Litigation is often hotly contested, reflecting the very high stakes at issue. For example, major drug manufacturers challenge the Food and Drug Administration's approval of generic versions of some of the most widely used name-brand drugs. Success in these cases fosters the control of health care costs.

Through the implementation of specialized tort compensation systems, the Department has improved access to justice for the Nation's citizens, leading to more efficient and effective resolution of disputes in the areas of occupational disease and vaccine injury. The National Vaccine Injury Compensation Program (NVICP) created an alternative to traditional product liability and medical malpractice litigation for persons alleging injury from vaccinations. Under the NVICP, individuals meeting the statutory criteria are compensated fairly and quickly, and non-meritorious cases are successfully defended, thereby preserving program funds for those who are truly entitled to them. Since 1988, almost \$1.6 billion in compensation has been awarded to nearly 2,000 claimants who would have stood little chance of recovery in traditional tort litigation. Under the Radiation Exposure Compensation Act, individuals whose health was put at risk to serve the national security interests of the United States are provided an efficient, non-adversarial forum in which to seek redress. Individuals who contracted certain diseases as a result of their exposure to radiation released during nuclear weapons tests or in the mining, milling, or transport of uranium ore have received over \$1 billion in compensation since 1992.

Strategies to Achieve the Objective:

Vigorously defend the Nation's counterterrorism measures when challenged in court

The successful defense of CT cases is an essential element in the ongoing efforts to

investigate the September 11 attacks and to prevent future attacks. Effective defense of the constitutionality of laws passed by Congress, such as the Detainee Treatment Act, the USA PATRIOT Act, and the Antiterrorism and Effective Death Penalty Act enables the Federal Government to use the full power of these laws. Most recently, the division is defending the Government's detention of prisoners at Guantanamo Bay who are members or associates of al Qaeda or the Taliban. Other litigation supports efforts to freeze terrorist assets, a critical aspect in dismantling the complex, global financial networks that support terrorism.

Defend immigration laws and policies, as well as class action suits or immigration judgments involving individuals

The Office of Immigration Litigation (OIL) is responsible for handling and coordinating all federal court litigation arising under the Immigration and Nationality Act, as amended, and related statutes. Immigration litigation is primarily defensive in nature, with the volume and character of the cases reflecting the varied personal, political, and economic circumstances that bring persons to the United States. In OIL's 23 years of operation, its docket has grown substantially. Most immigration cases handled by OIL are suits by individual aliens seeking to avoid or defer expulsion from the United States. Typically such cases involve claims that have been adjudicated administratively in proceedings before DHS, or by the Immigration Judges and the Board of Immigration Appeals (BIA), components of DOJ's Executive Office for Immigration Review (EOIR).

Despite the volume of cases challenging orders of removal, a substantial portion of OIL's litigation resources are expended in defending class actions and other district court challenges to various aspects of immigration policy and enforcement, including cases involving counterterrorism and national security. Because the underlying statutes regulate much more than simply the movement of aliens across our borders, OIL will continue to be responsible for a wide variety of trial and appellate litigation brought by citizens, domestic and international companies and unions, and interest groups that span the political spectrum.

Coordinate with the Department of Homeland Security and other agencies to overcome systemic barriers to the removal of illegal aliens and alien terrorists

Because of the inherently political nature of decisions concerning who may enter and remain in the United States, OIL's docket often includes sensitive and difficult cases, some of which involve fundamental questions concerning the authority of the Executive and the respective roles of Congress and the courts in immigration matters. In almost all cases involving orders to remove an alien from the United States or to deny immigration benefits, the Immigration and Nationality Act and pertinent regulations ensure that the matter will be heard twice by the agency, whether the adjudication in question is by DHS or by EOIR. The Immigration and Nationality Act provides specific and exclusive avenues for judicial review of such orders and determinations. After 1961, judicial review for deportable aliens was confined to the circuit courts of appeals (though excludable aliens could obtain review by habeas corpus in the district courts). Reform legislation enacted in 1996 combined deportation and exclusion into a single "removal" proceeding, and consolidated judicial review in the circuit courts of appeals. The reforms also substantially reduced the opportunity for criminal aliens to obtain discretionary relief from removal, or to obtain judicial review of the decisions made regarding their removal or denial of immigration benefits.

OIL will continue to litigate cases involving challenges to these reforms and to decisions rendered under them, and to vindicate more recent legislation further reinforcing the consolidation of review in the courts of appeals. Since the infamous events of September 11, 2001, OIL has placed renewed emphasis on CT, and will continue to do so. OIL has developed substantial expertise relating to terrorism and alien terrorists, and will continue to provide advice and counsel to the Attorney General, other officials, other Department components, and other agencies.

Oversee federal court immigration litigation to ensure vigorous defense of the decisions of the Attorney General and Secretary of Homeland Security in matters involving border security and protection, and to

pursue uniform application of the country's immigration laws

OIL vigorously defends the decisions of the Executive Branch in immigration matters for which it carries primary responsibility, and it always zealously represents the positions of the United States. OIL also seeks opportunities to work alongside and share information with all Government attorneys who handle immigration matters. The latter includes Assistant and Special Assistant United States Attorneys in districts throughout the United States, DHS Chief Counsel and trial attorneys, and OIL's colleagues at EOIR, the DoS, and other agencies with immigration responsibilities. OIL will continue to provide annual training programs in Washington, D.C., and field locations, including the National Advocacy Center, and to seek opportunities to expand its training programs to meet the ever-changing demands of immigration litigation. OIL will continue to publish a monthly newsletter to highlight developments in immigration litigation, and will maintain an operational website to provide Government attorneys with a comprehensive resource to bring together knowledge of immigration law and the applicable statutes, decisions, and regulations.

Manage litigation resources efficiently to meet the overwhelming volume of immigration cases filed in the federal courts

OIL's docket includes cases brought in all of the circuit courts of appeals and in many of the district courts throughout the country. Following the September 11 attacks, the Attorney General directed the BIA to clear its backlog of approximately 57,000 pending cases. The Department also adopted significant regulatory reforms that dramatically increased the volume and velocity of cases passing through the BIA. These reforms contributed to a dramatic increase in OIL's caseload. The number of immigration cases filed in the federal courts is now nearly triple the number of cases filed in FY 2001. OIL's case receipts jumped from 7,500 cases in FY 2002 to more than 12,000 in FY 2003, and has now reached a level of more than 15,000 cases annually. OIL's share of federal court litigation is now so large that immigration cases comprise approximately one-third of the cases handled annually by the Department's

Civil Division, and OIL's attorneys are now responsible for 40 percent of the division's personally and jointly-handled cases. Moreover, immigration cases now comprise fully one-third of the dockets of the federal circuit courts of appeals. OIL will continue to implement efficiency measures to meet this demanding workload, and to properly and effectively manage all of its available resources to ensure that its litigation deadlines are met and that success rates in its litigation remain high.

Defend the laws, programs, and policies of the United States when challenged in court; fairly and effectively represent the interests of client agencies while seeking to ensure that the outcomes serve the Government as a whole

Defending the national interest and the many and varied laws, programs, and policies of the United States is a critical role of the Department for maintaining civil law and order. Many of these civil lawsuits threaten the war on terrorism, our national security, and public safety, or affect how sizeable portions of the federal budget are spent.

Assert the interests of the United States Treasury, prevailing against unwarranted monetary claims while resolving fairly those claims with merit

Hundreds of millions of dollars are saved annually as a result of the Department's successes in defending national interests in major defensive lawsuits against unwarranted monetary claims on the public fisc. Such defensive litigation requires the diligence of Department staff that fights for and guards the financial interests of the United States at trial, at the settlement table, and at the highest levels of judicial review, asserting the Government's interest in major disputes as they proceed through appellate stages.

Recover monies owed to the United States and victims as a result of fraud, loan default, and bankruptcy

The Department protects the public fisc through a variety of affirmative litigation actions to fight

fraud, loan default, and bankruptcy, focusing on matters involving widespread fraud and the potential for substantial recoveries. We investigate allegations brought forth by "whistle-blowers" and, where appropriate, pursue recoveries and civil penalties available under the False Claims Act. The Department emphasizes health care fraud enforcement through collaborative efforts with other federal and state agencies to recover the billions of dollars lost from Medicare and other federally-funded programs. The Department also actively pursues collection of federal and non-federal restitution and criminal fines.

Enforce consumer protection laws by seeking civil and criminal penalties available under existing statutes

The Department pursues cases involving fraud perpetrated by manufacturers and distributors of misbranded, adulterated, or defective consumer products, as well as unfair business practices. Activity will be concentrated on matters involving consumer law violations which pose the greatest potential threat to the public.

Implement civil justice reform initiatives to resolve classes of claims for which traditional litigation has proven ineffective

The Department defends against thousands of plaintiff claims alleging Government neglect or wrongful conduct. Such suits usually involve massive discovery requirements, protracted trial schedules, arcane subject matter, and substantial stakes. When traditional litigation has proven ineffective, Congress has created specialized programs (e.g., the National Childhood Vaccine Injury Act, the Radiation Exposure Compensation Act, and the September 11th Victim Compensation Fund). When appropriate, the Department continues to evaluate cases to determine whether they will benefit from use of Alternative Dispute Resolution and, if necessary, engages in such processes to expedite case resolution and reduce costs.

Key Crosscutting Programs and Activities

The following is representative of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **National Childhood Vaccine Injury Act.** The Civil Division works closely with HHS and the United States Court of Federal Claims in handling cases filed under the National Childhood Vaccine Injury Act. Managers at the respective agencies coordinate matters of policy, budget, case processing, and strategy. At the trial level, medical staff at HHS assist the Department in developing medical evidence and providing expert witness support. In conjunction with the Office of Special Masters at the United States Court of Federal Claims, HHS and the Department strive to ensure just decisions in the thousands of cases filed since the inception of the program in 1988.

STRATEGIC OBJECTIVE 2.8

Protect the integrity and ensure the effective operation of the Nation's bankruptcy system

The Department, through the USTP, oversees and administers bankruptcy cases and combats bankruptcy fraud. The USTP works to ensure that cases are administered promptly, effectively, and in accordance with the law. Expedient administration of bankruptcy cases is critical to the integrity of the bankruptcy system and the maximum distribution of funds to creditors.

In the United States, federal bankruptcy law allows individuals, businesses, corporations, farmers, and municipalities to file bankruptcy. Filing bankruptcy provides relief from debts owed to creditors through the liquidation of assets, wage-earner repayment plans, or business reorganizations. In FY 1996, total bankruptcy filings processed by the USTP were 1,060,679. By FY 2005, total filings had increased to 1,697,721. This represents a 60

percent increase in the last 9 years, with the greatest growth attributed to individual filings.

With passage of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, significant changes were made to the bankruptcy system. New responsibilities assigned to the USTP include: application of a means test to all individual debtors; approval and oversight of providers of pre-bankruptcy credit counseling and pre-discharge debtor education; implementation of a system for random and targeted debtor audits; and revised procedures for business bankruptcies filed under Chapter 11.

Strategies to Achieve the Objective:

Enforce compliance with federal bankruptcy laws and take civil actions against parties who abuse the law or seek to defraud the bankruptcy system

The USTP has shifted its focus in response to public concern regarding abuse of the bankruptcy system. The USTP is more vigorously combating fraud and abuse through the use of civil enforcement remedies. The focus is on identifying and obtaining civil remedies for debtor abuse, as well as providing consumer protection to debtors who are victimized by attorneys and others who prey upon those in dire financial straits. Common actions include dismissal of cases for "abuse" (typically, because a debtor has demonstrated an ability to pay debts); denial of discharge for the concealment of asset; and the disgorgement of fees, fines, and injunctive relief against attorneys or nonprofessionals who defraud debtors (for example, "credit doctors" or mortgage assistance operations).

In the first 6 months of FY 2006, the Program took more than 28,000 civil enforcement actions, yielding more than \$480 million in debts not discharged, fines, and other remedies.

Pursue violations of federal criminal laws pertaining to bankruptcy by identifying, evaluating, referring, and providing investigative and prosecutorial support of cases

The integrity of the bankruptcy system depends upon debtors to report honestly and accurately all their assets and liabilities when they file for bankruptcy protection. Such disclosure is necessary to resolve disputes and to distribute money and property. The United States Trustees have an affirmative duty to refer instances of possible criminal conduct by debtors and third parties to the United States Attorney and to assist in prosecutions. The bankruptcy system needs a strong impetus to encourage honest, lawful behavior. Moreover, criminal referrals from the USTP show that bankruptcy crimes are often linked to other white collar crimes, such as fraud in obtaining federally guaranteed mortgage loans, money laundering, identity theft, mail fraud, and wire fraud

In FY 2005, the USTP made 744 bankruptcy-related criminal referrals to United States Attorneys and law enforcement agencies.

Promote the effectiveness of the bankruptcy system by appointing and regulating private trustees who administer bankruptcy cases expeditiously and maximize the return to creditors

The United States Trustee appoints and regulates private trustees who administer cases filed under Chapters 7, 12, and 13. In FY 2005, trustees distributed more than \$6.9 billion. The United States Trustee monitors the activities of these private trustees to ensure they handle cases effectively and efficiently. This entails maximizing the recovery of assets, promptly administering cases, accurately distributing funds to creditors, and conducting themselves in accordance with the law and high fiduciary standards. The USTP trains trustees and evaluates their overall performance, reviews their financial operations, ensures the effective administration of estate assets, and intervenes to prevent loss of estate assets when instances of embezzlement, mismanagement, or other improper activity are uncovered.

