

FY 2001
PERFORMANCE
REPORT

&

FY 2002 REVISED FINAL,
FY 2003 PERFORMANCE PLAN



U.S. Department of Justice



Message from the Attorney General

This report on the Department of Justice's performance during fiscal year 2001 and plans for fiscal year 2002 serves as an important mechanism of accountability and measure of progress. I am pleased to present it to you.

The attacks of September 11th have redefined the mission of the Department of Justice. Defending our nation and the citizens of America against terrorist attacks is now our first and overriding priority. To fulfill this mission, we are devoting all the resources necessary to eliminate terrorist networks, to prevent terrorist attacks, and to bring to justice those who kill Americans in the name of murderous ideologies. This Report and Plan reflect that mission and outline future objectives related to it.

We have launched the largest, most comprehensive criminal investigation in history to identify the perpetrators of the September 11th attacks and to prevent further terrorist attacks. Four thousand FBI agents are engaged, with their international counterparts, in an unprecedented worldwide effort to detect, disrupt and dismantle terrorist organizations. We have created a national task force to centralize control and information sharing during our investigation. In this fight against terrorism, the American people have been our valued and trusted and indispensable ally. Our partners in state and law enforcement have been our eyes and ears and muscle on the ground.

We have sought and received additional tools from Congress and have begun to utilize many of these valuable tools. Within hours of passage of the USA PATRIOT Act we made use of its provisions to begin enhanced information sharing between law enforcement and the intelligence community. At the direction of the President, a Foreign Terrorist Tracking Task Force was created to ensure that we do everything in our power to prevent and deter terrorists from entering the country, and to locate and remove those who may have already entered.

On November 8, 2001 I announced a comprehensive review and wartime reorganization of the Department of Justice to meet our counterterrorism mission. This effort recognizes that we cannot do everything we once did because lives now depend on us doing a few things very well.

In addition to our primary mission, the Department of Justice will continue to vigorously enforce federal laws; deter, investigate and prosecute federal crimes, including gun, drug and civil rights violations; incarcerate offenders; partner with state, local and community groups to prevent crime; secure America's borders; provide services to immigrants; and provide leadership and assistance in meeting the needs of crime victims.

Our mission is clear. As the President said, in this mission "we will not tire, we will not falter, and we will not fail." May God continue to bless America.

A handwritten signature in black ink that reads "John Ashcroft". The signature is written in a cursive, flowing style.

John Ashcroft

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INTRODUCTION

In recent years, the Department of Justice (DOJ), and the Federal Government generally, have begun to embrace the concepts of performance-based management. These concepts have been effective in bringing about significant improvements in many private and public sector organizations and programs both in the United States and abroad. At the heart of performance-based management is the idea that focusing on mission, agreeing on goals, and reporting results are the keys to improved performance.

Congress has mandated performance-based management through a series of bipartisan statutory reforms. The centerpiece of this statutory framework is the Government Performance and Results Act (GPRA) of 1993 (P.L. 103-62). The GPRA requires agencies to develop strategic plans that identify their long range strategic goals and objectives; annual plans that set forth corresponding annual goals and indicators of performance; and annual reports that describe the actual levels of performance achieved compared to the annual goal.

This document, prepared pursuant to the requirements under GPRA, combines the Department of Justice Annual Performance Report for FY 2001, the Final Revised Annual Performance Plan for FY 2002 and the Annual Performance Plan for FY 2003. Combining our report on past accomplishments with our plans for the upcoming years provides the reader a useful, complete and integrated picture of our current performance, a preview of our future goals, and a summary of how our budget is expended. This Annual Performance Plan incorporates a number of changes that reflect the goals, objectives, and strategies of Attorney General Ashcroft, including a heightened focus on counterterrorism efforts. This document represents another step forward in the continuing efforts of the Department of Justice to implement the tenets of performance-based management at the heart of the GPRA. Further, this document satisfies the requirements for the Attorney General's Annual Report and serves as a companion document to the Department of Justice Accountability Report.

THE DEPARTMENT OF JUSTICE

The Department of Justice (DOJ) is headed by the Attorney General of the United States, and is comprised of 39 separate component organizations. These include the U.S. Attorneys (USAs) who prosecute offenders and represent the United States Government in court; the major investigative agencies—the Federal Bureau of Investigation (FBI) and the Drug Enforcement Administration (DEA)—which prevent and deter crime and arrest criminal suspects; the Immigration and Naturalization Service (INS) which controls the border and provides services to lawful immigrants; the U.S. Marshals Service (USMS) which protects the federal judiciary, apprehends fugitives and detains persons in federal custody; and the Bureau of Prisons (BOP) which confines convicted offenders and prepares them for reentry into society. Litigating divisions enforce federal criminal and civil laws, including civil rights, tax, antitrust, environmental, and civil justice statutes. The Office of Justice Programs (OJP) and the Office of Community Oriented Policing Services (COPS) provide leadership and assistance to state, tribal, and local governments. Other major departmental components include the National Drug Intelligence Center (NDIC), the United States Trustee (UST), the Justice Management Division (JMD), the Executive Office for Immigration Review (EOIR), the Community Relations Service (CRS), the Office of Professional Responsibility (OPR), and the Office of the Inspector General (OIG). Although headquartered in Washington, D.C., the Department conducts much of its work in offices located throughout the country and overseas.

MISSION STATEMENT

"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; administer and enforce the nation's immigration laws fairly and effectively; and to ensure fair and impartial administration of justice for all Americans."

CORE VALUES

In carrying out our mission, we are guided by the following core values:

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 under the law.

Honesty and Integrity. We adhere to the highest standards of ethical behavior.

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.

RELATIONSHIP TO THE STRATEGIC PLAN

The Department of Justice FY 2001-2006 Strategic Plan (available on the Internet at <http://www.usdoj.gov/jmd/mps/strategic2001-2006/toc.htm>) provides the overall direction and framework for the Department's Annual Performance Plan. The Annual Performance Plan, in turn, translates the broadly-stated goals and objectives of the Strategic Plan into specific annualized performance goals (or targets) linked to the Department's annual planning, reporting and budgeting activities.

In many cases, our annual performance goals either closely parallel or are identical to the strategic objectives. In more difficult to measure areas, they may track more closely to the strategies themselves. For the most part, however, our annual performance goals are not self-measuring, that is, the goal statements will not include a target value of performance. Instead, one or more performance indicators are associated with each goal. These indicators provide the specific values or characteristics that enable the goal to be measured. In many instances, performance indicators focus on outputs or intermediate outcomes that reflect incremental progress toward a strategic objective.

The Strategic Plan identifies eight overarching strategic goals the Department pursues in carrying out its mission. The Strategic Plan also sets forth long-term objectives and strategies, identifies cross cutting programs, and describes external factors that may affect goal achievement.

Goal 1: PROTECT AMERICA AGAINST THE THREAT OF TERRORISM

Goal 2: ENFORCE FEDERAL CRIMINAL LAWS

Goal 3: PREVENT AND REDUCE CRIME AND VIOLENCE BY ASSISTING STATE, TRIBAL, LOCAL, AND COMMUNITY-BASED PROGRAMS.

Goal 4: PROTECT THE RIGHTS AND INTERESTS OF THE AMERICAN PEOPLE BY LEGAL REPRESENTATION, ENFORCEMENT OF FEDERAL LAWS AND DEFENSE OF U.S. INTERESTS

Goal 5: FAIRLY AND EFFECTIVELY ADMINISTER THE IMMIGRATION AND NATURALIZATION LAWS OF THE UNITED STATES

Goal 6: PROTECT AMERICAN SOCIETY BY PROVIDING FOR THE SAFE, HUMANE AND SECURE CONFINEMENT OF PERSONS IN FEDERAL CUSTODY

Goal 7: PROTECT THE FEDERAL JUDICIARY AND PROVIDE CRITICAL SUPPORT TO THE FEDERAL JUSTICE SYSTEM TO ENSURE IT OPERATES EFFECTIVELY

Goal 8: ENSURE PROFESSIONALISM, EXCELLENCE, ACCOUNTABILITY AND INTEGRITY IN THE MANAGEMENT AND CONDUCT OF DEPARTMENT OF JUSTICE ACTIVITIES AND PROGRAMS

LINKAGE TO THE BUDGET

At the Department of Justice, performance planning and reporting is linked with the budget process. We recognize that performance information is vital to making resource allocation decisions and should be an integral part of the budget. In presenting performance information with the budget, individual Annual Performance Plans are included in the budget requests of specific Department components. These individual Annual Performance Plans provide more detailed information on respective programs and constitute the foundation of the Department's plan. This Annual Performance Plan is attainable within the Department's FY 2003 budget request and the performance targets are attainable within the resource levels requested. Changes in resource levels from year to year are the result of budget adjustments and link to the appropriated amounts for the year with actual obligations reported in FY 2001, enacted levels for FY 2002 and requested levels for FY 2003.

MEASURING LAW ENFORCEMENT PERFORMANCE

The Department of Justice is committed to performance-based management. Over the past several years, we have worked to improve our measures so that they are realistic and meaningful. We have established performance goals and indicators that reflect results, not just workload or processes. For example, we focus law enforcement efforts on disrupting and dismantling targeted criminal groups, such as major drug trafficking organizations, Asian and Eurasian criminal enterprises, and major violent gangs. For our debt collection activities, we measure estimated annual savings to consumers resulting from our efforts. For border control, we identify and project corridors where we have effectively controlled the border, as determined by analyzing a variety of indicators such as crime rates along the borders and illegal alien apprehension rates. In those areas, such as litigation, where results-oriented measurement is particularly difficult, we will keep working to establish meaningful outcome goals and measures.

Measuring law enforcement performance presents unique challenges. First, "success" for the Department of Justice is when justice is served fairly and impartially. It cannot be reduced to simplistic numerical counts of activities such as arrests, cases, or convictions. Therefore, although the Department provides retrospective data on a select number of these activities, it does not target levels of performance. The Department is concerned that doing so would lead to unintended and potentially adverse consequences.

Success for the Department is also achieved when crime is deterred due to the presence of a highly effective enforcement capacity. Although measuring deterrence may be impossible, we have introduced the concept of "optimal deterrence" and "maximum feasible capacity" as indices of our state of readiness to thwart present and future threats.

Finally, it is extremely difficult to isolate the effects of our work from other factors that affect outcomes and over which the Department of Justice has little or no control. Although we are encouraged when the national crime rate falls, as it has for the past eight years, the Department does not rely on macro level indicators, such as national crime rates, in measuring its performance. Many factors contribute to the rise and fall of the crime rates, including federal, state, tribal and local law enforcement activities and sociological, economic, and other factors. Instead, we have focused on more targeted indicators such as those described above.

MANAGEMENT CHALLENGES AND INITIATIVES

The combined performance report and performance plan gives particular attention to the major management challenges confronting the Department. Management challenges run the gamut from maintaining the security of information systems to ensuring sound financial management. They are areas of concern that bear significantly on how well the Department carries out its mission and meets its responsibilities as stewards of public funds. Management challenges are a collection of issues drawn from the Department's FY 2001 Management Controls Report, the Department's Office of Inspector General (OIG) list of Top Ten Management Challenges, and the General Accounting Office inputs. Specific measures are identified for each of these management challenges.

In addition, measures have been established for each of the initiatives in the President's Management Agenda. These initiatives include human capital, E-Government, competitive sourcing, financial management, budget and performance integration, and the Faith Base Community Initiative.

DATA RELIABILITY

The Department of Justice views data reliability and validity as critically important in the planning and assessment of our performance. This document contains a discussion of data validation and verification for each performance measure. In addition, to ensure that data contained in this document are reliable, each reporting component was surveyed to ensure that data reported met the Office of Management and Budget (OMB) standard for data reliability. Data that do not meet this standard were not included in the Report and Plan. The OMB standard is as follows:

"Performance data is acceptably reliable when there is neither a refusal nor a marked reluctance by agency managers or government decision makers to use the data in carrying out their responsibilities. Performance data need not be perfect to be reliable, and the cost and effort to secure the performance data possibly can exceed the value of any data so obtained."

ORGANIZATION OF THE DOCUMENT

This document presents to the President, the Congress, and the public a clear picture of how the DOJ has used, and is planning to use, its resources to accomplish its mission. The body of the document is divided into eight sections, one for each of the eight strategic goals listed above. Under each strategic goal is an introduction to that goal, a discussion of the major management challenges associated with that goal, a description of evaluations that have been or are planned for programs supporting that goal, and all strategic objectives that are the underpinnings for achieving that goal.

Each strategic objective is further divided into two primary sections. The first subsection begins with an annual goal that reflects the strategic objective. Under it are the over-arching strategies we plan to use to meet the strategic goal, as well as a description of the means (resources) we need for meeting that goal. The second subsection addresses our performance both past and anticipated in meeting the strategic objective. This subsection divides the strategic objective into manageable "performance clusters" that can be measured and described in detail. We discuss our performance in FY 2001, evaluate our FY 2002 performance plan based on that performance, and describe our planned performance for FY 2003. Each performance subsection ends with a discussion of crosscutting activities that affect that performance cluster.

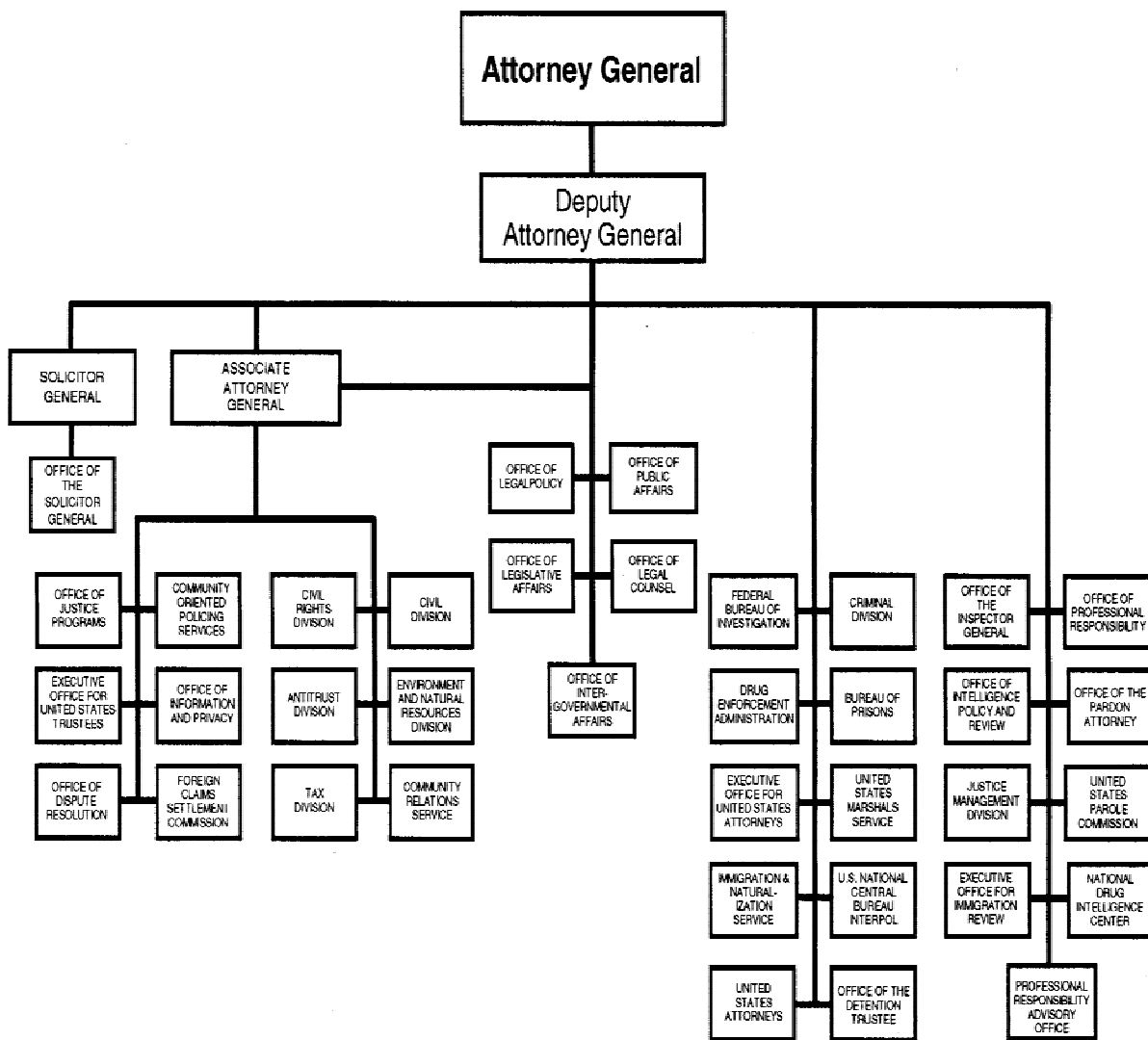
Performance planning is an iterative process. As we learn, we continue to refine our measures. Some measures, therefore, have been replaced or refined. All FY 2001 discontinued measures are included in Appendix A, since they have little relevancy to our current programmatic emphasis. This list also reflects the AG's efforts to streamline and create a more focused annual plan. Newly developed indicators are labeled "New Measure" and measures labeled "Measure Refined" reflect the maturation of our measurement process. Finally, we have reported FY 2001 actual performance for all indicators, whether they are in the main body of this report or discontinued (see Appendix A). This provides a complete and comprehensive picture of our program accomplishments.


The management challenges described under each strategic goal include those issues that the Department regards as "material weaknesses" or "material nonconformances" (see Appendix B), the *OIG Top Ten Management Challenges* (see Appendix C), as well as the Presidential Management Initiatives (see Appendix D) and issues that the Attorney General has reported to the President in the *DOJ FY 2001 Management Controls Report* (available Spring 2002 to the public on the Internet at www.usdoj.gov). Note that the OIG's ten management issues may or may not be considered material weaknesses by the Department. The OIG list includes issues, such as grants management, that is inherently risky due to the amount of public funds involved and large volume of grantees. Even though some of the challenges may not be a problem for DOJ at this time, they require a high level of continuing attention to ensure the resources involved are used appropriately.

The Appendix includes (A) the report on FY 2001 discontinued performance measures; (B) a list of DOJ FY 2001 material weaknesses and nonconformances; (C) the DOJ OIG's memorandum to the Attorney General listing the ten most serious management challenges facing DOJ; (D) the Presidential Management Initiatives and the Attorney General's Goals and Management Initiatives; (E) a glossary of abbreviations and acronyms; (F) a list of DOJ component web sites; (G) a report on Intellectual Property, which is required for the Attorney General's Annual Report; and (H) a crosswalk of the performance indicators from the FY 2000 Performance Report to the current FY 2001 Performance Report (due to the change in ordering of the Department's Strategic Objectives between FY 2001 and FY 2002).

COMPONENT ORGANIZATIONS

U.S. DEPARTMENT OF JUSTICE




 Approved by: _____ Date: May 29, 2001

JOHN D. ASHCROFT
Attorney General

STRATEGIC GOAL ONE: Protect America Against the Threat of Terrorism

Terrorism, both international and domestic, poses the most complex threat of any, for which the Department of Justice has responsibility. As dramatically evidenced by the attacks on September 11, 2001 and the subsequent anthrax attacks, international radical extremists and ad hoc coalitions of loosely affiliated individuals motivated by perceived injustices, as well as domestic groups and disgruntled individual American citizens – have attacked U.S. interests at home and abroad. They have increasingly chosen nontraditional targets and have employed unconventional weapons. In addition, the technological advancements of the information age have rendered crime-fighting efforts increasingly complex and have opened new avenues for global criminal activities. The increasing interconnectedness of critical infrastructures has created new vulnerabilities as criminals, terrorists, and hostile foreign intelligence services to exploit the power of cyber tools and weapons.

To effectively address international and domestic terrorism, DOJ must concentrate on both prevention and response. The Department utilizes a multifaceted approach to detect, assess, deter, prevent, investigate, and respond to terrorist operations. On November 8, 2001, the Attorney General outlined a wartime reorganization and mobilization of the nation's justice and law enforcement resources to meet the counterterrorism mission of DOJ.

To fulfill the critical mission of protecting the U.S. from the threat of terrorism, the DOJ will devote all resources necessary to disrupt, weaken, and eliminate terrorist networks, to prevent or thwart terrorist operations, and to bring to justice the perpetrators of terrorist acts. DOJ recognizes that success in counterterrorism efforts will require not only the coordinated efforts of all Department components, but also productive and cooperative efforts with other critical state, local, and federal partners.

Several of the Department's major components are heavily involved in the fight against terrorism:

The *Federal Bureau of Investigation (FBI)* plays a critical role identifying and countering threats to the U.S. In addition, the FBI is the designated Lead Agency for terrorism investigations and crisis management. The FBI also provides law enforcement assistance and other specialized support when required.

The *Immigration and Naturalization Service (INS)* and the Criminal Division work together to prevent the entry of terrorists into the U.S. through effective border control and through measures targeting smuggling organizations that may be used by potential terrorists. INS also works with the FBI in counterterrorism investigations and exercises administrative removal authority against persons who finance or provide material support to terrorists or designated terrorists organizations.

The *Drug Enforcement Administration (DEA)* provides intelligence support to the FBI and agencies conducting counterterrorism activities. Its Special Operations Division (SOD) serves as a point of contact for electronic surveillance assistance for terrorism-related requests.

The *United States Attorneys* offices, through their Anti-Terrorism Coordinators, are part of a national network that coordinates the dissemination of information and the development of a preventive, investigative and prosecutorial strategy among federal law enforcement agencies, primary state and local police forces, and other appropriate state agencies and officials in each district throughout the country.

The *Criminal Division (CRM)*, through the Terrorism and Violent Crime Section, focuses on the development and prosecution of terrorism cases, preparation for and response to acts of terrorism, and coordination of counterterrorism issues with the U.S. Attorneys' offices, other pertinent Executive Branch agencies, and multilateral organizations. In addition, CRM's Computer Crime and Intellectual Property Sections focuses on the development and prosecution of cyberterrorism cases and issues regarding gathering electronic evidence.

The *Office of Justice Program's (OJP) Office of Domestic Preparedness (ODP)* provides state and local agencies with grant funding and needed services to acquire specialized response equipment, training, and technical assistance. This office transitions to Federal Emergency Management Agency (FEMA) in FY 2003.

MANAGEMENT CHALLENGES

There are no existing material weaknesses that will hinder the achievement of goals in this area in FY 2003.

However, the DOJ Office of Inspector General's (OIG) December 2001 list of the top ten management challenges facing the Department includes two management challenges in this area:

Counterterrorism: Last year, the OIG restated the General Accounting Office (GAO) finding that governmentwide, anti-terrorism resources were not clearly linked to a threat analysis and a national anti-terrorism strategy (GAO report #T-NSIAD-00-145). According to GAO, this situation creates the potential for gaps or duplication in the United States' anti-terrorism strategy. This year, in light of the September 11, 2001, terrorist attacks on the United States, the OIG has sharpened its focus on this issue. In particular, the OIG refers to the FBI's use of its counterterrorism funds, the mix of cases the FBI chooses to investigate, and the FBI's management of its information technology projects. The OIG also refers to the domestic preparedness grants the OJP awards to state and local entities for training and equipment to respond to acts of terrorism, as well as the amount of funding awarded and whether grants are being used for their intended purpose. Finally, the OIG refers to various INS endeavors, such as the Visa Waiver Program, their efforts to control the northern border, the criteria for sending non-immigrants to secondary inspection at air ports of entry, an automated system to monitor foreign students, and their use of Advance Passenger Information System data to help deter the entry of terrorists or other criminals into the U.S.

Sharing of Intelligence and Law Enforcement Information: The September 11 terrorist attacks also highlighted the critical importance of sharing intelligence and other law enforcement information among federal, state, and local agencies, both for the investigation of terrorist attacks and for the prevention of future attacks. DOJ must ensure that law enforcement agencies at all levels have access to information that could be important in helping detect and deter terrorist attacks. In late October, the President signed the *USA PATRIOT Act of 2001*, which permits greater sharing of intelligence and law enforcement information. The Department faces significant challenges in both ensuring that these new authorities are used appropriately and in ensuring that other federal, state, and local law enforcement agencies have access to information important to their work.

Performance measures related to these management challenges are noted.

STRATEGIC OBJECTIVE 1.1: PREVENT TERRORISM
Prevent, disrupt, and defeat terrorist operations before they occur.

Annual Goal 1.1: Prevent, disrupt, and defeat terrorist operations before they occur.

STRATEGIES

- ◆ Establish Anti-Terrorism Task Forces within each jurisdictional district to coordinate anti-terrorist activities.
- ◆ Build and maintain the FBI's fullest capacity to detect, deter, counter, and prevent terrorist activity.
- ◆ Develop an intelligence capability that fully supports the Department's counterterrorism efforts.
- ◆ Mitigate threats, especially cyber-threats, to the U.S. national infrastructure.
- ◆ Fully coordinate with federal, state, and local government agencies in a comprehensive effort to develop and maintain adequate domestic preparedness.

Dramatic changes in the international and domestic environments have produced credible and serious terrorist threats. Each of these threats, which include the efforts of international terrorists, the growing threat of criminal use of weapons of mass destruction (WMD), and criminal acts perpetrated by domestic terrorists, present the Department with a clear, but difficult challenge.

The wide range of terrorist threats include: Osama Bin Ladin's al Qaeda network, terrorist organizations attempting to obtain a WMD capability, anthrax attacks and hoaxes, radical

animal rights and environmental groups, violent anti-government groups and white supremacists, and threats against the information infrastructure. Due to the diversity of the terrorist threat and the complicated nature of terrorist investigation and response, the Department focuses on developing the capacity to respond to any terrorist issue, whether it is domestic or international. While the Department cannot prevent all terrorism, by developing a structure to build and maintain maximum feasible capability, the Department is in a position to prevent and deter terrorism to the maximum extent possible.

To fulfill the critical mission of protecting the U.S. from the threat of terrorism, DOJ will devote all resources necessary to disrupt, weaken, and eliminate terrorist networks, to prevent or thwart terrorist operations, and to bring to justice the perpetrators of terrorist acts. DOJ recognizes that success in counterterrorism efforts will require not only the coordinated efforts of all Department components, but also productive and cooperative efforts with other critical state, local, and federal partners. DOJ is fully committed to breaking down the bureaucratic and cultural barriers that prevent meaningful coordination and cooperation between criminal law enforcement and counterintelligence operations, both within the department and between the department and other entities, while respecting legitimate legal restrictions.

While the federal government plays a major role in preventing and responding to terrorist incidents, the state and local public safety community serve as our nation's "first responders." OJP's Office of Domestic Preparedness (ODP) provides state and local agencies with grant funding services to acquire specialized response equipment, emergency responder training and technical assistance, and support to plan and conduct exercises tailored to the circumstances of the jurisdiction. In addition, the FBI provides training and certification to state and local bomb technicians.

MEANS – Annual Goal 1.1

Dollars/FTE*

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Criminal Division	22	4	26	4	31	5
FBI Construction	0	0	0	5	0	0
FBI	4064	595	3834	1063	4392	783
General Admin.	0	0	0	6	7	5
Counterterrorism	0	47	0	5	0	35
OJP (ODP)	48	91	81	646	0	0
U.S. Attorneys	0	0	35	3	55	4
Sep. 11 th Fund	[0]	[0]	[0]	[1080]	[0]	[2700]
Subtotal	4134	\$737	3976	\$1732	4485	\$832

Skills

The Department requires skilled agents, attorneys, analysts, and linguists. Linguists are critical to supporting criminal and national security investigations and intelligence success. This goal requires the skills and abilities of experienced attorneys, law enforcement professionals, and intelligence analysts.

Information Technology

FBI programs in this area are supported by: the Integrated Statistical Reporting and Analysis Application (ISRAA), a centralized database which tracks statistical case accomplishment from inception to closure; the Automated Case Support System (ACS), a database which captures all information pertaining to the administration of cases.

PERFORMANCE ASSESSMENT – Annual Goal 1.1

1.1A Prevent Terrorists' Acts

Background/Program Objectives:

It is the Department's goal to prevent terrorist acts. In order to achieve that objective, DOJ will build maximum feasible capacity in the counterterrorism program, allowing the Department to identify, assess, and address terrorist threats. Maximum feasible capacity assumes that the political/religious/social movements that drive terrorism are often beyond the control of any one department or government; therefore, it may not be possible to prevent all acts of terrorism. Through this strategy, however, the Department specifically identifies the critical elements of a fully successful counterterrorism program to: 1) assess current capacity, 2) identify performance gaps; and 3) develop strategies to fill these gaps and maximize the government's ability to address terrorist threats.

Performance:

Pilot Performance Measure: Performance Capacity Indicator (PCI)

Status: The FBI is finalizing the Performance Capacity Indicator (PCI). The PCI is a statistically valid, numerical measure of the capacity of the FBI CT to accomplish its mission to prevent, disrupt, and defeat terrorist acts before they occur; pursue the arrest and prosecution of those who have conducted, aided, and abetted those engaged in terrorist acts; and to provide crisis management following acts of terrorism against U.S. interests. The indicator works by measuring the interaction between the FBI counterterrorism program's capacity and the external environment. By comparing these factors, the CTD is able to assess its progress in achieving its mission. An increase in the PCI represents an increase in the capacity of the FBI CT to accomplish its mission. This indicator will be completed by March 2002 and will include outyear performance targets. Additionally, the FBI will continue to report other measures in combination with the PCI. Although much of the data used to calculate the index is classified, the equation and the numerical result will be included in the Department's FY 2002 performance report.

Pilot Performance Measure: Performance Capacity Indicator (PCI)

Data Definitions: The PCI is derived from three variables that provide a snapshot of what the FBI Counterterrorism (CT) Program Capacity is, relative to the current environmental conditions and threat. The specific variables used in construction of this index are classified.

Data Collection and Storage: The data source for the PCI is obtained through the FBI CT component of the FBI's automated Annual Field Office Report (AFOR), which is submitted annually by each of the 56 FBI field offices, along with other data sources utilized by the FBI's CT Division. These data sources contain relevant information regarding the overall CT capacity not necessarily exhibited through the AFOR process.

Data Validation and Verification: The data source information is compiled, analyzed, and verified at FBI headquarters. The information is applied to a formula with the result being a numerical indicator, which expresses capacity relative to the prevailing threat level. The FBI will focus efforts on maximizing this score and the capability it represents.

Data Limitations: The data collection method relies upon FBI program managers to audit survey findings to ensure reliability. Although this method relies upon expert knowledge to make the reported information reliable, the survey instrument is still being perfected to provide clear examples of how data responses should reliably report findings.

Performance Measure: Terrorist Acts Committed by Foreign Nationals Against U.S. Interests (within U.S. Borders)

FY 2001 Target: 0

FY 2001 Actual: 6

Discussion: Incidents reported for FY 2001 are as follows: September 11, 2001 Suicide airplane bombing of towers One and Two of the World Trade Center (New York, New York), Suicide Airplane bombing of the Pentagon (Washington, DC), and Hijacking/Crash United Airlines flight #93 (Stony Creek, PA).

FY 2002 Performance Plan Evaluation: Regardless of terrorist activity, the target will always remain zero.

FY 2003 Performance Plan: 0 Terrorist Acts

Strategies to Achieve the FY2003 Goal:

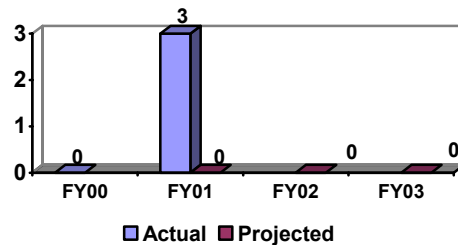
A strategy of maximum feasible capacity builds the capability to restrain all types of groups and individuals engaged in acts of terrorism and to deter and respond to threats *before* attacks occur. It builds the capacity to safely and effectively respond to the challenges of unconventional terrorist methods such as the use of chemical, biological, nuclear, and radiological materials. It requires all elements of crisis and consequence management at the federal, state, and local levels through the country to develop and implement integrated terrorism response plans. It builds the capacity to rapidly identify, locate, apprehend, and prosecute those responsible for terrorist attacks when they do occur; and to prevent, disrupt, and defeat terrorist elements and plans, including computer intrusion and infrastructure threats, through early watch and warning capability and preventive measures.

Other key components within the Department will also contribute to the deterrence of counterterrorism. DEA will partner with FBI on intelligence analysis and the INS will enhance efforts to obtain tactical and strategic intelligence in source countries and share it with relevant partners. INS will support FBI investigations and conduct investigations of other foreign threats to the national security to disrupt and dismantle terrorism cells and supporters within the U.S. The Department will build on existing liaison mechanisms with foreign governments, intergovernmental organizations, and industry partners. INS intelligence will provide relevant INS offices with a list of terrorist organizations, as identified by the U.S. Intelligence Community that present the most significant threat to U.S. border integrity. Through a collaborative effort, primary organizations/individuals will be targeted. Intelligence gathering activities also include coordination of anti-smuggling/terrorism strategies with the FBI; the completion of a U.S.-Canada bilateral common threat assessment among all concerned agencies on border zones' vulnerabilities; and increased automation in the intelligence collection and analysis process. To improve the effectiveness of efforts to apprehend persons attempting illegal entry, INS will expand international operations to provide consultative services concerning validity of travel documents to airline and immigration officials at airports. Finally, the INS will conduct special, short-term coordinated enforcement operations in source and transit countries, resulting in the apprehension and repatriation of *mala fide* migrants en route to the U.S.

Crosscutting Activities:

Crosscutting functions include deterring and responding to terrorist acts; improving capabilities through training, planning, exercises, and research and development; and improving coordination domestically and internationally. The FBI has the lead in deterring and responding to terrorists acts which occur in the U.S., while the Department of State has the lead in regard to acts abroad which impact U.S. citizens or U.S. interests. Department of Defense (DOD) leads tactical and logistical support, through well-established protocols. Extensive interagency and inter-jurisdictional training and exercising efforts focus on the goal of seamless counterterrorism response. DOJ, in coordination with the Departments of State, the Treasury and others, works closely with our allies in the G-8, in the Council of Europe, and in other multinational fora, to pursue common counterterrorism efforts.

NEW MEASURE: Terrorist Acts Committed by Foreign Nationals Against U.S. Interests within U.S. Borders[FBI]



Data Definitions: Terrorist Acts Committed by Foreign Nationals counts separate incidents that involve the “unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.” (28 C.F.R. Section 0.85). For purposes of this measure, a terrorist act can involve one or more perpetrators, but is directed towards a single general target (e.g., a building or physical structure, an aircraft). Although there may be several terrorist acts cited, two or more of these acts may represent a concerted effort to have a widespread, simultaneous impact (e.g., the events of September 11, 2001).

Data Collection and Storage: The reported numbers were compiled through the expert knowledge of FBI CT senior management at headquarters for this report.

Data Validation and Verification: See above.

Data Limitations: The decision to count or discount an incident as a terrorist act, according to the above definition, is subject to change based upon the latest available intelligence and the opinion of program managers making the determination. In addition, acts of terrorism, by their nature, are impossible to reduce to uniform, reliable measures. A single defined act of terrorism could range from a small-scale explosion that causes only property damage to the use of a weapon of mass destruction that causes thousands of deaths and massive property damage, and has a profound effect on national morale.

Crosscutting efforts to establish comprehensive border enforcement include cooperation with local communities and industries, as well as Canadian and Mexican authorities. INS agents in offices worldwide will continue to work closely with the Department of State, DEA, the U.S. Customs Service, the FBI, the U.S. Coast Guard, the Department of Agriculture, and foreign governments in order to exchange information with foreign immigration counterparts and to better identify and disrupt terrorist activities. The Border Coordination Initiative (BCI) is a crosscutting effort to increase shared information and intelligence along the U.S.-Mexico border. Through the establishment of joint performance measures, BCI has proven successful and is considering priority areas for expansion such as the Northern Border. This will further bolster the borders against terrorism threats. Other cooperative intelligence/investigative efforts include the INS Law Enforcement Support Center, which provides a link between federal, state, and local law enforcement officers and the database accessed by INS, and the El Paso Intelligence Center, which is a DEA-led, multi-agency tactical intelligence center.

1.1B Protect Critical Infrastructure (Management Challenge)

Background/Program Objectives:

All critical infrastructures now rely on computers, advanced telecommunications, and, to an ever-increasing degree, the Internet. That dependence creates new vulnerabilities, which are exacerbated by several factors. First, most infrastructures rely on commercially available technology, which means that a vulnerability in hardware or software is not limited to one company, but is likely to be widespread. Second, infrastructures are increasingly interdependent and interconnected with one another, so it is difficult to predict the cascading effects that the disruption of one infrastructure would have on others. Third, the telecommunications infrastructure is now truly global. Satellite communications, the Internet, and foreign ownership of telecommunication carriers in the U.S. have all combined to undermine the notion of a "National Information Infrastructure." The FBI's National Infrastructure Protection Center's (NIPC) goal is to enhance U.S. national security by preventing infrastructure damage through a multifaceted approach to maximize its investigative and preventative resources to thwart cyber attacks on the nation's infrastructure.

Performance Measure: Computer Intrusions Investigated

FY 2001 Target: Not Targeted (see below)

FY 2001 Actual: Computer Intrusion Investigations Closed – 1,013, Computer Intrusion Investigations Opened and Pending – 2,226

Discussion: The increase in investigations is directly proportional to the number of trained agents in the field who have the ability to respond to reported intrusions. The number of computer intrusion investigations is also tied to an increase in the intelligence base of the Bureau, as well as an industry partners' increase in violation reporting through the InfraGard and Key Asset programs.

FY 2002/2003 Performance Plan Evaluation:

In accordance with Department guidance, targeted levels of performance are not projected for this indicator

Public Benefit: See below.

Performance Measure: Computer Intrusion Convictions Number of Computer Intrusion Convictions/Pre-Trial Diversions

FY 2001 Target: Not Targeted (see below)

FY 2001 Actual: 91 (84 convictions, 7 pre-trial diversions)

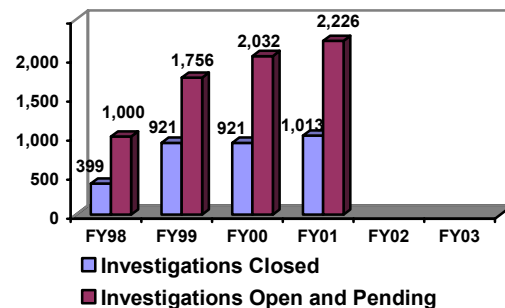
Discussion: Computer intrusions convictions rose as a result of increased investigations and level agent expertise.

FY 2002/2003 Performance Plan Evaluation:

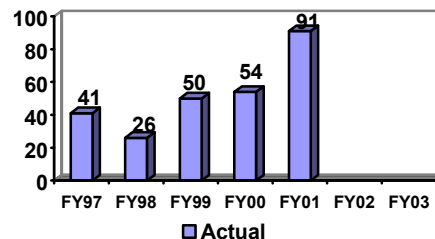
In accordance with Department guidance, targeted levels of performance are not projected for this indicator.

Public Benefit: Through computer intrusion investigations and prosecutions, DOJ works to arrest those who perpetrate computer intrusions that affect the nation's infrastructure. In addition, these investigations enable the Department to gather information, develop and solidify relationships with critical partners, and maintain a presence visible to both potential criminals and the American public, all of which are critical pieces of the Department's efforts against terrorism.

Computer Intrusions Investigated [FBI]



Computer Intrusion Convictions/Pre-Trial Diversions [FBI]



Data Definition: Pretrial Diversion: A pretrial diversion can be claimed when a subject and the USA agree to a pretrial diversion plan under which the subject must complete a plan of lawful behavior in lieu of prosecution. Generally, a pretrial diversion plan may be considered for misdemeanor offenses involving first time offenders.

Data Collection and Storage: The data source for the number of intrusions investigated is the FBI's Monthly Administrative Report/Automated Case Support (MAR/ACS) system.

Data Validation and Verification: For the computer intrusions, before data is entered into the system, they are reviewed and approved by an FBI field manager. Data in both systems are subsequently verified through the FBI's inspection process. Inspection occurs on a 2 to 3 year cycle. Using statistical sampling methods data in ISRAA is traced back to source documents contained in FBI files.

Data Limitations: None known at this time.

Performance Measure: Key Assets Identified

FY 2001 Target: 3,200

FY 2001 Actual: 5,700

Discussion: The target was exceeded. The number of Key Assets indicates the number of identified organizations, systems, or physical plants, the loss of which would have widespread or dire economic or social impact on a national, regional, or local basis. FBI field agents identify assets in their jurisdiction that may qualify as Key Assets and consult with the owners on their operations and impact on the locality's critical infrastructure. Key Assets are identified and entered into a database from which maps are created that help determine any overlapping or secondary Key Assets that are interlinked.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we establishing FY 2002 target to 6,100.

FY 2003 Performance Target: 6,500

Public Benefit: The FBI's NIPC works closely with the private sector and promotes a close working relationship between law enforcement, industry, and government at all levels. The core of the NIPC approach is prevention, detection, and response.

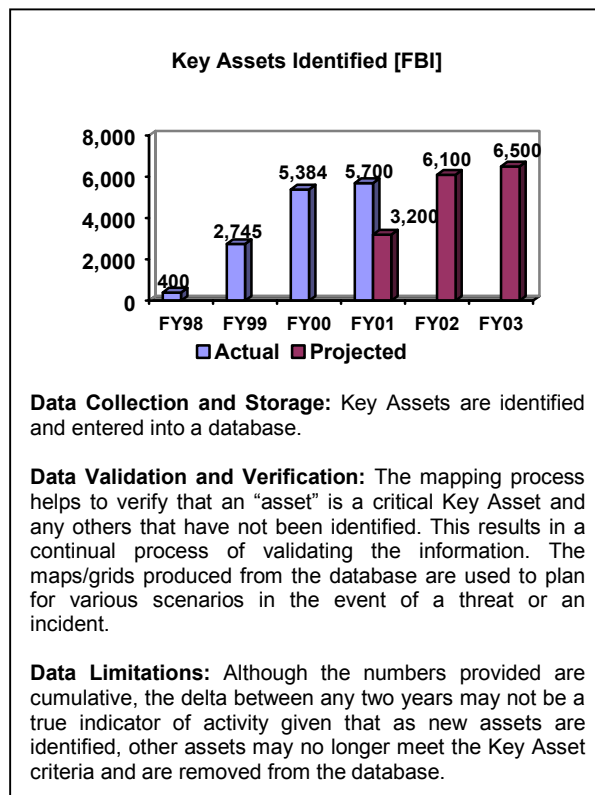
Strategies to Achieve the FY 2003 Goal:

Key Assets continue to be identified. Simultaneously, processes of contingency planning, determining cascading effects, and interdependencies have already begun for some key assets. NIPC will continue to work to assess vulnerabilities and develop proactive techniques and countermeasures. NIPC will also work closely with the private sector and promote a close working relationship between law enforcement, industry, and government at all levels. In FY2003, DOJ will develop all necessary assets and capabilities to support operations aimed at disrupting and defeating threats to critical infrastructures.

Specifically, NIPC will work to assess vulnerabilities and develop proactive techniques and countermeasures. Other strategies within NIPC include 1) the recruitment of agents and analysts with specialized computer expertise; 2) training and education on computer incident investigations and infrastructure protection for both FBI personnel and public and private sector partners; 3) continuation of the InfraGard program to ensure that private sector infrastructure owners and operators share information about cyber intrusions, exploited vulnerabilities, and physical infrastructure threats; 4) the development of an indications and warning network for federal computer systems; 5) the continuation of research and development; and 6) the provision of state of the art tools, technologies, and intellectual capital related to computer intrusions and infrastructure protection.

In addition, the Criminal Division's Computer Crime and Intellectual Property Section (CCIPS) will provide expert legal and technical advice regarding information warfare, infrastructure protection and other topics related to Critical Infrastructure Protection. During FY 2003, CCIPS will focus on: international outreach, in coordination with the Department's Office of International Affairs and the State Department; increasing mechanisms for information sharing between industry and government; legal and policy issues presented by intrusions detection systems, penetration testing and other means of protecting critical networks; devising means to protect network resources while respecting the legitimate privacy rights of persons who use those networks; encouraging the private sector to take sufficient measures to help protect the infrastructure; and develop prevention programs, such as the Cybercitizen Partnership, to increase public awareness and teach responsible/ethical online behavior.

Also, the FBI's National Infrastructure Threat Warning System in the U.S disseminates infrastructure protection alerts, advisories, and vulnerability/threat assessments relative to infrastructure protection to the public and private sector stakeholders, and the law enforcement community. The FBI ensures the development and



implementation of contingency plans designed to protect infrastructure assets, maintain maximum feasible capacity for deterrence, and to facilitate the rapid response to threats, compromise, or attack.

Crosscutting Activities:

The NIPC staff includes detailees from federal and state agencies as well as two international partners. These agencies include: Department of Energy (DOE), Central Intelligence Agency (CIA), DOD, United States Air Force (USAF), Defense Central Intelligence Service, NSA, Postal Service, Navy, GSA, etc. NIPC staff ensures coordination with FBI field offices, other government agencies and foreign police and security. Rapid response to intrusions is often required, placing a premium on cooperation.

The InfraGard initiative encourages the exchange of information by government and private sector members through the formation of local InfraGard chapters within the jurisdiction of each FBI Field Office. Chapter membership includes representatives from the FBI, private industry, other government agencies, state and local law enforcement, and the academic community. The initiative provides four basic services to its members: an intrusion alert network using encrypted e-mail; a secure website for communications about suspicious activity or intrusions; local chapter activities; and a help desk for questions.

1.1C Improve Domestic Preparedness (Management Challenge)

Background/ Program Objectives:

Two key elements of domestic preparedness include expertise in hazardous devices and emergency response capabilities to threats such as weapons of mass destruction. The Hazardous Devices School (HDS) is the only formal domestic training school for state and local law enforcement to learn safe and effective bomb disposal operations. HDS prepare bomb technicians to locate, identify, render safe, and dispose of improvised hazardous devices, including those containing explosives, incendiary materials, and materials classified as weapons of mass destruction.

Qualifications for bomb technician certification include graduation from the HDS Basic Course, and the continued successful completion of the HDS Recertification Course every three years. Additionally, a bomb technician must be actively employed by a law enforcement or public safety organization and be assigned to bomb squad responsibilities by that organization. Other course offerings include the Robot and Executive Management Courses.

OJP's Office of Domestic Preparedness (ODP) provides grant funding to assist state and local emergency response agencies (law enforcement, fire, hazardous materials, emergency medical services, emergency management, and public health) to enhance their capabilities to respond to the threat posed by terrorist uses of weapons of mass destruction (WMD). ODP provides services to acquire specialized response equipment and emergency responder training, technical assistance, and support to plan and conduct exercises tailored to the circumstances of the jurisdiction. ODP courses are designed to increase awareness of terrorism threats and weapons of mass destruction among public officials, public health and the medical community, public safety and public works personnel, as well as provide intensive technician and operations courses that demonstrate the effects of and response to live agents, explosives, and radiation. ODP also established the Center for Exercise Excellence, which will teach state agencies and local jurisdictions how to plan and conduct effective exercises. ODP is transferring to the Federal Emergency Management Agency in FY 2003.

.Performance:

Performance Measure: State and Local Bomb Technicians Trained [FBI]

FY 2001 Target: NA – new measure

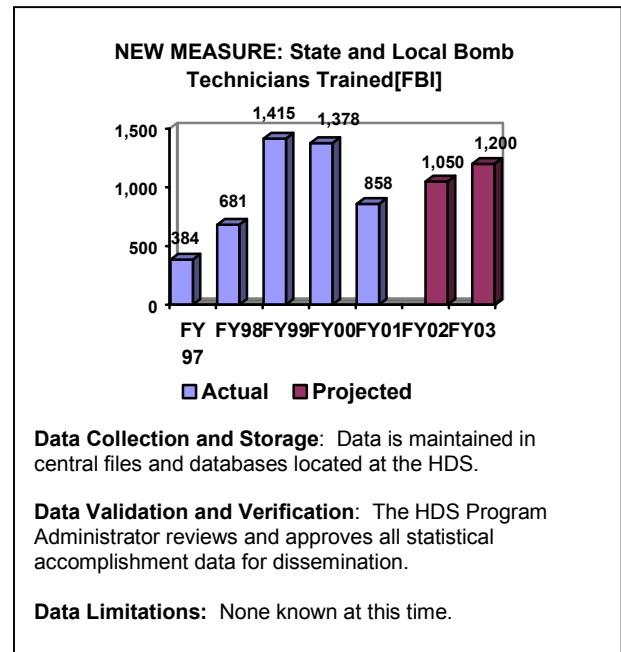
FY 2001 Actual: 858

Discussion: In FY 2001, HDS trained 858 students from all 50 states, the District of Columbia, and Puerto Rico. Since 1999, the FBI Bomb Data Center has distributed specialized WMD related equipment to state and local bomb squads, and the HDS has integrated this new equipment into its training program. This training has included special bomb suits for WMD events, computerized X-ray, and chemical gas monitoring equipment.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2002, we expect to meet the corresponding FY 2002 target.

FY 2003 Performance Target: 1,200

Public Benefit: The HDS is providing unique explosives training to all public safety bomb technicians in every state across the country. Recent terrorist events and the increased availability of sophisticated and advanced technologies makes it essential that the FBI provide the best possible training for state and local bomb technicians. Training in new instruments and methods is critical to core competency and future operational and investigative successes.



Performance Measure: Number of First Responders Trained (NOTE: This indicator has been refined to include the cumulative total of training offered in this area and prior year actuals have been corrected to reflect the most accurate and current data available.)

FY 2001 Target: 74,431 (adjusted for correction in cumulative totals)

FY 2001 Actual: 80,606

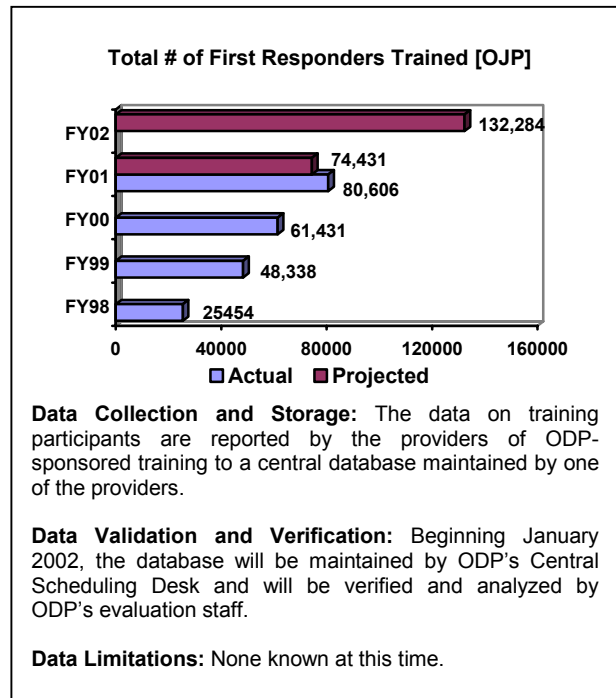
Discussion: In FY 2001, ODP exceeded the target through expanded existing training and new course development. ODP plans to implement an enhanced evaluation program that will provide information to assess enhancements in preparedness at the state and local levels, and to modify and/or enhance program services.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001 and an increase in resources, we are increasing the FY 2002 target to 132,284.

FY 2003 Performance Target: NA. ODP will transfer to the Federal Emergency Management Agency.

Public Benefit: First responders, emergency response agencies, and jurisdictions that have participated in ODP-sponsored training courses and exercises are better prepared to prevent or respond to a WMD terrorism incident resulting in enhanced safety for the first responders and the public, as well as more effective use of available resources.

For example, several days into the Arlington County, Virginia response to the September 11, 2001 terrorist attack at the Pentagon, the County Manager indicated that “everything just came together”, attributing the successful response to the exercises, training, and planning they participated in, much of which was sponsored by ODP.



Strategies to Achieve the FY 2003 Goal:

As part of the Domestic Terrorism Program, each of the 56 FBI Field Offices has a Weapons of Mass Destruction (WMD) Coordinator, who works to facilitate participation in federal interagency WMD development forums; to develop and deliver training to FBI officials, managers, agents, and field office personnel; and to facilitate and assess field office and FBI Headquarters participation in interagency WMD-related exercises. The FBI also provides a service to the Federal, state and local emergency response community through WMD training and assistance provided by the FBI's Hazardous Materials Response Unit (HMRU) and it's Critical Incident Response Group (CIRG).

The FBI and the U.S. Army will construct a new world-class HDS facility at Redstone Arsenal, Huntsville, Alabama. The current FBI-funded and administered facility at Redstone provides basic, recertification, and other training for approximately 2,300 public safety bomb technicians in the United States. The new site, four administrative and classroom buildings and 14 practical exercise-training villages, is scheduled for completion in FY 2004. An HDS Advanced Course is under development, and will be fully operational as soon as the new HDS facility is completed. A series of pilot courses are anticipated during FY 2002 and FY 2003 to prepare for the full program, which will likely be at the beginning of FY 2004.

States conducted assessments of the threat and vulnerability for terrorism and the capacity and needs of their public health and public safety systems using an assessment tool developed by ODP in cooperation with the FBI and Center for Disease Control and Prevention. The states are using the assessment data, obtained from state agencies and local jurisdictions, to develop State Domestic Preparedness Strategies that will serve as the basis for the allocation of grant funds for the purchase of WMD response equipment and will assist ODP in developing and delivering training and exercise support. To ensure that the grant funds are used to address the greatest needs, states may not apply for FY 2000 and/or 2001 grant funds until they have completed their statewide strategy. All states should have their plans submitted by the second quarter of FY 2002, which will be reviewed and approved by the end of FY 2002.

The FBI is responsible for managing the FBI's National Counterterrorism Threat Warning System in the U.S., which disseminates terrorism alerts, advisories, and threat assessments, to the U.S. counterterrorism community, FBI field offices, and national law enforcement. The FBI maintains contacts with counterparts in international and domestic counterterrorism, law enforcement, and intelligence communities as well as with other relevant entities.

Crosscutting Activities:

The HDS represents a partnership between the FBI and the U.S. Army to provide state and local law enforcement agencies with state of the art explosives training to improve domestic preparedness.

ODP coordinates with the FBI's National Domestic Preparedness Office and will continue such coordination with the newly established Office of National Preparedness in the Federal Emergency Management Agency and, as appropriate, with the newly established White House Office of Homeland Security. In addition ODP coordinates and/or participates in joint activities with the Department of Health and Human Services, the Department of Defense, the National Security Council, and the Department of Energy. These working relationships are demonstrated through the joint participation in the planning and conducting of national exercises, such as the ODP-sponsored Top-Off exercises, the Training Resources and Data Exchange Group, the Interagency Board for Equipment Standardization and Interoperability, and the Domestic Preparedness Support Helpline.

STRATEGIC OBJECTIVE 1.2-1.3: INVESTIGATE and PROSECUTE TERRORIST ACTS

1.2: Develop and implement the full range of resources available to investigate terrorist incidents, bringing their perpetrators to justice.

1.3 Vigorously prosecute those who have committed, or intend to commit, terrorist acts against the United States.

Annual Goal 1.2 – 1.3: Develop and implement the full range of resources available to investigate terrorist incidents, bringing their perpetrators to justice and vigorously prosecute those who have committed, or intend to commit, terrorist acts against the United States.

STRATEGIES 1.2

- ◆ Develop the Anti-Terrorism Task Forces within each jurisdictional district to coordinate investigations of anti-terrorist activities.
- ◆ Promote and, when available, use new legislation and authorities to conduct investigations of terrorist incidents.
- ◆ Apply all resources available to develop a comprehensive approach to investigating acts of terrorism.

STRATEGIES 1.3

- ◆ Build strong cases for prosecution through the use of district Anti- Terrorism Task Forces and the evidence they develop.
- ◆ Promote and, when available, use new legislation and authorities to prosecute suspected terrorist criminals to the fullest extent of the law.

The DOJ focuses on the criminal prosecution of terrorists to bring perpetrators to justice, disrupt terrorist operations, and disrupt financing of terrorism. The Department will pursue investigations based on various criminal violations, including material support to terrorists, espionage, money laundering, fraud, smuggling, immigration charges, and any other charge that may be applicable in order to fully utilize all tools available to investigators. Terrorism investigations will emphasize source development and intelligence gathering, as well as determining responsibility for act of terrorism. In addition, the Department will continue to implement the new tools outlined in the recently passed USA PATRIOT Act, which will significantly aid law enforcement and intelligence partners in information sharing,

coordination, and cooperation.

The Department will build strong cases for prosecution through the use of district Anti-Terrorism Task Forces and the evidence they develop. Also, the Department will promote, and when available, use new legislation and authorities to prosecute suspected terrorist criminals to the fullest extent of the law.

Another way to prevent and deter terrorist acts is to cut off the lifeblood of terrorism – its funding and other means of support. DOJ, in consultation with the State Department and the Department of the Treasury, exploits all available avenues to designate individuals and entities as terrorists, thereby freezing their financial assets and other means of support, excluding their members and associates from entering the U.S., and providing a basis for prosecuting those who offer material support to these individuals and entities. The Criminal Division plays a critical role in coordinating the focus on the financial underpinnings of terrorism through the Terrorism Financing Task Force. With the U.S. Attorneys and other federal agencies, this task force pursues the full range of available remedies: criminal prosecution, immigration proceedings, and seizing all financial assets.

The Criminal Division, through the Terrorism and Violent Crime Section, focuses on the development and prosecution of terrorism cases, preparation for and response to acts of terrorism, and coordination of counterterrorism issues with the U.S. Attorneys' offices, other pertinent Executive Branch agencies, and multilateral organizations. The Terrorism and Violent Crime Section, through its Regional Antiterrorism Coordinators, works closely with the Antiterrorism Coordinators in each U.S. Attorney's office to provide guidance and support on terrorism investigations, prosecutions, and related issues. The Terrorism and Violent

Crime Section is directly involved in the development and prosecution of major terrorism cases, particularly those involving extraterritorial acts of terrorism against Americans and American interests abroad, as well as in multidistrict terrorist fundraising cases. In the aftermath of the events of September 11, the Criminal Division created a Terrorist Financing Task Force, consisting of attorneys from the Criminal and Tax Divisions and the U.S. Attorneys Offices, to coordinate the nationwide prosecutorial efforts against groups and individuals who assist in the financing of international terrorism. The Task Force works closely with the FBI's Financial Review Group, which draws resources from numerous federal law enforcement agencies and is devoted to the collection and analysis of information concerning terrorist financing. Through these efforts, the Criminal Division pursues the full range of available remedies including criminal prosecution, immigration proceedings, and seizing of financial assets, in conjunction with the U.S. Attorneys and other federal agencies. In the area of preparation for and response to acts of terrorism, the Terrorism and Violent Crime Section is responsible for administering the Department's Attorney Critical Incident Response Group and its Crisis Management Coordinators program, which involves the development of a crisis response plan for each federal judicial district and the training of specially selected federal prosecutors in crisis preparation and response techniques.

MEANS – Annual Goal 1.2-1.3

Dollars/FTE*

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Criminal Division	45	8	50	8	60	9
FBI (see 1.1)	0	0	0	0	0	0
U.S. Attorneys	50	7	366	61	463	63
Subtotal	95	\$15	416	\$69	523	\$72

Skills

The Department requires skilled agents, attorneys, analysts, and linguists. Linguists are critical to supporting criminal and national security investigations and intelligence success. This goal requires the skills and abilities of experienced attorneys, law enforcement professionals, and intelligence analysts.

Information Technology

FBI programs in this area are supported by: the Integrated Statistical Reporting and Analysis Application (ISRAA), a centralized database which tracks statistical case accomplishment from inception to closure; and the Automated Case Support System (ACS), a database which captures all information pertaining to the administration of cases

PERFORMANCE ASSESSMENT – Annual Goal 1.2- 1.3

1.2 – 1.3A Investigate and Prosecute Terrorists' Acts

Background/Program Objectives:

Through both criminal and national security investigations, DOJ works to arrest and prosecute or deport terrorists and their supporters and to disrupt financial flows that provide resources to terrorists operations. These investigations enable the Department to gather information, punish terrorists, develop and solidify relationships with critical partners, and maintain a presence visible to both potential terrorists and the American public, all of which are critical pieces of the Department's efforts against terrorism.

The new counterterrorism strategy implemented by the Department after September 11 includes the development of Anti-Terrorism Task Forces. Each United States Attorney's office identified one experienced prosecutor to serve as the Anti-Terrorism Coordinator for that district's Anti-Terrorism Task Force. The Coordinator convenes meetings of representatives from the federal law enforcement agencies – including the FBI, INS, DEA, U.S. Customs Service, U.S. Marshals Service, U.S. Secret Service, and Bureau of Alcohol Tobacco and Firearms (ATF) – and the primary state and local police forces, along with other appropriate state agencies and officials in each district. These task forces are part of a national network that coordinates the dissemination of information and the development of an investigation and prosecution strategy throughout the country. The implementation of these task forces coordinated by the United States Attorney in each district provides the operational foundation for a concerted national assault against terrorism.

In addition, the Criminal Division created a Terrorist Financing Task Force, consisting of attorneys from the Criminal and Tax Divisions and the U.S. Attorneys Offices, to coordinate the nationwide prosecutorial efforts against groups and individuals who assist in the financing of international terrorism. This task force works closely with the FBI's Financial Review Group, which draws resources from numerous, federal law enforcement agencies and is devoted to the collection and analysis of information concerning terrorist financing.

Performance:

Performance Measure: Number of Terrorist Cases Investigated

FY 2001 Target: Not Targeted (see below)

FY 2001 Actual: Terrorist cases closed – 4,166

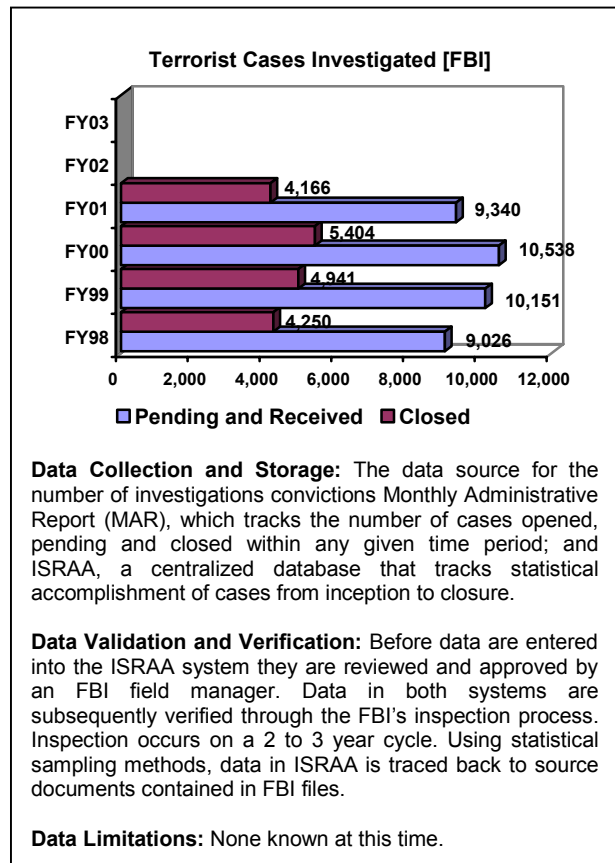
Terrorist cases opened and pending – 9,340

Discussion: Each case represents effort towards the investigation and prevention of terrorism. While the number of investigations itself does not fully capture the efforts or effects of the Department's counterterrorism program, in conjunction with the above performance capacity indicator, this measure does show activity towards the ultimate goal of preventing terrorism.

FY 2002/2003 Performance Plan Evaluation:

In accordance with Department guidance, targeted levels of performance are not projected for this indicator.

Public Benefit: The Department's multi-faceted effort seeks to prevent future terrorist attacks, investigate acts of terror, and prosecute those who intend to commit or have committed terrorist acts against the United States. Law enforcement officials at all levels of government – federal, state, and local – must work together, sharing information and resources needed to



arrest and prosecute individuals responsible. The preventive and investigative efforts culminate with the prosecution of terrorist acts.

Performance Measure: Number of Terrorist Convictions (Former Title: Number of Terrorist and Pre-Trial Diversions was changed as there are no Pre-Trial Diversions in terrorist cases) NOTE: All conviction data including prior year actuals, are now provided from EOUSA instead of FBI to improve accuracy and reliability.

FY 2001 Target: Not Targeted (see below)

FY 2001 Actual:

Discussion: Convicted defendants include those defendants who plead guilty or were found guilty in cases classified by the U.S. Attorneys' offices under the Domestic Terrorism program category or the International Terrorism program category. The data therefore, do not include terrorists convicted through other types of charges. Also, at the inception of an investigation, the original classification by investigative agencies may differ from the designation that occurs at the U.S. Attorney's office.

FY 2002/2003 Performance Plan Evaluation:

In accordance with Department guidance, targeted levels of performance are not projected for this indicator.

Public Benefit: The Department's ability to prosecute terrorist cases serves as both a necessary outcome to fruitful investigations and as a deterrent to future acts of terror.

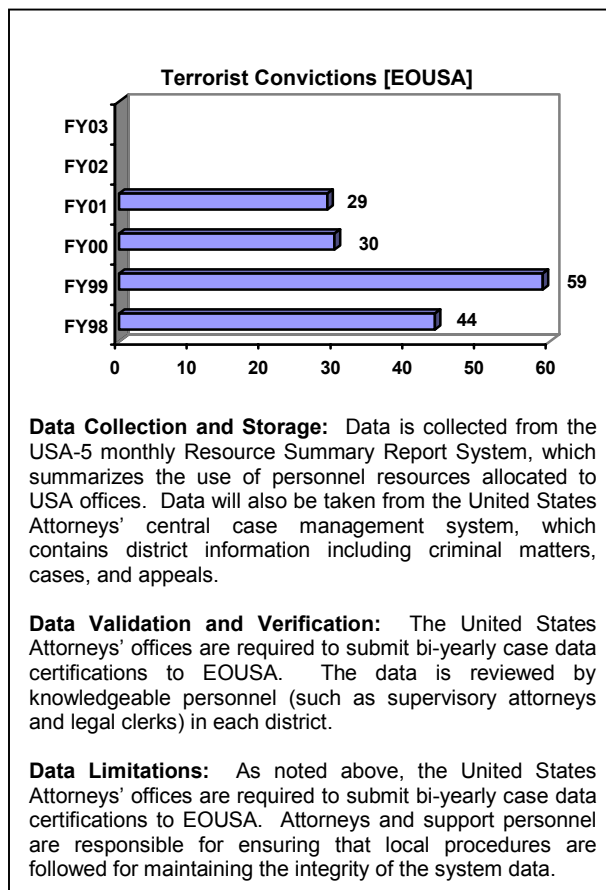
Strategies to Achieve the FY 2003 Goal:

FBI will continue to attack terrorism by investigating those persons and countries that finance terrorist acts. FBI will aggressively use the money laundering and asset forfeiture statutes to locate and disrupt the financial sources of terrorist organizations. FBI will also work to effectively and efficiently utilize the tools authorized by Congress in the USA PATRIOT Act of 2001. While the ultimate goal is to prevent a terrorist act before it occurs, the FBI must be able to respond should an act occur. FBI's efforts in this area include improved information gathering and sharing, improved analytical capabilities, and enhanced training and liaison.

INS will contribute to the counterterrorism effort by cooperating with other Federal law enforcement and intelligence agencies to conduct investigations of foreign threats to the national security, placing particular emphasis on disrupting and dismantling terrorist cells and supporters in the U.S. INS intelligence personnel will collect, identify, and disseminate investigative leads. The Intelligence Program will provide direct support to anti-terrorism operations through an internal Intelligence Operational Support Unit committed to supporting the National Security Unit.

The U.S. Attorneys, along with the Criminal Division, will utilize the recently enacted USA PATRIOT Act as a new and vital weapon in the war against terrorism. Under the new law, prosecutors and law enforcement officers may now share grand jury and wiretap information regarding foreign intelligence with a wide range of federal personnel, including State Department officials, including those responsible for issuing visas, and members of the intelligence and national defense communities. In addition, we will target and prosecute cases developed by the Terrorist Financing Task Force and the Financial Review Group.

In addition, the INS Legal Proceedings Program works in partnership with U.S. Attorney's Offices to increase the number of criminal prosecutions in cases where repeat immigration violators are apprehended. Where feasible, INS will participate in the criminal prosecution process and assist in training federal prosecutors on how to use expedited means of removal such as stipulated judicial removal, administrative removal, smuggling, trafficking, document fraud, and benefits fraud.



Crosscutting Activities:

DOJ coordinates with other Executive Branch partners. These include the Central Intelligence Agency (CIA), DOD, the Departments of State and the Treasury, Department of Transportation (DOT), Federal Emergency Management Agency, National Security Agency (NSA), the Department of Energy (DOE), Environmental Protection Agency (EPA), the Department of Commerce, and the Department of Agriculture. The National Defense Authorization Act of 1996 provided funding and a training mandate to assist state and local authorities in the proper response to a terrorist incident. The DOJ participates with DOD, the Department of Energy, and EPA in the development and delivery of this training.

INS cooperates with federal, state, and local law enforcement organizations, to create a secure and seamless border management system. The crosscutting activities required for this effort are extensive and are discussed in detail in Strategic Goal 5.1 Secure America's borders.

II

STRATEGIC GOAL TWO: Enforce Federal Criminal Laws

At the heart of the Department of Justice's (DOJ) mission is our responsibility to enforce the Nation's federal laws through the investigation and prosecution of criminal offenses. The array of areas for which we are responsible are diverse and challenging, including: terrorism, drug related crime, violent crimes, firearms offenses, white-collar crime, child exploitation, cybercrime, and public corruption.

Adding to this challenge is the complexity of the American criminal justice system. The law enforcement responsibility in the United States is shared and addressed cooperatively among DOJ organizations, and other federal, tribal, state, and local agencies. Several DOJ component organizations share primary responsibility for enforcing the Nation's criminal laws. In addition, the increased globalization of crime requires the Department to strengthen cooperation with international law enforcement organizations.

The Federal Bureau of Investigation (FBI) has responsibility to investigate over 200 categories of federal crimes, and monitor activities that threaten the Nation's security. The FBI also provides law enforcement assistance and other specialized support when required.

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

The Immigration and Naturalization Service (INS) is charged with enforcing the Nation's immigration laws. Although Strategic Goal Five focuses on DOJ's immigration efforts, the interrelationship between immigration issues and criminal offenses also makes INS an important contributor to the fight against violent crime, drug related crime, and terrorism.

The United States Attorneys (USA) and the Criminal Division (CRM) are also key players in these goals as they prosecute violators of federal criminal law, seek punishment of those guilty of unlawful behavior, and represent the United States in other specialized litigation. Both are committed to dismantle major drug organizations, target terrorist acts and violent crime, and prosecute high priority white-collar crime nationwide. The USA and CRM play key roles in providing leadership and direction to the combined federal, state, tribal, and local law enforcement effort.

In addition, the Antitrust (ATR), Civil (CIV), Civil Rights (CRT), Environment and Natural Resources (ENRD) and Tax (TAX) Divisions perform critical and specialized functions in prosecuting violators of the Nation's antitrust, consumer, civil rights, environmental, wildlife, and tax laws. The priority performance goals of these divisions are split between Strategic Goals Two and Four, as appropriate.

While we continue to focus on violent crime, white-collar crime, and illegal drugs, we must confront the sophistication of criminals that will challenge our ability to prevent and solve crimes, and bring criminals to justice. We will work aggressively to combat gun crimes. We will also face the complexities of fighting cybercrime and international crimes. We will confront these issues recognizing that the Department is a crime-fighting partner with other federal, state, tribal, and local agencies working strategically to define our roles and coordinate our efforts to ensure that our scarce resources provide maximum impact in our crime-fighting efforts.

MANAGEMENT CHALLENGES

There are no existing material weaknesses that will hinder the achievement of goals in this area in FY 2003. However, the management challenges Counterterrorism and Sharing of Intelligence and Law Enforcement Information (see Strategic Goal I), which the DOJ OIG included in its December 2001 list of top ten management challenges facing the Department, include performance measures found under this Strategic Goal. Also, the OIG issue Information Systems Planning and Implementation (see Strategic Goal VIII), includes prominent references to FBI systems.

Performance measures related to these management challenges are noted here and under Strategic Goals I and VIII.

PROGRAM EVALUATIONS

The FBI has in place a three-year schedule for conducting assessments of its programs, through the inspection process. Such assessments are designed to determine the program's overall effectiveness and efficiency. Inspections were conducted of the Office of the General Counsel, Laboratory Division, Training Division, Finance Division and Criminal Justice Information Services Division during FY 2001, as well as numerous field office operations. Detailed and extensive program evaluations of the Domestic Terrorism Program and the Criminal Informant Program-Field Management were concluded in FY 2001. These evaluations reviewed substantive policies and procedures to make a determination of the effectiveness and efficiency of the programs. Studies of Field Office Organizational Structure, Field Office Rapid Deployment Teams, National Infrastructure Protection and Computer Intrusion program, and the Technically Trained Agents program are ongoing and will be completed in FY 2002. In FY 2002, evaluations of the Organized Crime, Legal, Executive Development and Selection programs, Task Force Resources and Time Utilization Record-keeping (TURK) system will begin.

STRATEGIC OBJECTIVE 2.1: VIOLENT CRIME

Reduce the threat, incidence, and prevalence of violent crime, especially as it stems from illegal use of guns or from organized criminal enterprises.

Annual Goal 2.1: Reduce the threat, incidence, and prevalence of violent crime, especially as it stems from illegal use of guns or from organized criminal enterprises.

STRATEGIES

- ◆ Reduce violence stemming from the illegal use of guns in each of the 94 federal judicial districts.
- ◆ Target specific organized criminal enterprises to eliminate their power and influence in America.
- ◆ Target, investigate, and prosecute the most violent street gangs in our cities and communities.
- ◆ Provide operational enforcement assistance and training to tribal governments.
- ◆ Promote increased cooperation with foreign law enforcement authorities.

In FY 2002, DOJ's principal law enforcement investigative agencies will counter violent crime by emphasizing targeted enforcement strategies. The ultimate goal of the Department's organized crime program is to dismantle the most significant organized crime enterprises through investigation and prosecution. Our principal enforcement efforts are currently directed against: (1) the 21 most significant Russian/Eastern European/Eurasian criminal enterprises (more commonly referred to as the Russian Organized Crime) operating in the United States and elsewhere; and (2) approximately 25 Asian organized crime groups operating in the United States, including Chinese Triads, criminally influenced Tongs and various gangs. The transnational activities of these groups will

also be addressed to the extent that such activities impact domestically on the United States. A related goal is to undercut the strong financial underpinnings of these large criminal enterprises by placing renewed emphasis on efforts to prevent the laundering of their illegal proceeds and to forfeit their assets, thereby seeking to permanently cripple their operations.

The FY 2002 revised final performance plan also discusses the continued commitment of resources for international liaison and enforcement efforts. This will help counter the foreign-based aspect of emerging threats such as Russian, Eastern European, Asian, Italian, and other organized crime groups. The increasing international nexus of this new breed of criminal organization means that the corruption of key officials in major industries and the operation of large-scale money laundering schemes, through bank stock exchanges and commodities markets, can flourish without regard to national boundaries.

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

Efforts to curtail gang-related violence and the illegal use of firearms are other major features of this plan. In response to a surge in juvenile and gang-related violent crime between 1985 and 1995, the FBI developed its National Gang Strategy. As part of this gang strategy, federal law enforcement agents continue to form multi-agency task forces that include state and local police officers. Collectively, these teams are able to achieve results, which no agency could do on its own.

Similarly, the DEA will deploy its Mobile Enforcement Teams (MET) to help meet emerging drug crises in particular localities and in collaboration with the National Crime Prevention Council and the Bureau of Justice Assistance. DEA will continue to provide anti-drug training to community leaders following their MET deployment where appropriate. The training is a grass-roots effort to help communities plan, organize, implement and evaluate a prevention program. In addition, the National Drug Intelligence Center (NDIC) will update its National Street Gang

Survey Report, a key reference for enforcement agencies. At the district and headquarters levels, the EOUSA and CRM play a leadership role in developing and refining the Department's violent crime reduction strategies and increasing cooperation between state, local, and federal enforcement authorities.

Project Safe Neighborhoods is a comprehensive national strategy that will create local partnerships to effectively enforce existing gun laws. The strategy will provide more options to prosecutors, allowing them to utilize local, state, and federal laws to ensure that criminals who commit gun crime face tough sentences. Project Safe Neighborhoods gives each federal district the flexibility it needs to focus on individual challenges that a specific community faces.

Another on-going initiative will address the rising incidence of crimes against children, including abduction cases, sexual exploitation offenses, and the production of child pornography. DOJ's performance plan calls for multi-agency, multi-disciplinary teams to address these problems, including the growing use of the Internet and commercial on-line subscription services, to pursue related crimes.

The Department's plan for coordinating DOJ law enforcement activities includes strategies to ensure that the objectives of the Department's investigative agencies are fully coordinated and complementary, that intelligence is shared, and that administrative practices are consistent. The Department will develop and implement, under the guidance of each USA, a District Enforcement Strategy that targets both national and local priorities and identifies how all parts of the system can interact more effectively to meet the needs of justice. In addition, the Department will identify and coordinate cases in which a multi-district prosecution effort is needed.

MEANS – Annual Goal 2.1

Dollars/FTE*

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Criminal Division	246	29	273	34	282	36
FBI Construction	0	0	0	15	0	0
Federal Bureau of Investigation	10625	1365	10938	1698	11339	1929
Interpol	61	8	64	8	64	9
U.S. Attorneys	1502	227	1609	243	1625	259
Subtotal	12434	\$1629	12884	\$1998	13310	\$2233

* FBI resources displayed include resources for 2.3 Espionage to protect dissemination of classified information.

Skills

The Department requires skilled agents, attorneys, analysts, and linguists. Linguists are critical to supporting criminal and national security investigations and intelligence success. This goal requires the skills and abilities of experienced attorneys and law enforcement professionals.

Information Technology

FBI programs in this area are supported by: the Integrated Statistical Reporting and Analysis Application (ISRAA), a centralized database which tracks statistical case accomplishment from inception to closure; the Automated Case Support System (ACS), a database which captures all information pertaining to the administration of cases; and the Innocent Images National Initiative (IINI), a separate case management system. There are two primary DEA systems supporting efforts in this area: FIREBIRD, the primary office automation infrastructure that supports the full spectrum of DEA's global operations; and MERLIN, an advanced intelligence system designed to support the classified processing needs of Special Agents and Intelligence Research Specialists operating worldwide.

PERFORMANCE ASSESSMENT – Annual Goal 2.1

2.1A Dismantle Targeted Organized Crime Groups

Background/ Program Objectives:

The FBI, working closely with DOJ's prosecutors, will continue its intensive efforts against the threats of emerging Asian and Eurasian criminal enterprises. While crimes are combated as individual events by other programs, the Organized Crime Section, through the use of the RICO statute, targets the entire entity responsible for the crime problem, *the organization*. This is accomplished by charging the organization's members as a group with a wide range of crimes committed by its members, in violation of local, state, and federal laws.

Organized Criminal Enterprises are structured to ensure that their leadership is far removed from the criminal activity, making it very difficult to link overt crimes to the leaders of the organization. Moreover, even if key individuals are removed, the strength of these organizations often allows the enterprise to be sustained. This requires the FBI to develop strategies targeted primarily at dismantling the organization, as opposed to merely removing key individuals.

Performance:

Performance Measure: Dismantled Asian Criminal Enterprises (ACE) NOTE: Prior year actuals have been updated to reflect the most current and accurate data available.

FY 2001 Target: 12

FY 2001 Actual: 13

Discussion: The FBI's Asian Criminal Enterprise (ACE) subprogram aims to reduce the threat to society posed by ACEs through the use of sustained coordinated investigations utilizing innovative and sophisticated investigative techniques. FBI Special Agents utilize the Enterprise Theory of Investigation and the Racketeer Influenced and Corrupt Organizations statute from the U.S. Criminal Code to disrupt and dismantle these criminal enterprises in accordance with the FBI's Organized Crime Program strategic plan.

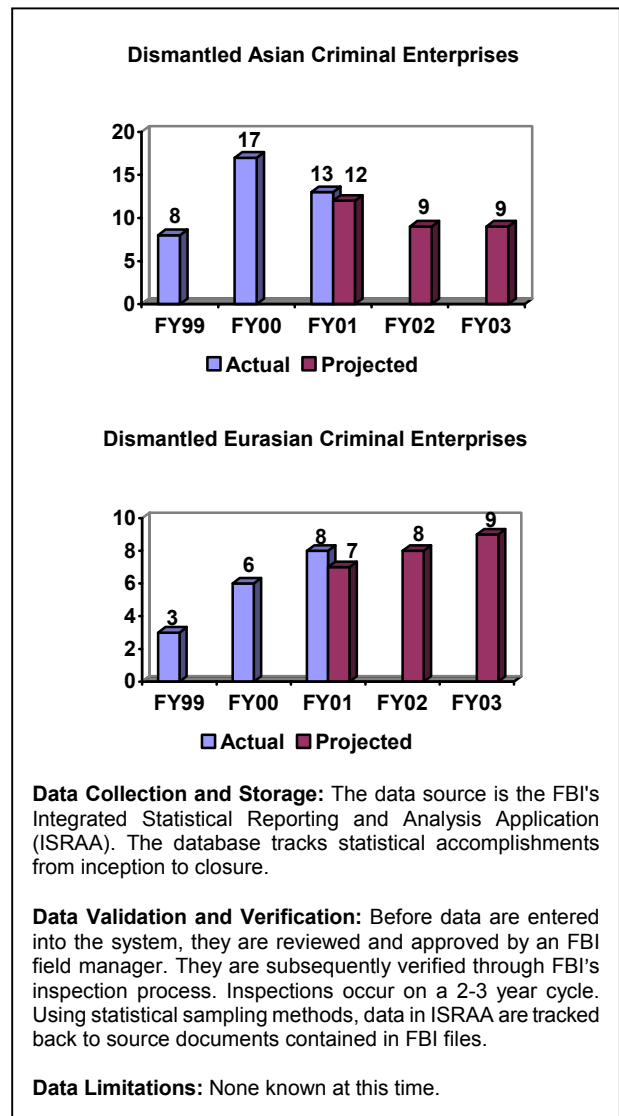
FY 2002 Performance Plan Evaluation: Based on resource constraints in FY 2001, we are decreasing the corresponding 2002 target from 12 to 9 Dismantled Asian Criminal Enterprises.

FY 2003 Performance Target: 9 Dismantled Asian Criminal Enterprises.

Public Benefit: ACEs impacting the U.S. are primarily ethnically organized groups from East and Southeast Asia. This includes criminal enterprises of Chinese, Korean, Japanese, Thai, Filipino, Cambodian, Laotian, and Vietnamese decent. Also, other ACEs are emerging as domestic and international threats to include groups from the South Pacific Island nations as well as groups from Southwest Asia such as Pakistan, India, Afghanistan, Nepal, and Iran. In the U.S., ACEs have been identified in more than 50 metropolitan areas.

Performance Measure: Dismantled Eurasian Criminal Enterprises (ECE)

FY 2001 Target: 7



FY 2001 Actual: 8

Discussion: Over the past decade, Eurasian Criminal Enterprise (ECE) groups in the U.S have maintained a high level of contact with criminal elements in their source regions of the former Soviet Union, Central and Eastern Europe, and the Middle East. Not only are ECE groups involved with traditional offenses commonly associated with organized crime, such as extortion, murder, prostitution, and drugs, they are also becoming increasingly more sophisticated in their domestic U.S. and worldwide criminal operations.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the FY 2002 target of 8 Dismantled Eurasian Criminal Enterprises.

FY 2003 Performance Target: 9 Dismantled Eurasian Criminal Enterprises.

Public Benefit: The U.S. and world-wide economic impact of Eurasian organized crime is estimated to be in the multi-billions. These economic factors combined with the potential political and national security implications, which have sprung from the destabilizing influence of Eurasian organized crime upon the former Soviet Union, pose a serious global threat. Collaborative efforts between agencies in the U.S. and with foreign countries have enabled the FBI to realize several major accomplishments towards dismantling ECE criminal activity within the U.S.

Strategies to Achieve the FY 2003 Goal:

Operation "Button Down" was initiated on 3/6/96 to provide a five-year, sustained and coordinated attack on the number one organized crime problem confronting American society, the La Cosa Nostra (LCN). At the outset of Operation "Button Down," the FBI identified active LCN families in more than 20 cities. After five years, criminally active LCN families operate in less than half of these cities. LCN influence on industries and within unions has also been significantly diminished. The momentum attained during the Button Down Initiative will continue under the umbrella of the Organized Crime Program Plan (OCP). This program will target not only the LCN, but also Italian Organized Crime, Eurasian Organized Crime, Asian Criminal Enterprises and African Criminal Enterprises. The OCP will focus on the most significant international Organized Criminal Enterprises affecting the United States through the development of an Organized Crime Target List.

ACE groups have a propensity for violence and are fluid and highly mobile in nature. These factors, coupled with language and cultural barriers, render local law enforcement officials efforts generally ineffective in addressing the ACE threat. ACE groups exhibit a range of criminal diversity, including robbery, extortion, sophisticated fraud schemes, home invasions, and drug trafficking. The transience of ACE members, and the inability to fully overcome language and cultural impediments have made the identification of the ACE members and criminal extensiveness difficult to discern. Into FY 2003, investigative efforts will concentrate on identifying the most significant groups, their leadership, full scope, and territory of their criminal activity. Additionally, efforts will focus on building confidence in the Asian-American community by establishing permanent presence, using agents that share language and cultural affinity, and successfully prosecuting violent offenders.

Eurasian Criminal Enterprise (ECE) groups are becoming increasingly more sophisticated in their domestic U.S. and worldwide criminal operations. This has become especially apparent in their international money laundering and bank fraud activity. ECE groups have purchased controlling interests in banks and other financial institutions and have skillfully utilized these assets to hide or transfer the proceeds of their various criminal enterprises. These factors, combined with their characteristic transnational mobility, have enabled ECE groups to expand and diversify their criminal enterprises at a pace which exceeds that of traditional LCN groups. As such, FBI strategy must rely upon an integrative investigative approach, which utilizes the entire range of investigative techniques and programs that are presently available.

Crosscutting Activities:

The FBI, U.S. Attorneys and the Criminal Division continue to work together in dismantling traditional organized crime groups and to ensure that a new generation of criminal enterprises do not emerge utilizing more advanced technology and new crime schemes. Law enforcement personnel from DOJ and other federal agencies including: the Bureau of Alcohol, Tobacco and Firearms (ATF); DEA; FBI; the Internal Revenue Service (IRS); the United States Coast Guard (USCG), the United States Customs Service (USCS); and the United States Marshals Service (USMS), combine their expertise and resources with state and local investigators to meet these objectives.

2.1 B Reduce the Number of Targeted Gangs

Background/ Program Objectives:

The mission of the FBI's Violent Crimes and Major Offenders Program is to reduce the incidence and impact of crimes of violence and of crimes against property that affect individuals, organizations, and communities. Consistent with the FBI's Strategic Plan, the Program's mission involves the proactive identification, disruption and dismantlement of criminal enterprises, as well as the swift, efficient and measured response to serious violent criminal acts, which implicate core FBI jurisdiction, responsibilities, and competencies.

Research shows that victimization costs \$105 billion annually in property and productivity losses and for medical expenses. This amounts to an annual "crime tax" of roughly \$425 for each United States citizen. From the business owner who must pay "protection" money to neighborhood gangs; to families who live like hostages within their own homes, afraid to venture out; to the residents of Indian Country - the harmful impact of violent crime on actual victims and on society collectively is both psychologically and physically debilitating.

Performance:

Performance Measure: # Dismantled of the 30 Gangs Targeted by the FBI as the Most Dangerous NOTE:

Prior year actuals have been updated to reflect the most current and accurate data available.

FY 2001 Target: 3

FY 2001 Actual: 4

Discussion: The FBI strives to reduce the level of violent crime by dismantling gangs identified as being the most dangerous. The FBI maintains a "Top 30" list of these gangs each year, selected based upon the extent to which each gang's activity is multi-jurisdictional, violent, having a deleterious effect on the community, and affiliated with a group identified in the FBI's National Gang Strategy. The FBI's objective is to dismantle 15 gangs that appear on this list over a five-year period (an average of 3 per year). Thus far, the FBI has been successful in meeting this objective.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001 we expect to meet FY 2002 target of 3 gangs dismantled.

