



U.S. DEPARTMENT OF JUSTICE

CITIZENS' REPORT



FY 2008 SUMMARY OF PERFORMANCE AND FINANCIAL RESULTS

CITIZENS' REPORT

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A MESSAGE FROM THE ATTORNEY GENERAL

November 12, 2008

The Department of Justice faces challenges vastly different from those it faced as recently as a decade ago. But the principles that guide the Department remain the same – to pursue justice by enforcing the law with unswerving fidelity to the Constitution. I have always had great respect for the men and women who follow those principles daily across the Department. I applaud their contributions to public service, and I am honored to be able to serve with them to protect our security, the safety of our children, and the rights and liberties that define us as a Nation.

This year marks a special occasion for the Department as we join with the Federal Bureau of Investigation in celebrating its 100th anniversary as an investigative agency and a century of service to the American people. Over the past century, the FBI has grown from a small group of 34 investigators into a cadre of more than 30,000 employees comprising one of the world's most respected law enforcement agencies, and is now adapting itself to the new and vital role of becoming an intelligence-gathering organization as well. We commend the way this agency has evolved and transformed its mission and operations to meet the changing threats facing our Nation. On behalf of a grateful Nation, we honor and thank the fine men and women who have carried the FBI badge for their dedication, skill, and professionalism in protecting our country, and who put their lives at risk daily to keep us safe.

The Department continues to vigorously pursue its mission of protecting our communities from crime. Due to the hard work of law enforcement nationwide, violent crime in the United States remains at its lowest level in 30 years. Where individual localities have seen increases in crime, the Department has responded, working with State and local partners to study the problem and implement strategies to reduce and deter crimes involving guns, gangs, drugs, child exploitation, corporate and public corruption, immigration, and civil rights violations. Our efforts to deter crime on all these fronts continue unabated.

While the Department works to fulfill its vital missions of fighting terrorism and crime, it is committed to maintaining strong program and fiscal management. Prepared pursuant to the Reports Consolidation Act of 2000 and guidance in Office of Management and Budget (OMB) Circulars A-11, A-123, and A-136, the FY 2008 Department of Justice *Performance and Accountability Report* contains our performance report, as required by the Government Performance and Results Act; our audited consolidated financial statements, as required by the Chief Financial Officers Act and the Government Management Reform Act; and a statement of assurance regarding our internal control and financial management systems, as required by the Federal Managers' Financial Integrity Act (FMFIA).

The Department again earned an unqualified audit opinion on our FY 2008 consolidated financial statements. For the second straight year, no material weaknesses were identified at the consolidated level in the auditor's report on internal control. While we continue as a Department to demonstrate noteworthy progress, we are committed to pursuing actions to correct areas where we have deficiencies.

The Department conducted its annual assessment of the effectiveness of internal controls to support effective and efficient programmatic operations and compliance with applicable laws and regulations (FMFIA Section 2) and whether financial management systems conform to government-wide requirements (FMFIA Section 4). Based on the results of this assessment, I provide qualified assurance that the Department met the objectives of FMFIA. The assessment did not identify any systems non-conformances required to be reported under FMFIA Section 4; however, the assessment identified two material weaknesses required to be reported under FMFIA Section 2 – one related to prison crowding and the other related to the Federal Bureau of Investigation's past issues with the use of National Security Letters. In addition, I provide reasonable assurance that the Department's internal control over financial reporting met the objectives of OMB Circular A-123, Appendix A.

The financial and performance data presented in this report are complete and reliable, providing timely and useful information on Department of Justice accomplishments to the American taxpayers. The Department is pleased with this past fiscal year's mission accomplishments, and we will continue to be resolute in our quest to protect our citizens by addressing terrorism and crime and working to enforce our federal laws with integrity.