Ensure financial accountability, compliance with the Bankruptcy Code, and prompt disposition of Chapter 11 bankruptcy cases

Even though Chapter 11 filings represent less than 1 percent of all bankruptcy filings, they generally require urgent attention and ongoing oversight. The USTP prescribes financial reporting requirements, questions debtor representatives under oath, and evaluates prospects for successful reorganization. United States Trustees promptly file a motion either to dismiss or convert a case if the debtor is not complying with the Bankruptcy Code or is unable to reorganize. The role of the United States Trustee is especially important in smaller Chapter 11 cases in which creditors lack a financial stake to participate actively. The goal of the United States Trustee is to ensure Chapter 11 debtors comply with the law, and move promptly to resolve their financial difficulties and confirm a plan of reorganization.

In addition, the USTP has addressed many complex Chapter 11 filings by large corporations that have billions of dollars in assets and liabilities, and employ large numbers of workers. Novel legal issues that require extensive scrutiny by USTP staff often arise in these cases, including the review of professional fees to prevent dissipation of the bankruptcy estate, as well as the appointment of trustees and examiners in cases of fraud, dishonesty, or criminal conduct in the management of the debtor or the debtor's public financial reporting.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **National Bankruptcy Fraud Working Group.** The USTP plays a leading role in the National Bankruptcy Fraud Working Group (NBFWG), comprised of United States Attorneys' offices, DOJ's Criminal Division, the FBI, IRS-Criminal Investigations, Postal Inspection Service, the FTC, HUD's Office of the Inspector

General (OIG), EOUSA, and other agencies. The NFWG helps coordinate a national response to bankruptcy fraud issues and encourages the formation of inter-agency bankruptcy fraud working groups at the local level. The USTP also works with the Attorney General's Committee on White Collar Crime, including the Subcommittee on Identity Theft, which is sponsored by DOJ's Criminal Division.

- ❖ **Implementing “Smart” Forms.** The USTP collaborates with the Administrative Office of the United States Courts (AOUSC) in developing a new standard for filing electronic documents. The new standard involves creating “smart forms” that are compatible with the United States Bankruptcy Courts’ Case Management/Electronic Case Filing System. Once fully implemented, this innovation will substantially reduce the amount of time and effort that employees must devote to reviewing forms manually. The USTP is working closely with the AOUSC to implement this promising system improvement.

STRATEGIC GOAL III



Ensure the Fair and Efficient
Administration of Justice

GOAL 3

ENSURE THE FAIR AND EFFICIENT ADMINISTRATION OF JUSTICE

Several components of DOJ play key roles in the administration of the federal justice system. The USMS supports the federal courts by providing courtroom security, protecting federal judges, witnesses, and other participants in federal court proceedings. The USMS, along with the Office of the Federal Detention Trustee (OFDT), is also responsible for providing secure detention space to individuals who have been arrested and await final disposition of their cases. Deputy Marshals ensure that detainees are escorted to and from proceedings in a safe and secure manner; they also apprehend federal fugitives from justice.

The Federal Bureau of Prisons (BOP) ensures that sentenced criminals are removed from society and housed in prisons that are safe and secure. BOP also provides programs and activities to inmates to occupy their time in incarceration more gainfully, and to prepare them for reentry into society.

OJP exerts DOJ's considerable leverage, expertise, and funding to make the Nation's criminal and juvenile justice systems more responsive to the needs of state, local, and tribal governments and their citizens. Finally, immigration judges and members of the BIA, part of the Department's EOIR, adjudicate immigration cases in a timely manner, ensuring that criminal aliens serving sentences in United States prisons are deported upon release, before they become physical threats or economic burdens to the public.

STRATEGIC OBJECTIVE 3.1

Protect judges, witnesses, and other participants in federal proceedings, and ensure the appearance of criminal defendants for judicial proceedings or confinement

The federal judiciary system is the bedrock of the United States system of government, ensuring that laws are upheld fairly and that offenders receive just punishment for their crimes. Federal judicial proceedings must be open, secure, and free from obstruction, intimidation, or threat of violence. The system cannot work unless judges, witnesses, and other court participants are free from threats, intimidation, or harassment. The Department's aim is to ensure that no judge, witness, or other court participant is the victim of an assault stemming from his or her involvement in a federal court proceeding.

With the war on terrorism, the work has taken on a dangerous new dimension. In FY 2005, there were 698 terrorism related defendants in the federal court system. The threat of violence perpetrated upon the courts by terrorists sympathetic to the defendants has led the USMS to provide heightened facility protection and personal protective details for judges, prosecutors, and other court officials, witnesses, and the general public. USMS further mitigates threats by assessing court facilities prior to terrorist court proceedings, evaluating courthouse security plans to identify deficiencies, and responding with security upgrades when needed in USMS-controlled areas and cellblock space.

Strategies to Achieve the Objective

Monitor, assess, and investigate threats made against judges, court personnel, witnesses, and victims to stop or deter potential violence

"[W]e have taken aggressive measures . . . to handle the many high threat trials involving suspected terrorists, violent gang members, and drug traffickers."

Director, U.S. Marshals Service, March 2006

Investigating potential threats of violence planned against court officials – judges, prosecutors, victims, witnesses, and court support staff – is a critical aspect of providing security. Because of such threats, security must sometimes be

provided both inside and outside the court facility. In FY 2005, there were 953 threats and inappropriate communications investigated that were directed at judges and other members of the court family. The USMS, with the help of other federal, state, and local law enforcement agencies, carefully assesses each potential threat based on the best intelligence available and responds in a timely and appropriate way.

Congress appropriated funds to help the USMS improve judicial security outside of United States Federal courthouse facilities by installing home intrusion detection systems in the residences of federal judges. The USMS administers the program in consultation with the judiciary. To date, approximately 1,600 judges participate in this initiative.

In addition, the USMS provides witness security protection for Government witnesses and their immediate dependents whose lives are in danger as a result of their testimony against known terrorists and other criminals who would resort to violence for retaliation.

Meet court security standards

In 2002, the USMS conducted a security survey of prisoner movement space in federal courthouse facilities in the United States, Guam, Puerto Rico, and the Virgin Islands. The survey

evaluated each facility against USMS security specifications and requirements. This was the second time the survey was conducted. The first time was in 1999, where survey results indicated that 94 percent of the federal courthouse facilities did not meet minimum security standards. Results of the most recent survey reflect a 13 percent improvement, with the number of facilities not meeting minimum security standards dropping to 81 percent. This significant improvement in building security was primarily accomplished by renovation construction. As a key means to improving security of these facilities, USMS continues to renovate United States courthouses and court-occupied space in order to bring them up to standards. The third security survey of prisoner movement space is underway and is scheduled to be completed by March 2007.

At the same time, the USMS works to ensure that court proceedings are adequately staffed. With prisoner populations growing throughout the country, the USMS is challenged to maintain a high security standard. Along the Southwest Border in particular, large numbers of prisoners have dramatically affected the ability of Deputy Marshals to produce defendants. The USMS continues to work closely with the United States Courts, the United States Attorneys, and other federal law enforcement agencies to schedule court appearances to allow the USMS to keep pace with the rapidly growing workload.



Transport detainees securely and efficiently

The USMS is responsible for the safekeeping and transportation of federal prisoners in its custody. This includes the critically important function of providing in-district transportation of prisoners for judicial proceedings, legal hearings, meetings with attorneys, and trials, as well as for outpatient medical care and hospitalization when they are required. This function consumes an enormous amount of Deputy United States Marshal resources, in that prisoners must be produced in a timely fashion to meet court schedules. In FY 2005, the USMS completed more than 840,000 in-district prisoner productions.

In addition to the daily local transportation of prisoners to various legal proceedings and meetings, the Department uses the Justice Prisoner and Alien Transportation System (JPATS) for long-haul prisoner movements. JPATS was created in 1995 by merging the air transportation fleets of the USMS and Immigration and Naturalization Service, then part of DOJ. JPATS is responsible for moving federal prisoners and detainees in the custody of the USMS or BOP as well as handling many of the ICE alien movements throughout the world.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Memorandum of Understanding on Court Security.** An MOU established in December 1997 between the USMS and the AOUSC provides guidelines and procedures to implement the recommendations of the

Attorney General's Task Force on Court Security.

- ❖ **Memoranda of Understanding with other agencies.** Providing security in federal court facilities requires coordination among several key federal agencies, each with different jurisdictional responsibilities. The DHS Federal Protective Service is responsible for perimeter security and preventing unwarranted entry into a United States courthouse facility. The USMS Judicial Security Systems staff is responsible for security of the interior spaces within a United States courthouse facility for which the judiciary or AOUSC pays rent. The USMS Central Courthouse Management Group is responsible for security of all spaces for which the USMS pays rent, including all prisoner movement and detention areas. The physical unification of the specified security systems and devices usually occurs in the USMS command and control centers located in the USMS office within the United States courthouse. These agencies are mutually supportive of the mission to provide the proper level of security for a United States courthouse as defined in the MOU among them.

STRATEGIC OBJECTIVE 3.2

Ensure the apprehension of fugitives from justice

The Department enforces federal warrants and apprehends fugitives from justice, including escaped federal prisoners; bail jumpers; parole, probation, and supervised release violators; and other fugitives wanted in relation to complaints or indictments. Additionally, the Department maintains responsibility for locating and apprehending fugitives wanted by agencies lacking arrest authority, as well as for fugitives wanted by foreign governments, who have fled to the United States.



The apprehension of fugitives ensures the effective operation of the judicial system, reduces crime, and improves public safety. The aggressive pursuit of fugitives also serves as a deterrent for present and future defendants who contemplate flight from justice. Apprehending fugitives clears crowded dockets, ensures that convicted defendants serve their sentences, and prevents fugitives from committing additional crimes. Finally, fugitive apprehension ensures that flight from justice does not negate the expenditure of investigative and prosecutorial resources by other agencies. The Department currently has thousands of fugitives within its area of responsibility.

Strategy to Achieve the Objective

Focus on apprehending most wanted & violent fugitives

Locating and apprehending 15 Most Wanted and other violent fugitives represent the main priorities of the USMS fugitive program. These fugitives often have ties to terrorism or serious narcotics trafficking, and regularly comprise the most violent felons wanted by federal, state, local, and foreign law enforcement agencies. USMS currently participates in 91 district-based fugitive task forces, and has established 6 permanent Regional Fugitive Task Forces (RFTFs). Each of these task forces supports the investigation and capture of suspected terrorists.

Fugitives often have lengthy criminal histories and will likely commit additional crimes if not

quickly apprehended. The Presidential Threat Protection Act of 2000 provided USMS with the ability to establish permanent fugitive apprehension task forces in designated regions of the United States. The creation of RFTFs allowed USMS to pool its resources and expertise with those of other agencies to more effectively apprehend violent fugitives. These permanent task forces exist in addition to the many multiagency task forces led by the USMS.

The Department will continue to solicit the public's assistance in fugitive apprehension through the effective utilization of media-based publicity. USMS currently maintains its 15 Most Wanted list, which receives significant media attention. USMS will continue to operate a web site displaying the most significant fugitive cases, and will carry on with the practice of airing cases on national television programs when practicable.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Fugitive Warrants.** During the last decade USMS and a number of other federal law enforcement agencies have entered into MOUs that relegated administrative and investigative responsibilities for fugitive warrants to USMS. These agencies include the DEA, organizations within DHS, the United States Air Force Office of Special Investigations, the IRS, the Naval Criminal Investigative Service, numerous Offices of Inspectors General, and others. These MOUs will allow participating agencies to take advantage of the experience and expertise USMS holds in fugitive matters, and will free their investigators to pursue additional crimes.
- ❖ **Interagency partnerships.** In addition to the above listed MOUs, USMS also signed several others addressing information-sharing, data matching, and other types of investigative assistance. They include:

- The United States Department of Agriculture's OIG conducts a periodic data match of USMS fugitives against a nationwide list of food stamp recipients.
- The Social Security Administration's OIG conducts a periodic data match of USMS fugitives against its list of Social Security Supplemental Security Income recipients.
- The United States DoS Office of Consular Affairs conducts a periodic data match of USMS fugitives against passport applications.
- The United States Department of Housing & Urban Development's OIG conducts a periodic data match of USMS fugitives against records of those individuals receiving housing-related assistance.
- The United States Department of Veterans Affairs' OIG conducts a periodic data match of USMS fugitives against records of individuals receiving benefits.
- DEA shares information contained in the USMS Warrant Information Network and Electronic Surveillance Unit databases with SOD. SOD also shares information contained in its indices with USMS in connection with narcotics-related fugitive investigations.
- The United States Secret Service provides forensic support and expert testimony from personnel assigned to its Forensic Services Division in connection with USMS criminal, fugitive, and protective investigations.
- The United States DoS Bureau of Diplomatic Security (DS) facilitates law enforcement assistance to USMS in foreign countries in connection with extraditions, fugitive investigations, and protective assignments. This MOU also describes the USMS role in providing

support to DS in relation to protective functions for foreign dignitaries.

- OCDETF - USMS participates in the OCDETF program in which it exercises responsibility for locating and apprehending most OCDETF fugitives, including the most serious drug offenders.
- ❖ **Fugitive Task Forces.** Through its network of fugitive task forces throughout the U.S., including RFTFs in New York, Los Angeles, Washington D.C., Chicago, Atlanta, and Birmingham, the USMS assists other federal, state, and local law enforcement agencies in locating fugitives wanted for violent criminal activities.
- ❖ **Fugitive Safe Surrender.** An initiative designed to partner faith-based organizations, nonprofit groups, law enforcement agencies, and judicial authorities in an effort to encourage fugitives to surrender in an environment conducive to the safety of the wanted individual, law enforcement personnel, and the public. Originally implemented in Cleveland, Ohio, the program's initial effort resulted in the safe surrender of 842 fugitives, 324 of whom had outstanding felony warrants. The success of the program will lead to nationwide implementation in a number of targeted regions.
- ❖ **Operation FALCON & FALCON II.** The USMS conducted two FALCON (Federal And Local Cops Organized Nationally) operations in an effort to achieve maximum impact on targeted fugitives over an intense 1 week period. Both operations were a tremendous success, capturing nearly 20,000 fugitives. A third FALCON operation will target the Eastern-half of the United States in FY 2007.