FY 2003 Performance Target: 3

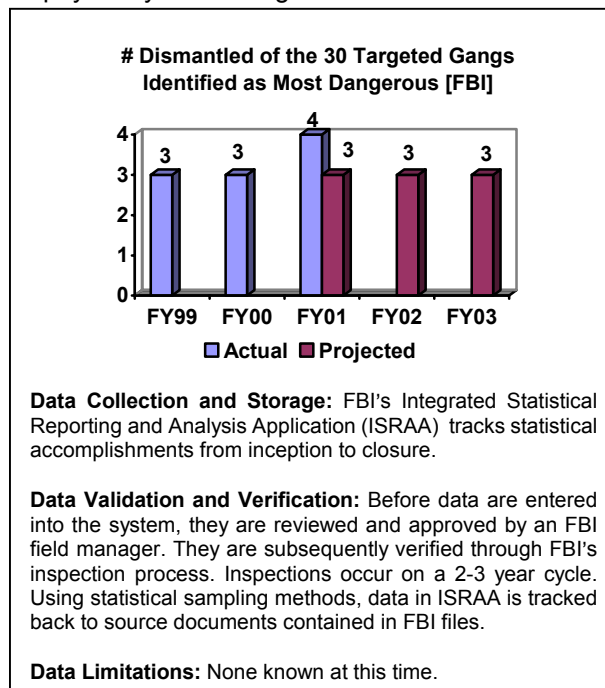
Public Benefit: Despite the general decline in violent criminal activity, gangs are still a threat to the Nation. The gangs that are emerging are older, more experienced, hardened criminals that engage in a myriad of violent activities as well as thefts of cargo, motor vehicles, and high tech goods.

Strategies to Achieve the FY 2003 Goal:

In FY 2003, DOJ will target and respond to particular local crime problems involving violence and gang activity, including drug-related crimes. To achieve this, DOJ will strive to reduce the level of violent crime by taking violent criminals and gangs off our streets through cooperative enforcement efforts with state and local law enforcement programs such as FBI's Safe Streets Task Forces and DEA's Mobile Enforcement Teams (MET). We will do this by dismantling 15 of the most dangerous gangs over a five-year period. Cases will be selected based upon the multi-jurisdictional nature, violent activity, affiliation with a group identified in the National Gang Strategy, and /or degree of deleterious effect on the community. These cases are identified at the beginning of each fiscal year and always consist of the 30 most dangerous gangs fitting the criteria above. As cases and investigations are closed, new gangs meeting the established criteria are rotated in to maintain a base of 30.

Crosscutting Activities:

The FBI, USNCB, DEA, USMS, U.S. Attorneys and the Criminal Division work with state and local law enforcement agencies through the department's Anti-Violent Crime Initiative to reduce the level of violent crime associated with these targeted gangs.



2.1C Implement Gun Violence Reduction Strategies

Background/ Program Objectives:

The Brady Handgun Violence Protection Act requires Federal Firearm Licensees (FFL) to request background checks on individuals attempting to purchase a firearm or transfer ownership. The Act also required the establishment of a National Instant Criminal Background Check System (NICS) that any FFL may contact by telephone, or other electronic means, for information to be supplied immediately, on whether the receipt of a firearm by a perspective transferee would violate federal or state law.

Project Safe Neighborhoods is a comprehensive national strategy that will create local partnerships to effectively enforce existing gun laws. The strategy will provide more options to prosecutors, allowing them to utilize local, state, and federal laws to ensure that criminals who commit gun crime face tough sentences. Project Safe Neighborhoods gives each federal district the flexibility it needs to focus on individual challenges that a specific community faces. Currently each district is developing a strategic plan using crime data to target reduction in local gun crime and will report on their effectiveness in reaching their targets every six months.

Performance:

Performance Measure: Persons with Criminal Backgrounds Prevented From Purchasing Firearms

FY 2001 Target: 81,652

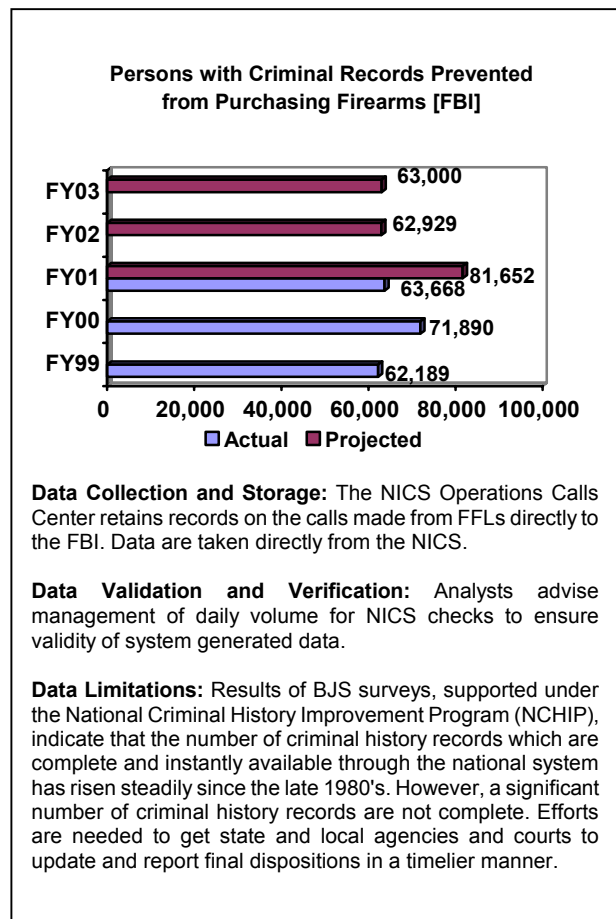
FY 2001 Actual: 63,668

Discussion: The FY 2001 target was not met due to the fact that the projections were too high. The number of NICS checks is driven by market demand for firearms. The number of denied persons depends upon whether prohibited persons, who have records accessible to NICS, attempt to purchase a firearm.

FY 2002 Performance Plan Evaluation: Based on FY 2001 performance, we are adjusting our original FY 2002 projection of 82,510 to 62,929 persons with criminal background prevented from purchasing firearms. Previously reported targets were based on the assumption that all states and territories would be full participants in the program. The FBI NICS processes all of the checks for 29 states/territories.

FY 2003 Performance Target: 63,000

Public Benefit: NICS is an important tool that allows DOJ to prevent firearms from falling into the wrong hands. NICS goal is to "Reduce criminal activity by providing data on individuals who are prohibited from purchasing a firearm to FFLs in a timely manner". Potential firearms purchasers who have a criminal history or other background rendering them ineligible are blocked at the point of sale. Since its inception in November 1998, NICS has completed 13,596,770 inquiries and blocked 221,144 gun sales to ineligible persons.



Strategies to Achieve the FY 2003 Goal:

The FBI's Interstate Identification Index facilitates interstate exchange of criminal history records for law enforcement and related purposes. This includes pre-sale firearm checks, as well as the collection and flagging of records of persons convicted of stalking and domestic violence, including persons subject to and/or convicted of violations of protective orders. In FY 2002, we will focus our efforts to reduce NICS transactions not complete within three business days and to implement a system to enable FFLs to conduct NICS background checks electronically.

Individual cities and states have begun to respond effectively to this epidemic of gun violence. Model firearm programs such as Project Exile in Richmond, VA, and Operation Ceasefire in Boston, MA have achieved success

and are currently being duplicated around the country. It is this Administration's task to expand upon these successes by giving all new USAs a mandate and a framework for creating an effective gun violence reduction program. Through this framework, we will build a lasting coalition with our citizens—one that empowers them to be agents of change in their own communities. Under Project Safe Neighborhoods, U.S. Attorneys appointed by President Bush will implement a gun violence reduction strategy based on five key elements:

- 1) Partnership: U.S. Attorneys will partner with federal, state, and local law enforcement agencies within their district to coordinate community programs that are already underway and review and prepare gun cases for prosecution in the most appropriate forum.
- 2) Strategic Planning: U.S. Attorneys will develop a plan to prosecute violent gun offenders and intensify federal gun law enforcement using state-of-the-art technology and intelligence gathering techniques such as crime mapping, tracing of seized guns, and ballistic technology to help connect bullets and casings to the guns that fired them.
- 3) Training: U.S. Attorneys will emphasize training on current trends, effective gun violence reduction efforts and firearms laws. Federal prosecutors and agents will be trained with local prosecutors and law enforcement in order to promote better collaboration.
- 4) Effective Outreach: U.S. Attorneys will work with local communities to increase awareness of Project Safe Neighborhoods, promote community involvement and send a deterrent message.
- 5) Accountability: Project Safe Neighborhoods will measure the impact that this renewed effort is having on reducing crime and the long-term effect that this program is having rather than arrests, prosecutions and convictions.

Crosscutting Activities:

The NICS is a partnership between the FBI, ATF, and other federal, state, and local agencies. Federal and state agencies contribute records for inclusion in the system. The Office of Justice Program's National Criminal History Improvement Program also involves interaction between the FBI and state and local law enforcement officials.

2.1D Increase Cooperation with Foreign Law Enforcement

Background/ Program Objectives:

International law enforcement cooperation is critical to addressing the dramatic growth in the scope of transnational crime such as terrorism, narcotics trafficking, money laundering, fraud, and cybercrime and the immediate threat it poses to the United States and the global community. The Department is increasing its emphasis on cooperation with foreign law enforcement and criminal justice officials to make it easier to obtain and provide information and evidence needed to pursue cases against transnational criminals. Working jointly with foreign counterparts is a realistic way to achieve the goals of dismantling international criminal organizations, locating fugitives, and establishing mutually recognized processes for ensuring criminals are brought to justice primarily through the extradition process coordinated and supervised by Criminal Division's Office of International Affairs (OIA).

OIA is the Central Authority for the United States under 40 Mutual Legal Assistance Treaties (MLATs) in force and a number of multilateral conventions. As such, OIA makes and receives all MLAT requests, and is responsible for the drafting by federal, state, or local prosecutors, of requests for bank records or other evidence abroad. OIA insures that the requests are presented to the proper foreign Central Authority, and presses for the execution of the request in a timely manner. OIA also coordinates the execution in the U.S. of requests from foreign countries under the MLATs.

Performance:

Performance Measure: Number of New Treaties with Other Countries Entering Into Force

FY 2001 Target:

8 (4 extradition treaties and 4 MLATs)

FY 2001 Actual:

11 (5 extradition treaties and 6 MLATs)

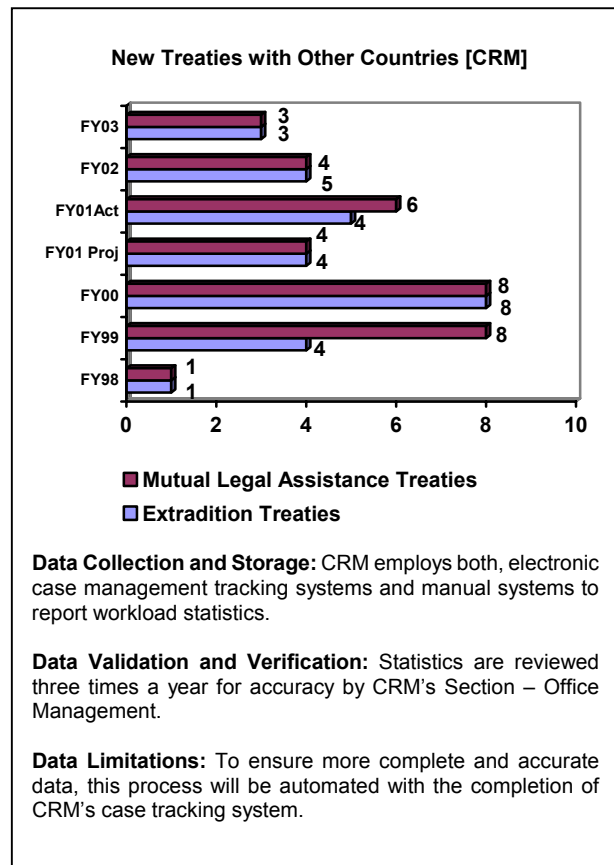
Discussion: Using an expanded network of law enforcement treaties and conventions, the Department was able to make notable progress in the international arena. For instance, almost 100 fugitives were returned by the U.S. to other countries; and over 175 individuals were surrendered to the U.S. through the extradition process; including accused murderer Ira Einhorn and Mexican narcotics trafficker Arturo "Kitti" Paez.

During FY 2001, four new extradition treaties with Paraguay, South Africa, Belize, and Sri Lanka, entered into force, as well as a temporary surrender protocol to the U.S.-Mexico treaty. During the same time period, five new MLATs (with Brazil, Estonia, Luxembourg, Ukraine, and South Africa) became operational, and the U.S. became a party to OAS MLAT. Moreover, an extradition treaty with Peru, a temporary surrender protocol to the U.S.-Canada treaty, and an MLAT with Ireland were signed in FY 2001, as were the COE Corruption Convention, and the U.N. Organized Crime Convention. Finally, negotiations on bilateral law enforcement treaties or protocols with twelve other countries under a number of multilateral conventions were underway or scheduled at the beginning of FY 2002.

FY 2002 Performance Plan Evaluation: The Department has negotiated as many new treaties as are currently needed and are increasing the number of consultations and implementations talks with existing treaties partners. Based on this, the FY 2002 targets of 8 MLATs and 5 Extradition Treaties has been decreased to 4 extradition treaties and 4 MLATs.

FY 2003 Performance Target: 3 extradition and 3 MLATs

Public Benefit: Office of International Affairs serves as the law enforcement community's sole coordinator for all requests for international extradition. OIA has been able to use the MLATs to secure critical evidence in major fraud, terrorism, and computer crime cases. Also OIA, working with the Asset Forfeiture and Money Laundering Section, has employed the MLATs to freeze hundreds of millions of dollars in narcotics proceeds in a



variety of foreign countries, and to arrange for a large portion of that money to be returned to the United States for forfeiture.

Strategies to Achieve the FY 2003 Goal:

The Department, in conjunction with the State Department, will pursue bilateral and multilateral agreements to modernize international procedures in the area of extradition and mutual legal assistance, and will work to implement existing and new agreements/arrangements, including international terrorism conventions. DOJ will enlist the active cooperation of foreign law enforcement authorities active in the prosecution of international crime, including investigations and prosecutions of those responsible for fraud, computer, and intellectual property crime, and will move forward with the implementation of Plan Colombia and the Joint Case initiative. The Department's Criminal Division will also work with its counterparts in other countries to pursue investigations and prosecutions of terrorists, to dismantle the financial underpinnings of terrorism, and to achieve the adoption and implementation of the full range of international terrorism conventions.

The Department will also continue to move forward in its efforts to stop the flow of illicit profits to the criminal community through its international, litigation, litigation support and training efforts.

Crosscutting Activities:

DOJ works closely with the State Department in negotiating law enforcement related treaties and agreements and pursuing the extradition process. DOJ also deals with Treasury in international money laundering matters and with the Office of National Drug Control Policy in the development of strategies for domestic and transnational drug trafficking.

STRATEGIC OBJECTIVE 2.2: DRUGS

Reduce the threat, trafficking, and related violence of illegal drugs by identifying, disrupting and dismantling drug trafficking organizations

Annual Goal 2.2: Reduce the threat, trafficking, and related violence of illegal drugs by identifying, disrupting and dismantling drug trafficking organizations

STRATEGIES

- ◆ Coordinate domestic and foreign strategic intelligence information from all sources, including the law enforcement agencies, intelligence community, and financial databases.
- ◆ Target drug traffickers and their organizations through OCDETF 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 out of the United States.
- ◆ Develop and implement district enforcement strategy under the guidance of each U.S. Attorney.
- ◆ Reduce the domestic production of illegal drugs and the illegal diversion of precursor and essential chemicals.
- ◆ Support international cooperative efforts to investigate and prosecute major drug trafficking organizations and bilateral and multilateral initiatives to mobilize international efforts against illegal drug activities.

America faces many challenges today from drug trafficking. Illegal drug use weakens our society; violent drug trafficking groups erode the quality of life in our communities; and drug trafficking provides some terrorist groups a steady source of income to finance their operations. The ultimate goal of law enforcement efforts is reducing the availability of illicit drugs in the U.S. in order to be effective.

The DOJ FY 2002 Performance Plan supports the President's Anti-Drug Abuse Policy and is consistent with the general guidance of the Office of National Drug Control Policy (ONDCP) and the Department's Drug Control Strategic Plan. These plans articulate that our primary investigative and prosecutorial objective is to curtail the availability of illegal drugs through the disruption and dismantlement of drug trafficking organizations, forfeiting illegal proceeds and their economic

foundations at the national and international levels.

The Department will continue its leadership role in supporting the intelligence needs of the law enforcement agencies. In FY 2002, the Department will strengthen its efforts to disrupt and dismantle drug trafficking organizations by continuing to strengthen the analytical capacity of each investigative agency and the Special Operations Division (SOD). The Department, working with ONDCP and the Intelligence Community, will continue to actively support the work of the National Drug Intelligence Center (NDIC), the El Paso Intelligence Center (EPIC), and the Financial Crimes Intelligence Center (FinCen).

The Department will strengthen its programs to target drug smuggling organizations which traffic across the southern borders, and from Europe and Asia. Since September 11, 2001, the Department has also strengthened its programs, that focus on targeting drug organizations that use the northern border as their transit zone for drugs and drug proceeds. All of these programs link federal, state and local investigations domestically and mobilize multilateral enforcement efforts abroad.

MEANS – Annual Goal 2.2

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2002 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Asset Forfeiture Fund	0	21	0	23	0	23
Criminal Division	212	29	226	30	231	31
DEA	8092	1412	8567	1482	8708	1546
Diversion Control Fee	595	77	656	86	722	114
FBI Construction	0	0	0	5	0	0
FBI	3379	328	3293	389	3299	390
Interagency Crime & Drug Enforcement	[2919]	329	[2919]	339	[2952]	362
National Drug Intelligence Center	206	34	322	43	322	34
U.S. Attorneys	2757	281	2923	296	2942	316
Subtotal	15241	\$2513	15987	\$2692	16224	\$2816

Skills

Experienced prosecutors, agents, investigators, intelligence analysts, and linguists are critical to supporting Major Drug Trafficking Organization investigations. In addition, DEA must have skilled Special Agents, Diversion Investigators, and forensic chemists. The majority of positions require analysis and writing skills.

Information Technology

There are two primary DEA systems supporting efforts in this area. FIREBIRD, the primary office automation infrastructure that supports the full spectrum of DEA's global operations and MERLIN, an advanced intelligence system designed to support the classified processing needs of Special Agents and Intelligence Research specialists operating worldwide. In addition, DEA has developed the Priority Target Activity and Resource Reporting System (PTARRS), a subordinate automated system specifically to link the resources applied and the results achieved against priority targeted organizations. The Criminal Division's Executive Office for the Organized Crime Drug Enforcement Task Forces (OCDETF) maintains a management information database system that captures information on investigations and prosecutions. FBI programs in this area are supported by ISRAA, a centralized database which tracks statistical cases accomplishment from inception to closure; and ACS, a database that captures all information pertaining to administration of cases.

PERFORMANCE ASSESSMENT – Annual Goal 2.2

2.2A Reduction in the Supply and Use of Drugs within in the U.S

Background/ Program Objectives:

To reduce the availability of drugs and thereby reduce drug usage, the Department of Justice relies on targeting our largest drug supply networks and dismantling their entire infrastructure, from international supply, through national transportation cells, to regional and local distribution organizations. The OCDETF program, with its coordinated, multi-agency, multi-district investigations, will be the primary mechanism for implementing this strategy. The Attorney General directed the nine OCDETF regions across the country to formulate strategic plans targeting the most serious drug threat in each region. These plans will be implemented with field-driven investigations coordinated by the United States Attorneys. The goal of each investigation will be to make linkages to other related investigations nationwide in order to identify and dismantle the entire structure of the drug trafficking operation.

A major emphasis in these OCDETF investigations will be on dismantling the business side of drug trafficking organizations. As the Attorney General noted during a national conference in December 2001, “Sophisticated drug trafficking organizations mirror the Fortune 500. They have similar business structures, distribution systems, and profitability—laundering an estimated \$300 to \$500 billion dollars a year. Just as the Department seeks to dismantle terrorist operations by cutting off their access to money, so too must we combat the sophisticated financial infrastructure of drug trafficking operations.”

The Drug Enforcement Agency (DEA), in conjunction with Office of National Drug Control Policy (ONDCP) and an interagency group, is developing national estimates for the amount of cocaine, heroin, methamphetamine and marijuana available for consumption in the U.S. on a yearly basis. This is a very complex endeavor, largely due to data limitations. Although there are broad information gaps due to lack of pertinent data, and concerns regarding the validity of much of the data that are available, DEA will develop a baseline measurement for FY 2002 for each of these drugs. A baseline estimate will be developed for the amount of drugs available in the U.S. from other countries as well as those drugs produced domestically. Intelligence data from several sources, including but not limited to, the United Nations Office for Drug Control and Crime Prevention, ONDCP, National Drug Intelligence Center, and the Federal Wide Drug Seizure System will be considered. Second, a baseline estimate for the amount of illicit drugs consumed in the U.S. will be developed based on data from the Substance Abuse and Mental Health Services Administration; National Institute of Justice’s Arrestee Drug Abuse Monitoring Program; the ONDCP; and the National Institute for Drug Abuse Monitoring the Future Survey. As demand reduction efforts increase, consumption is expected to decrease, which will eventually result in a reduction in the availability of drugs in the U.S.

Performance:

Performance Measure: NEW MEASURE: Reduction in the Supply of Drugs Entering the U.S.

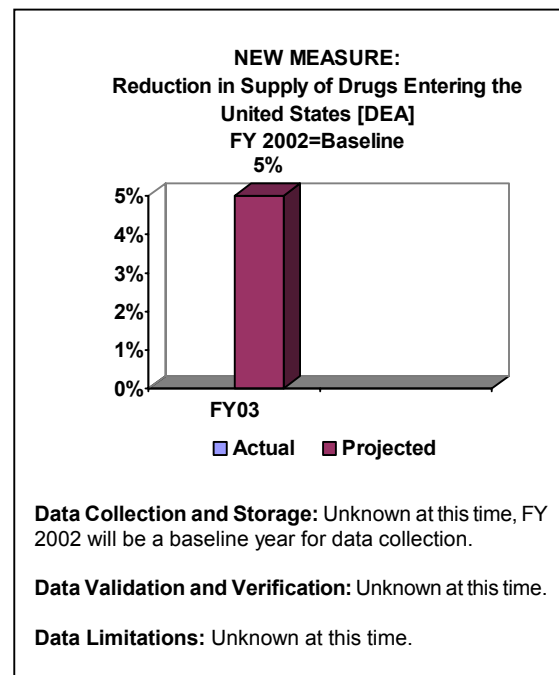
FY 2001 Target: N/A

FY 2001 Actual: N/A

FY 2002 Performance Plan Evaluation: During the FY 2002 baseline year, we will develop national baseline estimates for the amount of cocaine, heroin, methamphetamine, and marijuana is available for consumption in the U.S.

FY 2003 Performance Target: Reduce the supply of drugs entering the U.S. by 5%. (NOTE: This target may be modified subsequent to the development of a baseline in FY 2002.)

Public Benefit: A reduction in the availability of drugs entering the U.S. will strengthen our communities,



improve our economy, reduce violent crime and the profits of terrorist organizations

Strategies to Achieve the FY 2003 Goal:

All nine OCDETF geographic regions have completed their Strategic Plans. The Plans identify and target the most significant drug and money laundering organizations in each region. Regional priority target lists will become the focus of OCDETF work in the coming year, together with investigations focused on a joint national priority target list, encompassing the national priority targets of the FBI, DEA and others, which will be established by the OCDETF Executive Committee. Each region will then monitor their progress and modify their target list as some groups are dismantled and as intelligence identifies additional groups that should be the focus of OCDETF resources.

Crosscutting Activities:

Interagency cooperation is key to successful drug enforcement. Given the sophisticated, multi-jurisdictional nature of drug trafficking operations, controlled largely by criminal organizations in Colombia, Mexico and the Dominican Republic, the Department has developed a number of programs through which the investigators can coordinate the counter-narcotics investigations with international, federal, state and local counterparts. Among these are the following:

- SOD, a combined DEA, FBI, Criminal Division, IRS, USCS, and Department of Defense effort that supports ongoing investigations by producing detailed and comprehensive data analyses of the activities of PDTOs.
- OCDETF, is a long standing model of multi-agency, multi-jurisdictional drug enforcement cooperation. The OCDETF program joins federal, state and local law enforcement in coordination with the United States Attorneys, in a comprehensive attack against the most significant transnational and multi-district drug trafficking organizations.
- The Executive Office for OCDETF and HIDTA Director's Office work collaboratively towards the goal that HIDTA task forces are generating OCDETF quality investigations.
- DOJ and the Department of Transportation/U.S. Coast Guard work together to develop evidence to prosecute the maritime drug smuggling cases where U.S. forces have participated in the apprehension of the perpetrators.
- The NDIC assembles and synthesizes intelligence from federal, state, regional, and local law enforcement from the Intelligence Community to prepare a "National Drug Threat Assessment."
- EPIC, a national multi-agency intelligence center, acts as a clearinghouse for tactical drug related intelligence to support law enforcement at the federal, state, local and international levels.

Additionally, DEA is working with the following sources to gather data on the availability of drugs in the U.S.: United Nations Office for Drug Control and Crime Prevention, ONDCP, State Department's International Narcotics Control Strategy Report, National Drug Intelligence Center, El Paso Intelligence Center, CIA's Crime and Narcotics Center, Defense Intelligence Agency, DEA's Intelligence Division, Federal Wide Drug Seizure System, Domestic Cannabis Eradication Program, and State and local law enforcement agencies.

2.2B Disrupt and Dismantle Major Drug Trafficking Criminal Enterprises

Each DEA field division nominates drug trafficking organizations that are operating in its area of responsibility for priority targeted drug trafficking organizations (PDTO) status, through each annual Field Management Plan. Using its PRIDE system, DEA approves and categorizes the nominated targets as priority International, National/Regional, and Local Targets, and the DEA Special Agents in Charge (SACs) work as members of their OCDETF Regional Advisory Councils in formulating strategic objectives and targets for their Regions. The ultimate goal at the national and local levels is to dismantle the criminal organization by putting it out of existence or breaking it up to the extent that reconstruction of the same criminal organization is impossible. The U.S. Attorneys, Criminal Division, FBI, USMS, INS, and other federal, state, and local law enforcement entities also participate by using a wide range of capabilities in partnership with DEA to disrupt and dismantle the highest level of drug trafficking organizations and those with an identified local impact.

Through intelligence-driven investigations, DEA will: identify and target the national/regional organization most responsible for the domestic distribution and manufacture of drugs; and systematically dismantle the targeted organization by arresting/convicting the leaders and facilitators, seizing and forfeiting their assets and destroying their command and control, transportation, distribution, and financial networks. Measurements of effectiveness/outcomes will be: (1) the number/percentage of disrupted national/regional target organizations; (2) the number/percentage of dismantled domestic target affiliates; (3) the collapse or disruption of identified drug organizations that threaten the Nation as signaled by changes in organization leadership, trafficking patterns, drug production methods or violence within and between organizations; (4) the number and percentage of dismantled local organizations resulting from joint DEA/state and local efforts; and (5) the number of significant money laundering organizations disrupted or dismantled.

Information will be collected including, but not limited to, the following evaluative factors, which will allow DEA to assess the qualitative impact of each disruption or dismantlement. Examples of such factors include: complexity of the targeted PDTO (e.g., length of existence of the PDTO, and/or inability of other agencies to disrupt or dismantle; linkage between this PDTO and other PDTOs; violence, particularly murders, involved); PDTO scope of influence (e.g., degree of control or influence the PDTO has in the area and/or degree of control the PDTO has over various aspects of drug trafficking); and impact of disruption or dismantlement (e.g., percentages of total members or leaders and cell heads on the organizational profile arrested/incarcerated; value of assets seized from asset profile; disruption or dismantlement of this PDTO led to further activity against other higher level PDTOs, or led to identification of additional PDTOs).

The principal objective of the FBI's Drug Program Plan is to focus limited counter-drug resources to target and dismantle the most significant Drug Trafficking Organizations (DTOs). The complete and permanent dismantlement of an organization is a very difficult, and in some cases, an improbable objective to achieve due to the national and international scope of the organizations and outside factors. Although the ultimate objective of FBI investigations is dismantlement; FBI acknowledges that the disruption of an organization is also a significant accomplishment. A key element of the FBI's Drug Program Plan is the identification of a National Priority Target List (NPTL) of international drug trafficking criminal enterprises that have the most adverse impact on U.S. national interests. The FY 2002 NPTL is composed of 11 drug trafficking criminal enterprises (CEs) (a combination of Mexican, Colombian, and Caribbean-based DTOs). Annual update of the NPTL incorporates input from the field divisions, Special Operations Division, DEA, U.S. Customs Service, Office of National Drug Control Policy, and other drug policy, intelligence and investigative organizations to ensure that DTOs have the greatest influence on drug trafficking in the U.S. are included on the NPTL. If an FBI investigation reveals that a DTO is linked to a criminal enterprise on the NPTL, the information concerning the linkage is submitted for review and validation.

Although the following performance measurement displays target out-year performance for both DEA and FBI, in FY 2002 and FY 2003 the Department will be transitioning to a single OCDETF list of drug trafficking organizations noting Departmental-crosscutting efforts in National Priority OCDETF cases.

Performance:

Performance Measure: MEASURE REFINED:
Dismantled/Disrupted Priority Drug Trafficking Organizations (PDTOs)

FY 2001 Target:

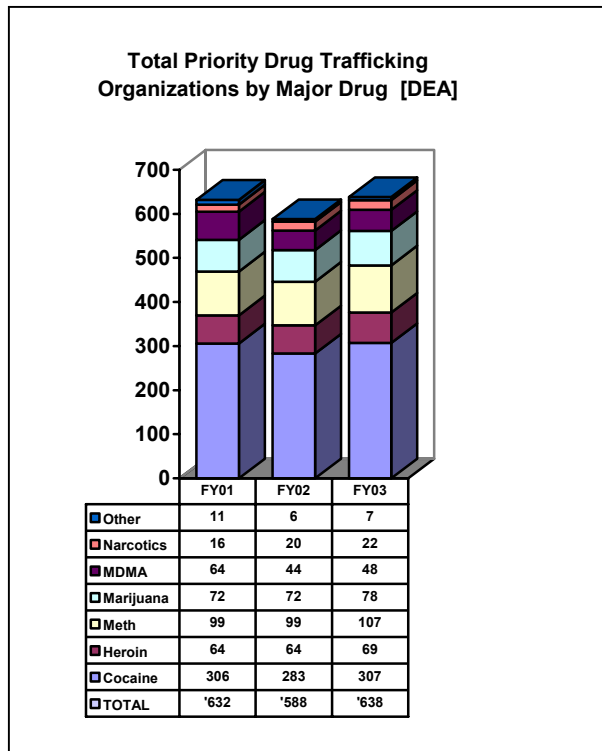
538 Targeted, 27 Disrupted/Dismantled (5% reduction)

FY 2001 Actual:

632 Targeted, 66 Disrupted/Dismantled (10% reduction)

Discussion: FY 2001 is the first year of data collection for this performance measure. During this baseline year, DEA exceeded its performance targets.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we are increasing the corresponding FY 2002 target of 5% (29 PDTOs) to 6% (35 PDTOs) Disrupted or Dismantled.

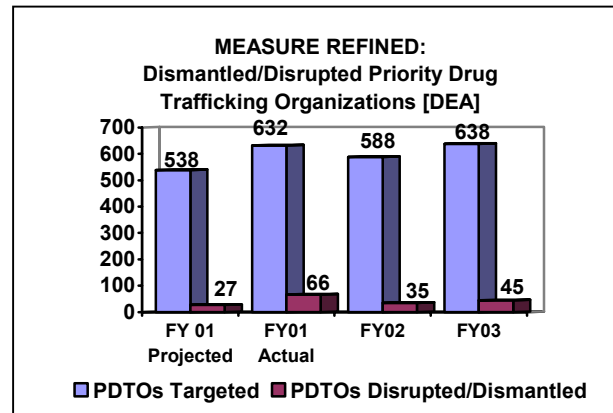


FY 2003 Performance Target: 7% (45 PDTOs)

Public Benefit: As these PDTOs are disrupted and dismantled, America's communities will become safer, due to less drug related violent crime. The expected long term benefit is that, as those arrested cooperate and identify their sources of supply, DEA will be able to identify, target, disrupt, and dismantle higher-level PDTOs (e.g., those operating out of Colombia and Mexico) that supply the drugs to the violent street trafficking organizations.

Performance Measure (left): Total Priority Drug Trafficking Organizations by Major Drug **NOTE: This graph displays the same data by major drug as displayed in the graph on the right by PDTO. FY 2001 Actual:** see previous chart

Discussion/ Public Benefit: see previous chart



PDTOs Targeted	FY 2001	FY2002	FY2003
International	234	240	260
National/Regional	264	234	254
Local	134	114	124
TOTAL	632	588	638
PDTOs Disrupted/ Dismantled	FY 2001	FY2002	FY2003
International	30	14	18
National/Regional	24	14	18
Local	12	7	9
TOTAL	66	35	45

Data Definition: Disruption occurs when the normal and effective operation of a specific enterprise of the targeted criminal organizations is impacted as a result of an affirmative law enforcement action. Indicators of disruption include changes in organizational leadership, trafficking patterns, drug production methods and violence within and between organizations. Dismantlement occurs when an identified organization is eviscerated and no longer capable of operating as a coordinated criminal enterprise. The organizations must be impacted to the extent that it is incapable of reforming.

Data Collection and Storage: Each Special Agent in Charge (SAC) nominates priority targets (based on intelligence information). Headquarters staff ensure targets are tracked and nominations are supported by data and information stored in the Priority Target Activity and Resource Reporting System (PTARRS).

Data Validation and Verification: Targets are validated by the Chief, Operations Division at DEA. Headquarters staff ensure the disruptions and dismantlements are supported.

Data Limitations: DEA is currently improving reporting systems that capture investigative work hours and cost data. DEA also recently initiated a Managerial Cost Accounting Study that will eventually allow the agency to capture actual full costs of investigating, disrupting, and dismantling PDTOs.

Performance Measure: Measure Refined: Dismantled Drug Trafficking Organizations [FBI] (Formerly U.S.-Based Drug Organizations Affiliated with the 13 National Priority Targets [NPTs])

FY 2001 Target:

DTOs linked to NPT CEs Identified: 225
 DTOs linked to NPT CEs Dismantled: 18
 Other DTOs not linked to NPT CEs Dismantled: N/A

FY 2001 Actual:

DTOs linked to NPT CEs Identified: 265
 DTOs linked to NPT CEs Dismantled: 14
 Other DTOs not linked to NPT CEs Dismantled: 166

Discussion: In FY 2001, the FBI exceeded its target of DTOs linked to National Priority Target Drug Trafficking Organizations. FBI was also successful in dismantling 166 other DTOs not linked to NPT CEs. FBI did not meet its target of dismantling 18 NPT DTOs due to other priorities. The FBI counter drug resources realized a reduction of 91 Special Agent positions, contributing to this performance result.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to investigate 250 DTOs linked to NPT Criminal Enterprises. The FBI also anticipates dismantling 13 DTOs linked to NPT Criminal Enterprises and 160 other significant drug trafficking Criminal Enterprises.

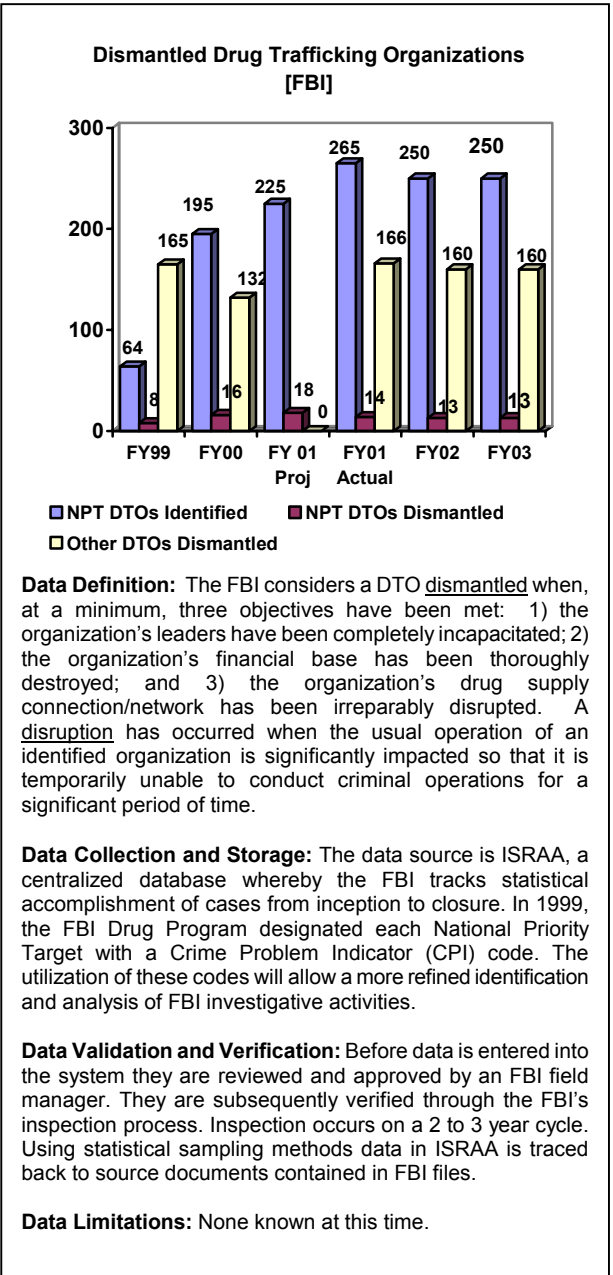
FY 2003 Performance Target: 250 DTOs linked to NPT Criminal Enterprises and the dismantlement of 13 DTOs linked to NPT criminal enterprises and 160 other significant drug trafficking organization Criminal Enterprises.

Public Benefit: In order to make the most progress with the resources available, the FBI concentrates counter-narcotics resources against Drug Trafficking Organizations (DTOs) with the most extensive drug networks in the United States. The FBI's focus on major national drug targets is characterized by long-term, comprehensive investigations that probe the full scope of these organizations and seek the dismantlement of their distribution networks.

Strategies to Achieve the FY 2003 Goal:

DEA has developed a strategy for identifying, targeting, and disrupting or dismantling the PDTOs that impact the United States. In this regard, DEA will identify and attack the command, control, and communications elements of PDTOs located internationally, along the border, and in major metropolitan areas. In furtherance of this objective, we have solicited the participation of other federal, State and Local agencies in DEA Task Forces to facilitate the exchange and analysis of drug-related intelligence. Task Force personnel also enhance our enforcement efforts by participating in Title III intercepts, surveillance, and the utilization of highly placed confidential sources and cooperating defendants.

The South American and Mexican organizations, often working in tandem, control the southern trafficking corridors. Most PDTOs import/distribute drugs and launder proceeds through associated trafficking groups. Higher level brokers, sources of supply, and facilitators may not touch their drugs, but can access the proceeds. In order to



dismantle PDTOs, all elements of the organizations must be targeted, including the transporters, the distributors, and the facilitators, and their financial networks.

- *Transportation* organizations are responsible for moving multi-ton quantities of cocaine and marijuana, and kilogram quantities of heroin and methamphetamine, from the Southwest border and the Caribbean corridor to cities throughout the United States. Although they are basically independent, they are associated with the major cartels and sources of supply in Mexico and Colombia. Major sources of supply rely on these transportation groups, which control all drug smuggling through their established corridors.
- Two types of *distribution* organizations are associated with the PDTOs that operate within the United States. Local distribution groups generally distribute varying amounts of drugs to consumers in local communities. Other groups receive large quantities of drugs that have been smuggled across the Southwest border; a portion of these shipments is distributed to local clients and the remainder is shipped to associate distributors in cities throughout the U.S.
- *Facilitators* provide various services, including *protection* (e.g., corrupt foreign government officials often provide these services to ensure the safe passage of drug loads through their areas of operation). *Owners of businesses or storage facilities* help conceal the illicit drugs/proceeds, and assist with a variety of trafficking activities. Groups or individuals provide *money-laundering services* or arrange for bulk shipments of cash from distributors to transporters and sources of supply, and *financiers* provide front money to PDTOs for the purchase and transportation of drugs.

The FBI directs its counter drug resources to investigate and prosecute illegal drug manufacturers and distributors, reduce drug related crime and violence, provide assistance to other law enforcement agencies, and strengthen international cooperation. FBI's principal targets are the National Priority Target Organizations (NPTO); however, if a link to the NPTO cannot be established, FBI Special Agents focus their efforts on the most significant drug trafficking criminal enterprises operating in the field office's territory.

Crosscutting Activities:

Please see Crosscutting Activities under 2.2A.

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STRATEGIC OBJECTIVE 2.3: ESPIONAGE

Combat espionage against the United States by strengthening counterintelligence capabilities

Annual Goal 2.3: Combat espionage against the United States by strengthening counterintelligence

STRATEGIES

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

DOJ's FY 2002 Performance Plan gives strong emphasis to programs designed to address U.S. national security. To combat foreign intelligence operations against U.S. interests, DOJ, through the FBI, will emphasize effective intelligence gathering and analytical capability to evaluate foreign intelligence threats. The FBI's counterintelligence program conducts, manages, and supports investigations which collect, analyze, and exploit intelligence in order to identify and neutralize the intelligence

activities of foreign powers and their agents that adversely affect U.S. national security or have a substantial economic impact on the nation.

The 1990's saw great changes in the global intelligence environment, patterned after the changes in the geopolitical environment. There has been an increase in the number of intelligence actors, both at the state and individual levels. To achieve their goals, foreign countries are engaged in long-term efforts designed to gain critical intelligence relating to sensitive U.S. information. Our adversaries will continuously strive to impede investigative operations, obtain sensitive information, initiate and implement reprisal actions against DOJ personnel or facilities, and take illegal advantage of any opportunity presented to them.

MEANS – Annual Goal 2.3

Dollars/FTE*

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
General Administration	31	8	56	9	66	11
Criminal Division	17	3	19	3	19	3
Subtotal	48	\$11	75	\$12	85	\$14

* FBI resources for this goal are reported under 2.1 Violent Crime to protect dissemination of classified information.

Skills

The accomplishment of this goal requires the skills of agents, attorneys, analysts and linguists.

Information Technology

FBI programs in this area are supported by: ACS, a database that captures all information pertaining to administration of cases; IIIA, a centralized database that tracks foreign activity; data collected through FBI's Foreign Intelligence Surveillance Act (FISA); and internal databases that support the National Infrastructure Protection Center (NIPC) which maintains key assets.

PERFORMANCE ASSESSMENT – Annual Goal 2.3

2.3A Identify, Prevent, and Defeat Foreign Intelligence Operations

Background/ Program Objectives:

Foreign intelligence operations directed against the United States reflect the complexity and fluidity of the new world order. While the national goals of any traditional rivals have changed, their capabilities and willingness to target traditional objectives, such as national defense information, plans and personnel, have not. At the same time, many of these rivals have increased their activities in other sectors affecting our national interests, such as in economic competitiveness, and now target U.S. interests in these areas. They join a formidable array of other foreign powers jockeying for economic or political preeminence whose success in these areas is dependent upon effective intelligence operations directed against the United States.

Foreign intelligence threats can never be eliminated given that their origin and impetus lie primarily with sovereign states. They are planned, authorized, and financed by government entities beyond our boundaries and the reach of our laws. Measures of success in these areas will gauge the FBI's capacity to detect potential hostile activities by foreign powers against the United States. In addition, the FBI will analyze its record at preventing and defeating these hostile activities in comparison to the best available estimates of the magnitude of foreign intelligence operations.

Performance:

Performance Measure: MEASURE REFINED: Defeat Intelligence Operations – Foreign Counterintelligence Convictions [FBI] NOTE: Prior year actuals have been updated to reflect the most current and accurate data available.

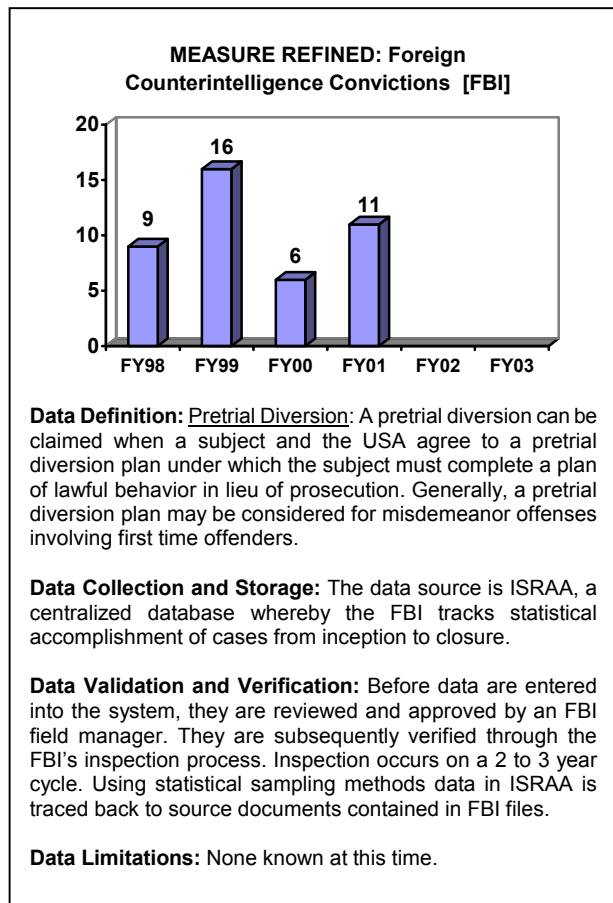
FY 2001 Target: N/A

FY 2001 Actual: 11

Discussion: The strategies in place regarding the FBI's Foreign Counterintelligence Program are well established and remain unchanged. However, the FBI's Security Countermeasures Program is conducting an in-depth assessment regarding the practices, procedures, and policies used by the FBI to ensure the trustworthiness of its personnel, contractors, information system, and facilities. In May 2001, a Federal Grand Jury returned an indictment charging former FBI agent Robert Philip Hanssen with one count of conspiracy to commit espionage, 20 counts of espionage, one count of attempted espionage, and seeking forfeiture of \$1.43 million that his handlers allegedly paid him. Hanssen engaged in espionage on behalf of the Soviet Union and Russia from October 1985 until February 2001. Hanssen pleaded guilty to 15 counts of espionage and conspiracy and agreed to provide full disclosure of his activities.

FY 2002/2003 Performance Plan Evaluation: In accordance with Department guidance, targeted levels of performance are not projected for this indicator.

Public Benefit: Foreign entities frequently attempt to collect sensitive economic intelligence to enhance their military capabilities, as well as their economic stability and competitiveness. Advanced critical or restricted US technologies, defense-related industries, and critical business trade secret information, remain the primary targets of the foreign economic espionage activities. Through the identification and neutralization of such activities,



the FBI has deterred foreign efforts to wrongfully obtain critical U.S. Government and private sector data, information and technologies that are critical to maintaining U.S. national security, and economic prosperity.

Strategies to Achieve the FY 2003 Goal:

In FY 2003, DOJ will continue to emphasize intelligence gathering of foreign power activities that pose a national security threat. The Department will also improve its analytical capability to evaluate both traditional and nontraditional threats and produce operational and strategic intelligence in support of the counterintelligence program. Intelligence information about the intentions, methods of operation and capabilities of many nontraditional threats will be developed, particularly those foreign powers conducting activities in areas that have not typically targeted.

The number of convictions indicates the number of individuals that DOJ has prevented from continuing hostile intelligence activities. This may serve as a deterrent to other individuals who may be susceptible to participating in foreign intelligence operations.

Crosscutting Activities:

Within the Department, the FBI, USA, Criminal Division and Office of Intelligence Policy and Review work together during the investigation phase and prosecution phases. In addition, DOJ continues to work with the intelligence community and with selected foreign governments to develop the internal and external relationships necessary to support investigations and prevention of intelligence threats and to generate information upon which analysis can be made. Coordination will facilitate long-range analysis of emerging threats.

STRATEGIC OBJECTIVE 2.4: WHITE COLLAR CRIME
Combat white collar and economic crime, especially cybercrime

Annual Goal 2.4: Combat white collar and economic crime, especially cybercrime

STRATEGIES

- ◆ Bolster the effectiveness of white collar crime investigations and prosecutions by strengthening coordination among domestic and international law enforcement agencies.
- ◆ Investigate and prosecute high-technology crimes.
- ◆ Increase the investigation and prosecution of public corruption as a means of deterring such behavior.
- ◆ Investigate, challenge, and prosecute international price fixing cartels.
- ◆ Investigate and prosecute environmental crimes.
- ◆ Identify, investigate, and prosecute tax fraud.

DOJ's FY 2003 plan for reducing white collar crime is based on the premise that a strong deterrent capability is required to prevent criminals from defrauding and thus weakening the Nation's industries and institutions. In monetary terms, the annual loss to American citizens and businesses is conservatively estimated in the billions of dollars.

The criminal threat originates from several sources and may have a variety of purposes and targets including: the health care field; public officials open to corruption; communications facilities; critical infrastructure; computers storing sensitive proprietary, financial and personal data; valuable intellectual properties; international commerce; and telemarketing, insurance, commodities, retirement system, and other businesses susceptible to fraud.

During FY 2003, the Department will devote considerable resources to countering white collar crime matters involving: health care fraud; financial institutions, telemarketing and other fraud; public corruption and government fraud; high technology crime; computer crime and the theft of intellectual property; and international price fixing cartels. Environmental and wildlife crime issues focus on the endangerment of the environment and public health, fraud in the environmental testing industry, smuggling and poaching of protected species, exploitation and abuse of marine resources through illegal commercial fishing, and related criminal activity.

Violations of the Internal Revenue Code drain the federal fisc and undermine public trust in the voluntary tax system. The Tax Division utilizes criminal prosecutions to ensure that the Nation's internal revenue laws are fairly and uniformly applied and the public complies with the Nation's tax laws. In this way our accomplishments contribute significantly and directly to efforts by the administration and the Congress to protect the federal fisc from intentional false tax returns and evasion schemes. For all stages of case investigation, review, litigation and appeals the Division's attorneys are guided by the principles of fair and uniform treatment for all categories of taxpayers.

MEANS – Annual Goal 2.4

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Antitrust Division	234	33	258	39	258	41
Criminal Division	228	38	248	40	258	42
Environment & Natural Resources Div.	56	5	61	5	61	5
FBI Construction	0	0	0	7	0	0
FBI Health Care Fraud	752	88	793	101	844	114
Federal Bureau of Investigation	4778	635	4942	703	4945	704
Tax Division	157	20	152	20	148	20
U.S. Attorneys	2710	392	2791	416	2816	445
Subtotal	8915	\$1210	9245	\$1331	9330	\$1370

Skills

Successful accomplishment of this goal requires highly skilled agents, analysts and engineers with sophisticated knowledge of computer technology and computer systems, as well as an array of highly complex software and hardware systems. The Antitrust Division requires experienced attorneys, economists, paralegals and support staff. Attorneys experienced in complex, international investigations are particularly valued. The Tax Division requires experienced trial and appellate attorneys and support staff. That Division also requires some specialized experience to include substantive tax issues and tax procedures; search warrants of computer stored financial data; sentencing guidelines in financial crimes; obtaining foreign evidence and information and knowledge about international agreements to achieve international tax compliance, such as tax treaties, mutual legal assistance treaties and extradition treaties. The Environment and Natural Resources Division (ENRD) requires attorneys, particularly litigators experienced in criminal and appellate law, in addition to experienced support staff.

Information Technology

FBI programs in this area are supported by: ISRAA, a centralized database which tracks statistical case accomplishment from inception to closure; and a centralized repository for internet fraud complaint data and analysis. The Antitrust Division relies upon its Matter Tracking System and companion user interfaces; office systems, including networks and infrastructure; litigation support tools and applications, including those for courtroom presentations; and data storage capacity related to all of these technologies. The Tax Division relies upon the Justice Consolidated Office Network system and recently implemented TaxDoc Case Management System. ENRD relies upon its Case Management System.

PERFORMANCE ASSESSMENT – Annual Goal 2.4

2.4A Reduce Fraudulent Practices in the Health Care Industry

Background/ Program Objectives:

The General Accounting Office (GAO), as well as industry experts, have generally estimated that more than \$100 million of annual health care costs may be attributable to fraud. According to the Centers for Medicare & Medicaid Services (CMS), formerly the Health Care Financing Administration (HCFA), spending for health care topped \$1.2 trillion in 1999. Public spending for health care services through the Medicare, Medicaid and all other government funded health care programs accounted for 45 percent of total health care spending in 1999. Annual growth in Medicare spending remains low, only 0.1 percent in 1998 and 1.0 percent in 1999, well below the average recorded for the 1993-1997 period of 9.2 percent. The dramatic two-year slowdown is attributed primarily to the effects of changing payment systems for home health care services and nursing homes, and continuing federal government efforts to detect and reduce fraud and abuse.

Fraudulent billing submitted to health care insurers and medically unnecessary services performed simply to generate billings are prevalent in every geographical area in the country. An increasing number of cases demonstrate that fraud exists on a national scale, through either corporate driven schemes to defraud or systemic abuse by certain provider types. Those that have shown to be particularly susceptible to fraud are home health care agencies, transport companies, suppliers of durable medical equipment and clinical laboratories. As the FBI has conducted one successful investigation after another, we have come to realize that the magnitude of the health care fraud problem may have been underestimated. An opportunity exists to become more proactive in our analysis of the health care fraud problem through analysis of health care billing data and the use of technology to combat fraud and abuse. Ideally, law enforcement and health care program agencies will then be able to not only identify systemic weaknesses in the system, but also to recommend changes to close loopholes before criminals take further advantage of them.

Performance:

Performance Measure: NEW MEASURE: Medicare Billings for Durable Medical Equipment Targeted for Fraud through FBI Investigations (in millions)

FY 2001 Target: N/A

FY 2001 Actual:

Diabetic Footwear \$73.1

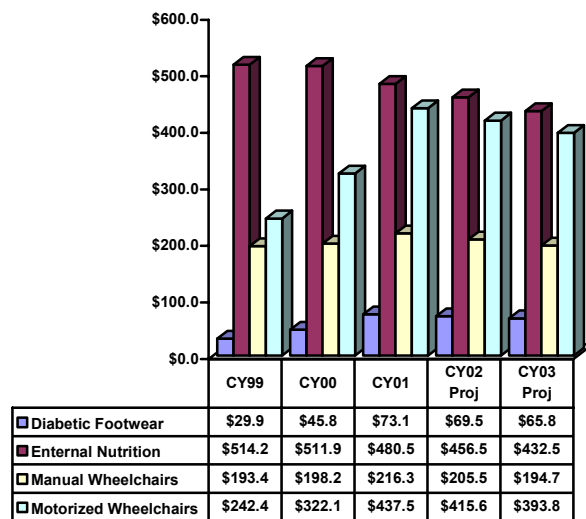
Enternal Nutrition \$480.5

Manual Wheelchairs \$216.3

Motorized Wheelchairs \$437.5

Discussion: In FY 2001, FBI health care fraud investigations focused on a high volume of egregiously fraudulent billings made to Medicare for specific durable medical equipment. As a result, FBI expects to see significant reductions in billings to Medicare for these goods over the next few years.

NEW MEASURE: Medicare Billings Targeted for Fraud (mil) [FBI]



Data Definition: Enternal Nutrition is defined as the provision of nutritional requirements through a tube into the stomach or small intestine.

Data Collection and Storage: Data are collected from databases maintained by regional carriers and stored by the Centers for Medicare and Medicaid Services (CMS). HCFA Customer Information System (HCIS) is the database for home health agency data. Durable medical equipment information is collected from the Part B Extract Summary System (BESS).

Data Validation and Verification: Validation and verification of the data are performed by regional carriers and by CMS.

Data Limitations: Claims data from CMS are proved on a calendar year basis. HCIS data are reported directly as extracted from the database. BESS data are adjusted and reflect 95% reporting of claims for 1999 and 2000, and 56% reporting of claims for FY 2001. The figures are adjusted based upon the estimate of claims received for the reporting period. Changes in Medicare payment system due to legislative or regulatory action are taken into account so that comparisons of data from previous years are reliable.

FY 2002 Performance Plan Evaluation: Based on information collected during FY 2001, FBI anticipates achieving the following targets Diabetic Footwear \$69.5; External Nutrition \$456.5; Manual Wheelchairs \$205.5; Motorized Wheelchairs \$415.6

FY 2003 Performance Plan Evaluation: Diabetic Footwear \$65.8; External Nutrition \$432.5; Manual Wheelchairs \$194.7; Motorized Wheelchairs \$393.8

Public Benefit: The FBI's Health Care Fraud initiative protects the nation's health care system in multiple ways. First, it directly impacts the current operating budget of the Medicare system by preventing criminals from cheating taxpayers for hundreds of millions of dollars. Second, well-publicized and high-impact cases act as a deterrent for future crimes by those sectors of the health care industry that previously believed their activities would go unnoticed. For example, in December 2000, DOJ announced that the Nation's largest health care company, HCA-The Health Care Company, had entered into a civil settlement agreement requiring it to pay \$745 million plus interest for its alleged false billing practices, and \$95 million in criminal fines. Over 35 Qui Tams were filed with allegations against HCA including: false cost reporting, kickbacks for patient referrals, upcoding and unbundling by HCA's laboratories, laboratory billings for services not doctor-ordered or medically necessary, and upcoding of certain diagnostic related groups. In addition to its fine, HCA pled guilty to criminal charges and closed two hospitals.

Strategies to Achieve the FY 2003 Goal:

In FY 2003, DOJ will continue to investigate, prosecute and obtain judgments, forfeitures and settlements against providers that defraud health care programs. The key summary indicators illustrate projected reductions in discrete Centers for Medicare & Medicaid Services' Medicare expenditures based on recent and ongoing enforcement initiatives. The relationship between law enforcement efforts targeting health care fraud and the resulting effect on identifiable areas of Medicare billings are implied by significant reductions in health care costs. The Department will focus resources on early indicators of potential fraud that are anticipated to lead to high-impact investigations of nationwide health care schemes, such as systemic abuse from large scale medical corporations and nursing home chains. Industries and markets that have been identified as potential targets will be monitored for reductions in the economic loss and frequency of fraud as a result of the interventions targeted Department programs.

Crosscutting Activities:

The FBI works in conjunction CMS to procure the FBI performance data. Thus far, CMS has seen considerable decreases in its amounts of expenditures.

The Executive Level Health Care Fraud and Policy Group is chaired by the Deputy Attorney General and includes the Department of Health and Human Services' Inspector General HHS-016 and CMS Deputy Administrator. Senior staff from DOJ, HHS/OIG, CMS, and the FBI historically have met on a quarterly basis. DOJ has increased participation on multi-agency and inter-agency task forces formed to address health care fraud and abuse issues. In addition to federal law enforcement and health care program agency representatives from the Departments of Justice, HHS, Defense, Labor, Veterans Affairs, and Office of Personnel Management, such task forces may also include state and/or local law enforcement representatives from the National District Attorneys Association, National Association of Medicaid Fraud Control Units, and National Association of Attorneys General. To illustrate, the National Health Care and Managed Care Fraud Working Group was formed in the early 1990s and meets on a quarterly basis. The DOJ and HHS formed an interagency Nursing Home Fraud and Abuse steering committee comprised CMS, HHS-OIG and the FBI.

DOJ and CMS have established a National Technology Group to enhance technology use, plan training conferences, and implement regional technology users groups. Federal, state and local task forces comprised of law enforcement and health care program agency representatives exist and meet regularly in many federal judicial districts. Department officials serve on an advisory board for the National Health Care Anti-Fraud Association (NHCAA) and maintain liaisons with private insurers through participation in the NHCAA.

2.4B Combat Fraud

Background/ Program Objectives:

Private industry in the U.S. controls trillions of dollars in assets, an inviting target for criminal schemes ranging from technological attacks on a corporation's intellectual property to more traditional attempts to defraud. The primary challenge facing the FBI in this area is to create and maintain a strong deterrent capability that will prevent criminal organizations from defrauding, and thereby weakening U.S. industries. To prevent significant levels of fraud, the FBI must be able to identify emerging trends and industry vulnerabilities and enlist the cooperation of the private sector.

The overwhelming number of frauds committed each year far exceeds the FBI's capacity to investigate and prosecute each individually. Accordingly, the FBI will concentrate on the most significant crime problems, leverage limited resources through cooperative efforts with affected industries and other law enforcement agencies, and implement a preventive strategy that will rely heavily on improved intelligence, rather than investigating fraud once it has occurred.

Performance:

Performance Measure: Recoveries/Restitutions; Fines
(NOTE: Prior year data has been updated to reflect the most current and accurate data available.)

FY 2001 Target: N/A

FY 2001 Actual:

Recoveries/Restitutions: \$5.15 Billion
Fines: \$0.55 Billion

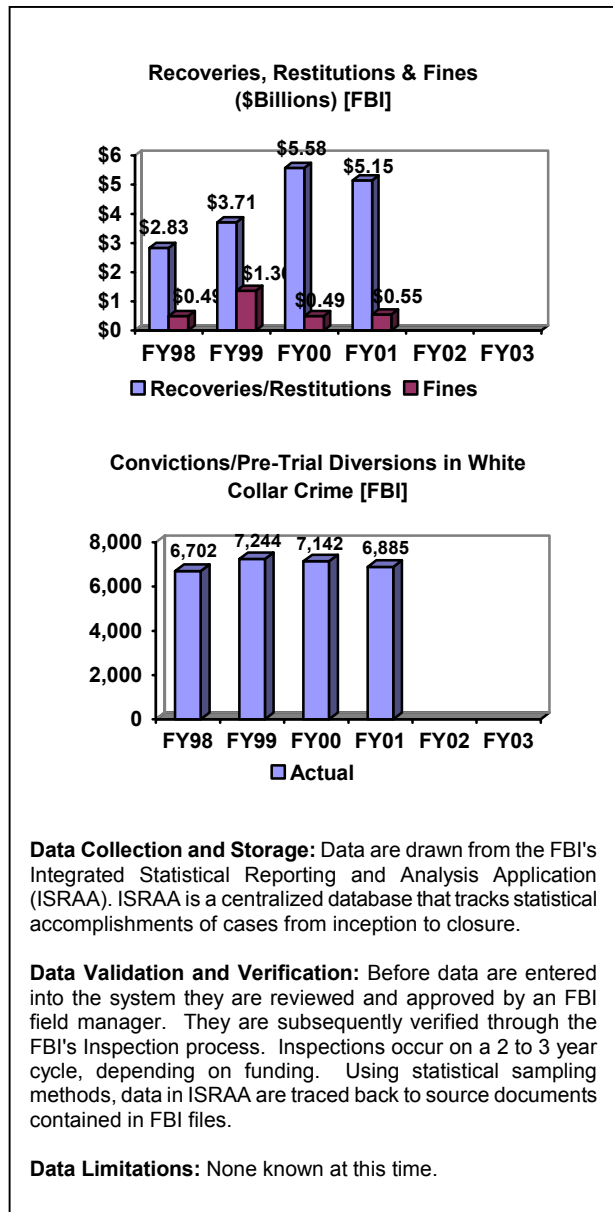
FY 2002/2003 Performance Plan Evaluation: In accordance with Department guidance, targeted levels of performance are not projected for this indicator.

Performance Measure: Convictions/Pre-Trial Diversions in White Collar Crime
(NOTE: Prior year data has been updated to reflect the most current and accurate data available.)

FY 2001 Target: N/A

FY 2001 Actual: 6,885 (6,627 Convictions; 258 Pre-trial Diversions)

Discussion: The FBI is still developing performance measures that will reflect its ability to prevent and deter significant fraud in the U.S. At this time, the FBI believes that its strategic emphasis in fighting fraud will continue to yield greater statistical accomplishments in the future. In FY 2001, Operation Cyber Loss was initiated by the FBI's Internet Fraud Complaint Center (IFCC) and involved 28 FBI Field Offices, 4 other Federal agencies and over 15 State and local law enforcement agencies. The Internet fraud schemes exposed as part of this operation represent over 56,000 victims nationwide who suffered cumulative losses in excess of \$117 million. There were 31 searches/seizures, 67 arrests, 7 guilty pleas, 10 complaints filed, and 91 informations/indictments unsealed. Among the Internet fraud schemes highlighted by Operation Cyber Loss were those involving on-line auction fraud, systemic non-delivery of merchandise purchased over the Internet, credit/debit card fraud, identity theft, various investment and securities frauds, multi-level marketing and Ponzi/Pyramid schemes.



FY 2002/2003 Performance Plan Evaluation: In accordance with Department guidance, targeted levels of performance are not projected for this indicator.

Public Benefit: The FBI targets the most notorious cases of fraud using joint investigations and task forces with other federal, state, and local law enforcement agencies.

Strategies to Achieve the FY 2003 Goal:

In FY 2003, DOJ will continue to identify, target and combat fraud schemes, such as financial institution fraud, insurance fraud, and securities/commodities fraud that threaten to undermine our Nation's financial institutions. DOJ will aggressively utilize the money laundering and asset forfeiture statutes to ensure that fraudulently obtained funds are located and proper restitution is made to the victims of fraud. DOJ's enforcement strategy is a coordinated approach whereby the Department will continue to work with other Federal agencies to identify and target fraud schemes by successfully investigating, prosecuting, and obtaining judgments and settlements. The FBI, through its White Collar Crime (WCC) program, addresses a myriad of fraud crimes, selectively targeting the most significant problems as national WCC priorities. These priorities are based on the analysis of information such as historical crime data. With regard to Internet crime, the WCC program addresses crimes that are primarily frauds; these are typically Internet scams that involve credit card fraud, false business or investment opportunities; ponzi/pyramid schemes; piracy; and stock manipulation schemes.

Crosscutting Activities:

DOJ coordinates with the Department of Treasury (on coordination of SARs data and the implementation of the Financial Crimes Strategy Act of 1998) and other federal agencies to identify and target fraud schemes. DOJ coordinates with State Attorneys General throughout the country to prosecute victim venue cases involving subjects of telemarketing fraud schemes. Furthermore, the Attorney General's Council on White Collar Crime serves as an advisory body to coordinate the focus of federal law enforcement efforts to combat fraud and White Collar Crime. The Council periodically brings together senior level representatives of all federal law enforcement and regulatory agencies that investigate or prosecute economic crime to ensure appropriate enforcement and prevention efforts. The Council consists of representatives from the Department, including the Assistant Attorneys General from the Antitrust, Civil, Criminal, Environment and Natural Resources and Tax Divisions, and the FBI; the Treasury Department, including the Internal Revenue Service, United States Customs Service, United States Secret Service, Environmental Protection Agency (EPA), the Securities Exchange Commission; the U.S. Postal Inspection Service; a representative of the Inspectors General community; the Federal Trade Commission; and the National Association of Attorneys General. The Council has endorsed and added its support to various law enforcement initiatives to fight WCC that involve multiple federal agencies, including: Internet Fraud Initiative; Intellectual Property Initiative; Counterfeit Aircraft Parts Initiative; Counterfeit Software Initiative and Identity Theft Initiative.

2.4C Combat Public Corruption

Background/ Program Objectives:

Public corruption is a serious crime against both the individual and society as a whole. All public corruption offenses, regardless of the type, share a common objective: to pervert our representative system of government and replace it with a government of special interests. Furthermore, the higher the office or level of government tainted by the corruption, the broader are its invidious effects. The Department, therefore, places a high priority on attacking public corruption by senior government officials. The Public Corruption Unit of the FBI believes a significant amount of corruption is untouched. The FBI addresses this problem, both domestically and internationally, by determining likely points of corruption, and then cultivating an intelligence base within government and/or the business entity and monitoring activity.

Over the past five years, there have been over 600 subjects in law enforcement corruption cases. There is a growing trend of law enforcement corruption cases involving the active participation of law enforcement officers in criminal acts, rather than merely protecting such actions. The single greatest obstacle to a law enforcement corruption investigation is the fact that police departments throughout the country regard their own corruption issues as their own "dirty laundry," not to be taken outside the agency.

Performance:

Performance Measure: Convictions/Pre-trial Diversions; Recoveries/Restitutions; Fines (NOTE: Prior year actuals have been updated to provide the most recent and accurate data available.)

FY 2001 Target: N/A

FY 2001 Actual: 475 (462 Convictions; 13 Pre-trial diversions)

Performance Measure: Recoveries, Restitutions and Fines (NOTE: Prior year actuals have been updated to provide the most recent and accurate data available.)

FY 2001 Target: N/A

FY 2001 Actual:

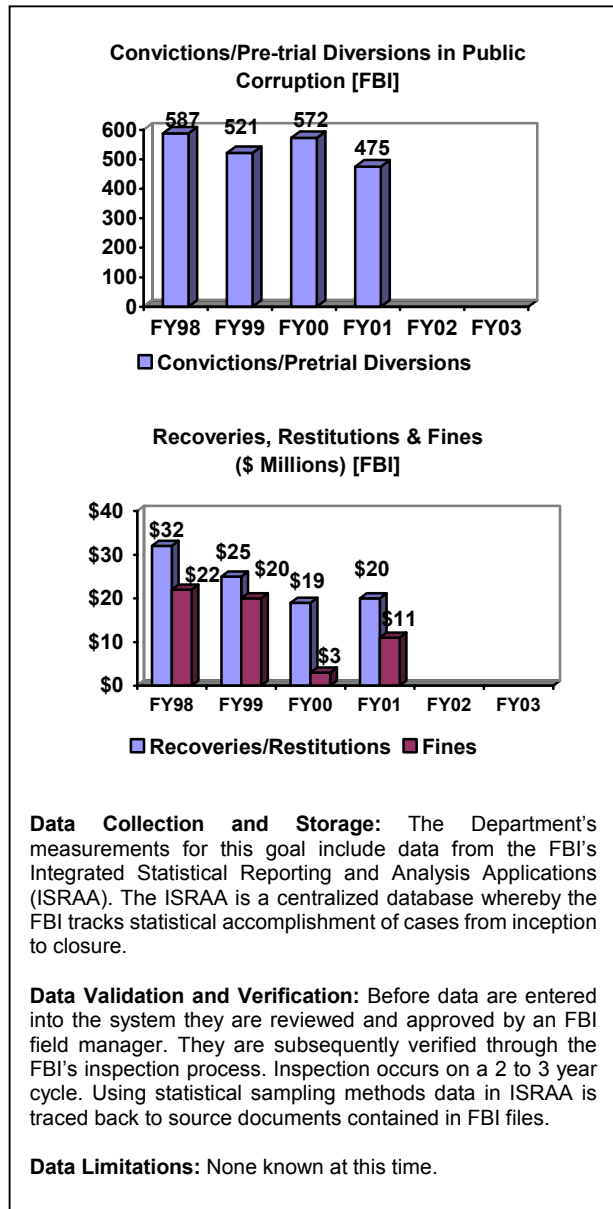
Recoveries/Restitutions: \$20 Million

Fines: \$11 Million

Discussion: The FBI continues to develop performance measures that will reflect its ability to reduce public corruption in the U.S. At this time the FBI believes the strategic emphasis in fighting public corruption will yield greater statistical accomplishments in the future.

FY 2002/2003 Performance Plan Evaluation: In accordance with Department guidance, targeted levels of performance are not projected for these indicators.

Public Benefit: The FBI vigorously pursues public corruption cases at all levels of public life, with more than 1,600 corruption probes pending at the end of FY 2001. Approximately 30 percent of Public Corruption convictions are associated with law enforcement corruption. These investigations are crucial to ceasing high-impact criminal conduct by the public servants entrusted with the safety and protection of American citizens and public property.



Strategies to Achieve the FY 2003 Goal:

The Department will increase its efforts to address public corruption by (1) increasing Department-wide awareness of the significant harm caused by public corruption and the Department's interest in combating it; (2) making public corruption investigations and prosecutions a top priority throughout the Department; and (3) increasing the number and scope of training events for federal prosecutors and investigators focused on corruption cases.

One of the key strategic goals in the FBI regarding public corruption is the increased awareness and pursuit of international matters. The current caseload of investigations is not indicative of the true extent of the problem, but is an indication of the difficulty of pursuing these inquiries. Unfortunately, the U.S. is virtually alone in outlawing corrupt practices by its citizens abroad. As it stands, other nations do not criminalize bribery of foreign public officials, which makes it very difficult for the U.S. to successfully investigate such allegations against its own citizens. However, the FBI is making an effort to gain intelligence into such activities to support its own investigations.

Crosscutting Activities:

The Department also will continue its participation in training events sponsored by other federal department and agencies and will continue to instruct the Offices of Inspector General of the federal agencies on the investigations of conflicts of interest and other corruption allegations. At the international level, the Department will continue to assist in a number of anti-corruption efforts including those of the Council of Europe, the United Nations Crime Prevention and Criminal Justice Commission and the Organization for Security and Cooperation in Europe. The FBI is working with state and local police executives and law enforcement officers in Eastern Europe, the former Soviet Union and Asia, on recognizing and responding to emerging trends in law enforcement corruption.

2.4D Investigate and Prosecute High Technology Crimes

Background/ Program Objectives:

With the continuing expansion of the Internet as a global medium for electronic commerce and communications, the type of cybercrime most likely to cause significant harm to consumer and businesses here and abroad, and to undermine consumer confidence, is Internet fraud. There are substantial increases in various fraud schemes involving the Internet, such as securities manipulation, online auctions and online retail sales of high value goods, pyramid schemes and credit card schemes. One estimate is that online payment-card fraud will increase from \$1.6 billion in 2000 to \$15.5 billion by 2005.

Performance:

Performance Measure: High Technology Crime (Fraud) Criminal Case Success Rate

FY 2001 Target: 80%

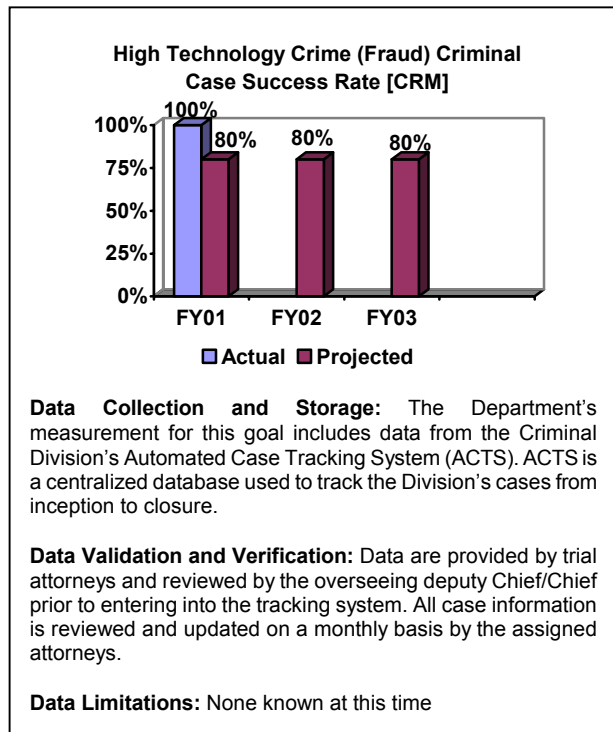
FY 2001 Actual: 100%

Discussion: During FY 2001, the Fraud Section, together with the USA for the Northern District of Ohio were jointly responsible for the convictions of four individuals on multiple counts of conspiracy, mail and wire fraud, and tax evasion arising from a prime bank scheme that was detected through routine internet monitoring. Fraud losses in that case totaled \$20 million. The defendants' sentences ranged from 360 to 121 months of incarceration and restitution ordered totaling in excess of \$12.9 million.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we are uncertain whether the pending investigations subsequently will yield criminal indictments, however, the target remains unchanged at 80%.

FY 2003 Performance Target: 80%

Public Benefit: High Technology has become a weapon used to commit major fraud schemes that traditionally had been committed with the use of the mails and wires. Criminals use computers to solicit, communicate with and receive payments from substantial numbers of victims in a span of a few days by taking advantage of cutting-edge technology to commit identity theft and related crimes, as well as large-scale investment schemes over far greater distances than ever before. Included is the unregulated sale of health care products including prescription drugs over the Internet to unwitting consumers here and abroad. The Department's objective in combating High Technology crime includes education, coordination and cooperation at the federal, state, local and international law enforcement levels; public education and prevention; detection; prosecution; and deterrence.



Strategies to Achieve the FY 2003 Goal:

The Criminal Division's Fraud Section is responsible for the implementation of the Internet Fraud Initiative that began in May 1999. During FY 2002, DOJ will increase the quality and variety of Internet fraud related training, to ensure that prosecutors and agents are fully conversant with changing trends. In FY 2001, the Criminal Division's Computer Crime and Intellectual Property Section (CCIPS), in coordination with the Division's Fraud Section, the Office of Legal Education, and the American Prosecutors Research Institute, held the first Internet fraud training course at the National Advocacy Center (NAC) for 100 federal, state, local and foreign prosecutors. The NAC's first advanced Internet fraud course (for more than 60 federal and foreign prosecutors and FBI agents) was held on January 25, 2001, and a second is scheduled for May 2002. In addition, the Fraud Section expects to prosecute a higher number of Internet fraud and Internet related fraud cases, such as securities fraud, consumer fraud and identify theft that exploit the Internet. To make major inroads against such schemes, which may operate in multiple jurisdictions and use sophisticated techniques for concealing and laundering criminal proceeds, it must plan for appropriate investigative prosecutorial, financial and technical support. International coordination will occur through

direct bilateral consultation and discussion with G-8 and other countries during FY 2002.

To address the increased number of expected referrals, the Fraud Section plans to redeploy resources from other subject areas. The Section has identified four distinct areas of High Technology fraud that need immediate attention in FY 2003 in order to maintain a level playing field with the criminals who use available technology to defraud and harm consumers. These areas include: Internet fraud, identity theft, investment schemes, e-health care fraud and internationally based fraud schemes. In addition to solely handling select high-tech investigations and prosecutions, the Fraud Section will provide essential support for its coordination responsibilities including operational oversight, support to the field, and policy development and implementation.

During FY 2002, the Criminal Division's Computer Crime and Intellectual Property Section (CCIPS) and the Computer-Telecommunications Coordinators in the U.S. Attorneys Offices expect to prosecute a higher number of intrusion cases. CCIPS has a dedicated team of prosecutors building relations with various computer crime squads. CCIPS prosecutors are increasingly requested to train, provide advice, comment upon and propose legislation, and coordinate international efforts (such as investigation of the denial of service attack and Love Bug virus). In addition, CCIPS will increase assistance with wiretaps over computer networks, as well as taps and traces that require agents to segregate Internet headers.

CCIPS will also assist in the prosecution of crimes involving unlawful conduct on the Internet to include Internet gambling, online drug sales, child pornography and fraud; and will maintain primary responsibility for the prosecution of criminal intellectual property violations. As part of the Department's Intellectual Property Initiative CCIPS will continue to work with USCS, EOUSA and the FBI on prosecuting intellectual property cases. In addition, CCIPS will continue to coordinate approval for, as well as, prosecute, all the charges under the theft of trade secret provision of the Economic Espionage Act.

Crosscutting Activities:

The Criminal Division provides coordination in relevant areas of high technology crimes by chairing the Telemarketing and Internet Fraud Working Group, the Securities and Commodities Fraud Working Group, the Bank Fraud Working Group, and the Identity Theft Subcommittee of the Attorney General's Council on white collar crime. The Council was established to serve as an advisory body to coordinate the focus of federal law enforcement efforts to combat white collar crime. The Council consists of representatives from DOJ, the Department of the Treasury, EPA, the Securities and Exchange Commission, the U.S. Postal Inspection Service, the Inspectors General, the Federal Trade Commission and the National Associations of Attorneys General.

2.4E Prosecute International Price Fixing Cartels

Background/Program Objectives:

The Antitrust Division (ATR) decreases and deters anticompetitive behavior affecting U.S. businesses and consumers by investigating and prosecuting violations of our Nation's antitrust laws. While DOJ remains vigilant in the face of all criminal antitrust activity, DOJ 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. ATR is committed to meeting these challenges in order to ensure the arrest of unlawful conduct, wherever it occurs, that causes injury in the United States. Successful enforcement of these laws – which both decreases and deters anticompetitive behavior – saves U.S. consumers millions of dollars, allows them to receive goods and services of the highest quality at the lowest price and enables U.S. businesses to compete on a level playing field nationally and internationally.

Performance:

Performance Measure: Antitrust Criminal Success Rate

FY 2001 Target: 90%

FY 2001 Actual: 94%

Discussion: It is the Division's goal to achieve a positive outcome in every case it brings. The Division has been aggressive in its pursuit of criminal anticompetitive behavior, exceeding its targeted 90% success rate in FY 2001.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, ATR expects to meet the FY 2002 target of 90%.

FY 2003 Performance Target: 95%

Public Benefit: In recent years, the Division has enjoyed remarkable success in terms of cracking international cartels, securing the convictions of major conspirators, and obtaining record-breaking fines. The benefits that accrue to U.S. consumers and businesses as the result of these efforts are considerable. Since the criminal enterprises encountered by the Division are increasingly large and global in scope, their impact on international commerce is significant, raising prices and thwarting innovation around the globe. Since the beginning of FY 1997, the Division has prosecuted international cartels affecting well over \$10 billion in U.S. commerce and collected fines exceeding \$2 billion. It is clear that the cessation of cartel activity in these cases will save U.S. businesses and consumers many hundreds of millions of dollars annually.

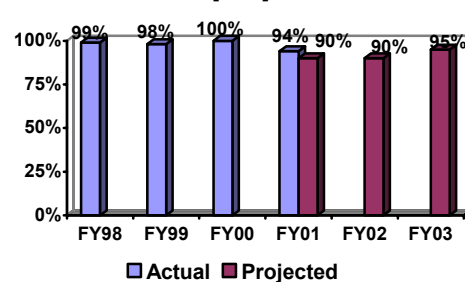
Performance Measure: Savings to U.S. Consumers (as a result of the Antitrust Division's Criminal enforcement efforts).

FY 2001 Target: N/A

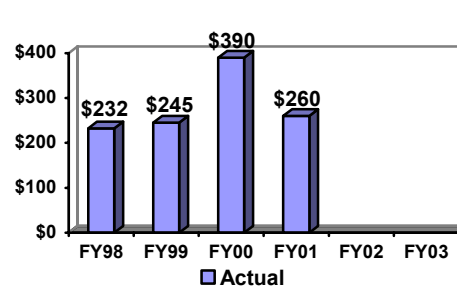
FY 2001 Actual: \$260 million

Discussion: By dismantling international private cartels and halting other criminal anticompetitive activity, the Antitrust Division has brought real, financial benefits to U.S. consumers and businesses in the form of lower prices and enhanced product choice. The estimated value of consumer savings generated by our efforts in any given

Success Rate for Antitrust Criminal Cases [ATR]



Savings to U.S. Consumers (\$Mil) [ATR]



Data Collection and Storage: Data is collected and stored in ATR management information systems, primarily in the Matter Tracking System and its companion user interfaces.

Data Validation and Verification: User training and software guides encourage accurate data entry. Instantaneous online data validations include inter-element cross-checks, numeric range checks, single element list-of-values checks and mandatory data element checks. In addition, batch data analysis and ad hoc reviews are conducted periodically. Finally, programmatic review of data helps assure the quality.

Data Limitations: Savings to U.S. consumers uses the volume of commerce affected by the conspiracy and the estimated price effect of the conspiracy. Volume of commerce is based on the best available information from investigative and public sources. We are limited in our ability to estimate the price effect, and thus in most cases rely on the 10 percent figure cited in the U.S. Sentencing Guidelines Manual as the average gain from price fixing. A one-year estimate of savings may be significantly underestimated as many conspiracies exceed one year.

year depends upon the size and scope of the matters encountered and, thus, varies considerably.

FY 2002/2003 Performance Plan Evaluation: In accordance with Department guidance, levels of performance are not projected for certain indicator types within this goal.

Public Benefit: The Antitrust Division has moved forcefully against price-fixing, bid-rigging, and market- and customer-allocation conspiracies in both international and domestic markets. In some matters, the volume of commerce impacted by the suspected conspiracy exceeds \$1 billion per year per matter; and in over half of the Division's investigations, the volume of commerce affected exceeds \$100 million. Through its successful criminal enforcement efforts, the Division estimates it saved U.S. consumers \$260 million in Fiscal Year 2001.

Strategies to Achieve the FY 2003 Goal:

When businesses are found to be actively engaged in price fixing, bid rigging and other market allocation schemes that negatively affect U.S. consumers and businesses (no matter where the illegal activity may be taking place), ATR pursues criminal investigations and prosecutions. ATR's Individual and Corporate Leniency Programs, somewhat revamped in recent years for greater effectiveness, have recently proven critical in uncovering criminal antitrust violations. More and more, ATR is relying on formal international cooperation agreements or informal consultations with foreign antitrust authorities in pursuit of the companies and individuals involved, whether those companies come to our attention via the Leniency Programs, or through other channels. More time and resources are devoted to investigation-related travel and translation, given the increasingly international operating environment of the criminal conspiracies being encountered. In all instances, if ATR ultimately detects market collusion and successfully prosecutes, ATR may obtain criminal fines or injunctive relief.

Crosscutting Activities:

The Antitrust Division maintains relationships with the FBI and the U.S. Attorneys, largely in support of the criminal enforcement strategy. Activities in this area are typically coordinated on a case-by-case basis, and program performance is assessed in terms of successful prosecutions of unlawful conduct.

2.4F Prosecute Environmental and Wildlife Crimes

Background/ Program Objectives:

Vigorous prosecution remains the cornerstone of the Department's integrated approach to ensuring broad-based environmental compliance. It is the goal of investigators and prosecutors to discover and prosecute criminals before they have done substantial damage to the environment (including protected species), seriously affected public health, or inflicted economic damage on consumers or law-abiding competitors. The Department's environmental protection efforts depend on a strong and credible criminal program to prosecute and deter future wrongdoing. Highly publicized prosecutions and tougher sentencing for environmental criminals are spurring improvements in industry practice and greater environmental compliance. Working together with federal, state and local law enforcers, DOJ is meeting the challenges of increased referrals and more complex criminal cases through training of agents, officers and prosecutors; outreach programs; and domestic and international cooperation.

Performance:

Performance Measure: Percent of Defendants Convicted in Criminal and Wildlife Environmental Cases

FY 2001 Target: N/A

FY 2001 Actual: 85%

Discussion: FY 2001 successes include a guilty plea and \$20 million in fines from a petroleum group that was covering up environmental violations at its oil refinery in Texas. The company must also complete a five year term of probation. A Malaysian wildlife dealer pled guilty to multiple felony counts of smuggling and selling endangered reptiles and was sentenced to 7 months in prison and \$60,000 in fines and assessments.

FY 2002/2003 Performance Plan Evaluation: In accordance with internal policy, targeted levels of performance are not projected for this indicator.

Public Benefit: Successful environmental prosecutions alert individuals and companies to the importance of complying with the law and lead to specific improvements in the quality of the environment of the United States, and the health and safety of its citizens.

Performance Measure: \$ Awarded in Criminal Environmental and Wildlife Cases (ENRD Only)

FY 2001 Target: N/A

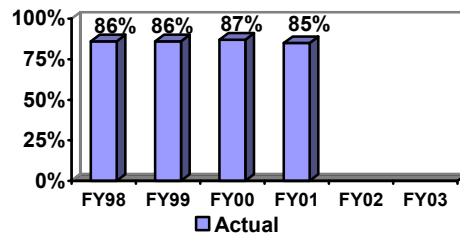
FY 2001 Actual: \$71 million

Discussion: FY 2001 successes include a guilty plea and \$10.4 million fine from a Maryland company and its corporate officers who were smuggling caviar from protected sturgeon into the U.S. Additionally, a chicken by-products rendering company, located in Mississippi, pled guilty and paid \$13 million in criminal fines and \$1 million in criminal restitution to the Mississippi Department of Environmental Quality.

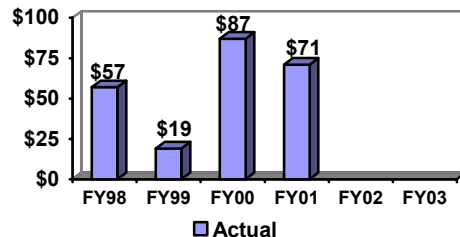
FY 2002/2003 Performance Plan Evaluation: In accordance with Departmental guidance, targeted levels of performance are not projected for this indicator.

Public Benefit: Criminal fines in environmental cases remove any economic benefits of non-compliance and level the playing field with companies that comply with environmental laws. They also deter others from committing such crimes. The environment, and public health and safety are improved by greater voluntary compliance with environmental and natural resource laws.

% of Defendants Convicted in Criminal Environmental and Wildlife Cases [ENRD, EOUSA]



\$ Awarded in Criminal Environmental and Wildlife Cases (\$Mil) [ENRD]



Data Collection and Storage: A majority of the performance data submitted by ENRD are generated from the division's Case Management System (CMS). Similarly, EOUSA data are extracted from their CMS.

Data Validation and Verification: The division has instituted a formal data quality assurance program to ensure a quarterly review of the division's docket. The case systems data are monitored by the division to maintain accuracy.

Data Limitations: Timeliness of notification by the courts.