Michael B. Mukasey
Attorney General



EXECUTIVE SUMMARY

FY 2008 Budget, Performance and Financial Snapshot

WHO WE ARE

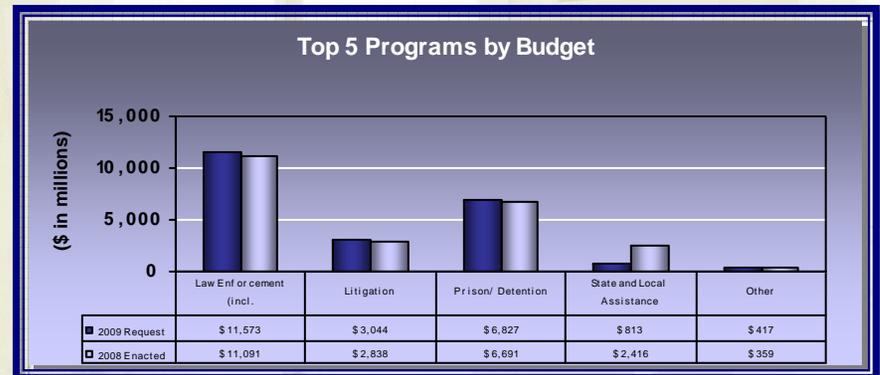
Mission: To enforce the law and defend the interests of the United States (U.S.) according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans. [Link to the DOJ Strategic Plan.](#)

Organization: Led by the Attorney General, DOJ is comprised of 40 components, which cover a variety of responsibilities. DOJ prosecutes federal law offenders and represents the U.S. government in court; its attorneys represent the rights and interests of the American people and enforce federal criminal and civil laws, including antitrust, civil rights, environmental and tax; its immigration judges ensure speedy justice for detainees; its special agents investigate organized and violent crime, illegal drugs, gun and explosives violations; its marshals protect the federal judiciary, apprehend fugitives and transport persons in federal custody; its guards confine convicted federal offenders and detain illegal immigrants. DOJ also provides grants and training to state, local, and tribal partners; and brings together national security, counterterrorism, counterintelligence and foreign intelligence surveillance operations under a single authority. [Link to the DOJ Organization Chart.](#)

Personnel: In FY 2008, DOJ was authorized for 105,554 positions. The workforce composition is comprised of: Agents (over 24,000 or 23%); Attorneys (over 10,000 or 10%); Correctional Officers (over 19,000 or 18%); Intelligence Analysts (over 3,000 or 3%); and Other (under 50,000 or 46%). "Other" captures administrative, clerical, analysts, information technology specialists, legal services and security specialists. [Link to DOJ Current Vacancies.](#)

Budgetary Resources: The budgetary resources for FY 2008 totals \$24.2 billion or \$155 per taxpayer (or \$79 per U.S. Citizen).

BUDGET SNAPSHOT



PERFORMANCE SNAPSHOT

Accomplishments: The Department has successfully prevented terrorist acts committed by foreign nationals within U.S. borders and catastrophic acts of domestic terrorism from occurring over the past six years. Additionally, DOJ has dismantled organized criminal enterprises; shut down child pornography websites; investigated firearms cases leading to criminal prosecution; neutralized high-impact Internet fraud targets; dismantled criminal enterprises engaging in white-collar crime; and assisted in the reduction of the DNA backlog. Finally, DOJ has kept prison system-wide crowding down; ensured serious assaults in federal prisons remain low; achieved accreditations in all federal prison facilities; and completed priority immigration cases within the established timeframe for three of four types of cases.

Challenges: The top challenges DOJ face include: on-going effort of detecting and deterring terrorism; sharing of intelligence and law enforcement information; planning, implementing and securing information technology systems; protecting individual civil rights and civil liberties; restoring public confidence in the integrity of DOJ operations; reducing the threat, incidence and prevalence of violent crime; combating cybercrime in an age of rapid technological advances and widespread use of the Internet; effectively managing billions of dollars in grants each year; safely and economically managing an increasing federal detainee and inmate population; and developing a unified financial management system to readily support ongoing budget and accounting operations and preparation of financial statements.

FINANCIAL SNAPSHOT

Clean Opinion on Financial Statements	Yes
Timely Financial Reporting	Yes
Material Weaknesses	0
Improper Payment Rate	0.03%

Total Assets	\$29,344
Total Liabilities	\$8,615
Net Cost of Operations	\$26,548
	(\$ in millions)

Footnote: Additional information on federal spending can be found at www.usaspending.gov/index.php. Additional information on the performance of federal programs can be found at www.whitehouse.gov/omb/expectmore.