STRATEGIC OBJECTIVE 3.3

Provide for the safe, secure, and humane confinement of detained persons awaiting trial and/or sentencing, and those in the custody of the Federal Prison System

Through BOP, DOJ protects society by confining sentenced offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

The Department, principally through the USMS, is responsible for detaining persons charged with violating federal criminal statutes, provided they have not been released on bond or personal recognizance pending disposition of their cases. The USMS houses and maintains presentenced detainees in secure facilities from the time they are initially brought into federal custody until they are acquitted, arrive at a designated BOP facility to serve a sentence, or are ordered released. BOP assists the USMS by housing some presentenced federal detainees in specified BOP facilities, including metropolitan detention centers (MDCs). The OFDT collects and analyzes critical data in order to provide long-range projections of detention needs.

Strategies to Achieve the Objective

Manage Bureau of Prisons operations efficiently

BOP uses a multipronged approach to house sentenced and unsentenced federal inmates, utilizing 113 BOP-operated institutions of varying security levels, privately operated facilities, residential reentry centers (halfway houses),



and facilities utilized through Intergovernmental Agreements (IGA). BOP strives for the most effective use of resources and efficient delivery of services by placing inmates in the least restrictive correctional environment commensurate with their custody and security needs.

In recent years BOP has faced numerous fiscal challenges. A number of initiatives to streamline operations, centralize and automate functions, and reduce management positions bureauwide have been implemented in response to these challenges. Additionally, BOP has closed four outmoded and inefficient prison camps to more effectively utilize resources. BOP continuously reviews facilities and has identified the need for changes to some institutions' security levels based on efficiencies and inmate population needs, particularly at older institutions.

Acquire additional prison capacity through contracts and new construction

BOP relies on accurate population forecasting to project and plan for future resource and bedspace needs. The federal inmate population has increased dramatically over the past 25 years, up nearly 700 percent, from approximately 25,000 inmates and 41 institutions to over 190,000 inmates and 113 institutions as of the middle of 2006. BOP has experienced an increase in the inmate population of 3,880 since September 2005. Most inmates were confined in 1 of the 113 BOP-operated facilities located across the country. Over 29,500 were housed in privately managed institutions, state and local facilities, residential reentry centers (halfway houses), or home confinement. At the end of FY 2005, the crowding rate was 34 percent over rated capacity. As of July 27, 2006, overcrowding had risen to 36 percent. Future population is expected to grow by more than 5,000 inmates per year. BOP projects that by 2012 the total inmate population will exceed 225,000 and BOP facilities will experience an overcrowding rate of 28 percent.

Since federal inmate population levels are projected to increase so rapidly and continue to exceed the rated capacity of BOP facilities and current contracts, every possible action is being

taken to keep institution crowding at manageable levels to ensure that federal inmates continue to serve their sentences in a safe and humane environment. BOP continues to seek additional bedspace through competitively-bid contracts and activation of new prisons. BOP will continue to add private and other contract beds and other forms of alternative confinement where appropriate, activate new facilities, and expand existing facilities.

Ensure safety and security

A safe and secure institutional environment for inmates and staff is of fundamental importance. BOP assigns inmates to institutions according to their security and custody needs, ensures that correctional staff are properly trained and equipped, and has systems in place to minimize violence and the introduction of drugs in prison facilities. In addition, BOP conducts routine mock emergency exercises with the FBI and other law enforcement agencies. It works closely with both the FBI and USMS when an escape or emergency situation exists. BOP continuously provides intelligence data referrals to the National JTTF; local JTTF; FBI's CTD; and CIA liaison personnel. BOP is housing an increasing number of dangerous inmates who have been convicted of terrorist acts (including domestic, international, violent anti-Government, White Supremacy, and BioChem-Nuclear). As a result, BOP has added equipment, patrols, and specialized services for the safe incarceration of these individuals.

Provide quality health care while controlling costs

Several major initiatives have been implemented to improve the quality of health care while controlling health care costs. Examples of these initiatives include teleradiology, the development and deployment of an electronic medical record, a national drug formulary (a standardized listing of medications to be provided to inmates), and Clinical Practice Guidelines for the treatment of several chronic diseases and conditions such as diabetes, hypertension, viral hepatitis, and HIV.

A phased implementation strategy has been developed for a medical classification system

(Levels of Care) which identifies inmate health care needs (medical, mental health, and forensic) and assigns inmates to facilities with appropriate health care capabilities. This concept allows BOP to place inmates at institutions that have the healthcare resources to meet their medical needs.

Ensure that Bureau of Prisons facilities comply with the standards of the American Correctional Association and all applicable environmental, health, and safety codes and regulations

BOP will prepare all activated facilities for accreditation with the American Correctional Association (ACA). ACA is an independent accrediting authority for correctional agencies that wish to validate that their correctional management is sound and effective. This program offers the opportunity to evaluate programs and facilities, remedy deficiencies, and upgrade the quality of programs and services. Once accredited, all facilities submit annual statements of continued compliance. Facilities are reaccredited every 3 years to ensure continued compliance with standards.

BOP also maintains a modernization and repair program to ensure that its facilities are safe and secure. Facilities vary in age from new construction to those 100 or more years old. Thirty-six BOP facilities are over 50 years old. Included in this program are "life safety" projects to meet National Fire Code standards. These projects are given the highest priority. Work within the maintenance program is



accomplished almost entirely by inmate crews, supervised by highly skilled staff with experience and training in every phase of construction and maintenance work (i.e., steamfitting; heating, ventilation, air conditioning (HVAC); and mechanics/electronics repair).

Ensure adequate, economical detention capacity and services

Accurately projecting the continually rising detainee population is the first step to ensuring adequate space. Although there is no methodology to guarantee complete accuracy, OFDT will continue to improve the existing methodology for forecasting detention population by: identifying key detention indicators from United States Government components that affect detention and integrating them into current detention forecasting models; analyzing case law and proposed legislation to determine the impact on future detention population trends; and refining the detention population forecasting model to more effectively merge trend analysis with out-year projections, thereby reducing the degree of error.

In meeting the detention space requirements, the Department acquires detention beds through reimbursable agreements with state and local governments for the use of their jail space, through contracts with private vendors, and through federally-managed and maintained detention facilities. DOJ also encourages state and local governments with limited capacity to provide bed space for federal use by awarding funds under the Cooperative Agreement Program for jail modifications and renovations. OFDT will ensure the capability to maximize the use of available space by expanding the capabilities of the Detention Services Network (DSNetwork).

Not only must OFDT ensure adequate housing, but it must ensure sufficient detention space at other mission critical locations. For example, JPATS currently uses a single transfer Federal Transfer Center which often operates at full capacity. When the facility is unable to process additional incoming prisoners, delays are created that retard prisoner movements in other districts. With in-transit housing capabilities increased, JPATS is able to move prisoners

faster, resulting in a decrease in the number of days in detention.

In recent years, the Department's ability to rely on state and local facilities to meet its detention needs has decreased proportionately as these facilities are increasingly used to satisfy non-federal detention requirements. With available space diminishing and prohibitive costs for federal construction, the Department must turn to the private sector to meet its detention needs. During FY 2006, 12.5% of the USMS detention population was housed in private facilities; by FY 2008 this will increase to 15.4%.

Improve the management of detention resources

Detainee population increases, coupled with the increase in the use of private facilities, which are more expensive, has resulted in increased detention costs. To mitigate this problem, OFDT has engaged in several strategies to contain or lower costs. These include initiatives to contain rising costs in housing and medical services, process improvements, and investments in detention alternatives.

Housing Costs: OFDT, in conjunction with BOP and USMS, will maximize the use of the most cost effective space by establishing policy and procedures to ensure that allocated federal bed space, which is the least costly detention space, is at 100% utilization for housing detainees. In addition, OFDT is developing a core-rate IGA agreement that establishes the baseline in negotiation of a fixed per diem rate for each facility, based on rates paid to similar facilities, and limits future adjustments to the per diem rate to the inflation rate established by the Consumer Price Index.

Medical Costs: OFDT, in cooperation with the USMS, is in the process of establishing and awarding a National Medical Contract to meet the needs of the detention agencies, the legislative requirements of Medicare and Medicaid, and the Federal Acquisition Regulations. Although the USMS has been able to contain costs, establishing the contract will ensure the best price is achieved while consolidating the current methods, ensuring a uniform, systematic approach that will reduce

staff work hours and track medical savings nationwide.

Detention Alternatives: OFDT will establish and implement with BOP and USMS, policy and procedures to reduce the practice of leaving prisoners with short-term sentences in local detention beds, rather than committing them to BOP facilities. This effort will result in significant detention cost avoidance. Additionally, OFDT will continue the partnership with the federal judiciary to ensure adequate funds are available for the courts to place defendants the courts would otherwise detain into non-secure detention settings (e.g., halfway house and home confinement), with an electronic monitoring component. Use of non-secure detention is significantly less expensive than secure detention.

Process Improvements: Developed by OFDT, e-Designate provides for a more efficient workflow among the Court, the USMS, and BOP during the sentence-to-commitment process. Operationally, e-Designate accelerates the movement of prisoners from detention to BOP facilities thereby reducing the number of days in detention and the corresponding pressure on appropriated resources.

Ensure safe, secure, and humane confinement in detention facilities through the implementation and oversight of Federal Performance-Based Detention Standards

Concurrent with the desire to create efficiencies within detention is the critically important need to ensure safe, secure, and humane confinement. However, this is especially challenging considering the vast number (over 1,900) of facilities in use as well as the different types of facilities. To ensure adequate and acceptable conditions of confinement, OFDT implemented Federal Performance-Based Detention Standards (FPBDS). The FPBDS, developed in cooperation and coordination with BOP, USMS, and ICE, provide a system of objective checks and balances to ensure that all providers understand and are able to achieve and maintain the standards while ensuring the Government receives the quality services for which it has paid.

Federal contract vehicles will be written or modified to reflect the FPBDS for all private contract facilities and to high-volume (facilities with average daily populations greater than 500) state and local facilities. Private contractor performance evaluation and compensation will be based on the ability to demonstrate alignment with the standards. The comprehensive Quality Assurance Review Program includes assessment, followup, and training to ensure that the safe, secure, and humane confinement criteria are met.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **Bedspace Providers.** BOP works cooperatively with the private sector and state and local governments to establish and maintain capacity to house persons in federal custody in cost-effective, safe, secure, and humane facilities. The USMS and OFDT work cooperatively with the private sector and state and local governments to establish and maintain adequate capacity to detain persons in federal custody.
- ❖ **Interagency Cooperation.** BOP works cooperatively with DHS, United States Courts, United States Probation, United States Military, other state and local law enforcement, and numerous private and not-for-profit organizations to carry out its mission successfully.
- ❖ **Detention Services Network.** OFDT's DSNetwork allows state and local governments and private detention service providers to electronically post vacancies, rates, services, administrative costs, availability, mode of transport, and medical facilities and services.
- ❖ **Partnership with the Federal Judiciary.** OFDT will continue the long-established

partnership with the federal judiciary to ensure that adequate funds are available for the courts to place defendants whom the courts would otherwise detain into non-secure detention settings (e.g., halfway house and home confinement), with an electronic monitoring component.

"The real purpose of prisons is rehabilitation of inmates so as many as possible can go back into society as productive citizens."

Director, Federal Bureau of Prisons, July 2005

support their reintegration into society. According to BOP's Post Release Employment Study, participation in education and vocational programs leads to a reduction in recidivism.

With few exceptions, sentenced inmates who do not have a high school diploma or a General

Educational Development (GED) certificate must participate in the literacy program for a minimum of 240 hours or until they obtain the GED. The ESL program enables inmates with limited English proficiency to improve their English language skills.

In FY 2007, BOP will implement a literacy life skills program (GOALS) as an alternative to the traditional GED program. This program is designed for special need learners who have reached their optimum level of achievement in the literacy program, but can no longer benefit from traditional academic instruction. The GOALS program offers these inmates the opportunity to develop the skills needed to function successfully while incarcerated and in society. The focus is on goal setting, money management, health maintenance, family relationships and personal growth, getting and keeping a job, and reentry.

BOP provides a wide range of occupational education classes (vocational training and apprenticeship programs) which give inmates the opportunity to obtain marketable skills. Traditional programs include carpentry, plumbing, building trades, horticulture, among others. Advanced occupational programs, such as business management and business computer, lead to either a marketable certificate or degree from an outside vocational training or post-secondary school. Program offerings are based on general labor market conditions, institution labor force needs, and vocational training needs of inmates. In addition to classroom instruction, occupational education programs may include "live work" which contributes to the operation and maintenance of institutions and/or community service projects, while providing actual hands-on work experiences for inmates.

STRATEGIC OBJECTIVE 3.4

Provide services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards

In addition to providing inmates with basic services (such as clothing, food, and access to health care), BOP provides opportunities for inmates to participate in an array of educational, vocational, religious, drug treatment, and other programs. These programs provide inmates with the means to increase their chances for successfully reentering society as law-abiding and productive citizens and improve institution security by reducing idleness. Most inmates lack education and job skills and many have a history of drug dependency. Research has shown that inmates who complete at least one educational course or a residential drug treatment program and those who work in prison industries while incarcerated are less likely to recidivate. As a result, providing residential drug treatment and work and education programs is one of the agency's highest priorities.

Strategies to Achieve the Objective

Provide education and vocational training programs

Inmate education programs include literacy, English-as-a-Second Language (ESL), occupational education (vocational training and apprenticeship), advanced occupational training, parenting, and release preparation courses. Education programming provides inmates with an opportunity to learn the functional skills which

Provide programs that support inmates' reintegration into society

Research has conclusively demonstrated that participation in programs that address health problems and antisocial behavior, and that teach marketable skills, helps to reduce recidivism. Accordingly, BOP offers a wide variety of program opportunities for inmates that facilitate their return to society:

Drug Treatment: In response to the rapid growth of federal inmates with drug use histories (40 percent of inmates admitted in 2005 compared to 34 percent in 1990), BOP continues to operate a comprehensive drug abuse treatment strategy consisting of: screening, referral, and assessment; drug abuse education; residential drug abuse programming; nonresidential drug abuse counseling; and institution and community-transitional drug treatment.