Strategies to Achieve the FY 2003 Goal:

In FY 2003, the Department will continue its efforts to convict and deter environmental crimes through initiatives focused on laboratory fraud, chlorofluorocarbons (CFCs) smuggling, water pollution, and leaking underground storage tanks. For example, the Laboratory Fraud Initiative centers on ensuring that businesses and environmental enforcement agencies at the federal, state and local levels can rely on the accuracy of analyses performed by commercial laboratories. Investigations will examine fraudulent practices, target companies suspected of committing laboratory fraud, and identify common investigative and prosecutorial issues in these cases. The CFC Smuggling Initiative has led to a dramatic decline in CFC trafficking, although the Department expects that smuggling may rise as the shortage of CFC-12, a type of ozone depleting chemical, becomes more acute. The Water Pollution Initiative is aimed at investigating and prosecuting cases involving the discharge of illegal pollutants into the nation's sewers and public wastewater treatment facilities. More than 100 million pounds of toxic industrial compounds annually pass untreated through the nation's publicly owned treatment works, only to be discharged into rivers and lakes. The focus of the Leaking Underground Storage Tanks initiative is uncovering widespread fraud by firms that fail to lawfully test and analyze underground tank systems. Such testing is critical to the protection of the nation's drinking water. The Department will work to identify the companies involved in these schemes and to develop criminal investigations and prosecute them.

In addition, the Department will continue to battle international trafficking of protected species of fish, wildlife, and plants with a host of international treaty partners. International trade in wildlife is second in size only to the illegal drug trade, and our criminal prosecutors work on these cases, assist the U.S. Attorneys Offices, and share their expertise nationwide with state and federal prosecutors and investigators. DOJ will also focus on both interstate trafficking and poaching cases on federal lands, and seek to insure that our wildlife laws are uniformly applied and enforced across the country, seeking a consistent and vigorous enforcement program that is an international role model.

Crosscutting Activities:

ENRD, the FBI and the U.S. Attorneys Offices are working collectively with other federal agencies (including EPA and the Department of the Interior (DOI)), and state and local governments to strengthen enforcement of environmental criminal cases. The Department is involved in the U.S./Canadian CFC Enforcement Work Group; eradicating clandestine drug labs; supporting enforcement of the lead-based paint disclosure rule in collaboration with DEA, DOI, state and local prosecutors, Housing and Urban Development (HUD) and EPA; and improving the quality of our coastal waters through multi-agency efforts. In addition, the Department is focusing increased attention on training federal, state and local investigators and prosecutors, as well as their counterparts in neighboring Canada and Mexico.

2.4G Prosecute Tax Fraud

Background/ Program Objectives:

The Tax Division's (TAX) criminal enforcement objective is to deter taxpayers from illegal conduct that drains the Treasury through the consistent and uniform enforcement of the criminal tax laws. TAX accomplishes this goal through the nationwide review of requests to prosecute criminal tax violations and, upon specific request, through litigation assistance in the investigation and prosecution of criminal tax cases. In addition, TAX provides assistance in treaty negotiations and foreign evidence gathering in criminal tax matters.

TAX reviews approximately 800 cases annually to ensure that these prosecutions meet national federal criminal tax enforcement standards. The matters reviewed during each year cover the full range of criminal charges found in the IRS code as well as associated offenses found in Titles 18, 21, and 31 of the United States Code. The case review process is essential to the success of the Tax Division's supervisory oversight of criminal tax matters as it enables TAX to provide critical guidance to Executive Office for United States Attorneys (EOUSA) on complex federal substantive and procedural tax issues, difficult requirements encountered in indirect methods of proof, and unique evidentiary and sentencing problems found in criminal tax cases. As a result, the national average of convictions in indicted criminal tax trials continues to exceed 90 percent and thereby advances one of the TAX goals of establishing overall general deterrence through carefully selected prosecutions.

Each year TAX also successfully handles a substantial number of criminal tax investigations and prosecutions. These are primarily undertaken at the request of various EOUSAs who either lack resources or do not have the expertise specific to the case. Cases having significant regional or national scope are undertaken as part of TAX's priority initiatives. The nature of cases range from illegal tax protest to complex white collar fraud cases involving illegal international business transactions, complex tax issues, and foreign evidence gathering problems. TAX also focuses on the prosecution of legal source income cases, defined as those cases where the source of the proposed criminal tax charges is income that is legally produced as distinguished from income earned as a result of illegal conduct. As the vast majority of the taxpaying public earns its income from legal sources, legal source income prosecutions have a significant deterrent effect.

Performance:

Performance Measure: Number of Requests for Litigation Honored (NOTE: This data includes previously reported data for Number of Requests for Litigation Honored in Legal Source Income Cases)

FY 2001 Target: 300

FY 2001 Actual: 289

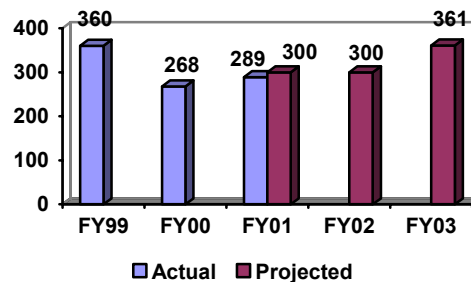
Discussion: As a result of TAX's litigation efforts, the government succeeded in securing 110 guilty pleas and returning 134 indictments; however, the FY 2001 target of 300 cases was not met.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the FY 2002 target of 300 requests honored.

FY 2003 Performance Target: 361

Public Benefit: The ability of TAX to meet its projected targets depends on the number and types of cases recommended for prosecution, staffing levels, expertise, and fluctuating case loads of the USAs and TAX. The impact of TAX's work is significant for two reasons: (1) Funds are returned to the Federal Treasury for use in other important government programs as well as to reduce the deficit; (2) TAX litigation acts as a significant deterrent, especially in legal source income cases. When

of Requests for Litigation Honored [TAX]



Data Definition: Legal assistance requests are those requests that require TAX expertise at the grand jury, trial, and appellate levels.

Data Collection and Storage: TAX utilizes a case management system known as TaxDoc. The Division recently revised the complement of indicators that are tracked.

Data Validation and Verification: There are new procedures to collect and record pertinent data on activities related to specific issues enabling Section Chiefs to make projections and set goals based on complete, accurate and relevant statistics. On a quarterly basis, the Performance Management Committee reviews all the statistics.

Data Limitations: The Division lacks historical data on some activities that are now tracked in the new case management system. The new information system may cause variations in the way some statistics are presented.

the American public sees that individuals or businesses are unsuccessful in their attempts to “cheat” or defraud the government, the inclination for others to illegally attempt to avoid their tax liabilities are lessened. The work of TAX maintains the public’s confidence in the tax system, thereby maintaining the ability of the federal government to fund its lawful and necessary operations.

Strategies to Achieve the FY 2003 Goal:

The Tax Division coordinates nationwide criminal investigations and prosecutions of illegal tax protest groups using new and emerging schemes and combats abusive international tax evasion schemes before they cause significant damage to the tax system. TAX efforts stop the proliferation of regional and nationwide tax evasion schemes using illegal trusts. TAX prosecutes legal source income cases and prosecutes drug cases involving tax crimes. In addition, TAX conducts training and provides expert technical assistance to EOUSA. Assistance is also provided in treaty negotiations and foreign evidence gathering in criminal tax matters. Initiatives concerning legislative and policy matters involving the sentencing guidelines, the federal rules of evidence and criminal procedure, and substantive criminal law are also provided by TAX.

Crosscutting Activities:

Criminal tax enforcement requires the cooperation of the IRS, USAs, and other federal government agencies. Recently, the Tax Division has worked closely with the IRS in its on-going reorganization of its criminal investigation function and to develop plans for an enhanced working relationship between the IRS and DOJ.

Representatives of the Tax Division are also liaison attorneys with the various regions of the Organized Crime Drug Enforcement Task Force (OCDETF) and are formal members of its policy formation body. In addition, the Tax Division is represented on the Domestic Terrorism Task Force chaired by the Terrorism Violent Crimes Section of the Criminal Division. Participation in these and other joint task forces enables the Tax Division to help formulate national programs, strategy and procedures in cooperation with other law enforcement components in a coordinated attack on financial crime.

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STRATEGIC OBJECTIVE 2.5 CRIMES AGAINST CHILDREN AND THE EXPLOITABLE
Combat crimes against children and other vulnerable victims of violence and exploitation

Annual Goal 2.5: Combat crimes against children and other vulnerable victims of violence and exploitation

STRATEGIES

- Strengthen our nationwide capability to respond quickly and effectively to crimes against children.
- Combat the criminal trafficking of children and other vulnerable victims.
- Deploy task forces against trafficking in persons and worker exploitation.

The Criminal Section of the Civil Rights Division works closely with the Federal Bureau of Investigation, Immigration and Naturalization Service, Department of Labor, the Criminal Division, the U.S. Attorneys Offices, and Non-Government Organizations to identify victims, many of whom are women and children of illegal trafficking. The Victims of Trafficking and Violence Protection Act, enacted into law in 2000, expanding the scope of federal enforcement authority over slavery offenses.

MEANS – Annual Goal 2.5

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Civil Rights Division	9	1	15	2	21	2
Criminal Division	27	5	31	5	35	6
FBI Construction	0	0	0	1	0	0
Federal Bureau of Investigation	530	72	555	83	558	92
Subtotal	566	\$78	601	\$91	614	\$99

Skills

The accomplishment of this goal requires the skills of agents, attorneys, analysts and linguists.

Information Technology

FBI programs in this area are supported by: ACS, a database that captures all information pertaining to administration of cases; IIIA, a centralized database that tracks foreign activity; data collected through FBI's Foreign Intelligence Surveillance Act (FISA); and internal databases that support the National Infrastructure Protection Center (NIPC) which maintains key assets.

PERFORMANCE ASSESSMENT – Annual Goal 2.5

2.5A Identify and Apprehend Child Predators and Locate Children

Background/ Program Objectives:

The FBI's Crimes Against Children (CAC) and the Criminal Division's Child Exploitation and Obscenity Section (CEOS) work to reduce the vulnerability of children to acts of sexual exploitation and abuse; develop a nationwide capacity to provide a rapid, effective investigative response to reported crimes involving the victimization of children; and to strengthen the capabilities of state and local law enforcement investigators through training programs and investigative assistance.

CAC impacts not only the victims but also their families, communities and law enforcement. Although the impact cannot be quantified, it clearly raises safety concerns for our citizens within their communities. Subjects who prey on children typically are not first time offenders, but rather, are serial offenders who may have traveled interstate during the commission of multiple offenses targeting children. Most importantly, a rapid, effective response to CAC incidents could literally mean life or death for a victim.

Performance:

Performance Measure: Convictions/Pre-Trial Diversions for Crimes Against Children Via online Computer Usage (NOTE: Prior year actuals have been updated to reflect the most current and accurate data available.)

FY 2001 Target: N/A

FY 2001 Actual: 540

Performance Measure: Number of Missing Children Located

FY 2001 Target: N/A

FY 2001 Actual: 91

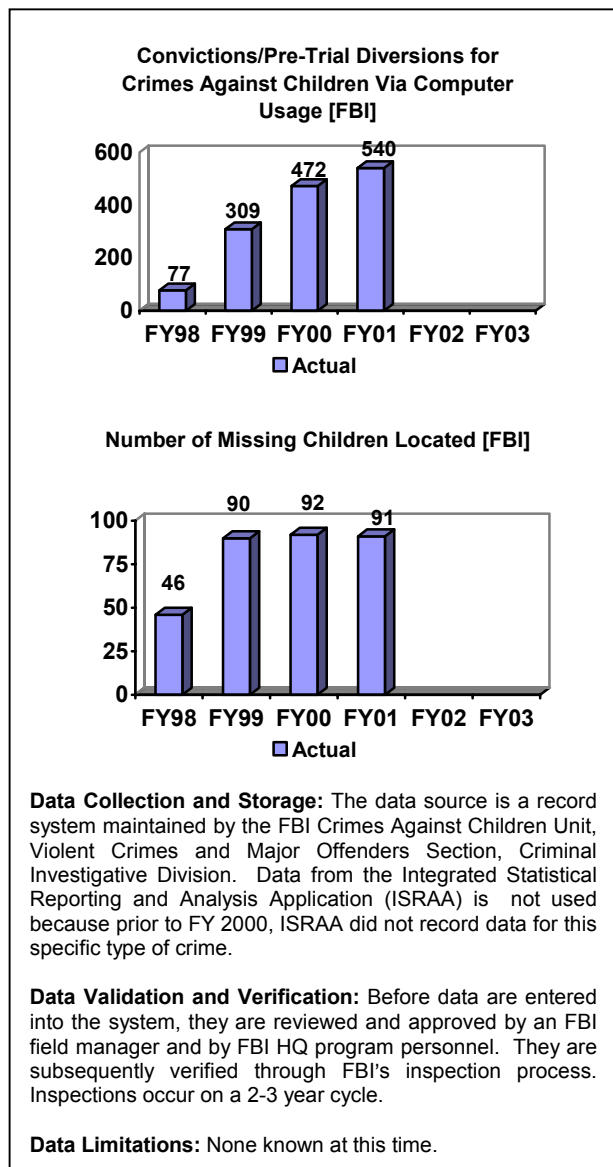
Discussion: The strategy for combating crimes against children committed through the medium of the internet is still valid. The FBI has remained consistent in its role as primarily assisting municipalities in the location of missing children.

FY 2002/2003 Performance Plan Evaluation: In accordance with Department guidance, targeted levels of performance are not projected for these indicators.

Public Benefit: The FBI is the primary investigative agency for on-line child pornography. Its Innocent Images National Initiative is responsible for a growing number of arrests and convictions in this crime area. Any reported child abduction or mysterious disappearance of a child receives an immediate and aggressive response from the FBI. This immediate response may be in the form of a full investigation based on a reasonable indication that a violation of the federal kidnapping statute has occurred, or it may take the form of a preliminary inquiry in order to determine if the federal kidnapping statute has been violated.

Strategies to Achieve the FY 2003 Goal:

In FY 2003, DOJ will increase efforts against those who commit sexual exploitation offenses against children, including those who traffic in child pornography. The



objective of the strategy is to increase the percentage of victimized children safely as well as an increase in the identification and apprehension of child pornographers. CAC facilitated by the use of an online computer is a national crime problem that is growing exponentially. Statistics in this area have doubled each year since 1996. The indicator tracks crimes against children conducted via computer and investigated by the FBI's undercover operations that are located in 23 field offices. FBI field offices are committing increased resources to this crime problem, which has resulted in a dramatic increase in the number of arrests (awareness has increased through specialized training). The FBI targets individuals involved in sexual exploitation of children by focusing its investigative efforts towards travelers/enticers (i.e., those who entice minors to meet them in order to engage in sexual acts), and enterprises involved in the manufacture and distribution of child pornography.

Crosscutting Activities:

The Criminal Division works closely with the 18 FBI regional Innocent Images Task Forces. Task forces are comprised of representatives from the FBI, U.S. Customs Service, and USAs, as well as state and local law enforcement offices. In addition, the USCS and the U.S. Postal Service manage their own national initiatives to combat child pornography. The Department coordinates with the respective agencies on these programs.

2.5B Enforce the Victims of Trafficking and Violence Protection Act

Background/ Program Objectives:

The Civil Rights Division's Criminal Section works closely with the FBI and the INS to identify victims, many of whom are women and children, of illegal trafficking and to investigate and prosecute incidents involving criminal violations of federal civil rights crimes. The Victims of Trafficking and Violence Protection Act, enacted into law in 2000, expanded the scope of the federal enforcement authority over slavery offenses. This new law strengthened our ability to investigate and prosecute slavery offenses. We are continuing our outreach programs in this area in an effort to coordinate slavery and trafficking enforcement efforts throughout the nation.

Performance:

Performance Measure: NEW MEASURE: Victims protected from Involuntary Servitude and Human Trafficking (as a result of federal prosecutions)

FY 2001 Target: N/A

FY 2001 Actual: 275 Victims Protected

Discussion: 275 victims were protected as a result of the federal charges filed last year against 34 defendants who were conducting illegal trafficking and holding persons in involuntary servitude and slavery. Additionally, the program maintained a 100% success rate in prosecuting involuntary servitude and trafficking in persons cases.

FY 2002 Performance Plan Evaluation: FY 2001 was a baseline year because this statute was enacted in FY 2000. In FY 2001, 275 victims were protected, 200 of which were protected from one case filing (data are based on victims protected). Based on trends thus far in FY 2002, we are currently establishing 43 victims protected from Involuntary Servitude and Human Trafficking as the FY 2002 target. Actual FY 2002 data may vary significantly because trend data are not available.

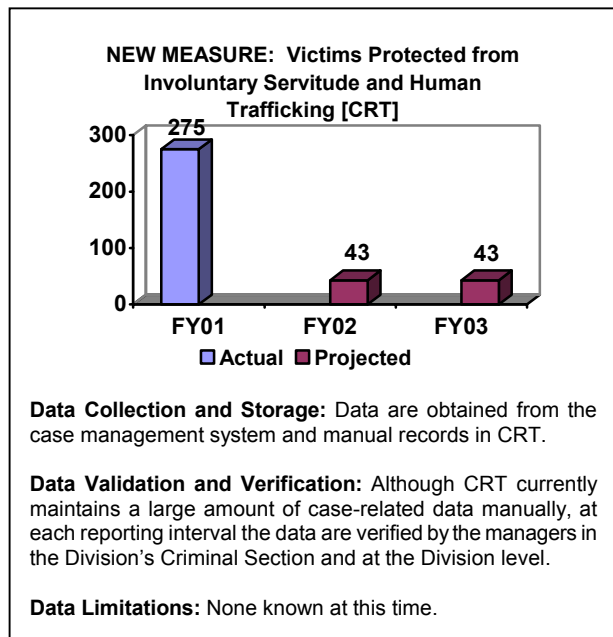
FY 2003 Performance Target: 43 victims protected

Public Benefit: DOJ's efforts in this area protect women, children, migrant workers and other victims of human trafficking from this violent criminal conduct. For example, in FY 2001, prosecutors handled three guilty pleas in Alaska by defendants who lured seven young Russian folk dancers to Anchorage to dance at adult clubs; in American Samoa five defendants were charged with recruiting close to 200 victims from Vietnam and China who were force to work in a garment factory; in California a wealthy landlord and two of his associates plead guilty to trafficking women and girls into the U.S. to place them in sexual servitude.

Strategies and Initiatives to Achieve the FY2003 Goal:

DOJ will continue to enforce the Trafficking Victims Protection Act and vigorously investigate and prosecute acts of illegal trafficking and worker exploitation. Increased outreach efforts including continuation of a public complaint line and a full-time outreach coordinator will advance the mission of the Section in the trafficking area. Indicators of successful implementation of the strategy will be determined by an increase in the number of defendants charged and the number of victims protected as a result of the prosecutions.

Crosscutting Activities: The Worker Exploitation Task Force brings together DOJ, the Department of Labor (DOL), FBI and INS, to address involuntary servitude, slavery, trafficking and other criminal violations involving undocumented workers. The Criminal Section works closely with the FBI, INS, DOL, the Criminal Division, the Non-Governmental Organization community, and the USAs, to identify, investigate and prosecute incidents of slavery and trafficking. We have spearheaded formal training of local and federal investigators and prosecutors in the techniques of investigating and prosecuting slavery cases and provided expert guidance on the newly enacted Trafficking Victims Act. Training efforts continue in this area, as the Section spearheads the development of regional task forces throughout the country.



III

STRATEGIC GOAL THREE: Prevent and Reduce Crime and Violence by Assisting State, Tribal, Local and Community–Based Programs

To provide leadership in the area of crime prevention and control, the Department of Justice (DOJ) continually searches for ways to strengthen the criminal and juvenile justice capabilities of state, local and tribal governments. Three DOJ components are at the forefront of the Department's efforts to fortify community safety across the nation. The Office of Justice Programs (OJP) administers formula and discretionary grant programs, as well as provides targeted training and technical assistance on a wide range of criminal and juvenile justice system improvements. In addition, OJP conducts research, evaluates programs and collects and publishes crime-related statistical information. The Office of Community Oriented Policing Services (COPS) advances community policing by supporting local efforts to put additional officers on our streets and in our schools; by providing funds to enhance technology, combat methamphetamine use, and support police integrity initiatives; and by providing training and technical assistance to law enforcement agencies. And finally, the Community Relations Service (CRS) assists state and local officials and civic leaders to resolve conflicts and prevent violence in communities experiencing tensions due to race, color, or national origin.

In support of Strategic Goal III, OJP works in partnership with federal, state, local, and tribal governments to carry out its mission to improve the nation's capacity to prevent and control crime, administer justice, and assist crime victims. Its five Bureaus administer a variety of activities:

The *Bureau of Justice Assistance* (BJA) provides leadership and assistance in support of state, local and tribal justice strategies to achieve safer communities. Its program activities focus on reducing and preventing crime, violence and drug abuse and improving the overall functioning of the criminal justice system.

The *Bureau of Justice Statistics* (BJS), the statistical arm of the Department, collects and reports on a portfolio of statistics focusing on crime and the operation of the justice system. BJS, through its grant activities, also assists state and local governments with the development of justice information systems and the collection, analysis and dissemination of statistical data.

The *National Institute of Justice* (NIJ) is the principal federal agency for research on crime. Its role is to build knowledge regarding "best practices" and "lessons learned" and to develop tools and technologies to help the criminal justice community prevent and control crime.

The *Office of Juvenile Justice and Delinquency Prevention* (OJJDP) provides national leadership, coordination, and resources to develop, implement, and support effective methods to prevent and respond to juvenile delinquency and child victimization.

The *Office for Victims of Crime* (OVC) provides federal resources to support victims' assistance and compensation programs around the country. OVC activities enhance the nation's capacity to assist crime victims and provide leadership in changing the attitudes, policies, and practices to promote justice and healing for all crime victims.

In addition, OJP's six program offices administer program activities designed to assist state, local, and tribal governments as follows:

The *Corrections Program Office* (CPO) provides financial and technical assistance to state, local, and tribal governments to implement correction-related programs, including corrections facility construction and corrections-based drug treatment programs.

The *Drug Court Program Office* (DCPO) supports the development, implementation and enhancements of drug courts by providing resources, training and technical assistance to states, state courts, local courts, units of local government, and Indian tribal governments.

The *Violence Against Women Office* (VAWO) coordinates the Department's legislative and other initiatives relating to violence against women and administers a series of grant programs to help prevent, detect, and stop violence against women, including domestic violence, stalking and sexual assault.

The *Executive Office for Weed and Seed* (EOWS) helps communities build stronger, safer neighborhoods by implementing the Weed and Seed strategy, a community-based, multi-disciplinary approach to combating crime.

The *Office of the Police Corps and Law Enforcement Education* (OPCLEE) provides college educational assistance and professional leadership training to students who commit to public service in law enforcement, and scholarships with no service commitment to dependents of law enforcement officers killed in the line of duty.

MANAGEMENT CHALLENGES

There are no existing material weaknesses that will hinder the achievement of goals in this area in FY 2003.

However, the DOJ OIG's December 2001 list of the top ten management challenges facing the Department includes one management challenge in this area:

Grant Management. Issue description and performance measure are under Strategic Goal VIII.

PROGRAM EVALUATIONS

Evaluations completed during FY 2001:

At the end of FY 2000, NIJ planned to complete the Byrne (Tribal Strategies Against Violence Initiative), High Intensity Drug Trafficking Areas (HIDTA) Assessment, and Violence Offender Incarceration and Truth-in-Sentencing Grants Evaluation FY 2001. However, due to program requirements, it is anticipated that these evaluations will be completed during FY 2002.

Strategic Approaches to Community Safety Initiative (SACSI) – Problem Solving Partnerships – The pioneering approach of the Strategic Approaches to Community Safety Initiative (SACSI) has begun to take hold in other cities across the United States. Several local, state, and federal organizations have begun to model SACSI strategies and embrace its ideology in their respective endeavors to prevent and reduce crime. The development, design, installation, and improvement of data analysis capabilities were vital to such collaborative, information-driven efforts. This evaluation provided early and ongoing documentation of the steps taken toward building an infrastructure that would easily support such a data-driven approach to problem solving.

Information is essential to understanding the dynamics of a multidimensional phenomenon such as crime. Access to this information is critical to collaborative efforts for reduction and prevention. While the Community Safety Information System suffered some setbacks in the beginning of the SACSI process, it is close to being fully operational in two sites. The team believes the Community Safety Information System offers a unique mechanism for data sharing and strategy formulation among agencies

Operation Drug TEST Evaluation

The Objectives of Operation Drug TEST (ODT) are: universal Iesting to identify drug-involved defendants before their first court appearance; Effective Sanctions when defendants on release are found to be using drugs; and referral of drug-using defendants to Treatment as needed.

Research on pretrial drug test programs other than ODT has shown that drug testing, when closely linked with sanctions and treatment in response to ongoing drug use, can reduce drug use among defendants on pretrial release. Test capabilities put in place by ODT and its impact on districts' use of treatment, indicate that

additional districts may benefit from ODT participation and that sanctioning and treatment innovations are possible if districts place more emphasis on those domains.

COPS - 311 Evaluation – COPS provided funding to the National Institute of Justice to conduct a comparative systems study for handling non-emergency calls for police services. The study includes an examination of the COPS funded 311 systems operation in Baltimore, MD and Dallas, TX and the seven digit non-emergency phone number systems in Phoenix, AZ and Buffalo, NY. The report, “Managing Citizen Calls to the Police: An Assessment of Non-Emergency Call System” is being finalized for publishing by the National Institute of Justice.

COPS - Youth Firearms Violence Initiative Evaluation – The Youth Firearms Violence Initiative was launched in 1995 to provide up to \$1 million to the police departments of 10 participating cities to fund interventions directed at combating the rise of youth firearms violence. The initiative encouraged these jurisdictions to employ community policing approaches to develop or enhance youth-focused programs designed to decrease the number of violent firearms crimes, reduce the number of firearms-related gang offenses, and reduce the number of firearms-related drug offenses.

Applicant agencies implemented street-based activities, school-based activities, and community-based activities that encompassed the broad areas of enforcement, prevention, and technology systems enhancement. Across all 10 jurisdictions, 60 percent of resources were used for law enforcement personnel; approximately 25 percent were budgeted for local evaluation, civilian consultants, and community-based organizations and activities; nearly 15 percent was budgeted to purchase computer hardware and software or to develop information systems.

Five of the 10 grantees were funded for intensive strategies resulting in impact evaluations, and the remaining five implemented less intensive strategies delivering helpful process assessments. Two intensive sites experienced a significant drop in gun crime; one site’s gun crime returned to its pre-initiative level after the initiative concluded, and another site’s gun crime reduction continued through the end of the initiative’s observation period. In the fifth intensive site, gun crimes fell significantly in both the target areas and non-target areas.

Methamphetamine Initiative Evaluation – To assess the effectiveness of the strategies employed by the various jurisdictions funded by the COPS Office to combat methamphetamine, the COPS Office awarded a cooperative agreement to the Institute for Law and Justice and 21st Century Solutions to conduct an external evaluation of the sites awarded grants in FY1998. In July 2000, an edited version of the interim report was submitted to the COPS Office and is now available for downloading from the COPS website. The final report was submitted in August 2001 and is currently under review.

Evaluations to be completed in FY 2002:

At the end of FY 2000, NIJ had planned to have the evaluation of the Community Prosecution Initiative completed by FY 2002. NIJ issued a solicitation for the project, but did not receive any fundable applications. Instead, NIJ is organizing a national forum on community prosecution during FY 2002. A summary document is slated for production in the Fall of 2002.

Local Law Enforcement Block Grant (LLEBG) - A process and impact evaluation will exam the utilization of block grant funding including decision making models, level of innovation and effectiveness of the electronic application process.

Violence Against Women Act (VAWA) -

Evaluation of Services, Training, Officers & Prosecutors - Examination of STOP purpose areas including prosecution, law enforcement, victim services, and services to Native Americans.

Evaluation of the Rural Domestic Violence and Child Victimization Enforcement Grant Program
The process and impact evaluation will provide an analysis of program characteristics and effectiveness.

Evaluation of Grants to Encourage Arrest Policies Grant Program - Study will document local programs funded, examine grantee planning and implementation, evaluate the need for and adequacy of special conditions pertaining to victim confidentiality, and determine the effectiveness of these programs.

Byrne -

Evaluation of Tribal Strategies Against Violence Initiative - Study will document the processes used by tribal communities to develop and implement strategies to reduce violence at seven sites and analyze and document differences and similarities related to the development and implementation of local strategies.

Evaluation of the Impact of Multi-Jurisdictional Task Force - This process and impact evaluation will attempt to assess the effectiveness of this approach to crime reduction.

Violent Offender Incarceration/Truth in Sentencing (VOI/TIS) Grants Evaluation - This process evaluation will examine legislative actions, sentencing patterns, correctional populations, systems costs and crime rates in all 50 states.

Juvenile Mentoring Program (JUMP) Evaluation - This national process and outcome evaluation will collect manage, and analyze both quantitative and qualitative data, provide evaluation technical assistance, and develop reports.

Combating Underage Drinking Program Evaluation - This national process and impact evaluation will determine how states and communities are using the Combating Underage Drinking funds and evaluate the impact of the program in communities.

OJJDP Comprehensive Strategy Evaluation - This process evaluation will document the lessons learned and factors associated with successful Comprehensive Strategy planning and implementation processes.

Safe Kids/Safe Streets (SKSS) Evaluation - This process and impact evaluation will 1) document and explicate the process of community mobilization, planning, and collaboration that has taken place before and during the SKSS awards and 2) determine the effectiveness of the implemented programs in achieving the goals of the SKSS program.

Juvenile Accountability Incentive Block Grant Evaluation - A national study is being conducted to determine how the program has been administered, how the grants have been used, the types of programs funded as well as program access and utilization. The study will assess local satisfaction with training and technical assistance and attitudes toward the program.

Victims of Crime Act (VOCA) Program Evaluation - This process evaluation will assess victim assistance and compensation programs.

School Resource Officer (SRO) Program Assessment - This national assessment will provide a description of various models implemented under the SRO concept and measurement of the impact of various SRO programs on selected indicators of school safety. Some of the programs to be evaluated were funded by the COPS Office through its COPS-in-Schools program.

Evaluation of School Based Partnership Grants – The national evaluation will examine the effectiveness of this COPS program, which was funded in 1998 and 1999.

Justice Base After-School Pilot Program – The primary goal of the Justice Base After-School Pilot Program pilot program is to develop a preventive approach to juvenile crime and victimization, especially in high-crime neighborhoods, in order to improve the overall quality of life in these communities. An evaluation of the COPS sponsored pilot program will be conducted in FY 2002.

Evaluations conducted during FY 2003:

Violence Against Women Act (VAWA) - Grants to Combat Violent Crimes Against Women on Campuses Evaluation - This process and impact evaluation will provide an analysis of program characteristics and effectiveness.

Violence Against Women Act (VAWA) - Domestic Violence Victims Civil Legal Assistance Program Evaluation - This process and impact evaluation will document local programs funded, examine grantee planning and implementation, evaluate the need for and adequacy of special conditions pertaining to victim confidentiality and determine the effectiveness of these programs.

Tribal Youth Program Evaluation - This process and outcome evaluation will examine the relationship between federal, state, local and tribal systems.

Title V National Evaluation - This process and outcome evaluation will examine the viability and effectiveness of the comprehensive, locally-defined risk and protective factor focused prevention models in preventing delinquency in 12 sites in 6 states.

Community Assessment Centers Evaluation - This process and impact evaluation will determine the degree to which two program sites, Denver, CO, and Orlando, FL, implemented the Office of Juvenile Justice and Delinquency Prevention (OJJDP) Community Assessment Centers concept and its effect on the local juvenile justice and delinquency prevention systems and on the juveniles.

STRATEGIC OBJECTIVE 3.1: LAW ENFORCEMENT

Improve the crime fighting and criminal justice administration capabilities of state, tribal, and local governments.

Annual Goal 3.1: Improve the crime fighting and criminal justice administration capabilities of state, tribal, and local governments.

STRATEGIES

- ◆ Provide funding to support state and local criminal justice system initiatives.
- ◆ Focus resources to reduce crime and improve criminal justice services and operations in Indian Country.
- ◆ Improve the capacity of the Nation's "first responder" community to respond to terrorist incidents, including those involving weapons of mass destruction, by providing consultation, training, equipment, and other assistance.
- ◆ Improve the capacity of state and local law enforcement to respond to emerging or specialized crime issues, such as white collar crime and computer-related crime, by providing targeted training, technical assistance, or other technology innovations.
- ◆ Provide direct technical support to state, local, and tribal law enforcement.
- ◆ Develop and support programs and services that target the reduction of the incidence and consequences of family violence, including domestic violence and child victimization.
- ◆ Build knowledge about crime and justice by conducting research and evaluation, developing and testing new technologies, gathering statistics, and disseminating results for more effective criminal justice administration.

The Office of Justice Programs (OJP) continues to invest significant resources in establishing partnerships with state, local, and tribal governments. Through its program activities, OJP provides federal leadership regarding matters of crime and the justice system.

Advances in technology have greatly increased criminal intelligence, information sharing among jurisdictions, and the ability to track and analyze local crime trends. Technology has provided valuable tools to help criminal justice agencies enhance their ability to lower crime and improve their operations. In addition, OJP is developing other law enforcement applications, including investigative and forensics tools, less-than-lethal devices, crime mapping, and vehicle stopping devices. Through OJP programs, states and local jurisdictions have interstate and national access to criminal records and have improved the quality of data in these systems. Accurate state data helps to improve the FBI administered national criminal record systems, such as the Interstate Identification Index, the National Protection Order File, the National Sex Offender File, and the National Instant Criminal

Background Check System, which provides pre-sale record checks pursuant to the Brady Act. OJP is also promoting integrated criminal justice information technology and design to facilitate and assist state and local integration efforts. The goal is to achieve a national integrated justice information environment that will facilitate the development of information sharing systems by federal, state, and local criminal justice agencies.

OJP is working to ensure that tribal governments are included in efforts to improve access to and integration of criminal justice and information technology. To do this, OJP has increased its efforts to channel justice-related resources to make existing programs, traditionally available to states and local entities, more relevant to the needs of tribal governments.

A DOJ priority is to assist tribal governments in building comprehensive and effective law enforcement and public safety systems to provide a foundation for healthy communities through comprehensive problem-solving based on indigenous justice practices and systems. For example, the goal of the Comprehensive Indian Resources for Community and Law Enforcement Project is to enhance tribal governments' response to public safety and to improve the quality of life in three tribal communities.

MEANS – Annual Goal 3.1

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Asset Forfeiture Fund	0	515	0	522	0	452
Community Oriented Policing Services	12	253	12	282	12	690
FBI Identification User Fee	821	109	692	123	692	126
FBI	1557	89	1797	116	1820	118
OJP	387	2371	453	1434	463	831
Public Safety Officer Death Benefits	1	2	1	11	1	4
Public Safety Officer Mandatory	14	26	12	153	12	50
U.S. Attorneys	14	3	15	2	15	2
Telecommunications Carrier Comp.	0	115	0	0	0	0
Subtotal	2806	\$3483	2982	\$2643	3015	\$2273

Skills

OJP requires skilled administrators with expertise in program development, grant administration, technical assistance, evaluation and implementation. In addition, OJP seeks staff with expertise in social science research including the collection and analysis of statistical data.

Information Technology

FBI programs in this area rely upon: NICS (a national name check system that compares the identity of firearm purchasers against several databases to determine eligibility for firearm purchase), IAFIS (identifies individuals through name, date of birth, and fingerprint comparisons), and QGIS (tracks all training conducted at Quantico). The OJP program is supported by the NCJRS system. OJP relies upon data from the Program Accountability Library (PAL), which is an internal, automated grant cataloging system.

PERFORMANCE ASSESSMENT – Annual Goal 3.1

3.1A Reduce Crime and Improve Criminal Justice Administration and Operations in Indian Country

Background/ Program Objectives:

OJP's Tribal Court Program is one method to reduce crime and improve the criminal justice systems and operations in Indian Country. In the last 10 there years has been an unparalleled growth in Tribal courts due to a number of factors including economic development. This growth has increased the need for reliable means of settling disputes that arise in the ordinary course of business. For example, the need for annual adjudication in tribal courts is spurred by managing complex issues such as regulation of gaming, air and water pollution control, mining, banking, and toxic waste disposal.

Performance:

Performance Measure: MEASURE REFINED: Total Number of Tribal Court Grants Funded by Type (This measure has been converted to cumulative totals to better portray the size of the program).

FY 2001 Target: 288 total tribal court grants (88 new court grants, and 49 new enhancement grants to be awarded in FY 2001).

FY 2001 Actual: 151 total tribal court grants

Discussion: Due to delays during the application and approval process, the FY 2001 grants were not awarded as planned. BJA developed and issued a competitive program solicitation that was mailed to 535 eligible tribes in April 2001. Of the applications received, 10 concept papers were for planning grants for single tribe systems and 5 were for planning grants for inter-tribal court systems. For implementation/enhancement, BJA received 120 concept papers.

FY 2002 Performance Plan Evaluation: Due to delays and the higher dollar amount of grants, BJA revised the FY 2002 target downward to a total of 92 new courts and 116 enhancements bringing; the revised final total number of tribal court grants to 208.

FY 2003 Performance Target: 102 new court grants and 141 enhancement grants bringing the cumulative total to 243.

Public Benefit: Tribal courts help Native American communities develop the capability to address their problems within their communities rather than having agencies outside Indian country impose a criminal justice system upon them.

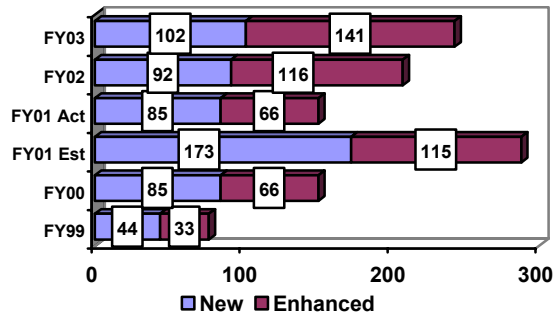
Strategies to Achieve the FY 2003 Goal:

BJA will continue to support the development, implementation, enhancement, and continuing operation of tribal court systems through direct grant awards under this program. BJA expects to use a competitive process in FY 2003. Planning grants will target development of both single-tribe court systems and inter-tribal court systems. Implementation/enhancement grants will be broken into five population-based categories, to provide equitable competition among tribes of similar size, BJA will also work with national Indian constituency groups to provide training and technical assistance to tribal court personnel and promote cooperation among tribal justice systems.

Crosscutting Activities:

OJP is responsible for programs affecting Indian Country and meets on a regular basis with representatives from the Department of the Interior's Bureau of Indian Affairs and DOJ's Office of Tribal Justice.

MEASURE REFINED: Total # of Tribal Court Grants Funded by Type (OJP)



D

Data Definition: Planning grants are used to develop strategy and implementation plans for tribal governments that do not have a judicial system. Enhancement grants are used to implement plans or enhance existing tribal courts.

Data Collection and Storage: Information is collected from Tribal Court files.

Data Validation and Verification: BJA closely monitors grantees to validate and verify performance through progress reports submitted by grantees, onsite monitoring and telephone contact.

Data Limitations: None known at this time.

3.1B Improve Response Time to Crime

Background/ Program Objectives:

Interstate availability of complete computerized criminal records is increasingly vital for criminal investigation; prosecution; sentencing; correctional supervision and release; and community notification. This information is also necessary to conduct thorough background checks for those applying for licenses; firearm purchases; and work involving the safety and well-being of children, the elderly, and the disabled. Interstate exchange of data is critical to ensure that states have access to records maintained by other jurisdictions. The Interstate Identification Index (III), administered by the FBI, provides interstate access to information about offenders at the state and federal level and facilitates this exchange. To ensure compatibility, all state-level record enhancements are required to conform to FBI standards for Interstate Identification Index participation.

The OJP's Bureau of Justice Statistics (BJS) provides direct financial and technical support to states through the National Criminal History Improvement Program (NCHIP). Under the NCHIP program, direct funding and technical assistance is provided to improve the quality, timeliness, and immediate accessibility of the Nation's criminal history records; support the development and enhancement of state sex offender registries and records of protection orders; flag records of domestic violence and stalking; and promote the participation in national systems including the FBI's National Instant Criminal Background Check System, Interstate Identification Index (III), and the National Sex Offender Registry. Currently, all states receive NCHIP funding to improve criminal history records and record systems.

Performance:

Performance Measure: Number of Records Available Through Interstate Access Compared to Total Number of Criminal History Records has been determined to be more informative than the former measure: % of Computerized State Criminal Records.

FY 2001 Target: 41.4 mil of 68.2 mil available through the Interstate Identification Index

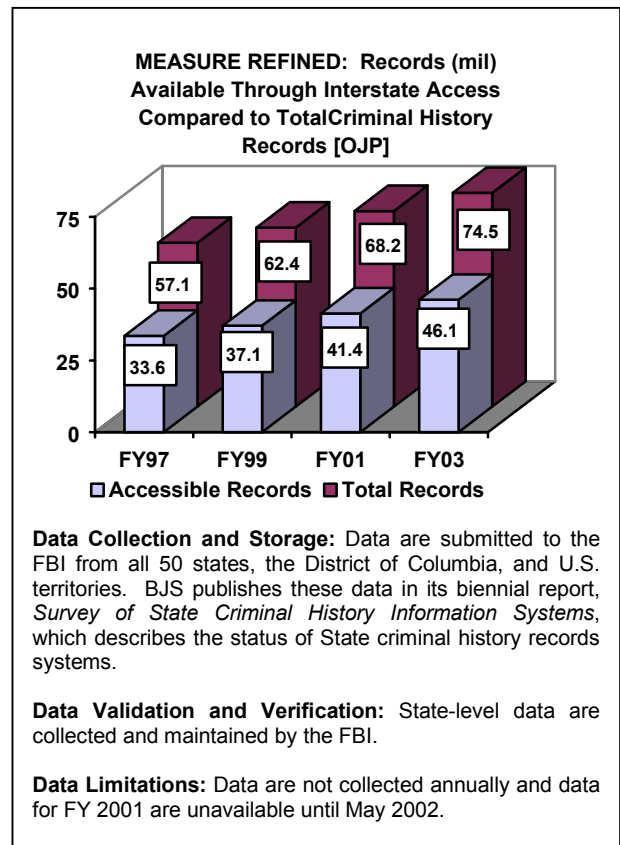
FY 2001 Actual: Unavailable until May 2002

Discussion: Data for this program are collected and analyzed every two years. In addition, FY 2001 data will not be available until May 2002. However, records in 43 states are currently available to the FBI and other states through this system.

FY 2002 Performance Plan Evaluation: No FY 2002 target will be set due to the fact that the survey is only conducted every two years

FY 2003 Performance Target: 46.1M of 74.5M

Public Benefit: III allows for instant access to criminal justice records on an interstate basis. Specifically, the III facilitates the interstate exchange of criminal history records for law enforcement and related purposes, such as presale firearm checks and other authorized background checks and the identification of persons subject to protective orders or wanted, arrested, or convicted of stalking and/or domestic violence.



Strategies to Achieve the FY 2003 Goal:

In FY 2003, BJS, will continue to support states in the expanding range of areas which pertain to criminal history record systems, identification systems, communications, and support for the national record systems maintained by the FBI, including the III and the National Instant Criminal Background Check System.

Crosscutting Activities:

BJS works closely with the FBI, the Bureau of Alcohol Tobacco and Firearms, the Administrative Office of the U.S. Courts and with key representatives of the state law enforcement and court systems.

3.1C Provide Support to Law Enforcement

Background/Program Objectives:

The National Institute of Justice's (NIJ) Crime Lab Improvement Program (CLIP) is one example of how OJP resources are supporting law enforcement efforts to more efficiently manage crime. CLIP improves capacities and capabilities in state and local forensic labs to conduct all types of forensic analyses. CLIP provides funds to assist states to rapidly accelerate the analysis of the DNA samples of convicted offenders across the nation. This accelerated process will allow states to provide Combined DNA Index System (CODIS) compatible data for state and national DNA databases, which is then accessible to law enforcement to help focus investigations and solve crimes.

The DNA Identification Act of 1994 authorized the FBI to establish a national DNA database for law enforcement purposes. As a result, the FBI developed the Combined DNA Index System to facilitate electronic comparison and exchange of DNA profiles among federal, state, and local law enforcement agencies. The National DNA Index System (NDIS) is the highest database level in CODIS and is maintained at the national level. NDIS began operations in October 1998. Participating states can upload and search DNA profiles from across the country on a weekly basis.

In addition to technical support, the Department provides training critical to successful law enforcement. The FBI Academy is responsible for providing five general areas of training. The National Academy Program, serves as the foundation for the FBI's comprehensive training assistance to local, county, and state law enforcement. This program targets law enforcement managers. Its goal is to render training assistance regarding investigative, managerial, technical, and administrative aspects of law enforcement. The FBI Academy also provides in-service training to local, county, and state law enforcement in many areas, such as forensic science. FBI staff located in field offices throughout the country also provide, upon request, education and training programs, thus, contributing to the enhanced professionalism in American law enforcement.

Through support of Bureau of Justice Assistance (BJA), the National White Collar Crime Center provides a national resource for the prevention, investigation, and prosecution of multi-jurisdictional economic crimes. This includes a national training and research institute focusing on economic crime issues. One component, The National Cybercrime Training Partnership, serves as a centralized, operational focal point for assessment, design and delivery of federal, state and local training and technical assistance regarding computer crime investigation and prosecution.

Performance:

Performance Measure: Total Number of Crime Labs with New Forensic DNA technology

FY 2001 Target: 148

FY 2001 Actual: 144

Discussion: The FY 2001 target of 148 was not met. In the future, NIJ will continue to work with all program applicants to ensure that they have all the information necessary to prepare proposals that are in accord with program authority and other federal statutes and regulations impacting federal award recipients.

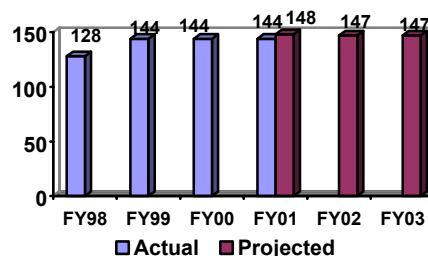
FY 2002 Performance Plan Evaluation:

Based on FY 2001 performance, we plan to meet the FY 2002 goal of 147.

FY 2003 Performance Target: 147

Public Benefit: The demand for technologically sophisticated lab analysis work has never been greater. The number of laboratories successfully updated through this program continues to grow, thereby improving law enforcement's ability to solve crime.

Total # of Crime Labs with New Forensic DNA Technology Capabilities [OJP]



Data Collection and Storage: Information is collected by the program manager and is maintained in local files.

Data Validation and Verification: NIJ validates and verifies performance measures for this program through information supplied from progress reports, on-site monitoring visits and telephone contacts between grantees and program managers.

Data Limitations: None known at this time.

Performance Measure: NEW MEASURE: State and Local DNA Analysis Backlog (based on percentage of the total number of samples collected)

FY 2001 Target: N/A

FY 2001 Actual: 32%

Discussion: The DNA Backlog Reduction program exists to reduce and ultimately eliminate the convicted offender DNA backlog of samples awaiting analysis and entry into the National DNA Index System. Funds are targeted toward the forensic analysis of all samples identified as urgent priority samples (e.g., samples for homicide and rape/sexual assault cases) in the current backlog of convicted offender DNA samples. Due to ongoing legislative changes in qualifying offenses (e.g., the potential for additional classes of offenders from whom samples will be collected) enacted at the State level, the total population of samples collected is constantly growing.

Public Benefit: This program will further reduce the DNA backlog and support a functioning, active system, which can solve old crimes and prevent new ones from occurring.

FY 2002 Performance Plan Evaluation: Based on FY 2001 performance, OJP will meet the FY 2002 target of 30%.

FY 2003 Performance Target: 29%

Performance Measure: Total Number of Investigations Aided by the National DNA Database (CODIS)

FY 2001 Target: NA – New Measure

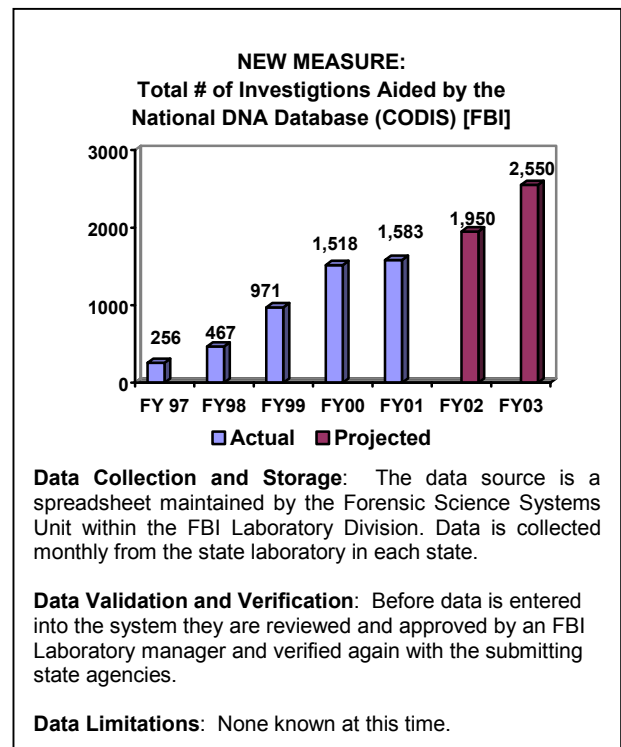
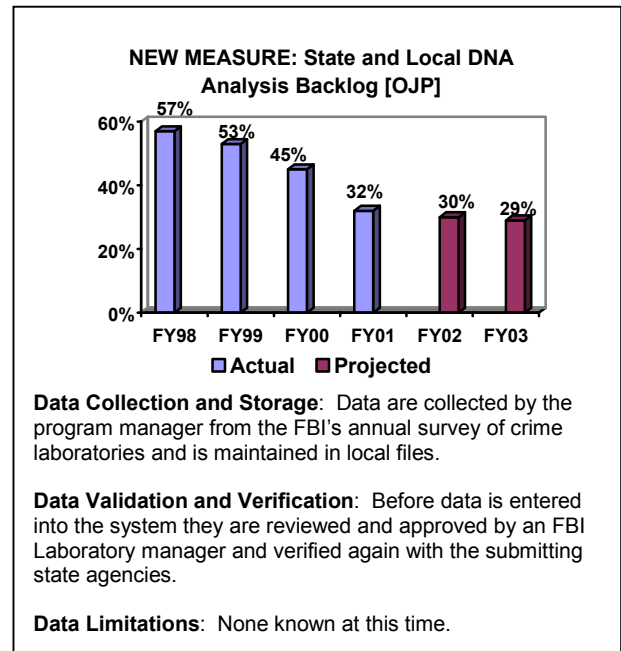
FY 2001 Actual: 1,583 investigations aided

Discussion: One goal of the CODIS program is the prevention or reduction of violent crime. CODIS produces investigative leads in crimes of violence and property. CODIS links DNA evidence obtained from crime scenes, thereby identifying serial criminals. CODIS also compares crime scene evidence to a database of DNA profiles obtained from convicted offenders. Matches between crime scene evidence and the convicted offender database provide investigators with the identity of the perpetrator.

Public Benefit: CODIS addresses national issues and those crimes that pose a threat to the nation. CODIS operations allow state and local laboratories to establish databases of convicted offenders, unsolved crimes, and missing persons, while ensuring accuracy and the fair pursuit of justice.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the corresponding FY 2002 target of 1,950 investigations aided by CODIS.

FY 2003 Performance Target: 2,550 Investigations aided by CODIS



Performance Measure: Law Enforcement and Regulatory Personnel Trained (NOTE: We have modified this indicator to include FBI training in the field at state, regional, and local training facilities).

FY 2001 Target:

Field (FBI): 120,000, Computer Crime: 3,000, FBI Academy: 5,130

FY 2001 Actual:

Field (FBI): 81,031, Computer Crime: 1,753, FBI Academy: 4,355

Discussion: There was an error in establishing the target for Computer Crime training. The maximum capacity for this training is 2,080. Also, the FBI did not reach the targeted number of students for FY2001 because some resources were diverted to address other priorities. We expect resources to be rededicated to the program during FY2002.

Public Benefit: This program directly enhances the effectiveness of the investigation and prosecution of computer crime. More effective management of these cases, in turn, translates to lessening the effects of economic crime on our citizens; not just in monetary losses, but also the demoralizing effects that diminish the quality of life.

Training sessions cover the full range of law enforcement, including hostage negotiation, computer-related crimes, death investigations, violent crimes, criminal psychology, forensic science, and arson. Training programs also enable the FBI to develop effective partnerships with state and local entities that enhance law enforcement efforts throughout the nation.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we have revised the FY 2002 targets to: 1,900 trained in computer crime, 5,130 trained at the FBI Academy, and 100,000 trained in the field.

FY 2003 Performance Target: 1,900 - computer crime, 5,130 - FBI Academy, 120,000 - field

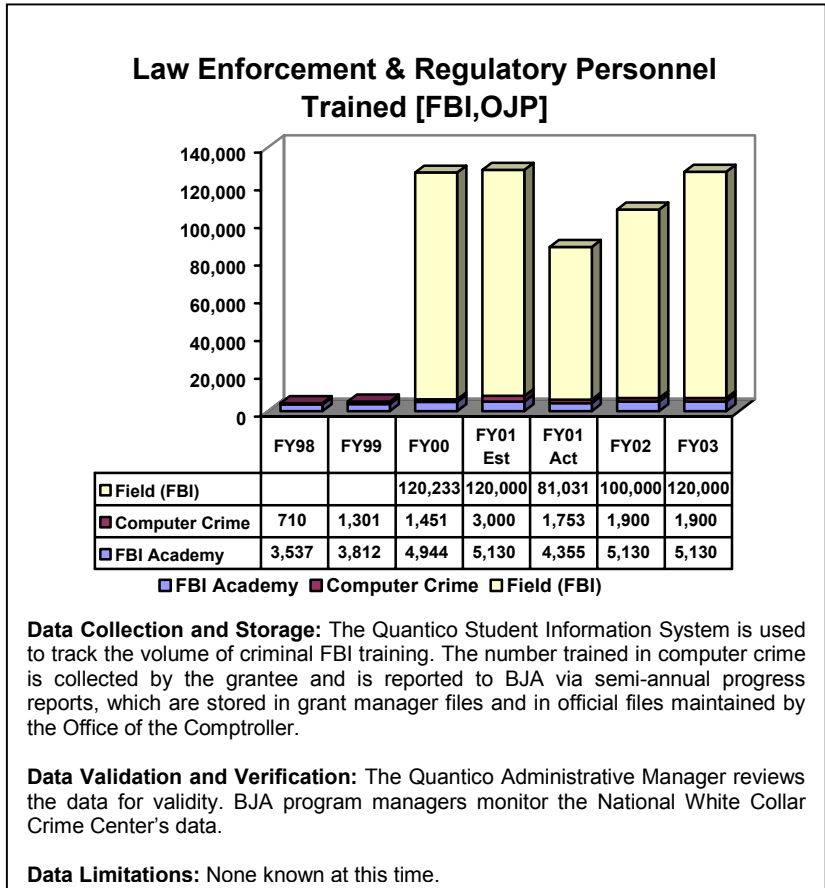
Strategies to Achieve the FY 2003 Goal:

The FBI will begin redesign of CODIS. System architecture and operations changes will make data storage and search capacities sufficient to meet all future needs, and provide immediate electronic access to information in the national DNA database.

BJA will continue to support the National White Collar Crime Center by providing technical assistance and training to local law enforcement and regulatory personnel. NIJ will continue to support CLIP efforts that improve technology capabilities and capacity of state and local forensic DNA labs through forensic DNA testing capabilities; monitoring improvements in the ability of state DNA labs to meet national standards for DNA quality assurance and proficiency testing; and fostering cooperation and mutual assistance among forensic DNA laboratories by funding laboratory compliance with the Combined DNA Index System.

Crosscutting Activities:

CODIS represents a partnership among the FBI, state, and local law enforcement agencies to prevent or reduce additional acts of violence, and pursue justice for those already harmed by such acts. OJP, in coordination with other federal, state, and local agencies, provides training and assistance in implementing statewide strategies to improve criminal justice systems. This includes interactions with the National Law Enforcement and Corrections Technology Center system and the National Cybercrime Training Partnership.



3.1D Expand Programs to Reduce Violence Against Women

Background/Program Objectives:

OJP's Violence Against Women Office (VAWO) administers a combination of two formula and nine discretionary grant programs that support the Violence Against Women Act of 2000 (P.L. 106-386), which are designed to stop domestic violence, sexual assault, and stalking. One notable VAWO program, the Rural Domestic Violence and Child Victimization Enforcement Program provides opportunities for rural jurisdictions to draw upon their unique characteristics to develop and implement policies and services designed to enhance intervention and prevention of domestic violence and child victimization.

Performance:

Performance Measure: Jurisdictions Providing Services in Rural Areas Previously Under- Served

FY 2001 Target: 60 (Total = 237)

FY 2001 Actual: 78 (Total = 255)

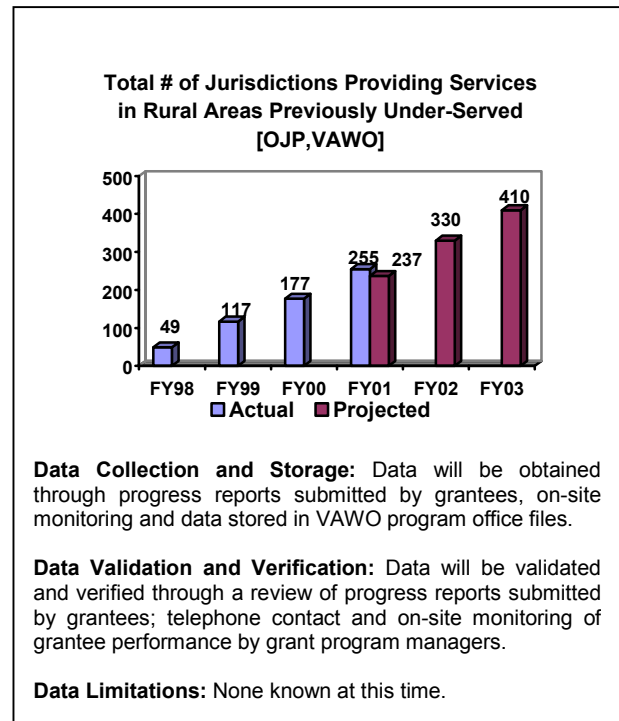
Discussion: VAWO exceed this target by providing Rural Program grants and technical assistance. The Rural Program promotes the implementation, expansion, and establishment of cooperative efforts and projects between law enforcement officers, prosecutors, victim advocacy groups, and other relevant parties to investigate and prosecute incidents of domestic violence and child abuse in rural areas. The program also works in cooperation with these rural communities to develop education and prevention strategies directed toward these issues.

FY 2002 Performance Plan Evaluation:

Based on program performance in FY 2001, we expect to met the FY 2002 target of 330 total jurisdictions.

FY 2003 Performance Target: 410 total jurisdictions

Public Benefit: The ultimate goal of the program is to reduce domestic violence and child abuse in rural areas using methods that are tailored to meet the unique needs of individuals in those areas.



Strategies to Achieve the FY 2003 Goal:

VAWO will continue to target grant funds to rural areas to help eliminate obstacles such as fewer law enforcement resources, shortage of victim services, geographical isolation, and an inability to keep locations of shelters confidential. Program resources will augment available resources by developing partnerships with nonprofit and governmental agencies, as well as local volunteers to enhance the capacity of rural jurisdictions to respond to domestic violence.

Crosscutting Activities:

VAWO's work prevents violence against women and improves intervention programs along with several components within the Department of Health and Human Services. VAWO also coordinates efforts within DOJ and has regular contact with other federal entities such as the Department of Housing and Urban Development, the Office of Personnel Management, the Department of Defense (i.e., U.S. Department of Defense Task Force on Domestic Violence), the Department of Labor, and the Department of State.

STRATEGIC OBJECTIVE 3.2: JUVENILE JUSTICE

Reduce youth crime and victimization through assistance that emphasizes both enforcement and prevention

Annual Goal 3.2: Reduce youth crime and victimization through assistance that emphasizes both enforcement and prevention

STRATEGIES

- ◆ Provide financial assistance (formula and block grants) to eligible states to support improvements in their juvenile justice systems.
- ◆ Support targeted early interventions and prevention programs that reduce the impact of negative (risk) factors and enhance the influence of positive (protective) factors in the lives of youth at greatest risk of delinquency.
- ◆ Support targeted and comprehensive programs to counter youth violence.
- ◆ Support programs that meet the particular needs of child victims, including those who are missing, abused, or neglected.
- ◆ Focus resources to reduce youth crime and improve juvenile justice operations and services in Indian Country.
- ◆ Build knowledge about crime and delinquency.

OJP will help states and communities implement initiatives to prevent, intervene in, and suppress crime by juveniles, as well as to protect youth from crime and abuse. OJP's Office of Juvenile Justice and Delinquency Prevention (OJJDP) works to address youth crime through a comprehensive program of research, evaluation, program development, and information dissemination. This multi-faceted approach targets youth who experience risk factors for delinquency as well as youth arrested, processed, and sentenced in the juvenile justice system. OJP also focuses on status offenders and juvenile offenders who have been diverted from the system into alternative programs. OJJDP also addresses juvenile offenders who have been waived or transferred out of the juvenile justice

system into adult criminal court, typically for the most serious and violent crimes.

MEANS – Annual Goal 3.2

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Office of Justice Programs	142	\$530	142	\$547	129	\$472

Skills

OJP requires skilled administrators with expertise in program development, grant administration, technical assistance, evaluation and implementation. OJP also seeks staff with expertise in social science research including data collection and statistical data analysis.

Information Technology

OJP relies on data provided by its Program Accountability Library (PAL), which is an internal automated grant cataloging system.

PERFORMANCE ASSESSMENT – Annual Goal 3.2

3.2A Improve Juvenile Justice Systems

Background/ Program Objectives:

OJJDP administers the Court Appointed Special Advocates (CASA) Program. The CASA program funds local programs to support court appointed special advocates in their efforts to assist overburdened court officials and social workers. This program not only serves as a safety net for abused and neglected children, but also as an essential ally in delinquency prevention. Research shows that abused and neglected children are at increased risk of repeating the same violent behavior they experience, and are therefore at increased risk of becoming delinquents and adult criminals.

Performance:

Performance Measure: Number of Children Served by the CASA Program

FY 2001 Target: 198,000

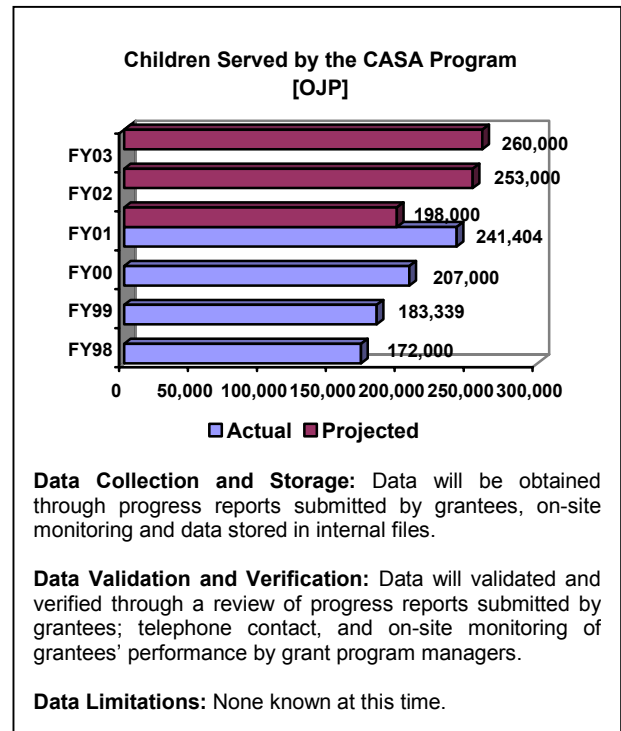
FY 2001 Actual: 241,404

Discussion: The number of CASA volunteers continues to increase, ensuring that more abused and neglected children are receiving quality representation in dependency hearings. OJJDP exceeded the formal target of 198,000, serving approximately 50,000 more children than anticipated.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the FY 2002 target of 253,000 children served.

FY 2003 Performance Target: 260,000

Public Benefit: Children who are victims of abuse and neglect receive effective and quality representation in dependency hearings, thus ensuring that the child's best interest is given appropriate consideration by the court and the child welfare system. CASA volunteers work to ensure that children under the supervision of the court and the child protection system receive the services and attention as detailed in statutory mandates. These efforts assist court and child protection systems that are often overburdened. This program acts as a safety net for abused and neglected children and also supports delinquency prevention.



Strategies to Achieve the FY 2003 Goal:

The CASA program will continue to provide grants nationwide in the areas of: (1) new program development; (2) urban program expansion; (3) program expansion of state organizations; (4) program expansion; and (5) urban demonstration sites. Through the grant award process the National Court Appointed Special Advocates Association will select existing CASA organizations that demonstrate continuing community need and support, and quality administrative and management practices, in order to build the capacity to recruit, train and supervise CASA volunteers as well as start-up programs that demonstrate the need for a CASA program in terms of under-served children and the capacity to implement a program. The National Court Appointed Special Advocates will also provide training and technical assistance to the local grantee programs, as well as CASA programs, nationwide.

Crosscutting Activities:

OJJDP coordinates with other OJP Bureaus and Program Offices as well as COPS, the Departments of Education and Health and Human Services, the Bureau of Labor Statistics, the National Academy of Public Administration, and the Council of Juvenile Correctional Administrators.

3.2B Support Early Intervention and Prevention Programs Focused on Youth Crimes

Background/Program Objectives:

Mentoring programs link at-risk youth with responsible adults to provide guidance, promote personal and social responsibility, discourage gang involvement and encourage participation in community service and activities. Also included are programs to reduce the illegal use of tobacco, alcohol and drugs, decrease truancy, and increase healthy child development. The mentoring program is designed to support youth at risk of educational failure, dropping out of school, or involvement in delinquent activities; including gangs and drug abuse.

OJJDP completed a Report to Congress on the Juvenile Mentoring Program (JUMP), including preliminary results indicating that JUMP shows promise as a preventive measure to reduce delinquency and give participating youth a better chance at success. OJJDP also funded a National Mentoring Center that provides training and technical assistance to mentoring programs through a variety of service, resources and conferences. In addition, OJJDP supports mentoring through the Safe Futures initiative, which assists communities in combating delinquency by developing a full range of coordinated services and formula grant funding to individual states.

Performance:

Performance Measure: MEASURE REFINED: Youth Enrolled in Mentoring Program Nationwide is more informative than the former measure: Total Number of Mentoring Programs Implemented.

FY 2001 Target: 14,000

FY 2001 Actual: 17,721

Discussion: The JUMP program represents a cross-section of the nation, including rural, urban, suburban and tribal areas. Since the program's inception, 203 mentoring programs serving youth in 46 states and 2 territories have been funded under this effort.

FY 2002 Performance Plan Evaluation:

Based on program performance in FY 2001, we are increasing our expected FY 2002 target to 18,500 youth enrolled.

FY 2003 Performance Target: 18,900

Public Benefit: Recent data show that youth involved in mentoring relationships are less likely to get involved with drugs and alcohol, have poor school attendance, drop out of school, and/or experience problems with family and peers.

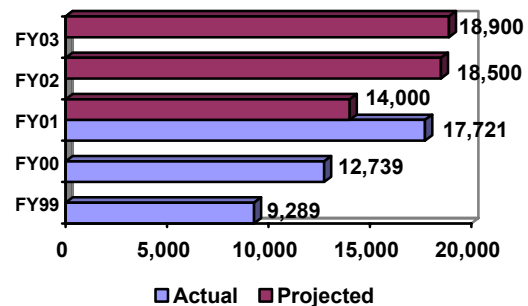
Strategies to Achieve FY 2003 Goal:

In FY 2003, JUMP will continue to link at-risk youth with responsible adults to provide guidance, promote personal and social responsibility, increased educational participation, and discourage use of illegal drugs, violence, and other criminal activity. Each JUMP will match an at-risk youth with an adult mentor. At many sites, youth are provided services, which may include after school programming, recreational services, tutoring, etc. OJJDP will also provide technical training visits; on-site assistance to struggling mentoring programs with significant program operational needs; as well as training conferences at the local, state, regional, and national levels. A self-evaluation workbook and training were provided to assist sites in collecting data on project operation and effectiveness. Results are expected to enhance grantee reporting.

Crosscutting Activities:

OJP is coordinating with internal program offices as well as with the Departments of Education and Health and Human Services, and the Bureau of Labor Statistics.

MEASURE REFINED: # of Youth Enrolled in Mentoring Programs Nationwide [OJP]



Data Collection and Storage: Information is obtained through the JUMP National Evaluator which collects quarterly status reports from each grantee site.

Data Validation and Verification: Grant monitors perform on-site monitoring visits overseeing grantee performance. Additionally, national program evaluations are performed by OJJDP.

Data Limitations: Due to the fact that program start-up varies between fiscal years and youth enrollment varies, setting realistic targets is challenging. Chart includes data from competitively funded JUMP programs, and does not include data from earmarked programs.

3.2C Implement Child Victim Support

Background/ Program Objectives:

OJJDP administers the Missing and Exploited Children's Program. This program coordinates activities under the Missing Children's Assistance Act, including preventing abductions, investigating the exploitation of children, locating missing children and reuniting them with their families, and addressing the psychological impact of abduction on the child and the family. Program funds are used to enhance the efforts of state and local communities in their comprehensive response to missing and exploited children issues through direct assistance in planning and program development; developing and disseminating policies, procedures and programmatic information related to search teams, investigations, and crisis intervention activities; reunification of youth with their families; and issues related to victimization of families and youth involved in the missing and exploitation problem.

The Justice Appropriations Act of 1998, Public Law 105-119, directed OJJDP to create state and local law enforcement cyber units to investigate child exploitation. In FY 2000, 30 regional task forces, that included more than 110 law enforcement agencies, participated in the Internet Crimes Against Children (ICAC) program. These regional task forces provide forensic, prevention and investigative assistance to parents, educators, prosecutors, law enforcement and other professionals working on child victimization issues. In FY 2000, OJJDP introduced the Investigative Satellite Initiative (ISI) to broaden the reach of the ICAC Task Force Program by building forensic and investigative capacity of law enforcement agencies throughout the United States.

Performance:

Performance Measure: Personnel Trained in Missing & Exploited Children Issues (cumulative)

FY2001 Target: 48,000

FY 2001 Actual: 63,762

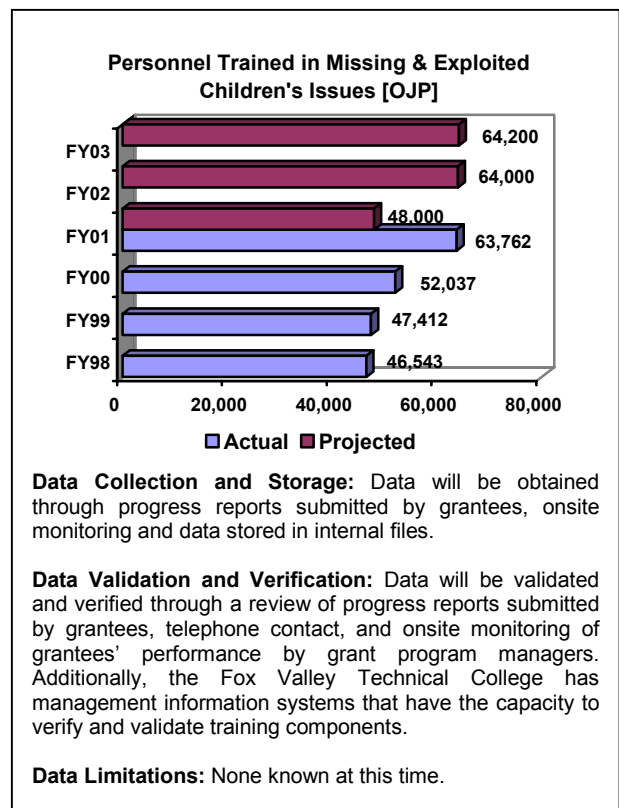
Discussion: In FY 2001, the target was exceeded. The National Center for Missing and Exploited Children and Fox Valley Technical College trainers provided technical assistance orientation and training to law enforcement, criminal and justice, healthcare and social service professionals nationwide and in Canada in child exploitation and missing-child case detection, identification, investigation, and prevention.

FY 2002 Performance Plan Evaluation:

Based on program performance in FY 2001, we increased the FY 2002 performance target to 64,000 trained.

FY 2003 Performance Target: 64,200

Public Benefit: Training programs encourage the use of existing FBI and other federal resources to assist law-enforcement agencies investigating missing and exploited children cases. This will better equip local law enforcement with the tools they need to rapidly respond when a child disappears or is being exploited in cyberspace. These programs also provide training in prosecution and victim assistance.



Performance Measure: NEW MEASURE: Forensic Examinations of Electronic Equipment and Investigations Conducted by Internet Crimes Against Children (ICAC) [OJP] (NOTE: Data for FY 2000 cannot be collected; therefore data displayed is cumulative from FY 2001 forward.)

FY 2001 Target: 1,616 Forensic Examinations
1,165 investigations

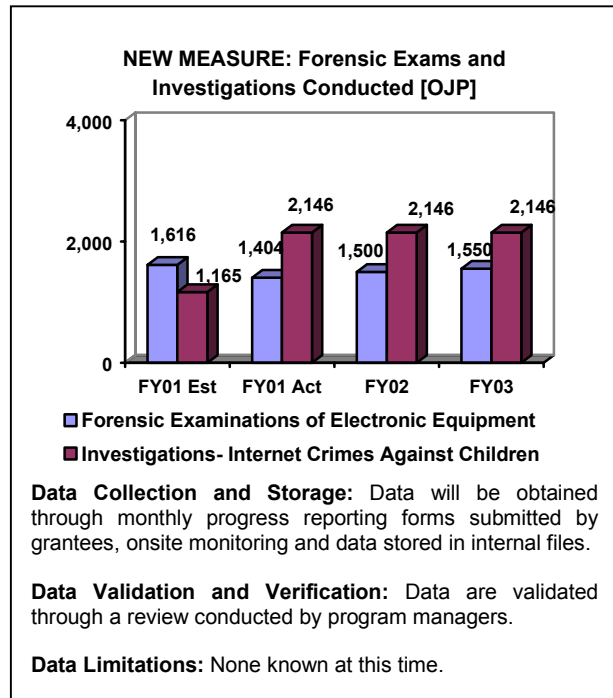
FY 2001 Actual: 1,404 Forensic Examinations
2,146 Investigations

Discussion: The FY 2001 goal of 1,616 forensic examinations of electronic equipment was not met due to a number of circumstances: (1) law enforcement officers were pulled from ICAC duties to investigate acts of terrorism following the events of 9/11/01; (2) ICACs using FBI forensic resources were not available due to FBI's new focus on terrorism; (3) only 12 ICAC satellites reported data because FY 2001 awards were made late in the year; and (4) computer software used to hide pornographic images is getting more sophisticated, and electronic forensic examinations are labor-intensive and now require additional time.

FY 2002 Performance Plan Evaluation: Based on FY 2001 performance, the FY 2002 target has been established at 1,500 forensic examinations and 2,146 technical assistance investigations.

FY 2003 Performance Target: 1,550 forensic examinations and 2,146 investigations

Public Benefit: Recent research by the University of New Hampshire and the National Center for Missing and Exploited Children found that one in five children between 10 and 17 years old received a sexual solicitation over the Internet in the past year. With nearly 30 million children going online everyday, the Internet offers an unlimited pool of unsupervised children where sex offenders can lure children from the safety of their homes with little risk of interdiction. To date, more than 900 computers have been seized, 695 search warrants have been served, 1,338 subpoenas have been issued, and thousands of children, teenagers, parents, educators and other individuals have been reached through publications, presentations, and public service announcements.



Strategies to Achieve the FY 2003 Goal:

OJJDP will continue to provide grants to enhance state and local community efforts in their comprehensive response to missing and exploited/neglected children. OJJDP plans to continue to offer training and technical assistance to support grantees.

Crosscutting Activities:

OJP's OJJDP works with national, international, state, military, and tribal victim assistance, and criminal justice agencies, as well as other professional organizations, to promote fundamental rights and comprehensive services for crime victims. OJJDP works with federal, international, state and military criminal justice agencies to respond and investigate the sexual exploitation of children online. OJJDP and the technical advisors to the ICAC Task Force Board of Directors include the FBI, U.S. Customs Services, US Postal Inspection Service, Executive Office for the United States Attorneys, and the National Center for Missing and Exploited Children.

STRATEGIC OBJECTIVE 3.3: DRUG ABUSE**Break the cycle of drugs and violence by reducing the demand for and use and trafficking of illegal drugs****Annual Goal 3.3: Break the cycle of drugs and violence by reducing the demand for and use and trafficking of illegal drugs****STRATEGIES**

- ◆ Monitor and conduct research on substance use by criminal offenders.
- ◆ Support programs providing drug testing, treatment, and graduated sanctions for persons under the supervision of the criminal system.
- ◆ Prevent juvenile use and abuse of drugs.
- ◆ Improve the ability of state and local law enforcement to respond to emerging or specialized drug-related issues by providing timely intelligence information, targeted training, and appropriate technology.
- ◆ Reduce the demand for and use and trafficking of illegal drugs.

OJP works to prevent use and abuse of drugs and alcohol through a variety of demonstration, educational, and public outreach programs. Research shows that drug use and crime are closely linked. OJP funds a number of ongoing data collection programs used to monitor the drug/crime nexus, including: the National Institute of Justice's (NIJ) Arrestee Drug Abuse Monitoring (ADAM) Program and the Bureau of Justice Statistics' (BJS) National Crime Victimization Survey and Surveys of Jail Inmates, State Prisoners, Federal Prisoners, and Probationers. For more than a decade, the majority of detained arrestees tested positive for recent drug use within 48 hours of their arrest. Research indicates that combining criminal justice sanctions with substance abuse treatment is

effective in decreasing drug and alcohol use and related crime. In addition, correctional agencies have begun to intervene in the cycle of substance abuse and crime by implementing intervention activities, drug testing, and/or treating this high-risk population while under custody or supervision. Drug courts employ the coercive power of courts to subject non-violent offenders to an integrated mix of treatment, substance abuse testing, incentives, and sanctions to break the cycle of substance abuse and crime. Research reveals that offenders who undergo drug testing and treatment while in prison are almost twice as likely to remain drug-free and crime-free after release as offenders who do not receive drug testing and treatment.

MEANS – Annual Goal 3.3**Dollars/FTE**

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Office of Justice Programs	136	\$1122	166	\$1283	102	\$874

Skills

OJP requires skilled administrators with expertise in program development, grant administration, technical assistance, evaluation, and implementation. Expertise includes social science research and the collection and analysis of statistical data.

Information Technology

OJP relies upon data from the Program Accountability Library (PAL), which is an internal automated grant cataloging system. These systems track and provide detailed, statistical reports.

PERFORMANCE ASSESSMENT – Annual Goal 3.3

3.3A Monitor Substance Abuse by Arrestees and Criminal Offenders

Background/ Program Objectives:

NIJ manages the Arrestee Drug Abuse Monitoring (ADAM) program, provides valuable program planning and policy information on drug use and other characteristics of arrestees through quarterly interviews of incarcerated adults and juveniles in 35 sites across the country. Through interviews and drug testing, these 35 communities continue to assess the dimensions of their particular local substance abuse problems, evaluate programs and interventions with offender populations, and plan policy responses appropriate to these populations.

The ADAM program is the only federally-funded drug use prevalence program to directly address the relationship between drug use and criminal behavior. It is also the only program to provide drug use estimates based on urinalysis results, which have proven to be the most reliable method of determining recent drug use. The ADAM program obtains voluntary, anonymous interview and urine samples from arrestees at selected booking facilities throughout the United States.

Performance:

Performance Measure: Total Number of ADAM Sites

FY 2001 Target: 35

FY 2001 Actual: 35

Discussion: NIJ provides discretionary funding and technical assistance to its grantees to operate ADAM sites. In addition, NIJ disseminates publications about the mission and strategy of the ADAM program to law enforcement, policy makers, researchers and practitioners.

FY 2002 Performance Plan Evaluation: Based on FY 2001 performance, we plan to meet our original FY 2002 goal of 50.

FY 2003 Performance Target: 60

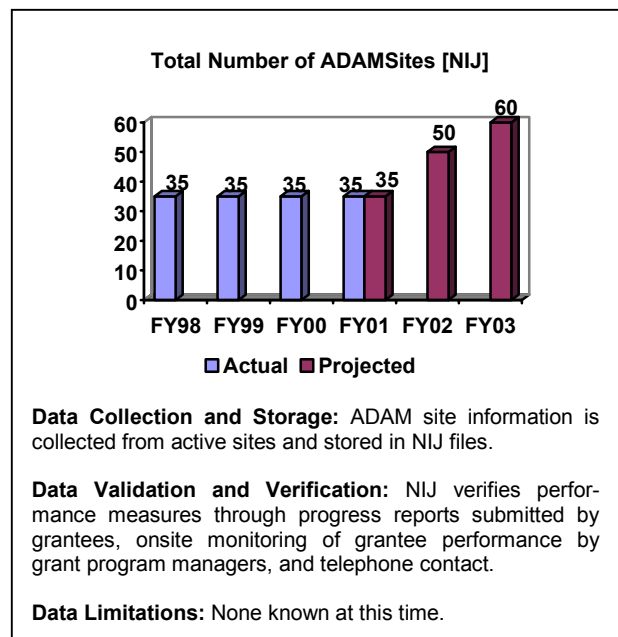
Public Benefit: The goal of the ADAM program is to provide a “National Estimator” of drug use in the U.S. While more sites are needed, 35 sites provided practitioners and policy makers with data tending to show a statistical correlation between the use of drugs and certain types of criminal activity. In cities where ADAM sites were operational, data also gave policy makers and law enforcement officials an opportunity to target particular types of drug use associated with increased crime rates. For example, in Omaha, NE, ADAM data was used by the Department of Correctional Services, Douglas County Sheriff’s Department, to inform enforcement, operational, and planning decisions involving substance abuse. The Omaha Public Detention uses ADAM to train jail employees about the substance use patterns, and the State Probation and Health and Human Services Office uses ADAM data to follow drug use trends.

Strategies to Achieve the FY 2003 Goal:

In FY 2003, NIJ will continue to fund ADAM sites in support of obtaining information pertaining to drug use and characteristics of the arrestees for a better understanding of substance abuse patterns in communities across the country.

Crosscutting Activities:

OJP coordinates its substance abuse treatment programs with the Department of Health and Human Services’ Center for Substance Abuse Treatment and the Office of National Drug Control Policy. The FBI, DEA, United States Marshals Service, and the United States Attorneys’ Offices. Other federal, state, and local law enforcement agencies are using ADAM data to determine detailed trends in drug use.



3.3B Support Programs Providing Drug Testing, Treatment and Graduated Sanctions

Background/ Program Objectives:

The demand for treatment services is tremendous. According to the Bureau of Justice Statistics, approximately 980,000 of the 1.4 million inmates (about 80 percent) in state prisons have used drugs in the past. However, only about 11 percent of prison inmates, and a smaller percentage of jail inmates, participate in drug treatment programs. About one in six reported committing their current offense to obtain money for drugs. The lack of substance abuse treatment is also a juvenile problem largely because little is known about what types of programs are effective for this population. As a result, very few programs exist.

The drug court movement began as a community-level response to reduce crime and substance abuse among criminal justice offenders. This new approach integrated substance abuse treatment, sanctions, and incentives with case processing to place nonviolent drug-involved defendants in judicially supervised rehabilitation programs. The traditional system had rarely provided substance abuse treatment to defendants in any systematic way and, in many cases, provided little or no threat of sanctions to drug offenders. The OJP Drug Court Program Office was established in 1995 to provide financial and technical assistance to states, state courts, local courts, units of local government and Indian tribal governments to establish drug treatment courts. Drug courts employ the coercive power of the judicial system to subject non-violent offenders to an integrated mix of treatment, drug testing, incentives and sanctions to break the cycle of substance abuse and crime. This community-level movement is supported through drug court grants and targeted technical assistance and training.

The OJP's Correction Program Office administers the Residential Substance Abuse Treatment (RSAT) for State Prisoners Program. This formula grant program assists states and units of local government in developing and implementing these programs within state and local correctional and detention facilities in which prisoners are incarcerated for a period of time sufficient to permit substance abuse treatment (6 - 12 months).

Performance:

Performance Measure: Total Number of New Drug Courts (NOTE: This measure has been refined to reflect cumulative data.)

FY 2001 Target: 381

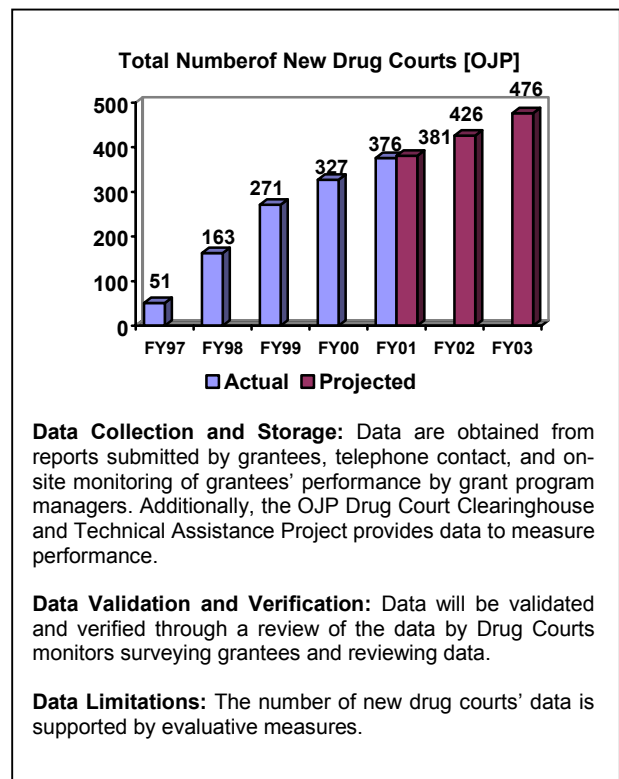
FY 2001 Actual: 376

Discussion: The FY 2001 target was not met due to a change in the implementation grant period (increasing from two to three years) that reduced the number of grants in FY 2000 and the corresponding drug courts expected to come on-line. This procedure has been taken into consideration in determining the targets for the upcoming years, and has been adjusted accordingly. In FY 2001, the DCPO funded the implementation of 49 new drug courts.

FY 2002 Performance Plan Evaluation: Based on program performance FY 2001, we expect to implement 50 new drug courts bringing the FY 2002 total target to 426 drug courts.

FY 2003 Performance Target: Implement 50 new drug courts, bringing the FY 2002 total target to 476.

Public Benefit: Drug courts provide an alternative to traditional methods of dealing with the devastating impact of drugs and drug-related crime.



Performance Measure: Number of Offenders Treated for Substance Abuse (RSAT)

FY 2001 Target: 22,000 (this was an error, the target should have been 36,465)

FY 2001 Actual: 39,718

Discussion: With the assistance of RSAT funding, grantees have expanded 123 substance-abuse treatment programs to provide services to more offenders. Program content was enhanced through the addition of improved screening and classification, increased staffing, educational programs, pre-release planning and relapse prevention in FY 2001. Grantees have taken these steps to provide improved treatment and to further invest in the successful completion of the program by the offenders.

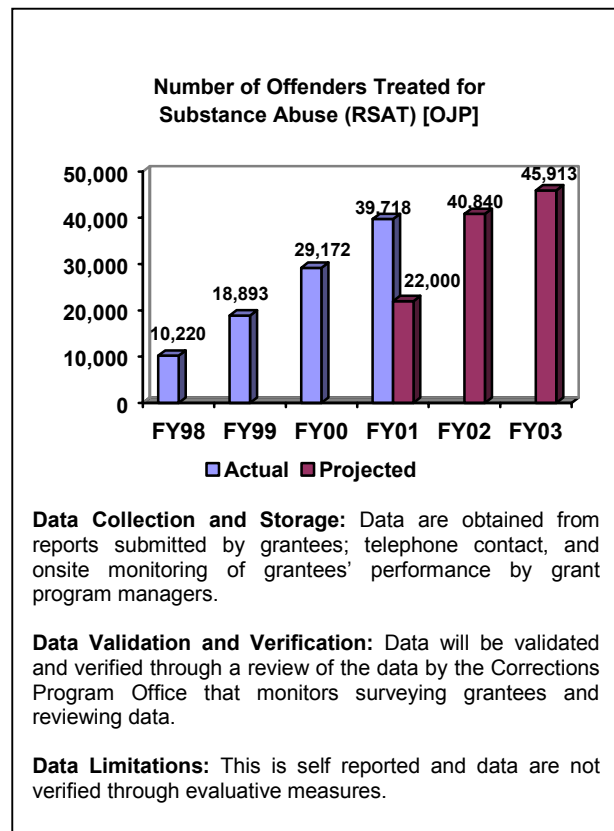
FY 2002 Performance Plan Evaluation:

Based on FY 2001 performance, we plan to meet the original FY 2002 target of 40,840

FY 2003 Performance Target: 45,913

Public Benefit: Treated offenders are less likely to use drugs upon release which will enable them to be more employable, more likely to build strong relationships with their families and communities, and less of a strain on community substance abuse resources as they continue to heal and maintain abstinence.