SUMMARY OF DOJ PERFORMANCE FOR FY 2008

STRATEGIC GOAL I: Prevent Terrorism and Promote the Nation's Security

Performance measure*	2006 Results	2007 Results	2008 Target	2008 Results	2008 Results	2009 Target
Terrorist acts committed by foreign nationals against U.S. interests within U.S. borders	Zero	Zero	Zero	Zero	Met	Zero
Catastrophic acts of domestic terrorism	Zero	Zero	Zero	Zero	Met	Zero

Budget per Strategic Goal
(\$ in millions)

2008 Actual = \$4,846

FY 2008 Performance Results Summary*



■ Met or exceeded target
■ Not met target

Legend

■ Not met but improved over prior year
■ Data not yet available

* These measures were selected from a larger set of performance measures to address this strategic goal. However, the FY 2008 Performance Results Summary pie chart above represents the status of all key measures reported in this strategic goal.

STRATEGIC GOAL II: Prevent Crime, Enforce Federal Laws and Represent the Rights and Interests of the American People

Performance measure*	2006 Results	2007 Results	2008 Target	2008 Results	2008 Results	2009 Target
Consolidated Priority Organizations Target (CPOOT)-linked drug trafficking organizations disrupted	189	169	220	293	Met	220
Percent of criminal cases favorably resolved	92%	92%	90%	92%	Met	90%
Percent of children recovered within 72 hours of an issuance of an AMBER alert	N/A	85.3%	75%	81.9%	Met	75%

Budget per Strategic Goal
(\$ in millions)

2008 Actual = \$12,807

FY 2008 Performance Results Summary*



■ Met or exceeded target
■ Not met target

Legend

■ Not met but improved over prior year
■ Data not yet available

* These measures were selected from a larger set of performance measures to address this strategic goal. However, the FY 2008 Performance Results Summary pie chart above represents the status of all key measures reported in this strategic goal.

STRATEGIC GOAL III: Ensure the Fair and Efficient Administration of Justice

Performance measure*	2006 Results	2007 Results	2008 Target	2008 Results	2008 Results	2009 Target
Total number of primary fugitives apprehended or cleared	30,192	33,437	32,370	34,393	Met	32,870
Number of escapes from secure BOP facilities	1	Zero	Zero	Zero	Met	Zero
Comparative recidivism for Federal Prison Industries inmates versus non-FPI inmates (Percentage less likely to recidivate 3 years post release)	23	39	15	34	Met	15

Budget per Strategic Goal
(\$ in millions)

2008 Actual = \$7,963

FY 2008 Performance Results Summary*



■ Met or exceeded target
■ Not met target

Legend

■ Not met but improved over prior year
■ Data not yet available

* These measures were selected from a larger set of performance measures to address this strategic goal. However, the FY 2008 Performance Results Summary pie chart above represents the status of all key measures reported in this strategic goal.



CITIZENS' REPORT Overview

The American public deserves to know where their hard earned tax dollars are being spent. Although great strides have been made in making information available, all too often federal accomplishments are buried in reports that are not read by anyone outside Washington, DC. The purpose of this report is to share performance and financial information with the American public in an informal and transparent manner.

Our agents, attorneys, correctional officers and all others at the Department of Justice (the Department, or DOJ) work tirelessly every day to keep our citizens safe from crime and terrorism, represent the rights and interests of the American people in the court of law, and ensure the fair and efficient administration of justice. For each of these strategic areas, we will provide an account of the accomplishments achieved, the dollars appropriated to achieve these goals, and how this relates to the cost of doing business.

In our Citizens' Report, we share the top management challenges facing the Department and our efforts to address critical issues such as our response to counterterrorism and restoring the confidence in the Department and its operations. We also provide the results of our financial audit and report any material weaknesses or improper payments.

We are stewards of your tax dollars and we are driven to spend them in the most efficient and effective way. To determine how well we have spent these dollars, we have established measures to determine where we can identify efficiencies.

This report provides just a sampling of the outstanding work performed at the Department of Justice. If you wish to read more about the Department's efforts, a full display of the [Budget and Performance Summary](#), [Congressional Budget Justification](#), [Performance and Accountability Report \(PAR\)](#) and [Strategic Plan](#), can be found by clicking on the hyperlinks within this sentence. Although the links in the preceding sentence will direct you to the entire report, we encourage you to click on links throughout each section of this report, which will direct you to specific sections of the PAR. The PAR combines financial data (required by the Chief Financial Officers Act) and performance accomplishments (required by the Government Performance and Results Act) in one document. The information found in the Citizens' Report summarizes the information presented in the PAR, however, by following these links you can learn more detailed information about the accomplishments of the Department. Each link throughout this document is identified with light blue font and underscored. However, if you are reading this report in hard copy, we have also provided the web locations to the full reports in the **Contact and Additional Information** section at the end of this report.