Under the Violent Crime Control and Law Enforcement Act of 1994, BOP is required to provide residential drug treatment to all eligible inmates. The Residential Drug Abuse Treatment Program is designed for inmates with moderate to serious substance abuse problems who are in need of intensive treatment. These programs are typically 9-months long and provide a minimum of 500-hours of drug abuse treatment.

Life Connections: Consistent with the President's Governmentwide *Faith-Based and Community Initiative*, BOP established the intensive, multi-phase, Life Connections Program in 2002. The curriculum of personal, social, and moral development (e.g., education, parenting, family responsibilities, victim-offender mediation) is designed to instill values and character and provide opportunities for the development and maturation of inmates' faith commitment, with a goal of reducing recidivism rates. The program has been implemented in institutions of various security levels in various geographical regions of the country and is being carried out in partnership with a broad spectrum of religious and community organizations. This voluntary program is available to both male and female inmates. Thus far, 422 inmates have completed the incarceration phase of the

program. Twenty-one percent, or 88, of those have been released to residential reentry centers or directly to the community. Inmates who are participating in the program continue to be matched with a faith-based or secular mentoring community. BOP will expand the initiative by awarding contracts for up to six additional faith-based or secular residential reentry programs.

Sex Offender Management Program: BOP has a comprehensive management and treatment strategy for all sex offenders created for the purpose of increasing institution security and ensuring effective management of sex offenders to ensure public safety. The Sex Offender Management Program has several components, which include identifying, monitoring, managing, treating, and transitioning these inmates back to the community upon release.

Sex Offender Treatment Program: Established in 1990, the Sex Offender Treatment Program (SOTP) is an intensive, voluntary residential therapeutic program for male sexual offenders. The program employs a wide range of cognitive-behavioral and relapse prevention techniques to treat and manage sexual offenders. The primary goal of the SOTP is to help sexual offenders manage their sexual deviance in order to reduce sexual recidivism.

Inmate Skills Development Initiative: Through the *Inmate Skills Development initiative*, the Bureau focuses on building the kinds of skills essential to successful reintegration. These range from activities of daily living, such as budgeting, to cognitive skills, such as the ability to maintain self-control. This initiative assesses individual inmate skill needs and strengths; monitors and tracks skill enhancement throughout incarceration; links program assignments; prioritizes skill needs of high risk populations (i.e., sex offenders, career criminal, mental health cases); and develops effective communication for sharing information with institution departments and external agencies. Inmates are given opportunities to develop skills in areas such as academic, vocational, interpersonal, cognitive, character, daily living, leisure, wellness, and mental health to equip them with the necessary tools to succeed upon release.

Provide work programs

Research has shown that inmates who work in prison industries while incarcerated are less likely to recidivate than inmates who have not had Federal Prison Industries (FPI) experience. To date, FPI (whose trade name is UNICOR) provides job skills training and work for nearly 21,000 inmates in 106 factories. FPI provides constructive industrial work to develop job skills and habits, while reducing inmate idleness, which has been linked to inmate unrest and violence in prison. BOP continues to work toward balancing the increased need for inmate employment while minimizing FPI's effect on private labor and business.

Monitor the reintegration of convicted offenders into society

The United States Parole Commission (USPC) makes decisions about the release of persons convicted of crimes and establishes release conditions to ensure that these individuals are supervised in the community to the maximum extent possible. To ensure their successful reentry in society, USPC will implement policies and procedures that help enable offenders under supervision in the community to lead law abiding lives. USPC will achieve this by establishing working relationships with community based-organizations within 30 or 60 days of reentry to create transitional housing and to develop long-term residential drug treatment programs.

To ensure the safety of those in the community, USPC will oversee the supervision of the released offenders; issue warrants for those who are alleged to have violated a condition of supervision; and remove from the community those violators, under sanctions appropriate to the nature of the violation.

Key Crosscutting Programs and Activities

The following is a representative sample of programs and activities related to this objective

involving DOJ components and organizations outside the Department:

- ❖ **Community Partnerships.** BOP actively recruits volunteers to assist with the Life Connections Program and other religious programming. In addition, community services projects and mock job fairs are organized through partnerships with community groups, public service organizations, and other agencies.
- ❖ **Drug Treatment Providers.** BOP also works closely with and monitors private sector drug treatment service providers to ensure inmates receive appropriate drug treatment after-care.
- ❖ **Federal Agency Partnerships.** BOP contracts with the United States Public Health Service for qualified health care personnel; with the Department of Veterans Affairs to utilize its laboratory testing contracts and prime vendor contract for pharmaceuticals; and with United States Probation and Pretrial Services agencies to provide Joint Offender Workforce Development Training and formulate local offender workforce development partnerships with other agencies.

STRATEGIC OBJECTIVE 3.5

Adjudicate all immigration cases promptly and impartially in accordance with due process

EOIR provides for the review and adjudication of immigration cases. EOIR's workload is determined largely by the activities and initiatives undertaken by various components of DHS. EOIR's ability to process cases in a timely fashion directly affects DHS goals to remove criminal or other removable aliens expeditiously and to use limited detention space efficiently.



Strategy to Achieve the Objective

Adjudicate priority cases within specified time frames

EOIR has identified three adjudication priorities for the immigration courts and has set specific processing time frames for each. The first priority concerns the Institutional Hearing Program, which is the adjudication of alien inmates incarcerated in federal, state, and local institutions as a result of convictions for criminal offenses. The aim is to adjudicate these cases prior to the inmate's release from criminal custody so that those found by EOIR to be removable may be removed quickly from the United States by DHS. The second priority is the adjudication of expedited asylum cases within 180 days. The third priority is the adjudication of cases involving detained aliens (without applications for relief) within 30 days.

Similarly, EOIR has established adjudication priorities for the BIA. To ensure efficient use of DHS detention space, EOIR has established 150 days as its goal for processing appeals for detained aliens.

Key Crosscutting Programs and Activities

The following is representative of programs and activities related to this objective involving DOJ

components and organizations outside the Department:

- ❖ **Interagency Relationships.** EOIR coordinates with DHS and BOP in operating its Institutional Hearing Program, intended to resolve immigration cases before non-citizen inmates are released from prison. With respect to adjudication processes, EOIR coordinates routinely with DHS and the DOJ Civil Division. EOIR's workload is also linked to DHS enforcement activities and adjudication policies, affecting the expeditious removal of criminal aliens, the efficient use of limited detention space, and the timely provision of relief in meritorious cases.

STRATEGIC OBJECTIVE 3.6

Promote and strengthen innovative strategies in the administration of state and local justice systems

Our Nation faces many challenges related to juvenile delinquency, including youth gangs, recidivism among youth offenders, and tribal youth crime. In spite of the high cost of out-of-home placement, the recidivism rate among juveniles following release from secure or other residential placement remains alarmingly high. Juveniles are likely to have repeated placements and many of them will have been incarcerated for approximately one-third of their adolescence. Researchers estimate that roughly one-third of the more than 600,000 returning offenders (adult and juvenile) each year is younger than 24 years of age. OJP is working to prevent and reduce youth involvement in gangs by addressing specific risk and protective factors associated with the likelihood of delinquent behavior and the needs and desires that underlie the decision to join a gang.

Repeat offenders who cycle in and out of the justice system commit a significant portion of all crime and drive up the cost of operating justice agencies. These offenders often have risk factors, such as mental health problems and substance abuse, limited education and literacy, inadequate job skills, and lack of positive

support systems that, if addressed, will reduce the likelihood of re-offending.

Strategies to Achieve the Objective

Improve the effectiveness of juvenile justice systems

Juvenile justice methods and practices differ from state-to-state, jurisdictions have limited resources, and there is a general state of flux and volatility within the juvenile field. All these factors make it difficult to administer juvenile justice consistently. Juvenile justice systems have a substantial opportunity to improve their effectiveness by reaching youth at earlier ages and rehabilitating them, thereby controlling and preventing crime.

OJP will use its “voice,” resources, and programs to identify, develop, and prioritize innovative strategies for improving juvenile justice effectiveness and to promote the use of evidence-based practices. It will focus on use of collaborative strategies among federal, state, local, and tribal governments, placing special emphasis on common challenges in intervening with delinquent youth, serving youth victims, and applying accountability-based sanctions. OJP will continue to help combat Internet-based child pornography; provide training and technical assistance to improve the courts' handling of child abuse and neglect cases; and ensure timely decision-making in permanency planning. OJP programs will focus on the best approaches to ensure that states and communities implement programs that are responsive and effective in addressing delinquency and child victimization.

Improve the adjudication of state, local, and tribal laws

OJP strategies include supporting a full range of innovative, new problem-solving courts—family drug treatment courts, domestic violence courts, mental health courts, and reentry courts. Problem-solving courts are designed to treat offenders while, at the same time, considering the harm to victims and the community. These courts work with other justice institutions across disciplines, such as health and social services,

to address underlying issues that contribute to criminal behavior and to design appropriate interventions. In addition, OJP is researching a variety of best practices to improve court and adjudication effectiveness, including issues involving witnesses and juveniles.

Improve corrections, reduce recidivism, and break the cycle of drugs and violence

OJP will support effective jail and prison reentry programs that target offenders who are substance abusers; technical violators of supervision conditions; violent and high risk offenders; individuals who are non-violent but have multiple needs; and those who would otherwise face major obstacles in their reentry back into the community. These programs, which are funded through grants, technical assistance, and training emphasize collaborative efforts among community-based services and resources; the use of nonprofit, faith- and community-based organizations and mentors; and information-sharing among law enforcement and other agencies. Initiatives may include gang reentry programs; methamphetamine and other substance abuse reentry programs; sex offender supervision programs; risk/need assessment of offenders; community investment in offender supervision; family system work; housing issues for offenders; sentencing options for offenders; community-based supervision options; terrorism and corrections programming; and partnerships with corrections agencies and organizations to identify, develop, enhance, or replicate promising practices related to these topics and others.

OJP has a long history of providing drug-related resources to its constituencies in an effort to break the cycle of drugs and violence by supporting their efforts to reduce the demand, use, and trafficking of illegal drugs. The drug court movement began as a community-level response to reduce crime and substance abuse among criminal justice offenders. This approach integrated substance abuse treatment, sanctions, and incentives with case processing to place non-violent drug-involved defendants in judicially supervised rehabilitation programs. OJP's Drug Court Program was established in 1995 and provides financial and technical assistance to state and local courts seeking to establish drug treatment courts.

Provide justice statistics and information to support justice policy and decision-making

OJP plays the preeminent role in collecting, analyzing, publishing, and disseminating information on crime, criminal offenders, victims of crime, and the operation of justice systems at all levels of government. These data are critical to federal, state, local, and tribal policymakers in combating crime and ensuring that justice is both efficient and evenhanded. OJP will continue to produce core statistical series; respond to Administration, DOJ, and Congressional requests and priorities; and support the information needs of other OJP components.

Conduct research that supports and advances justice policy, decision-making, and program evaluation

OJP will continue to provide objective, independent, evidence-based knowledge and tools to meet justice challenges, particularly at the state, local, and tribal levels. OJP will reposition statistical, research, and evaluation activities so that they can be more fully leveraged across a wide range of activities and to ensure that programs are addressing the most critical problems in the most effective manner. Many current programs in various bureaus and offices are implemented based on close working relationships with state, local, and tribal counterparts. Often, the initial step of developing a “research hypothesis” or conducting cost-benefit analysis is informal. As a result, poorly performing programs might continue because insufficient performance information exists or evaluations were not conducted.

Key Crosscutting Programs and Activities

The following is representative of programs and activities related to this objective involving DOJ components and organizations outside the Department:

- ❖ **The Mentally Ill Program.** This program is a collaboration among the Bureau of Justice

Assistance, the Office of Juvenile Justice and Delinquency Prevention, the National Institute of Corrections, and the Substance Abuse and Mental Health Services Administration (SAMHSA). This partnership will ensure that the investments are consistent with the needs of the field and will be coordinated with other SAMHSA-funded programs. Competitive grants will be awarded to states, units of local government, tribes, and tribal organizations to plan, implement, and/or expand an adult or juvenile collaboration program.

STRATEGIC OBJECTIVE 3.7

Uphold the rights and improve services to America’s crime victims

Recognizing the impact that crime has on its victims, Congress enacted the Victims of Crime Act of 1984 (VOCA) which created the Crime Victims Fund (the Fund). The Fund is comprised of monies collected from criminal fines, forfeited bail bonds, penalties, and special assessments. OJP is responsible for managing the Fund, supporting victims of crime, and ensuring that offenders are held accountable through victim participation in the justice process.

“Victims of crimes and the families and friends of lost or injured loved ones suffer in ways that are unimaginable.”

Attorney General, April 2005

The Justice for All Act of 2004 (H.R. 5107, Public Law 108-405) establishes the rights of crime victims in federal criminal proceedings and provides mechanisms for enforcing these rights. Although the

act extends protections to victims within the federal justice system, it is anticipated that this legislation will serve as a model for states that have not yet enacted legislation establishing crime victims' rights.

Strategies to Achieve the Goal

Provide compensation and services for victims and their survivors

Compensating crime victims and their survivors provides a number of important benefits. Compensation is paid out of Fund monies collected from criminals. Victims and their survivors, when compensated, receive tangible acknowledgement that the justice system cares about them and that offenders are being held accountable. OJP will continue to improve upon the timeliness for disbursing payments.

