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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.

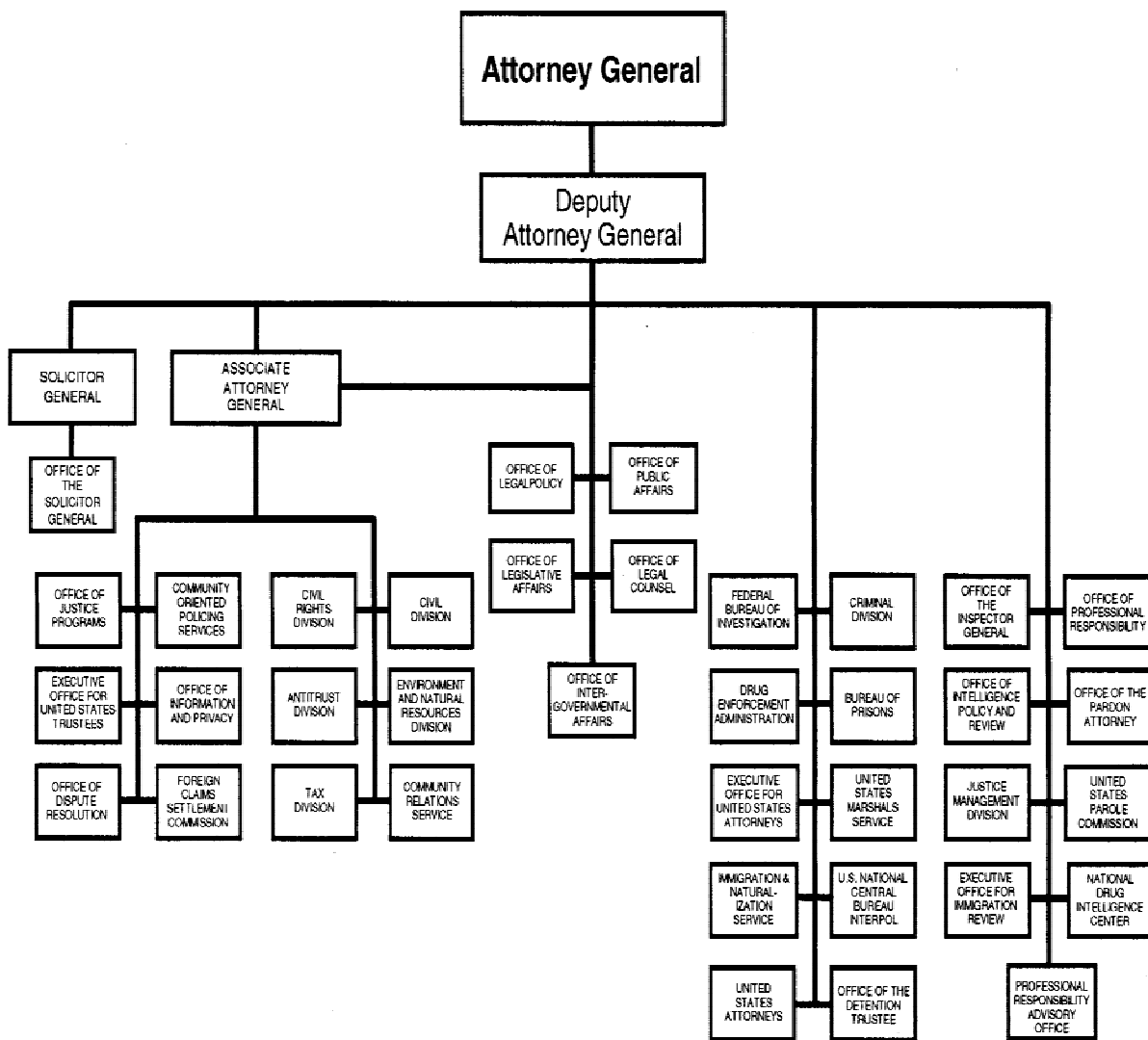
Performance planning is an iterative process. As we learn, we continue to refine our measures. Some measures, therefore, have been replaced or refined. All FY 2001 discontinued measures are included in Appendix A, since they have little relevancy to our current programmatic emphasis. This list also reflects 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](http://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