Finally, we have recently developed a webpage with the sole purpose of providing budget, performance and planning information in one location. The [Budget, Performance and Planning](#) site found on our homepage provides information about each of these critical areas.

BY THE NUMBERS	
100	Number of years since the founding of the FBI (1908-2008)
2,118	Number of indictments filed by US Attorneys against defendants under Project Safe Childhood*
>7,300	Number of sex offenders apprehended (as of 1/31/08)*
10,525	Number of officers receiving anti-terrorism training
202,248	Total inmate population (as of 12/18/08)
>390,000	Number of prison movements per year on average*
1,385,060	Kilograms of cocaine seized (1986 through 2007)*
\$1.34 billion	Dollars recovered by the DOJ in fraud and false claims
<i>* Data for 2008 are still being compiled</i>	

DEPARTMENT OF JUSTICE

At a Glance

Below is a brief history and other important information about the Department of Justice:

History and Enabling Legislation

The Department of Justice, comprised of more than 110,000 employees and often referred to as the largest law office in the world, began in 1789 with a staff of two: the Attorney General and a clerk. The Judiciary Act of 1789 created the Office of the Attorney General, providing for the appointment of "a person, learned in the law, to act as attorney-general for the United States." By 1870, the duties of the Office of the Attorney General had expanded so much that Congress adopted "An Act to establish the Department of Justice" with the Attorney General as its head.

Organization Chart

A link to the Department's Organization Chart is found [here](#), and hyperlinks to each Component are listed below.

To enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.

Component Organizations

Attorney General	Executive Office for U.S. Attorneys (EOUSA)	Office of the Inspector General (OIG)
Deputy Attorney General	Federal Bureau of Investigation (FBI)	Office of the Pardon Attorney (OPA)
Associate Attorney General	Foreign Claims Settlement Commission (FCSC)	Office of Justice Programs (OJP)
Alcohol, Tobacco, Firearms and Explosives (ATF)	Justice Management Division (JMD)	Office of Professional Responsibility (OPR)
Antitrust Division (ATR)	National Drug Intelligence Center (NDIC)	Office of Public Affairs
Bureau of Prisons (BOP)	National Security Division (NSD)	Office of the Solicitor General (OSG)
Civil Division (CIV)	Office of Dispute Resolution (ODR)	Office on Violence Against Women (OVW)
Civil Rights Division (CRT)	Office of the Federal Detention Trustee (OFDT)	Professional Responsibility Advisory Office (PRAO)
Community Oriented Policing Services (COPS)	Office of Information and Privacy (OIP)	Tax Division (TAX)
Community Relations Service (CRS)	Office of Intergovernmental and Public Liaison (OIPL)	U.S. Marshals Service (USMS)
Criminal Division (CRM)	Office of Legal Counsel (OLC)	U.S. National Central Bureau—Interpol (USNCB)
Drug Enforcement Administration (DEA)	Office of Legal Policy (OLP)	U.S. Parole Commission (USPC)
Environment and Natural Resources Division (ENRD)	Office of Legislative Affairs (OLA)	U.S. Trustee Program (USTP)
Executive Office for Immigration Review (EOIR)		

DEPARTMENT OF JUSTICE

How do we serve you?

I

STRATEGIC GOAL I: Prevent Terrorism and Promote the Nation's Security

Since September 11, 2001, the prevention of terrorist attacks has been the Department and Federal Bureau of Investigation's (FBI) top priority and overriding focus. Similarly, the prosecution of persons suspected of terrorist acts is the top priority of the U.S. Attorneys (USA) and the National Security Division. Although these three organizations are prominent in the Department's Strategic Goal (SG) I, the attention to terrorism is evident throughout the Department. Also contributing to SG I are the: Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF); Drug Enforcement Administration (DEA); and U.S. Marshals Service (USMS).