OJP supports victims in a variety of ways, including working with victims of domestic and international human trafficking, recovering children who have been removed from the United States, supporting female victims of violence against women, and meeting the unique needs of victims in Indian Country. Specific strategies that will be implemented include development of victim outreach tools in languages other than English and training on facilitating support meetings for victims of traumatic loss.

Increase participation of victims in the justice process

Increasing victim participation in the justice system is important to increasing offender accountability. Convictions require reliable witness testimony and victims are often the most important witnesses. Achieving this outcome can be accomplished by ensuring that victims are compensated; that the justice system treats victims responsively and with respect; and that victims are comfortable testifying as witnesses. OJP will develop and implement strategies to increase participation of victims as witnesses, such as support for closed circuit televising of testimony from victims of abuse.

MANAGING THE DOJ MISSION



MANAGING THE DOJ MISSION

Every business depends on its administrative management foundation to enable its operations. DOJ is no different. Without strong assistance in areas such as management policy and planning, information management, budget and finance, human resources, procurement, security, facilities, and business ethics, the Department's programs could not function. Continuous development and refinement of a solid, central administrative management capability is necessary to ensure that the Department develops policies, establishes procedures, obtains resources and creates the management environment and service infrastructure necessary to enable our components to meet the Department's mission.

DOJ promotes and is pursuing myriad, cross-cutting management initiatives aimed at ensuring that the many goals and objectives of the Department are met. While the President's Management Agenda (PMA) has provided a useful framework to help achieve management efficiency and effectiveness within the Department, there are ongoing collaborative efforts that impact how DOJ conducts business. Some of the Department's management initiatives are presented below, along with our plans to continue supporting the PMA and programs that ensure integrity and efficiency. The Department is committed to continuously identifying ways to improve its operations.

Major Management Initiatives

Human Resources and Administration

DOJ is the Nation's law enforcement agency, and its most important resource is its people. With a diverse and talented workforce of over 100,000 men and women, we lead the Nation in ensuring the protection of all Americans while preserving their constitutional freedoms. The DOJ mission and our strategic goals could not be achieved without these loyal, skilled, and dedicated employees.

The following initiatives will help DOJ continue to attract and retain the best and brightest workforce in order to achieve our goals.

Strategic Alignment. At DOJ, workforce analysis and succession planning are the foundation of a human capital management program that ensures employees are capable of accomplishing the Department's important mission and varied strategic goals. DOJ will continue to conduct workforce planning by assessing the current skills and the skill needs of employees, identifying skills gaps, and developing plans for closing the gaps. An automated planning model that predicts future changes in the workforce, such as expected separations in each mission-critical occupation, will assist us in planning for the future. Plans will be implemented to strengthen employee skills through learning and development programs and to replenish the workforce through strategic recruitment initiatives to recruit for the skill sets needed for the future. These initiatives will ensure that DOJ's tradition of excellence carries forward to future generations.

Accountability. DOJ remains committed to building a human capital program that is results-oriented, adaptable, and supports its mission and strategic goals. In accordance with the Chief Human Capital Act of 2002, DOJ developed a human capital Accountability System that includes defined measures, automation, and surveys to conduct independent audits of Departmentwide human resources functions. DOJ will form multi-component teams to conduct these audits and identify corrective actions for areas needing improvement, including those areas not in compliance with laws and regulations. The results of these accountability activities will help DOJ ensure its human resources programs support the DOJ mission and workforce.

Employee Satisfaction. DOJ is an active participant in the Office of Personnel Management's Federal Human Capital Survey

(FHCS). This survey helps to assess employee satisfaction in areas such as leadership, performance management, and work environment. The FHCS and other employee survey results are being addressed by annual improvement plans developed by each DOJ component. By addressing the concerns of its employees, DOJ will position itself to attract and retain a talented and diverse workforce capable of fulfilling DOJ's essential mission.

Continuity of Operations Planning. DOJ will continue to ensure the safety, health and security of its employees and seamless continuation of essential functions through the development, testing, and training of Continuity of Operations (COOP) and Emergency Preparedness Plans. DOJ will continue to participate in the Government-wide exercises on continuity of Government. The COOP plans include arrangements for the safety and health of employees while maintaining mission critical operations during a pandemic outbreak through the use of telework, social distancing, and information technology (IT) enhancements.

Litigation Security. As required by the Classified Information Procedures Act, the Department provides security assistance to Federal courts when classified information is introduced into criminal prosecutions. When requested, similar assistance is also provided in civil litigation. Security specialists will continue to assist the courts and litigants in civil and criminal cases throughout the United States by providing guidance relating to personnel, physical, information, communications, and computer security, thus allowing court proceedings to function efficiently, while providing safeguards against unauthorized disclosure of classified information.

Information Technology

Enterprise Architecture. DOJ will continue to work with its components to ensure that IT systems developed and implemented at the Department conform to the Federal Enterprise Architecture Framework adopted by and promulgated across DOJ to address business, data, application and technology needs. This entails reviewing, approving, and overseeing implementation of component system plans and acquisitions to achieve value and systems effectiveness. Examples of major new systems

under development at DOJ over the coming years are the Department's Unified Financial Management System (UFMS) and the FBI's Sentinel System. UFMS will establish a single financial accounting and accountability system for better managing DOJ resources. Sentinel will support all of FBI's operations.

Information Technology Security. To address security risks associated with IT systems, the Department will continue its aggressive efforts to ensure that systems remain safe and secure to the greatest extent possible against cyber attacks. We will continue to develop our certification and accreditation programs to ensure compliance with system security standards and requirements. In addition, we will continue to ensure DOJ protection of employee information and fully implement the new IT Privacy Impact Assessments program to protect privacy information. We also will continue to train employees on and remind them of IT security requirements.

Enterprise Solutions. The Department has adopted a strategy of building program management offices (PMOs) to centrally manage major, cross-cutting, high-impact IT projects. Some of these are cutting edge technology solutions with federal-wide implications. These are long term efforts involving significant investment of resources. Examples of projects we will continue to pursue are **Homeland Security Presidential Directive #12 (HSPD-12) and the DOJ Litigation Case Management System (LCMS)**. HSPD-12 calls for establishing a mandatory, Government-wide standard for secure and reliable forms of identification issued by the Federal Government to its employees and contractors (including contractor employees). LCMS will acquire and implement a single core case management system for the seven litigating divisions of the Department. OMB identified this as a Line of Business (LoB) that will have widespread positive business impact, possible beyond DOJ.

Operations. The Department will continue to improve and refine its efforts to provide a secure, reliable, and highly available IT infrastructure that enables information sharing and fulfills program needs throughout DOJ. This will be achieved by carefully guiding the acquisition, development, deployment,

operations, and maintenance of a robust IT infrastructure that includes computing platforms, telecommunications networks, desktops, messaging, and web services. A major planned initiative in this area is completion of the current Operations Support Staff competition under the PMA competitive sourcing program to determine the future course for DOJ to manage these functions more efficiently and effectively.

Finance

Unified Financial Management System. This system is critical to the effective management of the Department. A separate PMO oversees this system's development and implementation to ensure that the Department performs its fiscal duties more effectively. The UFMS PMO has issued a task order authorizing the development and provision of Familiarization Training courses for component implementation teams to help prepare for UFMS setup activities. The Integration and Implementation Team is developing two different reusable UFMS training courses – functional training and system administration training. The overall goals of this training are to familiarize participants with momentum features and capabilities as they relate to system setup, use, and operations, and to help them make informed decisions as they implement UFMS.

In addition, progress is being made in implementing UFMS in the components. Members of the Component UFMS Program Management Staffs, in conjunction with the UFMS PMO and Team IBM, have been working to initiate the early phases of implementation in the DEA and the Asset Forfeiture Program. A task order authorizing initial implementation planning for the DEA was awarded in August 2006. The Asset Forfeiture Program will soon follow.

Asset Forfeiture and Debt Collection. The Department has long applied statutes allowing law enforcement agencies to seize property used by criminals for the perpetration of crimes, dispose of it, and use the proceeds to further law enforcement purposes. In addition, DOJ has aggressively pursued the collection of debt owed the government as a result of civil and criminal debt or to victims as restitution. DOJ plans to continue improving in these areas to afford opportunity for greater enforcement and

financial benefit to the government on behalf of taxpayers.

Purchase Card Program. DOJ continues to explore ways to expand and promote the use of purchase cards to obtain rebates and financial benefits that come with broader card use. DOJ will continue to promote and monitor card use across its components and as appropriate, negotiate with service providers to increase rebates, ultimately making additional funds available to DOJ components. The cards may also be used to identify opportunities for strategic sourcing.

Policy, Management and Planning

Organization Management. In recent years, following 9/11, the Department has supported and facilitated extensive reorganization by its entities aimed at better support for the CT mission. In addition to earlier facilitation of the massive transitions of DOJ's Immigration and Naturalization Service to DHS, and ATF's move from Treasury to DOJ, we continue to facilitate FBI's large-scale, ongoing restructuring to address terrorism and recently we helped establish the new NSD, which combined CT elements of DOJ's Criminal Division and Office of Intelligence Policy and Review. We anticipate continued organizational change and refinement to meet the Department's mission and will provide this support as needed.

Strengthened Acquisition Process. DOJ recently set up an Acquisition Council for DOJ Procurement Chiefs, intended to leverage best practices and improve procurement coordination across DOJ. Initial efforts of the Council identified specific topics for collaboration, including agreement on four Commodity Teams to implement a Strategic Sourcing effort across the department and gain economies from joint purchases of common items. Such opportunities aimed at cost savings will continue to be pursued. In addition, the Council is collaborating on and will develop plans to address training requirements and the continuing need to increase the retention of procurement personnel.

Internal Review and Evaluation. DOJ recently created an Office of Internal Review and Evaluation to ensure that DOJ implements an

effective internal controls program in compliance with OMB Circular A-123. Having this new Office, working closely with the Finance Staff, but retaining its independence, will result in a much stronger ability to accomplish preliminary A-123 program planning.

Records Management. Accessible, accurate, and reliable information and records underlie needed communication throughout program and law enforcement activities to document the essential evidence of DOJ functions, policies, and actions that engender public trust and confidence. Historically, the Department has followed best business practices for managing paper records.

Recently, DOJ established a Records Management Office and established a Departmental Records Council, surveyed components regarding their records activities and established a program to better manage records by maximizing technical tools and eliminating the need to maintain duplicate paper records where electronic records exist.

Over the next three to five years, the Records Management Program staff plans to conduct an analysis of the current functions and activities for handling departmental records and information, and then establish a foundation for an ongoing records management program. In turn, this will lead to the development of critical institutions, policies, and processes to support a comprehensive program. Specific strategic goals and objectives include completing a basic needs assessment, developing appropriate directives, policies, and procedures; developing a full scale training program; and developing collaborative processes among records professionals, IT professionals, and managers of departmental programs.

President's Management Agenda

In its continuing efforts to attain superior management performance, the Department is constantly striving toward the President's vision of a citizen-centered, results-oriented Government. To help agencies move toward this vision, in August 2001, the Administration issued the PMA, a list of administrative

functions, common to all agencies, that the President believes should be priorities. The PMA includes five Governmentwide initiatives:

- Strategic Management of Human Capital
- Competitive Sourcing
- Improved Financial Performance
- Expanded Electronic Government
- Budget and Performance Integration

In addition, the PMA includes nine program initiatives, two of which, "Faith-Based and Community Initiative" and "Federal Real Property Asset Management," apply to the Department.

To ensure on-going, high-level attention to each of the PMA initiatives, the Department's lead individual for each initiative works with OMB to establish yearly goals and milestones. Synopses of the plans for each of the initiatives are below.

Strategic Management of Human Capital

Long before the President issued the PMA, DOJ held its employees to very high standards and provided them with the tools necessary to accomplish the mission. The focus provided by the PMA has helped the Department prioritize improvements needed for the continuous growth of its human capital program.

In recent years, human capital issues have taken on a new urgency, with the expectation that the baby-boomer population is aging and will be retiring from Federal service in large numbers in the near future. This potential loss of institutional knowledge and experience has required redesigning traditional policies and procedures, as well as ensuring successful recruitment programs and career development for all employees.

Strategic management of human capital has become increasingly important in order for DOJ to meet its mission. During FY 2007, the Department will update its Human Capital Strategic Plan to reflect developing goals and strategies for FY 2007 - 2010. In early FY 2007, the Department expects to complete its skills gap analysis and identify competency targets for leadership positions and human resources, IT, and mission-critical occupations. During that same timeframe, it expects to attain a 45-day hiring decision for 50 percent of non-SES hires and develop a model for hiring SES career positions. The Department will continue to focus on recruitment and retention strategies in order to ensure a highly qualified and diverse talent pool.

Longer-term goals include the creation of a mid-level employee career development program. In addition, the Department is participating in OPM's Career Patterns Initiative, a new approach for bringing the next generation of employees into Federal Government positions, and introducing appropriate workplace flexibilities for employees in various stages of their careers.

Competitive Sourcing

The Department uses the tools of Competitive Sourcing to ensure that those commercial activities supporting the mission are performed efficiently and cost effectively.

The Department has prepared and submitted a new competition plan, under review by OMB, for FY 2007 and FY 2008. It includes one competition for each bureau and the Justice Management Division over the 2-year period. Five of these competitions will be streamlined competitions, involving organizations having more than 10 full-time equivalency (FTE) positions. One will be a large standard competition of more than 65 FTE.

An ambitious goal for the Department is combining the human capital and competitive sourcing PMA initiatives to look at the possibilities of competing commercial functions where competency and skill gaps have been identified. Competitions with most efficient organizations (MEOs) have the benefit of allowing the restructuring of in-house operations

for greater efficiencies if the MEO wins. If the private sector wins, or if the MEO wins with fewer FTE than currently are onboard, resources can be redeployed to higher program priorities.