Treated offenders who remain drug free are also less likely to commit crimes. This adds a public safety benefit as a result of addressing their treatment needs.



Strategies to Achieve the FY 2003 Goal:

DCPO will continue to employ the statutory provisions by implementing a comprehensive four-step strategy that provides programmatic guidance and leadership to communities interested in drug courts. This discretionary grant program is designed to provide seed funding for drug courts, not long term direct support, therefore, the overall goal of the DCPO strategy is to build capacity at the state and local level. The four components of the strategy are: providing direct funding to local courts to implement or enhance a drug court; providing an array of training and technical assistance opportunities to implement best practices; supporting the evaluation of drug courts to demonstrate the effectiveness; and partnering with the drug court field to integrate the drug court movement into the mainstream court system.

Crosscutting Activities:

OJP coordinates with other DOJ components, as well as the Department of Health and Human Services' Center for Substance Abuse Treatment, the Office of National Drug Control Policy, the State Justice Institute, and the Department of Transportation's National Highway Traffic Safety Administration.

STRATEGIC OBJECTIVE 3.4: VICTIMS OF CRIME
Uphold the rights of and improve services to America's crime victims

Annual Goal 3.4: Uphold the rights of and improve services to America's crime victims

STRATEGIES

- ◆ Implement procedures to streamline the claims process under the Public Safety Officers' Benefits Acts of 1976.
- ◆ Provide financial and technical assistance (including training) to meet the needs of crime victims.
- ◆ Develop knowledge about the needs of child victims, including those who are missing, abused, or neglected.

OJP's Office for Victims of Crime (OVC) is dedicated to serving our nation's victims, including those in traditionally under served populations. OVC, in carrying out its mission, (1) enacts and enforces consistent, fundamental rights for crime victims in federal, state, juvenile, military, and tribal justice systems through a Victims Rights Constitutional Amendment; (2) provides comprehensive quality services for all victims; (3) integrates crime victims' issues into all levels of the country's education system to increase public awareness; (4) provides comprehensive quality training for service providers who work with crime victims; (5) develops a National Crime Victims Agenda to provide a guide for long

term action; (6) serves in an international leadership role in promoting effective and sensitive victim services and rights around the world; and (7) ensures a central role for crime victims in the country's response to violence and victimization.

OVC administers a mix of formula and discretionary grant programs. Through its National Crime Victim Assistance program, OVC provides funds for programs that provide direct services to crime victims. OVC's compensation program helps reimburse victims for their out-of-pocket expenses related to crime. In order to more accurately measure the effectiveness of OVC's programs, and provide the appropriate kinds of services victims most need and want, the OVC and the National Institute of Justice (NIJ) are funding a study to identify victims' needs (estimated completion in March 2002), the sources of aid they seek to meet those needs, the adequacy of the aid they receive, the role of victim assistance and compensation programs in delivering needed aid, and whether victims are accorded their full rights under applicable statutes. Additionally, OJP's other components offer a wide range of such training programs on a variety of victim-related topics.

MEANS – Annual Goal 3.4

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Crime Victims Fund	48	\$538	55	\$623	48	\$628

Skills

The program requires skilled administrators with expertise in program development, grant administration, technical assistance, evaluation and implementation. Expertise includes social science research and the collection and analysis of statistical data.

Information Technology

OJP relies upon data from the Program Accountability Library (PAL), which is an internal, automated grant cataloging system. These systems track and provide detailed, statistical reports.

PERFORMANCE ASSESSMENT – Annual Goal 3.4

3.4A Provide Victim Services (Management Challenges)

Background/ Program Objectives:

OVC is committed to enhancing the Nation's capacity to assist crime victims and to provide leadership through policies and practices that promote justice and healing for crime victims. OVC strives to improve the criminal justice system's response to victims of crime, including Native Americans, through the delivery of direct service and funding, training and technical assistance, and through monitoring the implementation of statutes providing victims rights and assistance. In addition, victims who prefer a faith-based service as opposed to a non-sectarian based service will have the option of choosing between faith-based or non faith-based services.

The Federal Crime Victims Division of OVC is responsible for ensuring that all victims of federal crimes receive assistance, rights as victims are protected, and fully participate in the criminal justice process to promote recovery from the impact of the crime. The Crime Victims Fund sets aside funds for FBI victim witness specialists and support for victim witness coordinators and advocates in U.S. Attorneys Offices.

Performance:

OJP is working with OMB and, in turn, the White House Office of Faith Based and Community Initiatives, to develop an appropriate measure of performance. The measure will focus on efforts to improve access and level the playing field for faith-based and community organizations in the federal grant process. Currently, efforts are underway to improve data collection in this area, to better identify the types of applicants. This information will allow us to determine the effectiveness of our outreach efforts and accessibility to potential grantees.

Strategies to Achieve the FY 2003 Goal:

OVC will continue to encourage states to provide victims with the option of being served by faith-based organizations via state victim assistance subgrants.

Crosscutting Activities:

OVC will continue to work with and encourage Victim of Crime Act (VOCA) Grant Administrators to provide grants to faith-based subgrantees.

STRATEGIC OBJECTIVE 3.5 COMMUNITY SERVICE**Support innovative, cooperative, and community-based programs aimed at reducing crime and violence in our communities.****Annual Goal 3.5: Support innovative, cooperative, and community-based programs aimed at reducing crime and violence in our communities.****STRATEGIES**

- ◆ Encourage community-based approaches to crime and justice at the state and local level through comprehensive and collaborative programs.
- ◆ Assist communities in preventing violence and responding to conflicts that arise from racial and ethnic tension.
- ◆ Support community policing initiatives.
- ◆ Support community justice initiatives.

DOJ, through the Office of Community Oriented Policing Services (COPS), will continue to advance community policing by supporting local efforts to put additional officers on our streets and in our schools; by providing funding to enhance technology and encourage interoperability between jurisdictions, combat methamphetamine use, and support police integrity initiatives; and by providing training and technical assistance to law enforcement agencies.

Through the Community Relations Service, the Department will continue to provide conflict resolution,

violence prevention, police-community relations training, and technical assistance to local communities. Through the Office of Justice Programs (OJP) and the Community Relations Service (CRS), DOJ will continue to provide assistance to state and local governments with community-derived strategies to fight crime, resolve local conflicts, and reduce community violence and racial tension. As part of this strategy, CRS and OJP will engage communities in developing their own strategies that focus on bringing together the energy and willingness of community leaders, organizations, and citizens to work towards crime-prevention and improved race relations, thereby building safe neighborhoods and communities for all Americans. Community policing opens lines of communication between the police and residents. Police officers and sheriffs deputies, as public servants who interact with citizens on a daily basis, have a unique opportunity to demonstrate the importance of police involvement in the community. In turn, they realize their authority and effectiveness are linked directly to the support they receive from citizens.

MEANS – Annual Goal 3.5**Dollars/FTE**

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Community Oriented Policing Services	137	678	173	640	173	127
Community Relations Service	52	9	56	9	56	9
Office of Justice Programs	19	21	20	31	18	29
Subtotal	208	\$708	249	\$680	247	\$165

Skills

CRS requires conciliation specialists, managers, and program specialists in order to meet the performance goals. Conciliation specialists must be skilled in conflict resolution and violence prevention techniques. In addition, the managers and program specialists require skills in needs analysis; technical assistance; and program development, implementation, and evaluation. COPS and OJP require skilled administrators with expertise in program development, grant administration, technical assistance, evaluation and implementation. In addition, OJP seeks staff with expertise in social science research, including the collection and analysis of statistical data.

**Information
Technology**

OJP relies upon data from the Program Accountability Library (PAL). These systems track and provide detailed, statistical reports. In addition, COPS relies on its own grant management system. In FY2002, CRS will begin revamping its old case management system to make it compatible with current recording and reporting needs, including the Congressionally mandated requirement to notify affected Members of Congress of conflict-related deployments of CRS conciliators.

PERFORMANCE ASSESSMENT – Annual Goal 3.5

3.5A Support Community Policing Initiatives

Background/ Program Objectives:

As crime and the fear of crime rose in the 1970s and 1980s, it became apparent that the traditional law enforcement response was not effective. Police were reacting to crime, rather than preventing it and communities felt law enforcement was unresponsive to their concerns. A few cities began experimenting with community involvement in solving problems and addressing the conditions that lead to crime. They found it surprisingly effective. As the practice grew and developed, it came to be known as community policing.

The COPS Office has three primary objectives: reduce the fear of crime; increase community trust in law enforcement; and contribute to the reduction in locally-identified, targeted crime and disorder. Community policing rests on three primary principles: 1) continuous community-law enforcement partnership to address issues in the community; 2) a problem-solving approach to the causes of crime and disorder; and 3) sustained organizational change in the law enforcement agency that decentralizes command and empowers front-line officers to build partnerships in the community and address crime and disorder using innovative problem-solving techniques.

The COPS Office awards grants based on a jurisdiction’s public safety needs and its ability to sustain the financial commitment to deploy additional community policing officers beyond the life of the grant. The number of officers that are ultimately deployed can either increase or decrease from the initial award estimate based on many factors including: the success of a jurisdictions’ officer recruitment efforts; the actual availability of local matching funds (which could vary from initial estimates based on funding appropriated by local governments); and the number of officers that successfully complete academy training.

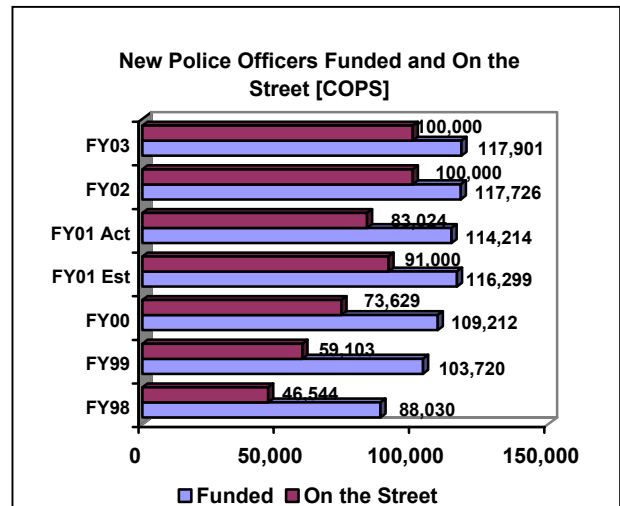
In addition, the COPS In Schools program provides funding to hire School Resource Officers (SROs). While the specific activities of an SRO are largely determined by local communities to address the unique needs of their school, SROs are sworn law enforcement officers serving as liaisons to the school community, school-based problem solvers, and law-related educators. They are an integral part of the protective fabric of the school, developing relationships with students, faculty and staff, building respect between law enforcement and schools, and preventing problems before they occur.

Performance:

Performance Measure: New Police Officers Funded and On the Street

FY 2001 Target: 116, 299 funded, 91,000 on the street

FY 2001 Actual: 114,124 funded, 83,024 on the street (The number of officers funded accounts for withdrawals, modifications, and terminations that have occurred over the past two seven years and represents the number of additional officers funded for American law enforcement since 1995.)



National Assessment of COPS Grants	FY 2002 Target
% Reduction in Locally Identified, Targeted Crime & Disorder (FY2000 = Baseline)	1-4%
% Reduction in Fear of Crime in Surveyed Communities (FY2000 = Baseline)	1-4%
% Increase in Trust in Local Law Enforcement in Surveyed Communities (FY2000 = Baseline)	1-4%

Data Collection and Storage: The COPS Management system tracks all individual grants. The COPS Count Survey collects data from police agencies on the number of COPS funded officers on the street. The methodology for conducting the National Assessment and collecting assessment data has not yet been determined.

Data Validation and Verification: Data review is conducted as part of the grants management function.

Data Limitations: None known at this time. For the National Assessment data, COPS will rely on third parties for much of its data collection and anticipates variation in data collection and interpretation, therefore, data reliability will vary among program participants.

Discussion: In FY 2001, the COPS Office achieved 98% of its cumulative target for the number of officers funded and 91% of its target for police officers on the street. The shortfall in achieving the target was due the inability to re-obligate funds from grants made in previous years that had been reduced or withdrawn. This restriction was only applicable in FY 2001.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we have decreased corresponding FY 2002 officers funded target to 117,726. The target for officers on the street will remain at 100,000.

FY 2003 Performance Target: 117,901 officers funded, 100,000 on the street. The number of officers funded may be inflated, as discretion exists to use this additional funding for equipment as well as officers.

Public Benefit: COPS grants have funded more than 114,000 officers in more than 12,400 police and sheriff departments. Independent studies have proven the hiring initiatives resulted in significant reductions in local crime rates in cities with populations greater than 10,000. With over 90 percent of the U.S. population living in areas of this size, the COPS hiring and innovative grant programs appear to have had a significant crime reducing effect on the vast majority of the U.S.

Performance Measure: # of School Resource Officers Funded/Hired

FY 2001 Target: 4,511 funded, 3,078 hired

FY 2001 Actual: COPS exceeded both targets with 4,562 funded and 3,191 SROs hired. (The number of officers funded accounts for withdrawals, modifications, and terminations that have occurred over the past two years and represents the number of SROs funded since 1999.)

Discussion: SROs have implemented a variety of successful programs in primary and secondary schools, such as Junior Police Academies, truancy courts, youth services teams, and law related education such as drunk driving, date rape, drug use, and other relevant topics. In some schools, SROs develop emergency response plans for schools to follow in the event of a major emergency, such as a chemical spill, fire, shooting or bombing.

FY 2002 Performance Plan Evaluation: Based on program performance FY 2001, we expect to meet the FY 2002 targets of 6,103 funded and 4,452 hired.

FY 2003 Performance Target: NA. Program not funded in FY 2003.

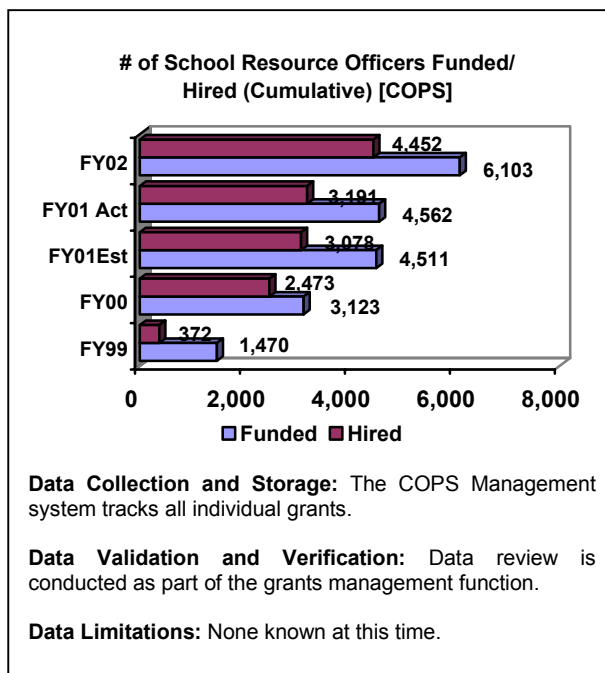
Public Benefit: SROs assist schools and communities in ensuring a safe environment for students and staff by acting as problem solvers and liaisons to the community, safety experts and law enforcers, and educators. Two recent examples of SRO effectiveness include an incident where an eighth grade student fired two rounds into the ceiling of a classroom filled with math students. The SRO encountered a student who was distressed and armed, after a long discussion, the boy agreed to hand over the weapon and turn himself over to authorities. Another incident occurred, where SROs played an integral role in thwarting an alleged plot by three students to explode bombs inside the high school and then shoot peers as they ran for safety.

Strategies to Achieve the FY 2003 Goal:

COPS will continue to support existing grants and evaluate the effects of community policing on crime, fear of crime, and trust in law enforcement among its grantees. COPS will continue to support the advancement of community policing through training and technical assistance, community policing innovation conferences, development and sharing of best practices through publications and websites, and pilot community policing programs. To meet critical law enforcement needs, the COPS Office will continue to work in partnership with law enforcement agencies to enhance police integrity.

Crosscutting Activities:

COPS works on joint projects with the Office of Justice Programs and its component bureaus as well as other agencies including the Safe Schools/Healthy Students Program, where DOJ, HHS, and the Department of Education pooled resources and created a unified application process.



3.5B Assist Communities in Resolution of Conflicts and Prevention of Violence Due to Ethnic and Racial Tension

Background/ Program Objectives:

The Community Relations Service (CRS) will continue to improve and expand upon the delivery of conflict resolution and violence prevention services to state and local officials and community leaders in FY 2002. These services include: direct mediation and conciliation services; transfer of knowledge and expertise in the establishment of partnerships and formal agreements for locally-derived solutions; development of community trust and cooperation; improvement of local preparedness for addressing violence and civil disorders; and assistance in enhancing the local capacity to resolve local conflicts.

Performance:

Performance Measure: Communities with Improved Conflict Resolution Capacity as a Result of CRS Assistance (Former title: Communities Capable of Responding to Racial and Ethnic Tension)

FY 2001 Target: 330

FY 2001 Actual: 371

Discussion: CRS provides conflict resolution and violence prevention services to state and local officials and community leaders experiencing local conflicts and violence due to race, color, or national origin. Due to limited resources, one of CRS' program operations priorities is to improve the local capacity to respond to their own racial and ethnic tensions. CRS has been successful in empowering communities and has exceeded its target goal in FY2001.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we have increased the FY 2002 target to 425 communities.

FY 2003 Performance Target: 438 communities

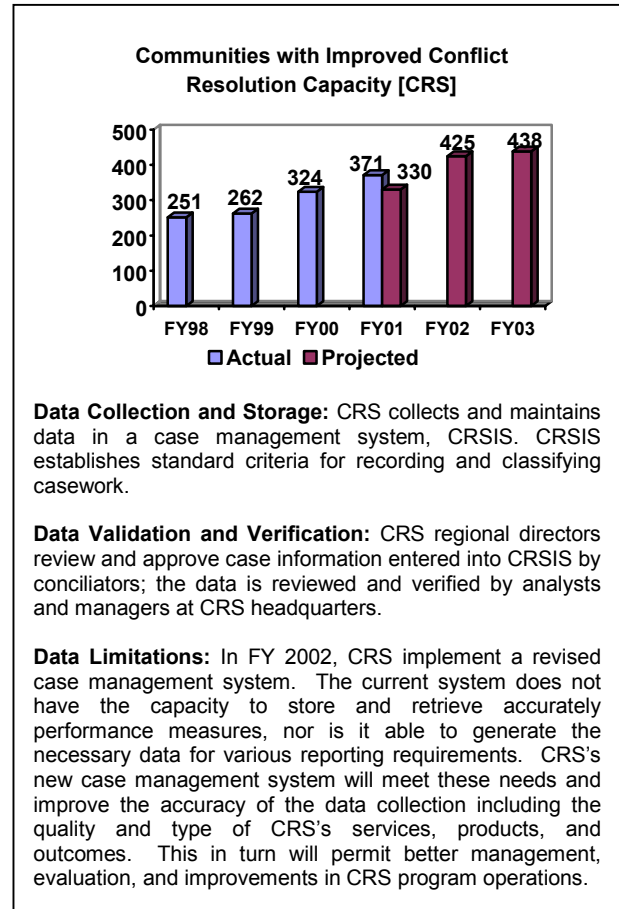
Public Benefit: CRS services directly benefit states and local communities. The most immediate benefit to state and local officials and community leaders is the ability to rely on CRS' expertise and experience in developing tools and fostering the trust and willingness among the parties in conflict to reduce racial conflict or violence. Local communities can then work toward building their own capacities; when communities develop their own capacity to prevent and manage racial violence and disorder, states' and localities' fiscal budgets, businesses, and social programs benefit as well. Moreover, CRS is then free to redeploy its limited resources to serve other communities in need of CRS' conflict resolution and violence prevention services.

Strategies to Achieve the FY 2003 Goal:

CRS will continue providing conflict resolution and violence prevention services to state and local officials and community leaders in FY 2003. In addition, CRS will provide training, technical assistance, and transfer its expertise and knowledge to help state, local, and tribal governments and communities build their own capacities to address local conflicts and violent situations emanating from race and ethnicity.

Crosscutting Activities:

In achieving these crosscutting efforts, CRS collaborates with high level officials from: the Office of U.S. Attorneys, the FBI, Criminal Division, Civil Rights Division, INS, OJP, COPS, Office of Tribal Justice, and state and local governments. In addition, CRS strives to improve communications and cooperation among DOJ components, local law enforcement agencies, and minority communities.



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IV

STRATEGIC GOAL FOUR:

Protect the Rights and Interests of the American People by Legal Representation, Enforcement of Federal Laws, and Defense of U.S. Interests

The Department of Justice is the Nation's litigator and is often described as the largest law firm in the world. The Department's attorney staff is administratively organized into the 94 U.S. Attorneys Offices, 6 litigating divisions (the Antitrust Division, the Civil Division, the Civil Rights Division, the Criminal Division, the Environment and Natural Resources Division, and the Tax Division), and the Office of the Solicitor General.

The U.S. Attorneys serve as the Attorney General's chief law enforcement officers in each federal judicial district and represent the United States in most civil and criminal matters. The litigating divisions are centralized repositories of specialized expertise and perform many critical functions, including representing the United States in cases that present novel and complex legal and factual issues; multi-district cases that require a centralized and coordinated response; cases that require extensive contact (or specialized expertise) with client agencies whose headquarters are in Washington, D.C.; or cases in which the U.S. Attorney may be recused.

The Office of the Solicitor General represents the interests of the United States before the U.S. Supreme Court and authorizes and monitors the government's activities in the Nation's appellate courts. The U.S. Attorneys, the litigating divisions, and the Office of the Solicitor General share responsibility for representing the United States and enforcing the Nation's antitrust, civil, criminal, civil rights, environmental, and tax laws. Together, they ensure that the Federal Government speaks with one voice with respect to the law.

The Attorney General has identified a number of priorities that DOJ's litigating divisions and the U.S. Attorneys will be focusing on in FY 2002. These include initiatives to protect the public fisc from unmerited claims; to recover monies owed to the U.S. Treasury; to defend challenges to the Federal Government's laws, regulations, and initiatives; to vigorously enforce the Nation's civil rights laws; to continue to focus on enforcing the law even when parties or misdeeds affecting the U.S. are beyond our shores; and to increase efforts to combat specialized white collar crime, particularly health care fraud and internet-related crime.

MANAGEMENT CHALLENGES

There are no existing material weaknesses that will hinder the achievement of goals in this area in FY 2003, nor did DOJ's OIG, in its December 2001 list of top ten management challenges facing the Department, list any management issues in this area.

PROGRAM EVALUATIONS

There are no program evaluations projected for FY 2003.

STRATEGIC OBJECTIVE 4.1: CIVIL RIGHTS

Uphold the civil rights of all Americans, reduce racial discrimination, and promote reconciliation through vigorous enforcement of civil right laws

Annual Goal 4.1: Uphold the civil rights of all Americans, reduce racial discrimination, and promote reconciliation through vigorous enforcement of civil right laws

STRATEGIES

- ◆ Target specific actions as part of a comprehensive strategy to safeguard the civil rights of all persons residing in the United States.
- ◆ Educate the American business community and state and local governments regarding federal civil rights laws and requirements.

The Department of Justice is the chief agency of the Federal Government charged with protecting constitutional and statutory rights guaranteed to all Americans. Through the Department's Civil Rights Division (CRT), the FBI and the United States Attorneys (USAs), DOJ enforces numerous civil rights laws including the Americans with Disabilities Act; the Fair Housing Act; the Civil Rights Acts of 1964, 1968, and 1991; the Freedom of Access to Clinic Entrances Act; the Equal Education Opportunities Act of 1874; the Immigration Reform and Control Act. In addition, the Department also investigates and prosecutes criminal

violations of the Nation's civil rights laws, involving matters such as police misconduct, hate crimes, church arson and desecration, and involuntary servitude.

Our objective also requires that we educate the public about the federal civil rights laws, fostering voluntary compliance to the civil right ideals of non-discrimination, equal opportunity and justice, so that all Americans can be treated with dignity and enjoy the full bounty of the American ideals of equality, fairness, and equal opportunity.

The DOJ promotes compliance with basic federal civil rights protections through a multi-faceted enforcement program. These civil rights laws influence a broad spectrum of conduct by individuals and public and private institutions. They prohibit discriminatory conduct in such areas as law enforcement, housing, employment, education, voting, lending, public accommodations, access to services and facilities, and treatment of juvenile and adult detainees and residents of nursing homes. They also provide criminal safeguards against hate crimes and criminal and civil safeguards against official misconduct.

The DOJ is the protector of the rule of law within the Executive Branch of government. Fair and uniform enforcement of federal law to prevent hate crimes, police profiling, and a host of other pernicious discriminatory conduct is crucial to the public's trust of government and law enforcement. In recent years, the role of the Department has expanded to issues that capture national attention, such as church arson, clinic bombings, police-profiling and hate crimes. These unpredictable events require the Department to respond both appropriately and creatively.

Police and other official misconduct; crimes of racial violence such as cross-burning, arson, and vandalism; reproductive health care violence and obstruction; victimization of migrant workers; discrimination in housing, lending, education, employment, and voting; and the basic rights of persons with disabilities will continue to be high priorities for resource allocations.

MEANS – Annual Goal 4.1

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Civil Rights Division	678	91	745	99	750	103
Federal Bureau of Investigation	353	43	356	48	356	48
U.S. Attorneys	19	2	21	2	21	3
Subtotal	1050	\$136	1122	\$150	1127	\$154

Skills

Attorneys and support staff experienced in constitutional and statutory civil law. FBI agents experienced in civil rights violation investigations.

Information Technology

The Division has upgraded its Interactive Case Management (ICM) system and desktop office automation system. FBI relies upon: ISRAA, a centralized database that tracks statistical information on cases from inception to closure; and ACS, a database that captures all information pertaining to administration of cases.

PERFORMANCE ASSESSMENT – Annual Goal 4.1

4.1A Prosecute Criminal Civil Rights Violations

Background/ Program Objectives:

CRT works with the FBI and the USAs to prosecute cases of national significance involving the deprivations of Constitutional liberties which cannot be, or are not, sufficiently addressed by state or local authorities. These include acts of bias-motivated violence; misconduct by local and federal law enforcement officials; violations of the peonage and involuntary servitude statutes that protect migrant workers and others held in bondage; criminal provisions which prohibit conduct intended to injure, intimidate, or interfere with persons seeking to obtain or to provide reproductive health services; as well as a law which prescribes interference with persons in the exercise of their religious beliefs and the destruction of religious property. The federal criminal civil rights statutes provide for prosecutions of conspiracies to interfere with federally protected rights, deprivation of rights under color of the law, and the use of threat or force to injure or intimidate persons in their enjoyment of specific rights.

Performance:

Performance Measure: % Successful CRT Prosecutions

FY 2001 Target:

87% Successful CRT Prosecutions

FY 2001 Actual:

90% Successful CRT Prosecutions

Discussion: In FY 2001, 93 cases filed resulted in the charging of 189 defendants. Of the 189 defendants charged, 97 law enforcement officers, including police officers, deputy sheriffs and state and federal prison correctional officials were charged with using their positions to deprive individuals of constitutional rights, such as the right to be free from unwarranted assaults and illegal arrests and searches. In addition, the average overall success rate was 100% in non-law enforcement prosecutions and 80% in color of law cases for an average success rate of 90%.

FY 2002 Performance Plan Evaluation: Based on performance in FY 2001, we expect to meet our target of 87% for successful prosecutions. While we anticipate filing at least 93 cases in FY 2002, heavy demands on attorney resources necessary to investigate and prosecute labor intensive, complex, high profile incidents, and an anticipated decline in active participation from USAs, may limit our capacity to attain projected volume goals. Additionally, investigations relating to the terrorist attack of 9/11/01 has limited the availability of FBI agents, which may negatively impact our ability to investigate and prosecute cases.

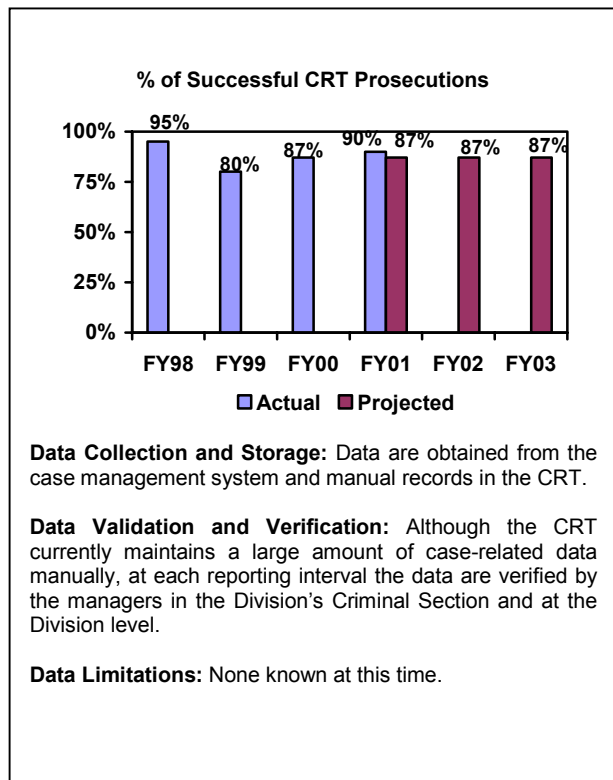
FY 2003 Performance Target:

87% successful prosecutions

Public Benefit: The program convicts individuals (either by conviction or guilty plea); including law enforcement officers and persons espousing racial animus, in an effort to keep our streets and neighborhoods safe for citizens across the country.

Strategies to Achieve the FY 2003 Goal:

Increased community outreach with minority and other disadvantaged groups, and training for law enforcement regarding Color of Law matters will remain critical. DOJ will devote increased attention to improve the federal response to hate crimes, criminal police misconduct, involuntary servitude matters including worker exploitation, church arson and desecration, and violence directed toward health care providers. FBI's Civil



Rights Program will deter civil rights violations through aggressive investigative and proactive measures regarding hate crimes; color of law violations; abortion clinic violence; and involuntary servitude and slavery.

Crosscutting Activities:

The USAs, CRT, and FBI coordinate extensively during the investigation and prosecution of these matters. In addition, DOJ's Community Relations Service is frequently involved in resolving community conflicts arising from hate crimes and police misconduct investigations and prosecutions.

CRT's Criminal Section participates in several cross-cutting programs: the National Church Arson Task Force, which joins the efforts of the Bureau of Alcohol, Tobacco and Firearms (ATF) and the FBI with prosecutors from DOJ; the Worker Exploitation Task Force, which brings together the Department of Labor and DOJ to address involuntary servitude, slavery, trafficking, and other criminal violations involving undocumented workers; and the National Task Force on Violence Against Health Care Providers, which coordinates the investigation and prosecution of violations of the Freedom of Access to Clinic Entrances Act. The Department of Housing and Urban Development (HUD) and the Criminal Section work together to ensure that discriminatory interference with housing rights are effectively addressed. Additionally, OIG, INS, BOP, and USMS routinely telefax complaints to the section relating to official misconduct by federal law enforcement officers.

4.1B Prosecute Pattern or Practice Civil Rights Violations

Background/ Program Objectives:

Civil “pattern or practice” litigation is divided into four main areas: Housing and Civil Enforcement, Employment Litigation, Disability Rights, and Special Litigation. Housing and Civil Enforcement focuses on discriminatory activities by lending and insurance institutions, illegal discrimination in all types of housing transactions including the sale and rental of housing and the failure to design and build multifamily living to be accessible, discriminatory land use by municipalities, discrimination in places of public accommodations, and discrimination against religious institutions by local zoning authorities.

Employment Litigation focuses on employment discrimination on the grounds of race, sex, religion, and national origin. This includes pattern or practice cases against agencies such as: state, county, and local law enforcement organizations; fire departments; state departments of correction; public school districts; and state departments of transportation. These are complex cases that seek to eliminate employment practices that have the effect of denying employment opportunities or otherwise discriminating against one or more protected classes of individuals. Relief reforming discriminatory practice and policies is a primary objective. Employment Litigation also obtains jobs, back pay, and other forms of relief for individual victims.

Disability Rights enforces the Americans with Disabilities Act (ADA) on behalf of people with disabilities. Enforcement responsibilities cover a broad spectrum of potential actions to encourage individuals and entities to comply with ADA requirements, including new construction, removal of physical barriers, provision of auxiliary aids, access to employment, and the elimination of discriminatory policies. These enforcements, combined with mediation and technical assistance programs, provide cost-effective and dynamic approaches for carrying out the ADA’s mandates in conformance with the current administration’s New Freedom Initiatives.

Special Litigation focuses on pattern or practice of misconduct or discrimination by law enforcement officers including the denial of constitutional and statutory rights and discrimination based on race, color, national origin, gender, or religion. National media attention and outreach led to an increased volume of complaints in this area. An additional area of concern focuses on the deprivation of constitutional and federal statutory rights of persons in publicly operated residential facilities that are subjected to patterns of egregious and flagrant conditions of confinement. These facilities include: institutions for the mentally ill and developmentally disabled, nursing homes, juvenile detention facilities, local jails, and prisons. (DOJ does not have authority to pursue an individual claim.)

Performance:

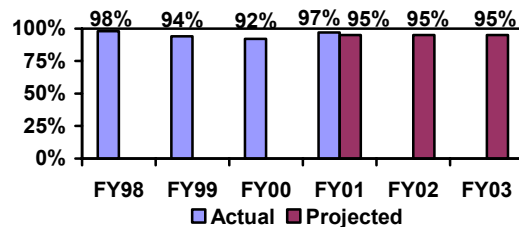
Performance Measure: % of Pattern or Practice Cases Successfully Litigated (Resolved)

FY 2001 Target: 95% of Pattern or Practice Cases Successfully Litigated

FY 2001 Actual: 97% of Pattern or Practice Cases Successfully Litigated

Discussion: The Housing and Civil Enforcement Section resolved 20 pattern or practice complaints with consent orders or settlement agreements providing significant relief to aggrieved persons. The Employment Section tried one extremely complex pattern or practice case against Garland, TX. The trial took ten days and post-trial papers will be submitted during FY 2002. The Disability Rights Section continued to focus on equal access in everyday life throughout FY 2001. Litigation was initiated against a national theater chain to correct violations in the design, construction, and operation of stadium style movie theaters; another suit was filed against a cruise line for discrimination against individuals who are blind.

**% of Pattern or Practice Cases
Successfully Litigated (Resolved) [CRT]**



Data Collection and Storage: Data are obtained from the case management system and manual records of the CRT.

Data Validation and Verification: Although the CRT currently maintains a large amount of case-related data manually, at each reporting interval, the data are verified by the managers of the respective Section and at the Division level.

Data Limitations: None known at this time.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the corresponding FY 2002 target of 95% of Pattern or Practice Cases Successfully Litigated.

FY 2003 Performance Target: 95% of Pattern or Practice Cases Successfully Litigated.

Public Benefit: The Division tries to ensure that all Americans are treated with dignity and enjoy the full bounty of American ideals, equality, fairness and equal opportunity. Success in these cases, related to police misconduct, the civil rights of institutionalized persons, employment practices and the ADA has improved the lives of tens of thousands of people. Successful prosecution of these civil rights cases has permanently removed both social and physical barriers to dignity and equality.

Strategies to Achieve the FY 2003 Goal:

DOJ will continue to address pattern or practice civil rights cases, including police misconduct, fair housing, fair lending, employment discrimination, and disability status. The discretionary pattern or practice cases in Housing and Civil Enforcement remain the highest priority because of their broader impact. Special Litigation's priority will be given to pattern or practice of law enforcement providing outreach, training, and consultation in the prevention of misconduct. In addition, institutions will be monitored closely to ensure that adequate treatment and living conditions are achieved and maintained, and that appropriate placements of persons with disabilities are made in the most integrated setting. Employment Litigation will prioritize identifying and instituting litigation to eliminate policies or practices including, hiring, promotion, testing or assignment, which discriminate on the basis of race, sex, religion, or national origin. Disability Rights will continue to focus on pattern and practice cases including participation in civil life (such as town halls, municipal buildings, and courts), access to employment, new construction, transportation, effective communication in health care, and access to public accommodations

Crosscutting Activities:

Pattern or practice cases provide the opportunity to address egregious and systemic violations of civil rights laws. In order to bring these cases to court, DOJ coordinates its efforts internally among the CRT, FBI, BOP, USMS, USAs, and externally with federal partners, including the Department of Labor, the Equal Employment Opportunity Commission, the Department of Housing and Urban Development, and the Department of Health and Human Services.

STRATEGIC OBJECTIVE 4.2: ENVIRONMENT

Promote the stewardship of America’s environment and natural resources through the enforcement and defense of environmental laws and programs.

Annual Goal 4.2: Promote the stewardship of America’s environment and natural resources through the enforcement and defense of environmental laws and programs.

STRATEGIES

- ◆ Pursue cases against those who violate laws that protect public health, the environment, and natural resources.
- ◆ Defend U.S. interests against suits challenging statutes and agency actions.
- ◆ Develop constructive partnerships with other federal agencies, state and local governments, and interested parties to maximize environmental compliance and natural resource management.
- ◆ Act in accordance with U.S. trust responsibilities to Indian Tribes and individual Indians in litigation involving the interests of the Indians.

Safeguarding the Nation’s environment and natural resources for this and future generations is a major DOJ priority for FY 2003. DOJ’s Environment and Natural Resources Division (ENRD), FBI, and U.S. Attorneys will work together with other federal agencies to enforce environmental laws; protect our natural resources; defend federal agency environmental regulations and government pollution abatement laws and programs; and assist in fulfillment of U.S. trust responsibilities. As the Nation’s chief environmental litigator, the Department will strive to increase compliance with environmental laws, deter future violations

of those laws, seek redress and civil penalties for past violations that harm the environment, and seek recoupment of federal funds spent to abate environmental contamination, and monies to restore or replace damaged natural resources.

MEANS – Annual Goal 4.2

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Environment & Natural Resources Div.	594	66	619	67	611	66
Federal Bureau of Investigation	73	10	76	11	76	11
U.S. Attorneys	80	11	86	12	87	13
Subtotal	747	\$87	781	\$89	774	\$90

Skills

ENRD and the U.S. Attorneys require attorneys, particularly litigators, experienced in civil, administrative and appellate law. Experienced support staff (paralegals and litigation support assistants) and administrative specialists are also essential. The FBI requires experienced skilled investigators, particularly in the area of fraud.

Information Technology

ENRD relies upon its version of the DOJ Justice Consolidated Office Network (JCON) and its Case Management System. FBI relies upon: ISRAA, a centralized database that tracks statistical information on cases from inception to closure; and ACS, a database that captures all information pertaining to administration of cases.

PERFORMANCE ASSESSMENT – Annual Goal 4.2

4.2A Enforce and Defend Environmental and Natural Resource Laws

Background/ Program Objectives:

The Department of Justice enforces environmental laws to protect the health and environment of the United States and its citizens, defends environmental challenges to Government programs and activities, and represents the United States in all matters concerning the protection, use, and development of the Nation's natural resources and public lands, wildlife protection, Indian rights and claims, and the acquisition of federal property.

Performance:

Performance Measure: % of Civil Environmental Cases Successfully Resolved

FY 2001 Target:

80% Affirmative; 70% Defensive

FY 2001 Actual:

93% Affirmative; 92% Defensive

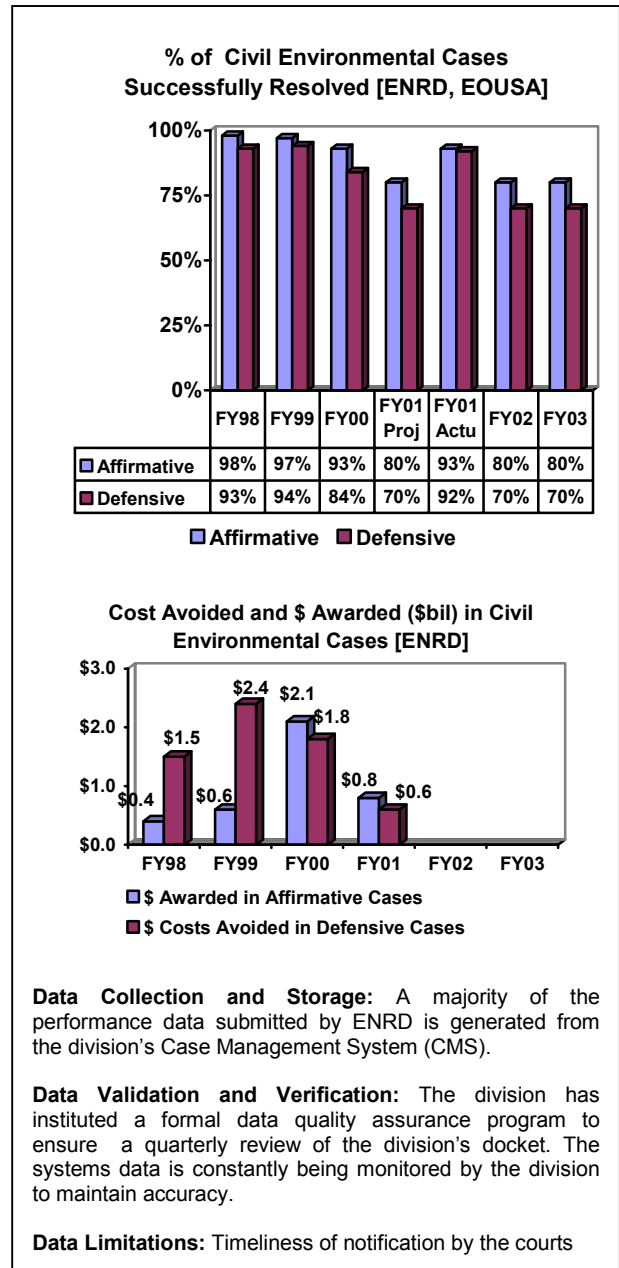
Discussion: The Department had many successes in affirmative and defensive cases during FY 2001. We defended federal regulatory programs and initiatives as well as federal agencies against claims alleging noncompliance with federal, state and local pollution control statutes. We also defended vital Federal programs such as naval preparedness in the Caribbean and the Northern Marianas and the power system in the Columbia River Basin from challenges. In an effort to reduce harmful air pollution released illegally from petroleum refineries, we have taken enforcement action against a number of the nation's largest refineries. We have reached settlements in five cases, addressing 22 oil refineries and nearly 30% of the nation's refining capacity, which will result in civil penalties and a reduction of almost 133,000 tons per year in toxic air emissions.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the corresponding FY 2002 target of 80% for affirmative cases and 70% for defensive cases.

FY 2003 Performance Target: 80% for affirmative cases and 70% for defensive cases

Public Benefit: The Department's successes ensure correction of pollution control deficiencies, reduction of harmful discharges into the air and water, clean up of leaks and abandoned wastes, and promotion of proper disposal of solid and hazardous wastes. This work improves the quality of the environment of the United States and the health and safety of its citizens.

In FY 2001, the Department achieved the largest recoveries to date for damages to natural resources under the Comprehensive Environmental Response, Compensation and Liability Act. Additionally,



the Department successfully litigated to protect land and other resources the U.S. holds in trust for Indian tribes, entering into settlements resolving hundreds of water claims in Montana and successfully defending the Secretary of the Interior's discretion to take land into trust.

Performance Measure: Costs Avoided and \$ Awarded in Civil Environmental Cases

FY 2001 Target: N/A

FY 2001 Actual: \$.6 million Avoided, \$.8 million Awarded

Discussion: The Department successfully represented a wide range of government agencies in suits that challenged environmental and public land policies, and programs and in cases seeking money from the government. We successfully defended numerous cases in the Court of Federal Claims during FY 2001, avoiding civil monetary liability in the tens of millions of dollars. In a case involving the denial of a Clean Water Act permit, we saved \$25 million through a favorable judgment. A growing part of our docket involves defendants' claims seeking money from the U.S. for costs of cleaning up polluted sites. The results in these defensive Comprehensive Environmental Response, Compensation and Liability Act cases show that with sufficient resources, we can defeat excessive liability claims. In addition to defending millions of dollars in claims against the federal fisc, the Department secured a tribal water rights working with the Indian tribes with whom we have a trust relationship. Aggressive civil enforcement efforts also resulted in the recovery of significant civil penalties to the federal government in a number of pollution control cases including: Morton International, Inc. (\$10 million); Nucor Steel, Inc. (\$6.9 million); and Chevron U.S.A, Inc. (\$6 million).

Public Benefit: The Department's efforts to defend government programs, to obtain compliance with environmental and natural resource statutes, to win civil penalties, and to recoup federal funds spent to abate environmental contamination demonstrate that America's environmental laws are being vigorously enforced. Polluters who violate these laws are not being allowed to gain an unfair economic advantage over law-abiding companies. The deterrent effect of the Department's work encourages voluntary compliance with the environmental and natural resource laws, thereby improving the environment and public health and safety.

FY 2002/2003 Performance Plan Evaluation: In accordance with Department guidance, targeted levels of performance are not projected for this indicator.

Strategies to Achieve the FY 2003 Goal:

The Department will pursue cases against those who violate laws that protect public health, the environment and natural resources; defend U.S. interests against suits challenging statutes and agency actions; develop constructive partnerships with other federal agencies, state and local governments, and interested parties to maximize environmental compliance and natural resource management; and act in accordance with U.S. trust responsibilities to Indian tribes and individual Indians in litigation involving the interests of Indians. The Department will pursue affirmative enforcement of 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 ocean and coastal waters. The Department will take enforcement actions that 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. We will continue to represent client agencies, including the Environmental Protection Agency, the U.S. Army Corps of Engineers, the Department of the Interior and the U.S. Forest Service, in suits challenging the Government's administration of federal environmental, conservation and land management laws. DOJ will defend claims that federal agencies have violated pollution laws or allegations that they have taken real property without just compensation, violating the Fifth Amendment. Other departmental priorities include litigation arising from the recommendations of the President's National Energy Policy Task Force, forest management, access to public lands, and Administration programmatic goals. The Department will continue to work cooperatively with state attorneys general on joint enforcement actions and where appropriate share in penalties obtained in settlements; focus on pursuing land and water claims on behalf of tribes to resolve centuries old disputes; and litigate to protect 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.

Crosscutting Activities:

The Environment Division, FBI and USAs are working collectively with federal agencies including the EPA, Departments of Agriculture and the Interior, and state and local governments to strengthen enforcement of environmental laws and statutes and to preserve public lands, natural resources, and tribal sovereignty.

STRATEGIC OBJECTIVE 4.3: ANTITRUST

Promote economic competition through enforcement of and guidance on antitrust laws and principles.

Annual Goal 4.3: Promote economic competition through enforcement of and guidance on antitrust laws and principles.

STRATEGIES

- ◆ Investigate and litigate business arrangements and practices that encourage anticompetitive behavior and reduce competition.
- ◆ Advance procompetitive national and international laws, regulations, and policies.
- ◆ Guide and educate businesses, consumers, and counterpart agencies about antitrust law to increase their awareness and understanding.

The Antitrust Division (ATR) maintains and promotes competitive markets by enforcing, improving, and educating people about antitrust laws and principles. Enforcement of antitrust laws is pursued through the investigation and prosecution of business arrangements and practices that encourage anticompetitive behavior and lessen competition, whether those arrangements and practices involve mergers, international criminal conspiracies, or other potentially anticompetitive business practices. Improvements to antitrust laws and principles are pursued through participation in interagency regulatory processes, interagency task forces, and international bodies (the World Trade Organization, for example). Whether through direct

contact and targeted communication with specific audiences, or via the development, publication, and distribution of policy guidance, ATR seeks to increase the breadth and depth of awareness of antitrust law and the promotion of free and open competition to the benefit of all U.S. consumers and businesses.

MEANS – Annual Goal 4.3

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Antitrust Division	537	78	593	92	593	97
Federal Bureau of Investigation	17	2	17	2	17	2
Subtotal	554	\$80	610	\$94	610	\$99

Skills

ATR requires experienced attorneys, economists, paralegals and support staff. Attorneys experienced in conducting complex, international investigations and economists experienced in analyzing multi-million or -billion dollar mergers in newly emerging markets are particularly valued in the current operating environment.

Information Technology

ATR relies upon its Matter Tracking System and companion user interfaces; office systems, including networks and infrastructure; litigation support tools and applications, including those for courtroom presentations; and data storage capacity related to all of these technologies.

PERFORMANCE ASSESSMENT – Annual Goal 4.3

4.3A Maintain and Promote Competition

Background/Program Objectives:

ATR maintains and promotes competitive markets largely by enforcing federal civil and criminal antitrust laws. The statutory authority for the ATR’s mission includes Sections 1 and 2 of the Sherman Act; Section 7 of the Clayton Act, as amended by the Hart-Scott-Rodino Antitrust Improvements Act of 1976; and a variety of other competition laws and regulations. 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, predatory acts designed to maintain or achieve monopoly power, and per se illegal bid rigging. Successful enforcement of these laws – which both, decreases and deters anticompetitive behavior – saves U.S. consumers billions of dollars, allows them to receive goods and services of the highest quality at the lowest price, and enables U.S. businesses to compete on a level playing field nationally and internationally.

Performance:

Performance Measure: Success Rates for Civil Antitrust Cases

FY 2001 Target:

Civil Non-Merger Matters Pursued: 90%
 Merger Transactions Challenged: 90%

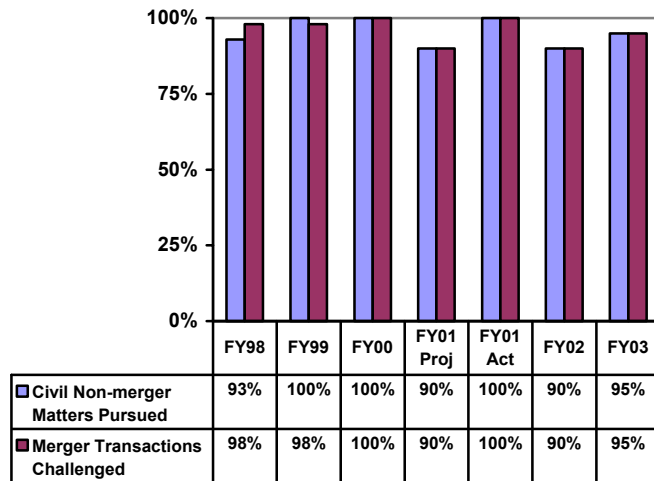
FY 2001 Actual:

Civil Non-Merger Matters Pursued: 100%
 Merger Transactions Challenged: 100%

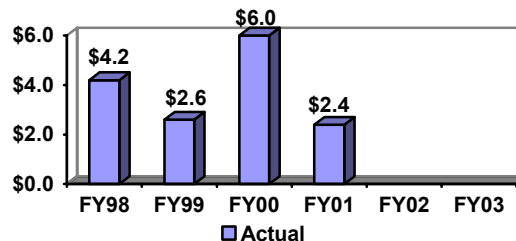
Discussion: It is the Division’s goal to achieve a positive outcome in every case it brings. The success rate for civil non-merger matters includes investigations in which business practices were changed after the investigation was initiated, a case was filed with consent decree, or a case was filed and litigated successfully. The Antitrust Division’s success in thwarting anticompetitive behavior in the civil non-merger arena has been notable. The Division won every case it pursued in FY 2001, achieving a 100% success rate.

The success rate for merger transactions challenged includes mergers that are abandoned, fixed before a complaint is filed, filed as cases with consent decrees, filed as cases but settled prior to litigation, or filed and litigated successfully. The Division has kept abreast of a large number of premerger filings in recent years, as filings more than tripled between FY 1990 and FY 2000. Additionally, the value of completed transactions has risen,

Success Rates for Civil Antitrust Cases [ATR]



Savings to U.S. Consumers (\$Bil) [ATR]



Data Collection and Storage: Data are collected and stored in ATR management information systems, primarily in the Matter Tracking System and its companion user interfaces.

Data Validation and Verification: User training and software guides encourage accurate data entry. Instantaneous online data validations include inter-element cross-checks, numeric range checks, single element list-of-values checks and mandatory data element checks. In addition, batch data analysis and ad hoc reviews are conducted periodically. Finally, programmatic review of data helps assure quality.

Data Limitations: In calculating consumer savings across our enforcement areas, key input measures, if not actually estimated in the investigation or case, were estimated based on anecdotal information and observations. These values are both conservative and consistently estimated over time.

with U.S. merger value increasing nearly ten-fold during the same period, reaching \$1.83 trillion in CY 2000. Although filings in FY 2001 abated, the trend toward consolidation is expected to continue with acquisitions involving market leaders with international reach increasingly predominant. The Division has enjoyed considerable success in preventing anticompetitive mergers, achieving a 100% success rate for merger transactions challenged in FY 2001.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the FY 2002 90% success rates in both the Civil Non-Merger and Merger Enforcement programs.

FY 2003 Performance Target: 95% success rate for Civil Non-Merger and Merger Enforcement

Public Benefit: The Division's enforcement efforts in its civil program are essential to the overall health of the U.S. economy. By blocking potentially anticompetitive mergers and pursuing other potentially illegal behavior such as group boycotts or exclusive dealing arrangements, the Division safeguards competition and promotes innovation. The ultimate beneficiary of our work is the consumer who is afforded a greater choice of quality products at lower prices.

Performance Measure: Savings to U.S. Consumers (as the result of Antitrust Division's Civil enforcement efforts)

FY 2001 Target: N/A

FY 2001 Actual: \$2.4 billion

Discussion: The Division has made great strides in combating anticompetitive behavior across industries and geographic borders and has saved American consumers billions of dollars annually by ensuring a competitive and innovative marketplace. The estimated value of consumer savings generated by the Division's civil enforcement efforts in any given year depends upon the size and scope of the matters encountered and, thus, varies considerably.

Public Benefit: Success in these areas saves U.S. consumers billions of dollars and ensures there are a sufficient number of competitors to maintain competition, which spurs research and development, innovation, the development of new and better products and service, and the best prices and quality for consumers.

FY 2002/2003 Performance Plan Evaluation: In accordance with Department guidance, targeted levels of performance are not projected for this indicator.

Strategies to Achieve the FY 2003 Goal:

ATR employs two distinct strategies to maintain and promote competition (and to decrease and deter anticompetitive business behavior and practices). First is our 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 and by seeking injunctive relief against mergers and acquisitions that may tend to substantially lessen competition. Second, our 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.

Crosscutting Activities:

ATR and the Federal Trade Commission share responsibility for merger enforcement by law and practice. ATR also maintains relationships with the FBI and the Executive Office for U.S. Attorneys in support of its mission.

STRATEGIC OBJECTIVE 4.4: TAX LAWS**Promote the fair, correct, and uniform enforcement of the federal tax laws and the collection of tax debts to protect the public fisc from unjustified claims.****Annual Goal 4.4: Promote the fair, correct, and uniform enforcement of the federal tax laws and the collection of tax debts to protect the public fisc from unjustified claims.****STRATEGIES**

- ◆ Litigate, both defensively and affirmatively, federal civil tax cases filed by and against taxpayers in federal and state courts.
- ◆ Provide expert counsel and litigation support to defend U.S. interests in federal civil tax cases appealed to federal appeals and state appellate courts.

The Tax Division (TAX) utilizes civil litigation to ensure that the Nation's internal revenue laws are fairly and uniformly applied and that the public complies with the Nation's tax laws. TAX contributes significantly and directly to efforts by the Administration and Congress to protect the Federal fisc from unmerited claims involving tax related issues and to promote voluntary compliance with the tax laws. In addition, TAX protects the public fisc by defending the rights of the United States. TAX's attorneys are guided throughout each stage of litigation by the principles of fair and uniform treatment for all categories of litigants.

MEANS – Annual Goal 4.4**Dollars/FTE**

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Tax Division	396	52	393	54	390	56
U.S. Attorneys	0	0	0	0	0	0
Subtotal	396	\$52	393	\$54	390	\$56

Skills

The Tax Division requires top-tier attorneys at all experience levels, and managers with significant litigation experience and substantive tax knowledge to litigate the full range of tax cases initiated by the United States and taxpayers. TAX also requires skilled data management specialists, litigation assistants and paralegals to support litigation.

Information Technology

The Tax Division relies upon the Justice Consolidated Office Network (JCONII) system and recently implemented TaxDoc Case Management System.

PERFORMANCE ASSESSMENT – Annual Goal 4.4

4.4A Enforce Tax Laws Fairly and Uniformly

Background/ Program Objectives:

TAX promotes tax compliance and protects the public fisc by ensuring that the tax laws are enforced uniformly, vigorously, efficiently, and fairly in the federal appellate courts, the federal district and bankruptcy courts, the Court of Federal Claims, and the state courts. Voluntary compliance with the tax laws is enhanced when these objectives are achieved. This ensures an adequate flow of revenue to the Government to fund its operations. TAX provides high-quality legal services and exercises good judgment in defending the interests of the United States in litigation initiated against the government with respect to taxes. TAX also litigates actions related to taxes referred by the IRS and other agencies (where TAX deems litigation to be appropriate). It provides expert litigation and substantive tax advice to U.S. Attorneys Offices throughout the country on tax-related matters, and advises the Department of the Treasury and Congress with respect to tax-related legislative matters.

Performance:

Performance Measure: Civil Settlements and Concessions (all Courts)

FY 2001 Target:

640 Settlements; 140 Concessions

FY 2001 Actual:

553 Settlements; 144 Concessions

Discussion: TAX applies a high level of scrutiny to determine if a case should be litigated. In order to ensure that the tax laws are enforced equitably and consistently throughout the nation, TAX may determine that some cases should not go to trial and be settled or conceded instead. The actual number of cases conceded or settled is dependent on the actual cases received by TAX. As such, there may be differences in the projected number of cases versus the actual amounts of cases settled or conceded.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the FY 2002 targets of 627 settlements and 81 concessions.

FY 2003 Performance Target: 541 settlements and 152 concessions

Public Benefit: See below

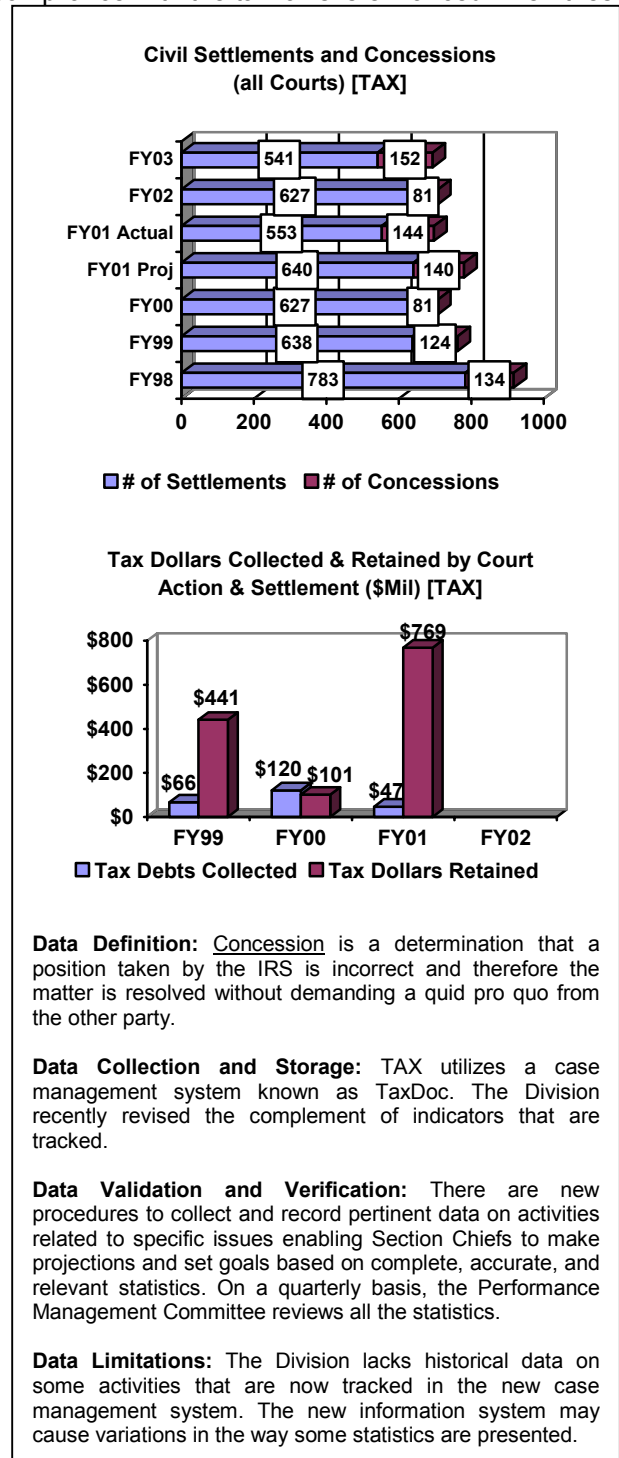
Performance Measure: Tax Dollars Collected and Retained by Court Action and Settlements

FY 2001 Target: N/A

FY 2001 Actual:

\$46.6 million collected; \$768.6 million retained

Discussion: Through TAX's litigation efforts, TAX is able to prevent substantial losses to the federal treasury, thereby increasing funds available for other



government programs or to reduce the deficit. During FY 2001 TAX prevented over \$700 million directly involved in litigation from being drained from the federal treasury. In one corporate tax shelter case in which TAX was successful, over \$25 million was directly involved, the press release issued by the taxpayer indicated that over \$300 million was involved for periods not in suit, and the IRS estimated that over \$5 billion was involved in tax audits involving corporations which engaged in similar shelters.

FY 2002/2003 Performance Plan Evaluation: In accordance with Department guidance, targeted levels of performance are not projected for this indicator.

Public Benefit: Though the deterrent effect cannot be measured, ensuring that tax laws are enforced uniformly, vigorously, efficiently, and fairly in the federal appellate courts, the federal district and bankruptcy courts, the Court of Federal Claims, and the state courts, has a positive impact on income tax compliance. Honest taxpayers see that violators are not able to “beat the system” and that all taxpayers are required to pay their fair share. The Tax Division’s litigation and enforcement efforts achieve our joint goal with the IRS of voluntary compliance with the tax laws. This, in turn, ensures that the federal fisc is protected against a large number of unjustified claims.

Strategies to Achieve the FY 2003 Goal:

TAX will further efforts to clarify the law, defend against unmerited claims, fairly pursue civil violations of our tax laws, protect the collection of tax revenues, and defend against those who seek to undermine compliance with the IRS code and evade or avoid federal taxes. TAX will further its effort to attack abusive tax schemes. It will commence action, as soon as the case is properly referred, to stop the illegal promotions before many taxpayers are harmed. It will continue to cooperate with the IRS in its current efforts to stop the pyramiding of tax withholdings by commencing injunction actions as soon as they are properly referred. TAX will continue to maintain a special counsel for tax protest matters to track and respond to new trends and novel issues arising in tax protest issues. Finally, TAX will continue to provide litigation and substantive tax advice to Assistant U.S. Attorneys and advise the Department of the Treasury and Congress in legislative matters.

Crosscutting Activities:

In addition to its work providing tax advice to other Divisions and agencies, TAX and IRS frequently consult on new and sensitive tax issues and litigation. TAX also works with the U.S. Attorneys Offices to provide advice on tax cases and litigation.

STRATEGIC OBJECTIVE 4.5: CIVIL LAWS

Effectively represent the interests of the United States in all civil matters for which the Department of Justice has jurisdiction.

Annual Goal 4.5: Effectively represent the interests of the United States in all civil matters for which the Department of Justice has jurisdiction.

STRATEGIES

- ◆ Assert the interests of the U.S. Treasury, prevailing against unwarranted monetary claims while resolving fairly those claims with merit.
- ◆ Defend the laws, programs, and policies of the United States when challenged in court, including those which affect how sizeable portions of the federal budget are spent.
- ◆ Implement civil justice reform initiatives to resolve classes of claims for which traditional litigation has been ineffective.
- ◆ Ensure the intent of Congress and the collective efforts of immigration agencies by defending immigration laws and policies, as well as class actions suits or immigration judgments involving individuals.
- ◆ Recover monies owed to the United States and victims as a result of fraud, loan default, and bankruptcy.
- ◆ Enforce consumer protections laws by seeding civil and criminal penalties available under existing statutes.

In FY 2002, DOJ will continue to represent the United States in civil matters, protecting the public fisc, ensuring that the Federal Government speaks with one voice in its view of the law, preserving the intent of Congress, and advancing the credibility of the United States before the courts. In addition, DOJ will continue to place emphasis on the expanded and appropriate use of alternative dispute resolution (ADR).

MEANS – Annual Goal 4.5**Dollars/FTE**

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
General Administration	2	0	0	0	0	0
Civil Division	1070	153	1101	170	1099	240
Foreign Claims Settlement Comm	6	1	11	1	11	1
Health Care Fraud	0	34	0	55	0	50
Office of Dispute Resolution	1	0	3	0	3	0
Office of Legal Counsel	32	5	41	5	41	5
Office of Solicitor General	48	7	50	7	50	8
Radiation Exposure Compensation	0	113	0	174	0	145
U.S. Attorneys	2476	280	2587	295	2608	313
Subtotal	3635	\$592	3793	\$709	3812	\$763

Skills

This area requires highly qualified teams of attorneys, as well as support staff trained to take full advantage of new technologies. Experts and consultants are needed to analyze complex issues and present findings in court.

Information Technology

The Civil Division relies on CASES its case management system, as well as on Automated Litigation Support (ALS) to scan documents, create databases and provide ready access to evidentiary information.

PERFORMANCE ASSESSMENT – Annual Goal 4.5

4.5A Protect the Public Fisc

Background/ Program Objectives:

Billions of dollars are saved annually through DOJ's successful defense of the public fisc in lawsuits alleging unwarranted monetary claims. Plaintiffs advancing contract claims, allegations of government misconduct, claims of patent infringement and the like, expose the government to potentially staggering losses. DOJ consistently mounts a strong defense against unwarranted and exaggerated claims to ensure that only those claims with merit under the law are paid.

Performance:

Performance Measure: % of Defensive Civil Monetary Cases Where 85% or More of the Claim is Defeated

FY 2001 Target: 80%

FY 2001 Actual: 84%

Discussion: For the second straight year, the Civil Division exceeded its 80% goal, defeating billions of dollars in unwarranted claims. This accomplishment understates the Division's impact because it does not reflect the consequences of the Division's successful defense of limiting provisions in entitlement programs. Court challenges to such limitations affect billions of dollars of public funds annually.

In FY 2001, the Division secured a key victory in the 10-year dispute over the termination of the A-12 stealth fighter aircraft program. In August 2001, the trial court held that the contract had been properly terminated for default. If the decision is affirmed on appeal, the government will receive \$1.3 billion in unliquidated progress payments plus interest (for a total in excess of \$2 billion).

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the FY 2002 target of 80%.

FY 2003 Performance Target: 80%

Public Benefit: The United States Treasury would sustain billions of dollars in losses absent successful defense against unwarranted claims. Averting such losses saves the public fisc from being drained of funds that could be used for counterterrorism, military objectives or other initiatives.

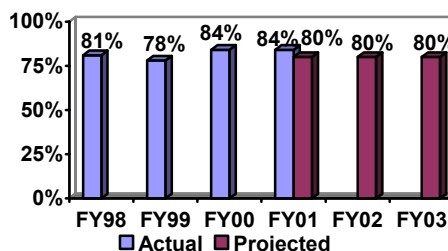
Performance Measure: \$ Collected From Affirmative Civil Cases

FY 2001 Target: N/A

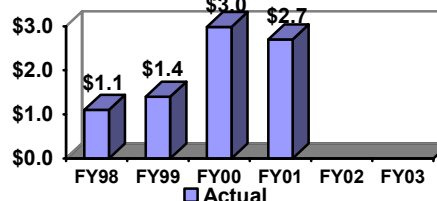
FY 2001 Actual: \$2.7 Billion

Discussion: The Department, combines the efforts of law enforcement officers, investigators, and litigators to recover dollars lost to the U.S. Treasury through fraud, loan default, and bankruptcies. In FY 2002 and beyond, we will continue to prosecute fraud and represent the government's interests in affirmative litigation.

% of Defensive Civil Monetary Cases where 85% or more of the Claim is Defeated [CIV]



\$ Collected From Affirmative Civil Cases (\$Bil) [JMD]



Data Collection and Storage: The primary source of data collection for measurement within the Civil Division is the automated case management system (CASES).

Data Validation and Verification: Contractor staff regularly review case listings and interview attorneys concerning the status of each case. Exception reports are generated and reviewed. Attorney managers review numerous monthly reports for data completeness and accuracy. The contractor executes a comprehensive quality control plan in which representative samples of data are verified. Another independent contractor verifies aspects of the work of the case management contractor.

Data Limitations: Incomplete data can cause the system to under-report case closures and attorney time. Missing data are most often retrieved as a result of the contractor interviews and the review of monthly reports. To minimize the extent of missing data, CIV made adherence to the reporting requirements of CASES a performance element in all attorney work plans.

FY 2002/2003 Performance Plan Evaluation: In accordance with Department guidance, targeted levels of performance are not projected for this indicator.

Public Benefit: Successful recovery efforts prevent the U.S. Treasury from sustaining significant losses. By recouping money owed to the government, hundreds of millions of dollars are freed up for critical programs, debt relief, or tax reductions.

Strategies to Achieve the FY 2003 Goal:

DOJ legal staff will fight for and guard the financial interests of the United States at trial, at the settlement table, and at the highest levels of judicial review, asserting the taxpayer's stake in financial disputes as they move through appellate stages. Automated Litigation Support will be employed to master voluminous evidence collections and prepare for trial. Experts and consultants will be enlisted to underscore the government's case in complex and technical suits, as well as to refute the assertions of our well-financed opponents.

DOJ will investigate allegations brought forth by "whistle blowers" and where appropriate, seek recoveries and civil penalties. Through collaborative efforts with other federal and state agencies we will pursue health care fraud enforcement, emphasizing massive cases with potential recoveries in the billions of dollars. The taxpayers' interests will be effectively represented in bankruptcies and loan defaults. Finally, alternative dispute resolution will be increasingly used as an alternative to litigation.

Crosscutting Activities:

The Civil Division works closely with the Department of Health and Human Services and the Office of Special Masters at the U.S. Court of Federal Claims to justly resolve vaccine claims and to coordinate policy.

4.5B Continue Vigorous Civil Enforcement

Background/ Program Objectives:

DOJ serves an equally vital role when the laws, programs and policies of the United States are attacked in court. By securing favorable resolutions in such civil cases, DOJ ensures the intent of Congress, as well as represents the government's response to some of the most probing issues of our time. Examples include welfare reform, pornography on cable television and the Internet, gun control, tobacco regulation, privacy of motor vehicle records, and provision of entitlement programs.

To safeguard Medicare and other federally funded health programs, combating health care fraud remains a key focus. Recoveries in health care fraud actions have already topped \$4 billion and are expected to increase, since the current docket includes a number of matters with the potential of significant recoveries. The Internet has emerged as fertile new ground for acts of consumer fraud. The identification, investigation, and prosecution of Internet-related crime is a top priority within DOJ, as well as across the entire federal Government.

DOJ must respond to a variety of immigration-related suits, including those dealing with alien terrorists. Over the past decade, this workload has tripled, coinciding with increased resources and intensified enforcement. The majority of the cases involve individual or class actions opposing the decision of the INS and immigration judges; other key suits pose constitutional challenges to new immigration laws or reformed procedures.

Performance:

Performance Measure: \$ Collected from Civil Health Care Fraud (NOTE: Prior year actuals have been corrected to reflect the most current and accurate data.)

FY 2001 Target: N/A

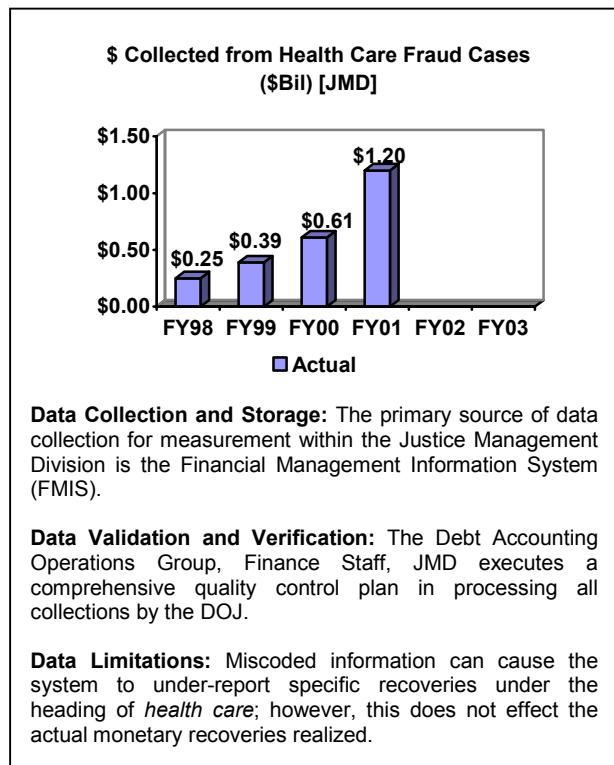
FY 2001 Actual: \$1.2 Billion

Discussion: The Department collaborates with the Department of Health and Human Services, state investigative organizations, and other law enforcement agencies to recover losses from those who defraud Medicare, Medicaid, and other federal health care programs. This strategy is still valid and will be used in FY 2002 and beyond. In the future, the Department will continue its nationwide effort to combat health care fraud through the vigorous enforcement of the False Claims Act and the Health Insurance Portability and Accountability Act.

Public Benefit: The Department's success in health care fraud litigation has returned billions of dollars to the U.S. Treasury, benefiting Medicare and other federally-funded health care programs.

FY 2002/2003 Performance Plan Evaluation:

In accordance with Department guidance, targeted levels of performance are not projected for this indicator.



Performance Measure: % of Favorable Resolutions in Civil Cases

FY 2001 Target: 80%

FY 2001 Actual: 85%

Discussion: The combined efforts of the Civil Division and the USAs enabled favorable resolutions in over 50,000 cases ensuring that the government was effectively represented. In the future, the Department will continue to apply the resources necessary to defend the laws, programs, and policies of the government and to protect the public fisc through affirmative and defensive litigation.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the FY 2002 target of 80%.

FY 2003 Performance Target: 80%

Public Benefit: The Department's success in civil litigation preserves taxpayers' dollars and ensures the intent of laws enacted and administered by elected government officials.

Performance Measure: % of Favorable Resolutions in Civil Immigration Cases

FY 2001 Target: 85%

FY 2001 Actual: 86%

Discussion: The combined efforts of the Civil Division and the USAs enable successful resolutions in a record number of immigration-related claims. In federal court, the Department upheld enforcement actions and decisions rendered earlier in the immigration process. This strategy is still valid and will be used in FY 2002 and beyond.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the FY 2002 target of 85%.

FY 2002 Performance Target: 85%

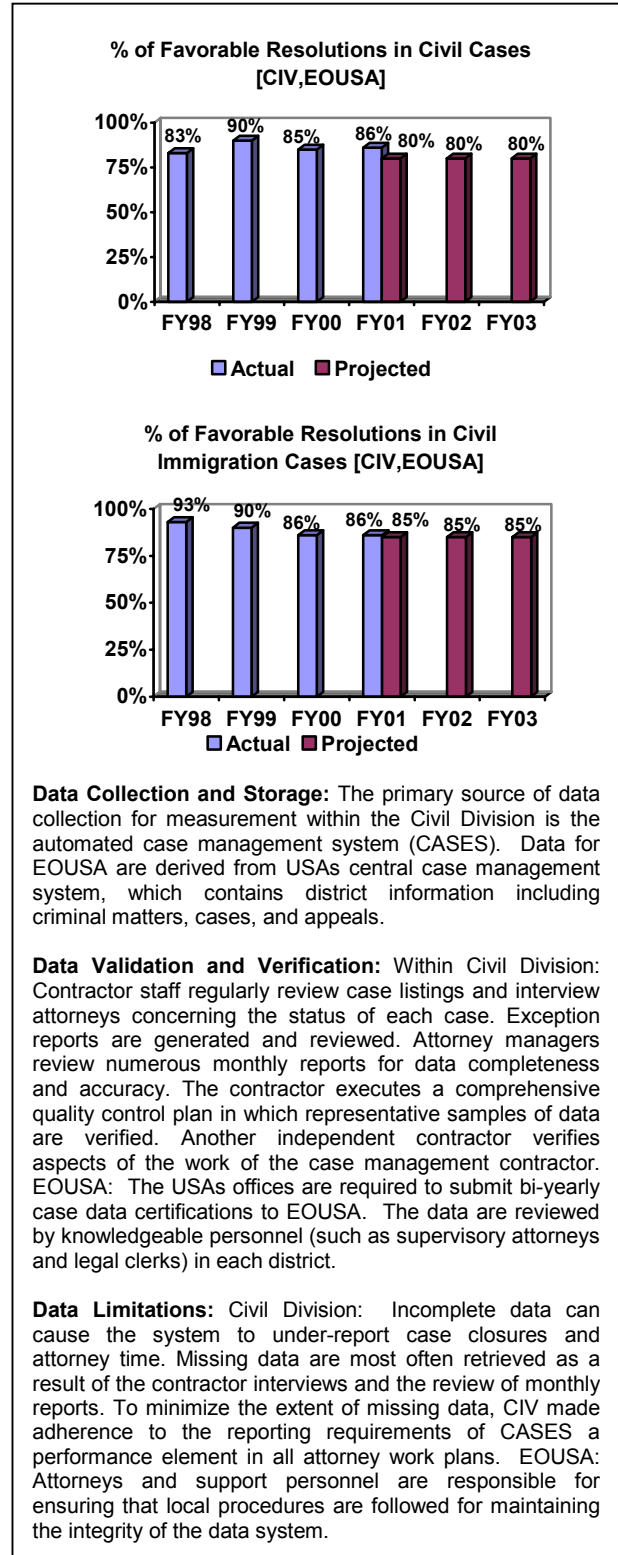
Public Benefit: The Department's success in enforcing immigration laws helps the nation control its borders, particularly with respect to the removal of members of international terrorist organizations.

Strategies to Achieve the FY 2003 Goal:

Efforts will focus on: (1) continuing to pursue health care fraud against federally funded programs, in concert with federal and state law enforcement programs; (2) continuing to remove criminal aliens and enforcing the Nation's immigration laws by effectively defending administrative decisions and INS programs and policies; and (3) successfully resolving all civil cases, including challenges to congressional enactments, federal programs and policy initiatives.

Crosscutting Activities:

The Civil Division and the Executive Office for U.S. Attorneys work closely with the FBI, HHS, DOD, the Veteran's Administration, and state medical fraud units to recover monies lost by federal health care programs. They also participate with other federal, state, and local agencies on the Consumer Protection Initiatives Committee of the Attorney General's Council on White Collar Crime. Increasingly, the Committee's efforts deal with matters involving Internet crime. The Civil Division also collaborates with the State Department among others in the designation of foreign terrorist organizations.



4.5C Increase the Number of Cases Using Alternative Dispute Resolution (ADR)

Background/ Program Objectives:

Executive Order 12778 directs:

Litigation counsel [are to] make reasonable attempts to resolve a dispute expeditiously and properly before proceeding to trial. Whenever feasible, claims should be resolved through informal discussions, negotiations, and settlements rather than through utilization of any formal or structured Alternative Dispute Resolution (ADR) process or court proceeding. At the same time, litigation counsel should be trained in dispute resolution techniques and skills that can contribute to the prompt, fair, and efficient resolution of claims. Where such benefits may be derived, and after consultation with the agency referring the matter, litigation counsel should suggest the use of an appropriate ADR technique to the private parties.

It is our job to implement the President's directive consistently with our mission to defend the interest of the United States in civil litigation proceedings. In FY 2002, DOJ attorneys will increase efforts to employ ADR including mediation, negotiation, and other litigation streamlining techniques in appropriate civil cases.

Performance:

Performance Measure: MEASURE REFINED: Percentage of Cases Resolved using ADR (NOTE: Measure was previously "Number of Cases Using ADR [CIV, CRT, ENRD, TAX, and EOUSA]")

FY 2001 Target: N/A

FY 2001 Actual: 68%

Discussion: Of the 2,350 cases projected to be subject to ADR, approximately 1,598 were settled using ADR. During FY 2001, Department attorneys reported that 65% of dispute resolution proceedings produced settlements. Moreover, even when cases did not settle as a result of ADR, many attorneys found that ADR was still an effective way to narrow the issues for trial and make them better prepared to litigate.

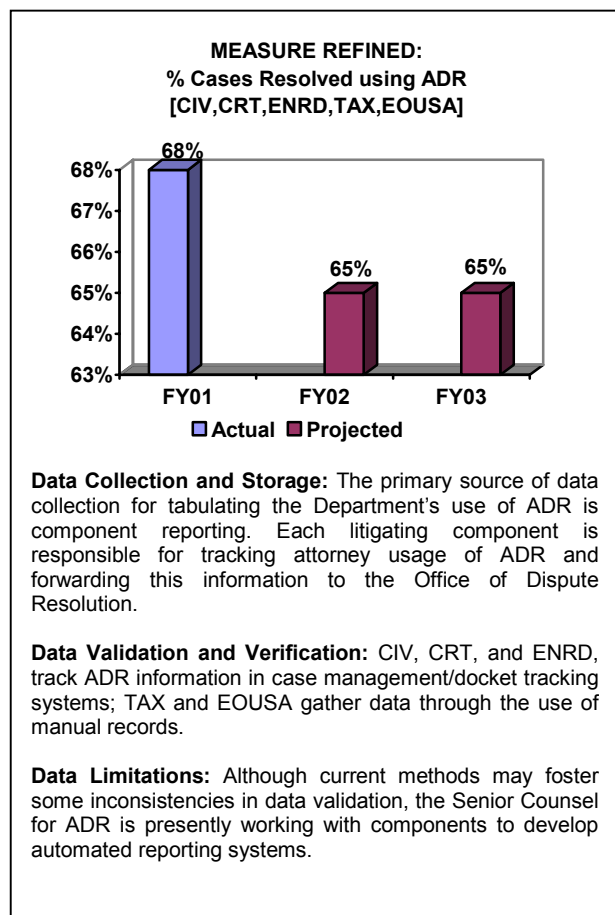
FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the FY 2002 target 65%.

FY 2003 Performance Target: 65%

Public Benefit: Mediation and other forms of dispute resolution provide several important public benefits. First, mediation assists in the early settlement of cases, thereby freeing resources to handle other matters that cannot or should not settle. Second, mediators can assist counsel in negotiating favorable settlement terms because the parties can focus on interests that may transcend their legal positions and arrange for a disposition on terms no court could order. Third, mediation empowers individuals to participate in the resolution of their own disputes, rather than deferring to their attorneys, and provides a context for settlement discussions that minimizes the adversarial nature of litigation.

Strategies to Achieve the FY 2003 Goal:

In many circumstances, our attorneys are able to negotiate settlement in civil litigation through one-on-one negotiations with opposing counsel. However, there are also a considerable number of cases where such settlement discussions would be unproductive, protracted, or highly positional. The use of dispute resolution in such civil litigation, especially mediation, permits our attorneys to obtain settlements that are in the best interests of the government. Mediation is the preferred dispute resolution process because skilled mediators can work with the parties and their counsel, encouraging them to go beyond the legal positions advanced by counsel and focus on the underlying interests of the litigants. In many cases, our attorneys are able to construct creative settlements that include terms favorable to the United States that no one would have



identified, but for the assistance of a mediator. Because our experience continues to show that mediation permits us to negotiate more efficiently, we remain committed to promoting the use of dispute resolution in civil litigation in the Department's dispute resolution program.

Crosscutting Activities:

The Civil Division's Childhood Vaccine Injury Program, together with HHS and the Office of Special Masters of the U.S Court of Federal Claims, are exploring opportunities to more fully utilize ADR in pending vaccine cases.

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V

STRATEGIC GOAL FIVE: Fairly and Effectively Administer the Immigration and Naturalization Laws of the United States

The DOJ components with primary responsibility for implementing this Strategic Goal are the Immigration and Naturalization Service (INS) and the Executive Office for Immigration Review (EOIR). The Civil Division and the United States Attorneys' offices are also key players. INS' primary mission is to administer and enforce the nation's immigration laws. INS activities include: determining the admissibility of persons seeking to enter the U.S. through an inspections process, and facilitating entry; processing and granting immigration-related benefits; patrolling the borders; deterring and investigating illegal employment and providing information to employers and benefit providers to prevent illicit employment or benefit receipt; and disrupting and dismantling organizations engaging in document and benefit fraud and alien smuggling. In addition, INS apprehends, detains, and removes aliens present in the U.S. without lawful status and/or those who have violated U.S. criminal laws. As individual aliens engaging in criminal activity and organizations facilitating illegal immigration are often associated with other criminal activity, INS plays a critical role in enforcing U.S. criminal laws.

EOIR's mission is to provide separate and independent fora for the objective, unbiased adjudication of disputes between INS and aliens or other individuals regarding immigration status, removal, or the availability of relief under the law. In the conduct of this mission, EOIR and its components (the Board of Immigration Appeals, the Immigration Courts, and Administrative Law Judges) seek to render fair and proper decisions in timely and efficiently. The Civil Division and the United States Attorneys Offices defend the decisions of INS and EOIR. By defending policies and administrative decisions, the Civil Division strengthens immigration enforcement activities.

MANAGEMENT CHALLENGES

The Department has reported six material weaknesses in this area:

Monitoring of Alien Overstays. Nonimmigrant overstays comprise a significant percentage of the illegal alien population in the United States, but INS has insufficient systems to compile information on the overstay population and lacks an enforcement policy that specifically targets the overstay population.

Efforts to Identify and Remove Criminal Aliens. A 1997 GAO report on the INS Institutional Removal Program (IRP) noted that the INS: (1) failed to identify many deportable criminal aliens, including aggravated felons, and failed to initiate IRP proceedings for them before they were released from prison; (2) did not complete the IRP by the time of prison release for the majority of criminal aliens it did identify; and (3) did not realize intended enhancements to the IRP.

Alien Smuggling. Between FY 1997 and FY 1999, the number of apprehended aliens smuggled into the U.S. increased nearly 80 percent. INS predicts that the smuggling will continue to increase and that alien smuggling organizations will become more sophisticated, organized, and complex. INS lacks inter-program coordination, an agencywide automated case tracking and management system, and performance measures to assess the effectiveness of the strategy, all of which affect INS' ability to address this issue.

Management of Automation Programs. INS has experienced longstanding difficulty in providing timely and consistent information about its information technology resources and activities.

INS Deferred Revenue. Issue description and performance measures are under Strategic Goal VIII.

INS Organizational and Management Issues Issue description and performance measures are under Strategic Goal VIII.

The DOJ OIG's December 2001 list of the top ten management challenges facing the Department includes three management challenges in this area:

INS' Enforcement of Immigration Laws. This addresses three of the above material weaknesses: Monitoring of Alien Overstays, Efforts to Identify and Remove Criminal Aliens; and Alien Smuggling. Under this issue, the OIG also includes INS' Deferred Inspection Program and the INS' practice of escorting criminal aliens on commercial airlines when aliens are removed from the United States.

Information Systems Planning and Implementation. Although the OIG considers this to be a Departmentwide issue, INS figures prominently in it. It is closely linked to the above material weakness, Management of Automation Programs.

Financial Statements and Systems. Although the OIG considers this to be a Departmentwide issue, the OIG specifically mentions INS's inability to substantiate the earned revenues offset portion of Immigration Program Costs, which is directly linked to the above material non-conformance, Deferred Revenue. Performance measures related to this management challenge are noted under Strategic Goal VIII.

Unless otherwise indicated above, performance measures related to these material weaknesses and management challenges are noted under this Strategic Goal.

PROGRAM EVALUATIONS

Joint INS-HHS Evaluations

INS will continue several major program evaluations into FY 2001 and FY 2002 that involve coordination with other agencies. In cooperation with a consortium of agencies and the Department of Health and Human Services (HHS), INS is contributing to a yearly follow-up to the New Immigrant Survey, which tracks the status and employment activity of aliens entering the United States in FY 2000 for a 5-year period based on categories of entry. INS will also continue the evaluation of the impact of the Welfare Reform Act with HHS and the application of the affidavit of support provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

Employment Verification Pilots

Formal multi-year program evaluations of the Employment Verification Pilots began in FY 1999. These evaluations include statistics and interpretation of the impact of the pilot in providing alien status verification services for employers. The Basic Pilot evaluation was produced in FY 2001. The Citizen Attestation and Machine Readable Pilots will be evaluated in FY 2002, and an evaluation of the overall Verification Pilots is scheduled for FY 2003.