II

STRATEGIC GOAL II: Prevent Crime, Enforce Federal Laws and Represent the Rights and Interests of the American People

Although the prevention of terrorism is the Department's top priority, it is not the only priority. Prior to September 11, 2001, SG II was viewed as the heart of DOJ's mission: enforcement of the law. This goal covers a broad range of issues, including violent crime, illegal drugs, vicious gangs and gun violence. It involves white collar crimes, such as health fraud, corporate fraud, and public corruption. It involves computer crime, including identity theft, intellectual property crime and other kinds of cyber crime. And it covers the exploitation of the vulnerable, particularly children, in all its various forms: pornography, trafficking and abuse.

SG II describes the role of the Department as the Nation's chief litigator, representing the federal government and the people in court, enforcing federal civil and criminal statutes, including those protecting civil rights, safeguarding the environment, preserving a competitive market structure, defending taxpayer dollars against unwarranted claims, and preserving the integrity of the Nation's bankruptcy system. Components contributing to SG II are: ATF; DEA; FBI; Office of Justice Programs (OJP); Office on Violence Against Women (OVW); Community Oriented Policing Service (COPS); U.S. National Central Bureau-Interpol (INTERPOL); USA; U.S. Trustee; and the Antitrust, Civil, Civil Rights, Criminal, Environment and Natural Resources and Tax Divisions.

III

STRATEGIC GOAL III: Ensure the Fair and Efficient Administration of Justice

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

gainfully, and to prepare them for reentry into society.

The OJP provides DOJ's considerable leverage, expertise and funding to making the Nation's criminal and juvenile justice systems more responsive to the needs of state, local and tribal governments and their citizens. Finally, immigration judges and members of the Board of Immigration Appeals, part of the Department's Executive Office for Immigration Review, adjudicate immigration cases in a timely manner ensuring that criminal aliens serving sentences in federal prisons are deported upon release.



RESOURCES BY STRATEGIC GOAL

In FY 2008, the Department received resources totaling \$25.6 billion in mandatory and discretionary funding. Of this amount, over \$23 billion in discretionary funding was provided to fund the breadth of the Department's activities.

STRATEGIC GOAL I: Prevent Terrorism and Promote the Nation's Security

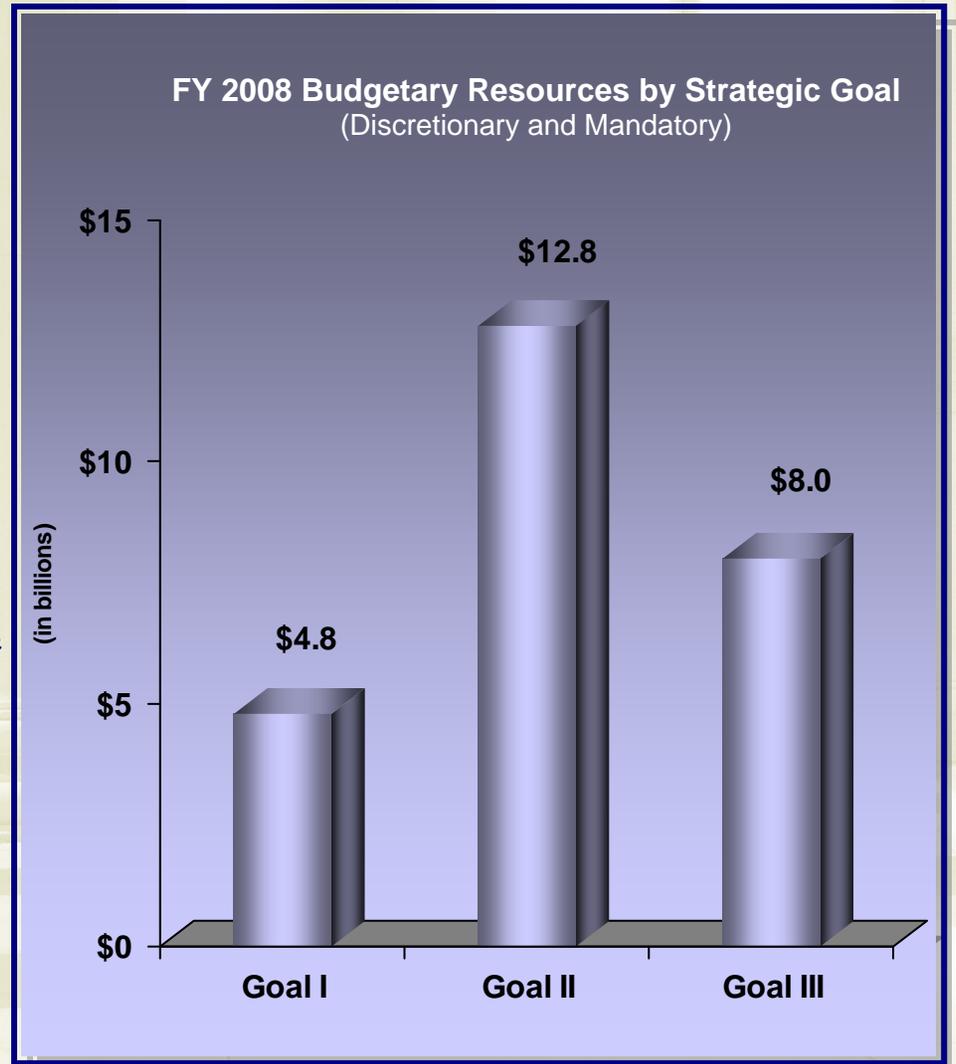
To support this goal, the Department received funding of \$4.8 billion in FY 2008, an increase of \$256.2 million over the resources provided in FY 2007.