To track actual savings realized through competitive sourcing, the Department will implement the common methodology developed by OMB, and will enter data into the competitive sourcing database when it becomes operational.

Improved Financial Performance

Organizations must have timely and accurate financial reports, combined with key performance information, in order to improve the way they manage. It is equally important that organizations operate with business practices that comply with federal financial management accounting standards.

The future efficiency of financial management depends to a large extent on implementation of a single accounting system Departmentwide. The unification of DOJ financial management systems represents a singular opportunity to develop true Departmentwide business practices and implement a federally compliant core financial system while supporting the PMA. The UFMS will provide timely financial and procurement information available on demand, consolidate cross-component financial and procurement information, and standardize that information. UFMS will take advantage of government and industry best practices, DOJ business practices will be re-engineered, and decision-making and managerial activities will be enhanced. Until such time as UFMS is fully designed, implemented and deployed, the Department is making strides to ensure that it continues to receive an unqualified audit opinion, despite the disparate accounting systems.

Expanded Electronic Government

DOJ components actively participate in 19 of the President's 24 electronic government (e-Gov) initiatives identified by OMB. The Department also participates in all nine broad-based LoBs, and is the managing partner for the Case Management LoB. Through our participation, we have improved information-sharing and

expanded services to our components, outside agencies, and the public.

In FY 2007, the Department will contribute to the Information Sharing Environment by publishing Version 1.0 of the National Information Exchange Model, specifying a standard Information Exchange Package Document to facilitate sharing law enforcement information across systems, and establishing connections between the DOJ Regional Data Exchange and regional information sharing systems. DEA and its Asset Forfeiture Program will transition to the new UFMS.

Budget and Performance Integration

Budget and performance integration links program performance to budget decisions and improves management by identifying outcome measures, monitoring progress, and accurately presenting associated costs.

The Department has begun developing the Justice Performance Planning and Reporting System (JPPRS). This web-enabled performance management system will contain all of the Department's performance and efficiency measures, including those in the Program Assessment Rating Tool (PART) and the Performance and Accountability Report (PAR). The anticipated operational date for JPPRS is the close of 2007.

Faith-Based and Community Initiative

The Faith-Based and Community Initiative strives to help people in need by eliminating the institutional barriers that prevent community and faith-based groups from helping to solve our Nation's social problems. Faith-based and community organizations (FBCOs) have a long tradition of helping Americans in need and represent an integral part of our Nation's social service network. Yet, in the past, the rules and regulations of the Federal Government have made it difficult for FBCOs to compete for funds on an equal footing with other organizations. Such an approach can waste taxpayer dollars and cut off those in need from successful programs. Thus, a main priority of this initiative has been to "level the playing field" for FBCOs, i.e., to ensure that they have the information and fair consideration necessary to compete for

federal grants. A major and on-going component of this initiative in the Department is outreach. Organizations, as well as state and local administrators of funding programs, need technical assistance, training, and information.

Further outreach efforts will include disseminating a free training curriculum designed for a broad audience of offender employment service providers, including FBCOs. Also, DOJ will launch, on the National Institute of Corrections' web site, a page for FBCOs and will provide a database addressing faith-based and community-based corrections programs. DOJ also will include subgrantee FBCOs in its grant solicitations mailing lists and database of FBCOs interested in state- and locally-administered discretionary grant programs.

Federal Real Property Asset Management

Like most organizations, DOJ performs its duties out of innumerable buildings at innumerable sites. As with most organizations, it is not clear how many of these properties are actually being used in an efficient manner. The Federal Real Property Asset Management initiative addresses this issue.

Throughout FY 2007 and beyond, the Department plans to issue its final data validation methodology to the bureaus, establish performance measure targets and goals, develop and implement a plan and methodology for using inventory/performance measure targets to manage for results, and begin the use of the disposition decision tool for real property assets. Other plans include developing a methodology for identification of mission critical and mission dependent assets prioritized for investment and establishing disposal targets for real property assets that are either inactive or excess. The Department will demonstrate a measurable change to its real property portfolio in the areas of facility condition, operating costs, and disposition of unneeded assets.

Integrity in the DOJ

In order to be effective and to engender public trust in DOJ's programs and activities,

Department personnel, whether employees, contractors, or grantees, must be held accountable for their actions. DOJ uses various tools to monitor and ensure the progress and effectiveness of its administrative functions. Primary among these tools are its own internal controls, instituted by management, to protect against waste, fraud, and abuse. Management at all levels is responsible for monitoring and assessing its controls and reporting material weaknesses to the Attorney General. However, there are other resources to promote effectiveness and integrity: the OIG, the Office of Professional Responsibility (OPR), and the Professional Responsibility Advisory Office (PRAO) all play important roles in strengthening accountability and performance.

Office of the Inspector General

The audits, inspections, investigations, special reviews, and other activities performed by the OIG illustrate the Department's ongoing commitment to promote accountability, efficiency, and effectiveness in its programs and operations. The OIG investigates alleged violations of criminal and civil laws, regulations, and ethical standards arising from the conduct of Department employees in their numerous and diverse activities. These include allegations of bribery, fraud, abuse, civil rights violations, and violations of other laws and procedures that govern DOJ employees, contractors, and grantees. The Inspector General's mission responds directly to the Attorney General's priority to combat public and corporate corruption.

The OIG also conducts, reports, and follows up on financial and performance audits and inspections of DOJ organizations, programs, contracts, grants, and other agreements. These audits, inspections, and reviews are designed to provide timely notification to Department management of issues needing attention. The OIG will work closely with DOJ management to develop recommendations for corrective actions and to resolve identified weaknesses that inhibit efficient and effective operations and customer service.

Office of Professional Responsibility

The work of the OPR relates directly to the Attorney General's priority to fight public

corruption. The OPR will review and investigate allegations of professional misconduct by Department attorneys, investigators, or law enforcement personnel where the allegations relate to the exercise of an attorney's authority to investigate, litigate, or provide legal advice. Periodically, OPR will identify and report trends in professional misconduct allegations to the Attorney General and the Deputy Attorney General. The OPR will issue annual reports that describe its mission and procedures, and provide statistical information about the number, source, category of allegations, and outcome of OPR investigations. These reports will serve to inform DOJ attorneys of proper standards of conduct, and will provide the Department with an accounting of attorney conduct and discipline.

Professional Responsibility Advisory Office

As the Nation's chief litigators, DOJ attorneys represent the United States Government in court, enforcing federal civil and criminal statutes. In that role, they must be held to the highest standards of professional behavior. It is the mission of the PRAO to ensure prompt, consistent advice to Department attorneys and Assistant United States Attorneys with respect to their professional responsibilities. To meet that mission, PRAO coordinates with other Department components to conduct training for Department attorneys and client agencies to provide them with the tools they need to make informed judgments about meeting the Ethical Standards for Attorneys for the Government Act. Such training is particularly critical in high profile terrorist cases where prosecutors must ensure that evidence is solid, properly obtained and developed, and appropriately preserved, while classified evidence and other intelligence interests are protected.

APPENDICES



APPENDIX A

LONG-TERM MEASURABLE OUTCOME GOALS

The Department's Strategic Plan for FY 2007-2012 includes specific long-term key outcome goals, covering three strategic goals. This plan reflects the Department's current objectives and direction for the future.

The chart below provides the Department's 24 key outcome goals for FY 2007-2012. This list covers key mission areas and outcomes that can be related in either a direct or indirect way to the strategic goals, objectives, and activities for the Department's components covered by this plan. The list of 24 key indicators fully align to the Department's priorities, address important policy issues, and express the Department's continued commitment regarding issues the public cares about such as terrorism, drug trafficking, child pornography, and fraud.

Just as in the past, targets for annual measures that contribute to the achievement of long-term outcome goals will be provided in the Department's annual *Budget Performance and Summary* and reported each year in the *Performance and Accountability Report*.

U.S. DEPARTMENT OF JUSTICE LONG-TERM PERFORMANCE MEASURES*		
Annual Performance Measure	Lead Component(s)	FY 2012 Outcome Goal
Terrorists acts committed by foreign nationals against U.S. interests within U.S. borders	FBI	Zero terrorist acts committed by foreign nationals within U.S. borders
Catastrophic acts of domestic terrorism	FBI	Zero catastrophic acts of domestic terrorism
Number of organized criminal enterprises dismantled	FBI	Dismantle a cumulative total of 212 organized criminal enterprises (FY 2007-2012)
Number of child pornography websites or web hosts shut down	FBI	Shut down a cumulative total of 6,000 child pornography websites or webhosts (FY 2007-2012)
CPOT-linked drug trafficking organizations: (FBI, OCEDEF, DEA) Disrupted Dismantled	FBI, OCEDEF, DEA	Disrupt 810 CPOT-linked drug trafficking organizations (FY 2007-2012) Dismantle 1,260 CPOT-linked drug trafficking organizations (FY 2007-2012)
DOJ's reduction in the supply of drugs available for consumption in the U.S.	DEA, FBI, OCEDEF	Develop meaningful baselines for the supply of drugs available for consumption in the United States (FY 2007-2009). Achieve a 6% reduction in the supply of illegal drugs available for consumption in the U.S. (using the established baseline -FYs 2010 - 2012).
Number of high impact Internet fraud targets neutralized	FBI	Neutralize a cumulative total of 78 high impact Internet fraud targets (FY 2007-2012)
Number of criminal enterprises engaging in white collar crime dismantled	FBI	Dismantle a cumulative total of 745 criminal enterprises engaging in white collar crime (FY 2007-2012)

U.S. DEPARTMENT OF JUSTICE LONG-TERM PERFORMANCE MEASURES*

Annual Performance Measure	Lead Component(s)	FY 2012 Outcome Goal
Case resolution for all DOJ litigating divisions-- percent of cases favorably resolved: Criminal cases Civil cases	ATR, CRM, CIV, CRT, ENRD, TAX, USA	Favorably resolve 90% of criminal cases (litigating divisions) Favorably resolve 80% of civil cases (litigating divisions)
% of assets/funds returned to creditors Chapter 7 Chapter 13	USTP	Return 58% of assets/funds to creditors in Chapter 7 cases Return 85% of assets/funds to creditors in Chapter 13 cases
Homicides per Weed and Seed site (reduction rate=1.2% per year)	OJP	Reduce homicides from 4.4 (FY 2005) to a maximum of 4.0 per Weed and Seed site by FY 2012
Percent reduction in DNA backlog (casework only)	OJP	Realize a 31% reduction in the casework DNA backlog by FY 2012
Number of participants the Residential Substance Abuse Treatment (RSAT) program	OJP	Ensure an additional 120,000 individuals receive the services of the RSAT program (FY 2007-2012)
Increase the graduation rate of program participants in Drug Court Program	OJP	Increase the graduation rate of Drug Court participants from 21% (FY 2005) to 32% by FY 2012
Maintain a 75% or greater recovery rate in the number of children recovered within 72 hours of the issuance of an AMBER Alert	OJP	Continue to ensure a 75% or greater recovery rate in the number of children recovered within 72 hours of the issuance of an AMBER Alert through FY 2012
Ensure judicial proceedings are not interrupted due to inadequate security	USMS	Ensure that no judicial proceedings are interrupted due to inadequate security
% / # of total fugitives apprehended or cleared	USMS	Apprehend or clear 51%, or 97,171 fugitives (FY 2007-2012)
Per day jail cost	OFDT	Hold the average per day jail cost for federal detention at or below inflation
% of system-wide crowding in federal prisons	BOP	Reduce system-wide crowding in federal prisons to 28% by 2012
Ensure zero escapes from secure BOP facilities	BOP	Ensure there are no escapes from secure BOP facilities
Comparative recidivism for FPI inmates versus non-FPI inmates 3 years after release / 6 years after release	BOP/FPI	Realize a 15% reduction in the rate of comparative recidivism for FPI inmates verses non-FPI inmates 3 years after release and a 10% reduction 6 years after release
Rate of serious assaults in federal prisons	BOP	Limit the rate of serious assaults in federal prisons to 14 assaults per 5,000 inmates
Inspection results-percent of federal facilities with ACA accreditations	BOP	Achieve a 99% positive rate in inspection/accreditation results for federal prison facilities (FY 2007-2012)

U.S. DEPARTMENT OF JUSTICE LONG-TERM PERFORMANCE MEASURES*

Annual Performance Measure	Lead Component(s)	FY 2012 Outcome Goal
Percent of EOIR priority cases completed within established timeframes	EOIR	Complete 90% of EOIR priority cases within established timeframes

* *A long-term outcome-oriented performance measure will be adopted for ATF following the completion of their FY 2007 PART evaluation.*

APPENDIX B

CROSS-REFERENCE OF STRATEGIC OBJECTIVES

NEW STRATEGIC OBJECTIVE		PREVIOUS STRATEGIC OBJECTIVE	
Strategic Goal I			
Prevent Terrorism and Promote the Nation's Security			
1.1	Prevent, disrupt, and defeat terrorist operations before they occur	1.1	Prevent, disrupt, and defeat terrorist operations before they occur
1.2	Strengthen partnerships to prevent, deter, and respond to terrorist incidents	1.1	Prevent, disrupt, and defeat terrorist operations before they occur
1.3	Prosecute those who have committed, or intend to commit, terrorist acts in the United States	1.2	Investigate and prosecute those who have committed, or intend to commit, terrorist acts in the United States
1.4	Combat espionage against the United States	1.3	Combat espionage against the United States by strengthening counterintelligence capabilities
Strategic Goal II			
Prevent Crime, Enforce Federal Laws and Represent the Rights and Interests of the American People			
2.1	Strengthen partnerships for safer communities and enhance the Nation's capacity to prevent, solve, and control crime	3.1	Improve the crime fighting and criminal justice system capabilities of state, tribal, and local governments
		3.2	3.2 Break the cycle of illegal drugs and violence through prevention and treatment
2.2	Reduce the threat, incidence, and prevalence of violent crime	2.1	Reduce the threat, incidence, and prevalence of violent crime, including crimes against children
2.3	Prevent, suppress, and intervene in crimes against children	2.1	Reduce the threat, incidence, and prevalence of violent crime, including crimes against children
		2.4	Uphold the civil and Constitutional rights of all Americans, and protect vulnerable members of society
2.4	Reduce the threat, trafficking, use, and related violence of illegal drugs	2.2	Reduce the threat, trafficking, use, and related violence of illegal drugs
2.5	Combat public and corporate corruption, fraud, economic crime and cybercrime	2.3	Combat white collar crime, economic crime, and cybercrime
2.6	Uphold the civil and constitutional rights of all Americans	2.4	Uphold the civil and Constitutional rights of all Americans, and protect vulnerable members of society
2.7	Vigorously enforce and represent the interests of the United States in all matters over which the Department has jurisdiction	2.5	Enforce federal statutes, uphold the rule of law, and vigorously represent the interests of the United States in all matters for which the Department has jurisdiction
2.8	Protect the integrity and ensure the effective operation of the Nation's bankruptcy system	2.6	Protect the integrity and ensure the effective operation of the Nation's bankruptcy system