INS Information Technology (IT) Systems and Projects

As part of its activities, INS' Information Technology Investment Approval Board (IT-IAB, formerly known as the Investment Review Board) will continue to review and assess operations and maintenance spending, as well as investment spending for IT. The analysis and evaluation activities through the IT-IAB Executive Steering Committee, Portfolio Managers for areas of IT activity (i.e., senior staff from the program operations components of the agency), and through the Strategic Information and Technology Development Office will be refined in FY 2002.

In FY 2002, procedures will be in place to ensure that evaluations are conducted on systems and projects to ensure that certain criteria are met before a system will be allowed to move into the next phase in the life cycle. Evaluations will be conducted by an independent group to ensure that systems comply with the requirement for investment decisions and system development life-cycles.

Border Enforcement

INS continuously evaluates the effectiveness of its border enforcement strategies, particularly for the southwest border, and quarterly evaluates progress on sub-goals and milestones through the Commissioner's Performance Management Reviews. In addition, several special studies have been initiated and are ongoing to evaluate border enforcement effectiveness.

Other studies and analysis related to the effectiveness of INS enforcement activities at the border are anticipated in FY 2002. They include follow-on analysis and reporting regarding the independent assessment of the effectiveness of the operations in the San Diego and McAllen Sectors and follow-up to the recommendations and action plans in the 1999 and 2001 GAO reports on the Status of the Southwest Border Strategy. Study findings will be available when all results are synthesized and an overall analysis is performed.

In FY 2002, the data, analyses, conclusions and evaluation implications from these studies will be combined with INS data, including fingerprint identification of recidivist patterns and performance data. This step will allow INS to complete an assessment of program evaluation approaches, determine the best approach, and implement the plan.

A new initiative will be undertaken in FY 2002 to develop an inspections strategy to better integrate Port-of-Entry activities into the overall INS Border Control Strategy. This strategy will include a review of all technology employed by the Inspections program, consistent with INS' Enterprise Architecture initiative.

IDENT-IAFIS

FY 2000 through FY 2001, INS continues its evaluation in conjunction with the Federal Bureau of Investigation to advance the Automated Biometric Identification System (IDENT) – Integrated Automated Fingerprint Identification System (IAFIS) (IDENT-IAFIS) integration. The study is examining the operational requirements for fingerprinting aliens apprehended at the border. This initiative will increase the capacity for timely identification of aliens with a criminal history and allow INS to take appropriate actions to arrest, detain, and formally remove these individuals. This study will involve the use of cost models and the INS Deployment Planning System and will involve simulations and modeling as part of the analysis.

Naturalization Benefits Processing

Formal INS program assessments of Naturalization applications casework focus on verifying the compliance level of INS field office operations with the Naturalization Quality Procedures. Previously, this was accomplished through outside audits controlled by the Department. Currently, INS completes internal audits with contract and INS personnel. INS internal audits are continuing in FY 2002 and 2003.

Institutional Removals Program (IRP)

INS anticipates ongoing internal and GAO monitoring and reports on IRP in FY 2002. The impact of internal transfers of functions between INS' Investigations program and the Detention and Removal program is being evaluated and a transition plan is being developed.

Quick Response Teams (QRT)

QRT operations, implemented in FY 1999, focused on establishing interior INS office locations to apprehend and remove illegal and criminal aliens detected by state and local law enforcement authorities in the course of their enforcement operations. INS evaluates QRT performance with a series of measures that are tracked at the agency level and are reported to Congress.

Facilities Impacts

INS is currently working on an initiative to measure the adverse operational impacts from the lack of space in both INS-owned and GSA-leased facilities and infrastructure. This assessment will support and improve the effectiveness of services provided, improve organizational policy development, and management and administration of current and future facilities and infrastructure inventory requirements.

STRATEGIC OBJECTIVE 5.1: ENFORCEMENT

Secure America's borders, especially to reduce the incidence of alien smuggling

Annual Goal 5.1: Secure America's borders, especially to reduce the incidence of alien smuggling

STRATEGIES

- ◆ Prevent and deter illegal entry by phased implementation of a comprehensive border enforcement strategy that concentrates resources to control corridors of illegal entry.
- ◆ Pursue border safety initiatives that create a safe border environment.
- ◆ Strengthen the capabilities of host and transit countries to combat illegal migration and prevent and deter illegal immigration at the source.
- ◆ Enhance and maintain an effective intelligence capability through coordination with other agencies and integration of INS worldwide intelligence resources.

The mission of the Immigration and Naturalization Service (INS) is to enforce provisions of the law that govern lawful entry and presence within the United States, and provide immigration benefits and services to individuals and entities (e.g., employers) entitled under law.

In FY 2003, INS will continue to execute the Border Management and Control strategies, which include port enforcement, and deterrence and apprehension. Port enforcement efforts target not only more

sophisticated methods of illegal immigration and alien smuggling, but also implement the expedited removal authority granted under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA).

In the wake of the terrorist attacks of September 11, 2001, applicable INS enforcement activities will focus first on protecting America from terrorism. Since terrorists exploit legal and illegal means of coming to and remaining in the United States, one can draw an anti-terrorism nexus to virtually all enforcement strategies, goals, and objectives outlined here.

Immigration Inspections resources are requested in FY 2003 to continue improving entry and exit systems controls to more easily identify individuals violating immigration laws. Efforts in the areas of deterrence and apprehensions target unlawful border crossers who seek to enter between Ports-of-Entry (POEs). The INS National Border Control Strategy is to achieve control of the border at and between POEs in designated geographic areas known as corridors (see definition in data section). Border Patrol resources (personnel and technology) are needed in FY 2003 to maintain and extend control along the border. Additional impacts on operational effectiveness and deterrence levels within identified corridors can be achieved by the continued systematic deployment of agent staffing, technology and other resources that directly support enforcement operations. In addition, INS will intercept and repatriate mala fide travelers and offshore migrants en route to the United States. INS will also use Community Relations resources to forge effective relationships and engage in cooperative activities with national, state, and local government as well as non-government entities to defuse tensions and provide forums for discussion and feedback on INS laws, policy and practices.

INS will continue developing an intelligence infrastructure with the goal of supporting all enforcement efforts, and creating seamless border coverage that integrates border and interior enforcement efforts. INS will build on intelligence successes expanding coordination and cooperation with other agencies to provide strategic and operational intelligence capabilities. To do this, in FY 2003 INS will expand its intelligence infrastructure and build greater operational capability using automation tools and operational support units.

Cooperation will be expanded with the U.S. Customs Service, U.S. Coast Guard, the Department of Agriculture, and others through the Border Coordination Initiative (BCI). One major strategy of the BCI is its outreach efforts to other federal, state and local law enforcement agencies. Through annual guidance to the field by headquarters, the 24 BCI Field Areas develop joint agency action plans taking into account their own individual and often unique situations and attempt to reach out to their law enforcement counterparts and bring them into the BCI family. Since it was rolled out in the fall of 1998, when the U.S. Customs Service and the INS appointed their respective Border Coordinators to oversee the Border Coordination Initiative, the U.S. Coast Guard has come on board and provided its own Border Coordinator. All three representatives are co-located at Customs Headquarters. A de facto Border Coordinator from the Department of Agriculture has also been appointed.

MEANS – Annual Goal 5.1

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Immigration and Naturalization Svc	10970	1201	11589	1460	12934	1395
U.S. Attorneys	311	44	333	47	336	52
Subtotal	11281	\$1245	11922	\$1507	13270	\$1447

Skills

Border Patrol agents, Immigration Inspectors, and Intelligence Officers must have interpersonal skills, problem solving abilities, composure, skill in the use of firearms, operate a variety of motor vehicles, and be fluent in Spanish. Officer corps personnel, particularly those in the intelligence and investigative fields, will also require strong computer skills and knowledge of the systems utilized in INS. Achievement of anti-smuggling goals also requires Special Agents, Investigative Assistants, Financial Analysts for asset forfeiture, Intelligence Agents/Officers, analysts, and other support staff. INS officers overseas must possess the full breadth of immigration knowledge with respect to enforcement and benefit responsibilities, experience in one or more immigration-related disciplines, and above all, communication and diplomatic skills in order to obtain host country authorities' support of the INS mission.

Information Technology

The Interagency Border Inspection System (IBIS) is a major tool used to inspect travelers. Photo phone equipment allows transmission of photographic images between the INS Forensic Document Lab and POEs. NetLEADS is the approved intelligence module for INS, and has been fully deployed. Ultimately, the data will be captured in the Enforcement Case Tracking System ENFORCE via the ENFORCE Investigation Case Management and Intelligence Module (EICMIM) and stored in the Enforcement Integrated Database (EID). This integration will enable INS to streamline investigative reporting, intelligence collection, storage, research, analysis and the dissemination of value-added intelligence information. The Border Patrol Enforcement Tracking System (BPETS) and Intelligent Computer Assisted Detection (ICAD) are two of the tools used to generate data for border strategy effectiveness reports. In addition, significant efforts are underway to integrate live-scan biometrics functionality between INS' Automated Fingerprint Identification System (IDENT) system and FBI's Integrated Automated Fingerprint Information System (IAFIS). A geographical information system and Technology refresh, a hardware-software-telecommunications platform upgrade may be enhanced in FY 2002. The Border enforcement effort between the POEs also utilizes the Integrated Surveillance Intelligence System (ISIS), which uses cameras, monitors, and sensors.

PERFORMANCE ASSESSMENT – Annual Goal 5.1

5.1A Reduce the number of illegal aliens in the United States

Background/ Program Objectives:

The Immigration and Nationality Act states that the Commissioner, in consultation with interested academicians, government agencies, and other parties, shall provide for a system for collection and dissemination, to Congress and the public, of information useful in evaluating the social, economic, environmental, and demographic impact of immigration laws. The Act provides that “such information shall include information on...the number of aliens estimated to be present unlawfully in the United States each fiscal year.”

INS last released the official updated 1996 estimates of the U.S. illegal population using the detailed statistical data from the U.S. Census Bureau. INS will release the first of an annual series of estimates that meet the requirements of the Immigration and Nationality Act in FY 2002. These estimates will be based on analysis of the most recent detailed U.S. Census Bureau statistics, selected data collected annually by the U.S. Census Bureau in the Current Population Survey and INS immigration data. INS will estimate the size of the illegal alien resident population and the average growth rates per year.

Performance:

Performance Measure: New Measure: Total Number of Illegal Aliens Residing in the United States (in millions)

2001 Target: N/A

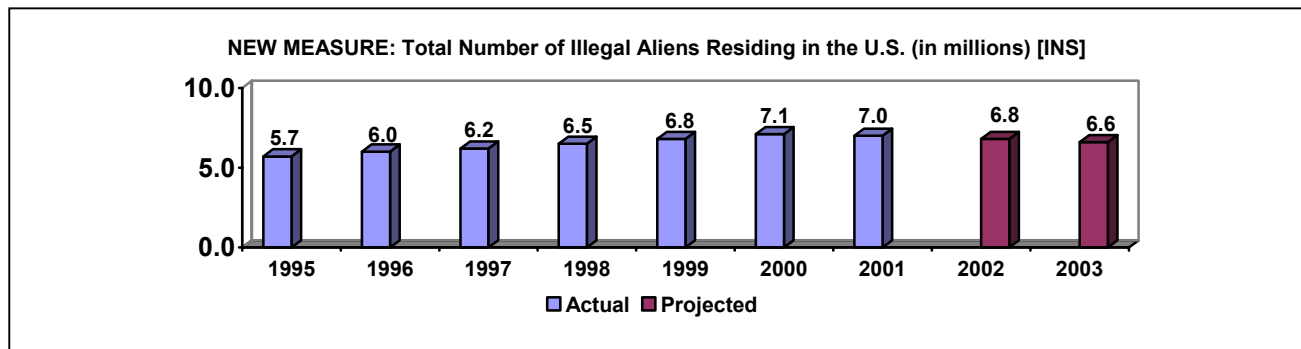
2001 Actual: 7.0 million residents (estimate)

Discussion: The FY 2001 “actual” reflects a projection based on data in the interim made before the 2000 census results were available. The estimated illegal alien resident population was 6.8 million in January 2000, plus or minus 500,000. California remained the state with the largest illegal alien population, but growth in California dropped throughout the 1990s. From 1990 to 2000, Texas and Florida passed New York to become the second and third states, respectively. During the 1990s, the illegal immigrant population living in Arizona increased from 90,000 to 295,000; the illegal immigrant population living in Colorado increased from 30,000 to 130,000 during the decade.

FY 2002 Performance Plan Evaluation: The projected number of illegal residents in the United States is 6.8 million.

FY 2003 Performance Target: 6.6 million

Public Benefit: Reduction in the illegal resident population reinforces immigration laws and reduces the supply of illegal aliens for unauthorized employment. It also reduces the demand on local economic and social services from illegal alien residents.



Data Definition: The total number of illegal aliens is an estimate of the total number of illegal aliens residing in the U.S. as of January 1 of the reference year. The definition of a resident corresponds to the U.S. Census Bureau definition of usual residence (i.e., where a person spends more nights during a year than any other place). Illegal aliens in transit or with no place of usual residence within the United States, therefore, are not included in the estimate. The estimate of the total number of illegal aliens is actually based on estimates for several components according to the following formula:

Total illegal residents = (Foreign-born residents) + (Estimated undercount) – (Legally admitted immigrants + Temporary migrants (nonimmigrants)). Note: Legally admitted immigrants include: Aliens admitted for legal permanent residence + Refugees and asylees admitted but not yet adjusted to LPR status - Emigrants – Deaths

Data Collection and Storage: Data are collected from a variety of official government sources. The most important are survey data on the resident foreign-born population collected by the U.S. Census Bureau and administrative data on legal admissions collected by the INS. The data on foreign-born residents are collected on the long-form sample during the Decennial census, or, between Decennial censuses, with the monthly household Current Population Survey. The Decennial census data are based on a 1 in 6 sample of all U.S. households. The Current Population Survey data are based on a survey of approximately 50,000 households. The INS administrative records used in the estimate are for legal permanent residents, persons admitted for temporary residence, and refugees and asylees who are eligible to adjust to legal permanent residents status. The legal permanent resident data are collected by INS through Department of State visas and records of adjustment and recorded in INS' Computer-Linked Application Information Management System (CLAIMS3). Estimates of temporary migrants residing here are derived from statistics collected in INS' Nonimmigrant Information System. Information on emigrants and deaths of legal resident aliens is estimated based on data and research conducted by the Census Bureau.

Data Validation and Verification: The census foreign-born data are subject to the validation and verification procedures established at the U.S. Census Bureau. Individual INS records of legal permanent residents are extensively reviewed to insure the validity of the data. The INS' annual number of legal permanent residents are compared to U.S. DOS data on visas issued for the categories of immigrants who require a visa, to check for completeness. INS inspectors collect form I-94 from all arriving aliens, and the information is compiled in the Nonimmigrant Information System. The estimates of emigrants and deaths are based on research reports that are subject to the validation and verification procedures established at the U.S. Census Bureau.

Data Limitations: The estimate for the total foreign-born population is derived through sampling, and is subject to sampling error. INS estimates that the range around the estimate is plus or minus roughly 500,000 persons. These annual estimates are very difficult; in the past they have only been released every 4 years. The estimates are known to include some persons in a quasi-legal immigration status, such as prospective asylees awaiting a decision and persons who are in the United States and eligible to adjust to permanent resident status. These and other aliens in similar categories would not necessarily be subject to removal if arrested. Assumptions of the number of persons who emigrate or are in temporary legal status and assumptions of the coverage of the foreign-born and illegal aliens in the Decennial census or Current Population Survey also affect the estimate. Differences in assumptions will lead to different estimates. The U.S. Census Bureau and several non-governmental researchers have published their own estimates of the illegal resident population in the past. Differences that are well within the margin of error may still raise questions about the accuracy of the estimates.

Performance Measure: New Measure: Annual Entries of Illegal Aliens Residing the United States

2001 Target: N/A

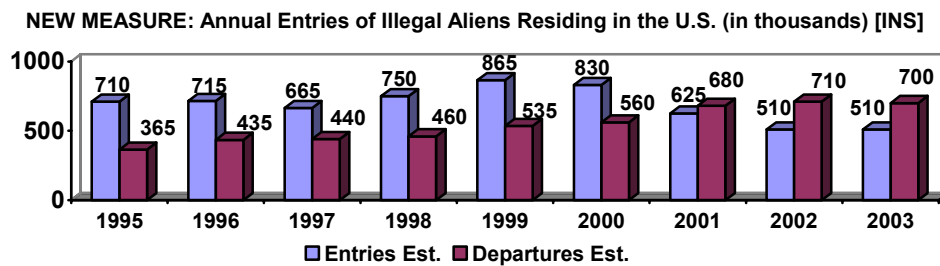
2001 Actual: 625,000 new entrants (estimate)

Discussion: The 2001 "actual" reflects a projection based on data in the interim made before the 2000 census results were available. The illegal resident population grew at an average rate of 290,000 per year during the 1990s. An average flow of 680,000 aliens entered the illegal resident population; however, 390,000 left the population. The illegal alien population is projected to decline 40,000 a year for the period beginning in 2000 and ending in 2003. The average flow of aliens entering the illegal resident population for 2000-03 is expected to decline to 620,000, and the average number of departures is expected to increase to 660,000. Departures will continue to increase as INS reduces the backlog in adjustments to legal permanent resident status (LPR). Many of the aliens adjusting to LPR status will have been in an illegal status, such as those paying a fee and remaining in the United States (adjusting under Section 245(i) of the INA). Apprehensions of deportable aliens by the Border Patrol are estimated to decrease from 1.2 million to 1 million in 2002 and 2003.

FY 2002 Performance Evaluation: The projected number of illegal aliens entering the illegal resident population in the United States 510,000.

FY 2003 Performance Target: 510,000

Public Benefit: INS efforts to reduce illegal migration into the U.S. will enable us to defend the security and stability of our Nation and deter specific threats from organized crime, drug traffickers, and terrorist groups. Reduction in the movement of aliens across the border will also improve the quality of life in border communities.



Data Definitions: Annual entries is an estimate of the annual number of illegal aliens who entered the United States during the previous year and continue to reside in the United States as of January 1 of the reference year. A change in the resident illegal population between years is equal to the difference between the number of new entrants establishing residence during the year (entries) minus the number of prior residents who left the illegal population during the year (departures). The difference between entries and departures is the net change in the illegal resident population. Illegal residents leave the population through emigration, death, removal by INS enforcement, or a change to legal permanent resident status. The definition of a resident corresponds to the U.S. Census definition of usual residence (i.e., where a person spends more nights during a year than any other place). Illegal aliens who entered the U.S. during the year who are in transit or who have no usual place of residence within the United States, therefore, are not included in the estimate.

Data Collection and Storage: Data are collected from a variety of official government sources. The most important are survey data on the resident foreign-born population collected by the U.S. Census Bureau and administrative data of legal admissions collected by INS. The data on foreign-born residents are collected on the long-form sample during the Decennial census, or, between Decennial censuses, with the monthly household Current Population Survey. The Decennial census data are based on a 1 in 6 sample of all U.S. households. The Current Population Survey data are based on a survey of approximately 50,000 households. INS administrative records used in the estimate are for legal permanent residents and persons removed from the U.S. by INS procedures. The legal permanent resident data are collected by INS through Department of State visas and records of adjustment and recorded in INS' Computer-Linked Application Information Management System (CLAIMS3). Information on INS removals is collected and recorded in INS' service-wide Deportable Alien Control System (DACS) by the respective field offices that conduct the removals. Information on emigrants and deaths of illegal resident aliens is estimated based on data and research conducted by the Census Bureau and information reported by the Mexico-U.S. Migration Study in 1998.

Data Validation and Verification: The census foreign-born data are subject to the validation and verification procedures established at the U.S. Census Bureau. Individual INS records of legal permanent residents and persons removed by the INS are extensively reviewed to insure the validity of the data. INS' annual number of legal permanent residents is compared to U.S. DOS data on visas issued for the categories of immigrants who require a visa, to check for completeness. Data on the removal of criminal and non-criminal aliens from the U.S. have high visibility and are highly scrutinized. As a critical performance measure on its own, it is subject to extensive data review activities by both the program office and the Statistics Division of the INS. DACS and CLAIMS3 data verification and validation sections appear in this plan in Strategic Objectives 5.2 and 5.3, respectively. The estimates of emigrants and deaths of illegal immigrants are based on research reports that are subject to the validation and verification procedures established at the U.S. Census Bureau. The estimates of undercount of illegal residents in the Current Population Survey are consistent with the findings of the Mexico-U.S. Migration Study.

Data Limitations: The estimate is derived through sampling, and is subject to sampling error. This is the first time that annual estimates have been made, and no information is available to assess the potential variability from year to year. The estimates are known to include some persons in a quasi-legal immigration status, such as prospective asylees awaiting a decision and persons who are in the United States and eligible to adjust to permanent resident status under section 245(i) of the Immigration and Nationality Act. These and other aliens in similar categories would not necessarily be subject to removal if arrested. Assumptions about the number of persons who emigrate or are in temporary legal status and assumptions of the coverage of the foreign-born and illegal aliens in the Decennial census or Current Population Survey also affect the estimate. Differences in assumptions will lead to different estimates. Neither the U.S. Census Bureau nor non-governmental researchers have been able to estimate annual inflow, departures from the population, or net annual change in the population, so there are no benchmarks against which to compare the estimates.

Strategies and Initiatives to Achieve the FY 2003 Goal:

INS will measure the individuals defined as residents in the United States who are unlawfully present. INS will periodically update these estimates and provide additional analyses as more data become available and techniques are further refined.

Crosscutting Activities:

The INS coordinates with interested academicians, government agencies, and other parties, including the U.S. Department of Commerce, U.S. Census Bureau and the U.S. Government Accounting Office. The INS also is involved with a number of organizations in the academic and statistical community to continue to improve the collection, methodology and reporting of alien population information.

5.1B Effectively Control the Border (Management Challenge)

Background/ Program Objectives:

At the Ports-of-Entry

INS will promote optimal enforcement of United States borders and laws at United States Ports-of-Entry (POEs) through improved knowledge, deterrence, and effectiveness. INS will improve knowledge by providing Immigration Inspectors improved advance data, intelligence, and analysis tools to make the resulting analytical information actionable. INS will operate maximum available lanes and booths at POEs to establish, maintain, and enhance clear and convincing deterrence to illegal entry attempts. INS will improve effectiveness by leveraging deterrent presence to increase scrutiny of all persons seeking entry.

For FY 2002, INS is revising its strategic and performance measures to focus on building the underlying infrastructure at POEs to use all available physical means to manage traffic effectively and efficiently, and to improve enforcement of immigration laws at our nation's borders. Enhanced resource allocation will support improved operation of land border vehicle and pedestrian lanes, up to 24-hours daily, seven days weekly, to establish an optimum enforcement environment. INS POE inspection operations, following the terrorist attacks on September 11, 2001, support strategies carried from previous years to improve the inspection process and establish innovative approaches to accomplish INS' enforcement mission.

INS will expand the use of Passenger Analysis Units (PAUs) at air POEs to analyze flight information from the Advance Passenger Information System (APIS), passenger reservation systems, open-source information and law enforcement databases to identify high-risk travelers before they arrive in the United States. This will support increased interdiction at INS primary inspection. The PAU will also develop post-secondary intermediate and long-range operations to detect evolving trends in smuggling, visa and Visa Waiver Program (VWPP) fraud and other illegal activity. During FY 2003, INS will continue to develop an automated query using the National Crime Information Center Interstate Identification Index (NCIC III) Criminal History Record (CHR) queries of Advance Passenger Information data. INS used this capability successfully at John F. Kennedy (JFK) and Newark International Airports to intercept criminal aliens. In FY 2003, the Miami International Airport and the Los Angeles International Airport will have access to these systems. In addition, as INS deploys additional Border Patrol agents and supporting resources to targeted areas along the border, the POEs will experience increases in mala fide applicants for admission to the United States. INS intends that increased scrutiny of all applicants for admission at United States POEs, using both additional human resources and improved automated support systems, will result in increased border integrity and enhanced national security.

INS enforcement and detection strategies will be enhanced to monitor and influence the overall probability that an illegal alien attempting entry would be apprehended. As the effectiveness of the INS strategies causes changes in the flow of illegal entries, INS expects to be able to develop predictors of the success of those strategies and react to changes in the flow in a more timely manner. The coverage of this kind of predictive information will grow as INS expands the systems to deter illegal aliens at the Northern border and the ports of entry.

Interagency Coordination

As part of the Border Coordination Initiative (BCI), INS will work with the U.S. Customs Service at the border to accomplish both agencies' missions in the most efficient and effective manner. In addition, INS will expand and support the use of technologies, automation, and advanced information where available to act as a force multiplier at the border. For FY 2003, the BCI is planning to increase its outreach efforts not only to the other federal, state and local law enforcement organizations along the Southwest Border but also to the Northern Border and possibly the Southern Tier of the United States.

It is critical that INS strengthens enforcement in areas at and between POEs by improving border infrastructure, detection and intelligence technology, and staffing. These basic resources are essential to maximize the proactive, deterrent enforcement capability of border agencies while also facilitating joint operations. INS, in cooperation with Federal, state and local law enforcement organizations, must create a secure and seamless border management system. This means that INS must help to integrate law enforcement efforts in order to secure the border against a variety of potential threats.

Interagency Coordination

As part of the Border Coordination Initiative (BCI), INS will work with the U.S. Customs Service at the border to accomplish both agencies' missions in the most efficient and effective manner. In addition, INS will expand and support the use of technologies, automation, and advanced information where available to act as a force multiplier at the border. For FY 2003, the BCI is planning to increase its outreach efforts not only to the other federal, state and local law enforcement organizations along the Southwest Border but also to the Northern Border and possibly the Southern Tier of the United States.

Intelligence

The challenges to improve strategic and operational intelligence are being addressed through increased automation (CIRS/NetLEADS/ENFORCE/IDENT) in the intelligence collection and analysis process. In FY 2003 it will provide mid-level managers with better information to use in the allocation of resources. INS will continue to prepare target folders in cooperation with the National Security Council workgroup on alien smuggling, and will continue to provide strategic reports to upper management for deployment considerations. INS makes use of electronic data collected by analyzing this variety of data sources using Orion NetLEADS. As Service wide implementation of the automated systems is increased, INS will be able to gain even greater access to intelligence data that is being collected by field enforcement units.

Between the Ports-of-Entry

Since its inception in 1994, the Border Patrol's National Strategic Plan has been the basis for a multi-year, phased approach to the deployment of new resources along the Southwest border, initially concentrating on areas of greatest illegal entry. The strategic plan was developed as a systematic four-phased approach to strengthen control of the border with a national focus of "prevention through deterrence" as a means to restrict illegal traffic and encourage legal entry. *Deterrence* is defined as raising the risk of apprehension so high that it is futile to attempt entry. The four-phased approach will build-up resources along the entire Southwest border as well as the northern border and coastal areas of the United States.

The highest priority is the Southwest Border and those areas with the highest concentration of illegal entry. The strategy focuses resources on specific sectors (further defined by corridors) in priority order. Phase I includes San Diego (2 corridors), and El Paso (3 corridors); Phase II covers Tucson (3 corridors) and McAllen (3 corridors); Phase III concentrates on Del Rio (2 Corridors) and Laredo (3 Corridors) and the remainder of the Southwest border; and Phase IV including the Northern Border and Coastal areas as well as new areas of activity. Currently, INS is in Phase II and has achieved optimum deterrence in the principal corridors where traditional illegal activity has occurred in San Diego and El Paso, and is attempting to maintain that level while focusing on the Tucson corridors. The primary indicator of successful deterrence is the significant reduction and leveling off of attempted entry. *Optimum deterrence* is defined, as the level at which applying more Border Patrol agents and resources is no longer justifiable considering the areas current or future potential to facilitate successful illegal entry. This is a critical point in the strategy, as it would make little sense to try to reach essentially zero illegal entry attempts in one location while there are literally thousands of such attempts in another. Through sufficient staffing in recent years the Border Patrol has profiled and predicted the trend pattern to reaching optimum deterrence. After several years of staffing increases a peak is reached in staffing levels and arrests, followed by a reduction in illegal entry attempts (deterrence), culminating in a leveling off of both resources and arrests (optimum deterrence). It can take up to 6-8 years to reach optimum deterrence provided there are sufficient resources.

Although an eventual reduction in arrests is a primary indicator of illegal entry attempts (and therefore deterrence), other critical indicators include: decrease in border related crime, decrease in recidivism, shifting of illegal activity to non-traditional points of entry and through non-traditional methods, increase in smuggling fees, increase in property values and commercial and public development along the border, etc. Each of these factors (and others) is part of a comprehensive analysis conducted for each area. The effectiveness of the Border Patrol's National Strategic Plan is evidenced by the significant changes in illegal entry attempts in the San Diego, California, El Paso and Brownsville, Texas, and the Nogales, Arizona border areas. The ultimate impact is the increase in quality of life in these areas.

The primary focus of border management will continue to be to gain and then maintain control of the southwest border. The Border Patrol strategic plan addresses control of the border outside of the southwest border, monitoring the flow of illegal entrants, and the deployment of resources to new areas of increased activity. Alien flow and Border Patrol staffing in the northern border sectors has been relatively stable over the last 10 years. However, due to the events of September 11, 2001, the Border Patrol will accelerate the

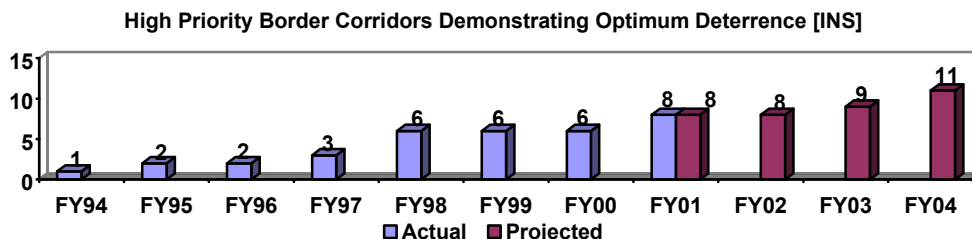
deployment of personnel and resources to the northern border in FY 2003, and will address any significant changes in illegal cross-border activities appropriately.

Performance:

Performance Measure: High Priority Border Corridors Demonstrating Optimum Deterrence

FY 2001 Target: 8 corridors

FY 2001 Actual: 8 corridors



Phase I	# of Corridors	FY94*	FY95*	FY96*	FY97*	FY98*	FY99*	FY00	FY01	FY02	FY03	FY04
San Diego	2	0	1	1	1	2	2	2	2	2	2	2
El Paso	3	1	1	1	2	2	2	2	2	2	3	3
Phase II												
Tucson	3	0	0	0	0	1	1	1	2	2	2	3
McAllen	3	0	0	0	0	1	1	1	2	2	2	3
Phase III**												
Laredo	3	0	0	0	0	0	0	0	0	0	0	0
Del Rio	2	0	0	0	0	0	0	0	0	0	0	0
El Centro	3	0	0	0	0	0	0	0	0	0	0	0
Yuma	4	0	0	0	0	0	0	0	0	0	0	0
Marfa	3	0	0	0	0	0	0	0	0	0	0	0

Assumptions: Projected corridor effectiveness is dependant upon sufficient allocation of resources and Congressional approval of agent deployment plans. Optimum deterrence on the border will not increase in proportion to marginal increases in resources.

***Note:** Corridor effectiveness shown above for FY 94 through FY 99 is estimated, due to the lack of available data for corridors during that period.

****Note:** Although Phase III is not expected to begin until after FY 04, the anticipated affected Sectors are currently developing local operational plans in accordance with the National Border Patrol Strategy.

Data Definitions: INS will conduct an assessment of areas where the Border Patrol is maintaining or extending control to analyze operational effectiveness. Operational effectiveness is defined as apprehensions plus turn backs (the attempt was thwarted), divided by attempts. Attempts are compiled by adding apprehensions plus evadees (successful illegal entries) plus turn backs. In the past, the number of evadees was largely unknown. With technology today, evadees and turn backs are estimated by Border Patrol agents using information from video cameras, infrared scopes (ground and airborne), helicopter patrols, sensor hits, tracks, etc. Optimum deterrence is further analyzed by evaluating: increase in traffic outside of targeted corridors, decrease in number of attempted illegal entries, decrease in the number of violent acts against law enforcement, and utilization of "non-traditional" entry routes.

Data Collection and Storage: Data for the measure is compiled by zones (the smallest geographical area of focus) and then aggregated at the Sector level into Sector corridors. Data collected include: activity (arrests, evadees, turn backs), narcotics seizures (number, type, weight), personnel (permanent, detailed in or out), technology (lighting, cameras, barriers, sensors, vehicles), narrative reports (trends, incidents, factors affecting entry), and additional monthly statistics (IDENT/ENFORCE usage, crime rates).

Data Validation and Verification: On a monthly basis, summarized nationwide reporting occurs through INS' centralized, automated Performance Analysis System (PAS) database. Monthly reviews and editing of apprehension numbers reported in PAS is conducted not only at the Sector level, but also by the centralized INS Statistics Division, which maintains the PAS database. Increasingly, review and editing involves using systems counts from ENFORCE/IDENT.

Data Limitations: A process to standardize all such recording and reporting of data is ongoing across all Border Patrol Sectors to ensure consistency and validity. The collection of this data is currently an intensive manual process. The use of INS' Intranet to extract existing data from automated systems such as ENFORCE and ICAD along with auxiliary data not yet automated is being tested at limited pilot sites. The national implementation of such operational data will be used to access and analyze operational effectiveness Patrol Strategy.

Discussion: Eight of nine Southwest border sectors demonstrated an increase in operational effectiveness in one or more corridors. San Diego was the only sector that did not achieve its level of operational effectiveness target. Although it was slightly lower than the target level, priority operational corridors are still considered to be under an optimal deterrent level. An analysis of San Diego Sector statistics for the 4th quarter of FY01 indicates that a significant attrition of personnel led to the decline in effectiveness, which had been above the target level for the previous 3 quarters. Also, the San Diego Sector fulfilled the majority of detail assignments subsequent to the terrorist attacks on September 11th.

FY 2002 Performance Plan Evaluation: We expect to meet the FY 2002 target of 8 high priority border corridors demonstrating optimum deterrence.

FY 2003 Performance Target: 9 high priority border corridors demonstrating optimum deterrence

Public Benefit: INS efforts along the Southwest border will reduce illegal migration into the United States and ultimately improve the quality of life in these areas.

Strategies to Achieve the FY 2003 Goal:

Between the Ports-of-Entry

INS will continue to implement the Border Patrol National Strategic Plan to improve control of targeted areas on the border by preventing illegal entries through deterrence. While attempting to maintain the current level of effectiveness in San Diego and El Paso, INS will continue Phase II efforts in Tucson and McAllen. The basic strategy is to apply increased levels of Border Patrol staff, technology and other resources (increasing the level of operational effectiveness) in the busiest areas until the risk of apprehension is high enough to be an effective deterrent, thus creating acceptable area-wide control. INS will continue border safety initiatives by tracking and recording deaths and rescues, binational mapping, targeting smugglers, integrating the Border Safety Initiative into all aspects of Operations, and increasing awareness through public outreach.

Due to the terrorist's acts of September 11, 2001, the Border Patrol will accelerate the deployment of personnel and resources to the northern border in FY 2003, and will address any significant changes in illegal cross-border activities appropriately. This is not a departure from the Border Patrol Strategy, but a response to pressing operational issues associated with the northern border.

In FY 2002, and in response to Homeland Security Presidential Directive #2, section 4, a U.S. Canada bilateral common threat assessment among all concerned agencies on border zones' vulnerabilities will be conducted. This assessment will assist INS in future deployment of resources to the northern border.

While optimum deterrence takes many years, internally, INS will conduct an assessment of areas where it is maintaining or extending control to analyze our operational effectiveness. The INS Office of Intelligence will continue to provide informational support to the Service's operational units through the collection, analysis, and dissemination of intelligence information. Intelligence training will also continue to be given high priority during FY 2003.

At the Ports-of-Entry

INS will not compromise its enforcement mission. INS will continue to strive towards the objective to manage effectively the movement of travelers and commerce at United States POEs. INS will continue to work with other Federal Inspection Services to obtain and utilize all available information before passengers arrive at United States borders.

During FY 2002, INS will rebuild its POE enforcement capabilities by applying new positions received from the FY 2002 budget and supplemental appropriations. INS will start with hiring and training additional personnel, and developing infrastructure to support increased enforcement-oriented performance methodology, goals, milestones, and measure reporting, starting in FY 2003.

In FY 2003, INS will extend the use of advance information for Immigration Inspectors as far in advance of arrival and as distant as possible from United States borders to help avoid having to deal with criminals and terrorists on United States territory. INS will obtain maximum advance electronic passenger manifest data that is timely and accurately submitted by carriers for most passengers embarking for the United States from foreign points. INS will make available intelligence and criminal history information, and analyze these data well in advance of arrival at the United States. INS will also increase the number of air POEs with access for NCIC III databases to enhance analysis of criminal record databases. These analytical results provide actionable information for Immigration Inspectors to use at POEs to prevent illegal entry, human trafficking,

and smuggling, among other crimes.

Immediately following the September 11th terrorist attacks on the United States, INS assigned all available personnel to provide absolute and clearly visible coverage at United States land border POEs. One clear result was an immediate and pronounced drop in attempts to smuggle narcotics, or to commit other crimes at United States POEs. As the Border Patrol proved over the past decade with a series of extremely successful deterrent-oriented operations between the POEs, a clear, visible, and obvious control of United States border portals will provide an optimum enforcement benefit. INS will improve interception of persons seeking to enter the United States illegally at POEs. We will use deterrence and a closed loop system to continuously improve border enforcement at United States POEs.

Over the next several years, as INS increases the probability of detection and apprehension of illegal aliens entering between POEs (southern, northern, coastal), analysis of the trends will provide INS valuable information to understand the proportion of the entrants that are repeatedly trying to illegally enter. It will also help to identify the combined impact on illegal immigration of those that have shifted to alternate locations between ports, to alternate methods, such as to POE, and alternate techniques of entry such as smuggling. This will enable INS to fully integrate the impact of both its overseas, border and interior strategies.

Crosscutting Activities:

The INS coordinates with other federal, state, local, and international law enforcement agencies where operational initiatives are crosscutting. This includes memoranda of understanding (MOU) with the Drug Enforcement Administration (DEA), particularly with respect to a delegation of legal authority to enforce drug laws under Title 21. A similar MOU is in place with the United States Customs Service where cross-designated authority is provided to both INS and Customs officers to enforce their respective laws. INS, the U.S. Attorney's Office, and the FBI, often coordinate at the INS Sector and District Office levels.

The INS also is involved with a number of federal, state, and local joint-agency task forces with missions such as anti-terrorism, drug interdiction, disruption of alien smuggling, detection of fraud, and other illegal activities. On the international front, the INS coordinates its border enforcement efforts with land neighbors to the north and south engaged in such special programs as Operation Alliance with Mexico, and Project Northstar with Canada.

5.1C Identify, Disrupt and Dismantle Alien Smuggling and Trafficking Organizations (Management Challenge)

Background/ Program Objectives:

The growing volume, sophistication and violent nature of alien smuggling organizations poses a threat not only to the national security of the United States, but to the continued success of the strategies adopted by INS to manage and control our borders, combat illegal immigration at its source and promote public safety by fighting immigration-related crimes. INS will initiate high priority investigations, conduct asset seizures and present individuals for prosecution for alien smuggling related violations to disrupt the means and methods that facilitate alien smuggling.

INS maintains close working relationships with all members of the Intelligence community, routinely sharing information that is aimed at the disruption and dismantling of human smuggling organizations. The benefits of this level of sharing and cooperation can be seen in the development of better enforcement targets, more highly coordinated foreign disrupt operations, and the dismantlement of significant illicit smuggling organizations. Further, the continuation of these cooperative operations in FY 2003 will enhance INS' ability to confront terrorism as well as organized criminal smuggling enterprises.

The September 11th terrorist attacks on America have resulted in a renewed focus on the INS role in advancing national security. Some of the momentum in disrupting and dismantling smuggling organizations will shift to disrupting and dismantling terrorist cells in FY 2002 and FY 2003. INS will continue support the FBI's investigation into the terrorist attacks. INS will also continue to identify national smuggling and trafficking enforcement targets and carryover these investigations to final enforcement and prosecutorial stages

In FY 2000, the GAO reported that INS lacked inter-program coordination, an agency-wide automated case tracking and management system, and performance measures to assess the effectiveness of the anti-smuggling strategy. INS is undergoing a period of restructuring; placement and structure of the alien smuggling and trafficking program will obviously be considered as a part of this overarching process. Further, INS has determined that the Criminal Investigations Reporting System, when successfully integrated with ENFORCE, will constitute an effective and efficient agency-wide automated case tracking and management system.

Performance:

Performance Measure: Targeted Alien Smuggling & Trafficking Organizations Identified, Disrupted, and Dismantled

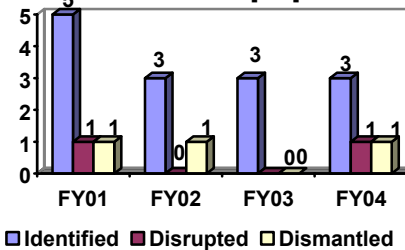
FY 2001 Actual:

5 identified, 1 disrupted, 1 dismantled

FY 2002 Performance Plan Evaluation:

As a result of the changes in enforcement priorities since the recent terrorist attacks, we have revised the FY 2002 targets to 3 identified, 0 dismantled, and 0 disrupted.

Targeted Alien Smuggling & Trafficking Organizations Identified, Disrupted and Dismantled [INS]



Data Definition: Identification: the process of conducting investigations and gathering evidence and intelligence to name participants and their criminal associates violating Federal U.S. immigration laws. Since these are complex investigations, cases identified in one year produce outcomes in later years.

Disruption: occurs when a targeted organization is adversely impacted as a result of INS enforcement actions. Indicators of disruption include changes in organizational leadership, trafficking patterns, smuggling infrastructure, or smuggling methods. This may include disruptive actions taken by another agency or government at the request of, or in coordination, with the INS.

Dismantlement: occurs when an identified organization is no longer capable of operating as a coordinated criminal enterprise.

Data Collection and Storage: Data is collected in the Performance Analysis System (PAS) and manual tracking. INS collects investigations data in the PAS which contains aggregate case data and workyears for specific categories of activities. The field enters data into PAS each month.

Data Validation and Verification: PAS verification is conducted by the Statistics Office of the Office of Policy and Planning. The statistics are corroborated through submission audits; and logic, range, and computational edits. The Office of Statistics produces monthly statistical and production reports. Some manual tracking is required for smuggling and fraud since performance categories for types of cases no longer exactly match the definitions and methodology of the existing PAS categories. This manual case information is collected and verified by headquarters staff.

Data Limitations: PAS records are complete with 95 percent of field office records entered within the first 8 working days of the reporting month. The remaining 5 percent are subsequently obtained through submission audits. Since PAS data are manually consolidated at an office level, audits of individual case records cannot be performed.

FY 2003 Performance Target: 3 identified, 0 dismantled, and 0 disrupted

FY 2004 Performance Target: 3 identified, 1 dismantled, and 1 disrupted

Public Benefit: The criminal organizations that engage in alien smuggling and immigration fraud as well as foreign-born-terrorist organizations pose a significant threat to the public safety and national security of the United States. Seizing the assets of these organizations and individuals reduces their capital, thus affecting their ability to operate, and also takes away the profit incentive inherent in nearly all criminal activity. As a result of INS efforts, many alien smugglers, fraud organizations, and facilitators were arrested and presented for prosecution; assets were seized; and aliens with a nexus to organized crime, violent gangs, drug trafficking gangs, or who have terrorist related affiliations, were apprehended. These efforts provide a significant public benefit.

Strategies to Achieve the FY 2003 Goal:

As identified by the Office of the Inspector General, INS faces management challenges related to alien smuggling. INS is addressing these issues through increased use of automation in the intelligence collection and analysis process including the following systems: CIRS, NetLEADS, ENFORCE and IDENT. In FY 2003, use of these systems will provide managers with better information for use in resource allocation decision-making. As Servicewide implementation of these systems is achieved, INS will be able to gain greater access to intelligence data being collected by field enforcement units.

Anti-smuggling strategies will be coordinated with FBI, border, and overseas initiatives. INS will maximize the use of its intelligence resources and related technology to focus its investigative and enforcement resources in areas that will achieve highest impact. The Office of Intelligence will continue to provide informational support to the Service's operational units through the collection, analysis, and dissemination of intelligence information. Intelligence training will also continue to be given high priority during FY 2003.

Efforts will be made to expand INS geographic reach and inter-component cooperation. In conjunction with smuggling cases, INS will pursue operations against major benefit and document fraud conspiracies. INS will deter the presence of illegal aliens and support the integrity of the legal immigration process by focusing on criminal investigations of those employers who intentionally violate immigration laws or engage in smuggling or immigration-related fraud. Asset forfeiture violations uncovered as a result of smuggling, fraud, and work-site enforcement cases will be pursued to the fullest extent of the law.

To improve the effectiveness of efforts to apprehend persons attempting illegal entry, INS will expand international operations. INS officers overseas will conduct specifically targeted investigations based on intelligence developed by INS internally and through the intelligence community which results in the disruption and dismantlement of organizations responsible for smuggling migrants to the United States. INS officers work with host government and third country Embassy personnel to provide consultative services concerning validity of travel documents, to airline and immigration officials at airports. Further, special short-term coordinated enforcement operations are conducted in source and transit countries involving INS and host country officials. These operations result in the apprehension and repatriation of mala fide migrants en route to the United States.

Crosscutting Activities:

INS conducts international investigations to prevent, identify, disrupt, and dismantle criminal organizations that facilitate illegal migration. INS' anti-smuggling strategies are coordinated with the FBI. In addition, INS works with the U.S. Attorneys to prepare cases and receives information on work-site enforcement activities from the Department of Labor. INS is represented and participates in several intra-agency task forces including the FBI Joint Terrorism Task Forces, the DOJ Organized Crime and Drug Enforcement Task Forces (OCDETF), and the Violent Gang Task Forces.

5.1D Deter Illegal Immigration at the Source

Background/ Program Objectives:

INS enforcement activity overseas is dedicated to halting illegal immigration at its source in order to safeguard our borders. By intercepting mala fide and undocumented travelers, disrupting organized alien smuggling operations and prosecuting known alien smugglers overseas and in coordination with domestic offices, INS sends a clear message to potential illegal migrants that such activity is not acceptable or achievable. Strong enforcement actions overseas strengthen the legal immigration process and save INS costly processing, detention, and removal of aliens who may gain access illegally to the United States.

Performance:

Performance Measure: Interception of Mala Fide and Offshore Travelers en route to the United States

FY 2001 Target: 9,324

FY 2001 Actual: 34,594

Discussion: INS overseas offices significantly exceeded their goal. This success was due to a pilot in INS' Mexico City office established in cooperation with the governments of Mexico and Guatemala, Operation Bus Bound, which involved the interception and repatriation of Central American and third country nationals.

FY 2002 Performance Plan Evaluation: Based on program performance FY 2001, we have increased the FY 2002 target to 20,000 interceptions of mala fide and offshore travelers.

FY 2003 Performance Target: 20,000

Public Benefit: Through overseas efforts, the level of illegal migration into the United States decreased.

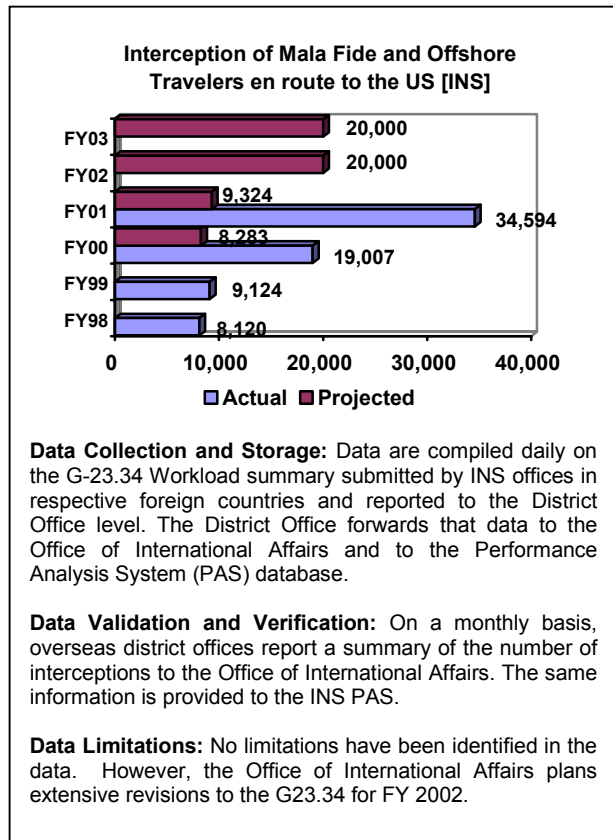
Strategies to Achieve the FY 2003 Goal:

INS will continue Operations Disrupt, to directly affect the undocumented migration flow. INS will identify individuals and organizations engaged in threats to our national security to include alien smugglers, migrant traffickers, terrorists, and fraud purveyors. Overseas anti-smuggling efforts include conducting investigations of criminals (both individuals and organizations) engaged in alien smuggling and trafficking and presenting for prosecution in the United States individuals engaged in alien smuggling and trafficking in coordination and concert with the Trans National Crime Unit and domestic INS counterparts.

We will also continue to train law and immigration enforcement officials in both source and transit countries in deterrence techniques and fraudulent document detection to stem the flow of undocumented migrants before they arrive in North America. INS will train security personnel and air carriers in fraudulent document detection to stop the movement of mala fide travelers before they board planes en route to the United States.

INS will assist host country law and immigration enforcement officials in the investigations of fraudulent document providers, alien smugglers (both individuals and organizations) and traffickers of women and children, as well as pursuing extraterritorial and domestic prosecutions of alien smugglers and migrant traffickers.

INS will continue to repatriate third country nationals en route to the United States. Bi-lateral and multi-lateral law enforcement coordination and cooperation will continue during FY 2003 to target criminal activity involving illegal migration. These efforts will identify organizations engaged in alien smuggling and migrant trafficking and coordinate investigations and operations across jurisdictional lines to dismantle them.



Enhance effective intelligence sharing capabilities between INS overseas and domestic offices, with an emphasis on identifying suspected terrorists and their organizations. We will continue to encourage source and transit countries to implement anti-smuggling and migrant trafficking legislation. INS will enhance effective intelligence sharing capabilities between overseas offices and domestic INS offices, with an emphasis on identifying suspected terrorists and their organizations.

Crosscutting Activities:

INS agents in offices worldwide work closely with the Department of State, DEA, the United States Customs Service (USCS), FBI, and foreign governments, in order to exchange information with their foreign immigration counterparts and to better identify and disrupt organized alien smuggling activities.

STRATEGIC OBJECTIVE 5.2: CRIMINAL ALIENS**Promote public safety by combating immigration-related crimes and removing individuals, especially criminals, who are unlawfully present in the United States.****Annual Goal 5.2 Promote public safety by combating immigration-related crimes and removing individuals, especially criminals, who are unlawfully present in the United States.****STRATEGIES**

- ◆ Identify and expeditiously remove criminal aliens and develop approaches to minimize recidivism.
- ◆ Support global and border enforcement efforts to intercept illegal immigration-related activities before they occur.
- ◆ Respond to community reports and complaints about the negative consequences of illegal immigration and build partnerships to help address these concerns.
- ◆ Minimize immigration benefit fraud and other document abuse.
- ◆ Block and remove employers' access to undocumented workers and help reduce worker exploitation.

The events of September 11, 2001 required INS to reexamine strategies, approaches, and operations to ensure that service efforts fully address threats to the United States. This reevaluation, coupled with a reemphasis on many objectives established prior to the recent terrorist attacks, changed the focus for the Interior Enforcement program. The updated approach to the program's increasingly critical mission includes focused enforcement efforts at the Northern Border and in the Caribbean and Central and South America, as well as targeted investigations of industries and businesses where there is a potential threat of harm to the public

interest. INS initiatives on the national and global levels require partnerships with other DOJ components to combat terrorism, organized crime, illegal drugs, and violent gangs to reduce the threat of criminal activity.

In FY 2003, INS will continue its aggressive campaign to remove all removable aliens, with a concentrated focus on criminal aliens. INS will develop a fugitive operations program to identify, locate, apprehend and remove criminal aliens who have received final orders of removal and who have not presented themselves for final removal (absconders). INS will continue its Institutional Removal Program (IRP) to identify, locate, process and provide hearings for aliens within the criminal justice system and effect their expedient removal after their release from custody and/or incarceration. INS will also develop systems to monitor and track individuals released from custody to ensure their appearance for final removal. INS will continue its coordination and cooperation with both government and non-government organizations to facilitate removal efforts. INS will target its efforts to include the use of the National Crime Information Center to identify criminals and recidivists.

INS will also continue its efforts to improve the responsiveness to and coordination with local law enforcement. INS will evaluate the interaction of Quick Response Teams (QRT) with other enforcement efforts. Consistent with one of the goals of the QRT initiative, INS works closely with communities to resolve immigration-related local issues.

MEANS – Annual Goal 5.2**Dollars/FTE**

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Immigration and Naturalization Svc	2602	360	3012	405	2738	314
Immigration Exam Fees	92	13	148	22	148	24
Immigration User Fee	63	9	73	11	75	11
Subtotal	2757	\$382	3233	\$438	2961	\$349

Skills

Achievement of this goal requires personnel to attain and maintain mandatory law enforcement skills including proficiency with firearms and various non-deadly force methods; expert knowledge of applicable Federal statutes, regulations, Executive Orders, policies and procedures, including rules of search and seizure, arrest authorities, and Federal Rules of Evidence. Personnel must maintain a high degree of interpersonal skills and problem solving and investigative abilities as well ethical and moral standards consistent with the organization's set of core values. They must possess strong computer skills with a variety of office productivity systems and software, as well as with specialized law enforcement and national security, computer data bases. They must be able to operate a variety of motor vehicles. Personnel are employed in positions including the following Deportation Officers, Detention Enforcement Officers, Docket Clerks, IRP Directors, Special Agents, Investigative Assistants, Financial Analysts for asset forfeiture, Intelligence Agents/Officers, Attorneys, and Legal Technicians, analysts and other support staff.

**Information
Technology**

Systems utilized to collect performance data include the Deportable Aliens Control System (DACS), the Criminal Alien Information System (CAIS), Performance Analysis System (PAS), LYNX work-site enforcement case tracking system, and Orion LEADS intelligence system. Ultimately, the data will be captured in ENFORCE. The verification of aliens' lawful status by the Law Enforcement Support Center (LESC) includes interfaces with DACS and other corporate information systems such as the Central Index System (CIS). INS also interfaces with the NCIC to report wanted and deported alien felons.

PERFORMANCE ASSESSMENT – Annual Goal 5.2

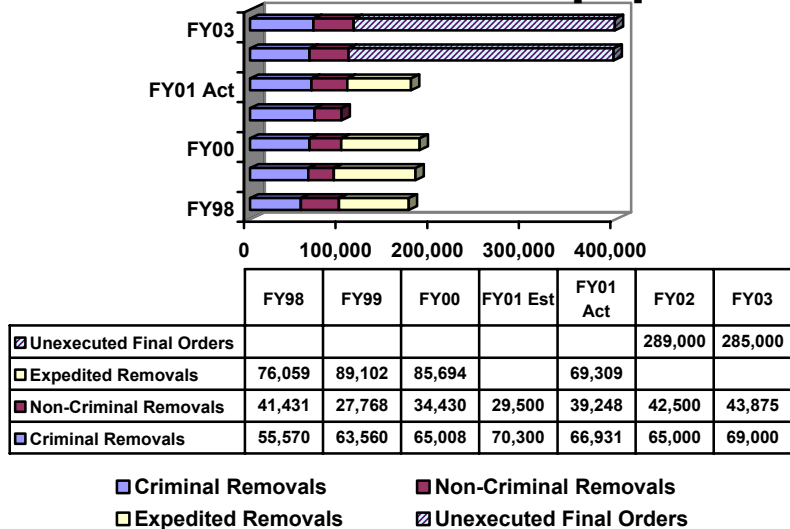
5.2A Increase the Number of Criminal Alien Removals (Management Challenge), Monitor Alien Overstays (Management Challenge), and Monitor Escort of Criminal Aliens (Management Challenge)

Background/Program Objectives:

A key element of INS' enforcement mission is to remove illegal aliens from the United States. INS is legally required to remove aliens who have received formal removal orders or who have volunteered to be repatriated. A fundamental part of this mission is to ensure the removal of the criminal element in the alien population. INS is adopting new policies and procedures to improve the effectiveness of the Institutional Removal Program, a program designed to identify and remove incarcerated criminal aliens by means of administrative or hearing processes before their release from custody. Focusing on the criminal alien removals enhances the promotion of public safety.

Another management challenge is in the area of identifying and removing persons who are in the United States illegally, including the monitoring of alien overstays. Knowing who has entered and who has departed our country in real time is an important element in enforcing our laws. The Data Management Improvement Act, passed in FY 2000, requires INS to develop a fully-automated, integrated entry-exit data collection system and deploy this system at airports and seaports by the end of FY 2003; at the 50 largest land ports-of-entry (POEs) by the end of FY 2004; and all other POEs by the end of FY 2005. The legislation also requires a private sector role to ensure that any systems developed to collect data do not harm tourism or trade.

Final Order Alien Removals [INS]



Data Definition: Unexecuted Final Orders: Aliens who have received a Final Order of Removal but have not yet been removed.

Data Collection and Storage: INS collects removal and detention data in the Deportable Alien Control System (DACS) case tracking system. Data is input to DACS daily from physical Alien-files, primarily by INS Deportation Program staff, and to a lesser extent, inspectors and agents. DACS is updated throughout the life cycle of the case.

Data Validation and Verification: DACS verification occurs through the headquarters DACS quality team, file reviews, comparison with monthly statistical reports, INSPECT team reviews, and district status reports and call-up lists. The Statistics Office of the Office of Policy and Planning conducts monthly quality reviews of DACS data. The verification of an alien's lawful status by the Law Enforcement Support Center (LESC) includes interfaces with DACS and other corporate information systems such as the Central Index System (CIS). INS also interfaces with the NCIC to report wanted and deported alien felons.

Data Limitations: DACS removals records are complete, with 99 percent of total removals records entered within 6 months of the close of the fiscal year. A small but significant number of detention records (approximately 7 percent of over one hundred thousand records) are incomplete. The long-range plan is for DACS to migrate to the Enforcement Case Tracking System (ENFORCE) that will have the capability to track detention and removal cases. A new system the ENFORCE Removal Module (EREM) has been planned for deployment testing in FY 2003. This system should permit the reduction of data entry errors, increase completeness and accuracy of data retrieval and provide greater data integrity. Development is continuing through FY 2002 and will continue into FY 2003, followed by deployment testing in the later part of FY 2003.

Performance:

Performance Measure: Measure Refined: Final Order Alien Removals (This measure has been revised to display the FY 2002 and 2003 backlog of aliens with final orders that have not been removed.) NOTE: Prior year actuals have been corrected to reflect the most accurate data available at this time.

FY 2001 Target:

Criminal Removals: 70,300

Non-Criminal Removals: 29,500

FY 2001 Actual:

Criminal Removals: 66,931

Non-Criminal Removals: 39,248

Expedited Removals: 69,309

Discussion: Increased apprehensions by the border and interior enforcement before September 11, 2001 led to an increase in the non-criminal aliens amenable to removal, easily surpassing the FY 2001 target. Criminal alien removals lag 6 percent below target. Historically, due to data lag, these numbers of removals increase by several percent over a 3-4 month period following the end of the year. Therefore, it is expected that the criminal removals target will be met when all the data are reconciled in January 2002. (NOTE: Due to DOJ policy not to set targets which give the appearance of bounty hunting, INS does not set targets for expedited removals.)

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we have increased the FY 2002 target of Criminal removals to 65,000 and the non-criminal removals to 42,500. The Unexecuted Final Orders are projected to be 289,000

FY 2003 Performance Target: Criminal removals: 69,000; non-criminal removals: 43,875; and Unexecuted Final Orders: 285,000

Public Benefit: INS will continue to remove an increasing number of criminal illegal aliens every year, thereby reducing the number of criminal aliens in the United States. Both criminal and non-criminal removals promotes the public safety, enhances the national security and will create a deterrent to continued illegal migration.

Strategies to Achieve the FY 2003 Goal:

In FY 2003, INS will remove all removable aliens with a concentrated focus on criminal aliens as well as the reduction in backlog of aliens with unexecuted final orders. INS will develop a fugitive operations program to identify, locate, apprehend and remove criminal aliens who have received final orders of removal and who have not presented themselves for final removal (absconders). INS will continue its Institutional Removal Program (IRP) to identify, locate, process and provide hearings for aliens within the criminal justice system and effect their expedient removal after their release from custody and/or incarceration. The INS will also develop systems to monitor and track individuals released from custody to ensure their appearance for final removal. INS will continue its coordination and cooperation with both government and non-government organizations to facilitate the efficient and expeditious removal of all removable aliens.

INS will commit to increasing the number of alien removals and develop a set of progressive annual targets to achieve a 100 percent removal rate within 10 years, by the end of FY 2012. This includes the elimination of the backlog of illegal aliens in the active files who had received final orders for removal, but who have not yet been removed from the United States. To achieve this objective, INS will work closely with the Executive Office for Immigration Review (EOIR) to ensure cases are processed expeditiously and with the Department of State to obtain travel documents to ensure that removals are completed in timely fashion. In addition, INS will strive to reduce the backlog of overstays; continue processing criminal alien inmates, to expedite their removal from the United States to the maximum extent practicable; develop a fugitive operations standard team configuration, procedures, and implement a training program The final objective is to improve processes and procedures, and to develop the resources and infrastructure, such that INS can create and maintain the capacity to remove 100 percent of aliens served with final orders of removal every year.

Illegal aliens who have received final orders will be removed in accordance with set priorities. These priorities include: specific targets of high priority national security investigations, including those on the FBI Watch List and as requested by competent authority; aliens from countries of special interest who have failed to surrender for removal, especially those with criminal convictions; and aliens from all other countries who have received final orders and have failed to surrender for removal. INS will focus initial fugitive operations efforts in New York, Los Angeles, Chicago, Miami, Newark, Detroit, and San Francisco districts to address their high

absconder populations and continue removal efforts of all other removable aliens. We will continue coordinating with foreign embassies and consulates to reduce the time needed to obtain travel documents for aliens with final orders of removal and continue to work with Southeast Asian and Caribbean countries to reduce the hurdles to efficient removal of illegal aliens.

Also, in FY 2001, the OIG reported that the INS did not consistently follow provisions of the INS escort standard for violent aliens and did not adequately coordinate the escort process with the Department of State. In response to the OIG's concerns, the INS directed districts to ensure that all violent aliens are properly escorted. District Directors are now required to conduct quarterly reviews to ensure compliance with escort standards and implement corrective action in instances of non-compliance. Adherence to escort policy is verified through the INSpect program during reviews at districts. In addition, INS plans to conduct training on the use of escort standards for those involved in making escort determinations and is coordinating with the Department of State to ensure adequate notification for INS removals

Crosscutting Activities:

To facilitate efficient and expedient removals, repatriations, and information sharing, INS works in conjunction with BOP, USMS, state and local law enforcement, and foreign governments. INS shares facilities with BOP and coordinates detainee bed space. Additionally, INS coordinates with BOP when aliens serving federal sentences are processed for removal before completion of their sentence under the Institutional Removal Program. INS also shares facilities with USMS, and relies on USMS for some of their transportation needs through the JPATS program. Through this cooperation, INS is able to maximize available bed space and meet transportation requirements more efficiently. INS also works to develop additional agreements with foreign governments to facilitate repatriation.

STRATEGIC OBJECTIVE 5.3: IMMIGRATION BENEFITS SERVICES

Provide timely and consistent services and achieve a substantial reduction in the benefits processing backlog.

Annual Goal 5.3: Provide timely and consistent services and achieve a substantial reduction in the benefits processing backlog.

STRATEGIES

- ◆ Reduce Benefits backlog.
- ◆ Establish quality assurance, timeliness, and customer service standards for all immigration benefits processing, and ensure that mechanisms are in place to meet these standards.
- ◆ Maintain fair and timely refugee and asylum case processing that denies meritless claims quickly without discouraging legitimate seekers of refuge.
- ◆ Complete reengineering of the naturalization process, redesign processes for immigrant and non-immigrant applications processing, and institute documented standard operation procedures nationwide.
- ◆ Introduce electronic filing for applications processes.
- ◆ Create a culture of customer service as an integral, permanent component of INS benefits applications processing.

In FY 2003, INS will improve application processing and continue to emphasize the integrity of decisions made on applications for immigration benefits. INS will move to a six month processing time for all applications. At local levels, INS will continue to increase community consultations to anticipate or identify potential operational obstacles.

INS has already taken steps to begin reducing the backlog on all applications. Utilizing a comprehensive workload evaluation and staffing model for all applications projected over FY 2002 and 2003, staffing requirements are calculated for every application in every district and service center for three workload categories - Receipts, Backlog, and Legal Immigration Family Equity (LIFE) Act. The workload and staffing model report identifies the allocation of

these positions among the various districts, sub-offices, and service centers by application based on projected workloads.

INS will continue online filing efforts for additional benefit applications and the development and deployment of a customer-based Computer Linked Application Management System (CLAIMS) replacement system. INS will build upon FY 2002 improvements to offer case status information and address changes via the INS Internet website and the National Customer Service Center.

MEANS – Annual Goal 5.3

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
H-1B Fees	1	1	71	26	71	10
Immigration and Naturalization Svc	152	39	337	123	443	75
Immigration Exam Fees	4499	643	5940	893	5957	976
Subtotal	4652	\$683	6348	\$1042	6471	\$1061

Skills

INS requires the skills of Adjudication Officers/Examiners, Immigration Information Officers, Status Verifiers, Examinations Assistants, clerks and temporary INS staff, Quality Assurance specialists, and significant levels of contractor support.

Information Technology

CLAIMS 4 software, used in the processing of Naturalization casework, was fully deployed to all of the field office sites in FY 2001. Enhanced software versions will be developed and deployed to address Adjustment of Status and other application casework. At INS Service Centers, the current aging CLAIMS 3 automated support will be upgraded. Continued automated enhancements are being made to the applicant fingerprint capture and follow-on FBI print-screening process associated with applications adjudication. IT enhancements for the National Customer Service Center's (NCSC's) phone and Internet information operations; for Forms Centers application requests; and for the National Records Center (which are all critical to INS' benefit applications process), will continue. At the National Records Center (NRC), the RAFACS system (Receipt and Alien-File Accountability and Control System), which allows for timely transfer and tracking of alien-file (A-file) records associated with applications processing, was replaced by the National Files Tracking System (NFTS).

PERFORMANCE ASSESSMENT – Annual Goal 5.3

5.3A Ensure Immigration Benefit Services are Timely, Fair, and Consistent

Background/ Program Objectives:

INS will increase performance in Adjustment of Status application casework processing while meeting completion and backlog goals. In FY 2003, INS will realign resources and increase staff efficiencies to achieve a 6-month processing time for all applications.

INS will also maintain a 99% level of compliance with Naturalization Quality Procedures designed to ensure that naturalization processing is performed consistently, correctly, and fairly. As a result of continual improvements in the processing mechanisms as well as staff performance and realignment, INS will provide efficient service as well as timely adjudication of applications to its customers.

Performance:

Performance Measure: Average Case Processing Time (NOTE: This average is calculated by dividing the average of the past 12 months of completions into the number of pending applications at the end of September.)

FY 2001 Target: Naturalization: 9 months
Adjustment of Status: 14 months

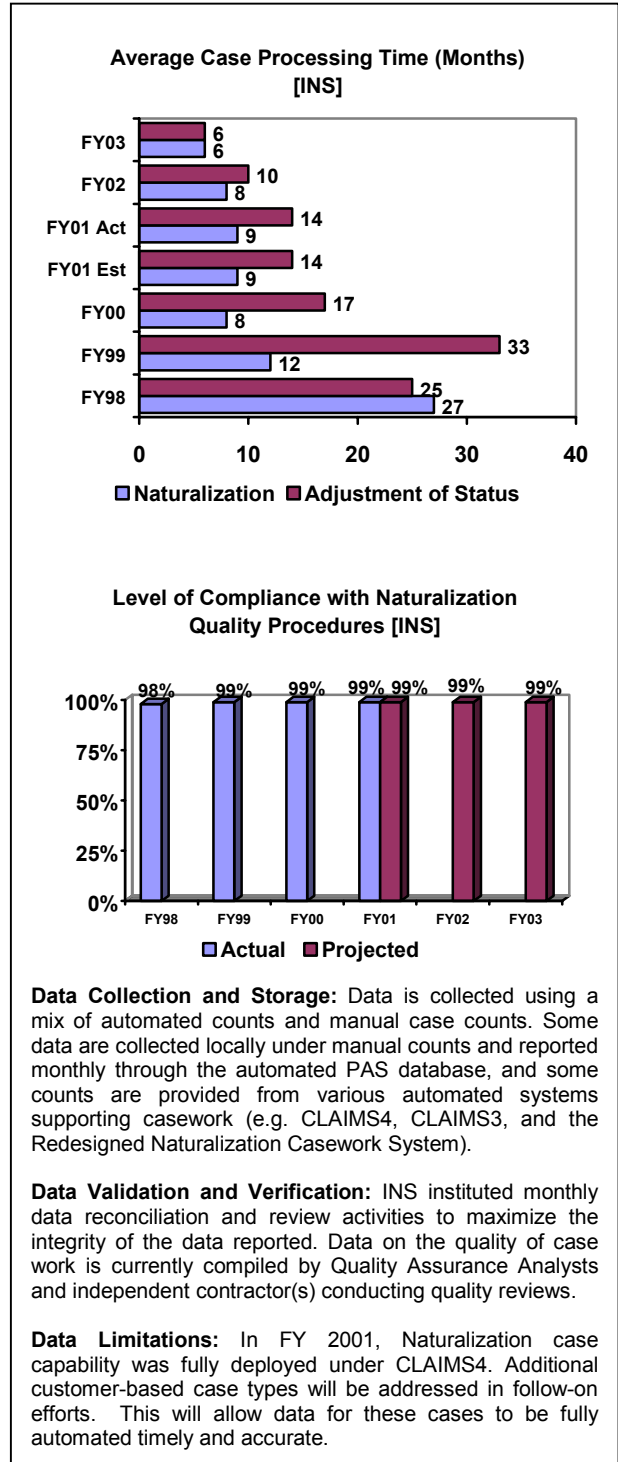
FY 2001 Actual: Naturalization: 9 months
Adjustment of Status: 14 months

Discussion: INS met the processing time goals for naturalization and adjustment of status cases during FY 2001. INS completed 831,486 Naturalization cases and 821,508 Adjustment of Status cases. Processing times were improved due to the increase in the number of completions from the first through the fourth quarter. The applications backlog for Naturalization was nearly eliminated in FY 2001, allowing INS to shift their focus to eliminating the backlog in Adjustment of Status cases.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we decreased the FY 2002 target for processing time for Naturalization cases to 8 months, while Adjustment of Status cases remains at 10 months.

FY 2003 Performance Target: 6 months for all applications

Public Benefit: The public will benefit by receiving immigration information and benefits in a timely, accurate, consistent, courteous, and professional manner.



Performance Measure: Level of Compliance with Naturalization Quality Procedures (Former title: Level of Compliance with Quality Standards)

FY 2001 Target: 99% compliance

FY 2001 Actual: 99% compliance

Discussion: INS achieved a 99.4% compliance rate with the Naturalization Quality Procedures in FY 2001.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the FY 2002 target of 99%.

FY 2003 Performance Target: 99%

Public Benefit: The public will benefit by receiving immigration information and benefits in a timely, accurate, consistent, courteous, and professional manner.

Strategies to Achieve the FY 2003 Goal:

In FY 2003, INS will improve application processing and related services to ensure that they are timely, consistent, fair, and of high quality. INS will continue to emphasize the integrity of decisions made on applications for immigration benefits. At local levels, INS will continue to increase community consultations to anticipate or identify potential operational obstacles.

INS will continue the backlog reduction efforts to achieve the President's stated goal of achieving application processing times of six months or less by the end of FY 2003. INS expects forty percent of the Adjustment of Status backlog work to be completed in FY 2002 and sixty percent in FY 2003, to allow for the hiring and training of the new required staff in FY 2002. Exceptions to the six-month processing time standard are: 60 days processing time for Petitions for Nonimmigrant Workers and Applications for Employment Authorization, and 90 days for Petitions for Amerasian, Widow(er), or Special Immigrant, and Applications to Extend/Change Nonimmigrant Status, Replacement Permanent Resident Cards, Replacement/Initial Nonimmigrant Arrival Departure Record and Travel Documents, and Replacement Naturalization Citizenship Document.

Crosscutting Activities:

INS coordinates with the FBI for fingerprint screening. INS coordinates with the Department of State and Department of Labor in the Data-share initiative to electronically share traveler visa and application information to improve the issuance process and improve identification of fraudulent visas.

STRATEGIC OBJECTIVE 5.4: ORGANIZATION AND INFRASTRUCTURE
Improve operational efficiency and organizational effectiveness of the INS workforce

Annual Goal 5.4: Improve operational efficiency and organizational effectiveness of the INS workforce

STRATEGIES

- ◆ Restructure INS.
- ◆ Institutionalize new processes and systems.
- ◆ Modernize financial and Information Technology resources.
- ◆ Complete the INS Enterprise Architecture Plan (EAP).

A variety of services, goods, policies, and procedures are needed to create and support the operational capability of a productive INS workforce. In a stable organization, infrastructure costs and activities would generally be allocated to the business/mission areas that they support and not given separate attention except for major strategic management priorities. However, because of the enormous expansion of the INS mission and workforce over the past several years, infrastructure changes have not been able to keep up

with the mission areas that they need to support. Backlogs, shortfalls, imbalances, and inconsistencies exist that need specific attention over the next several years.

MEANS – Annual Goal 5.4

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Breached Bond/Detention	16	19	19	2	19	2
Immigration and Naturalization Svc	2060	231	2096	255	2034	270
Immigration Exam Fees	227	35	280	52	263	54
Immigration User Fee	295	37	306	41	288	44
INS Construction	81	133	92	228	92	58
Subtotal	2679	\$455	2793	\$578	2696	\$428

Skills

In addition to staff with administrative skills (personnel, finance, logistics, etc.) employees need analytic focus to drive the integration of infrastructure support with mission activities.

Information Technology

INS uses a variety of systems to support administrative and financial activities and decisions. Most of these are legacy systems that reflect older technology and stove-pipe concepts. In FY 2001 and FY 2002, a modern core financial system, FFMS, is being put in place to replace much of the functionality of the 20-year old current system, FACS, and its auxiliary components. While this will significantly improve INS' ability to manage its financial resources, INS continues to work with the Department to determine if FFMS is the appropriate long-term solution.

For commodity and property management, INS continues to use the Asset Management Information System (AMIS) which is old and more suited to inventory tracking than for modern approaches to commodity/property management. However, an integrated approach to commodity management in INS is being developed, with clear links to procurement and financial transactions. New systems for managing the INS fleet and facilities are being put in place in FY 2001 and FY 2002.

Human resource management is supported by a number of old, independent, and overlapping systems such as the Position Tracking System, the Hiring Tracking System, and the Officer Corps Rating System, as well as by manual processes and ad hoc databases. Although resources have not been identified to pursue an integrated approach to human resource management, some work is being done in FY 2001 and FY 2002 to better integrate these separate systems, eliminate or reduce redundancy, and automate some manual processes.

PERFORMANCE ASSESSMENT – Annual Goal 5.4

5.4A Conduct Effective Information Systems Planning and Management to Provide an Adequate, Cost Effective and Compliant IT Environment (Management Challenge)

Background/ Program Objectives:

The enormous growth in INS' workforce and mission over the past several years has resulted in proliferation of new or enhanced automated systems. Management approaches to information technology have been undergoing significant long-term changes, with emphasis on a strategic approach to the management of IT resources and capital assets, compliance with security requirements, and accurate reporting of current status. These activities help ensure that automation decisions and activities provide maximum value for dollar spent.

In FY 2003, INS will use its Enterprise Architecture (developed in FY 2002) to guide and justify use of resources for automated support of business activities, and will increase compliance of all projects with appropriate Systems Development Lifecycle Standards (96%) and security requirements (100%). With adequate out-year support, INS will keep the percentage of technologically adequate equipment from falling below 35 percent of the total workstations, so that the INS workforce can benefit from automated support for their mission activities.

Performance:

Performance Measure: Compliant, Secure and Adequate Information Technology (IT) Systems

FY 2001 Target:

Technologically Adequate Equipment: 35%

System Security Compliance: 75%

Systems Dev. Lifecycle Standards: 66%

FY 2001 Actual:

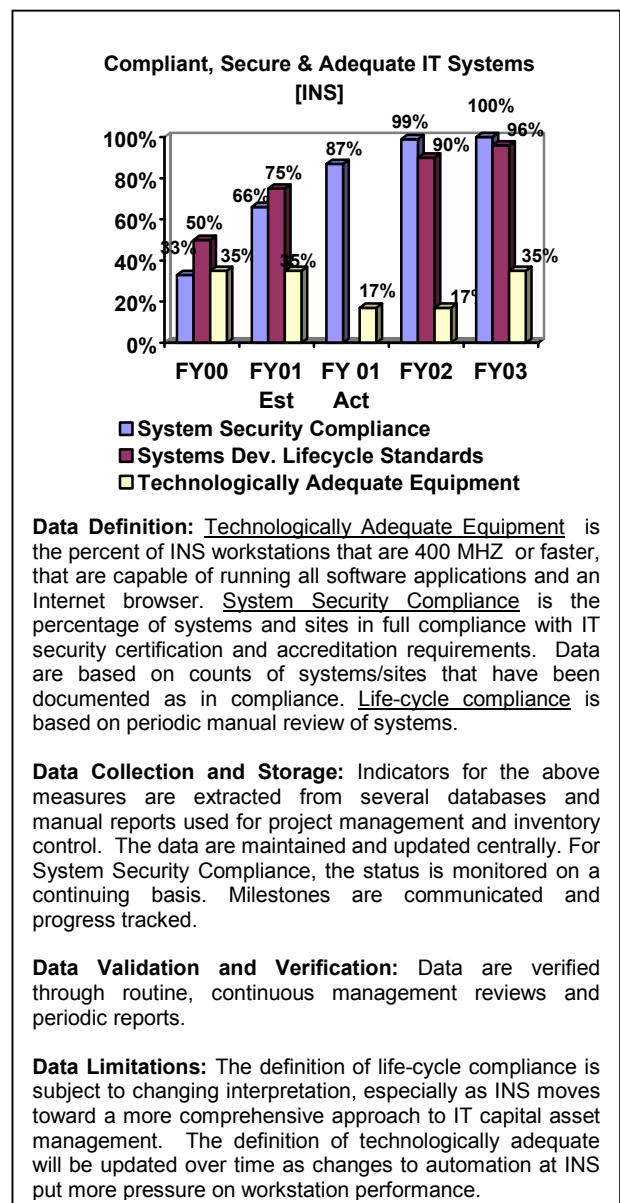
Technologically Adequate Equipment: 17%

System Security Compliance: 87%

Systems Dev. Lifecycle Standards: Data was not calculated. Efforts on the Enterprise Architecture Plan will allow for measuring all projects' systems development life cycle compliance.

Discussion: Technologically Adequate: Initially, workstations were separated into two groups: "Inadequate" (200MHz and slower) with 65% result and "Adequate" (faster than 200MHz) with 35%. This yielded a result of 35%, given that no IT refresh activity was funded. Follow-on analysis determined that breaking the workstation population into three categories provided a clearer picture of the workstation profile: "Inadequate" (less than 200MHz) was 46%, "Marginal" (200-399 MHz) was 37% and "Adequate" (400 MHz or faster) was 17%. The result of 17%, again given that no IT refresh activity was funded, is considered more appropriate.

System Security Compliance: 87.5% of all INS systems are reported to be in compliance with IT security Certification and Accreditation requirements. All baseline certification and accreditation efforts were completed (5 required documents) and 98.8% were granted Conditional Certification and Interim Authority to



Operate accreditation status. One system or 1.2% was granted Unconditional Certification and Full Accreditation status.

FY 2002 Performance Plan Evaluation: Based on program performance FY 2001, we have revised the corresponding FY 2002 targets to be: Technologically Adequate Equipment: 17%, System Security Compliance: 99.5%, and Systems Dev. Lifecycle Standards: 90%.

FY 2003 Performance Targets: System Security Compliance: 100%; Systems Dev. Lifecycle Standards: 96%; Technologically Adequate Equipment: 35%

Public Benefit: Adequate infrastructure for IT provides an effective base for use of automation to enhance both the benefits and enforcement aspects of INS' mission. Compliance with technology architecture and security requirements helps protect sensitive information from malicious misuse or destruction.

Strategies to Achieve the FY 2003 Goal:

A significant contribution to the efficient and effective management of IT resources is expected from the INS IT Enterprise Architecture, which will be defined by the end of FY 2002. An important feature of the Enterprise Architecture is the detailed mapping of INS business functions, both as they exist and as they are expected in the future. This business architecture will drive decisions about requirements for data and information, which in turn drive choices about technology. Although the primary purpose of the Enterprise Architecture is to form a basis for decisions about IT, it will also help shape decisions related to INS restructuring and organizational streamlining.

INS will continue to bring existing and planned automated systems into compliance with standard, documented life-cycle processes including investment review, security considerations, and performance assessment. Implementation of the Enterprise Architecture is expected to change many of the processes by which IT decisions are made and reviewed in INS, so that full compliance may initially call for adjustments.

INS will continue its efforts to improve the stability of the INS IT environment, with emphasis on improving capabilities that support counterterrorism activities. INS will improve the performance and sustainability of the data communications network, fortify the security of the network and the information that traverses it, and develop the ability to query information from multiple systems. INS will continue preliminary activities in support of Atlas, the IT Infrastructure Transformation Plan. INS is in the process of instituting a Balanced Scorecard approach to developing, maintaining, and reporting performance measures, which will enable management to focus attention and resources on the IT activities that will have the most impact on mission accomplishment.

Although nearly 100% of INS systems and sites are expected to meet IT security requirements by FY 2003, Service-wide security vulnerabilities (identified in FY 2001 and FY 2002) may still exist. These will be addressed through intrusion detection and auditing capability; identification and authentication, and compliance with Electronic Information Security Act, so as to ensure increasing protection of the confidentiality and integrity of information and reduce vulnerability to penetration of the INS systems.

A major impediment to effective use of IT resources is inadequacy of data communications and workstation equipment. In FY 2003, INS will upgrade servers, network nodes, and inoperable or marginally usable workstation equipment to reduce costs and improve responsiveness of automation to mission needs.

Crosscutting Activities:

INS participates in the Information Technology Security Officers Working Group, which meets regularly to address issues of security policy, operation, technology and awareness. INS is also working on an initiative with the General Accounting Office dealing with guidelines for systems life-cycle management.

STRATEGIC OBJECTIVE 5.5: QUALITY OF DATA

Provide accurate, easy-to-use, readily accessible, and up-to-date information to meet planning and operational needs

Annual Goal 5.5: Provide accurate, easy-to-use, readily accessible, and up-to-date information to meet planning and operational needs

STRATEGIES

- ◆ Expand the use of Information Technology.
- ◆ Institute National Case Management.
- ◆ Increase use of electronic Benefit processing.

In the course of administering the Immigration and Nationality Act, the INS provides a significant amount of information to benefit applicants, other governmental agencies, employers, communities, Congress, and the public. INS also gathers information from and about those with whom INS comes in contact. The Government Paperwork Elimination Act and

government-wide management reforms call for changes in the way agencies interact with the public, and are expected to significantly increase the use of electronic approaches to information exchange.

MEANS – Annual Goal 5.5

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Immigration and Naturalization Svc	889	347	1060	331	1199	378
Immigration Exam Fees	956	336	1506	385	1506	383
INS Fines	0	2	0	23	0	6
Immigration User Fee	48	52	60	55	55	54
Subtotal	1893	\$737	2626	\$794	2760	\$821

Skills

INS requires computer specialists skilled in database design, systems applications and software design, design and deployment of hardware and telecommunications, as well as problem solving, project design and management, and analytical and program management skills.

Information Technology

A number of systems are currently used to support the expansion of electronic information services. Most of these systems already exist and are being adapted or augmented as needed. In the area of records management, the key systems (Central Index System (CIS) and Receipt Alien File Accountability and Control System (RAFACS)) are many years old and have been stretched to adapt to the improvements in records processing. The functions of these systems all need to be revisited in light of current business needs and technology. (National File Tracking System (NFTS) is a newer system that is expected to eliminate many of the deficiencies of the current RAFACS to CIS interface.)

Freedom of Information Act/Privacy Act (FOIA) Information Processing System (FIPS) is used to manage FOIA requests, and will be enhanced and deployed to support Service-wide requirements in FY 2003.

PERFORMANCE ASSESSMENT – Annual Goal 5.5

5.5A Provide Accurate and Readily Accessible Information

Background/ Program Objectives:

In FY 2003, INS will continue to provide useful, current information about INS services, offices and functions, policy and plans, regulations and statistics and reports. INS will also move toward an information framework that facilitates quick, remote access for wider audiences and allows increased use of the Internet for access to INS forms. INS will be developing a platform to allow convenient access for a variety of users via the Internet. As INS' customer base and information database expands and with the advent of e-government initiatives, INS will modify operations to provide electronic alternatives to delivery of products and services and exchange of information. By FY 2003, 3 application forms will be available for filing online. INS will provide employers and benefit providers with the information, assistance, and tools needed to allow them to comply with the laws while safeguarding the civil and privacy rights of citizens and aliens alike.

In FY 2003, INS will continue to implement the Government Paperwork Elimination Act (GPEA) and take steps toward the expansion of electronic government through strategic attention to key areas identified in INS' target Enterprise Architecture and modern e-mail communications. As processes and policies are put in place for improved management of information technology (also discussed under Strategic Objective 5.4), informational needs of customers will be identified and addressed through design, development, and deployment of programs and systems.

Performance:

Performance Measure: % of Public Use Forms Available Online

FY 2001 Target: 100%

FY 2001 Actual: 85% (97 of 113)

Discussion: INS is continuing to refine the downloadable forms to make them fillable. Consequently several forms that were available online have been temporarily removed while they are being changed to the new format. This resulted in a total of 10 forms still unavailable online.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001 we expect to meet the FY 2002 target of 100% (113) public use forms available online.

FY 2003 Performance Target: NA.

Performance Measure: NEW MEASURE: Forms and Applications That Can be Filed Online

FY 2001 Target: NA New Measure.

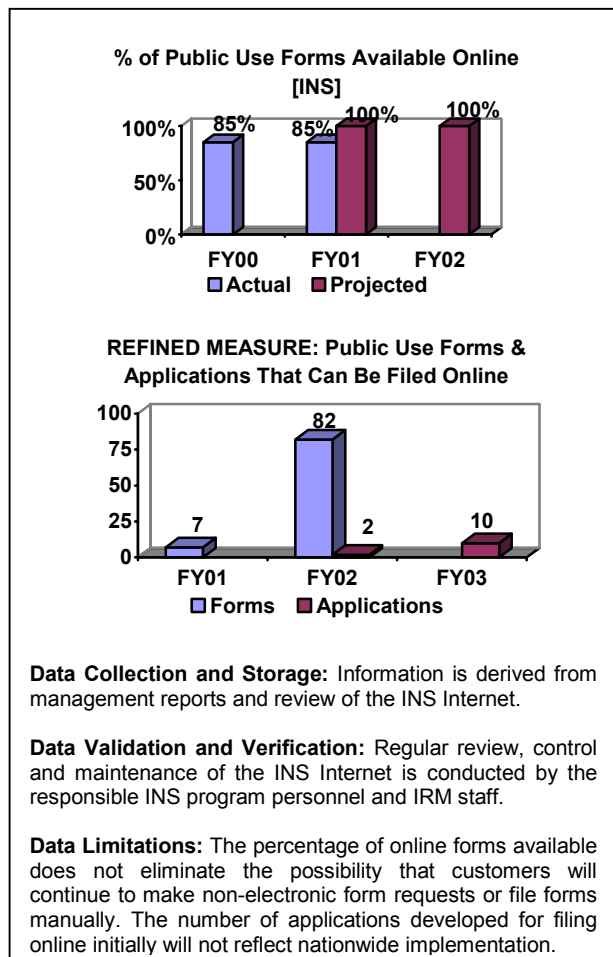
FY 2001 Actual: 11% of forms (7 of 82)

Discussion: INS has converted several forms to make them fillable online and will complete that effort in FY2002. Also in FY 2002, INS will begin to convert applications to make fillable online.

FY 2002 Performance Plan Evaluation We expect to meet the FY 2002 target of 82 (100%) public forms and 2 applications that can be filed online.

FY 2003 Performance Target: 10 applications

Public Benefit: The ability to file online will provide the public a convenient, paperless alternative for submitting public use forms and benefit applications. In addition, it will improve INS' application processing time through elimination of data entry.