Strategic Goal III	
Ensure the Fair and Efficient Administration of Justice	
3.1 Protect judges, witnesses, and other participants in federal proceedings, and ensure the appearance of criminal defendants for judicial proceedings or confinement	4.1 Protect judges, witnesses, and other participants in federal proceedings, and ensure the appearance of criminal defendants for judicial proceedings or confinement
3.2 Ensure the apprehension of fugitives from justice	4.2 Ensure the apprehension of fugitives from justice
3.3 Provide for the safe, secure, and humane confinement of detained persons awaiting trial and/or sentencing, and those in the custody of the federal prison system	4.3 Provide for the safe, secure, and humane confinement of detained persons awaiting trial and/or sentencing
	4.4 Maintain and operate the federal prison system in a safe, secure, humane, and efficient manner
	4.5 Provide services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards
3.4 Provide services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards	3.1 Improve the crime fighting and criminal justice system capabilities of state, tribal, and local governments
	3.2 Break the cycle of illegal drugs and violence through prevention and treatment
	4.5 Provide services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards
3.5 Adjudicate all immigration cases promptly and impartially in accordance with due process	4.6 Adjudicate all immigration cases promptly and impartially in accordance with due process
3.6 Promote and strengthen innovative strategies in the administration of state and local justice systems	3.1 Improve the crime fighting and criminal justice system capabilities of state, tribal, and local governments
3.7 Uphold the rights and improve services to America's crime victims	3.3 Uphold the rights of and improve services to America's crime victims, and promote resolution of racial tension

APPENDIX C

PROGRAM EVALUATION

Program evaluation is a key element of the Department's strategic planning and implementation cycle. It is also a vital complement to performance measurement. Performance measurement provides information on whether a program is achieving its targets. Program evaluation tells not only what is happening in a program but why. It typically addresses a broader range of questions, is more sensitive to contextual factors, provides a richer, more complete picture of program performance (including impact), and offers greater insight about ways to improve.

All major DOJ components have internal inspection and review processes designed to foster improved operations and compliance with applicable rules and regulations. Grant-making organizations (OJP and COPS) also conduct extensive financial and programmatic monitoring of the grants they award. In addition, the Department's independent OIG performs audits and inspections and recommends program improvements. These studies, as well as those conducted by the Government Accountability Office (GAO), are important and useful sources of information for improving program operations and organizational effectiveness.

Although extremely useful, these various review and monitoring activities do not substitute for the conduct of formal, methodologically rigorous program evaluations that examine fundamental questions of program design, implementation and impact. Most of the formal program evaluations undertaken by the Department are focused on state and local assistance programs and are undertaken under the auspices of the OJP; however, several other components have evaluation programs.

The following table provides the current schedule of major program evaluations, organized by strategic goal. The Department's Annual Performance Plan will include any adjustments to this schedule for the performance year covered by the plan.

**SCHEDULE OF ONGOING AND PLANNED MAJOR
PROGRAM EVALUATIONS**

GOAL 1: PREVENT TERRORISM AND PROMOTE THE NATION'S SECURITY

Title	Focus/Issues to be Addressed	Methodology/ Type of Evaluation	Estimated Completion Date
FBI - Counterintelligence Program/Field Divisions	Five program strategy elements and an overall site rating.	Program reviews of each FBI field division	Ongoing
FBI - Counterintelligence Program	Scope of study to be determined.	Inspection Division program evaluation according to PART criteria	FY 2007
FBI - International Operations	Scope of study to be determined. (Scope will cover both Goals 1 and 2.)	Inspection Division program evaluation according to PART criteria	FY 2007
Multi-agency - CT and Homeland Security Activities of Law Enforcement Agencies (LEAs) Abroad	Expansion of LEAs' missions and resources since 9/11 and the effects on U.S. embassies and their host governments; meeting LEA missions and goals; key accomplishments since 9/11; improvements for LEA operating environments overseas.	GAO review	April 2007
Multi-agency - Terrorist Watch List Screening	Criteria to ensure that sound decisions are made when names are added to or deleted from watch lists; accuracy of entries ensured; types of information needed to create an entry; factors and processes for deleting an entry.	GAO review	September 2006
Multi-agency - DOJ Procedures and Controls on Classified and Sensitive Information	Procedures to determine if information should be designated as classified and at which level, or restricted as law enforcement sensitive; internal controls to ensure compliance with laws, executive orders, and regulations.	GAO review	October 2006
Multi-agency - Homeland Security Networks and Information Sharing	Status of major civilian Federal networks used by DHS and DOJ; whether key state and local information sharing initiatives are being coordinated with Federal initiatives.	GAO review	Continued data collection

GOAL 2: PREVENT CRIME, ENFORCE FEDERAL LAWS AND REPRESENT THE RIGHTS AND INTERESTS OF THE AMERICAN PEOPLE			
Title	Focus/Issues to be Addressed	Methodology/ Type of Evaluation	Estimated Completion Date
ATF - Evaluation of Non-Lethal Weapons Programs	Soundness and maturity of the science and technology underlying non-lethal weapons concepts; research design and testing protocols; risks associated with development, deployment, and use of non-lethal weapons; safeguards to prevent unintentional transfer of non-lethal technologies.	GAO review	August 2006
ATF - Information Security Program for FY06	Information security; inventory audit of unclassified, classified, and national security major applications across the organizational components, including contractor systems operational and under development.	OIG Independent Evaluation (FISMA)	November 2006
ATF - Management of Seized Assets	Compliance with applicable Federal laws, regulations, and DOJ policies and procedures; adequacy of controls over accounting for, storing, and safeguarding seized assets; accounting for disposition of seized assets.	OIG Audit	September 2006
ATF - Martinsburg Facility	Quality of services provided by ATF's Martinsburg facility since key operations were relocated there from the Firearms Programs Division and the Firearms and Explosives Services Division.	OIG Evaluation	<i>Suggested by ATF</i>
ATF - Splitting Operations within Firearms Programs Division	Effectiveness of splitting operations within the Firearms Programs Division from Washington, DC, and Martinsburg, WV.	OIG Evaluation	<i>Suggested by ATF</i>
ATF - Information Sharing using Bomb and Arson Tracking System	Information sharing process relative to the Bomb and Arson Tracking System, an investigative tool used by ATF personnel and the bomb community.	OIG Evaluation	<i>Suggested by ATF</i>
ATF - National Firearms Registration and Transfer Record	ATF's effectiveness in maintaining accurate and reliable records of registrations and transfers of National Firearms Act weapons.	OIG Review	FY 2007/2008
CRM - Human Trafficking Crimes	Investigation and prosecution of human trafficking crimes.	GAO Evaluation	FY 2007
EOUST - New Bankruptcy Law	Effect of new bankruptcy law on debtors and the court system.	Study	FY 2007
EOUST - Debtor Financial Management Training Test Program	Effectiveness of debtor financial management courses required of all debtors under the BAPCPA.	Evaluation	FY 2008 / Q1

GOAL 2: PREVENT CRIME, ENFORCE FEDERAL LAWS AND REPRESENT THE RIGHTS AND INTERESTS OF THE AMERICAN PEOPLE			
Title	Focus/Issues to be Addressed	Methodology/ Type of Evaluation	Estimated Completion Date
EOUST - IRS Standards	Use of IRS expense standards in the means test screening process; Impact of standards on debtors and bankruptcy courts.	Study	FY 2007 / Q2
EOUST - Household Goods	Effect of new definition of "household goods" for purpose of lien avoidance.	Study	FY 2007 / Q2
EOUST - Bankruptcy Fraud, Abuse, and Errors	Literature and practices pertinent to bankruptcy fraud, abuse, and errors; fraud measurement and detection practices in other federal agencies; promising approaches for targeting, preventing, and responding to fraud, abuse, and errors in the bankruptcy system.	Evaluation	FY 2007 / Q2
EOUST- Regional and Field Offices	Results, performance, and operations of the 95 field offices; [with Trustees] analysis of issues, trends, progress, and deficiencies; peer review program (re-instituting in FY 2007).	Evaluation	FY 2008 / Q1
FBI - Public Corruption/Civil Rights	Scope of study to be determined.	Inspection Division program evaluation according to PART criteria	FY 2007
FBI - Administration	Scope of study to be determined. (Scope will cover both Goals 1 and 2.)	Inspection Division program evaluation according to PART criteria	FY 2007
OJP/NIJ - DNA Grants	Contributions to case outcomes derived from the DNA grants programs.	Assessment	FY 2007
OJP/NIJ - DNA Evidence	Demonstration program targeting the collection of DNA evidence for certain property crimes.	Evaluation	FY 2007
OJP/CCDO - Weed and Seed	Justice Research and Statistics Association (JRSA) analysis of homicide data patterns and local site strategies; potential grantee level performance measures and available data sources.	Evaluation	FY 2007
OVW - Rural Domestic Violence and Child Victimization Grant Program Special Initiative: FBCO Rural Pilot Program	Structure for funding first-time, grass-roots victim services; capacity of subgrantees to competitively apply for other sources of crime victim services funding; three content components: domestic violence services, capacity building, and role of faith.	Evaluation	TBD <i>(upon completion of pilot project, anticipated September 2007)</i>

GOAL 2: PREVENT CRIME, ENFORCE FEDERAL LAWS AND REPRESENT THE RIGHTS AND INTERESTS OF THE AMERICAN PEOPLE			
Title	Focus/Issues to be Addressed	Methodology/ Type of Evaluation	Estimated Completion Date
Multi-agency - Coordination of DOJ Task Forces	Coordination of investigations; policies and processes for the creation, location, and overlap of investigations; definition of roles and missions of the task forces and teams.	OIG Review	February 2007 <i>(draft report)</i>
Multi-agency - Technical Evaluation of Taser Technology	Technical and operational studies conducted by manufacturers and governments to evaluate safety, physiological effects, and operational effectiveness of tasers and results of these assessments; collection of data on the effects of the use of this technology and its quality; federal regulations and guidance governing production, use, and sale of tasers; studies to test operational risk, effectiveness, and safety of flight crew taser use in commercial aircraft; existing data supporting purported claims made by various manufacturers of taser devices.	GAO Review	March 2007 <i>(draft report)</i>
Multi-agency - Marking and Publicizing of Foreign Assistance	U.S. agencies' publication of U.S. assistance abroad; strategies for publicizing assistance and measuring results; types of guidance agencies have developed for publicizing U.S. assistance; challenges to increasing the publicizing of U.S. assistance.	GAO Review	FY 2007/2008

GOAL 3: ENSURE THE FAIR AND EFFICIENT ADMINISTRATION OF JUSTICE			
Title	Focus/Issues to be Addressed	Methodology/ Type of Evaluation	Estimated Completion Date
BOP - Cost Comparison of Prisons	Comparative costs of housing inmates in federally-owned prisons versus state and local prisons/jails obtained IGAs and privately-managed facilities.	GAO Audit	FY 2007
EOIR - PART	Fair and expeditious adjudication of immigration cases at court level and at administrative appeals level.	OMB Assessment	FY 2006 (initial) FY 2007 (final)
EOIR - Challenges Facing the Asylum System	Policies and procedures for processing asylum applications; key factors affecting how EOIR processes and decides asylum cases; challenges in addressing fraud; effect of changes in the appeals process on rate of appeals and outcomes of asylum cases.	GAO Review	FY 2007 / FY 2008
USPC	Relationship between high risk behavior (violent crime, sex offenses, gang activities and guns) and substance abuse.	Evaluation	FY 2008

APPENDIX D

EXTERNAL FACTORS THAT MAY AFFECT GOAL ACHIEVEMENT

The table below summarizes the major elements that may affect goal achievement.