Strategies to Achieve the FY 2003 Goal:

In FY 2003, INS will continue to provide a structured Internet environment to ensure a reliable, easy-to-use means of gathering information for external customers. INS will also use its target Enterprise Architecture to identify key initiatives essential to expanding electronic government.

INS began to provide services such as electronic filing and fillable forms on the Internet in FY 2001. The first applications that can be submitted online will be implemented in FY 2002. The completion of INS' target Enterprise Architecture in FY 2002 is expected to produce changes in the Service's strategic direction for online applications. These strategic changes will be addressed before a significant number of additional applications are made available online.

To accomplish electronic filing objectives, INS will need to determine the processes appropriate for filing online applications and resolve these challenges. The challenges include some that will be faced by other government entities including: acceptance of electronic signatures, the legal sufficiency of records, and electronic records retention and long-term records storage. Internally, INS must address the limitations of the existing systems. Benefit processing systems were not developed to incorporate the requirements of electronic record keeping. Therefore, INS will incorporate and integrate e-government standards and technology into its customer service, benefit processing, and management information needs.

To streamline procurement, INS will adopt the Central Contractor Registration, as the single validated, online, source of information on vendors.

Crosscutting Activities:

The INS website provides a wealth of information that is shared with other government agencies. INS also shares data and information with many other federal agencies including the Department of State, Department of Labor, the Office of Personnel Management, United States Customs Service, the Central Intelligence Agency, Department of Treasury, and other bureaus within the Department of Justice.

STRATEGIC OBJECTIVE 5.6: BORDER FACILITATION**Improve the efficiency of the inspections process for lawful entry of persons and goods****Annual Goal 5.6: Improve the efficiency of the inspections process for lawful entry of persons and goods****STRATEGIES**

- ◆ Promote the expeditious movement of travelers by conducting critical enforcement functions prior to the primary inspection process.
- ◆ Maximize the use of techniques and technologies that promote and expedite lawful entry and exit, including cooperative strategies with local authorities, the travel industry, and foreign governments.
- ◆ Develop, improve, and integrate alternative inspection processes.
- ◆ Work cooperatively with other federal agencies at POEs to create a secure and seamless federal inspection process.
- ◆ Establish traveler service standards and ensure mechanisms are in place to meet those standards.

In FY 2003, INS will leverage the Border Traffic Management strategies used successfully during FY 2001 and continued in FY 2002. Additional resources identified for FY 2002 will permit INS to increase the numbers of primary inspection lanes at air, sea, and land Ports-of-Entry. The additional resources will use already validated and successful Traffic Management strategies and methods to further improve passenger processing at Ports-of-Entry.

The additional Inspections resources will also be used to support improved processing performance once the anticipated automated Arrival – Departure Information System is developed and in operation. We anticipate

doing this by expediting processing for selected low-risk segments of our customer-base, while expanding processing capacity for those travelers requiring more attention.

In addition, the Data Management Improvement Act, passed in FY 2000, requires INS to develop a fully-automated, integrated entry-exit data collection system and deploy this system at airports and seaports by the end of FY 2003; at the 50 largest land ports-of-entry (POEs) by the end of FY 2004; and all other POEs by the end of FY 2005.

MEANS – Annual Goal 5.6**Dollars/FTE**

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Immigration and Naturalization Svc	1669	199	2241	341	2920	723
Immigration Exam Fees	356	23	354	25	354	26
Immigration User Fee	3123	295	3700	395	4372	459
Land Border Inspection Fee	16	2	26	5	26	3
Subtotal	5164	\$519	6321	\$766	7672	\$1211

Skills

Immigration Inspectors must have good interpersonal skills, problem-solving abilities, professional bearing, operate various motor vehicles, and attain fluency in the Spanish language. They must maintain mandatory law enforcement skills including proficiency with firearms and various non-deadly force methods: and expert knowledge of applicable Federal statutes, regulations, Executive Orders, policies, and procedures, including rules of search and seizure, arrest authorities, and the Federal rules of evidence. These officers must be skilled interviewers and listeners and must maintain expert skills with documentary forensic techniques to rapidly and accurately identify suspect fraudulent documents. They must be able to thoroughly investigate document fraud, document their findings, and to testify authoritatively these actions. In addition, Immigration Inspectors must be proficient report and legal brief writers, and must be adept in developing evidence and providing authoritative testimony before local and Federal magistrates. Given the increasing use of automated data systems and analysis tools, Immigration Inspectors also require strong computer skills with a variety of office productivity systems and software, as well as with specialized law

**Information
Technology**

The Interagency Border Inspection System (IBIS) is a major tool used to inspect travelers. The INS also uses other automation and technologies to improve processing time performance, such as dedicated commuter lanes and accelerated passenger lanes. The Performance Analysis System (PAS) and system-generated counts are used to report data on the use of automation and technologies to manage traveler inspections on a monthly basis. At air and certain sea POEs, USCS and INS Immigration Inspectors receive passenger data from the Advance Passenger Information System, which allows the agencies to perform enforcement checks and identify high-risk passengers before they arrive in the U.S.

PERFORMANCE ASSESSMENT – Annual Goal 5.6

5.6A Facilitate Port-of-Entry Traffic and Monitor Deferred Inspections (Management Challenge)

Background/ Program Objectives:

The INS and the U.S. Customs Service (USCS) agreed that cooperation in policy and operational matters enhances the facilitation and enforcement objectives of each agency. To this end, INS will continue to coordinate and integrate efforts with USCS and the other federal inspection services to facilitate the inspection of bonafide travelers.

With continued increases in traffic anticipated, additional inspection program resources are needed. INS must also continue developing and utilizing appropriate automation technologies. INS will continue efforts to identify and segment travelers to manage the movement of low risk travelers while maintaining high traveler satisfaction.

In FY 2001, the OIG reported problems in the way INS handled deferred inspections and noted that the INS did not have adequate procedures in place to ensure that individuals who fail to appear are either brought in to complete their inspection or are appropriately penalized for failing to appear. The OIG also reported that INS's controls were inadequate to determine the effectiveness of the deferred inspection process or the number of individuals deferred and the outcome of those inspections. In response, the INS is developing or revising policies and procedures to address the recommendations provided by the OIG.

Performance:

Performance Measure: % of Total Commercial Flights to Clear Primary Inspection within 30 Minutes

FY 2001 Target: 72%

FY 2001 Actual: 78%

Discussion: INS exceeded its target and cleared 77.9% of commercial flights through primary within 30 minutes.

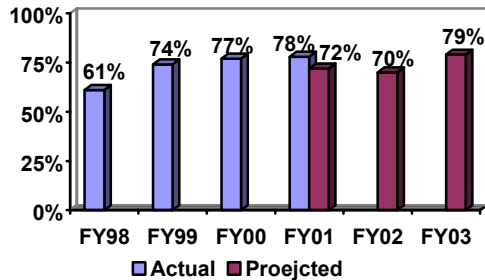
FY 2002 Performance Plan Evaluation: Based on performance in FY 2001 and more stringent security requirements, we are reducing the goal in FY 2002 to 70%.

FY 2003 Performance Target: 79%

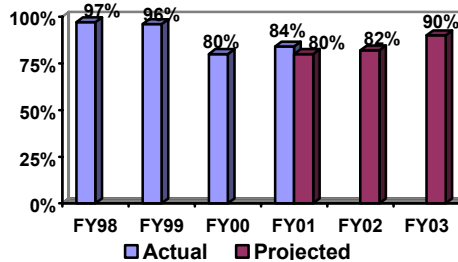
Public Benefit: The law-abiding public deserves good service and that service must be balanced against the need to maintain national security. As the government continues to operate at heightened security levels, INS will continue to maintain this balance.

Performance Measure: MEASURE REFINED: % of Land Border Wait Times (FY98-01 20 Minutes or Less, FY02-03 30 Minutes or Less)

% of Total Commercial flights to Clear Primary Inspection within 30 Minutes [INS]



% of Land Border Wait Times (FY98-01 Goal=20 Minutes or Less, FY02-03 Goal=30 Minutes or Less) [INS]



Data Collection and Storage: Individual POEs collect flight processing information from travelers and airlines and report aggregated information monthly into the Performance Analysis System (PAS). The inspection time for the last traveler is captured in the Interagency Border Inspection System used by INS and U.S. Customs Service. Wait time data for each land POE is collected manually and reported through INS regional offices.

Data Validation and Verification: PAS verification is conducted by the INS Statistics Office through submission audits; edits, data validation and logic checks, and field contact. Reported processing times are reviewed by district and regional office staff above each air POE and by the headquarters Inspections program, monthly. Air POEs flight processing information is reviewed by supervisory and technical staff. Time measurement data provided by airlines is recorded in automated systems and subject to quality reviews. At land POEs, data is manually collected locally and validated regularly.

Data Limitations: PAS records are complete with 95 percent of field office records entered within eight working days of the following (reporting) month. Land POEs use one of three approved methodologies to observe, and collect data, and to calculate wait times. Because of this variety, submitted data may vary slightly among land POEs.

FY 2001 Target: 80%

FY 2001 Actual: 84%

Discussion: INS exceeded the target, clearing 83.7% of land-border vehicle traffic within 20 minutes. This reflects the improved method for calculating wait times, which incorporate weighting according to the vehicle volume processed.

FY 2002 Performance Plan Evaluation: Based on performance in FY 2001 and more stringent security requirements, we are establishing the goal in FY 2002 to 82%.

FY 2003 Performance Target: 90%

Discussion: INS efforts to manage lawful travel and commerce across the borders into the United States, results in travelers spending less time waiting at ports-of-entry.

Public Benefit: see above

Strategies to Achieve the FY 2003 Goal:

Increased numbers of Immigration Inspectors and supporting Inspection Assistant positions requested for FY02 and FY 03 will provide increased opportunities to schedule Immigration Inspectors to staff a maximum number of available primary inspection lanes at air, land, and sea POEs. Increased processing capacity will sustain and enhance INS ability to meet and exceed the specified performance measures.

In addition, INS will focus performance efforts to increase using law enforcement databases to improve border control and to identify better persons seeking admission to the United States. These goals complement development of an integrated, automated Arrival-Departure Information System required by the Immigration and Naturalization Service Data Management Improvement Act of 2000. This statute, enacted in June 2000, amends Section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. It requires the development of an integrated entry and exit data system using available data to record alien arrivals and departures in an electronic format, without establishing additional document requirements.

Crosscutting Activities:

At land POEs, INS Immigration Inspectors collect data on processing times in cooperation with the U.S. Customs Service (USCS). Pursuant to a 1979 Memorandum of Understanding (MOU), INS and the USCS agreed to staff land POE vehicle lanes on an equal basis.

INS Immigration Inspectors coordinate operational initiatives with other federal, state, local, and international law enforcement agencies to minimize adverse affects of enforcement operations on traffic management at POEs. On the international front, INS Immigration Inspectors coordinate traffic management and other operational activities with national border control authorities in Mexico and Canada.

INS Immigration Inspectors maintain working relationships with the intelligence community, routinely sharing information that is aimed at the interdiction and interception of document fraud and human trafficking at United States POEs. These activities enhance traffic management at the POEs by enabling Immigration Inspectors to perform law enforcement responsibilities while effectively managing traffic, both pedestrian and in vehicles. Continuation of these operations in FY 2003 will enhance INS Immigration Inspectors' ability to thwart fraud, human trafficking, and terrorism at United States POEs.

STRATEGIC OBJECTIVE 5.7: ADJUDICATION**Adjudicate all immigration cases promptly and impartially in accordance with due process****Annual Goal 5.7: Adjudicate all immigration cases promptly and impartially in accordance with due process****STRATEGIES**

- ◆ Adjudicate priority cases within specified time frames.

This annual goal relates primarily to the adjudication functions of the Executive Office for Immigration Review (EOIR) and its mission of providing a uniform and timely interpretation and application of immigration law.

EOIR has identified four adjudication priorities and set specific time frames for each. These priorities include cases involving criminal aliens, other detained aliens, and those seeking asylum as a form of relief from removal and appeals. While the quality and fairness of judicial decision making is of paramount importance, timeliness is an important measure of performance.

Both INS and EOIR are committed to the prompt and fair resolution of matters brought before EOIR. By defending immigration laws, policies, and administrative judgements regarding alien removal in Federal courts, the Civil Division and the United States Attorneys uphold the intent of Congress and secure the efforts of the immigration agencies.

MEANS – Annual Goal 5.7**Dollars/FTE**

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Exec. Ofc for Immigration Review	1090	\$159	1187	\$177	1290	\$193

Skills

EOIR requires the skills of immigration judges, Board of Immigration Appeals members and attorneys, Administrative Law Judges, and support positions, including court interpreters, paralegals, and legal technicians.

Information Technology

ANSIR, the Automated Nationwide System for Immigration Review, is integrated with routine case processing operations.

PERFORMANCE ASSESSMENT – Annual Goal 5.7

5.7A Adjudicate Immigration Cases in a Fair and Timely Manner

Background/ Program Objectives:

EOIR’s ability to meet its goal of fair and timely adjudication of immigration cases is critical to: the guarantee of justice and due process; the timely, reward of relief from removal in meritorious cases; the timely removal of criminal and other inadmissible aliens; and the effective utilization of limited detention resources.

In FY 2003, EOIR’s immigration judges will complete 90% of expedited asylum, 90% of Institutional Hearing Program (IHP), and 90% of detained cases within target time frames. These time frames are: (1) expedited asylum cases within 180 days of filing by aliens with the DOJ; (2) IHP (criminal alien) cases prior to aliens’ release from incarceration; and (3) detained cases within 30 days of filing with the Immigration Court. These targets are related to percentages of cases actually completed. In FY 2002, EOIR established a targeted time frame for completion of appeals within 180 of filing with the Board of Immigration Appeals.

Performance:

Performance Measure: Percent of Immigration Court Cases Completed Within Target Time Frames.

FY2001 Target:

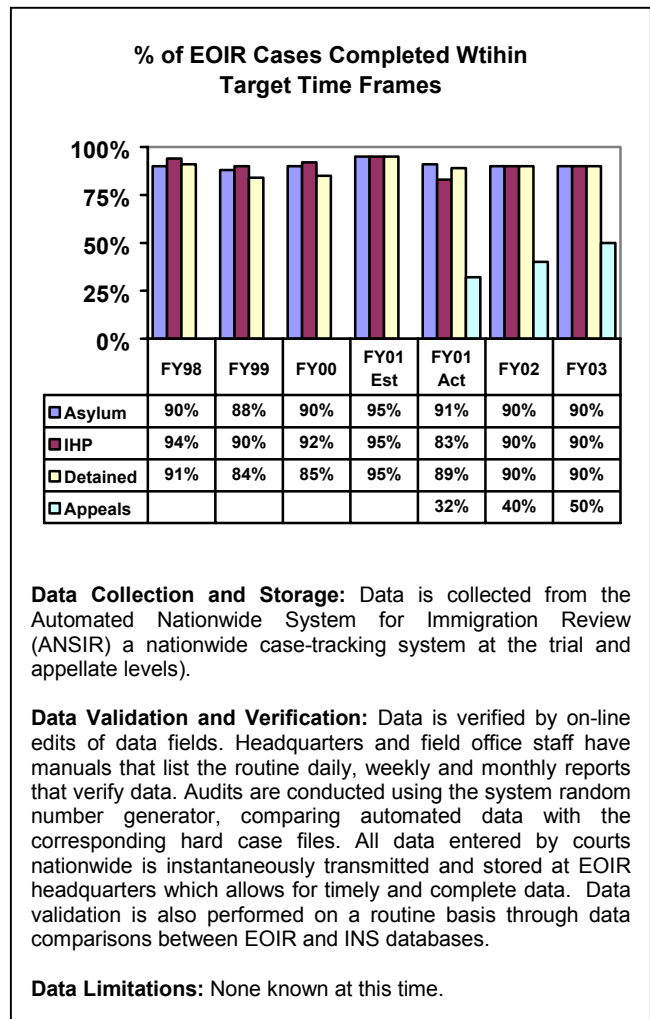
- Expedited Asylum Cases – 95%
- Detained Cases – 95%
- IHP (Criminal) Cases – 95%
- Appeals – Not projected – new measure

FY 2001 Actual:

- Expedited Asylum Cases – 91%
- Detained Cases – 83%
- IHP (Criminal) Cases – 89%
- Appeals – 32%

Discussion: In FY 2001 EOIR received 312, 738 matters (a higher number than originally anticipated) and completed 289, 087. However, EOIR fell short of its goals for completion times in the three adjudication priorities. In all three areas, the lack of qualified interpreters may have been a contributing factor. EOIR relies on contract interpreter services for the vast majority of the now 200+ languages/dialects spoken by respondents in proceedings. Depending on how rare the language/dialect, the vendor may not have the capacity to fill simultaneous orders, resulting in the need to reset cases beyond the time frames established by the goals. EOIR will work closely with its primary contractor to ensure that interpreters are available as needed.

In the case of the detained and IHP cases, another factor contributed to EOIR’s inability to meet its goals. Large detention facilities and prisons are often not located in urban areas where *pro bono* representation is more accessible. It is not necessarily unwarranted for a judge to grant more than two continuances if he/she believes that the alien or the alien’s family is making a genuine effort to find representation. Even though EOIR has set targets of completing detained cases (with no applications for relief) within 30 days, and IHP cases prior to release from incarceration, the agency also realizes that judges are bound to provide for a fair hearing.



FY 2002 Performance Plan Evaluation: Based on FY 2001 performance, and the factors outlined above, EOIR has revised its FY 2002 goals downward to 90% for each of the three adjudication priorities. The newly established target for appeals is set at 40%.

FY 2003 Performance Target: 90% expedited asylum cases; 90% IHP cases; 90% detained cases; and 50% appeals completed within targeted time frame.

Strategies to Achieve the FY 2003 Goal:

EOIR will continue to target new resources and to reallocate existing resources to the adjudication of the priority caseload as described. This includes the adjustment of court dockets to increase the number of calendars devoted to asylum cases and increasing the volume and frequency of Immigration Judge details to federal, state and local correctional facilities as needed.

Crosscutting Activities:

EOIR coordinates with INS and BOP in operating its Institutional Hearing Program, which is intended to resolve immigration cases before non-citizen inmates are released from prison. With respect to coordination involving adjudication processes overall, EOIR coordinates routinely with the INS and the Civil Division. Although EOIR is an independent component of the Department, its workload is linked to INS enforcement activities and adjudication policies. Similarly, EOIR's ability to adjudicate cases in a timely fashion affects other Department goals, e.g., the expeditious removal of criminal aliens, the efficient use of limited detention space, and the timely provision of relief in meritorious cases.

VI

STRATEGIC GOAL SIX: Protect American Society by Providing for the Safe, Secure, and Humane Confinement of Persons in Federal Custody

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

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

BOP conducts its incarceration function using a range of BOP operated institutions of varying security levels, as well as the use of privately operated facilities, including half-way houses, and facilities provided through Intergovernmental Agreements. While BOP deals with the unique problems that accompany the long-term custody and care of sentenced federal prisoners, BOP is also a major provider of detention bed space and operates several metropolitan detention centers. In addition, BOP houses all D.C. adult felons sentenced to a term of confinement. As of December 2001, 8,222 D.C. sentenced felons were moved into BOP custody, including 450 who were in BOP custody prior to the passage of the Revitalization Act.

Pre-sentenced inmates, persons charged with federal offenses awaiting trial, and persons detained while awaiting trial are primarily the responsibility of USMS. USMS does not operate any detention centers; rather it obtains the beds it needs to house this population from state and local jails and detention centers, BOP, INS and private facilities. USMS is responsible for ensuring that detainees make their scheduled court appearances, thereby contributing to the orderly work of the Federal Courts.

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

The Office for the Federal Detention Trustee is responsible for the direction of the USMS and INS with respect to the exercise of detention policy setting and operations for the DOJ. The Federal Detention Trustee has the authority and is responsible for management of DOJ detention resource allocations, financial management of detention operations, coordinating with the components involved in detention on important issues, which include implementation of detention standards, detention planning activities with input from law enforcement components whose initiatives create the federal detention population, and ensuring the implementation of efficiency and effectiveness improvements in DOJ detention operations.

MANAGEMENT CHALLENGES

The Department has two material weaknesses in this area:

Prison Crowding - This has been a departmental material weakness since 1985. We anticipate that it will continue to be an issue given the federal laws (e.g., mandatory minimum sentences), increased resources for law enforcement and prosecutorial agencies, and a stronger emphasis on prosecution of gun-related crimes. New prison construction cannot keep up with the growth in sentenced offenders.

Detention Space and Infrastructure - This has been a material weakness since 1989. Both the USMS and the INS are experiencing rapid growth in their need for detention space. The USMS is experiencing a shortage of detention space near Federal court cities, due to the same reasons listed above for prison crowding. The INS, under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, is required to detain certain aliens until removal. These expanding needs for detention space place increasingly heavy demands on the USMS and INS infrastructure, including transportation, buildings, communications equipment, and staff.

The DOJ Office of Inspector General (OIG) includes Detention Space and Infrastructure in its December 2001 list of top ten management challenges facing the Department. The OIG also addresses the need for more bed space for juveniles, as well as the possibility that the Department's response to the September 11, 2001, terrorist attacks will create an even greater need for detention space.

Performance measures related to these material weaknesses are noted.

PROGRAM EVALUATIONS

The USMS reduced prisoner medical care costs by \$11.8 million in FY 2001 through application of its Medicare rate legislation authority (P.L. 106-113). Also, the prisoner medical care consolidation pilot program between the USMS and BOP was extended for another year at all federal medical centers and three BOP detention facilities (New York City, Miami, and Oklahoma City). The issue of national implementation of the medical consolidation pilot was referred to the DOJ for final decision regarding funding levels.

The USMS and Veteran's Administration (VA) executed an interagency agreement to permit USMS use of a VA contractor to re-price all its medical claims and collect vital program cost and savings data. This approach eliminated the requirement for the USMS to do its own procurement actions for these services. As part of the program implementation process, the USMS established a USMS Advisory Group of Administrative Officers from six districts to conduct a pilot project to test and streamline standard operating procedures and establish policy. The new system not only applies savings rates of approximately 60% per claim, but it also reduces the potential for duplicative claim payments. The pilot project was in place for six months and saved the USMS a total of \$814,344 in prisoner medical care costs. The pilot was extended and full implementation is expected nationwide by the end of the second quarter of FY 2002.

The Department is responsible for ensuring these detainees are housed in humane and safe environments. To ensure detainees are being protected, the Department is conducting Conditions of Confinement Reviews (CCRs) of a sampling of non-federal facilities housing federal detainees. In addition, the CCR process is to result in an improved methodology for the inspection of non-federal detention facilities by DOJ inspection teams in the future. The CCRs, which began in November 2000 and are scheduled for completion by March 1, 2002, will cover the 40 largest use non-federal detention facilities utilized by the INS and USMS. These 40 facilities house approximately 30 percent of the combined INS and USMS detention population. As of December 2001, 34 of the 40 assessments were completed, 14 at INS facilities and 14 at USMS facilities. The remaining 6 INS facilities' CCRs are scheduled to be completed in the second quarter FY 2002. Corrective action plans are being developed for those facilities where improvements were indicated in the CCRs.

During FY 2002, the INS Detention Program will continue its use of the detention projection model to assess the impact of resource and policy decisions. In addition, in FY 2002 INS plans to continue to develop alternatives to secure detention with the aim of increasing the appearance rate at final order hearings. Alternative detention settings will be evaluated specifically directed at juveniles and families to reduce unnecessary separations and other adverse impacts.

Regular review of Detention and Removals Program management is conducted through the INS Program for Excellence and Comprehensive Tracking (INSpect). The scope of the review includes high-risk areas, including facility issues; security and control; detainee conduct and detainee services; transportation and escort; and docket control.

During FY 2002, the Federal Detention Trustee will conduct a needs assessment of detention and detainee handling requirements and will develop a baseline report for the present efficiency and effectiveness of all aspects of detention and detainee handling. Additionally, the Trustee will establish two regional detention pilot projects, one along the Southwest border, and one located in the Midwest. Elements of pilot projects will include centralized management of Inter-Governmental Agreements, prisoner transportation, healthcare management, and Cooperative Agreement Program grants under the Detention Trustee, as directed by Congress.

Additionally in FY 2003, when INS and USMS budget resources with respect to detention functions are consolidated within the Trustee, the Trustee will contract for the creation of a national repository for State and Local governments and private detention space providers to electronically post vacancies, rates, services, administrative costs, and availability, mode of transportation and medical facilities and services. Detention space and service providers will supply their daily rates, costs, and any applicable service fees, as well as the basis for the calculation of the rates. Those posting vacancies will also be required to list and provide a means for verification of their credentials and accreditations. The goal of creating this nationwide electronic detention space clearinghouse is to enable Federal users to find more cost-efficient space where they need it and a tool to control transportation costs.

STRATEGIC OBJECTIVE 6.1: DETENTION**Provide for the safe, secure and humane confinement of detained persons awaiting trial, sentencing, or immigration proceedings****Annual Goal 6.1: Provide for the safe, secure and humane confinement of detained persons awaiting trial, sentencing, or immigration proceedings****STRATEGIES**

- ◆ Acquire needed capacity through a multi-pronged approach that includes state and local agreements, contracts with private vendors, construction and operation of federal detention facilities, and the use of alternatives to detention.
- ◆ Improve management of detention resources through more accurate forecasting of detention needs, better coordination, strengthened oversight, and other means.

DOJ's performance plan includes goals to provide sufficient bed space for the expected increase in the detention populations of both USMS and INS. The INS detainee population levels are tied directly to the effectiveness of apprehension efforts and therefore affect the number of alien removals. INS has a severe shortage of bed space and the law enforcement personnel to handle the processing and removal of aliens in immigration proceedings, relative to the total number of potentially removable aliens in the country. Additionally, the INS has an increased emphasis on terrorist investigations, and will continue to focus its law enforcement efforts on identifying and removing criminal

aliens and aliens who have been issued final orders of removal, but who have not appeared for their removal. These efforts will require increased bed space, but more importantly, increased levels of law enforcement personnel. The USMS pre-trial and pre-sentenced population is also expected to continue to increase as a result of growth in enforcement and prosecutorial personnel over the past several years. The success of DOJ's investigators and prosecutors at solving crimes, arresting suspects and trying cases places increasing workload demands on both INS and USMS detention activities.

MEANS – Annual Goal 6.1**Dollars/FTE**

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Breached Bond/Detention Fund	31	61	44	119	44	169
USMS Construction	9	18	9	24	9	15
Detention Trustee	0	0	6	1	18	1389
Federal Prison System	3985	338	3985	350	3985	364
Federal Prisoner Detention	0	617	0	706	0	0
FPS Building and Facilities	9	9	0	153	0	0
Immigration and Naturalization Svc	3338	835	3759	905	3807	819
Immigration User Fee	159	76	173	90	184	91
Subtotal	7531	\$1954	7976	\$2348	8047	\$2846

Skills

Deputy U.S. Marshals must be knowledgeable of regulations regarding restraining, feeding, clothing and housing federal prisoners, and must ensure that prisoner rights are not violated while in custody of the USMS. In addition, they must be able to establish and maintain coordination with personnel from other law enforcement agencies at the federal, state, and local levels. INS Deportation Officers and Detention Enforcement Officers must have expert knowledge of applicable Immigration and Nationality law, other Federal statutes, regulations, Executive Orders, Policies and procedures; including rules of search and seizure, arrest authorities, and Federal Rules of Evidence, INS Detention Standards and ACA accreditation standards for detention facilities. They must also be proficient in various law enforcement skills including proficiency with firearms and non-deadly force methods. Personnel must maintain a high degree of interpersonal skills and problem solving and investigative ability as well as ethical and moral standards consistent with the organization's set of core values. They must possess strong computer skills with a variety of office productivity systems and software, as well as with specialized law enforcement and national security, databases.

Information Technology

USMS is in the process of developing one centralized application, the Justice Detainee Information System (JDIS), from its five offender-based applications. The following systems are in place to accomplish this goal: the Warrant Information Network, the Prisoner Tracking System, the Automated Prisoner Scheduling System, the Automated Booking Station, and the Prisoner Medical Tracking system. JDIS will allow the USMS to manage prisoners and track them through the entire judicial process. INS systems utilized to collect detention data are the Deportable Alien Control (DACs) and Criminal Alien Information System (CAIS). Ultimately, the data will be captured in ENFORCE (the INS' enforcement case management database currently being deployed).

PERFORMANCE ASSESSMENT – Annual Goal 6.1

6.1A Ensure Adequate, Cost Effective Detention Capacity (Management Challenge)

Background/ Program Objectives:

USMS administers the Federal Prisoner Detention (FPD) program for the federal government using funding appropriated specifically for the care of prisoners in the U.S. The FPD appropriation provides financial support for the housing, subsistence, medical care, and medical guard service for federal detainees remanded to USMS custody. The responsibility begins when a prisoner is brought into USMS custody. It continues through the trial process, and ends when a prisoner is acquitted or arrives at a designated BOP facility to serve a sentence. The USMS pre-trial population is generated by public policy and multi-component investigative and prosecutorial efforts within the DOJ or other federal law enforcement agencies. Since USMS, like BOP, is at the receiving end of the federal law enforcement initiatives and efforts, USMS has no control over the number of detainees remanded to its custody and has no option other than to house and care for the detainees.

Under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 and other immigration laws, INS is authorized, and sometimes required, to detain illegal aliens to help facilitate their removal from the United States. INS administers a national detention program using funding appropriated specifically for the care of aliens arrested. INS provides or obtains the transportation, housing, subsistence, medical care, and guard service for detainees held in INS custody. The responsibility begins when a detainee is brought into INS custody. It continues through the trial process where the detainee is found admissible to the U.S. and is released on bond or supervision, or until removed from the U.S. The detainee population is generated by multi-component investigative and prosecutorial efforts within the INS. The detainee population consists of criminals, non-criminals, unaccompanied juveniles, and families. These categories normally require different levels of custodial care. INS endeavors to place detainees into detention facilities that are appropriate for their custody category.

Everyday the INS and USMS are challenged to provide adequate cost-effective and appropriate transportation and bed space for each of the different categories of individuals placed into custody. Factors affecting where an individual is confined include: 1) the proximity of the facility; 2) the cost per bed; 3) health issues; 4) the amenability of a facility to detain aliens; 5) the security of the facility; and 6) if detention standards of confinement are being met. INS routinely utilizes its own facilities, contract facilities, state and local government facilities, and contract juvenile facilities to house detainees. Detention bed space for INS and USMS detainees are routinely acquired at the lowest cost to the government through: 1) Intergovernmental Agreements (IGAs), where a daily rate is paid; 2) INS or federal detention facilities, where the government must pay for construction and operation of the facility; 3) Cooperative Agreements with state and local governments, where capital investment funding is provided in exchange for a guarantee of a certain number of bed spaces, for which a daily rate is paid when these bed spaces are used; 4) contract facilities; and 5) juvenile housing facilities.

Performance:

Performance Measure: Jail Day Costs [USMS]

FY 2001 Target: \$60

FY 2001 Actual: \$59

Discussion: The national jail day rate increased 4.3% in FY 2001--from \$56.57 in FY 2000 to \$59.01, slightly below the \$60.00 target established last year. The USMS is housing a lower percentage of prisoners than anticipated in private facilities, where the per diem rate is higher. Any increase in the federal pre-trial population that forces the USMS to house a larger percentage of prisoners in private detention facilities will increase the national jail day rate accordingly.

FY 2002 Performance Plan Evaluation:

Based on program performance in FY 2001, the USMS is increasing the FY 2002 target from \$60.00 to \$61.00 per day. The additional cost is reflective of increased detention needs and increased reliance on more expensive private beds.

FY 2003 Performance Target: \$63.00

Public Benefit: USMS acquires detention space at the lowest possible cost to the government through the use of Inter-Governmental Agreements, cooperative agreements with State and local governments, private jail facilities, and federal detention facilities. By obtaining this space and managing the prisoner population, detainees who are flight risks or potential dangers to the public were safely and securely detained for the length of their involvement with the judicial process.

Performance Measure: Per Capita Costs [INS]

FY 2001 Target: \$75

FY 2001 Actual: \$72

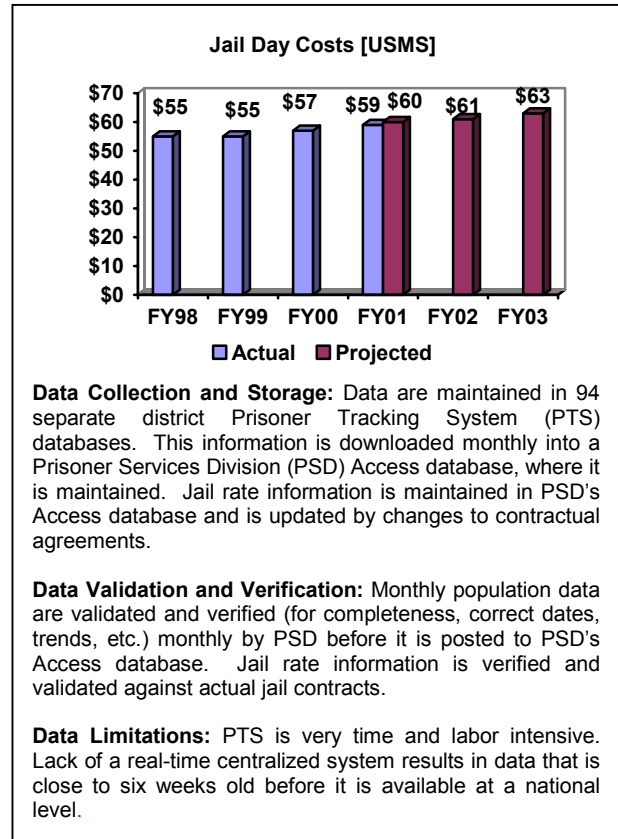
Discussion: Per capita costs vary significantly between facilities due to the variability of population (gender, health, and number), facility ages, local economic conditions, facility security level, and so forth. They are tracked and managed on a facility-by-facility basis and are used in the prudent fiscal management of the detention system. However, they are not indicative of program performance in meeting adequate and appropriate detention for the alien population in custody.

FY 2002 Performance Plan Evaluation:

Based on performance in FY 2001, we expect to meet the corresponding FY 2002 target of \$75.00.

FY 2003 Performance Target: \$85.00

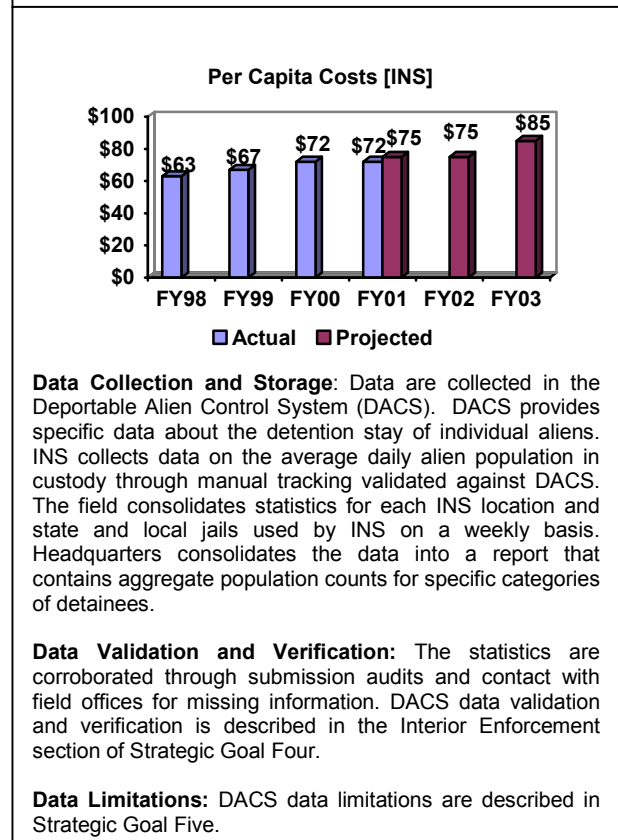
Public Benefit: INS maintains adequate capacity to detain persons in Federal custody in cost-effective, safe, secure and humane facilities, while awaiting trial, a hearing, or deportation.



Data Collection and Storage: Data are maintained in 94 separate district Prisoner Tracking System (PTS) databases. This information is downloaded monthly into a Prisoner Services Division (PSD) Access database, where it is maintained. Jail rate information is maintained in PSD's Access database and is updated by changes to contractual agreements.

Data Validation and Verification: Monthly population data are validated and verified (for completeness, correct dates, trends, etc.) monthly by PSD before it is posted to PSD's Access database. Jail rate information is verified and validated against actual jail contracts.

Data Limitations: PTS is very time and labor intensive. Lack of a real-time centralized system results in data that is close to six weeks old before it is available at a national level.



Data Collection and Storage: Data are collected in the Deportable Alien Control System (DACS). DACS provides specific data about the detention stay of individual aliens. INS collects data on the average daily alien population in custody through manual tracking validated against DACS. The field consolidates statistics for each INS location and state and local jails used by INS on a weekly basis. Headquarters consolidates the data into a report that contains aggregate population counts for specific categories of detainees.

Data Validation and Verification: The statistics are corroborated through submission audits and contact with field offices for missing information. DACS data validation and verification is described in the Interior Enforcement section of Strategic Goal Four.

Data Limitations: DACS data limitations are described in Strategic Goal Five.

Strategies to Achieve the FY 2003 Goal:

In FY 2003, DOJ will work cooperatively with the private sector and state and local governments to establish and maintain adequate capacity to detain persons in federal custody in cost-effective, safe, secure and humane facilities, while awaiting trial, a hearing, or deportation. Specifically, we will obtain sufficient detention space to house an estimated 70 percent of the projected daily population of 43,137 persons in the custody of USMS in state, local and private facilities. In addition, BOP will continue to support USMS requirements by housing approximately 30 percent of federal pretrial detainees in BOP facilities.

In FY 2003, INS will continue to work with the USMS, BOP, DOJ, private sector, and state and local governments to maintain adequate bed space to house detainees safely, securely, and humanely. Additionally, INS will work closely with all of its suppliers to ensure cost-efficiency of all detention facilities. INS will develop alternatives to detention that enable INS to better utilize its bed space, resources and manpower while maintaining compliance with immigration law. Efforts that minimize time in detention should facilitate an increase in removals, as well as yield cost savings.

Beginning in FY 2003, both INS and USMS resources related to detention will be consolidated within the Office of the Detention Trustee. This will centralize the majority of DOJ's detention activities, allowing for a coordinated Departmental effort when obtaining detention space and to ensure the Trustee has the authority necessary to direct detention policy and to manage detention resources.

Crosscutting Activities:

DOJ works cooperatively with the private sector and state and local governments to establish and maintain adequate capacity to detain persons in federal custody in cost-effective, safe, secure, and humane facilities that meet all appropriate standards. In FY 2003, when INS and USMS budget resources with respect to detention functions are consolidated within the Trustee, the Trustee will contract for the creation of a national repository for State and Local governments and private detention space providers to electronically post vacancies, rates, services, administrative costs, and availability, mode of transportation and medical facilities and services. Detention space and service providers will supply their daily rates, costs, and any applicable service fees, as well as the basis for the calculation of the rates. Those posting vacancies will also be required to list and provide a means for verification of their credentials and accreditations. The goal of creating this nationwide electronic detention space clearinghouse is to enable Federal users to find more cost-efficient space where they need it and a tool to control transportation costs.

Additionally, the Office of the Detention Trustee will work with the Federal judiciary and the INS to expand the use of home detention, electronic monitoring, and video conferencing. As part of this effort, the Trustee will work with the Federal Judiciary on joint research efforts, pilot projects and in offering workshops for Federal judges on pretrial release and detention issues. The Trustee will also work with the Federal Judicial Center and the Administrative Office of the U.S. Courts to develop a risk prediction instrument to assist in the determination of which offenders would be best suited for home detention and/or electronic monitoring.

6.1B Operate Facilities that are Safe and Secure

Background/ Program Objectives:

INS seeks the safe, secure, and humane treatment of detainees. INS has the highest regard for human rights and public safety. Therefore, it strives to maintain facilities that meet the accreditation standards of INS and correctional professions. Professional accreditation and compliance with INS detention standards alone do not provide an indication of the safe and humane treatment of detainees. Additional indicators are needed to track progress toward this objective. INS will be reviewing its detention program to correct facility deficiencies and implement the changes necessary to achieve safe and humane detention facilities and detention methods for all detainees.

INS developed and began to implement new service-wide Detention Standards in FY 2001. Initial assessments of INS owned and contracted facilities were completed in FY 2001 and will now be performed annually. The results of these internal assessments will become the basis for specific facilities' improvements and for service-wide program changes where indicated. Additionally, INS has committed to obtain American Corrections Association (ACA) accreditation for all of its owned and contracted facilities as expeditiously as practicable. Further, INS is committed to ensuring that, with the proper resources being provided, all facilities used for more than 72 hours, will be in compliance with INS detention standards by the end of FY 2003. Though detention space continues to be at a premium, these initiatives will ensure that the facilities and procedures under INS' control meet the highest standards and provide safe and humane conditions for all detainees.

Performance:

Performance Measure: Percent of INS Facilities with American Correctional Association (ACA) Accreditation (NOTE: All data have been corrected to reflect percentages based on a total of 16 facilities, 9 INS-owned and operated and 7 contractor owned and operated.)

FY 2001 Target: 88%

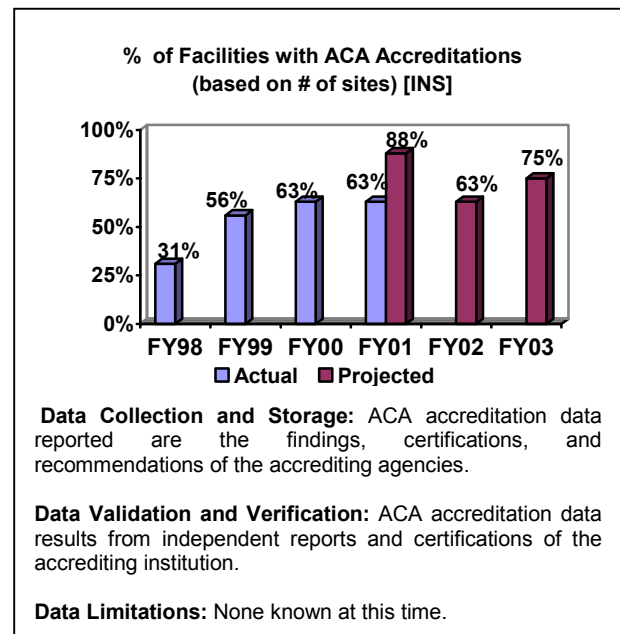
FY 2001 Actual: 63%

Discussion: INS continues to seek ACA Accreditation for all nine INS-owned Service Processing Centers (SPCs) and Contract Detention Facilities (CDFs). In FY 2001, 63% (10 of 16) SPCs and CDFs were accredited by the ACA. The facilities that are not accredited are working to receive accreditation and two are expected to enter the final process in FY 2002 and achieve accreditation in FY 2003, achieving the 75% target. This process can take as much as 18 months from the date of the initial petition until accreditation is received.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we do not expect to meet the corresponding FY 2002 target of 88% and are decreasing the target to 63%.

FY 2003 Performance Target: 75%

Public Benefit: Accreditation by ACA provides INS with an external assessment of the conditions within its detention facilities with respect to their security, safety and humane treatment of detainees. In conjunction with the more comprehensive INS Detention Standards (that address the unique needs of INS detainees more directly and completely), these provide indications that facilities and detainee management procedures continue to provide for the detainees' and employees' safety and security.



Performance Measure: NEW MEASURE: Reduction in significant events (assaults, escapes, thefts) Involving a Detainee or Employee by 5% (NOTE: This target may be modified subsequent to the development of the baseline in FY 2002.)

FY 2001 Target: N/A

FY 2001 Actual: N/A

FY 2002 Performance Plan Evaluation: FY 2002 is a baseline year for data collection in this area.

FY 2003 Performance Target: In FY 2003 INS will reduce significant events (assaults, escapes, thefts) involving detainees and employees by 5%.

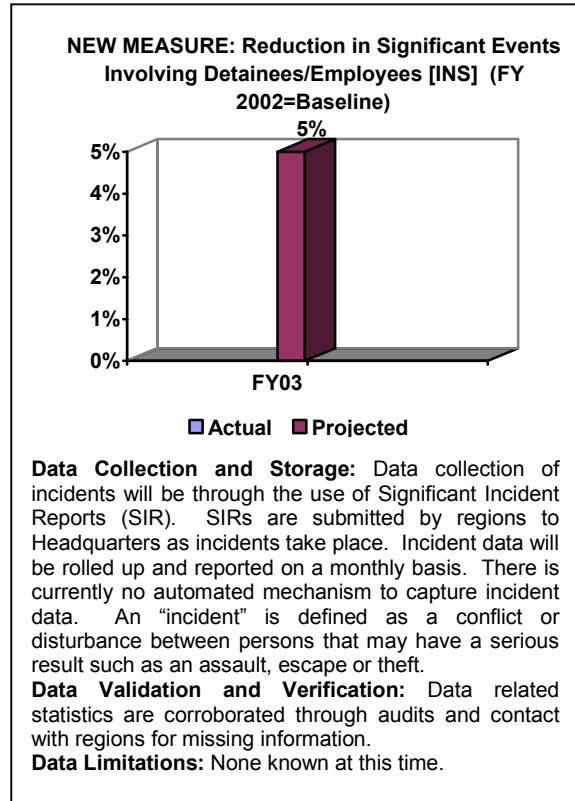
Strategies to Achieve the FY 2003 Goal:

INS will undertake several strategies to achieve this objective. INS will provide safe facilities by adhering to the guidelines of INS Detention Standards, while working with the ACA to develop a tailored set of ACA guidelines that fit unique INS requirements. INS will begin a program in FY 2002 to inspect all facilities it uses to house illegal aliens for more than 72 hours. Through a rigorous inspection program, INS can ensure that those who are detained by INS will receive safe, secure, and humane treatment.

INS will maintain facilities and methods that routinely segregate criminals from non-criminals, unaccompanied juveniles from adults, and strive not to divide families. INS will work to reduce significant incidences such as assaults, escapes, and thefts involving detainees or employees by developing officer and training standards and expanding detainee video surveillance. During FY 2002, INS will develop and implement an incident report tracking system to gather data for analysis of categories and reasons for incidents. The INS will then identify strategies and approaches to reduce the occurrence of these types of incidents. A reduction in incidents will indicate better monitoring, oversight, and custodial care of detained aliens.

Crosscutting Activities:

DOJ works cooperatively with the private sector and state and local governments to establish and maintain adequate capacity to detain persons in federal custody in cost effective, safe, secure, and humane facilities.



STRATEGIC OBJECTIVE 6.2: PRISON CAPACITY

Ensure that sufficient cost effective prison capacity exists so that violent and other serious criminal offenders are imprisoned to the fullest extent of the law

Annual Goal 6.2: Ensure that sufficient cost effective prison capacity exists so that violent and other serious criminal offenders are imprisoned to the fullest extent of the law

STRATEGIES

- ◆ Acquire additional capacity through a multipronged approach of new construction, cooperative arrangements with other units of government, alternatives to traditional confinements where appropriate, and contracts with private providers of correctional services.

BOP tries to accommodate the increasing population in the most cost effective manner, following a policy of adding capacity through the utilization of contract facilities (where the inmate security level is appropriate), expansion of existing facilities, the acquisition of existing private or other correctional facilities, the acquisition and conversion of military and other properties to prison use, and the construction of new prisons. During FY 2001, over 16 percent of the BOP inmate population was housed in privately-managed prisons, contract facilities, and other alternative confinement.

MEANS – Annual Goal 6.2**Dollars/FTE**

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Federal Prison System	250	435	309	579	313	599
FPS Building and Facilities	254	751	370	661	350	385
Subtotal	504	\$1186	679	\$1239	663	\$994

Skills

BOP requires well trained and educated staff from correctional officers to the warden, project managers to oversee construction projects, contract specialists to negotiate large construction contracts, and innovative program specialists to identify secure and community based alternatives to traditional incarceration for nonviolent offenders.

Information Technology

Inmate data are collected on the BOP on-line system (SENTRY); personnel data is collected on the Human Resource Management Information System (HRMIS); and financial data on the Financial Management Information System (FMIS). BOP also utilizes population forecast modeling in order to plan for future construction and contracting requirements to meet capacity needs. The United States Parole Commission utilizes a parolee database for hearings and status of cases.

PERFORMANCE ASSESSMENT – Annual Goal 6.2

6.2A Reduce Prison Crowding (Management Challenge)

Background/ Program Objectives:

BOP facilities are crowded at 31 percent above rated capacity system-wide. While state and local incarceration growth rates have declined in recent years, BOP has experienced record growth: an increase of 10,027 inmates during FY 1998; over 11,373 in FY 1999; 11,436 in FY 2000; and 11,447 in FY 2001. Given increased resources for law enforcement and prosecutorial agencies, and a strong emphasis on the war on terrorism, this trend is likely to continue into the future.

BOP constantly monitors facility capacity, population growth, and prisoner crowding. As federal inmate population levels are projected to increase and continue to exceed the rated capacity of BOP, every possible action is being taken to protect the community, while keeping institutional crowding at manageable proportions to ensure that federal inmates continue to serve their sentences in a safe and humane environment.

Performance:

Performance Measure: % Crowding by Security Level

FY 2001 Target:

40% Low, 57% Medium, 56% High

FY 2001 Actual:

40% Low, 59% Medium, 42% High

Discussion: Crowding at high security facilities was lowered by activating two U.S. penitentiaries and entering into Intergovernmental Agreements with the State of Virginia to house approximately 1,200 high security felons sentenced in D.C.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the following FY 2002 targets: Low: 40%, Medium: 50%, High: 47%

FY 2003 Performance Target: System wide: Low: 43%, Medium: 46%, High: 44%

Public Benefit: Society is protected by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

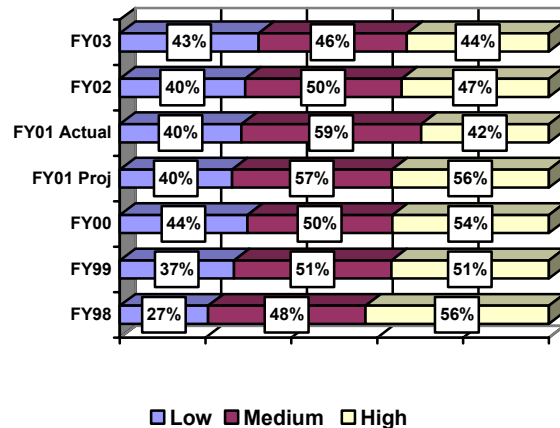
Strategies to Achieve the FY 2003 Goal:

BOP continues activating new facilities and expanding existing facilities to add beds to rated capacity. In addition, BOP contracts with private providers and enters cooperative agreements with other units of government to acquire additional capacity. DOJ will also begin to aggressively analyze existing private and other correctional facilities for sale, which may offer a more timely and affordable alternative to new prison construction.

Crosscutting Activities:

DOJ works cooperatively with the private sector and

% Crowding by Security Level [BOP]
FY 2003 Systemwide Target = 37%
FY 2006 Systemwide Target = 31%



Data Collection and Storage: Data are gathered from several computer systems. Inmate data is collected on the BOP on-line system (SENTRY); personnel data is collected from the National Finance Center (NFC) database, Human Resource Management Information System (HRMIS), and from field locations reporting on a regular basis; and financial data is collected on the Financial Management Information System (FMIS). BOP also utilizes population forecast modeling in order to plan for future construction and contracting requirements to meet capacity needs.

Data Validation and Verification: Within BOP headquarters, staff in different divisions retrieve and verify data on a daily basis, analyze it, and formulate reports and projections.

Data Limitations: Due to the unpredictable environment in prisons and other external factors, there may often be discrepancies between projected and actual numbers contained in the performance graphs. Most plans are developed based on historical data, past experience and joint agency efforts to project for the future.

state and local governments to establish and maintain adequate capacity to detain persons in federal custody in cost-effective, safe, secure and humane facilities. In addition, the implementation of the National Capital Revitalization and Self-Government Improvement Act of 1997 is coordinated through the efforts of BOP, United States Parole Commission, the District of Columbia Department of Corrections, and Detention and Court Services and Offender Supervision Trustees.

STRATEGIC OBJECTIVE 6.3: PRISON OPERATIONS

Maintain and operate the federal prison system in a safe, secure, humane and efficient manner

Annual Goal 6.3: Maintain and operate the federal prison system in a safe, secure, humane and efficient manner

STRATEGIES

- ◆ Manage BOP operations efficiently.
- ◆ Ensure that BOP facilities comply with the standards of the American Correctional Association and all applicable environmental, health, and safety codes and regulations.
- ◆ Ensure safety and security.

BOP places inmates in facilities that are appropriately secure and offer programs that provide for constructive use of time and afford an opportunity for positive change. BOP assigns a custody status to offenders that relates to the degree of supervision needed and ensures that offenders are placed in the most appropriate and least expensive correctional environment. Supervision of inmates is provided throughout the institutions wherever inmates are located or may have access.

Proper maintenance, modernization and repair of BOP institutions are essential for safe and secure operations. Failure to adequately maintain structures and utility systems erodes capital investment and multiplies the costs in future years of accomplishing the required maintenance and repair. BOP's Modernization and Repair (M&R) program provides the resources to undertake essential rehabilitation and renovation or replacement projects at existing institutions to ensure that structures, utilities systems, and other plant facilities are kept in a good state of repair.

In addition to routine scheduled maintenance operations, institutions perform detailed annual inspections to ensure that necessary systems are kept in a state of good repair. Prison facilities are subject to heavy use, since they are used 24 hours a day, with record crowding levels. They are experiencing extensive wear and tear, which must be addressed to keep these facilities safe and secure for both staff and inmates.

While prevention has an enormous impact on the safety and security of BOP institutions, preparation for actual emergencies is also critical. BOP continues to take a proactive approach to crisis management through training programs for its Special Operations Response Teams, Disturbance Control Teams, and Hostage Negotiation Teams.

MEANS – Annual Goal 6.3

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Federal Prison System	17866	1663	19422	1733	19973	1855
U.S. Parole Commission	84	9	95	10	104	11
Subtotal	17950	\$1672	19517	\$1743	20077	\$1866

Skills

BOP must maintain a staff of project managers and professional engineers/architects to ensure design compliance and monitor construction activities. The staff must have broad knowledge of institution operations and management requirements. Project managers must have a wide variety of construction skills and the ability to supervise large inmate work crews.

**Information
Technology**

BOP utilizes the Physical Plant Review Program to incorporate physical plant and infrastructure issues, repairs, and major equipment replacements. BOP also relies upon the Computerized Maintenance Management System to track preventive maintenance, equipment history, recommended replacement schedules, and costs related to institution maintenance.

PERFORMANCE ASSESSMENT – Annual Goal 6.3

6.3A Operate Facilities Efficiently

Background/ Program Objectives:

The goal of the BOP Facilities Management Program is to ensure existing facilities are maintained in compliance with security, safety, and applicable regulations, building codes, and industry standards. During the past seven years, facility training has been offered to both line staff and managers to develop staff skill levels for present and future facilities operations. The current program was established in 1994. The training has assisted institutions in lowering operating costs by training staff to perform required testing and maintenance procedures in-house and require less contracting with outside resources.

BOP is currently participating in a joint interagency agreement with the General Services Administration National Utilities Management Program (NUMP). The agreement provides authority to NUMP for negotiation and transportation of natural gas for use by BOP at various institutions. Institutions under the NUMP program will continue to receive the best possible price for gas regardless of fluctuations in the gas market.

Performance:

Performance Measure: Per Capita Costs

FY 2001 Target: \$65

FY 2001 Actual: \$61

Discussion: Crowding in BOP facilities resulted in more inmates in BOP facilities and thus, lower per capita costs than originally projected.

FY 2002 Performance Plan Evaluation: Based on performance during FY 2001, we expect to meet the FY 2002 of \$63.00.

FY 2003 Performance Target: \$65.00

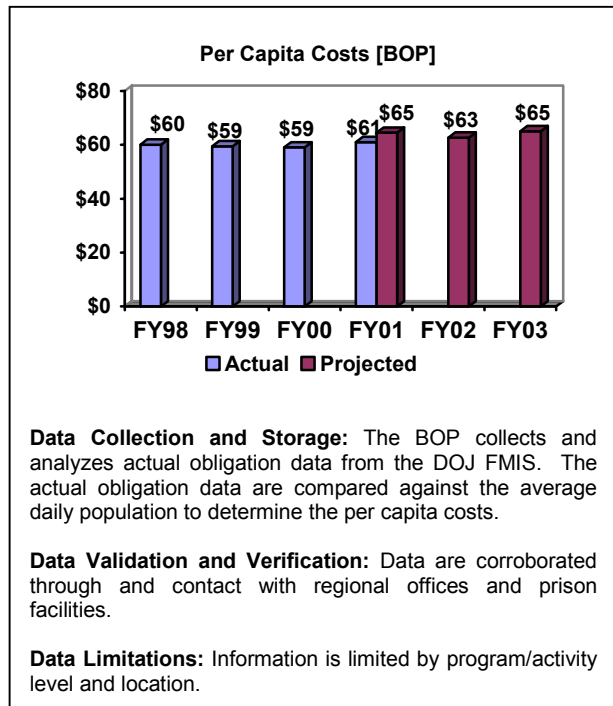
Public Benefit: Society benefits by BOP's stewardship in efficient use of taxpayer dollars.

Strategies to Achieve the FY 2003 Goal:

BOP maintains an efficient system by placing inmates in the least restrictive and least expensive correctional environment appropriate to their custody and security level needs. More BOP facilities are being constructed at existing BOP locations to take advantage of the efficiencies afforded by shared services at prison complexes. The BOP continues to explore new technology in fields such as health care, distance learning, and security, which have the potential to contain correctional expenses. The use of telehealth within the BOP at the medical referral centers for telepsychiatry and medical consultations has helped avoid additional costs of moving inmates in and out of institutions for medical care as well as aided in avoiding costs to have additional medical staff on-site. The BOP has begun implementation of the Primary Care Provider Team concept where inmates are assigned to a specific team of health care providers. The concept is expected to improve the continuity of care for the inmate population, as well as decrease health care costs within the BOP.

Crosscutting Activities:

BOP must work cooperatively with DOJ agencies, U.S. Courts, U.S. Military, other state and local law enforcement, and numerous private and not for profit organizations to successfully carry out its mission.



6.3B Operate Facilities that are Safe and Secure

Background/ Program Objectives:

One of DOJ's most serious objectives is the safe, secure, and humane treatment of detainees and inmates. The Department has the highest regard for human rights and public safety. Therefore, it strives to maintain facilities that meet the accreditation standards of several professional organizations, including health care and correctional professions.

BOP significantly reduces the possibility of escape with long-term emphasis on security enhancements, physical plant improvements, enhanced training, and increased emphasis on staff supervision of inmates.

Inmate idleness is the number one cause of inmate unrest and violence in prison. Federal Prison Industries (FPI) is the most important correctional management inmate program in the Bureau of Prisons. FPI employs and provides skills training and ensures the safe and secure operation of the institutions. Not only does FPI play a vital role in the management of inmates, but it also improves the likelihood that inmates will remain crime-free upon their release from BOP facilities. A recent comprehensive study conducted by BOP demonstrated that FPI provides inmates with an opportunity to develop work ethics and skills, contributes substantially to lower recidivism, and increases job-related success of inmates upon their release.

Performance:

Performance Measure: % of BOP Facilities with ACA Accreditations

FY 2001 Target: 94%

FY 2001 Actual: 95%

Discussion: During FY 2001, five facilities received initial accreditation. The BOP continues to strive to meet the goal that all institutions will be accredited within two years of activation. Each year new facilities are activating which affects the percentages of facilities that can be reviewed in the outyears, causing the targets to fluctuate.

FY 2002 Performance Plan Evaluation: Based on program performance FY 2001, we expect to achieve the corresponding FY 2002 target of 93%.

FY 2003 Performance Target: 95%

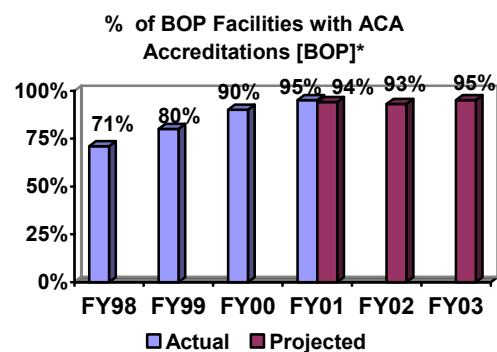
Public Benefit: Institutions receiving accreditation from ACA provides an external assessment of BOP's ability to meet basic correction facility standards and ensure security and safety.

Performance Measure: Escapes from Secure Prisons

FY 2001 Target: 0 Escapes

FY 2001 Actual: 4 Escapes

Discussion: The overriding mission of the



Data Collection and Storage: The data compiled by the BOP is gathered from three main computer systems: Inmate data are collected on the BOP on-line system (SENTRY); personnel data is collected from the National Finance Center (NFC) database, the Human Resource Management Information System (HRMIS), and from field locations reporting on a regular basis; and financial data is collected on the Financial Management Information System (FMIS). The BOP relies on an in-house database on Microsoft Access to effectively track and manage modernization and repair projects (dates and costs). All financial information is extracted from the FMIS system and entered into the database.

Data Validation and Verification: Within BOP headquarters, staff in different divisions retrieve and verify data on a daily basis, analyze it, and formulate reports and projections.

Data Limitations: Due to the unpredictable environment in prisons, there may often be discrepancies between projected and actual numbers contained in the performance graphs. Most plans are developed based on historical data and past experience to project for the future.

* The BOP has several correctional complexes that are comprised of two to five individual institutions. In the past, each BOP facility was accredited separately including facilities at correctional complexes. Effective in FY 2000, the BOP's goal is to have facilities that are located together accredited as one.

BOP is to protect society by confining offenders in controlled environments of correctional facilities that are safe, humane, and appropriately secure. However, the BOP is confronted with ever more sophisticated and dangerous inmates who pose a continued threat to escape. As such, BOP has developed strategies to prevent escapes emphasizing enhanced training, intelligence gathering, and sanctions (identification, detection, and deterrence). Additionally, as an agency the BOP: (1) utilizes maximum-security facilities to confine inmates with security and management issues; (2) develops intelligence teams and liaisons with all levels of law enforcement for the purposes of intelligence gathering; (3) monitors social mail, phone calls, and visits for evidence of criminal activity to include escapes; (4) makes use of additional cameras and closed-circuit video recording equipment; (5) identifies inmates with an escape history for closer monitoring and institutional placement; (6) develops emergency preparedness assessments; (7) holds major mock escape exercises; and (8) performs After-Action reviews following all escapes and implements relevant recommendations developed during the review process.

FY 2002 Performance Plan Evaluation: The BOP will maintain the optimum performance target of 0 escapes.

FY 2003 Performance Target: 0 escapes

Public Benefit: Society is protected by confining 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.

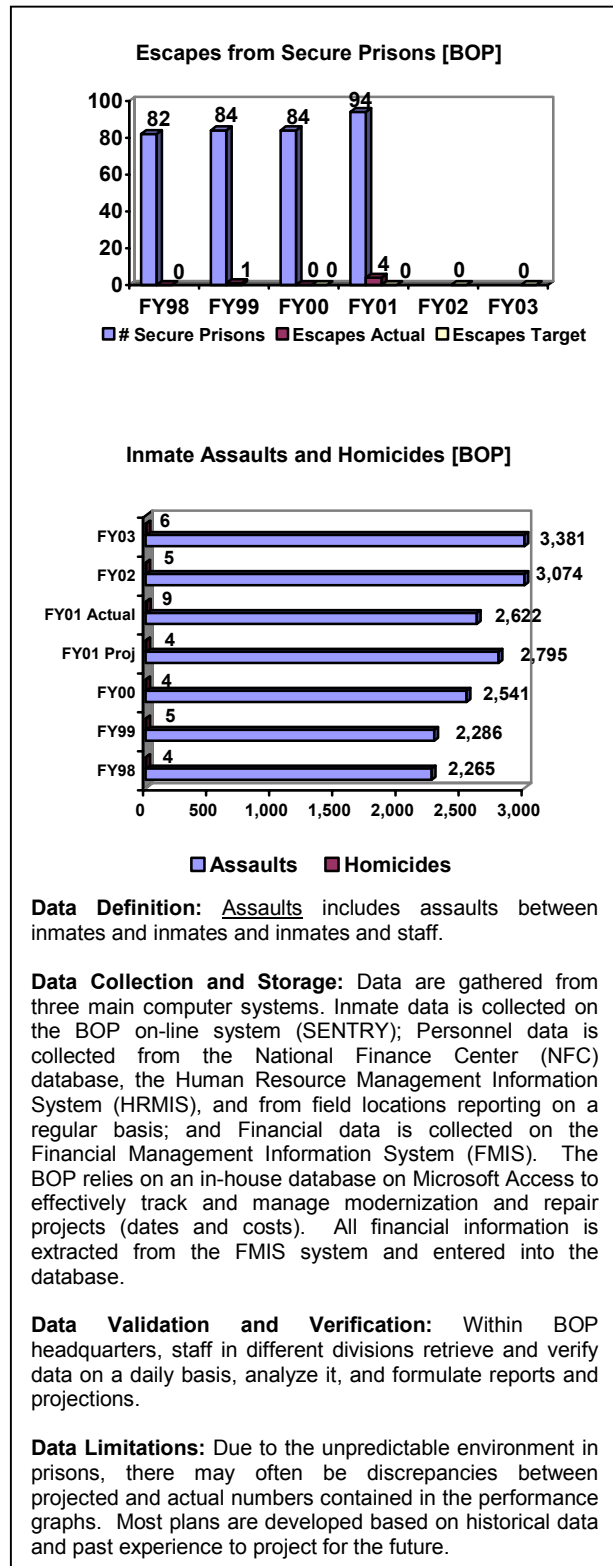
Performance Measure: Inmate Assaults and Homicides (NOTE: While it is the objective of the Department to eliminate all assaults and homicides, the targets reflect predictions based solely on historical data.)

FY 2001 Target: 2,795 Assaults, 4 Homicides

FY 2001 Actual: 2,622 Assaults, 9 Homicides

Discussion: Every reasonable precaution is taken to ensure that all inmates are provided with a safe and secure environment during incarceration by operating institutions of varying security levels in order to house inmates in facilities that are consistent with their security needs. Institutions are designated as minimum, low, medium, high or administrative (encompassing medical referral centers, medical detention centers, etc.) As a result of improved design and construction, physical plant improvements, enhanced training, as well as an increased emphasis on staff supervision of inmates, BOP has experienced a significant reduction in the level of assaults. This fact is particularly noteworthy in the context of the dramatically increasing inmate population.

Due to enhanced law enforcement efforts against crime, drugs, and weapons, as well as the



Data Definition: Assaults includes assaults between inmates and inmates and inmates and staff.

Data Collection and Storage: Data are gathered from three main computer systems. Inmate data is collected on the BOP on-line system (SENTRY); Personnel data is collected from the National Finance Center (NFC) database, the Human Resource Management Information System (HRMIS), and from field locations reporting on a regular basis; and Financial data is collected on the Financial Management Information System (FMIS). The BOP relies on an in-house database on Microsoft Access to effectively track and manage modernization and repair projects (dates and costs). All financial information is extracted from the FMIS system and entered into the database.

Data Validation and Verification: Within BOP headquarters, staff in different divisions retrieve and verify data on a daily basis, analyze it, and formulate reports and projections.

Data Limitations: Due to the unpredictable environment in prisons, there may often be discrepancies between projected and actual numbers contained in the performance graphs. Most plans are developed based on historical data and past experience to project for the future.

enforcement of the Southwest border, an increasing number of Federal inmates have histories of violence and gang activity. These inmates are generally younger, impulsive, and confrontational. We believe this may have led to the increased amount of homicides in FY 2001. In an effort to prevent assaults and homicides, the BOP utilizes maximum-security institutions to confine inmates with management issues or chronic behavioral patterns that cannot be addressed in any other Bureau facility. Additionally, the BOP continuously assesses security procedures to assure the safety of our inmate population. While direct staff supervision of inmates remains by far the most important aspect of institutional security, the BOP has found the use of cameras and closed-circuit video recording equipment acts as a deterrent to misconduct, assaults, and homicides within institutions.

FY 2002 Performance Projection Evaluation: Despite the increasing inmate population, the BOP will strive to minimize assault and homicide rates in its prisons. Based on performance in FY 2001, the FY 2002 estimates are 3,074 Assaults and 5 Homicides.

FY 2003 Performance Projection: 3,381 assaults, 6 homicides

Public Benefit: BOP offers programs for violent offenders which aim to reduce antisocial attitudes and behaviors, emphasize the values of respect for self and others, the responsibility for personal actions, honesty in relationships, and tolerance. These skills are also vital for successful reintegration into society when offenders are eventually released from prison.

Strategies to Achieve the FY 2003 Goal:

BOP ensures institution security through a combination of physical features, security technology, classification of inmates based upon risk factors, direct staff supervision, and inmate programs. BOP operates institutions at five security levels (minimum, low, medium, high, and administrative) to meet the various security needs of its diverse inmate population. Inmates are assigned a custody status (maximum, in, out, community) which relates to the degree of supervision needed and ensures that offenders are placed in the least restrictive and least expensive environment appropriate to their custody and security needs. BOP utilizes technological advances such as Ion Spectrometry and video surveillance to improve the safety and security of both staff and inmates. Self improvement programs designed to break the cycle of crime such as the Responsibility and Values Enhancement Program, and Wellness Life Skills Building Program, and the New Pathways Program, in addition to faith-based programs have proven to be effective combating behaviors which threaten the security of staff and inmates. The Challenge, Opportunity, Development, and Ethics treatment program for high security inmates targets the reduction of antisocial attitudes and behaviors, and emphasizes the values of respect for self and others, responsibility for personal actions, honesty in relationships, and tolerance, has significantly reduced misconduct among program participants.

BOP employs a unit management concept at its facilities, focusing on effective communication between staff and inmates. This concept fosters high morale and promotes a positive atmosphere where offenders can observe and model positive behavior. The opportunity for continuous and open communication enables BOP staff to gather important intelligence informally and become aware of potential problems at a very early stage, avoiding more costly intervention later on.

BOP attempts to reduce the potential for violence with long-term emphasis on correction management programs such as the Federal Prison Industries, physical security improvements, gang management, Residential Drug Treatment Programs, renewed accentuation on basic correctional approaches, and a more interactive style with inmates.

Crosscutting Activities:

Accreditation by the American Correctional Association (ACA) provides BOP with an external assessment of its ability to meet the basics of corrections. ACA accreditation provides external certification that federal prisons provide decent living conditions, offer adequate programs and services, and accommodate inmate constitutional rights, by ensuring compliance with more than 450 adult correctional standards developed by corrections professionals in the public and private sectors. The BOP goal is to have all institutions or correctional complexes accredited within two years of activation. BOP will continue to prepare all activated facilities for accreditation with ACA. In addition, BOP's National Institute of Corrections works with state, local, and international corrections officials to improve management and conditions in prisons.

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STRATEGIC OBJECTIVE 6.4: INMATE SERVICES

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

Annual Goal 6.4: Provide services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards

STRATEGIES

- ◆ Provide work and education programs.
- ◆ Make available residential drug treatment programs for eligible inmates with drug problems.
- ◆ Provide quality inmate health care services while controlling costs.

BOP employs a unit management concept at its facilities, focusing on effective communication between staff and inmates. This concept fosters high morale and promotes a positive atmosphere where offenders can observe and model positive behavior. The opportunity for continuous and open communication enables BOP staff to gather important intelligence informally and become aware of potential problems at a very early stage, avoiding more costly intervention later on.

All medically fit inmates will continue to work and have the opportunity to participate in general and occupational educational programs, psychological services, religious and fitness activities. Federal Prison Industries will strive to employ twenty-five percent of inmates in secure facilities. BOP will continue to provide residential drug treatment to 100 percent of eligible inmates.

BOP provides services and programs to address inmate needs, providing productive activities, and facilitating the successful reintegration of inmates into society. Inmate care includes: providing adequate medical care; meeting appropriate dietary requirements; providing a residential drug treatment program; providing general education and skills-based training, ensuring that all medically fit inmates required to work do so; and affording inmates the opportunity to participate in other productive activities such as "special needs" programs, worship services, adult education, and parenting classes.

MEANS – Annual Goal 6.4

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Commissary Fund	478	0	619	0	642	0
Federal Prison Industries	1666	0	2014	0	2061	0
Federal Prison System	8235	1075	9188	1147	9522	1264
Subtotal	10379	\$1075	11821	\$1147	12225	\$1264

Skills

BOP requires trained educators, program specialists, medical personnel, and industrial experts with appropriate experience and education. The staff must have broad knowledge of institution operations and management, and be skilled in applying, adapting, and imparting their knowledge in carefully controlled, closely directed settings.

Information Technology

BOP relies upon SENTRY computer system and other databases to accurately track inmate medical, education, work and recreation programming needs.

PERFORMANCE ASSESSMENT – Annual Goal 6.4

6.4A Provide Work and Education Programs

Background/ Program Objectives:

BOP plays a vital role in federal law enforcement, not only by incarcerating offenders, but also in helping to break the cycle of crime. First and foremost, BOP protects public safety by ensuring that federal offenders serve their sentences. Through imprisonment, BOP helps deter criminal activity by showing actual and potential offenders the consequences of crime. To help break the cycle of crime, BOP provides a range of educational and vocational training programs and counseling to assist inmates in successful transition to the community upon release.

BOP provides work and education programs and other self-improvement opportunities to assist offenders in becoming law-abiding citizens. The BOP Post-Release Employment Study (PREP) demonstrated that these programs can lead to lower recidivism and improves institutional security by reducing inmate idleness.

Performance:

Performance Measure: % Inmates with a GED/High School Diploma, 7 Months Prior to Release

FY 2001 Target: 66%

FY 2001 Actual: 66%

Discussion: In FY 2001, 6,144 inmates earned their GED, which represents an increase of approximately 10 percent over FY 2000. A recent U.S. Department of Education recidivism study indicated that participation in correctional education programs, such as the GED program, reduced the probability of re-incarceration by 23%.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the corresponding FY 2002 target of 66%.

FY 2003 Performance Target: 69%

Public Benefit: Research has shown that inmates who complete education/vocational training programs while in prison are less likely to return to prison than their counterparts who did not participate in programs.

Performance Measure: Number of Inmates Completing at Least One Vocational Program

FY 2001 Target: 7,927 Completed

FY 2001 Actual: 9,570 Completed

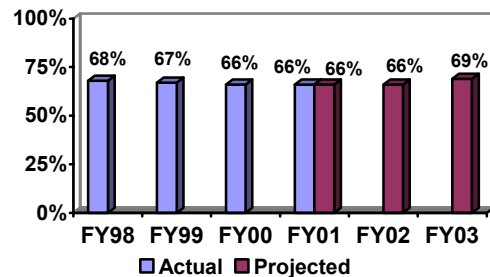
Discussion: During FY 2001, we exceeded the target for inmates completing at least one vocational program.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the corresponding FY 2002 target of 9,491.

FY 2003 Performance Target: 9,571

Public Benefit: Incarcerated adults who participate in training programs and acquire a

% of Inmates with a GED/High School Diploma-7 Months Prior to Release [BOP]



Data Collection and Storage: Inmate data are collected on the BOP on-line system (SENTRY); personnel data is collected on the Human Resource Management Information System (HRMIS); and financial data on the Financial Management Information System (FMIS). BOP relies on the BOP inmate tracking system (SENTRY) in order to identify and track inmates in work, education, and recreation programs. Reports on education and other programs are extracted from the SENTRY database, generally on a quarterly basis. One exception to this is the General Education Diploma (GED) program completion reporting that is provided by the American Council on Education, a non-profit agency, through its GED testing services. GED completions are reported to BOP headquarters with copies to institution and regional education personnel.

Data Validation and Verification: Within BOP headquarters, staff in different divisions retrieve and verify data on a daily basis, analyze it, and formulate reports and projections.

Data Limitations: Due to the unpredictable environment in prisons and other external factors, there may often be discrepancies between projected and actual numbers contained in the performance graphs. Most plans are based on historical data, past experience, and joint agency efforts to project for the future.

marketable skill are more successful in obtaining gainful employment upon release. The public benefits on both social and economic levels (individuals provide economic support for families and pay taxes).

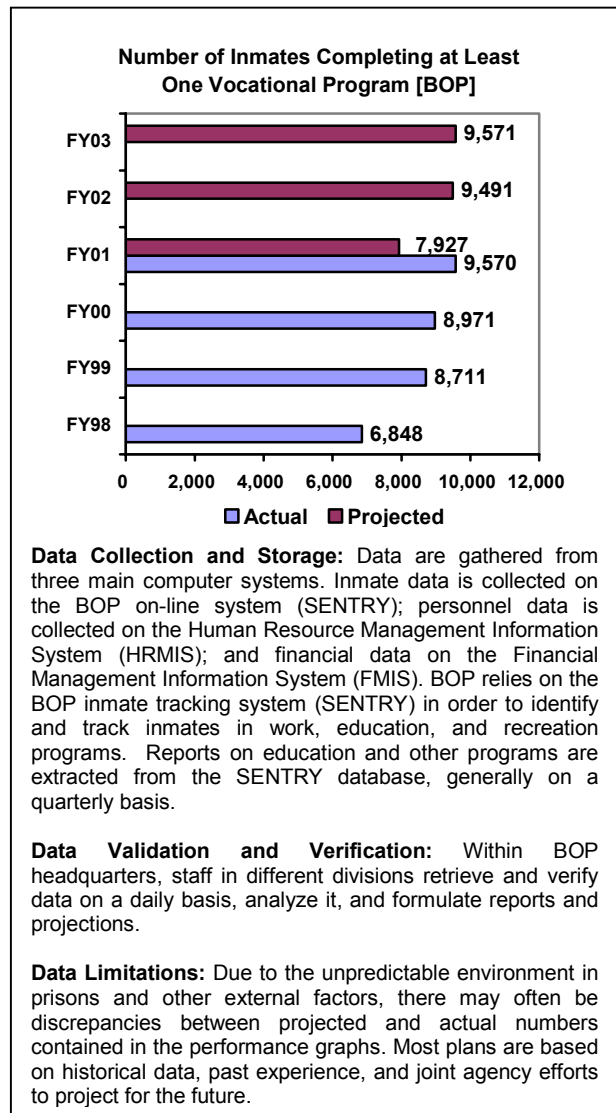
Strategies to Achieve the FY 2003 Goal:

BOP will provide services and programs to address inmate needs that contribute to successful reintegration into society.

The BOP is in the developmental stages of a residential faith-based living unit program to be piloted in various institutions.

Crosscutting Activities:

BOP actively recruits volunteers to assist with religious and other services, organizes community service projects, and holds mock job fairs through partnerships with community groups, public service organizations, and other agencies in order to raise community awareness, foster community relationships, and prepare inmates for reintegration into the community and family units. During FY 2001, over 33,454 volunteers worked with BOP inmates inside and outside of BOP facilities.



6.4B Provide Residential Drug Treatment Programs to Eligible Inmates

Background/ Program Objectives:

The Violent Crime Control and Law Enforcement Act (VCCLEA) of 1994 requires BOP to provide appropriate substance abuse treatment for 100 percent of "eligible" inmates by the end of FY 1997 and each year thereafter. As codified in Federal Code 3621(e)(5)(B), to be eligible for treatment the prisoner must be: sentenced to BOP custody; determined by BOP to have a substance abuse disorder; residing in a BOP institution; and be within 24 months of release. An estimated 34 percent of the sentenced federal inmate population has a substance abuse disorder and requires some type of drug abuse treatment.

In response to the rapid growth in the federal inmate population with drug abuse histories, BOP developed a comprehensive drug abuse treatment strategy consisting of four components: drug abuse education; non-residential drug abuse treatment programs; residential drug abuse treatment programs; and transitional drug abuse treatment services.

Preliminary research findings suggest that the program is effective in reducing recidivism and substance abuse. The ongoing evaluation, conducted with the funding and assistance from the National Institute on Drug Abuse, reveals that offenders who completed the drug abuse treatment program and had been released to the community for a minimum of six months were less likely to be re-arrested or to be detected for drug use than were similar inmates who did not participate in the drug abuse treatment program.

Performance:

Performance Measure: 100% of Eligible Inmates Enrolled in Residential Drug Treatment

FY 2001 Target: 14,000

FY 2001 Actual: 15,441

Discussion: The National Institute on Drug Abuse and BOP's Office of Research and Evaluation are conducting a long-term outcome study of the Residential Drug Abuse Treatment Program. Preliminary results of this study for inmates six months out of custody demonstrate that Federal inmates who successfully completed the residential program were 73% less likely to be re-arrested in the first six months after release than similar inmates who did not receive and successfully complete treatment. Similarly, among inmates who had drug urinalysis tests under post-release supervision, those inmates who completed the residential program were 44% less likely to test positive for drug use than those who had not received the treatment. The results of this study for inmates three years out of custody continue to support the success of this program.

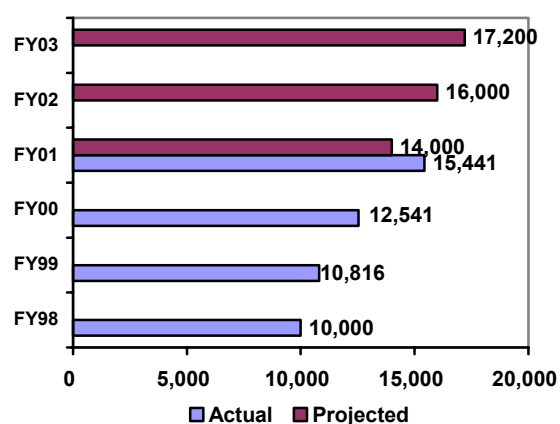
FY 2002 Performance Plan Evaluation:

Based on program performance in FY 2001 we expect to achieve the FY 2002 target of 16,000 eligible inmates enrolled in residential treatment.

FY 2003 Performance Target: 17,200

Public Benefit: Preliminary research findings suggest that the program is effective in reducing recidivism and substance abuse. As stated above, offenders who complete the drug abuse treatment

100% of Eligible Inmates Enrolled in Residential Treatment [BOP]



Data Collection and Storage: Data are gathered from three main computer systems. Inmate data is collected on the BOP on-line system (SENTRY); personnel data is collected on the Human Resource Management Information System (HRMIS); and financial data on the financial Management Information System (FMIS). BOP relies on the BOP inmate tracking system (SENTRY) in order to identify and track inmates in work, education, and recreation programs. Reports on education and other programs are extracted from the SENTRY database, generally on a quarterly basis.

Data Validation and Verification: Within BOP headquarters, staff in different divisions retrieve and verify data on a daily basis, analyze it, and formulate reports and projections.

Data Limitations: Due to the unpredictable environment in prisons and other external factors, there may often be discrepancies between projected and actual numbers contained in the performance graphs. Most plans are based on historical data, past experience, and joint agency efforts to project for the future.

program are less likely to be rearrested or detected for drug use than inmates who do not participate in the drug abuse treatment program.

Strategies to Achieve the FY 2003 Goal:

BOP will continue to provide services and programs that address inmate needs and contribute to successful reintegration into society. BOP will continue to expand residential drug treatment programs in order to accommodate the increasing number of inmates needing residential treatment. The percentage of inmates with a substance abuse disorder has risen from 30.5 percent to 34 percent over the last decade. Since FY 1997, BOP has been providing residential drug treatment to 100 percent of all inmates needing and wanting treatment within 24 months of release. Based on the anticipated growth in inmate population, BOP is planning to establish ten additional residential drug abuse programs in FY 2002 and five additional programs in FY 2003.

Crosscutting Activities:

Eligible residential drug program graduates are referred to halfway houses to be enrolled in community-based drug treatment programs which provide aftercare to reinforce what was learned in the residential program setting. BOP works closely with and monitors private sector drug treatment service providers to ensure inmates receive proper aftercare.

6.4C Provide Cost Effective Quality Inmate Health Care

Background/ Program Objectives:

BOP is working to control escalating health care costs. Unfortunately, inmate populations have exhibited high risk behavior such as drug and substance abuse, resulting in infectious diseases. This, coupled with an aging population and longer sentences, has prompted BOP to work diligently at preventing large medical increases normally associated with these chronic conditions.

During FY 2000, BOP and USMS conducted a pilot at three BOP facilities where BOP assumed responsibility for USMS prisoners' medical care housed in these facilities in an effort to consolidate some detention functions. All medical referral centers were added to the pilot by the fourth quarter of FY 2000. Cost data continues to be collected and analyzed to provide additional data for assessment of the program. The Department has collected comments from the BOP and USMS and will make recommendations regarding the future of the program.

Performance:

Performance Measure: Daily Per Capita Medical Costs

FY 2001 Target: \$8.17

FY 2001 Actual: \$7.75

Discussion: Costs were under the projected target due to the following strategies: continued implementation of medical contracts at all institutions using benchmark Medicare rates for negotiating the price of services; use of a prime vendor contract for pharmaceuticals; emphasis on hiring nurses instead of physicians assistants to perform routine medical care; and emphasis on prevention of illness.

FY 2002 Performance Plan Evaluation: Based on performance during FY 2001, we expect to meet the corresponding FY 2002 target of \$8.03.

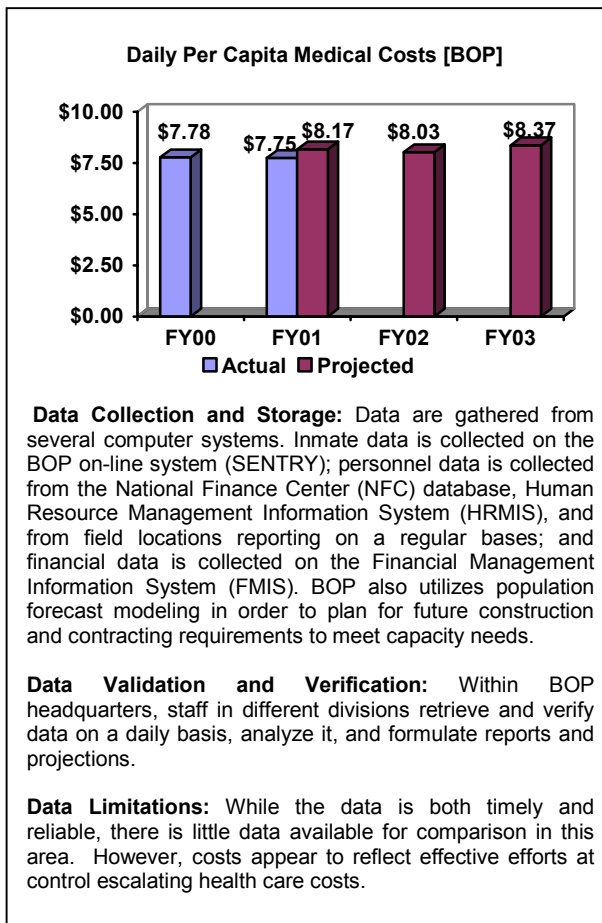
FY 2003 Performance Target: \$8.37

Public Benefit: Containing medical per capita costs benefits the public by ensuring that taxpayer dollars are being used wisely and prudently. Efforts to control costs in health services while providing a community standard of care to the inmate population shows BOP's commitment to providing a safe and humane environment while preserving government resources.

Strategies to Achieve the FY 2003 Goal: The BOP will continue to explore new technology fields such as health care, distance learning, and security, which have the potential to contain correctional expenses. The use of telehealth within the BOP at the medical referral centers for telepsychiatry and medical consultations has helped avoid additional costs of moving inmates in and out of institutions for medical care, as well as aided in avoiding costs to have additional medical staff on-site. The BOP has begun implementation of the Primary Care Provider Team concept where inmates are assigned to a specific team of health care providers. The concept is expected to improve the continuity of care for the inmate population, as well as decrease health care costs within the BOP.

Crosscutting Activities:

In order to deliver adequate healthcare to inmates, BOP utilizes Public Health Service employees along with contract healthcare workers in BOP facilities, and contracts with physicians and hospitals in local communities to provide care not readily available inside BOP institutions. In addition, BOP has worked cooperatively with the Department of Veterans Affairs and the National Institute of Justice to implement telehealth technology at many BOP locations.



VII

STRATEGIC GOAL SEVEN:

Protect the Federal Judiciary and Provide Critical Support to the Federal Justice System to Ensure it Operates Effectively

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

It is the primary role and mission of the United States Marshals Service (USMS) to provide for the security and to obey, execute, and enforce all orders of the United States District Courts, the United States Courts of Appeals, and the Court of International Trade. USMS provides the necessary services and expertise to maintain a high level of security in the federal judicial environment, takes steps to upgrade physical security at existing courthouses, and ensures new courthouses open with appropriate security measures in place. In addition, USMS monitors, assesses, and investigates threats made against judicial personnel, witnesses and victims in order to ensure their safety. Other responsibilities of USMS include production of prisoners for court appearances, service of court order process, management of assets that have been seized and forfeited, and apprehension of federal fugitives from justice.

DOJ has given high priority to increasing the participation of victims and witnesses in the judicial process. Specifically, DOJ requires training for law enforcement officers and prosecutors in victim/witness responsibilities and notification procedures.

The U.S. Trustee Program (USTP) enforces bankruptcy laws and regulations of the Nation. USTP addresses the bankruptcy systems' overall caseload, particularly older cases, by providing administrative support to help move cases expeditiously through the bankruptcy process. The program informs law enforcement agencies of possible violations of bankruptcy laws and participates in task forces designed to identify and prosecute individuals or organizations engaged in fraud.

MANAGEMENT CHALLENGES

There are no existing material weaknesses that will hinder the achievement of goals in this area in FY 2003, nor did the DOJ OIG, in its December 2001 list of the top ten management challenges facing the Department, list any issues in this area.

PROGRAM EVALUATIONS

In FY 2002, DOJ contractors will be performing an Activity-Based Costing Study of JPATS which will review operations and address whether the price per flight hour cost structure, new for FY 2002, is the optimum methodology to calculate and charge customers. The new flight hour pricing structure will be based on actual flight hours utilized and customer load factors as opposed to a cost per prisoner movement basis, which was used in the past.

STRATEGIC OBJECTIVE 7.1: PROTECTING THE JUDICIARY

Ensure the integrity and the safe and secure operation of the federal judicial system by protecting judges, witnesses, and other participants in federal proceedings

Annual Goal 7.1: Ensure the integrity and the safe and secure operation of the federal judicial system by protecting judges, witnesses, and other participants in federal proceedings

STRATEGIES

- ◆ Monitor, assess, and investigate threats made against judges, court personnel, witnesses, and victims to stop or deter potential violence.
- ◆ Meet court security standards.

In FY 2003, DOJ will continue to deter and to respond to threats to the safety of federal judges, court personnel, witnesses and other participants in federal judicial proceedings. Our primary goal is to ensure that no judge, court participant or witness is the victim of assault stemming from involvement in a Federal Court proceeding.

Specifically, we will effectively identify, assess, and respond to threats against court personnel and property; enhance the physical security of new and renovated federal courthouse facilities; and provide for the long-term protection of federal witnesses and their family members.

MEANS – Annual Goal 7.1

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Fees and Expenses of Witnesses	0	139	0	156	0	156
U.S. Marshals Service	2737	405	3001	458	3253	504
Subtotal	2737	\$544	3001	\$614	3253	\$660

Skills

USMS Deputy Marshals and Criminal Investigators must be able to plan and develop prisoner transportation routes; identify and react quickly to incidents; analyze and investigate inappropriate communications made against judges and witnesses; investigate threats; cultivate relationships with state and local law enforcement agencies; assess potential risks; devise threat management strategies; and coordinate protective investigations with the FBI.

Information Technology

USMS is in the process of developing one centralized application, the Justice Detainee Information System (JDIS), from its five offender-based applications: the Warrant Information Network, the Prisoner Tracking System, the Automated Prisoner Scheduling System, the Automated Booking Station, and the Prisoner Medical Tracking system. JDIS will allow USMS to manage prisoners and fugitive investigations, and track them through the entire judicial process.

PERFORMANCE ASSESSMENT – Annual Goal 7.1

7.1A Protect Judicial Proceedings

Background/ Program Objectives:

USMS maintains the integrity of the judicial security process by: (1) ensuring that each federal judicial facility is secure – physically safe and free from intrusion by technological devices intended to subvert court proceedings; (2) guaranteeing that all federal judges, magistrate judges, bankruptcy judges, prosecutors, witnesses, jurors and other participants, have the ability to conduct uninterrupted proceedings in open and safe environments; (3) maintaining the custody, protection and safety of prisoners brought to court for any type of judicial proceeding; and (4) limiting opportunities for criminals to tamper with evidence or use intimidation, extortion, or bribery to corrupt judicial proceedings.

Performance:

Performance Measure: Assaults Against the Judiciary (Inappropriate Communications has been determined to be simply a workload measure and is therefore no longer displayed)

FY 2001 Target: 0 assaults

FY 2001 Actual: 1 assault

Discussion: In FY 2001, a prisoner threw a water pitcher at a Judge in the Southern District of Florida. The pitcher missed the judge and the prisoner was restrained. Additionally, a similar incident occurred in the District of Columbia in FY 2000, which was not previously reported, where a prisoner threw a trashcan at a judge. The Judge was hit in the face and the prisoner was eventually charged and convicted of assault with a deadly weapon.

FY 2002 Performance Plan Evaluation: We expect to meet the corresponding FY 2002 target.

FY 2003 Performance Target: 0 assaults

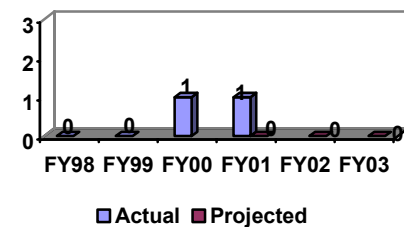
Public Benefit: Ensuring the effective operation of the Federal Judicial System is a principal mission of the USMS. The protection of those involved in judicial proceedings is essential to preserving the systems operational integrity.

Strategies to Achieve the FY 2003 Goal:

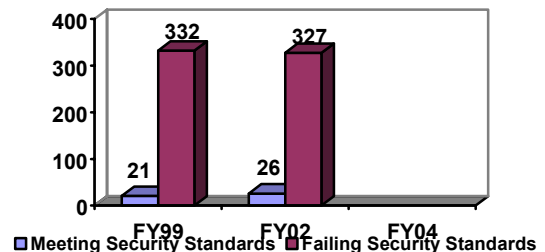
USMS will provide a high level of security in the federal judicial environment and take steps to update physical security at existing courthouses and ensure that new courthouses open with appropriate security measures. To determine security risk, USMS conducts an assessment of the facility and personnel security requirements. Where a situation is deemed high risk, the USMS district staff or Court Security Inspectors develop an operation plan at least one month before the start of the trial. USMS also manages the Court Security Officer (CSO) program, which provide interior security at federal court facilities.

In addition, USMS will continue to monitor, assess and investigate inappropriate communications (including threats) made to judicial personnel, witnesses, and

Assaults Against the Judiciary [USMS]



Security Status of Courthouse Facilities [USMS]



Data Collection and Storage: The USMS uses Weekly Activity Reports and Incident Reports from the Judicial Security Division as the data source. In addition, USMS uses the National Security Survey to determine the level of security deficiencies (construction and equipment) in USMS controlled space and provide a basis for prioritization for renovations.

Data Validation and Verification: Before data is disseminated via reports, it is checked and verified by the program managers. These reports are collected manually.

Data Limitations: The results of Courthouse Security Survey were collated manually, and entered into a spreadsheet application. Funds have not been available to automate this data into the Courthouse Tracking System, which would include information on all current and planned courthouses.

victims in order to ensure their safety. USMS Criminal Investigators will also provide protective services at judicial conferences, and additional security measures for high-risk trials, and provide personal security details to address threats made against the federal judiciary, as necessary.

For the current national security survey, USMS includes only courthouse facilities where USMS pays rent on 250 square feet of space or more (on non-courthouse space) and has prisoner movement requirements. In the FY 2002 national security survey, USMS will encompass all physical issues in courthouse facilities by including the U.S. Courts and the Federal Protective Services. Due to the nature of construction projects and the increased scope of the survey, USMS plans to conduct the survey every three years (with data and analysis available the following year) assuming funds availability. Although many renovation projects have been initiated, the impact to the national security survey will not be felt for several more years as: (1) a renovation project may take several years to complete; (2) completing a renovation project does not ensure that a courthouse facility will meet security standards since several renovation projects at one facility may be required; and (3) most renovation projects are dependent upon GSA's renovation schedule, meaning that any delay with GSA's schedule will consequently delay the USMS schedule. Finally, every year, new courthouses are built by GSA, either adding to or replacing existing courthouse facilities. The total number of facilities is currently at 353; it will change in the future. At the conclusion of the survey, the USMS will be in a better position to project the number of courthouse facilities meeting requirements.

Crosscutting Activities:

USMS works closely with the USAs, FBI, DEA, INS and BOP as well as non-DOJ agency tenants in buildings housing judicial proceedings. Non-DOJ tenants include the U.S. Postal Service, IRS, and the Social Security Administration. In addition, USMS coordinates and directs the District Courts Security Committee meetings to determine the security needs of the judiciary. These conferences are attended by the U.S. Courts (judges, clerks of the court, probation and pretrial services), the USAs and GSA's Federal Protective Services.

STRATEGIC OBJECTIVE 7.2: VICTIMS' RIGHTS

Protect the rights of crime victims and assist them in moving through the processes of the federal justice system.

Annual Goal 7.2: Protect the rights of crime victims and assist them in moving through the processes of the federal justice system.

STRATEGIES

- ◆ Ensure that all federal law enforcement officers and prosecutors are trained in victim/witness responsibilities.
- ◆ Ensure 100% compliance with the provisions set forth in the Attorney General Guidelines for Victim and Witness Assistance.

Victims and witnesses play a central role in the federal criminal justice system. Their participation often makes the difference between a conviction and an acquittal. Yet being a victim or witness can be an overwhelming and traumatic experience. Prior to recent federal and state legislation making improvements in how victims and witnesses are treated, some felt re-victimized by a criminal justice system they perceived as insensitive to their needs.

The Attorney General's Guidelines for Victim and Witness Assistance set forth DOJ requirements and policies regarding the treatment of victims and witnesses. They recognize that federal criminal justice personnel, including investigators, prosecutors and correctional officers, have a special responsibility to treat victims and witnesses of federal crimes fairly by enforcing their rights, properly including them in criminal justice system processes, and referring them to the appropriate services.

DOJ, through the USAs, employs victim-witness coordinators in each of the 94 federal judicial districts. Victim-witness coordinators play a crucial role in increasing the participation and cooperation of victims and witnesses. They help implement the guidelines, ensure that those involved in working with victims and witnesses are properly trained, and help victims and witnesses from a wide range of socioeconomic backgrounds, cultures, and ethnic groups understand their rights and their role as key participants in the federal criminal justice process.

MEANS – Annual Goal 7.2

Dollars/FTE	Appropriation		FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
U. S. Attorneys	380	30	395	32	397	35		

Skills

Victims/Witness Coordinators need to be familiar with the federal litigation process, legislation impacting victims and witnesses, and have a working knowledge of legal terminology.

Information Technology

USAs rely on the LIONS case management system. However, a new system under development, the Victim Notifications System, will link the USAOs with the FBI and BOP.

PERFORMANCE ASSESSMENT – Annual Goal 7.2

7.2A Assist Victims and Witnesses in their Participation in the Criminal Justice Process

Background/ Program Objectives:

Victim-Witness Coordinators provide referrals to crisis counseling victim compensation programs and victim assistance programs. When no other resources are available, the Victim-Witness Coordinators can provide funding for emergency needs from the Federal Crime Victims Assistance Fund. These emergency needs include transportation costs to and from court, translation services and emergency child care or shelter.

The Department also provides emergency witness assistance to witnesses where the more formal security programs, administered under the provisions of the Witness Security Reform Act, are not available or are inappropriate. The purpose of this program is not to provide physical protection for witnesses; it is to address a witness' fears about assisting the government and seeks to promote their peace of mind when they have relevant information to contribute, thereby enhancing their ability to testify.

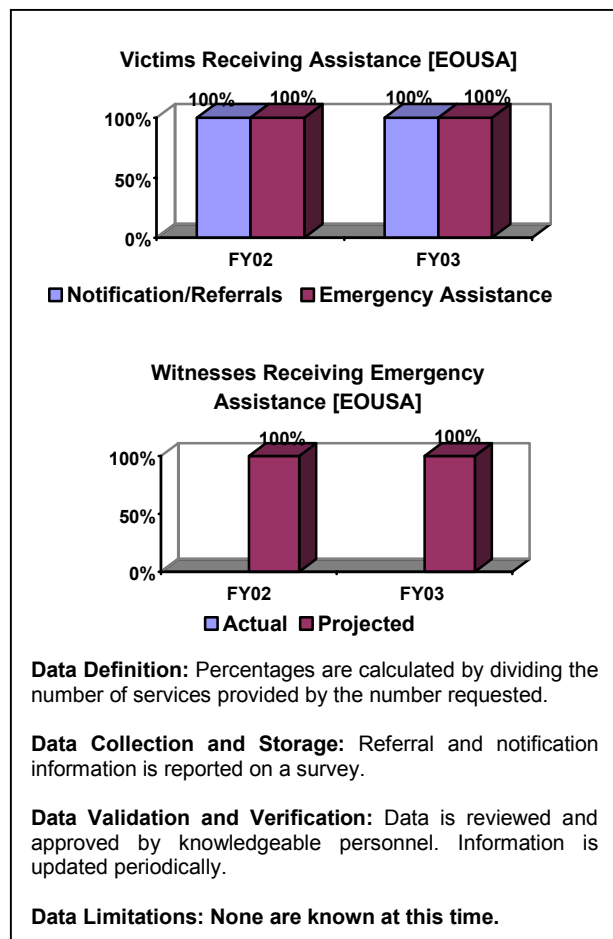
Strategies to Achieve the FY 2002 Goal:

We will first provide referrals to state and local agencies and victim organizations. When no other resources are available, we will provide funding for emergency needs including: crisis intervention; emergency food, clothing, legal assistance and medical services; temporary housing; necessary and reasonable transportation and per diem expenses to enable a parent to recover a kidnapped child; and services that assist a victim in participating in judicial proceedings such as necessary and reasonable transportation to court; emergency child care; and interpreters. We will also provide transportation expenses to secondary victims such as spouses and family members for the purpose of providing support when the primary victim is a child, deceased, or where the victim is incompetent or incapacitated.

Also, when a witness is fearful of assisting the federal government, the Emergency Witness Assistance Program will be accessed for emergency needs. These funds are used to provide: transportation, housing, moving and subsistence expenses to enable a witness to leave their neighborhood, town, city or state temporarily; and other transportation costs as reasonably necessary, for school, immediate medical or counseling needs. The funds are limited to intimidated victims or witnesses and cannot be used solely because the witness is indigent or requires services. This assistance is limited to 30 days and \$4,000 per witness unless there are extenuating circumstances.

Crosscutting Activities:

Investigative agencies, particularly DEA and the FBI, coordinate with the USAOs throughout the country to ensure that victims and witnesses are served. The USAOs provide training and information to state and locals such as family violence in Indian Country, victim-witness roles and responsibilities, and interviewing child witnesses. We will continue these and other efforts to build relationships and foster cooperation. The Office of Victims of Crime in OJP provides leadership and assistance in victims and witness matters to federal agencies including the Department of Treasury, State, Defense and Interior.



STRATEGIC OBJECTIVE 7.3 DEFENDANTS AND FUGITIVES

Ensure the appearance of criminal defendants for judicial proceedings or confinement through secure transportation, and ensure the apprehension of fugitives from justice

Annual Goal 7.3: Ensure the appearance of criminal defendants for judicial proceedings or confinement through secure transportation, and ensure the apprehension of fugitives from justice

STRATEGIES

- ◆ Focus on apprehending the Most Wanted and Major Case fugitives.

In FY 2003, DOJ will focus on apprehending the USMS “15 Most Wanted”, Major Case, violent and terrorist related fugitives. As a result of Public Law 106-544, the USMS was funded to create two Fugitive Apprehension Task Forces on the East and West coast. The emphasis of these task forces is to assist the state and locals in locating and apprehending violent fugitives.

USMS is dedicated to enhancing public safety by locating and apprehending fugitives as quickly and safely as possible. The problems that fugitives pose are numerous, costly, and most importantly, dangerous. First and foremost, fugitives pose a widespread threat to public safety nationwide. Fugitives tend to be mobile and opportunistic, preying on innocent citizens by committing additional crimes against persons and property in an effort to finance or facilitate their continued flight from justice. Their criminal activity respects no traditional political or geographical boundaries and often constitutes violations of both state and federal laws. In addition, fugitives threaten the very fabric of our criminal justice system. By definition, they have been charged with a violation of law and have fled from their charges. If fugitives are allowed to remain at large, the integrity of our criminal justice system is challenged. Court dockets become clogged, fugitives become more difficult to locate with the passage of time, and crime victims are denied closure and often live in fear and isolation while the criminals who have victimized them remain at large.

MEANS – Annual Goal 7.3

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Justice Prisoner & Alien Trans. Sys.	116	0	183	0	183	0
U.S. Marshals Service	1156	166	1225	186	10255	196
Subtotal	1272	\$166	1408	\$186	10438	\$196

Skills

USMS Criminal Investigators must be able to analyze and evaluate investigative leads developed through an array of techniques including reviewing financial and other records; witness interviews; informant contacts; and physical and electronic surveillance. They must also be able to cultivate mutually beneficial relationships with investigators and prosecutors from other federal, state, and local law enforcement agencies and demonstrate the ability to prepare and execute operational plans in connection with the service of arrest and/or search warrants.

**Information
Technology**

USMS is in the process of developing one centralized application, the Justice Detainee Information System (JDIS), from its five offender-based application; the Warrant Information Network, the Prisoner Tracking System, the Automated Prisoner Scheduling System, the Automated Booking Station, and the Prisoner Medical Tracking. These systems comprise the essential modules of JDIS. Once implemented, it will allow USMS to manage prisoners and fugitive investigations and track them through the entire criminal judicial process. USMS also utilizes several commercial and other agency databases for fugitive investigations.

PERFORMANCE ASSESSMENT – Annual Goal 7.3

7.3A Apprehend Federal Fugitives

Background/ Program Objectives:

USMS has primary jurisdiction nationwide in conducting and investigating fugitive matters involving escaped federal prisoners, probation, parole, and bond default violators, and warrants generated by DEA investigations and certain other related felony cases. USMS has maintained its own "15 Most Wanted" fugitives list since 1983. Additionally, USMS sponsors over 65 multi-agency fugitive task forces comprised of federal, state and local agencies, with investigative efforts on fugitives wanted for crimes of violence and drug trafficking. On the international front, USMS has become the primary American agency responsible for extraditing fugitives wanted in the United States from foreign countries. USMS also apprehends fugitives within the United States who are wanted abroad.

In support of its fugitive mission, USMS provides covert support such as telephone monitoring, electronic tracking and audio-video recording. In addition, analysts provide tactical and strategic expertise and judicial threat analysis. USMS maintains its own central law enforcement computer system, the Warrant Information Network, which is instrumental in maintaining its criminal investigative operations nationwide. In addition, USMS is able to enhance fugitive investigative efforts through data exchanges with other agencies, such as the Social Security Administration, the DEA, the Department of Agriculture, the Department of Defense, the Department of State, and a variety of task forces around the country.

Performance:

Performance Measure: Warrants Cleared

FY 2001 Target:

Class I Warrants Cleared: 28,993
 Class II Warrants Cleared: 25,072
 Class I Warrant Backlog: 10,790

FY 2001 Actual:

Class I Warrants Cleared: 30,370
 Class II Warrants Cleared: 24,575
 Class I Warrant Backlog: 10,148

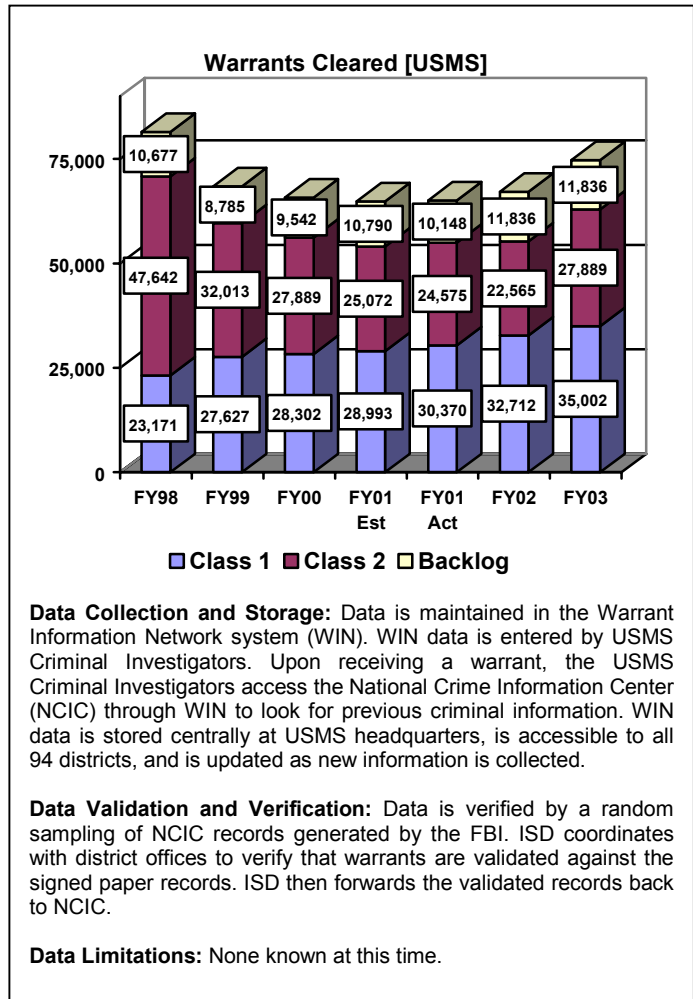
Discussion: USMS directed its investigative efforts to reducing violent crime, including organized crime, drug and gang-related violence. During FY 2001, the USMS received 32,072 Class I warrants, and exceeded the target by clearing 30,370 Class I warrants, of which, 21,014 were accomplished by USMS arrests. Class II warrants fell short of the target by 2%. However, seven of the USMS 15 Most Wanted Fugitives were included in the warrants cleared, making it, overall, a very successful year.

FY 2002 Performance Plan Evaluation:

Based on program performance in FY 2001, we have increased the FY 2002 target for Class 1 warrants to 32,712. The targets are unchanged for Class II warrants at 22,565 and Backlog at 11,836.

FY 2003 Performance Targets:

Class I Warrants Cleared: 35,002; Class II Warrants Cleared: 27,889; and Class I Warrant Backlog: 11,836.



Data Collection and Storage: Data is maintained in the Warrant Information Network system (WIN). WIN data is entered by USMS Criminal Investigators. Upon receiving a warrant, the USMS Criminal Investigators access the National Crime Information Center (NCIC) through WIN to look for previous criminal information. WIN data is stored centrally at USMS headquarters, is accessible to all 94 districts, and is updated as new information is collected.

Data Validation and Verification: Data is verified by a random sampling of NCIC records generated by the FBI. ISD coordinates with district offices to verify that warrants are validated against the signed paper records. ISD then forwards the validated records back to NCIC.

Data Limitations: None known at this time.

Public Benefit: By bringing fugitives to justice, USMS is ensuring that justice is served and the public is not exposed to further risk of crime.

Performance Measure: Average Number of Days for Fugitive Arrest

FY 2001 Target:

Major Case: 64 days
Violent Fugitive Case: 179 days
Non-Violent Fugitive Case: 218 days

FY 2001 Actual:

Major Case: 153 days
Violent Fugitive Case: 180 days
Non-Violent Fugitive Case: 152 days

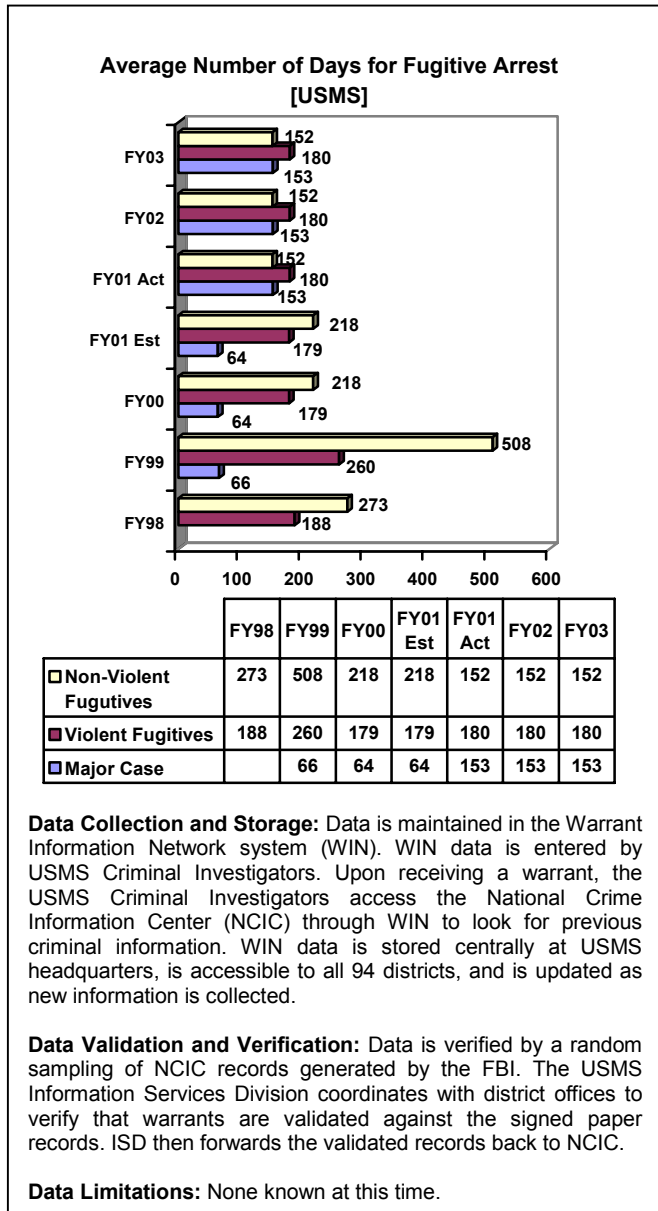
Discussion: USMS fell short of the Major Case target, virtually met the Violent Fugitive Case target, and significantly improved upon the Non-Violent Fugitive Case target. When this measure was originally established, it was believed to have a direct relationship to the successful capture of fugitives. However, the data are beginning to suggest that may not be the case. While the number of days to capture a Major Case fugitive has clearly shown a steady increase, there has actually been significant improvement in the numbers of arrests in this category. Therefore, USMS will continue analysis to reevaluate the value of this measure as predictor of success.

FY 2002 Performance Plan Evaluation:

Based on program performance FY 2001, USMS has revised the targets as follows: Major case -153 days; Violent Fugitives - 180 days; and Non-Violent Fugitives – 152 days.

FY 2003 Performance Targets: Major case -153 days; Violent Fugitives - 180 days; and Non-Violent Fugitives – 152 days

Public Benefit: We have believed that the longer the investigation takes, the more likely the fugitive will not be caught. By concentrating resources on recent cases first, the USMS should increase its capture rate. By taking the fugitives off the street faster USMS also reduces the reoccurrence of crime.



Data Collection and Storage: Data is maintained in the Warrant Information Network system (WIN). WIN data is entered by USMS Criminal Investigators. Upon receiving a warrant, the USMS Criminal Investigators access the National Crime Information Center (NCIC) through WIN to look for previous criminal information. WIN data is stored centrally at USMS headquarters, is accessible to all 94 districts, and is updated as new information is collected.

Data Validation and Verification: Data is verified by a random sampling of NCIC records generated by the FBI. The USMS Information Services Division coordinates with district offices to verify that warrants are validated against the signed paper records. ISD then forwards the validated records back to NCIC.

Data Limitations: None known at this time.

Strategies to Achieve the FY 2003 Goal:

DOJ will continue to apprehend Class 1 fugitives as quickly as possible and decrease the fugitive caseload. A Class 1 warrant is a felony warrant for which USMS has primary responsibility. Class 2 warrants are felony offenses for which other law enforcement agencies have primary responsibility. USMS classifies felony fugitive warrants into three categories: (1) fugitives with violent criminal convictions; (2) fugitives wanted on drug-related charges; and (3) all other felony fugitives. A warrant can be cleared by arrest, a USA dismissal, or a detainer, or purged for reasons such as death of the fugitive.

Crosscutting Activities:

USMS works closely with federal, state, local, and foreign law enforcement agencies and prosecutors to locate and apprehend fugitives as quickly and safely as possible in an effort to maintain the integrity of the justice system and enhance public safety. USMS has established liaison positions with DEA, HIDTA, OCEDEF, NDIC, INTERPOL, DOJ-OIA, and the Dept. of State. The USMS also manages more than 70 multi-agency fugitive task forces around the United States. USMS has Memoranda of Understanding to assume administrative and apprehension responsibility for fugitives wanted by: the United States Customs Service, the

Internal Revenue Service - Criminal Investigation Division; the Food and Drug Administration - Office of Criminal Investigations; the Naval Criminal Investigative Service; the Defense Criminal Investigative Service; the United States Air Force - Office of Special Investigations; the Department of Agriculture - Office of Inspector General; the Department of Justice - Office of Inspector General; the Social Security Administration - Office of the Inspector General; the United States Fish and Wildlife Service - Office of Law Enforcement; the Federal Emergency Management Agency - Office of Inspector General; the Department of Health and Human Services - Office of Inspector General; the National Aeronautics and Space Administration - Office of Inspector General; the National Oceanic and Atmospheric Administration; and the Department of Education - Office of Inspector General.

STRATEGIC OBJECTIVE 7.4 BANKRUPTCY**Protect the integrity and ensure the effective operation of the Nation's bankruptcy system.****Annual Goal 7.4: Protect the integrity and ensure the effective operation of the Nation's bankruptcy system.****STRATEGIES**

- ◆ Provide administrative support to move cases efficiently and effectively through the bankruptcy process.
- ◆ Ensure that parties adhere to standards of the law and police for embezzlement, fraud, and other abuses.
- ◆ Maximize the return of estate assets to creditors.
- ◆ Improve the accuracy of data and information on bankruptcy case administration and operation in order to assess performance.

In FY 2003, DOJ, through the United States Trustee Program (USTP), will shift more attention to combating civil and criminal abuse in the bankruptcy. To that end, USTP will focus on full disclosure and accountability, as well as the proper interpretation and enforcement of the law. In addition, USTP will evaluate initiatives taken to address identity theft in bankruptcy cases. USTP plans to expand the Debtor Identification Pilot Project to all U.S. Trustee offices by the end of FY 2001, which will help decrease the incidence of identity theft in the bankruptcy system. Finally, USTP will maintain the level of performance regarding the efficient and effective administration of bankruptcy cases through

the system and maximize the return of assets and distributions to creditors.

MEANS – Annual Goal 7.4**Dollars/FTE**

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
U.S. Trustees	1000	\$126	1099	\$147	1201	\$168

Skills

Staff must have legal, financial, analytical, and audit skills. Other key competencies include: expertise in bankruptcy law, criminal statutes, investigative techniques, and strong writing abilities. Support personnel must have automation expertise, management and administrative skills.

Information Technology

Operations rely upon the Justice Consolidated Office Network (JCON), office automation products, various database systems, and a legacy case management system operating on mini-computers, as well as notebook PCs and laptops.

PERFORMANCE ASSESSMENT – Annual Goal 7.4

7.4A Maximize Dollars Returned to Creditors

Background/ Program Objectives:

USTP was established nationwide in 1986 to separate the administrative functions from the judicial responsibilities of the bankruptcy courts and to bring accountability to the bankruptcy system. USTP acts as the “watchdog” of the bankruptcy system and ensures that the more than \$5 billion in bankruptcy estate assets that flow through the system annually are properly handled. While protecting the rights of the debtors, USTP must maximize the return of estate assets to creditors.

Performance:

Performance Measure: Percent of Funds to Creditors for Chapter 7 Asset Cases Closed

FY 2001 Target: 52%

FY 2001 Actual: Not available until January 2002

Discussion: Based upon June 2001 data, the USTP expects to meet the FY 2001 target of 52%

FY 2002 Performance Plan Evaluation: We expect to meet the FY 2002 target of 52%.

FY 2003 Performance Target: 54%

Public Benefit: USTP efforts contribute to the maximum return of assets to creditors.

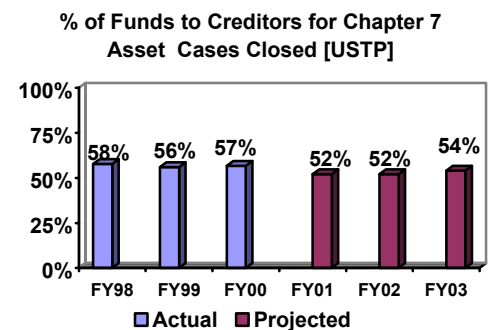
Strategies to Achieve the FY 2003 Goal:

USTP has a comprehensive oversight process to ensure that the Chapter 7 cases filed each year are effectively and efficiently moved through the bankruptcy system. USTP audits and evaluates private trustees, follows-up on deficiencies, ensures that old cases are closed promptly, and initiates action when private trustees fail to comply with their obligations. USTP reviews semi-annual reports filed by over 1,600 panel and non-panel trustees and trustee final reports and trustee final accounts for all asset cases. In addition, a portion of all trustee operations are closely reviewed each year, either through the Office of Inspector General audits or on-site examinations by USTP personnel.

In FY 2002/3 USTP will implement uniform transaction codes for Chapter 7 trustees. This process will help standardize the identification of assets that trustees liquidate in a bankruptcy estate. Making the process more uniform will assist the USTP to identify problems early in the process and afford the USTP an opportunity to intervene, if necessary, to preserve bankruptcy estate assets.

Crosscutting Activities:

USTP works with the trustees and courts as indicated above.



Data Definition: Chapter 7 bankruptcy proceedings where those assets that are not exempt from creditors are collected and liquidated (reduced to money).

Data Collection and Storage: The data are collected on an annual or semiannual basis. For Chapter 7 cases, the USTP receives trustee distributions reports as part of the Final Account on each Chapter 7 case closed during the year. The data are aggregated on a nationwide basis and reported twice a year in January and July.

Data Validation and Verification: Data on these annual reports are self-reported by the trustees. However, each trustee must sign the reports certifying their accuracy. In Chapter 7 cases, the Department's Inspector General periodically audits the annual reports, in addition to the USTP's on-site field examinations. Finally, the USTP conducts biannual performance reviews for all Chapter 7 trustees. This indirectly provides an incentive for trustees to accurately report data.

Data Limitations: Out-year performance cannot be accurately projected as the USTP has no reliable method of calculating the disbursements of future bankruptcy cases.

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VIII

STRATEGIC GOAL EIGHT:

Ensure Professionalism, Excellence, Accountability and Integrity in the Management and Conduct of Department of Justice Programs

Although the plan's primary focus is on the programmatic goals related to carrying out the Department's mission, achieving these goals depends upon strong and effective management practices. This section addresses the departmental management priorities for the year ahead. These Departmentwide priorities cut across all functional and organizational boundaries and address such fundamental issues as integrity and accountability, planning, evaluation, financial management, information technology and human resources.

MANAGEMENT CHALLENGES

The Department has six specific material weaknesses in three general areas:

Automation Management:

Computer Security. This has been designated a material weakness since 1991. DOJ is increasingly dependent on automated information systems and their interconnections to achieve its mission. Since DOJ's computer systems and networks now collect, process, store, and transmit most of the sensitive and classified information used in almost every aspect of the Department, controls must be in place to ensure the availability, integrity, and confidentiality of this information and the reliability of DOJ's computer systems and networks.

Financial Management:

Financial Systems Compliance. (Material non-conformance) The DOJ audit report on the FY 2000 consolidated financial statements identified the INS, FBI, DEA, USMS, and the Federal Prison Industries (FPI) as not meeting federal accounting standards or systems requirements, and having material weaknesses in system controls/security. Almost every DOJ component needs to either implement a new system or is in the final phases of implementing a new system.

FPI Adherence to Accounting Standards and Financial Management System Requirements. (Material non-conformance) Although the FPI implemented Millennium in May 2000, it does not yet meet all the financial management requirements of OMB Circular A-127. System general reports require thorough review, analysis, and frequent corrections. There are weaknesses in controls over inventories and accounts receivable and in the financial statement preparation process.

DEA Adherence to Accounting Standards and Financial Management System Requirements. (Material non-conformance) DEA's system does not accurately and completely account for property and equipment; clear fund balances with the U.S. Treasury; properly perform quarterly certifications of open obligations; or charge full cost for Controlled Substance Act Registration Fees. DEA also needs to improve its financial reporting process and its automated security.

INS Deferred Revenue. (Material non-conformance) Systems and management controls used for processing applications for immigration and naturalization benefits do not ensure applications are adequately controlled or provide reliable data on the status of applications; thus, INS is not able to accurately determine deferred and earned revenue without relying on an extensive servicewide manual application count.

Organizational Structure and Management:

INS Organizational and Management Issues. In 1997 the General Accounting Office (GAO) found that the INS needed to take steps to resolve management problems, including establishing roles and

responsibilities, clarifying lines of communication, and disseminating organizational policies and guidelines. This issue is covered under DOJ Organizational Structure below.

The DOJ OIG includes the above material weaknesses in its December 2001 list of the top ten management challenges facing the Department. In addition, the OIG lists four other issues as serious management challenges in this area:

Information Systems Planning and Implementation. Many mission-critical computer systems in the Department are poorly planned; experience long delays in implementation; or do not provide timely, useful, and reliable data. In addition, the Department has spent vast sums of money developing and deploying these systems. (This issue is also addressed under Strategic Goal V.)

Grant Management. In recent years, the Department has become a grant-making agency that has disbursed billions of dollars to grantees for initiatives such as community policing, drug treatment programs, reimbursement to states for incarcerating illegal aliens, and counterterrorism preparedness. Overall, OIG reviews have found that many grantees do not submit required program monitoring and financial reports and that program officials' on-site monitoring reviews do not consistently address all grant conditions.

Performance Based Management. In a Department that has grown so rapidly over the past decade, linking credible performance measures to budget development and allocation of resources is a significant challenge. DOJ must ensure, through performance based management, that its programs are achieving their intended purposes.

DOJ Organizational Structure. Three DOJ components are addressing some long-standing organizational problems. The INS has proposed reorganizing itself into two separate but connected bureaus, one to handle enforcement of immigration laws and one to provide services and benefits to immigrants. OJP is reorganizing to reduce duplication in grant programs and improve efficiency. The FBI is reorganizing its operations and reevaluating its mission in light of the September 11 attacks and its new priority to prevent acts of terrorism. Department managers must ensure that these reorganizations accomplish their intended purposes, as well as ensure that the Department's interconnected programs and functions are not adversely impacted by the changes.

In August 2001, the White House released "The President's Management Agenda." It consists of five Governmentwide initiatives and one program initiative that affect the Department. Two of the Governmentwide initiatives, Improved Financial Performance and Budget and Performance Integration relate to material weaknesses or management challenges already described. DOJ has established goals and measures for the other three, Strategic Management of Human Capital, Competitive Sourcing, and Expanded Electronic Government, as well as for the Faith-Based and Community Initiative.

In November 2001, the Attorney General announced his top ten management priorities to meet the Department's counterterrorism mission. They are: 1) Develop Performance-Based, Mission-Focused Leadership; 2) Streamline, Eliminate or Consolidate Duplicative Functions; 3) Focus Resources on Front-Line Positions; 4) Reform the FBI; 5) Restructure the INS and the Executive Office for Immigration Review; 6) Restructure the OJP and Reform Grant Management; 7) Coordinate Internal and External Communications and Outreach; 8) Improve Departmentwide Financial Performance; 9) Strengthen Hiring, Training, and Diversity Policies; and 10) Utilize Technology to Improve Government. This Performance Plan addresses each of these under this Strategic Goal.

Performance measures related to these material weaknesses, management challenges, and Presidential and Attorney General initiatives are noted.

PROGRAM EVALUATIONS

There are no FY 2003 program evaluations planned at this time.

STRATEGIC OBJECTIVE 8.1: INTEGRITY AND PROFESSIONALISM
Promote integrity and professionalism to ensure the fair and impartial administration of justice

Annual Goal 8.1: Promote integrity and professionalism to ensure the fair and impartial administration of justice

STRATEGIES

- ◆ Focus audit, inspections, and other evaluative efforts on Department programs and expenditures in order to strengthen accountability and performance.
- ◆ Use investigative resource to pursue allegations of fraud, waste, and abuse against Departmental personnel, contractors, and grantees.

Through the Office of the Inspector General (OIG) and the Office of Professional Responsibility (OPR), the Department will strengthen program accountability and performance and pursue allegations of fraud, waste, and abuse. These priorities are Departmentwide.

MEANS – Annual Goal 8.1

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
General Administration	201	22	227	23	227	24
Independent Counsel	0	14	0	9	0	9
Office of the Inspector General	351	42	402	51	446	64
Office of the Pardon Attorney	14	1	15	2	15	2
Subtotal	566	\$79	644	\$85	688	\$99

Skills

OPR requires experienced attorneys familiar with the Model Rules of Professional Conduct and State bar rules, Federal Criminal Code and Rules of Procedure, Federal Rules of Civil Procedure, and DOJ procedural and ethical guidelines, as well as paralegals and program analysts. Skilled investigators, auditors, program analysts, attorneys, and support staff are required for the mission of the OIG. Required skills include interviewing and interrogation techniques, research and analytical skills, report writing, statistical sampling, and computer skills. In addition, criminal investigators require expertise in legal and statutory elements of crime, firearms, and physical training.

Information Technology

OPR uses the Bibliographic Retrieval System case tracking system. The OIG relies upon the Investigations Data Management System (IDMS) which consists of eight computer-based and four paper-based systems; through which the OIG Investigations Division records and monitors the status of allegations and the progress of investigations. The OIG Investigations Division Monthly Investigative Activity Report provides information that is not tracked in IDMS, such as types and amount of seizures, integrity briefing activity, etc. The OIG Investigations Division Administrative Database tracks the distribution and receipt of customer surveys on completed investigative reports. The OIG Audit Division Management System consists of information that the regional Audit offices provide to headquarters on the status of assignments and the number of workdays expended monthly. The OIG Inspections Division Management Tracking System consolidates biweekly and monthly reports submitted to senior management.

PERFORMANCE ASSESSMENT – Annual Goal 8.1

8.1A Ensure Departmental Integrity

Background/Program Objectives:

In order for its programs and activities to be effective, all Department personnel, contractors, and grantees must conduct themselves in accordance with the highest standards of integrity, accountability, and efficiency. The OIG was established to detect and prevent misconduct and mismanagement on the part of the Department's personnel and programs. OIG investigates alleged violations of criminal and civil laws, regulations, and ethical standards arising from the conduct of the Department's employees in their numerous and diverse activities. OIG provides leadership and assists management in promoting integrity, economy, efficiency, and effectiveness within the Department and in its financial, contractual, and grant relationships with others using the coordinated efforts of OIG's investigative, audit, and inspection resources.

Performance:

Performance Measure: Investigations Closed

FY 2001 Target: 608 cases closed

FY 2001 Actual: 590 cases closed
157 substantiated

Discussion: The OIG achieved 97% of its target of 608 closed investigations, despite a reduction in staff. It received 8,484 complaints, opened 691 investigations, and closed 590. OIG agents made 162 arrests involving 73 Department employees, 76 civilians, and 12 Department contract personnel. Convictions resulted in 101 individuals receiving sentences and \$947,743 in fines, recoveries, and orders of restitution. As a result of OIG investigations, 61 employees, 24 contract employees, and one contractor received disciplinary action, including 53 terminations.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, the OIG expects to meet the FY 2002 target of 600 investigations. The number of substantiated cases are not targeted.

FY 2003 Performance Target: 600

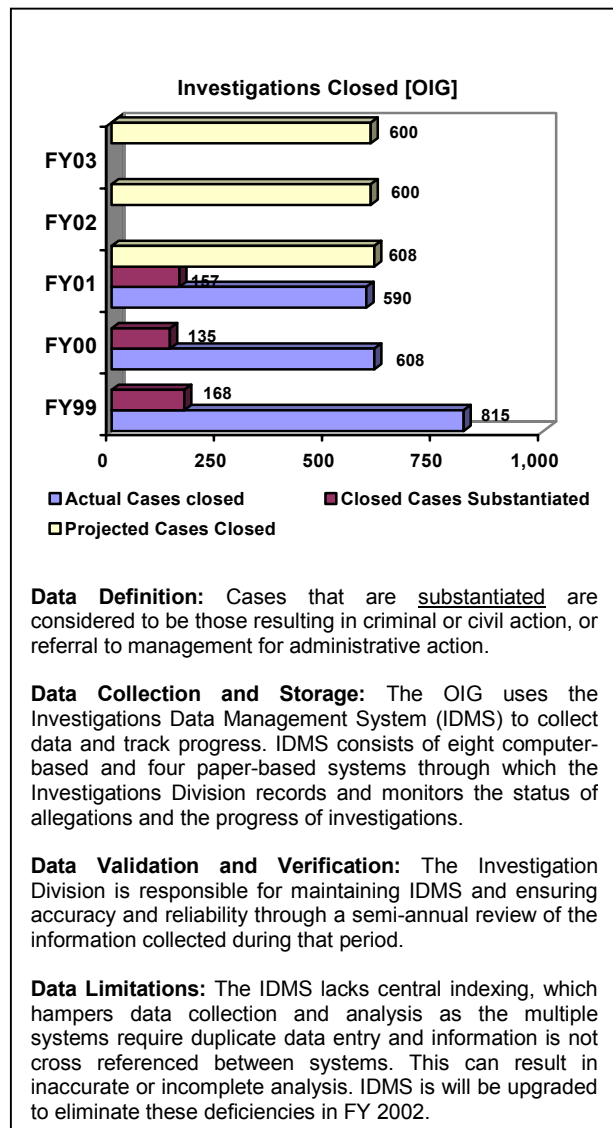
Public Benefit: Fostering public confidence in the Department's ability to maintain the highest levels of integrity and efficiency in its programs and personnel.

Strategies to Achieve the FY 2003 Goal:

The Department, through its independent OIG, will continue to support efforts to strengthen integrity in DOJ programs and operations. In FY 2003, the OIG will investigate allegations of bribery, fraud, abuse, civil rights violations, and violations of other laws and procedures that govern Department employees, contractors, and grantees, and will develop cases for criminal prosecution and civil and administrative action. OIG will use its audit and inspections resources to review Department programs or activities identified as high priority areas in the Department's Strategic Plan and devote resources to review of the OIG Top Ten management issues.

Crosscutting Activities:

These measures are largely internal to DOJ and are administered by the OIG.



8.1B Provide Professional Oversight

Background/ Program Objectives:

The Department, through its Office of Professional Responsibility (OPR), will continue to ensure that Department attorneys meet and maintain the high ethical standards expected of the nation's principal law enforcement agency. Specifically, OPR reviews and investigates allegations of misconduct by Department attorneys that relate to the exercise of their authority to investigate, litigate, or provide legal advice. Through the performance of OPR, the Department seeks to ensure that Department attorneys comply with obligations to standards imposed by law, applicable rules of professional conduct, or Department regulations or policy, and that instances of failure to comply with those standards are identified and attorneys appropriately disciplined.

Performance:

Performance Measure: Investigations of Alleged Professional Misconduct by DOJ Attorneys

FY 2001 Target: 80 investigations

FY 2001 Actual: 83 investigations

21 findings of professional misconduct

Discussion: OPR exceeded its target of investigations completed. Substantiated cases increased considerably above prior year actuals. OPR is currently in the process evaluating this data to identify any trends that warrant corrective training or other actions to ensure that the Department maintains the highest professional standards.

FY 2002 Performance Plan Evaluation:

Based on program performance in FY 2001, OPR expects to meet the FY 2002 target of 80 investigations. Professional Misconduct Found is not targeted.

FY 2003 Performance Target: 80

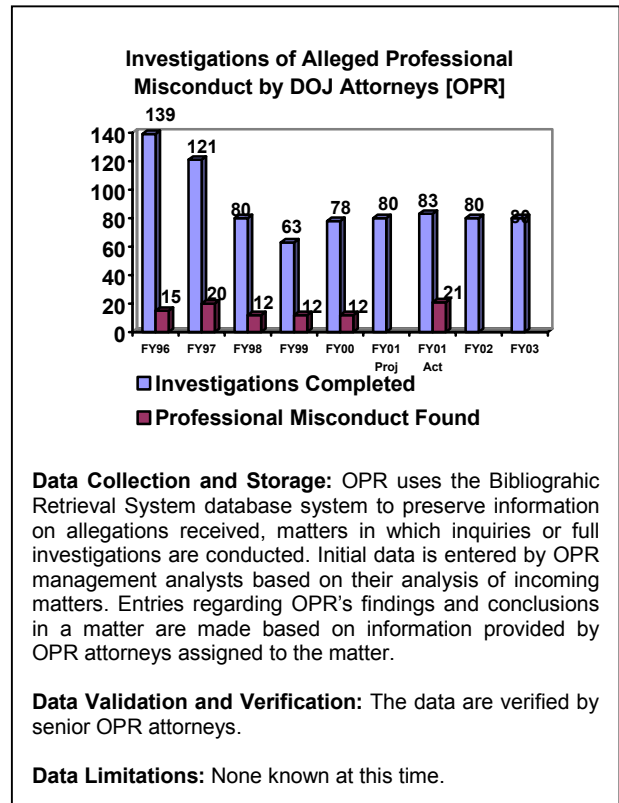
Public Benefit: By expeditiously and thoroughly executing investigations of alleged misconduct, the Department ensures public confidence in the integrity of Department attorneys and maintains peak awareness of professional standards among Department attorneys.

Strategies to Achieve the FY 2003 Goal:

OPR will continue to review allegations of professional misconduct to determine whether they are within OPR's jurisdiction, and to conduct such investigations as are warranted to determine whether professional misconduct occurred. In addition, OPR will electronically search court decisions published in electronic databases in order to ensure that instances of serious judicial criticism and judicial findings of misconduct are referred to, and reviewed by, OPR. In matters where full investigations are conducted, OPR will continue to seek to resolve those matters within one year of initiation of the investigation. At the conclusion of the investigation, OPR will provide a report of investigation, containing its findings and conclusions, to the head of the Department component involved. OPR's investigations ensure that matters presenting even the appearance of impropriety receive close scrutiny. OPR will periodically review allegations received in order to identify trends and bring such trends to the attention of the Attorney General or the appropriate component head so that corrective training or other action can be taken to ensure that Department attorneys maintain the highest ethical standards.

Crosscutting Activities:

These measures are largely internal to DOJ and are administered by OPR.



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STRATEGIC OBJECTIVE 8.2 FINANCIAL MANAGEMENT

Strengthen internal financial systems and promote the efficient and effective use of resources to ensure public trust and confidence

Annual Goal 8.2: Strengthen internal financial systems and promote the efficient and effective use of resources to ensure public trust and confidence

STRATEGIES

- ◆ Ensure sound and effective financial management policies and practices.
- ◆ Implement a systematic process for selecting, controlling, and evaluating information technology investments to protect taxpayer dollars.

The Department and its components will focus on continuing substantive progress in resolving major problems in the areas of financial management and information technology management. As a part of this effort, departmental components will continue to enhance, implement, and maintain financial management systems which substantially comply with federal financial management system requirements, applicable federal accounting standards, and the U.S. Standard General Ledger at the transaction level.

Components will continue to focus on ensuring that all financial systems meet federal standards, and that the weaknesses in accounting and reporting practices disclosed in the financial audits are addressed. The Department will also place emphasis on building stronger linkages among planning, budgeting, and resource allocation processes; establishing improved management and performance data systems; and evaluating and assessing priority programs and operations.

MEANS – Annual Goal 8.2

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
General Administration	39	4	44	5	44	15
Working Capital Fund	216	0	228	0	228	0
Subtotal	255	\$4	272	\$5	272	\$15

Skills

This goal requires the skills of accountants, financial, budget, program, and system analysts. Procurement personnel must be skilled in Performance Based Contracting; the preparation of a Statement of Work and a Quality Assurance Plan; and developing effective positive and negative performance incentives. Personnel involved in coordinating FAIR Act inventories within their components must understand the provisions of the Act and must have an understanding of the nature of positions, functions, and activities in their organizations. Employees responsible for making cost comparisons for decision-makers regarding outsourcing must understand the elements of the work to be performed as well as cost-benefit analysis.

Information Technology

Modern financial systems are required to meet federal financial systems requirements. Components of the Department are in the process of implementing new financial systems or enhancing existing systems. The Federal Data Procurement System is used to track the volume of contract activity and the Organizational Structure and Manpower Analysis Report is used to determine characteristics of on-board employees.

PERFORMANCE ASSESSMENT – Annual Goal 8.2

8.2A Obtain a Department-wide Unqualified Audit Opinion and Resolve Financial Management Weaknesses (Management Challenge)

Background/ Program Objectives:

Our continuing goal is to maintain financial operations and practices which meet or exceed federal accounting standards, and maintain financial management systems which comply with federal systems requirements, accounting standards, and the U.S. Standard General Ledger at the transaction level. Additionally, the Department will produce timely and accurate financial reports in compliance with those standards and requirements, and achieve an unqualified opinion on the Department's consolidated audited financial statements. The Department received its first fully unqualified audit opinion on the financial statements for Fiscal Year 2001. However, the Department's components still have material weaknesses due to noncompliance with federal accounting standards. Financial statement preparation continues to be a weakness in some components. Importantly, several components have financial systems that are noncompliant with OMB Circular A-127 and other federal systems standards, or are technologically obsolete and do not meet mission needs. Also, every DOJ component needs either to implement a new system, or is in the final phases of implementing a new system, or was in the beginning stage of acquiring a new system. Components continue to address these noncompliances and are placing major emphasis on addressing the accounting and internal control weaknesses cited in the financial statement audit reports so that timely and accurate financial information can be delivered to the Department's program managers. To facilitate achievement of the Department's financial management goals, a unified financial system will be implemented to replace three systems currently requiring replacement and replace the other systems as new systems are required.

A reduction in weaknesses and an unqualified audit opinion cited in the audit reports are reliable measures of the Department's financial management performance and soundness of its financial management systems. The audit opinion for the Department's consolidated statements is largely dependent upon the audit opinions given to each of the ten component financial statements in the Department. The following reporting entities of the Department issue audited financial statements: Justice Management Division (for the Offices, Boards and Divisions); Assets Forfeiture Fund and Seized Asset Deposit Fund; Working Capital Fund; Federal Bureau of Investigation; Drug Enforcement Administration; Immigration and Naturalization Service; Office of Justice Programs; U.S. Marshals Service; Bureau of Prisons; and Federal Prison Industries Inc.

In accordance with OMB's Form and Content guidance for agency financial statements, the Department and each component are required to produce six different financial statements. It is the Department's goal, and each component's goal, to earn unqualified opinions across-the-board, on all statements. The foundation for achieving this objective was established in FY 2001 with the attainment of the Department's first unqualified consolidated balance sheet opinion. Additionally, the Department will continue to focus on addressing the accounting practice, reporting, and systems weaknesses cited in the audit reports.

Refined Measure:		
Opinion Earned - Financial System Material Weaknesses Resolved		
FY	Goals	Actual
2003	Unqualified Opinion - all statements Correct 6 of 12 Material Weaknesses	
2002	Unqualified Opinion - all statements Correct 1 of 13 Material Weaknesses	
2001	Unqualified Opinion - all statements Correct 1 of 15 Material Weaknesses	Unqualified Opinion – all statements Corrected 2 of 15 Material Weaknesses
2000	Unqualified Opinion - all statements Material Weaknesses - Baseline Year	Unqualified on Balance Sheet and Statement of Custodial Activity; Qualified on remaining statements 15 Material Weaknesses
<p>Data Collection and Storage: The information for the indicator is obtained from the report of the auditors of the financial statements.</p> <p>Data Validation and Verification: The information for the indicator is obtained from the report of the auditors of the financial statements.</p> <p>Data Limitations: None known at this time.</p>		

Performance:

Performance Measure: Opinion Earned -Financial System Material Weaknesses Resolved

FY 2001 Target: Unqualified Opinion - all statements and Resolve 1 Material Weakness

FY 2001 Actual: Unqualified Opinion – all statements. Three material weaknesses were corrected and the auditors reported one new Material Weakness leaving 13 Material Weaknesses remaining.

Discussion: During FY 2002, the Department received its first fully unqualified audit opinion on all six of the financial statements for FY 2001. FPI corrected one material weakness and implemented improvements that resulted in two material weaknesses being reclassified as nonmaterial. One new material weakness is being reported for the FBI.

FY 2002 Performance Plan Evaluation: We expect to achieve the FY 2002 target of achieving an unqualified opinion and resolving 1 material weakness.

FY 2003 Performance Target: Achieve an unqualified opinion and resolve 6 material weaknesses

Public Benefit: Reducing financial system weaknesses and achieving across-the-board unqualified audit opinions on financial statements will demonstrate the soundness and reliability of the Department's financial operations and reporting, thus increasing the public's confidence in the Department's financial management. Moreover, mission performance will improve as we provide more timely and accurate financial information to the Department's program managers, enabling more effective use of the public's funds.

Strategies to Achieve the FY 2003 Goal:

The Department and its components will focus on continuing substantive progress in improving financial operations and financial systems. The Chief Financial Officer will continue to closely measure component progress in reducing internal control weaknesses and in making improvements to financial systems. To facilitate achievement of the Department's goal, a unified financial system will be implemented to replace three systems currently requiring replacement and replace the other systems when new systems are required. Until significant system improvements can be implemented, the Department will continue to expend additional resources in its accounting operations to compensate for system deficiencies.

The three Department components that have the most immediate need for replacement will be replaced first. This presents an ideal opportunity to work on the consolidation of these component requirements toward the ultimate replacement of the Department's multiple core financial systems with a single, commercial-off-the-shelf system agency-wide. While the remaining Department components have systems that are serviceable for the present, these systems will ultimately require replacement as technology demands refreshment.

Crosscutting Activities:

The Justice Management Division (JMD) established a working group comprised of liaisons from the Department components to assist in identifying requirements for the new Unified Financial Management System. JMD will continue to coordinate meetings of the Department-wide financial statements working group, Department Financial Managers Council, and OBD Financial Managers Council. The financial statement working group, which includes representatives from the Bureaus and OIG, develops policy and resolves issues in regard to financial statements.

The Department will continue to participate in the development of Government-wide financial policy and standards through attendance at both the Financial Accounting Standards Advisory Board and U.S. Government Standard General Ledger Board meetings. Departmental representatives actively participate in the Standard General Ledger Issues Resolution Committee and Government-wide task force subgroups. Senior management also participates in the government-wide Chief Financial Officers Council and the Federal Financial Managers Council. Additionally, the Department also provides comments on accounting concept statements and statements of recommended accounting standards circulated by the Financial Accounting Standards Advisory Board. The Department will continue to participate in the development of Government-wide financial policy and standards through attendance at both the Financial Accounting Standards Advisory Board and U.S. Government Standard General Ledger Board meetings. Departmental representatives actively participate in the Standard General Ledger Issues Resolution Committee and Government-wide task force subgroups. Senior management also participates in the government-wide Chief Financial Officers Council and the Federal Financial Managers Council. Additionally, the Department also provides comments on accounting concept statements and statements of recommended accounting standards circulated by the Financial Accounting Standards Advisory Board.

8.2B Achieve Procurement Reform

Background/ Program Objectives:

There are two government-wide procurement initiatives underway within DOJ. The first is to encourage the use of performance-based contracts. In FY 2003, DOJ will promote the use of performance-based service contracts, where solicitations are structured around the purpose of the work to be performed, rather than the manner in which it is to be performed. Department leadership will encourage contracts that are designed to ensure contractors are given freedom to determine how to meet the Government's performance objectives, appropriate performance quality levels are achieved, and payment is made only for services that meet these levels. When used appropriately, these methods should lead to more cost-effective acquisitions, better value, and greater competition. As a result, the government should experience fewer cost overruns, schedule delays, and performance problems.

The second, the Central Contractor Registration database, will be established in FY 2003. This is an online database serving as the governmentwide single point of vendor registration, the single validated source data on vendors doing business with the government.

Performance:

Performance Measure: % of Eligible Contracts Using Performance Based Contracting

FY 2001 Target: NA

FY 2001 Actual: NA

FY 2002 Performance Plan Evaluation: We expect to meet the FY 2002 performance target of 20%.

FY 2003 Performance Target: 30%

Performance Measure: % of Synopsis and Solicitations for Contracts \$25,000+ Posted Online

FY 2001 Target: NA

FY 2001 Actual: NA

FY 2002 Performance Plan Evaluation: We expect to meet the FY 2002 performance target of 100%.

FY 2003 Performance Target: NA

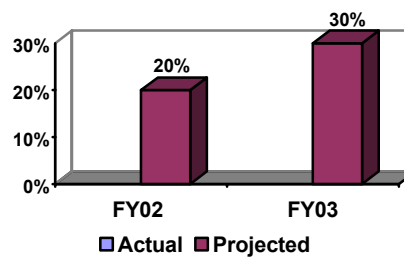
Strategies to Achieve the FY 2003 Goal:

To encourage the use of performance-based contracts, DOJ will provide information to program and contract personnel including how to write work statements and quality assurance plans for performance-based contracts, and identify and target the types of contracts which are most amenable to performance-based service contracts techniques. In FY 2003, DOJ will use the Central Contractor Registration as its source of data on vendors doing business with the government and will cease to collect the Standard Form 129 known as the Soliciting Mailing List Application. To expand the application of on-line procurement, we will provide instructions, guidance, and assistance to procurement offices regarding use and integration with the Central Contractor Registration.

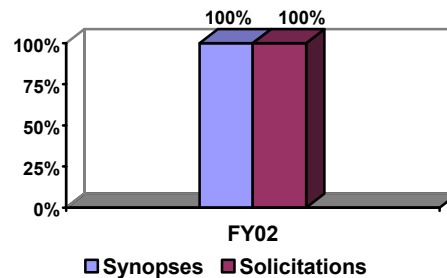
Crosscutting Activities:

This activity is largely internal to DOJ.

% of Eligible Contracts Using Performance Based Contracting [JMD]



% of Synopsis and Solicitations for Contracts \$25,000+ Posted Online [JMD]



Data Collection and Storage: Data is collected from the Federal Data Procurement System and FEDBizOpps.

Data Validation and Verification: Data is verified through year-end reviews of the Federal Data Procurement System and FEDBizOpps.

Data Limitations: None known at this time.

8.2C Conduct A-76 Program Competitions and Accurate FAIR Act Inventories (Management Challenge)

Background/ Program Objectives:

DOJ will strive to conduct accurate FAIR Act inventories that reflect closer scrutiny of functions performed within the Department to determine those that are commercial in nature. Additionally, as appropriate, the Department will conduct A-76 competitions to achieve economies and enhance productivity.

Performance:

Performance Measure: Complete Public-Private or Direct Conversion Competitions

FY 2001 Target: NA

FY 2001 Actual: NA

FY 2002 Performance Plan Evaluation: We expect to meet the FY 2002 performance target of 5%.

FY 2003 Performance Target: 15%

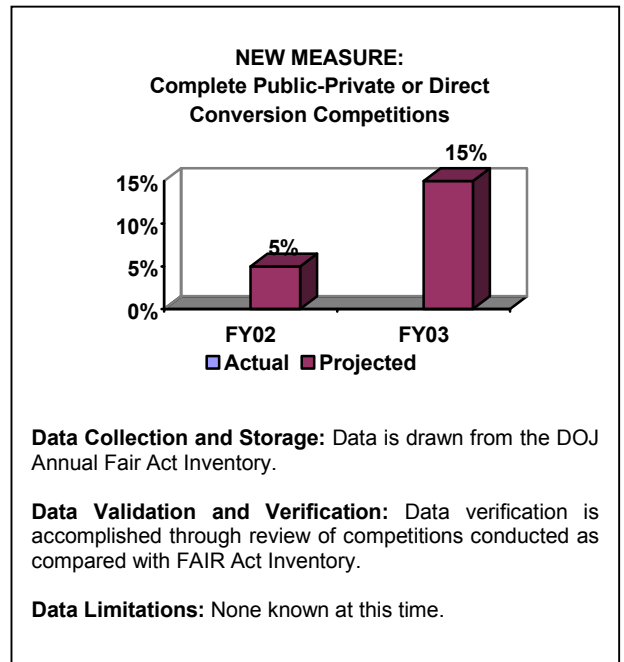
Strategies to Achieve the FY 2003 Goal:

DOJ will demonstrate top-level support for an accurate inventory of DOJ positions against the FAIR Act criteria. We will continue to provide instructions and guidance to personnel responsible for conducting FAIR Act inventories. We will also update FAIR Act inventories, targeting selected functions for comparison among the organizations, in order to determine whether they are all engaged in the same functions and should be similarly classified. As appropriate, identify and train personnel to ensure that cost comparisons are fair and result in the best value to the government.

During FY 2003, the Department will identify an additional 10 percent of the FTE on the 2001 inventory to be studied or directly converted to contract.

Crosscutting Activities:

This activity is largely internal to DOJ.



8.2D Budget and Performance Integration (Management Challenge)

Background/ Program Objectives:

One of the Attorney General’s goals and management initiatives includes revising the Department of Justice Performance Plan to include clear, consistent performance measures that support the Department’s Strategic Plan. The Department will focus on revising its plan and on improving the linkages between resources and outputs/outcomes in budget formulation and execution. In addition, the Department will demonstrate how performance influences budget decisions.

Performance:

Performance Measure: Budget and Performance Integration

FY 2001 Target: NA – New Measure

FY 2001 Actual: NA

FY 2002 Performance Plan Evaluation: We expect to meet the FY 2002 milestones.

FY 2003 Performance Target: see table.

Strategies to Achieve the FY 2003 Goal:

Senior leadership, through the Strategic Management Council developed a new Strategic Plan and streamlined the performance plan to focus on key measure of program effectiveness. With this foundation, linkages will be tightened between resources and performance. In addition, linkage will be created between individual evaluations and program and organizational performance.

Budget and Performance Integration Milestones		
FY	Goals	Actual
FY 2003	<ul style="list-style-type: none"> ▪ Select and implement a unified cost accounting system with a core requirement to charge full budgetary costs to mission accounts and activities. ▪ Complete realignment of budget Decision Units for inclusion in the FY 2004 budget. 	
FY 2002	<ul style="list-style-type: none"> ▪ Establish Quarterly Monitoring of Performance by Senior Leadership. ▪ Establish a clear link between individual performance reviews and program accomplishment. ▪ Begin realignment of budget Decision Units to support achieving program targets. ▪ Refine the budget process to ensure that program performance information is a key element in budget decisions. 	

Data Collection and Storage: Data is collected and maintained in office files.

Data Validation and Verification: Data verification is accomplished through review by senior officials in the Department, to include the Controller.

Data Limitations: None known at this time.

Representatives from program, finance, and budget offices will work together to create and integrated system of program planning, performance evaluation, linking resources directly to program activities. One key element in the successful accomplishment of that objective is the development and implementation of a unified cost accounting system. Decision units will be reviewed and realigned to support achieving program targets and the budget process will be refined to ensure that program performance information is a prominent component in decision making.

Crosscutting Activities:

This activity is largely internal to DOJ.

STRATEGIC OBJECTIVE 8.3: GRANT MANAGEMENT**Develop and maintain grant management accountability mechanisms to ensure proper dispensation and monitoring of funds****Annual Goal 8.3 Develop and maintain grant management accountability mechanisms to ensure proper dispensation and monitoring of funds****STRATEGIES**

- ◆ Standardize and streamline the grants management process.
- ◆ Reduce waste, fraud, and abuse through financial monitoring and training.
- ◆ Eliminate overpayment at the agency level and ensure a transactional audit trail for actions related to the State Criminal Alien Assistance Program.

The Office of Justice Programs (OJP) and the Office of Community Oriented Policing Services (COPS) are the primary grant-making components within the Department of Justice. Since the 1990's the Department has experienced large increases in its grant funding due to the passage of the Violent Crime Control and Law Enforcement Act of 1994 (the Crime Act), the Violence Against Women Acts I & II, and other significant legislation. Comprehensive grant management and monitoring is essential to ensure the proper

administration of programs and reduce the opportunity for fraud, waste and abuse of Departmental funds. During FY 2000, OJP began electronically certifying awards through the Grants Management System, consistent with Public Law 106-107, the federal Financial Assistance Management Improvement Act of 1999, to ease public access to Federal grant programs and reduce the flow of paper award packages. The Department will strengthen accountability mechanisms through the continued improvements to the automated Grants Management System and continue to ensure proper disbursement and monitoring of funds through audits, training, site visits, and technical assistance.

MEANS – Annual Goal 8.3**Dollars/FTE**

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
Community Oriented Policing Services	46	8	50	7	50	6
Office of Justice Programs	36	28	36	31	31	32
Subtotal	82	\$36	86	\$38	81	\$38

Skills

This strategic objective requires the skills of accountants, financial, budget, program, management, and system analysts

Information Technology

OJP's Integrated Financial Management Information System (IFMIS) is the official system of record for all OJP funding, commitments, obligations, expenditures, and payments OJP's Grant Management System (GMS) and IFMIS enable end-to-end Internet based grant application, award, and payment for the Local Law Enforcement Block Grant (LLEBG) and State Criminal Alien Assistance Program (SCAAP).

The COPS Office uses its COPS Management System (CMS) to track grants from application receipt to closeout. This system includes the Issue Resolution Module, which tracks compliance issues from discovery to resolution, and the Audit Management System, which tracks audit milestones from inception through closure. In FY 2002, the COPS Office will migrate to the new Financial Management Information Systems 2 (FMIS 2).

PERFORMANCE ASSESSMENT – Annual Goal 8.3

8.3A Achieve Effective Grant Management (Management Challenge)

Background/ Program Objectives:

The Department has been moving toward implementation of an automated Grants Management System (GMS) since FY 1999. Although still in its initial implementation stage, when fully operational, this system will allow the Department to fully administer all grants through a centralized, paperless system and electronically processing and tracking grants from application to closeout. This will allow grantees to receive and submit applications and receive awards electronically and reduce the paperwork required by grantees and standardize the process within program offices. In addition, GMS will assist in setting priorities for program monitoring and facilitate timely program and financial reports from grantees.

Each year, the Office of Justice Programs develops a risk-based monitoring plan that considers inherent programmatic and recipient risks, including the amount of funding at risk, known problems, special requests and a random sample of active awards. OJP currently initiates financial monitoring (covering both OJP and COPS grant programs) and has achieved a reputation for having few reportable problems. When rare instances of waste, fraud, or abuse are reported, OJP quickly responds with direct technical assistance to the recipients to correct serious problems or to the investigators in bringing about appropriate criminal prosecutions. Financial monitoring provides our financial auditors assurance with regard to safeguarding agency assets and the accuracy of recipient-reported expenditures and related expenditure accrual, one of the largest components of our audited financial statements. Following financial review, OJP's staff provides technical assistance on the recommendations made until all recommendations have been implemented. Once it has been determined that the grantee has sufficiently addressed all issues, the review is officially closed in writing.

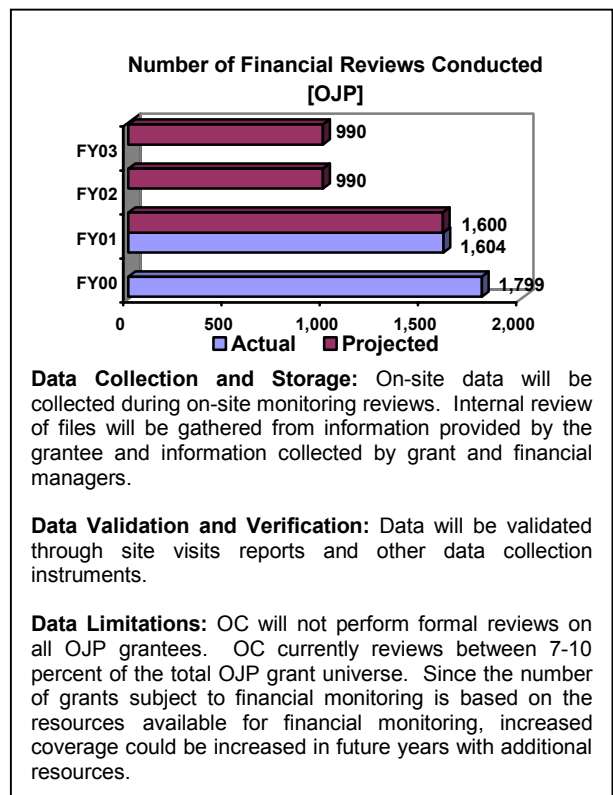
The COPS monitoring program has several elements, which allows COPS to assess how grantees are using federal funds, determine to what extent grantees are implementing community policing, and identify potential compliance issues. COPS develops and then shares its site visit monitoring plan with the Office of the Inspector General (OIG), which also selects a number of COPS grantees for review. Site visits yield detailed documentation of how COPS funds are being used, allow COPS to observe the implementation of COPS grants, and reveal the level to which individual jurisdictions have adopted the community policing philosophy in field activities. The agency complements site visits with office-based grant reviews, which begin with an internal review of grant documentation followed by direct contact with the grantee and the collection of additional and/or supporting documentation demonstrating compliance with grant requirements. The COPS Office has centralized its compliance resolution process and developed the Issue Resolution Module, a COPS-wide automated system that allows for the identification and status tracking of specific grantee issues.

Performance:

Performance Measure: Number of Financial Reviews Conducted [OJP]

FY 2001 Target: 1,600

FY 2001 Actual: 1,604



Discussion: The FY 2001 target was exceeded due to the following: (1) an annual financial monitoring plan, with monthly targets, that addressed agency risk factors was developed; (2) staff was systematically assigned to conduct financial monitoring, in coordination with program offices, according to the plan; (3) full-time staff was devoted to conducting financial monitoring; and (4) actual monitoring performance was compared against targeted numbers monthly.

FY 2002 Performance Plan Evaluation: We are revising the FY 2002 target to 990 financial reviews due to the fact that travel time has increased significantly due to additional security at airports. More time traveling results in less time available for monitoring. Also, current staffing levels are below the previous year levels due to vacancies that cannot be filled as a result of an OJP-wide hiring freeze. Should the freeze be lifted in FY 2002, it is possible that additional reviews can/will be conducted.

FY 2003 Performance Target: 990

Performance Measure: Measure Refined: % of Grants Administered Through a Centralized Paperless System (OJP Bureau and Program Offices) [OJP]

FY 2001 Target: NA – Measure Revised

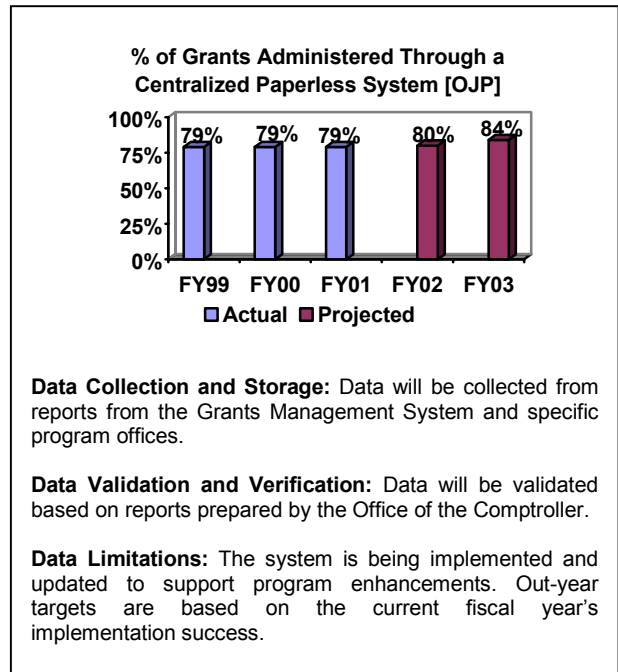
FY 2001 Actual: 79%

Discussion: In FY 2001, OJP required that program office solicitations (Weed and Seed, Violence Against Women, Drug Court Program, Domestic Preparedness, and the Bureau of Justice Assistance Gun Solicitation) be posted and managed through the Grants Management System. Additionally, this measure includes grants processed for the Local Law Enforcement Block Grants, the State Criminal Alien Assistance Program, as well as the Bullet Proof Vest program.

FY 2002 Performance Plan Evaluation Based on FY 2001 performance, we expect to meet the FY 2002 performance target to 80%.

FY 2003 Performance Target: 84%

Public Benefit: When fully operational, this system will reduce the paperwork burden of grantees and allow a single, auditable, easily accessible, electronic, standardized paperless system for grant applications.



Strategies to Achieve the FY 2003 Goal:

In FY 2003, we will continue to demonstrate continued progress towards full implementation of the Grants Management System as a way of standardizing and streamlining the grant processes.

Crosscutting Activities:

The Office of the Comptroller works with internal program offices as well as with the General Accounting Office and the OIG.

STRATEGIC OBJECTIVE 8.4: INFORMATION TECHNOLOGY

Improve the integrity and security of computer systems and make more effective use of information technology

Annual Goal 8.4: Improve the integrity and security of computer systems and make more effective use of information technology

STRATEGIES

- ◆ Enhance the security and reliability of information systems to ensure systems are available to support core mission functions.
- ◆ Develop and implement information systems that improve access to information across the Department of Justice and other federal, state, and local legal and law enforcement entities.
- ◆ Increase the ability to provide information to the public electronically.

The Department has a strong commitment to the Administration's efforts to provide the public with efficient and secure electronic access to government services. Information technology (IT) is a catalyst that will transform the way departmental components perform business functions, interact with other government agencies, and deliver services to the public.

Currently, there are several initiatives underway in the Department to develop and extend e-government services and information. An excellent example is

the Office of Justice Programs' (OJP) successful implementation of its electronic grant application and review processes. OJP expects to provide state, local, and tribal government agencies the ability to complete all of their transactions with OJP electronically. Also, the Immigration and Naturalization Service (INS) is assessing all of its business processes and has laid out plans to automate a large number of transactions with its customers. Most of INS' plans will take several years to complete.

This ongoing commitment to electronic government while maintaining current IT capabilities, without significant growth in resources, places increased importance on capital investment, architecture, and security in FY 2002. Sound IT capital programming processes will help to ensure a clear focus on service and performance in terms of timely investment in new technologies and wise management of legacy systems. The developing enterprise architecture will complement capital programming with a business framework for IT technical infrastructure. Finally, redoubled commitment to security is necessary to protect information and infrastructure by thwarting computer intrusions, protecting individual privacy, and combating cybercrime.

MEANS – Annual Goal 8.4

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
General Administration	37	5	35	4	35	5
Working Capital Fund	284	0	306	0	306	0
Joint Automated Booking System	3	4	4	1	9	24
Legal Activities Office Automation	0	15	0	16	0	16
Narrowband Communications	7	107	12	94	12	149
Subtotal	331	\$131	357	\$115	362	\$194

Skills

Program management and system engineering skills as well as network management, Internet, and security skills are needed in all Department components. IT staff must demonstrate expertise in current and emerging technologies and be capable of preparing business justifications and managing technology development and maintenance.

**Information
Technology**

Computer laboratories must be funded and maintained to evaluate new technologies and products before wide-scale deployment. Help desk and operations staff will provide support services to ensure availability of office automation technologies to all users. There is increasing use of web technology for information access and dissemination.

PERFORMANCE ASSESSMENT – Annual Goal 8.4

8.4A Ensure IT investments are cost effective and meet programmatic and customer needs (Management Challenge)

Background/ Program Objectives:

Under the direction of the DOJ Chief Information Officer, the Department provides leadership and policy direction to IT programs in over 30 component organizations with widely divergent missions and funding. Cost-effective maintenance of current technology and timely adoption of new technology across the Department increasingly requires coordinated management of technical, budgetary, and programmatic issues that impact IT investment.

Given the critical role that the Department's mission-critical computer systems play in our operational and administration programs – not to mention the vast sums of money spent on developing and deploying these systems – information systems planning and implementation remains a key priority for the Department. In FY 2001, we issued an information technology investment management policy and guide that established a sound disciplined management process that guide information systems planning and implementation. We are currently revising the system development life cycle methodology to align with the information technology investment management process. The process ensures that long-range planning and a disciplined budget decision-making approach is the foundation for managing information technology portfolios of assets to meet performance goals and objectives with minimal risk, lowered life-cycled costs and results in greater benefits to the Department's overall business needs.

Performance:

Performance Measure: DOJ IT Investments Managed Through the Approved ITIM Processes (Former Title: Major IT Investment Portfolio Systems Achieving 90% of Cost and Schedule Goals)

FY 2001 Target: NA

Discussion: NA

FY 2002 Performance Plan Evaluation: The FY 2002 target has been revised to 50%.

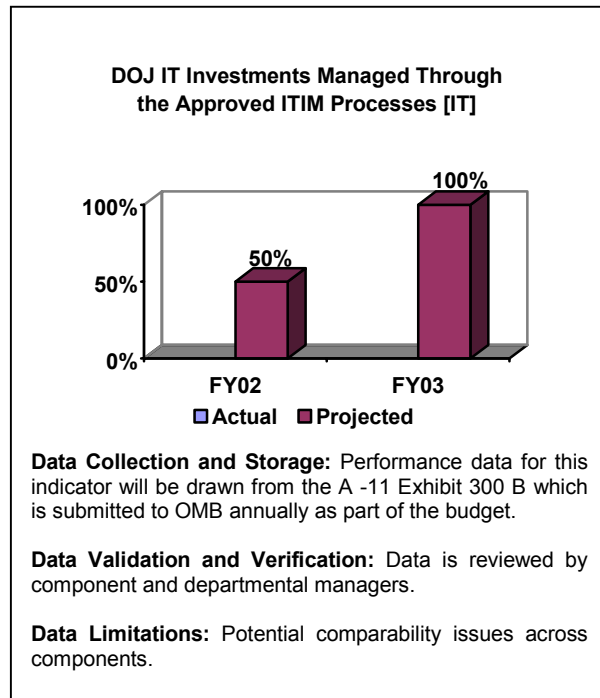
FY 2003 Performance Target: 100%

Public Benefit: Improvement in IT investment management will assure that technology investments are appropriately aligned to policy and program goals and managed to meet targeted cost and schedule goals and ensure public funds are expended wisely.

Strategies to Achieve the FY 2003 Goal:

We will continue to invest in an IT management framework built around a capital programming process closely aligned to an enterprise architecture. We believe that this approach will assure that component organizations have the technical and management information needed to achieve departmental goals for electronic government without sacrificing important security protections when exchanging information within the Department, with other government agencies, the private sector, and the public.

In FY 2002, we will streamline the investment review processes that foster cross-cutting program initiatives and hold DOJ component organizations accountable for decision-making. In FY 2001, we expect to formally appoint CIOs in the largest components. Our objective is to ensure the major information systems in our departmental IT investment portfolio will be managed under an approved capital planning or IT investment



management process. Investment management process functioning as part of DOJ component IT management will ensure cost effective systems.

Crosscutting Activities:

The views of the Chief Information Officer Council, composed of the senior Information Resource Manager in each component, are obtained prior to any major policy or resource decision.

8.4B Ensure Information Technology Security (Management Challenge)

Background/ Program Objectives:

Trust in security of information in the custody of the Department is basic to current operations and a minimum requirement for future system deployments. The Department has revitalized its security certification accreditation program to ensure that components carry out comprehensive security planning, risk assessment, and contingency planning for all information systems. In addition, a penetration testing program was initiated two years ago to identify weaknesses to specific systems and networks. JMD ensures timely corrective action is taken by system owners to thwart unauthorized access to our systems.

The Department acknowledges the need to improve its information technology (IT) security program. Although progress has been made, much more needs to be done. To this end, the Department has submitted the required critical infrastructure protection plan, issued a new IT Security Policy, continues to verify and accredit our systems, and has integrated IT security into the capital planning and investment controls process. Specifically, the Department will: (1) continue to conduct an aggressive program of penetration tests and independent assessments and to carefully follow-up on the results, (2) continue to certify and accredit systems and monitor corrective action plans to address the vulnerabilities of these systems, (3) develop remedial action plans for identifying vulnerabilities, and (4) reevaluate and assess the Departments' critical infrastructure and planning initiatives based upon the recent events of September 11, 2001.

Performance:

Performance Measure: % of Information Systems Certified and Accredited by the Component

FY 2001 Target: 100%

FY 2001 Actual: 83%

Discussion: The target was not met due to resource constraints in two bureaus. IT security will remain an explicit element of all DOJ IT planning and management security activities. The Department continues to carefully monitor the identification and implementation of corrective actions to address deficiencies identified in penetration testing and compliance reviews. This performance will ensure the effectiveness of the overall security program at the Department and/or component level.

FY 2002 Performance Plan Evaluation: Based on FY 2001 performance, we have decreased the corresponding FY 2002 to 90%.

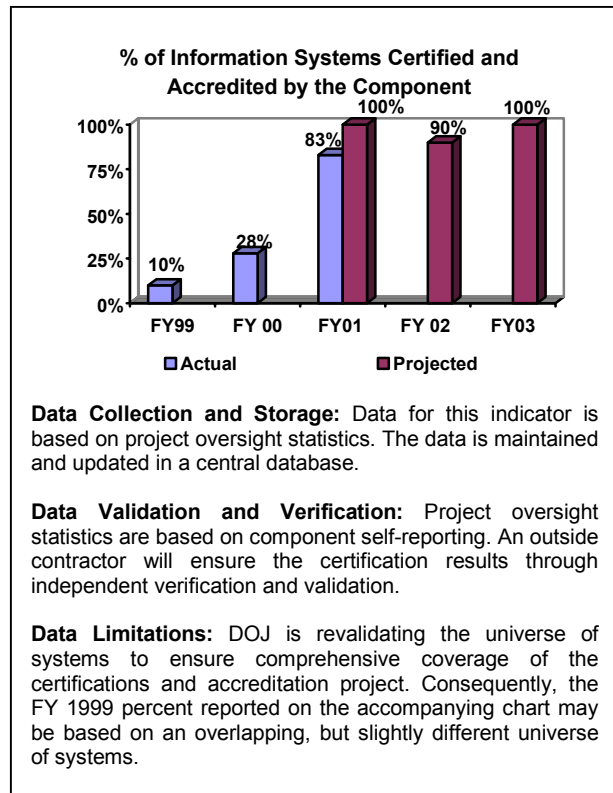
FY 2003 Performance Target: 100%

Public Benefit: This program is central to assuring the public's trust that information and IT systems in the Department of Justice are adequately protected against unauthorized access and use.

Performance Measure: NOTE: % Reduction in High Risk Findings has been replaced with the New Measure: % of Major Systems with Tested Contingency Plan due to strategy changes in the Department

FY 2001 Target: No targets established.

Discussion: By establishing a performance measure in this area of IT security, the Department will ensure all IT systems have contingency/disaster recovery plans established. Backup storage sites and alternate sites are geographically removed from primary sites to physically protect information and provide the need for recoverability during disruptions or catastrophic events.



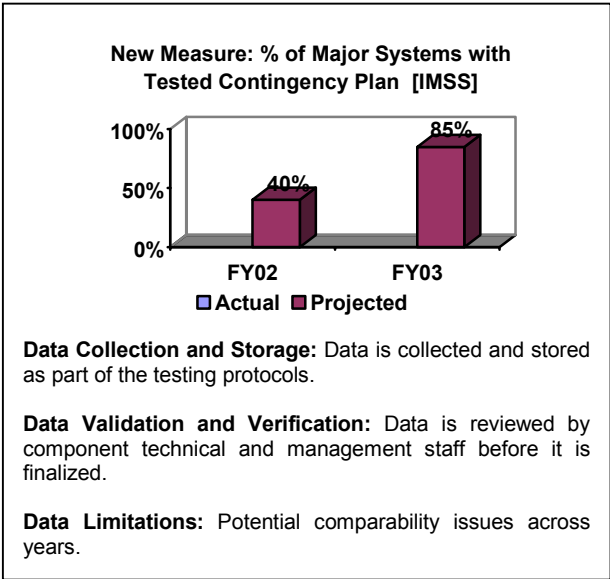
FY 2002 Performance Plan Evaluation: We expect to meet the FY 2002 target of 40% of major systems with tested contingency plans.

FY 2003 Performance Target: 85%

Public Benefit: Systems in place with tested contingency plans are much more likely to react quickly and positively to interruptions caused by natural events or deliberate attempts to disrupt service.

Strategies to Achieve the FY 2003 Goal:

The events of September 11, 2001 changed the nature of cyber threats, and the subsequent developments in the area of homeland security are making significant changes in the way security planning and implementation are done across the government and private sectors. We must look very closely at issues such as whether a contingency plan addressing a relatively minor disruption in service would be adequate in the event of catastrophic events. The Department will continue to make certification and accreditation the keystone of its security program. New guidelines will be issued to insure the utility of the certification and accreditation process and instill greater accountability. There will be an emphasis on developing corrective action plans and tracking their implementation. The Department will also continue to conduct penetration testing and to follow up on the findings and recommendations provided. Special emphasis will be placed on contingency plans during review and validation of certification packages. Review of packages will ensure that plans are comprehensive and that they have been thoroughly tested.



Crosscutting Activities:

The Information Technology Security Officers Working Group made up of component security staff meets monthly to address security issues of common concern in the areas of security policy and operations, technical issues, and security awareness.