EXTERNAL FACTORS THAT MAY AFFECT GOAL ACHIEVEMENT		
Goal I Counterterrorism	Goal II Enforcement and Representation	Goal III Administration of Justice
Terrorism and the Changing Political Environment		
Foreign political movements, whether state-sponsored or the work of particular groups or individuals, may use terror to achieve their aims and target U.S. persons or interests at home or abroad.		
*	*	*
Technology		
Advances in high speed telecommunications, computers, and other technologies are creating new opportunities for criminals, new classes of crimes, and new challenges for law enforcement.		
*	*	
Growing dependence on technology is creating an increasing vulnerability to illegal acts, especially white collar crimes and terrorism		
*	*	*
Economy		
Possible increases in consumer debt may affect bankruptcy filings.		
	*	
Deregulation, economic growth, and globalization are changing the volume and nature of anti-competitive behavior.		
	*	
The interconnected nature of the world's economy is increasing opportunities for criminal activity, including money laundering, white collar crime, and alien smuggling.		
*	*	
The interconnected nature of the world's economy is increasing the complexity and scope of civil justice matters.		
	*	
The uncertain U.S. labor market may make it more difficult for the Department to predict its ability to attract/retain workers with the requisite knowledge, skills, and abilities.		
*	*	*

Government		
Changes in the fiscal posture or policies of state and local governments could have dramatic effects on the capacity of state and local governments to remain effective law enforcement partners		
	*	
The ability and willingness of state and local governments to allow federal use of their jail space affects achievement of detention goals		
	*	*
Issues of criminal and civil justice increasingly transcend national boundaries, require the cooperation of foreign governments, and involve treaty obligations, multinational environment and trade agreements, and other foreign policy concerns.		
*	*	
Social-Demographic		
The level of criminal activity is influenced by societal attitudes toward the use of illegal drugs and the abuse of alcohol.		
	*	*
The number of adolescents and young adults, now the most crime-prone segment of the population, is expected to grow rapidly over the next several years.		
	*	*
The United States is an increasingly multicultural and multiracial society. The extent to which societal attitudes and practices reflect a continuing commitment to tolerance, diversity, and equality affects the scope and nature of our work.		
*	*	
Achieving our goals depends on strong institutions – families, schools, churches, neighborhood groups, and others – that inspire trust, build community, promote civic and individual responsibility and help secure voluntary compliance with the rule of law.		
*	*	

APPENDIX E

GLOSSARY OF ABBREVIATIONS AND ACRONYMS

ACA	American Correctional Association	CRM	Criminal Division
ADA	Americans with Disabilities Act	CRS	Community Relations Service
AFMLS	Asset Forfeiture and Money Laundering Section (Criminal Division)	CRT	Civil Rights Division
AMBER	America's Missing: Broadcast Emergency Response	CT	Counterterrorism
AOUSC	Administrative Office of the U.S. Courts	CTC	Computer Crime and Telecommunications Coordinator
ATAC	Anti-Terrorism Advisory Council	CTD	Counterterrorism Division (FBI)
ATF	Bureau of Alcohol, Tobacco, Firearms and Explosives	DEA	Drug Enforcement Administration
		DHS	Department of Homeland Security
BIA	Board of Immigration Appeals	DoD	Department of Defense
BJA	Bureau of Justice Assistance	DOJ	Department of Justice
BJS	Bureau of Justice Statistics	DOL	Department of Labor
BOP	Federal Bureau of Prisons	DoS	Department of State
		DPC	Detention Planning Committee
C-3	Communicate, Coordinate, and Cooperate	DS	Bureau of Diplomatic Security (State Department)
CAC	Crimes Against Children	DSNetwork	Detention Services Network
CARD	Child Abduction Rapid Deployment		
CCIPS	Computer Crime and Intellectual Property Section (Criminal Division)	ECT	Extraterritorial Criminal Travel
CCR	Coordinated Community Response	EEO	Explosives Enforcement Officers
CEOS	Child Exploitation and Obscenity Section (Criminal Division)	EEOC	Equal Employment Opportunity Commission
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act	ENRD	Environment and Natural Resources Division
CEXC	Combined Explosives Exploitation Cell	EOIR	Executive Office for Immigration Review
CHIP	Computer Hacking and Intelligence Property	EOUSA	Executive Office for United States Attorneys
CIA	Central Intelligence Agency	EOUST	Executive Office for United States Trustees
CII	Correctional Intelligence Initiative	EPA	Environmental Protection Agency
CODIS	Combined DNA Index System	EPIC	El Paso Intelligence Center
COOP	Continuity of Operation Plan	ESL	English-as-a-Second Language
COPS	Community Oriented Policing Services	FAST	Foreign Deployed Advisory Support Teams (DEA)
COR	Coordination and Review Section (Civil Rights Division)	FALCON	Federal and Local Cops Organized Nationally
CPOT	Consolidated Priority Organization Targets		

FBCO	Faith-Based and Community Organization	ILEA	International Law Enforcement Academy
FBI	Federal Bureau of Investigation	INL	International Narcotics and Law Enforcement Bureau (Department of State)
FCPA	Foreign Corrupt Practices Act	INTERPOL	International Criminal Police Organization
FHCS	Federal Human Capital Survey	IOI	Industry Operations Investigators (ATF)
FinCEN	Financial Crimes Enforcement Network	IP	Intellectual Property
FISA	Foreign Intelligence Surveillance Act	IRS	Internal Revenue Service
FISMA	Federal Information Security Management Act of 2002	IT	Information Technology
FPBDS	Federal Performance-Based Detention Standards	JPATS	Justice Prisoner and Alien Transportation System
FPI	Federal Prison Industries	JPPRS	Justice Performance Planning and Reporting System
FTC	Federal Trade Commission	JTTF	Joint Terrorism Task Force
FTE	Full Time Equivalency	LCMS	Litigation Case Management System
FTTTF	Foreign Terrorist Tracking Task Force	Legat	Legal Attache Program (FBI)
FY	Fiscal Year	LEISP	Law Enforcement Information-Sharing Program
GAO	Government Accountability Office	LEA	Law Enforcement Academy
GangTECC	Gang Targeting, Enforcement, and Coordination Center	LEO	Law Enforcement On-Line
GED	General Education Degree	LEP	Limited English Proficiency
GMS	Grants Management System	LIHTC	Low-Income Housing Tax Credit
HHS	Department of Health and Human Services	LoB	Line of Business
HIDTA	High Intensity Drug Trafficking Area	MCTF	Iraqi-U.S. Major Crimes Task Force
HSPD	Homeland Security Presidential Directive	MDC	Metropolitan Detention Center
HUD	Department of Housing and Urban Development	MEO	Most Efficient Organization
IAFIS	Integrated Automated Fingerprint Identification System	MET	Mobile Enforcement Team program (DEA)
ICAC	Internet Crimes Against Children Program	MLAT	Mutual Legal Assistance Treaty
ICE	Immigration and Customs Enforcement (DHS)	MOU	Memorandum of Understanding
ICITAP	International Criminal Investigative Training Assistance Program	NBFWG	National Bankruptcy Fraud Working Group
IDW	Investigative Data Warehouse	NCIC	National Crime Information Center
IED	Improvised Explosive Devices	NCMEC	National Center for Missing and Exploited Children
IGA	Intergovernmental Agreement	NCRCG	National Cyber Response Coordination Group
IINI	Innocent Images National Initiative	NDDS	Narcotic and Dangerous Drug Section (Criminal Division)

NDIC	National Drug Intelligence Center	RFTF	Regional Fugitive Task Forces
NGIC	National Gang Intelligence Center	RICO	Racketeering Influenced Crime Organization
NGO	Non-Governmental Organization	RLA	Resident Legal Advisor
NGS	National Gang Strategy	RPOT	Regional Priority Organization Target
NICS	National Instant Criminal Background Check System	RSAT	Residential Substance Abuse Treatment
NIJ	National Institute of Justice		
NSD	National Security Division	SAM	Special Administrative Measures
NVICP	National Vaccine Injury Compensation Program	SAMHSA	Substance Abuse and Mental Health Services Administration
		SOD	Special Operations Division (DEA)
OCDETF	Organized Crime Drug Enforcement Task Force	SOTP	Sex Offender Treatment Program
		SWBI	Southwest Border Initiative
OCRS	Organized Crime and Racketeering Section (Criminal Division)		
OECD	Organization for Economic Cooperation and Development	TEDAC	Terrorist Explosive Device Analytical Center
OFC	OCDETF Fusion Center	TFWG	Terrorist Finance Working Group
OFDT	Office of the Federal Detention Trustee		
OIA	Office of International Affairs (Criminal Division)	UFMS	Unified Financial Management System
		UNMiK	United Nations Mission in Kosovo
OIG	Office of the Inspector General	U.S.	United States
OIL	Office of Immigration Litigation	USA	U.S. Attorney
OJP	Office of Justice Programs	USAID	U.S. Agency for International Development
OMB	Office of Management and Budget		
ONDCP	Office of National Drug Control Policy	USERRA	Uniformed Service Employment and Reemployment Rights Act
OPDAT	Office of Overseas Prosecutorial Development, Assistance and Training (Criminal Division)	USMS	U.S. Marshals Service
		USNCB	U.S. National Central Bureau
OPR	Office of Professional Responsibility	USPC	U.S. Parole Commission
OVW	Office on Violence Against Women	USTP	U.S. Trustee Program
OVC	Office for Victims of Crime		
		VAWA	Violence Against Women Act
PAR	Performance and Accountability Report	VCCLEA	Violent Crime Control and Law Enforcement Act
PART	Program Assessment Rating Tool		
PCIE/ECIE	President's Council on Integrity and Efficiency/Executive Council on Integrity and Efficiency	VCIT	Violent Crime Impact Team
		VOCA	Victims of Crime Act
PMA	President's Management Agenda		
PMO	Program Management Office		
PRAO	Professional Responsibility Advisory Office		
PSC	Project Safe Childhood		
PSN	Project Safe Neighborhoods		

APPENDIX F

JUSTICE COMPONENT WEB SITES

American Indian and Alaska Native Affairs Desk (OJP)

<http://www.ojp.usdoj.gov/topics/aian.htm>

Antitrust Division

<http://www.usdoj.gov/atr/index.html>

Asset Forfeiture Program

<http://www.usdoj.gov/jmd/afp/index.html>

Attorney General

<http://www.usdoj.gov/ag/index.html>

Bureau of Alcohol, Tobacco, Firearms and Explosives

<http://www.atf.gov>

Bureau of Justice Assistance (OJP)

<http://www.ojp.usdoj.gov/BJA/>

Bureau of Justice Statistics (OJP)

<http://www.ojp.usdoj.gov/bjs/>

Civil Division

<http://www.usdoj.gov/civil/home.html>

Civil Rights Division

<http://www.usdoj.gov/crt/crt-home.html>

Community Capacity Development Office (OJP)

http://www.ojp.usdoj.gov/ccdo/welcome_flash.html

Community Oriented Policing Services

<http://www.cops.usdoj.gov/>

Community Relations Service

<http://www.usdoj.gov/crs/index.html>

Criminal Division

<http://www.usdoj.gov/criminal/>

Diversion Control Program (DEA)

<http://www.deaiversion.usdoj.gov/>

Drug Enforcement Administration

<http://www.usdoj.gov/dea/>

Environment and Natural Resources Division
<http://www.usdoj.gov/enrd/>

Executive Office for Immigration Review
<http://www.usdoj.gov/eoir/>

Executive Office for U.S. Attorneys
<http://www.usdoj.gov/usao/eousa/>

Executive Office for U.S. Trustees
<http://www.usdoj.gov/ust/>

Federal Bureau of Investigation
<http://www.fbi.gov/>

Federal Bureau of Prisons
<http://www.bop.gov>

Federal Prison Industries (BOP)
<http://www.UNICOR.gov>

Foreign Claims Settlement Commission of the United States
<http://www.usdoj.gov/fcsc/>

INTERPOL U.S. National Central Bureau
<http://www.usdoj.gov/usncb/>

Justice Management Division
<http://www.usdoj.gov/jmd/>

National Criminal Justice Reference Service (OJP)
<http://www.ncjrs.gov/>

National Drug Intelligence Center
<http://www.usdoj.gov/ndic/>

National Institute of Corrections (BOP)
<http://www.nicic.org/inst>

National Institute of Justice (OJP)
<http://www.ojp.usdoj.gov/nij/>

Office of the Associate Attorney General
<http://www.usdoj.gov/aag/index.html>

Office of the Attorney General
<http://www.usdoj.gov/ag/index.html>

Office of Attorney Recruitment and Management
<http://www.usdoj.gov/oarm/index.html>

Office of the Chief Information Officer
<http://www.usdoj.gov/jmd/ocio/index.html>

Office of the Deputy Attorney General
<http://www.usdoj.gov/dag/index.html>

Office of Dispute Resolution
<http://www.usdoj.gov/odr/>

Office of the Federal Detention Trustee
<http://www.usdoj.gov/ofdt/index.html>

Office of Information and Privacy
<http://www.usdoj.gov/oip/oip.html>

Office of the Inspector General
<http://www.usdoj.gov/oig>

Office of Intelligence Policy and Review
<http://www.usdoj.gov/oipr/>

Office of Intergovernmental and Public Liaison
<http://www.usdoj.gov/oipl/>

Office of Justice Programs
<http://www.ojp.usdoj.gov/>

Office of Juvenile Justice and Delinquency Prevention (OJP)
<http://ojjdp.ncjrs.org/>

Office of Legal Counsel
<http://www.usdoj.gov/olc/index.html>

Office of Legal Policy
<http://www.usdoj.gov/olp/>

Office of Legislative Affairs
<http://www.usdoj.gov/ola/>

Office of the Pardon Attorney
<http://www.usdoj.gov/pardon/>

Office of the Police Corps (OJP)
<http://www.ojp.usdoj.gov/opclee/>

Office of Professional Responsibility
<http://www.usdoj.gov/opr/index.html>

Office of the Solicitor General
<http://www.usdoj.gov/osg/>

Office of Tribal Justice
<http://www.usdoj.gov/otj/index.html>

Office for Victims of Crime (OJP)
<http://www.ojp.usdoj.gov/ovc/>

Office on Violence Against Women (OJP)
<http://www.usdoj.gov/ovw>

Privacy and Civil Liberties Office
<http://www.usdoj.gov/pclo/index.html>

Professional Responsibility Advisory Office
<http://www.usdoj.gov/prao/index.html>

Task Force for Faith-Based and Community Initiatives
<http://www.ojp.usdoj.gov/fbci>

Tax Division
<http://www.usdoj.gov/tax/>

U.S. Attorneys
<http://www.usdoj.gov/usao/>

U.S. Marshals Service
<http://www.usdoj.gov/marshals/>

U.S. Parole Commission
<http://www.usdoj.gov/uspc/parole.htm>

U.S. Trustee Program
<http://www.usdoj.gov/ust/>