8.4C Expand Electronic Access and Dissemination of Department Information (Management Challenge)

Background/ Program Objectives:

The technology for e-government is here, and the demand for e-government services is growing much faster than the demand for traditional IT products and services. Internet access through interconnected systems makes possible electronic dissemination of information, electronic access to products and services, and on-line business transactions. At the same time, during this transition period, we must ensure that the services offered online are appropriate to the needs of citizens and business users. For example, we cannot bypass the needs of users who are geographically isolated from technology, have language or educational barriers to using the services offered electronically, or face financial hardship in securing necessary hardware, software, or communications services.

We believe that our Government Paperwork Elimination Act (GPEA) Plan is a realistic assessment of the Department business functions involving the public that can be converted to electronic operations over the next several years. It includes the following initiatives.

- The Drug Enforcement Administration's (DEA) Office of Diversion Control plans to eliminate the paperwork burden imposed on the regulated pharmaceutical and chemical industries. In 2001, DEA will begin to make re-registration with DEA an electronic option for these industries. In 2002, physicians and pharmacies will be able to electronically exchange controlled substance prescriptions, and the drug industry, including manufacturers, wholesale distributors and pharmacies, will be able to electronically process controlled substance orders and subsequently report them to DEA.
- The Bureau of Prisons will provide a fully electronic option for its inmate locator service consistent with applicable privacy and other legal requirements.
- The Federal Bureau of Investigation will enable city, county, state and federal law enforcement agencies to provide information for the Uniform Crime Reporting Program electronically.
- The Executive Office for United States Attorneys is developing the Victim Notification System to provide information electronically to victims of federal crimes.

Performance:

Performance Measure: % of Information Collections Under the Paper Reduction Act (PRA) Converted to Electronic Format [IMSS]

NOTE: Data has been modified to reflect the current inventory and projections for conversion.

FY 2001 Target: 37%

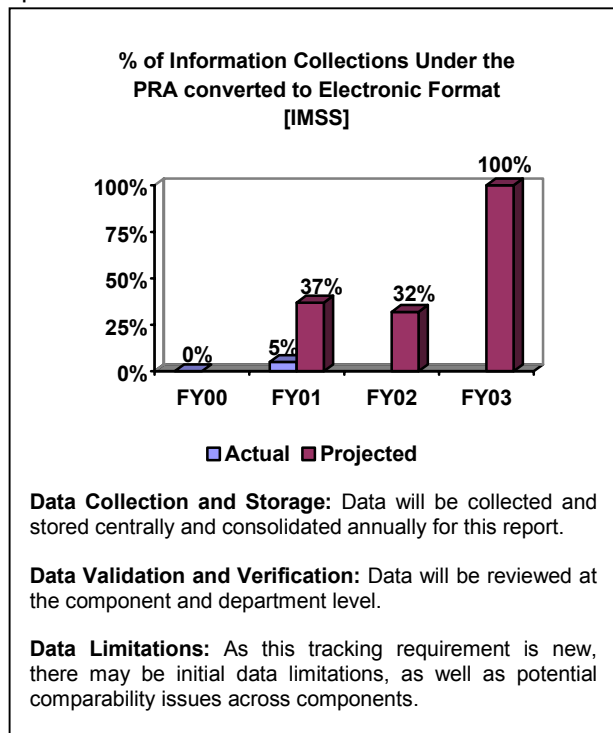
FY 2001 Actual: 5%

Discussion: Although the total number of PRA collections was 266, based on the FY 2001 budget priorities and realignment of IT systems that support them, we did not meet our target. We plan to revise component GPEA plans to align with the GPEA implementation goal for October 2003.

FY 2002 Performance Plan Evaluation: Based on FY 2001 performance and the strategic goal alignment in response to the September 11, 2001 terrorist attacks, we have revised our FY 2002 target downward to 32%.

FY 2003 Performance Target: Although the requirement for GPEA implementation is to be 100% complete in FY 2003, our current projection is 40%.

Public Benefit: The public benefits of converting information collections to an electronic format include minimizing the federal paperwork burden for individuals, small businesses, educational and nonprofit institutions, federal contractors, state, local and tribal governments, and others outside the Federal



Government. It also maximizes the utility to the public of information created, collected, maintained, used, shared and disseminated by or for the Federal Government.

Strategies to Achieve the FY 2003 Goal:

The DOJ GPEA Plan contains a prioritized schedule for accomplishing the planned transition to a paperless environment. Relying on this plan as a baseline for moving the Department toward doing business electronically as a standard practice, we will measure the percent of information collections under the Paperwork Reduction Act that are converted to electronic format on or before the scheduled completion date. The Department will continue to monitor this effort and make adjustments for the outlying years.

Crosscutting Activities:

The development and implementation of the GPEA plan is a collaborative effort between the litigating divisions, the Justice Management Division and other component organizations. This significant level of crosscutting activity is due to the range of legal, privacy, political and technical issues that will have to be addressed over the next three years to meet the challenge of shifting from primarily paper-based transactions with other government agencies and the public to primarily electronic transactions; while continuing to provide adequate levels of privacy, security and access to all including individuals with disabilities.

STRATEGIC OBJECTIVE 8.5: HUMAN RESOURCES

Strengthen human resource recruitment, and retention and performance to ensure a workforce that is skilled, diverse and committed to excellence

Annual Goal 8.5: Strengthen human resource recruitment, and retention and performance to ensure a workforce that is skilled, diverse and committed to excellence

STRATEGIES

- ◆ Develop and implement a plan of action to ensure that critical skill needs are met.
- ◆ Continue to meet the needs and expectations of Department employees by providing opportunities for training and career development, offering a range of worklife options, fostering diversity, and other means.

Current assessment of recruitment and retention issues in the Department indicates that recent efforts to attract and retain qualified Border Patrol Agents have been successful.

As a result of initiatives implemented in FY 2000, the INS has been able to overcome difficulties in hiring Border Patrol Agents. Through the use of trained Border Patrol Agents, an advertising campaign, hiring bonuses, and reducing the length of the pre-employment process, INS attracted over 91,000 qualified applicants. As a result, the hiring register was closed on October 26, 2000, to allow INS to process the applicants. We anticipate opening the register three times a year.

MEANS – Annual Goal 8.5

Dollars/FTE

Appropriation	FY 2001 Actual		FY 2002 Enacted		FY 2003 Requested	
	FTE	\$ mill	FTE	\$ mill	FTE	\$ mill
General Administration	390	50	419	50	438	54
Working Capital Fund	126	0	189	0	189	0
Subtotal	516	50	608	50	627	54
TOTAL	124,174	\$24,754	135,770	\$27,849	141,276	\$26,950

Skills

Personnel skilled in recruitment are needed as well as analysts. Personnel involved in reviews and studies attempting to identify opportunities for streamlining and delayering should be competent in business process re-engineering principles and practices, organizational theory, work process flow analysis, group dynamics, work teams and existing personnel rules and regulations.

Information Technology

INS relies upon the National Payroll Center, a centralized processing center where INS employee payroll is processed. JMD will rely on the National Finance Center, the payroll/personnel system for the Department, to access information needed to assess workforce-related issues.

PERFORMANCE ASSESSMENT – Annual Goal 8.5

8.5A Increase Hiring and Retention in Key Positions (Management Challenge)

Background/ Program Objectives:

We have given priority attention to the recruitment of Border Patrol Agents and have been quite successful. INS will continue improvements in this area through the implementation of the following five initiatives: (1) increase the Internet recruiting system that involves twelve different sites; (2) establish overseas testing involving military bases around the world; (3) develop the capacity to conduct walk-in testing or mobile testing; (4) revise the compressed testing process to allow on-site drug testing; and (5) initiate an integrity interview and full field investigation prior to the oral board. Valuable staff hours and resources will be saved by utilizing the Internet and walk-in testing.

Performance:

Performance Measure: Border Patrol Agents On-Board

FY 2001 Target: 9,807

FY 2001 Actual: 9,859

Discussion: INS exceeded the target for Border Patrol Agents on-board.

FY 2002 Performance Plan Evaluation: Based on program performance in FY 2001, we expect to meet the FY 2002 target of 10,377 border patrol agents on-board.

FY 2003 Performance Target: 10,974 agents on-board

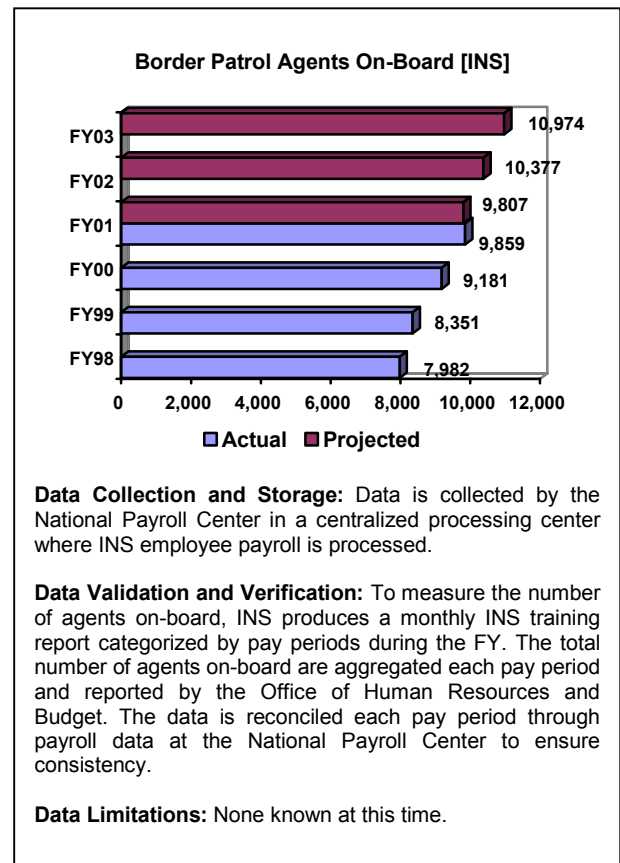
Public Benefit: The ability of INS to hire up to the full complement of Border Patrol Agents (and other occupations) that are authorized and funded by Congress means that the mission of the INS can expand as intended.

Strategies to Achieve the FY 2003 Goal:

INS projects that new Border Patrol Agents will be deployed in key operational zones along the Southwest border and at Northern border sites. The National Hiring Center (NHC) will continue as the centralized processing facility for entry-level hiring for Border Patrol Agents. The NHC assumes full responsibility for the Border Patrol Registry, oral board scheduling, pre-appointment processing, entry-on-duty and attendance at the Border Patrol Academy, and the Border Patrol Reinstatement Program. Several initiatives (discussed above) are underway to increase interest in qualified applicants and shorten the hiring process.

Crosscutting Activities:

INS coordinates with the Office of Personnel Management to maximize recruitment and retention of Border Patrol Agents.



8.5B Streamline Organizations within the Department of Justice by Delaying Management Levels (Management Challenge)

Background/ Program Objectives:

The President announced in his FY 2002 budget that his first priority for Government reform was to make the Federal Government citizen-centered. This means ensuring that there is as little distance as possible between the citizens and decision-makers by flattening the Federal hierarchy, reducing the number of layers, and using workforce planning to help agencies redistribute higher-level positions to front-line, service-delivery positions that interact with citizens. As a follow-up to this, OMB issued Bulletin 01-07, "Workforce Planning and Restructuring," which instructed agencies to 1) submit a workforce analysis to OMB, and 2) develop restructuring plans in the context of FY 2003 budget requests and annual performance plans.

The Department has three specific restructuring proposals. The first will address systemic problems related to INS' dual missions of service and enforcement by creating two separate chains of command and accountability, reporting to a single policy leader. INS' restructuring will also address the need to streamline the organization to emphasize front-line enforcement and service delivery functions. The second proposal addresses FBI restructuring to better allocate resources for the war on terrorism. The third proposal will consider alternatives for improving the efficiency and effectiveness of state and local assistance programs.

Performance:

Performance Measure: Department of Justice Delaying Milestones

FY 2001 Target: NA

Discussion: NA

FY 2003 Performance Target:

Public Benefit: Having more federal employees on the front lines will provide U.S. citizens with easier and quicker access to information about federal programs and benefit services. Fewer layers will allow those front-line employees to provide more efficient service to the public when the required information or service requires more research or unique decision-making.

Strategies to Achieve the FY 2003 Goal:

In FY 2003, the Department will assess supervisory ratios in DOJ components and explore options for improvement in this area. The Strategic Management Council, established in FY 2001 under Attorney General Ashcroft; serves as the formal board within the Department to provide direction and leadership on long-range planning and initiatives. This council will oversee and manage the workforce restructuring issues included in the 5-year plan. It will review potential selected consolidations of small field offices, including overseas offices. Throughout this effort the Committee will evaluate the emerging issues in the agent workforce that may affect the make-up of our law enforcement personnel. Additionally, DOJ will begin to identify component initiatives that might be able to share administrative functions, and use Geographic Information Systems (GIS) capability to support DOJ policy-level workforce reallocations.

Department of Justice Delaying Milestones [JMD]		
Restructure INS and FBI	Restructure State & Local Assistance Programs	Target Date
Develop a plan	Develop a plan	FY 2002
Begin Implementation	Begin Implementation	FY 2002
Continue Implementation	TBD	FY 2003
Complete restructuring	TBD	FY2004

Data Collection and Storage: Data is collected from the National Finance Center, which provides support for the Department's personnel/payroll system.

Data Validation and Verification: Assessments of position allocation and distribution.

Data Limitations: None known at this time.

Crosscutting Activities:

This activity is largely internal to DOJ.

APPENDIX A

DISCONTINUED MEASURES PERFORMANCE REPORT

DISCONTINUED FY 2001 PERFORMANCE INDICATORS* - PERFORMANCE REPORT									
FY 2001 Report/FY 2002 Revised/ FY 2003 Plan	Location in FY 2000 Report/ FY 2002 Plan		Historical Data			FY 2001 Performance Evaluation			Reason for Discontinuation
Current Performance Measure	Strategic Objective	Page #	FY 1998 Actual	FY 1999 Actual	FY 2000 Actual	FY 2001 Target	FY 2001 Actual	FY 2001 Performance Evaluation	FY 2001 Report/FY 2002 Revised Final Plan/FY 2003 Plan
Number of USAO's with Crisis Response Plans	1.4	34	10	20	80	90	88	Several districts with new U.S. Attorneys required additional time to fully evaluate and review the plans	Objective Completed
% of LCN Members Incarcerated	1.1	6	19%	18%	22%	25%	17%	Target was not met due to over estimation of FY 2001 target	Original planned approach (to incarcerated 25% of the LCN members) will be completed in FY 2002
EPIC Inquiries Resulting in Positive Responses	1.2	20	18,686	23,167	22,624	25,000	22,081	Target was not met due to less inquiries for information than originally anticipated	Not Reflective of Program Results
Clandestine Laboratories Seized, Dismantled & Disposed	1.2	25	1,651	2,024	1,888	N/A	1,480	Due to Departmental guidance, annual performance for this measure is not projected/targeted	Results Captured in 2.2A
Number of Criminal Background Checks	1.1	10	N/A	3.35	4.49	5.05	4.39	Target was not met due to less inquiries for information than originally anticipated	Reflects workload, not program results
Cases in Indian Country	1.1	14	1,814	1,799	1,926	N/A	1,892	Due to Departmental guidance, annual performance for this measure is not projected/targeted	Reflects workload, not program results
Number of new Interpol cases (in thousands)	1.1	16	14,976	18,100	19,549	21,000	16,880	Target was not met due to implementation of a new data system throughout FY 2001	Reflects database access, not program results
HomeHealth Medicare Expenditures (\$Bil) (Florida, Texas, Louisiana)	1.5	40	\$2.61	\$1.65	\$1.43	\$3.61	Data not available	Data not available at this time	Medicare billings for home health agency medical services has leveled off. See new measure 2.4A
Byrne Programs Exhibiting High Probability of Improving the Criminal Justice System	2.1	62	50	50	50	50	50	FY 2001 Target Achieved	Data Reliability
Number of Grants Provided to Indian Tribes	2.1	64	99	189	199	200	157	The dollar amount requested for individual projects was higher than expected. Therefore, COPS funded a fewer number of grants at a higher dollar amount	Reflects administrative workload, not program results
Number of Monitoring Visits Conducted	7.2	247	N/A	N/A	34	48	64	FY 2001 Target was Achieved/Exceeded	Reflects administrative workload, not program results
Average Response Time (Hours) for Fingerprint Identification Under IAFIS	2.1	68	Criminal 744 hours; Civil 528 hours	Criminal 504 hours; Civil 312 hours	Criminal 13 hours; Civil 8 hours	Criminal 2 hours; Civil 24	Criminal 5.19 hours; Civil 3.48 hours	Criminal checks are completed 89.1% of the time within two hours. Calculated average response time is badly skewed by the long processing time for a very small percentage of submissions	Streamlining Departmental plan
Police Corps Graduates Serving One Year Community Patrol	2.1	69	68	150	345	490	470	FY 2001 target was not met due to the fact that OPCLEE encouraged states to use a more selective recruitment process to reduce the number of resignations and removals	Streamlining Departmental plan

FY 2001 Report/FY 2002 Revised/ FY 2003 Plan	Location in FY 2000 Report/ FY 2002 Plan		Historical Data			FY 2001 Performance Evaluation			Reason for Discontinuation	
	Current Performance Measure	Strategic Objective	Page #	FY 1998 Actual	FY 1999 Actual	FY 2000 Actual	FY 2001 Target	FY 2001 Actual	FY 2001 Performance Evaluation	FY 2001 Report/FY 2002 Revised Final Plan/FY 2003 Plan
Percentage of Computerized State Criminal Records	2.1	70	Data are collected every two years	89%	N/A	90%	N/A	The NCHIP program conducts state-level surveys every two years and will continue automation goals as projected in the newly refined measure	Replaced with refined measure	
States, Localities, Tribal Governments with Justice Programs STOP	2.1	75		117	137	157	157	157	FY 2001 Target was Achieved	Streamlining Departmental plan
Grantees with Mandatory or Pro-Arrest Policies	2.1	76		115	52	60	60	90	FY 2001 Target was Achieved/Exceeded	Streamlining Departmental plan
States/Territories in Compliance with the Four Statutory Core Protections	2.2	80		53	51	45	56	51	Of the original target of 56 states/territories, two states do not participate in the formula grant program, two states received 25% reductions, and one state received a 50% reduction. All due to compliance issues. States that have been determined to be ineligible to receive any or all of their Formula Grant allocation, receive ongoing technical assistance on procedures and strategies to help them attain and maintain compliance with the JJDP Act	Data not reflective of program results/efforts in this area
Total Number of Mentoring Programs Implemented	2.2	82		N/A	162	203	222	203	OJJDP plans to release an additional solicitation in FY 2002 that will result in the implementation of programs originally anticipated for FY 2001.	Replaced with refined measure reflecting number of children served rather than number of programs
Comprehensive Gang Programs Implemented	2.2	84		N/A	13	12	26	19	One solicitation was released in FY 2001 in anticipation of 16 newly implemented Gang Programs; however, due to the quality of responses to the solicitation, only 10 awards were made in FY 2001.	Streamlining Departmental plan
Tribal Youth Programs Implemented	2.2	86		N/A	37	81	113	86	Appropriated FY 2001 grant monies for this program were not awarded as of 9/30/01	Streamlining Departmental plan
Number of Missing Children Hotline Calls Received Annually	2.4	99		133,732	125,169	143,015	135,000	155,000	FY 2001 Targets were Achieved/Exceeded	Reflects workload, not program results
Percentage of Drug Court Participants Not Committing Crimes (During Program Participation)	2.3	92		85%	80%	80%	80%	80%	FY 2001 Target was Achieved	Data Reliability
Number of Subgrants Awarded to Law Enforcement Agencies Providing Direct Funding to Victims	2.4	97		N/A	157	157	161	194	FY 2001 Target was Achieved/Exceeded	Replaced with refined measure, more accurately reflecting performance in this area

FY 2001 Report/FY 2002 Revised/ FY 2003 Plan	Location in FY 2000 Report/ FY 2002 Plan		Historical Data			FY 2001 Performance Evaluation			Reason for Discontinuation
	Current Performance Measure	Strategic Objective	Page #	FY 1998 Actual	FY 1999 Actual	FY 2000 Actual	FY 2001 Target	FY 2001 Actual	FY 2001 Performance Evaluation
Percentage of Participants who feel Safe Havens are Working to Reduce Crime	2.5	102	81%	93%	88%	80%	94%	FY 2001 Target was Achieved/Exceeded	Data not reflective of program results/efforts in this area
Cases Where CRS Assistance Averted Potential Violence or Disorder	2.5	106	80	129	310	187	259	FY 2001 Target was Achieved/Exceeded	Data not reflective of program results/efforts in this area
Criminal Civil Rights Action	3.1	112	79	89	83	124	93	Target was not met due to demands on attorney resources to investigate and prosecute intensive, complex, high profile cases	Reflects workload, not program results
Number of Pattern or Practice Cases Successfully Litigated (Resolved)	3.1	114	46	48	44	53	32	Target was not met; some pattern or practice cases that began in FY 2001 were not resolved before the end of the FY as originally anticipated. Also, some cases were more complex than originally anticipated and therefore required more time/resources	Reflects workload, not program results
Manage the Impact of the FY 2000 Census	3.1	116	N/A	Section 5 Reviewed 12,883; Redistricting Reviews 63	Section 5 Reviewed 17,175; Redistricting Reviews 53	Section 5 Reviewed 23,492; Redistricting Reviews 500	Section 5 Reviewed 11,391; Redistricting Reviews 322	Target was not met; target may have been too high based on historical trends for requests in the year following a Presidential Election	Reflects workload, not program results
Response time for Status Verification (in days)	4.1	144	10 Gov't Customers; 3 Employers	1 Gov't Customers; 3 Employers	1 Gov't Customers; 3 Employers	1 Gov't Customers; 3 Employers	1 Gov't Customers; 2 Employers	FY 2001 Target was Achieved/Exceeded	Performance related to this measure has been optimized
Offshore Prosecutions Assisted by INS Aided by Fraudulent Document Detection	4.3	156	105	119	514	119	544	FY 2001 Target was Achieved/Exceeded	Reflects workload, not program results
INS Field Manuals Completed (%)	4.6	170	N/A	N/A	45%	65%	50%	Manuals are still under revision	Reflects workload, not program results
Number of Cases Completed (Adjudicated) [in millions]	4.2	149	N/A	Naturalization 1.2M; Adjustment to status 0.3M	Naturalization 1.3M; Adjustment to status 0.6M	Naturalization 1.5M; Adjustment to Status .6M	Naturalization .8M; Adjustment to status .8M	Naturalization cases were over estimated, all backlog has been eliminated. (AOS cases excluded from target)	Reflects workload, not program results
New Medical Claims Filed by INS Employees (Per 100 Employees)	4.6	172	N/A	N/A	14.2	13.7	12.2	In FY 2001 INS was successful in that less claims than originally anticipated were filed	Streamlining Departmental plan
Opinions Earned on Consolidated Statements	4.6	174	Disclaimer on all statements	Disclaimer on all statements	Unqualified on Balance Sheet; Qualified on all other statements	N/A	N/A	See 8.2A	Included in 8.2A
INS Audited Financial Statements Receiving Clean Audit Opinions	4.6	175	N/A	N/A	20%	100%	N/A	See 8.2A	Included in 8.2A

FY 2001 Report/FY 2002 Revised/ FY 2003 Plan	Location in FY 2000 Report/ FY 2002 Plan		Historical Data			FY 2001 Performance Evaluation			Reason for Discontinuation
	Current Performance Measure	Strategic Objective	Page #	FY 1998 Actual	FY 1999 Actual	FY 2000 Actual	FY 2001 Target	FY 2001 Actual	
Firearms that are Unaccounted For	4.6	176	11	0	2	0	1	One case is remains unresolved	No longer identified as an OIG management challenge, therefore it is being discontinued from the Departmental Report/Plan
Percentage of Alien Files Transferred within 3 Days	4.6	177	N/A	N/A	31%	65%	45%	Original target was overestimated	Reflects workload, not program results
Percent of Travelers Inspected with DCLs (Formerly SENTRI)	4.4	159	N/A	4.8%	4.1%	2.8%	5.8%	FY 2001 Target was Achieved/Exceeded	Reflects workload, not program results
Total Number of Matters Received and Completed	4.7	179	294,687 Completed; 297,108 Received	274,646 Completed; 263,148 Received	276,472 Completed; 284,362 Received	290,000 Completed; 290,000 Received	289,087 Completed; 312,738 Received	The target was missed by 1%. This was due to the higher number of matters actually received (+7.8%)	Reflects workload, not program results
Average Daily Population In Custody	5.1	186	USMS 28,692; INS 14,716	USMS 32,119; INS 16,563	USMS 34,528; INS 18,518	USMS 39,788; INS 19,573	USMS 37,007; INS 19,533	In FY 2001 USMS/INS achieved success in this area by estimating average daily population either at/below projected levels	Reflects workload, not program results
New Prison Beds	5.2	195	New Beds Developed 13,351	New Beds Developed 20,417	New Beds Developed 23,904	New Beds Developed 34,078	New Beds Developed 34,078	In FY 2001, there was a delay in activating new beds in one facility; that problem has been corrected	Reflects workload, not program results
Percentage of Total Planned Survey of Facilities 50+ Years Old Completed	5.3	200	13%	26%	63%	73%	63%	In FY 2001, there were contract renewal delays which resulted in less surveys being conducted	Reflects workload, not program results
Percentage of Life Safety Discrepancies Completed	5.3	202	96%	96%	99%	99%	99%	FY 2001 Target was Achieved	Reflects workload, not program results
Percentage of Victims Receiving Timely Notification of Case Events	6.3	224	N/A	N/A	N/A	N/A	N/A	Measure was to be new for FY 2002	Data Reliability
Percent of Open Cases Three Years Old or More	6.4	228	Chapter 11 7.3%; Chapter 7 4.0%	Chapter 11 5.9%; Chapter 7 3.9%	Chapter 11 4.2%; Chapter 7 2.3%	Chapter 11 5.5%; Chapter 7 3.8%	Chapter 11 4.5%; Chapter 7 2.2%	FY 2001 Target was Achieved/Exceeded	Measure reflects workload
Distribution of Funds to Creditors (in millions)	6.4	230	Chapter 12 \$34; Chapter 7 \$929; Chapter 13 \$2,477	Chapter 12 \$38; Chapter 7 \$941; Chapter 13 \$2,824	Actual to be reported	N/A	Not Available; data reporting is one year behind	Due to Departmental guidance, annual performance for this measure is not projected/targeted	Data is now reported in the narrative portion of Strategic Objective 7.4
Opinions Earned on Consolidated Statements	7.2	242	N/A	Disclaimer on all statements	Unqualified on Balance Sheet and Statement of Custodial Activity; Qualified on all remaining	Unqualified on all statements	Data not available at this time	N/A	Measure was refined within this Section

FY 2001 Report/FY 2002 Revised/ FY 2003 Plan	Location in FY 2000 Report/ FY 2002 Plan		Historical Data			FY 2001 Performance Evaluation			Reason for Discontinuation
	Current Performance Measure	Strategic Objective	Page #	FY 1998 Actual	FY 1999 Actual	FY 2000 Actual	FY 2001 Target	FY 2001 Actual	FY 2001 Performance Evaluation
Percentage of Components with an Unqualified Opinion on Financial Statements	7.2	243	N/A	40%	80%	100%	Data not available at this time	N/A	Measure was refined within this Section
Number of SCAAP Applications Received using the Internet Based System	7.2	245	N/A	N/A	413	433	522	FY 2001 Target was Achieved/Exceeded	Measure reflects workload, not progress towards proper grant management
Percentage of Participants Satisfied with Financial Training Received	7.2	245	N/A	N/A	95%	95%	97%	FY 2001 Target was Achieved/Exceeded	Data Reliability
Percentage of JCON II Desktops Deployed to Staff	7.3	252	70%	14%	34%	87%	100%	FY 2001 Target was Achieved/Exceeded	Objective Completed
Percentage of Total Information Bandwidth Transitioned to JCN	7.3	252	17%	25%	44%	42%	60%	FY 2001 Target was Achieved/Exceeded	Reflects workload, not program results
Major IT Investment Approval Requests Subject to IT Board Assessment Criteria	7.3	253	7	8	8	40	47	FY 2001 Target Achieved/Exceeded	Streamlining Departmental plan
Percentage Increase in Satisfied Customers (FY 2001 = Baseline)	7.3	254	N/A	N/A	N/A	N/A	N/A	N/A	Streamlining Departmental plan
Percentage Reduction in High Risk Findings (FY 2001 = Baseline)	7.3	256	N/A	N/A	N/A	N/A	N/A	N/A	Streamlining Departmental plan
New BOP Correctional Staff On-Board	7.4	263	N/A	N/A	3,221	3,394	3,446	FY 2001 Target was Achieved/Exceeded	No longer identified as an OIG management challenge, therefore it is being discontinued from the Departmental Report/Plan
Shorten the Recruitment Process (Number of Days)	7.4	265	N/A	N/A	200	200	186	Due to delays in the system implementation target was not met	Delays in systems development; Streamlining Departmental Plan
Increase Employee Satisfaction in Selected Areas	7.4	266	N/A	N/A	N/A	N/A	N/A	Measure was to be new for FY 2002	Deleted due to lack of funding for proposed surveys

*Indicators previously discontinued or deleted in the FY 2000 Performance Report are not displayed

APPENDIX B

MATERIAL ISSUES from the DEPARTMENT OF JUSTICE FY 2001 MANAGEMENT CONTROLS REPORT

Material Weaknesses

Prison Overcrowding (BOP)

Detention Space and Infrastructure (USMS, INS)

Computer Security (DOJ)

Monitoring of Alien Overstays (INS)

Organizational and Management Issues (INS)

Management of Automation Programs (INS)

Efforts to Identify and Remove Criminal Aliens (INS)

Alien Smuggling (INS)

Material Nonconformances

DOJ Financial Systems Compliance

INS Deferred Revenue

FPI Adherence to Accounting Standards and Financial Management System Requirements

DEA Adherence to Accounting Standards and Financial Management System Requirements

APPENDIX C

OIG LETTER TO CONGRESS LISTING THE TEN MOST SERIOUS MANAGEMENT CHALLENGES FACING THE DEPARTMENT OF JUSTICE



U.S. Department of Justice

Office of the Inspector General

December 31, 2001

MEMORANDUM FOR THE ATTORNEY GENERAL
THE DEPUTY ATTORNEY GENERAL

A handwritten signature in cursive script that reads "Glenn A. Fine".

FROM: GLENN A. FINE, INSPECTOR GENERAL

SUBJECT: Top Management Challenges in the
Department of Justice - 2001 List

Attached to this memorandum is the Office of the Inspector General's (OIG) December 2001 list of the Top Management Challenges facing the Department of Justice (Department). We have created this list annually, beginning in 1997 in response to a congressional request. It is our hope that the list will aid Department managers in developing strategies to address what we consider to be the top ten management challenges facing the Department.

As in past years, the challenges are not listed in order of seriousness. However, it is clear that the top challenge facing the Department is its response to terrorism, a challenge that we first placed on the list last year. In addition to updating management challenges that appeared on our list in previous years, this year we have added three new challenges ("Sharing of Intelligence and Law Enforcement Information," "Performance Based Management," and "Department of Justice Organizational Structure"). We combined two challenges from our 2000 submission ("INS Border Strategy" and "Removal of Illegal Aliens" have become "The INS's Enforcement of Immigration Laws") and removed two challenges ("Prison Overcrowding" and "Human Capital"). While the challenges we have removed remain important issues for the Department, we try to keep our list of challenges to ten.

We look forward to working with the Department to address these important management challenges, both by drawing upon findings and recommendations from past OIG reviews and by continuing to conduct reviews in these areas.

Please contact me at 514-3435 if you have any questions or if we can assist in any way.

Attachment

cc: Janis A. Sposato
Acting Assistant Attorney General for Management

David T. Ayres
Chief of Staff to the Attorney General

Susan Richmond
Assistant to the Attorney General

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MANAGEMENT CHALLENGES IN THE DEPARTMENT OF JUSTICE

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1. Counterterrorism: As the events of September 11, 2001, have illustrated, the United States faces grave threats of terrorist attacks. The use of chemical, radiological, and nuclear weapons remains a danger, while the use of biological agents has become a reality. Terrorists could attempt to attack water supplies, communications, national infrastructure, or government institutions. Advances in computer technology and the Internet have increased the risks of cyber-terrorism. In recognition of these threats, last year we included for the first time the “Departmental Response to Terrorism” as a top management challenge facing the Department of Justice (Department).

This year, as the Department has recognized and as the Attorney General has clearly articulated in response to the attacks of September 11, terrorism is the most important challenge facing the Department. On November 8, 2001, when releasing the Department’s Strategic Plan for fiscal years (FY) 2001-2006, the Attorney General stated that the fight against terrorism was now the first and overriding priority of the Department.

Accordingly, the first objective in the Department’s Strategic Plan for 2001-2006 is to “Protect America Against the Threat of Terrorism.” The three strategic objectives under this goal emphasize prevention and disruption of terrorist operations before an incident occurs, investigation of terrorist incidents to bring perpetrators to justice, and prosecution of individuals who have committed or intend to commit terrorist acts against the United States. The Strategic Plan notes the significant management challenge facing the Department as it seeks to effectively manage its counterterrorism program and avoid potential gaps in coverage or duplicate services provided by state and local governments. In addition, the infusion of billions of dollars into the Department’s efforts to combat terrorism presents its own set of challenges.

In FY 2002, the OIG will devote significant resources to reviewing Department programs and operations that affect its ability to respond to the threat of terrorism. For example, we will examine the Federal Bureau of Investigation’s (FBI) use of its counterterrorism funds. In separate audits, we will examine the mix of cases investigated by the FBI, as well as the FBI’s management of its information technology (IT) projects.

The OIG is currently conducting an audit that relates to the government's ability to respond to terrorism. Our audit reviews domestic preparedness grants that the Office of Justice Programs (OJP) awards to state and local entities for training and equipment to respond to acts of terrorism. We also examine the amount of funding awarded and whether grants are being used for their intended purpose.

The OIG has also undertaken additional program reviews and audits in the Immigration and Naturalization Service (INS), whose work is critical to deterring terrorists from entering or remaining in the United States. For example, we have conducted follow-up reviews on INS programs such as the Visa Waiver Program and the INS's effort to control the Northern Border. We also have begun reviews of how the INS determines whether to send non-immigrants attempting to enter the United States to secondary inspection at air ports of entry, how the INS is handling its responsibilities to implement an automated system to monitor foreign students in the United States, and how the INS uses Advance Passenger Information System data to help deter the entry of terrorists or other criminals into the United States.

2. Sharing of Intelligence and Law Enforcement Information: One of the lessons arising from the September 11 terrorist attacks is the critical importance of sharing intelligence and other law enforcement information among federal, state, and local agencies. Since September 11, the Attorney General and the Director of the FBI repeatedly have spoken about the importance of this issue, both to the investigation of the terrorist attacks and in ongoing efforts to prevent future attacks.

The Department must ensure that law enforcement agencies on the federal, state, and local levels have access to information that could be important in helping detect and deter terrorist attacks. The Department must also overcome any inclination by law enforcement and intelligence agencies to keep information solely within their agencies rather than sharing it with other law enforcement agencies.

By memorandum dated September 21, 2001, the Attorney General directed that information exposing a credible threat to the national security interests of the United States should be shared with appropriate federal, state, and local officials so that any threatened act may be disrupted or prevented. In late October, the President signed the *USA Patriot Act of 2001*, which permits greater sharing of intelligence and law enforcement information, such as information derived from Title III intercepts, information provided to grand juries, and information contained in criminal history databases.

However, the Department faces significant challenges in both ensuring that these new authorities are used appropriately and in ensuring that other federal, state, and local law enforcement agencies have access to information important to their work. An example of these issues is the failure of the INS and the FBI to link the information in their automated fingerprint identification systems and the consequences of that failure. A 1998 OIG inspection in the INS entitled “Review of the INS’s Automated Biometric Identification System” (OIG report #I-1998-10) and a March 2000 OIG Special Report examined how the INS handled its encounters with a Mexican national accused of a series of murders in the United States (“The Rafael Resendez-Ramirez Case: A Review of the INS’s Actions and the Operation of its IDENT Automated Fingerprint Identification System”).

Nothing in the INS’s automated fingerprint identification system (IDENT) alerted INS employees that the FBI and state and local law enforcement were looking for Resendez in connection with a brutal murder. The INS’s IDENT system was not linked to FBI data, and when Border Patrol agents apprehended Resendez as he attempted to illegally cross the border into New Mexico, the Border Patrol followed its standard policy and voluntarily returned Resendez to Mexico. He returned to the United States within days of his release and murdered several more people before surrendering. This case highlighted the failure of the INS and the FBI to develop a way to share important criminal information about individuals. We noted the importance of expeditiously integrating IDENT with the FBI’s Integrated Automated Fingerprint Identification System (IAFIS) to enable the two systems to share fingerprint information.

A fully integrated IDENT/IAFIS system would provide INS employees with immediate information on whether a person they apprehend or detain is wanted by the FBI or has a record in the FBI’s Criminal Master File. Similarly, linking IDENT and IAFIS could provide state and local law enforcement agencies with valuable immigration information as part of a response from a single FBI criminal history search request. The OIG recently issued a follow-up report (OIG Report #I-2002-003) on the status of INS and FBI efforts to integrate the two systems, concluding that integration has proceeded slowly and is still years away.

The OIG also has begun an audit that will address another aspect of information sharing. This audit assesses the procedures used by immigration inspectors at air ports of entry to prevent inadmissible persons from entering the United States. The OIG will analyze whether primary and secondary inspectors have access to needed intelligence information to prevent the entry of inadmissible persons into the United States.

3. Information Systems Planning and Implementation: OIG audits,

inspections, evaluations, and special reports continue to identify mission-critical computer systems in the Department that were poorly planned, experienced long delays in implementation, or did not provide timely, useful, and reliable data. Given the critical role these systems play in the Department's operational and administration programs – not to mention the vast sums of money spent on developing and deploying these systems – information systems planning and implementation remains a top management challenge in the Department.

For example, OIG audits have found that the INS has made huge investments in automation technology and information systems that have yielded questionable results. Our March 1998 audit titled "INS Management of Automation Programs" (OIG report #98-09) disclosed significant weaknesses in the management of the INS's automation initiatives. Among other things, we found that several major INS systems were behind schedule and that the INS lacked definitive performance measures for tracking critical project milestones. In July 1999, we issued a follow-up review of the INS's management of its automation programs (OIG report #99-19), which found that the INS continued to spend hundreds of millions of dollars on automation initiatives without being able to explain how the money was spent or what was accomplished.

The General Accounting Office (GAO) has raised similar concerns in its reviews of INS IT practices. One GAO report concluded that the INS did not have an institutional system blueprint that lays out the organization's current and target IT operating environment (GAO report #AIMD-00-212). In another review, GAO determined that the INS had not implemented practices associated with effective IT investment and enterprise architecture management. Further, the INS's investments were not aligned with an agency-wide blueprint that defines the agency's future plans, and the INS did not know whether its ongoing investments were meeting their cost, schedule, and performance commitments (GAO report #02-147T). In another report, the GAO found that the INS was managing its IT investments as individual projects rather than as a complete portfolio and, consequently, will not be able to determine which investments contribute most to the agency's mission. The GAO also found that the Department was not guiding and overseeing the INS's investment management approach (GAO report #01-146).

The OIG has also reviewed individual INS technology systems and found problems. In March 2000, the OIG issued a follow-up review of the INS's Passenger Accelerated Service System (INSPASS) (OIG report #00-07), an automated system designed to facilitate the inspection of low-risk travelers at airports. The report noted that as of 1998 the INS had spent more than \$18 million to develop INSPASS and had, since the OIG's previous INSPASS

audit in March 1995 (OIG report #95-08), increased INSPASS reliability, usage, and performance. However, we found that the benefits provided by INSPASS in FY 1998 were insignificant because only 1 percent of the travelers in the six participating airports used the automated system. While INSPASS is a small program, we concluded that the problems found there illustrated some of the INS's overall problems with managing its automation initiatives.

Both the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 and the INS Data Management and Improvement Act of 2000 required the INS to develop an automated entry/exit system for use at land, sea, and air ports of entry. The INS's automated I-94 system was developed to meet the requirements of both laws. The efficient use of a fully automated I-94 system could aid the INS in identifying and tracking individuals when they enter and exit the country. Yet, a 2001 OIG audit (OIG report #01-18) assessed the design and implementation of the automated I-94 System and determined that the INS has not properly managed the project. As a result, despite having spent \$31.2 million on the system from FY 1996 to FY 2000, the INS: (1) does not have clear evidence that the system meets its intended goals, (2) has gained the cooperation of only two airlines and is operating the system at only four airports, and (3) is in the process of modifying the system. Recent INS projections estimate that an additional \$57 million for this system will be needed through FY 2005.

The OIG is currently examining the process by which the INS tracks and monitors foreign students and exchange visitors once they enter this country. As part of the review, OIG inspectors are examining the INS's implementation of the Student and Exchange Visitor Information System, an automated information system designed to track the immigration status of such students.

The OIG's concerns about Department information systems are not limited to the INS. An OIG Special Report issued in July 1999 examined how the Department handled FBI intelligence information related to its campaign finance investigation ("The Handling of FBI Intelligence Information Related to the Justice Department's Campaign Finance Investigation"). This report raised questions about how the FBI uses its automated databases. The Department's Campaign Finance Task Force used the FBI's Automated Case Support (ACS) system and other FBI databases to obtain information on individuals and organizations they had under investigation. However, we found that FBI practices and policies have handicapped the usefulness of the FBI's databases. For example, problems in the way information was entered or searched in the databases, together with the way that search results were handled within the FBI, resulted in incomplete data being provided to the Task Force. Further, we found that many of the FBI

personnel we interviewed were not well versed in the use of the FBI's database systems.

In addition, the OIG's ongoing review of the belated production of documents in the Timothy McVeigh case will assess similar issues related to the FBI's automated information systems.

Due to the importance of information technology in the FBI and the large amounts of money involved, the OIG has begun an audit of the FBI's management of its information technology projects. This audit will assess: (1) how the FBI selects its IT projects, (2) how the FBI ensures that projects under development deliver benefits, and (3) how the FBI ensures that completed projects deliver the expected results.

We have raised issues with other Department information technology systems. For example, the OIG's FY 2000 audit of the U.S. Marshal Service's (USMS) financial statement (OIG report #01-30), found that implementation of the USMS Standardized Tracking, Accounting, and Reporting System (STARS) continues to be problematic. During FY 2000, USMS field offices were continuing to use the agency's Financial Management System, which was originally scheduled to be replaced by STARS, because of delays in implementing the new system.

In FY 2001, the OIG issued an audit of the implementation of the Collection Litigation Automated Support System (CLASS) by the Department's Office of Debt Collection Management (DCM). This audit (OIG report #01-15) determined that the DCM was at least 18 months behind schedule in implementing CLASS and had incurred more than \$4.6 million in additional costs. Moreover, DCM management could not project a completion date and estimated additional completion costs of \$400,000 per month. Delays resulted from management indecision, changes in telecommunication requirements, and disagreements between the DCM and the Executive Office for United States Attorneys about CLASS's capabilities.

4. Computer Systems Security: In response to the threat to Department computers, databases, and networks, and in recognition of the importance of information technology, the Department has classified computer security as a material weakness since 1991. Recently, the House Government Reform Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations gave the Department an "F" for its computer security efforts in FY 2001, the same grade the Department received in FY 2000.

OIG audits have disclosed serious problems in computer security that could lead to the compromise of sensitive systems and data. The OIG conducts

security assessments and penetration testing using state-of-the-art security system software. These reviews have found that select computer controls were inadequate to protect the systems and their sensitive data from unauthorized use, loss, or modification.

The OIG is also conducting regular computer security audits mandated by the Government Information Security Reform Act (GISRA), which requires that Inspectors General audit the security of critical information systems in their agencies. Our audits assess the Department's compliance with GISRA and related information security policies, procedures, standards, and guidelines. In FY 2001, we tested the effectiveness of information security control techniques for nine systems (five sensitive but unclassified (SBU) and four classified systems) at the Executive Office for U.S. Attorneys, Federal Bureau of Prisons (BOP), Drug Enforcement Administration (DEA), Justice Management Division (JMD), and FBI.

With respect to the five SBU systems audited, we found weaknesses in management, operational, and technical controls, including password management, logon management, user and account rights assignment, file system and system configuration, and system auditing management. With respect to the four classified systems, we found that select computer security controls were not implemented to protect the systems from unauthorized use, loss, or modification. We also noted weaknesses in password and logon management, account integrity, system auditing management, physical and personnel controls, contingency planning, and policies and procedures. Penetration testing on three classified systems also resulted in auditors obtaining access to the systems. For example, on one system the auditors obtained root access allowing them to identify user account identifications and passwords and giving them the capability to erase, modify, or upload files.

The weaknesses found on the SBU systems are considered low to moderate risk. Weaknesses found on the classified systems, when considered collectively, are a moderate to high risk. Weaknesses were more voluminous and material for the Department's classified systems because they had not been subject to the frequency of external reviews as had the SBU systems. For FY 2002, the OIG intends to perform 14 GISRA audits and will conduct application reviews of the DEA's MERLIN and BOP's SENTRY automated information systems.

In FY 2001, the OIG also issued a report assessing the Department's critical infrastructure protection planning for its computer-based infrastructure (OIG report #01-01). This report, part of a President's Council on Integrity and Efficiency government-wide review of the nation's critical infrastructure assurance program, found that while the Department submitted the required

critical infrastructure protection plan, it had not yet: (1) adequately identified all its mission-critical assets, (2) assessed the vulnerabilities of each of its ADP systems, (3) developed remedial action plans for identifying vulnerabilities, or (4) developed a multi-year funding plan for reducing vulnerabilities. As a result, the Department's ability to perform certain vital missions could be at risk from terrorist attacks or similar threats.

5. The INS's Enforcement of Immigration Laws: The INS's enforcement of immigration laws, particularly its ability to deter illegal immigration and remove aliens who are here illegally, is a critical and longstanding management challenge.

Within the INS, the Border Patrol faces significant enforcement challenges along the southwest and northern borders to stem the tide of illegal aliens, drugs, and potential terrorists. For example, in last year's list of top management challenges (December 1, 2000), we reported on the OIG's review of "The Border Patrol's Efforts Along the Northern Border" (OIG report #I-2000-004). The report identified significant gaps in the INS's northern border operations, the increasing illegal activity along the northern border, and the limited resources available to address this growing concern. In response to a recommendation contained in the OIG report, the INS reassessed its approach in managing risks at the northern border. Its new approach focuses on enhancing national security and on controlling cross-border crime activity and illegal migration while facilitating legitimate travel and commerce. While Attorney General Reno approved the northern border strategy in the final days of her term, one year later the INS has not developed any implementation plan. Given the Department's emphasis on securing the nation's borders post September 11, the need for implementation of a coordinated northern border strategy is greater than ever.

Alien smuggling remains a serious problem confronting the INS, and the INS needs to have an effective anti-smuggling program. However, the OIG report "Survey of INS's Anti-Smuggling Units" (OIG report #I-2001-03) concluded that the INS's anti-smuggling program operates with limited effectiveness. The review found: (1) the program lacked coordination and direction, (2) the structure of the anti-smuggling program is problematic, and (3) the program has insufficient financial and personnel resources.

A May 2000 GAO report titled "Alien Smuggling Management and Operational Improvements Needed to Address Growing Problems," (GAO report #GGD-00-103) reached a similar conclusion. This GAO report found that the INS's alien smuggling efforts have been fragmented and uncoordinated, that the INS does not know if it is using its anti-smuggling resources most effectively, and that it lacks an agency-wide automated

tracking system that would help prevent duplicative investigations and promote intelligence sharing.

An OIG audit found serious problems in how the INS handles its deferred inspection process. When additional immigration examinations are required of individuals seeking entry into the United States, they are sent to secondary inspection. If an immediate decision regarding admissibility cannot be made there, INS inspectors have the discretion to defer the inspection until a later date so that documentary evidence – such as an existing INS file – can be reviewed. In these cases, the individual is admitted (or “paroled”) into the country and must report to an INS district office at a later date to complete the inspection. A 2001 OIG audit of the INS Deferred Inspection Program (OIG report #01-29) revealed that in our sample nearly 11 percent (79 of 725) of the individuals paroled into the country under the deferred inspections process failed to appear at an INS office to complete their inspection.

This audit also found that the INS did not have adequate procedures in place to ensure that individuals who fail to appear are either brought in to complete their inspections or are appropriately penalized for failing to appear. In many cases, we found that the INS did not initiate follow-up activity of any kind. Our analysis revealed that among those who failed to appear, INS inspectors identified over 50 percent as either having criminal records or immigration violations at the time of entry. Subsequent OIG inquiries of criminal history databases revealed that nine individuals in our sample were charged or convicted of crimes considered to be aggravated felonies after their deferral.

Additionally, we found that the INS’s controls were inadequate to determine the effectiveness of the deferred inspection process or the number of individuals deferred and the outcome of those inspections. Records maintained at airports and district offices were incomplete. Inspectors at all nine airports we visited destroyed deferral documentation after limited and varied retention periods. The INS’s paper-based tracking of deferred inspections failed to provide an adequate agency-wide system of tracking deferrals. As a result, inspectors were unable to detect parole violators and other repeat offenders upon their reentry into the United States.

The INS lacks an effective enforcement policy that specifically targets the overstay population. While the INS estimates that overstays comprise 41 percent of the illegal alien population in the United States, INS data shows that only a small percentage of the deportable aliens apprehended by INS investigators are overstays.

A 1996 OIG inspection found that the INS’s program to deport illegal aliens

has been largely ineffective, finding that the INS was successful in deporting only about 11 percent of non-detained aliens after final orders had been issued. Anecdotal information continues to support this low percentage. In a more recent inspection (OIG report #I-99-09), we noted that ineligible aliens, including convicted felons, were inappropriately granted voluntary departure because the INS and the Executive Office for Immigration Review had not ensured that all eligibility requirements are met. We found that the INS lacks an effective departure verification system and therefore has no way of knowing whether illegal aliens granted voluntary departure have left the country.

The monitoring of alien overstays and removal of criminal aliens has been a Department material weakness since 1997. Among other issues, the INS failed to identify many deportable criminal aliens, including aggravated felons, or initiate Institutional Removal Program (IRP) proceedings before they were released from prison. The Department's Management Controls Report for FY 2000 stated that the INS issued new policy guidance to clarify the roles of agents working in the IRP, developed better inmate tracking systems to identify and deport criminal aliens, and developed new staffing models to allow the INS to concentrate resources where they are most needed. The OIG is currently performing an audit of the IRP to determine if past OIG recommendations were implemented and assess whether program enhancements can streamline the IRP process.

The OIG issued an inspection report in 2001 titled "INS's Escort of Criminal Aliens" (OIG report #I-2001-005). This report found that the INS's practice of escorting criminal aliens on commercial airlines when the aliens are removed from the United States to non-border countries placed the traveling public at potential risk because the INS does not consistently follow its established escort policy. In three of the four districts visited by the OIG, INS managers disregarded established INS policies, resulting in the placement of violent aliens, without escorts, on commercial airlines.

As discussed above, the OIG is conducting several follow-up reviews that identified issues to assess the progress made to correct deficiencies identified by previous OIG inspections of the INS's enforcement efforts. The follow-up reviews concern OIG inspections on "Border Patrol Efforts Along the Northern Border" (OIG report # I-2000-04), "The Potential for Fraud and INS Efforts to Reduce the Risks of the Visa Waiver Pilot Program" (OIG report #I-1999-10), "Transit Without Visa Program Inspection" (OIG report #I-1992-07), and "INS's Monitoring of Nonimmigrant Overstays" (OIG report #I-1997-08).

6. Financial Statements and Systems: While the Department has made some progress in improving its financial statements and systems, this issue

remains a top management challenge. In FY 2000, the Department received an unqualified opinion on its consolidated balance sheet and statement of custodial activity (OIG report #01-07). However, the Department received a qualified opinion on the remaining financial statements due to the INS's inability to substantiate the earned revenues offset portion of Immigration Program Costs because of inadequate records to support the pending applications at the beginning of the fiscal year.

Audits of the Department's financial statements reported three material weaknesses and one reportable condition at the consolidated level and 15 material weaknesses and 23 reportable conditions at the component level for FY 2000. Thus, much work still needs to be done to eliminate the internal control weaknesses found during the financial statement audits. Congress recognized this when the House Government Reform Subcommittee on Government Efficiency, Financial Management and Intergovernmental Relations gave the Department a "D-" for its FY 2000 financial management, the same grade it received for its FY 1999 efforts.

Most Department components still tend to view the preparation of financial statements as an end-of-the-year exercise they often meet by hiring a significant number of contractors and performing labor-intensive procedures. Because the Department lacks automated systems to readily support financial statement preparation and ongoing accounting operations, many tasks have to be performed manually. One such task, the year-end count of INS applications needed to determine deferred revenue, caused delays in processing applications. Other problems resulted from the lack of integration between the Department's automated accounting systems and subsystems. Because systems are not designed to readily produce or support information needed to produce the financial statements, the Department's finance staffs had to perform additional manual reconciliation of data. The Department's ability to maintain or improve its audit results will require continuation of the substantial efforts expended this past year. Any decrease in this effort could adversely affect the Department's audit results.

In addition, Department components including the INS and Federal Prison Industries, Inc., continue to encounter significant difficulties in implementing their financial management systems. With new financial systems needed at several components, it is imperative that the Department overcomes these implementation difficulties in order to continue on a path toward improving its financial management and eventually removing this issue as a management challenge.

7. Detention Space and Infrastructure – the USMS and the INS: Obtaining and

efficiently managing detention space for the USMS and the INS – a material weakness in the Department since 1989 – remains a top management challenge. Both agencies continue to experience rapid growth in their use of detention space, from an average of 43,408 beds in 1998 to a projected 64,962 beds in 2002. The INS, in particular, may need additional detention space in light of the Department's response to the September 11 attacks. Expanding the use of detention space also places increasing demands on INS and USMS transportation, communications, and staff.

To obtain additional detention space, the Department has relied on outside contractors (including state and local governments and for-profit entities) to house federal detainees. OIG audits of contractors for detention space have resulted in significant dollar findings. For example, in FY 2001 we issued an audit of an intergovernmental agreement (IGA) for detention space with York County, Pennsylvania (OIG report #GR-70-01-005). The audit revealed that in FY 2000, York overcharged the Department a total of \$6.1 million due to York's understatement of its average daily population, a key figure used to determine reimbursement from the INS. If York uses the jail day rate determined by our audit and the INS, the USMS, and the BOP continue to use the same amount of jail days, the Department could realize savings of approximately \$6.4 million annually.

An OIG audit of the IGA with the Government of Guam (OIG Report #GR-90-01-006) found that for the period of October 1, 1998, through September 30, 2000, the Department overpaid Guam more than \$3.6 million based on the actual allowable costs and the average daily population. In addition, the OIG found that the Department could realize annual savings of \$3.3 million by using the audited rate for future payments.

Our discussions with the Department, the INS, and the USMS disclosed considerable disagreement regarding the nature of the agreements used to obtain jail space from state and local governments. In our view, the Department has not yet settled on a procurement process to obtain detention space in a manner that meets prudent business practices and existing procurement regulations.

Another OIG audit (OIG report #01-16) determined that as many as 18,000 federal detainees are held in private facilities on any given day, and the use of these private facilities is expected to increase. We concluded that the Department's reliance on only a few private providers raises concerns about the impact should one of those providers cease operations. The OIG report noted that the BOP, the USMS, and the INS had not developed a coordinated contingency plan to address the loss of bed space if a private provider is unable to continue operations on a large scale. Without coordinated contingency planning, the disruption of contract detention services could

lead to a host of legal, health, financial, logistical, safety, and security issues.

OIG reviews have highlighted the need for additional bed space for juveniles detained by the INS. During an inspection of the Border Patrol's efforts to control illegal entries along the United States-Canada border (OIG report #I-2000-004), the OIG was told by the Border Patrol that most aliens apprehended by Border Patrol Agents (BPAs) are released pending a court date because of shortages in detention space. Aliens interviewed by BPAs along the northern border reported that smugglers had assured them that even if they were apprehended while being smuggled into the United States they would later be released.

In an OIG review titled "Unaccompanied Juveniles in INS Custody" (OIG report #I-2001-009), the OIG examined the treatment of unaccompanied and undocumented juveniles who are held in INS custody for more than 72 hours and placed into formal immigration proceedings. We found deficiencies at INS districts, Border Patrol sectors, and INS headquarters that could have potentially serious consequences for the well being of the juveniles. These deficiencies included lack of segregation for non-delinquent and delinquent juveniles and lack of required weekly visits by INS juvenile coordinators with all juveniles in INS custody.

In FY 2002, the OIG plans to audit the Department's detention activities. Among the issues of concern is the extent to which Department components share information about detention needs in specific geographic areas and coordinate with each other in acquiring detention space at consistent and economical rates. In addition, we will also continue to audit USMS and INS agreements for detention space with government and for-profit providers, as OIG resources permit.

Finally, the Department recently established a Detention Trustee with broad responsibilities related to many of the problems discussed above. We are concerned that the Detention Trustee may not have the authority or resources to resolve the many long-standing detention issues that he is expected to address.

8. Grant Management: In recent years, the Department has become a grant-making agency that has disbursed billions of dollars to grantees. Among other initiatives, the grants support community policing, encourage drug treatment programs, reimburse states for incarcerating illegal aliens, and fund counterterrorism initiatives. For a Department that historically had limited experience in awarding, monitoring, and reporting on grant progress, the infusion of such significant amounts of grant money over the past several years has resulted in a continuing management challenge for the

Department.

Overall, OIG reviews have found that many grantees did not submit required program monitoring and financial reports and that program officials' on-site monitoring reviews did not consistently address all grant conditions. For example, an OIG inspection found that some grantees who received formula grant funds from the OJP for prison substance abuse services needed to improve their reporting of program implementation and their accounting for matching funds and federal grant funds sub-awarded to state and local agencies (OIG report #I-2000-022). We found that OJP's administration of this grant program could be strengthened through better monitoring and by obtaining more timely and definitive information from grantees.

OJP provides State Criminal Alien Assistance Program (SCAAP) grants to state and local governments to help defray the cost of incarcerating undocumented criminal aliens convicted of felonies. Our audit of this program (OIG report #00-13) found that the five states reviewed by the audit received overpayments for unallowable inmate costs and ineligible inmates. The aggregate cost of these overpayments totaled approximately \$19.3 million. We also found that OJP's methodology for compensating applicants was over-inclusive and should be improved, and we estimated that OJP overpaid applicants in our sample for at least 1,760 inmates whose immigration status was "unknown."

Several years ago, the OIG audited the management and administration of the Office of Community Oriented Policing Services (COPS) Grants Program (OIG Report #99-14) to evaluate COPS' ability to meet its goal of adding 100,000 police officers, COPS' and OJP's monitoring of grantees, and the quality of guidance provided to grantees to assist them in implementing essential grant requirements. At the time of the audit, we reported numerous deficiencies in the grant monitoring of COPS grants, some of which have continued through FY 2001. Based on our concerns, the OIG will continue to audit individual COPS grantees to ensure the monies provided are used for the purposes specified in the grant award (42 individual COPS grant audits were issued in FY 2001).

In FY 2002, the OIG is planning to perform an audit of administrative grant activities in OJP, and between OJP and COPS, to identify functions that can be streamlined.

9. Performance Based Management: On November 8, 2001, the Attorney General challenged the Department to hold itself accountable through performance measures, stating that "Performance should be measured by outcomes and results, not inputs." Similarly, the President's "Management Agenda for Fiscal Year 2002" prepared by the Office of Management and

Budget (OMB) demands integration of budget and performance, stating “[o]ver the past few years the Department has seen a significant expansion in its mission and a rapid growth in resources. Meaningful measures supported by performance data, particularly measures of program outcome, are essential to evaluate this investment and determine future resource requirements.”

A pressing management challenge for the Department is ensuring, through performance based management, that its programs are achieving their intended purposes. The Department received a congressional grade of “F” for its 1999 performance report that assesses agency progress towards meeting the mandates of the Government Performance and Results Act (GPRA).

The GAO reviewed the Department’s FY 2000 performance report and the FY 2002 performance plan to assess Department progress in achieving selected key outcomes that were identified as important Department mission areas. The GAO reported that the Department’s overall progress towards achieving each of the four key outcome measures was difficult to ascertain because the performance report generally lacked measurable targets and lacked clear linkage between performance measures and outcomes.

The OMB has recognized that the Department’s establishment of a Strategic Management Council (SMC) should aid in focusing the Department’s resources on programs that result in positive outcomes, not simply output. The SMC is designed to provide direction and leadership on Department strategic planning, resource management, and performance accountability.

In a Department that has grown so rapidly over the past decade, linking credible performance measures to budget development and allocation of resources is a significant challenge. As a regular part of OIG program audits, we examine performance measures for the component or program under review. We highlight the existence or absence of such measures and offer recommendations as to whether the reported results are supported by reliable measurement methods or systems. We will continue to do so with our audits.

In addition, in FY 2002 we plan to audit the DEA’s implementation of the GPRA. The audit will assess whether the DEA has developed quantifiable goals that support its mission and whether the performance data gathered to date are valid and accurate.

10. Department of Justice Organizational Structure: The Department is developing or implementing reorganization plans in several of its components. While some of this reorganization is related to the events of September 11, some is designed to correct long-standing organizational

problems. The challenge for Department managers is not only to ensure that the reorganizations accomplish their intended purposes, but also to see that the Department's interconnected programs and functions are not adversely impacted by the changes.

The INS has proposed reorganizing itself into two separate but connected bureaus, one to handle enforcement of immigration laws and one to provide services and benefits to immigrants. Members of Congress are advocating competing reorganization proposals, including one that would break the INS into separate agencies to focus on enforcement and benefits and another that would create separate bureaus but retain a single agency structure. Among the INS's many challenges in any such reorganization will be to ensure that quality service is provided to eligible applicants while reconciling competing priorities, addressing insufficient accountability between field offices and headquarters staff, repairing outdated IT systems, and harmonizing inconsistent operations and policies.

OJP is reorganizing to reduce duplication in grant programs and improve efficiency. As mentioned previously, the OIG plans to audit OJP to assess the level of duplication in its grant management and oversight process in an effort to identify efficiencies.

Finally, the FBI is reorganizing its operations and reevaluating its mission in light of the September 11 attacks and its new priority to prevent acts of terrorism. In December 2001, the FBI Director announced a restructuring plan for FBI Headquarters that the FBI described as the first step in a "phased process of reorganizing assets, modernizing and integrating new technology, and consolidating functions."

To assist in this restructuring effort, the OIG will review the FBI's allocation of resources to conduct the varied investigations under its jurisdiction. The audit will: (1) evaluate the types and number of cases the FBI investigates, (2) assess performance measures for FBI casework, and (3) determine if opportunities exist for certain investigations to be handled by other federal, state, and/or local law enforcement agencies.

APPENDIX D

The President's Government Wide Management Initiatives & Attorney General's Departmental Goals and Management Initiatives

The President's Management Agenda

Government Wide Management Initiatives

1. Strategic Management of Human Capital
2. Competitive Sourcing
3. Improved Financial Performance
4. Expanded Electronic Government
5. Budget and Performance Integration

Program Initiative

1. Faith Based and Community Initiative

Attorney General Departmental Goals and Management Initiatives

- | | |
|-------------|---|
| Goal One: | Develop Performance-Based, Mission-Focused Leadership |
| Goal Two: | Streamline, Eliminate or Consolidate Duplicative Functions |
| Goal Three: | Focus Resources on Front-Line Positions |
| Goal Four: | Reform the Federal Bureau of Investigation (FBI) |
| Goal Five: | Restructure the Immigration & Naturalization Service (INS) and the Executive Office for Immigration Review (EOIR) |
| Goal Six: | Restructure the Office of Justice Programs (OJP) and Reform Grant Management |
| Goal Seven: | Coordinate Internal and External Communications and Outreach |
| Goal Eight: | Improve Department-Wide Financial Performance |
| Goal Nine: | Strengthen Hiring, Training and Diversity Policies |
| Goal Ten: | Utilize Technology to Improve Government |

APPENDIX E

GLOSSARY OF ABBREVIATIONS AND ACRONYMS

ACA	American Correctional Association
ACE	Asian Criminal Enterprise
ACMS	Automated Case Management System
ACS	Automated Case Support System
ACTS	DOJ Criminal Division Automated Case Tracking System
ADA	American with Disabilities Act
ADAM	Arrestee Drug Abuse Monitoring Program
ADR	Alternative Dispute Resolution
A-Files	Alien Files
AFIS	Automated Fingerprint Identification System
AFOR	FBI Annual Field Office Report
ALS	Automated Litigation Support
AMIS	INS Asset Management Information System
APIS	Advance Passenger Information System
ATF	Bureau of Alcohol, Tobacco and Firearms
ATR	Antitrust Division
BCI	Border Coordination Initiative
BESS	FBI (Part) B Extract Summary System
BIA	Bureau of Indian Affairs
BJA	Bureau of Justice Assistance
BJS	Bureau of Justice Statistics
BOP	Bureau of Prisons
BPETS	INS Border Patrol Enforcement Tracking System
CAC	Crimes Against Children
CAIS	Criminal Alien Information System
CASA	Court Appointed Special Advocate
CASES	Automated Case Management System
CCIPS	Computer Crime and Intellectual Property Section
CCR	Condition of Confinement Reviews
CDF	Contract Detention Facilities
CEO	DOJ Criminal Division Child Exploitation and Obscenity Section
CFCs	Chlorofluorocarbons
CHR	Criminal History Record
CIA	Central Intelligence Agency
CIO	Chief Information Officer
CIRG	FBI Critical Incident Response Group
CIS	Central Index System
CIV	Civil Division
CLAIMS	Computer Linked Application Information Management System (INS)
CLIP	Crime Lab Improvement Program
CMS	Case Management System
CODIS	Combined DNA Information System
COPS	Community Oriented Policing Services
CPI	FBI Crime Problem Indicator
CPO	Corrections Program Office
CRM	Criminal Division
CRS	Community Relations Service
CRT	Civil Rights Division

CSO	Court Security Officer
CT	Counterterrorism
CY	Calendar Year
DACS	Deportable Alien Control System
DC	District of Columbia
DCL	Dedicated Commuter Lanes
DCPO	Drug Courts Program Office
DEA	Drug Enforcement Administration
DME	Durable Medical Equipment
DOD	Department of Defense
DOE	Department of Energy
DOI	Department of the Interior
DOJ	Department of Justice
DOL	Department of Labor
DOT	Department of Transportation
DTO	Drug Trafficking Organization
ECE	Eurasian Criminal Enterprise
EID	INS Enforcement Integrated Database
ENFORCE	INS Enforcement Case Tracking System
ENRD	Environment and Natural Resources Division
EOIR	Executive Office for Immigration Review
EOUSA	Executive Office for United States Attorneys
EOWS	Executive Office Weed and Seed
EPA	Environmental Protection Agency
EPIC	El Paso Intelligence Center
EREM	INS ENFORCE Removal Module
FAA	Federal Aviation Administration
FACS	INS former financial system
FAIR Act	Federal Activities and Inventory Reform Act
FARS	Firearms Accountability Reviews
FBI	Federal Bureau of Investigation
FBI HQ	FBI Headquarters, Washington, DC
FEDBizOpps	Federal Data Procurement System Component
FEMA	Federal Emergency Management Agency
FinCen	Financial Crimes Intelligence Center
FIOA	Freedom of Information Act
FIPS	FOIA Information Processing System
FIREBIRD	DEA's primary office automation infrastructure
FISA	Foreign Intelligence Surveillance Act
FFL	Federal Firearm Licensees
FFMS	Federal Financial Management System
FMIS	Federal Management Information System
FPD	Federal Prisoner Detention
FPI	Federal Prison Industries
FTC	Federal Trade Commission
FTE	Full Time Equivalent (of one work year)
FY	Fiscal Year
G-8	Eight major industrialized countries
GAO	General Accounting Office
GED	General Education Diploma
GIS	Geographic Information System
GMS	Grants Management System
GPEA	Government Paperwork Elimination Act
GPRA	Government Performance and Results Act

GSA	General Services Administration
HCFA	Health Care Fraud Act
HCIS	HCFA Customer Information System
HDS	Hazardous Devices School
HHS	Department of Health and Human Services
HIDTA	High Intensity Drug Trafficking Area
HMRU	FBI Hazardous Materials Response Unit
HQ	Headquarters
HRMIS	Human Resource Information System
HUD	Department of Housing and Urban Development
IAFIS	Integrated Automated Fingerprint Identification System
IBIS	INS Interagency Border Inspection System
ICAC	Internet Crimes Against Children
ICLAD	INS Intelligence Computer Assisted Detection
ICM	Interactive Case Management System
IDENT-AIFIS	FBI Integrated Automated Fingerprint Identification System
IDMS	Integrated Data Management System
IFCC	FBI Internet Fraud Complaint Center
IGA	Intergovernmental Agreement
IHP	Institutional Hearing Program
III	Interstate Identification Index
IIRIRA	Immigration Reform and Immigrant Responsibility Act of 1996
IINI	Innocent Images National Initiative
IMSS	DOJ Information Management & Security Staff
INS	Immigration and Naturalization Service
INSpect	INS' Program for Excellence and Comprehensive Tracking
INTERPOL	International Criminal Police Organization
IRM	INS Information Resource Management Staff
IRP	Institutional Removal Program
IRS	Internal Revenue Service
ISD	Immigration Services Division
ISI	OJJDP Investigative Satellite Initiative
ISIS	INS Surveillance Intelligence System
ISRAA	Integrated Statistical Reporting and Analysis Application
IT	Information Technology
IT-IAB	INS Information Technology Investment Approval Board
ITIM	Information Technology Information Management
JCN	Justice Communications Network
JCON (II)	Justice Consolidated Office Network (II)
JDIS	Justice Detainee Information System
JFK	John F. Kennedy (International Airport Code, NY, NY)
JJDP	Juvenile Justice and Delinquency Program
JMD	Justice Management Division
JPATS	Justice Prisoner and Alien Transportation System
JUMP	Juvenile Mentoring Program
LCN	La Cosa Nostra
LESC	Law Enforcement Support Center
LIFE	Legal Immigration Family Equity Act
LIONS	U.S. Attorneys Case Management System
LLEBG	Local Law Enforcement Block Grant
LYNX	INS Database for Criminal Cases Against Employers
M&R	Modernization and Repair
MAR	FBI's Monthly Administrative Report
MERLIN	DEA's Intelligence Database
MET	Mobile Enforcement Team

MLAT	Multilateral Legal Assistance Treaty
MOU	Memorandum of Understanding
NAC	National Advocacy Center
NCIC	National Crime Information Center
NCIS	National Criminal Investigation Service
NCHIP	National Criminal History Improvement Program
NCJRS	National Criminal Justice Reference Service
NCSC	National Customer Service Center
NDIC	National Drug Intelligence Center
NDIS	National DNA Index System
NFC	National Finance Center
NFTS	National Files Tracking System
NHC	National Hiring Center
NHCAA	National Health Care Anti-Fraud Association
NICS	National Instant Criminal Background Check System
NIJ	National Institute of Justice
NIPC	National Infrastructure Protection Center
NPT	National Priority Target
NPTO	National Priority Target Organization
NRC	National Records Center
NSA	National Security Agency
NUMP	National Utilities Management Program
NWCC	National White Collar Crime Center
OC	Office of the Comptroller
OCDETF	Organized Crime Drug Enforcement Task Force
OCP	FBI Organized Crime Program Plan
OCRS	Organized Crime and Racketeering Section (CRM)
ODP	Office for Domestic Preparedness
ODP TEST	Objectives of Operations Drug Testing Effective Sanctions Treatment
OIA	Criminal Division's Office of International Affairs
OIG	Office of the Inspector General
OJJDP	Office of Juvenile Justice and Delinquency Prevention
OJP	Office of Justice Programs
OMB	Office of Management and Budget
ONDCP	Office of National Drug Control Policy
OPCLEE	Office of the Police Corps and Law Enforcement Education
OPM	Office of Personnel Management
OPR	Office of Professional Responsibility
Orion	
LEADS	INS Intelligence System
OSG	Office of the Solicitor General
OVC	Office for Victims of Crime
PAL	Program Accountability Library
PAS	Performance Analysis System
PAU	INS Passenger Analysis System
PCI	FBI Performance Capacity Indicator
POC	Point of Contact
POE	Ports-of-entry
PRA	Paperwork Reduction Act
PRIDE	DEA Priority Drug Enforcement Initiative
PSD	BOP Prisoner Services Division
PTARRS	DEA Priority Target Activity Resource Reporting System
PTDO	Priority Targeted Drug-trafficking Organization
PTS	BOP Prisoner Tracking System

QRT	Quick Response Team
QSI	FBI Database tracking training in Quantico, VA
RAFACS	Receipt and Alien File Accountability and Control System
RICO	Racketeer Influenced and Corrupt Organizations
RSAT	Residential Substance Abuse Treatment
SACSI	Strategic Approaches to Community Safety Initiative
SAR	Suspicious Activity Report
SCAAP	State Criminal Alien Assistance Program
SENTRY	BOP on-line system
SKSS	Safe Kids/Safe Streets
SOD	Special Operations Division
SPC	INS-owned Service Processing Centers
SRO	School Resource Officer
SSA	Social Security Administration
STATE	United States Department of State
STOP	Services, Training, Officers and Prosecutors formula grants
TAX	Tax Division
TaxDoc	Tax Division Database
TOP-OFF	Top Officials WMD Training
TURK	Time Utilization Record Keeping
USA-5	U.S. Attorney Data Collection System
USA/USAs	United States Attorneys
USA	
PATRIOT Act	Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001(HR 3162)
USAF	United States Air Force
USCG	United States Coast Guard
USCS	United States Customs Service
USMS	United States Marshals Service
USNCB	United States National Central Bureau (INTERPOL)
USPC	United States Parole Commission
USTP	United States Trustees Program
VA	Veteran's Administration
VAWA	Violence Against Women Act
VAWO	Violence Against Women Office
VCCLEA	Violent Crime Control and Law Enforcement Act of 1994
VOCA	Victims of Crime Act
VOI/TIS	Violent Offender Incarceration/Truth in Sentencing
WCC	White Collar Crime
WIN	Warrant Information Network
WMD	Weapons of Mass Destruction

APPENDIX F

INDEX OF JUSTICE COMPONENT WEBSITES

American Indian and Alaska Native Affairs Desk (OJP)	http://www.ojp.usdoj.gov/americannative/whats_new.htm
Antitrust Division	http://www.usdoj.gov/atr/index.html
Attorney General	http://www.usdoj.gov/ag/index.html
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 Dispute Resolution (OJP)	http://www.ojp.usdoj.gov/eows/cdr/
Community Oriented Policing Services - COPS	http://www.usdoj.gov/cops/
Community Relations Service	http://www.usdoj.gov/crs/index.html
Corrections Program Office (OJP)	http://www.ojp.usdoj.gov/cpo/
Criminal Division	http://www.usdoj.gov/criminal/criminal-home.html
Diversion Control Program (DEA)	http://www.dea diversion.usdoj.gov/
Drug Courts Program Office (OJP)	http://www.ojp.usdoj.gov/dcpo/
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/
Executive Office for Weed and Seed (OJP)	http://www.ojp.usdoj.gov/eows/
Federal Bureau of Investigation	http://www.fbi.gov/
Federal Bureau of Prisons	http://www.bop.gov
Foreign Claims Settlement Commission of the United States	http://www.usdoj.gov/fcsc/
Immigration and Naturalization Service	http://www.ins.usdoj.gov/graphics/index.htm
INTERPOL B 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.org/
National Drug Intelligence Center	http://www.usdoj.gov/ndic/
National Institute of Corrections (FBOP)	http://www.nicic.org/
National Institute of Justice (OJP)	http://www.ojp.usdoj.gov/nij/
Office of the Associate Attorney General	http://www.usdoj.gov/aag/index.htm
Office of the Attorney General	http://www.usdoj.gov/ag/
Office of the Deputy Attorney General	http://www.usdoj.gov/dag/
Office of Dispute Resolution	http://www.usdoj.gov/odr/
Office for Domestic Preparedness (OJP)	http://www.ojp.usdoj.gov/odp/
Office of Information and Privacy	http://www.usdoj.gov/oip/oip.html
Office of the Inspector General	http://www.usdoj.gov/oig/ighp01.htm
Office of Intelligence Policy and Review	http://www.usdoj.gov/oipr/
Office of Intergovernmental Affairs	http://www.usdoj.gov/iga/
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 and Law Enforcement Education (OJP)	http://www.ojp.usdoj.gov/opclee/
Office of Professional Responsibility	http://www.usdoj.gov/opr/index.html
Office of Public Affairs	http://www.usdoj.gov/opa/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/
Tax Division	http://www.usdoj.gov/tax/
U.S. Attorneys	http://www.usdoj.gov/usao/eousa/usaos.html
U.S. Marshals Service	http://www.usdoj.gov/marshals/
U.S. Parole Commission	http://www.usdoj.gov/uspc/

U.S. Trustee Program	http://www.usdoj.gov/ust/
Violence Against Women Office (OJP)	http://www.ojp.usdoj.gov/vawo/

APPENDIX G

INTELLECTUAL PROPERTY CASES - UNITED STATES ATTORNEYS OFFICE – FISCAL YEAR 2001

Title 18, United States Code, Section 2318 – Trafficking in Counterfeit Labels for Phono Records and Copies of Motion Pictures or Other Audiovisual Works.

Offense: knowingly trafficking in a counterfeit label affixed or designated to be affixed to a phono record or a copy of a motion picture or other audiovisual work.

FY 2001 - TOTALS (All Districts)*

Referrals and Cases:

Number of Investigative Matters Received by U.S. Attorneys:	18
Number of Defendants:	26
Number of Cases Filed:	12
Number of Defendants:	15
Number of Cases Resolved/Terminated:	10
Number of Defendants:	13

Disposition of Defendants in Concluded Cases:

Number of Defendants Who Plead Guilty:	12
Number of Defendants Who Were Tried and Found Guilty:	0
Number of Defendants Against Whom Charges Were Dismissed:	1
Number of Defendants Acquitted:	0
Other Terminated Defendants:	0

Prison Sentencing for Convicted Defendants (# represents defendants):

No Imprisonment:	4
1 to 12 Months Imprisonment:	6
13 to 24 Months:	0
25 to 36 Months:	1
37 to 60 Months:	0
61 + Months:	1

Total Dollar value of All Criminal Fines Imposed: Not Available
(fines can be assessed in lieu of or in addition to prison sentences)

Title 18, United States Code, Section 2319- Criminal Infringement of a Copyright.

Offense: willful infringement of a copyright for purposes commercial advantage or private financial gain, or through large-scale, unlawful reproduction or distribution of a protected, regardless of whether there was a profit motive.

FY 2001 - TOTALS (All Districts)*

Referrals and Cases:

Number of Investigative Matters Received by U.S. Attorneys:	77
Number of Defendants:	112
Number of Cases Filed:	22
Number of Defendants:	36
Number of Cases Resolved/Terminated:	22
Number of Defendants:	27

Disposition of Defendants in Concluded Cases:

Number of Defendants Who Plead Guilty:	24
Number of Defendants Who Were Tried and Found Guilty:	0
Number of Defendants Against Whom Charges Were Dismissed:	3
Number of Defendants Acquitted:	0
Other Terminated Defendants:	0

Prison Sentencing for Convicted Defendants (# represents defendants):

No Imprisonment:	11
1 to 12 Months Imprisonment:	8
13 to 24 Months:	4
25 to 36 Months:	1
37 to 60 Months:	0
61 + Months:	0

Total Dollar value of All Criminal Fines Imposed: Not Available
(fines can be assessed in lieu of or in addition to prison sentences)

Title 18, United States Code, Section 2319A - Unauthorized Fixation of and Trafficking in Sound Recordings and Music Videos of Live Musical Performances.

Offense: without the consent of the performer, knowingly and for purposes of commercial advantage or private financial gain, fixing the sounds or sound and images of a live musical performance, reproducing copies of such a performance from an authorized fixation; transmitting the sounds or sounds and images to the public, or distributing, renting, selling, or trafficking (or attempting the preceding) in any copy of an unauthorized fixation.

FY 2001 - TOTALS (All District)*

Referrals and Cases:

Number of Investigative Matters Received by U.S. Attorneys:	12
Number of Defendants:	17
Number of Cases Filed:	12
Number of Defendants:	15
Number of Cases Resolved/Terminated:	7
Number of Defendants:	7

Disposition of Defendants in Concluded Cases:

Number of Defendants Who Plead Guilty:	5
Number of Defendants Who Were Tried and Found Guilty:	0
Number of Defendants Against Whom Charges Were Dismissed:	1
Number of Defendants Acquitted:	0
Other Terminated Defendants:	1

Prison Sentencing for Convicted Defendants (#represents defendants):

No Imprisonment:	4
1 to 12 Months Imprisonment:	1
13 to 24 Months:	0
25 to 36 Months:	0
37 to 60 Months:	0
60 + Months:	0

Total Dollar value of All Criminal Fines Imposed: Not Available
(fines can be assessed in lieu of or in addition to prison sentences)

TITLE 18 UNITED STATES CODE, SECTIONS 2320 - Trafficking in Counterfeit Goods or Services.

Offense: intentionally trafficking or attempting to traffic in goods or services and knowingly using a counterfeit mark on or in connection with such goods or services.

FY 2001 - TOTALS (All Districts)*

Referrals and Cases:

Number of Investigative Matters Received by U.S. Attorneys:	94
Number of Defendants:	142
Number of Cases Filed:	52
Number of Defendants:	76
Number of Cases Resolved/Terminated:	52
Number of Defendants:	71

Disposition of Defendants in Concluded Cases:

Number of Defendants Who Plead Guilty:	48
Number of Defendants Who Were Tried and Found Guilty:	3
Number of Defendants Against Whom Charges Were Dismissed:	18
Number of Defendants Acquitted:	0
Other Terminated Defendants:	2

Prison Sentencing for Convicted Defendants (# represents defendants):

No Imprisonment:	31
1 to 12 Months Imprisonment:	9
13 to 24 Months:	4
25 to 36 Months:	2
37 to 60 Months:	2
61 + Months:	3

Total Dollar value of All Criminal Fines Imposed: Not Available
(fines can be assessed in lieu of or in addition to prison sentences)

TITLE 18 UNITED STATES CODE, SECTIONS 2318, 2319, 219A, AND 2320
Comparison All Districts - All Statutes

Referrals and Cases

	<u>FY 99</u>	<u>FY 00</u>	<u>FY 01</u>
Number of Investigative Matters Received by U.S. Attorneys:	204	197	191
Number of Defendants:	333	314	283
Number of Cases Filed:	108	106	84
Number of Defendants:	161	162	121
Number of Cases Resolved/Terminated:	92	79	81
Number of Defendants:	141	99	106

Disposition of Defendants in Concluded Cases

Number of Defendants Who Pled Guilty:	105	71	83
Number of Defendants Who Were Tried and Found Guilty:	2	5	3
Number of Defendants Against Whom Charges Were Dismissed:	26	19	17
Number of Defendants Acquitted:	3	1	0
Other Disposition:	5	3	3

Prison Sentencing for Convicted Defendants (# represents defendants)

No Imprisonment:	73	51	46
1 to 12 Month:	21	10	23
13 to 24 Months:	10	9	8
25 to 36 Months:	2	6	3
37 to 60 Months:	1	0	2
61 + Months:	0	0	4

Statistics on Matters/Cases Originating with the United States Customs Service

Number of Investigative Matters Referred by U.S. Customs Service:	71	64	60
Number of Defendants:	121	101	91
Number of Customs Matters Pending Resolution:	71	77	74
Number of Defendants:	113	120	111
Number of Customs Matters Terminated:	36	23	26
Number of Defendants:	57	40	46
Number of Cases Originating with U.S. Customs Service:	39	31	35
Number of Defendants:	64	49	49
Number of Customs Cases Pending Resolution:	60	70	72
Number of Defendants:	86	113	109
Number of Customs Cases Resolved/Terminated:	35	29	21
Number of Defendants:	66	3	30

APPENDIX H

PERFORMANCE MEASURE CROSSWALK

This table provides a crosswalk between the location of performance measures in the FY 2000/FY 2002 report/plan and where they are within this report/plan

Location in FY 2001 Report/ FY 2002 Revised Final Plan/ FY 2003 Plan					Location in FY 2000 Performance Report / FY 2002 Plan			
Strategic Objective	Performance Indicator Cluster	Section	Current Page #	Current Performance Measure	Strategic Objective	Performance Indicator Cluster	Section	Former Page #
			N/A	Number of USAO's with Crisis Response Plans	1.4	B	Terrorism	34
	1.1 B	Prevent Terrorism	8	Computer Intrusions Investigated	1.4	C	Terrorism	36
	1.1 B	Prevent Terrorism	8	Measure Refined: Computer Intrusion Convictions/Pretrial Diversions	1.4	C	Terrorism	36
	1.1 B	Prevent Terrorism	9	Key Assets Identified	1.4	C	Terrorism	36
	1.2/1.3 A	Investigate and Prosecute Terrorist Acts	16	Terrorist Cases Investigated	1.4	A	Terrorism	32
	1.2/1.3 A	Investigate and Prosecute Terrorist Acts	17	Terrorist Convictions	1.4	A	Terrorism	32
			N/A	Discontinued: % of LCN Members Incarcerated	1.1	A	Violent Crime	6
	2.1 A	Violent Crime	23	Dismantled Asian Criminal Enterprises	1.1	A	Violent Crime	7
	2.1 A	Violent Crime	23	Dismantled Eurasian Criminal Enterprises	1.1	A	Violent Crime	7
	2.1 B	Violent Crime	25	Number of Dismantled of the 30 Targeted Gangs Identified as Most Dangerous	1.1	B	Violent Crime	8
			N/A	Discontinued: Number of Criminal Background Checks	1.1	C	Violent Crime	10
	2.1 C	Violent Crime	26	Persons with Criminal Records Prevented from Firearm Purchase	1.1	C	Violent Crime	10
			N/A	Discontinued: Cases in Indian Country	1.1	E	Violent Crime	14
			N/A	Discontinued: Number of new Interpol cases (in thousands)	1.1	F	Violent Crime	16
	2.1 D	Violent Crime	28	New Treaties with other Countries	1.1	F	Violent Crime	17
	2.2 B	Drugs	35	Measure Refined: Dismantled/Disrupted Priority Drug Trafficking Organizations by major drug	1.2	B	Drugs	22
	2.2 B	Drugs	36	Measure Refined: Dismantled Drug Trafficking Organizations	1.2	B	Drugs	23
	2.3 A	Espionage	40	Refined/Title Change: Foreign Counterintelligence Convictions/Pretrial Diversions	1.3	A	Espionage	28

Location in FY 2001 Report/ FY 2002 Revised Final Plan/ FY 2003 Plan					Location in FY 2000 Performance Report / FY 2002 Plan			
Strategic Objective	Performance Indicator Cluster	Section	Current Page #	Current Performance Measure	Strategic Objective	Performance Indicator Cluster	Section	Former Page #
				Home Health Medicare Expenditures (in billions) Florida, Texas, Louisiana	1.5	A	White Collar Crime	41
			N/A	See Appendix A-Discontinued Measures				
2.4	B	White Collar Crime	46	Recoveries, Restitutions and Fines	1.5	B	White Collar Crime	42
2.4	B	White Collar Crime	46	Measure Refined: Convictions/Pre-Trial Diversions in White Collar Crime	1.5	B	White Collar Crime	42
2.4	C	White Collar Crime	48	Convictions/Pretrial Diversions in Public Corruption	1.5	C	White Collar Crime	44
2.4	C	White Collar Crime	48	Recoveries, Restitutions and Fines (in millions)	1.5	C	White Collar Crime	44
2.4	D	White Collar Crime	50	High Technology Crime (Fraud) Criminal Cases Success Rate	1.5	D	White Collar Crime	46
2.4	E	White Collar Crime	52	Success rate for Antitrust Criminal Cases	1.5	E	White Collar Crime	48
2.4	E	White Collar Crime	52	Savings to US consumers (in millions)	1.5	E	White Collar Crime	48
2.4	F	White Collar Crime	54	Percent of Defendants convicted in Criminal Environmental and Wildlife cases	1.5	F	White Collar Crime	50
2.4	F	White Collar Crime	54	\$ Awarded in Criminal Environmental and Wildlife Cases (in millions)	1.5	F	White Collar Crime	50
2.4	G	White Collar Crime	56	Title Refined: Number of Requests Honored	1.5	G	White Collar Crime	53
2.5	A	Crimes Against Children and the Exploitable	60	Measure Refined: Convictions/Pretrial Diversions for Crimes against Children via Computer Usage	1.1	D	Violent Crime	12
2.5	A	Crimes Against Children and the Exploitable	60	Number of Missing Children Located	1.1	D	Violent Crime	12
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