STRATEGIC GOAL II: Prevent Crime, Enforce Federal Laws and Represent the Rights and Interests of the American People

To support this goal, the Department received funding of \$12.8 billion in FY 2008, a decrease of \$604.5 million below the resources provided in FY 2007. The most significant decrease was in the area of grants. The Edward Byrne Memorial Justice Assistance Grant (JAG) program received \$353.9 million fewer resources compared to the previous fiscal year. The JAG program allows state and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system.

STRATEGIC GOAL III: Ensure the Fair and Efficient Administration of Justice

To support this goal, the Department received funding of \$8.0 billion in FY 2008, a decrease of \$197.1 million below the resources provided in FY 2007. The most significant decrease was in the area of detention. The Office of the Detention Trustee received \$145.0 million fewer resources compared to the previous fiscal year, which provides for the safe, secure and humane confinement of detained persons awaiting trial and/or sentencing.



TOP MANAGEMENT CHALLENGES

Each year, the Department's Office of the Inspector General (OIG) prepares a list of the Department's top management challenges. These challenges are not presented in order of priority—we believe all are critical issues facing the Department. However, it is clear that the top challenge facing the Department continues to be its ongoing response to the threat of terrorism.

Below is an abridged version of the Department's top management challenges. For a full list of these challenges, click [here](#) and a for full list of the actions taken by the Department to address these challenges, click [here](#).

Top Management Challenges	
Challenge	Description
Cybercrime	<p>Issue: The FBI's key indicator for identifying the number of child pornography websites and web hosts shut down was not accurate because it used as a surrogate measure the number of subpoenas for subscriber information served on web hosting companies and Internet service providers. Counting the number of subpoenas served is not a fully accurate measure of the FBI's activities in shutting down child pornography websites and web hosts because the FBI has no direct technical role in shutting down the websites.</p> <p>Action: Following the OIG's Key Indicators Audit (2007), the FBI's Innocent Images National Initiative reevaluated ways in which to report accomplishments related to investigations of Internet-based child pornography, such as measuring the number of children rescued as a result of FBI investigations into child pornography.</p>
Financial Management and Systems	<p>Issue: The Department's FY 2008 unqualified opinion and improved financial reporting, along with a reduction in material weaknesses at the consolidated and component levels was achieved through heavy reliance on contractor assistance, manual processes, and protracted reconciliations. The OIG remains concerned about the sustainability of these ad hoc and costly manual efforts.</p> <p>Action: The Department continues to reflect improvement in its overall financial management by emphasizing internal controls and documenting processes at all levels of the organization. Progress was made in both general and application controls in FY 2008. One core departmental financial system was eliminated this fiscal year as the OJP converted to the JMD Financial Management Information System. This leaves the Department with six core financial systems with the DEA and ATF scheduled to migrate to Unified Financial Management System in FY 2009 and 2010, respectively.</p>
Restoring Confidence in the Department of Justice	<p>Issue: The Department's hiring of career employees was affected by improper political considerations. Committees screening applications inappropriately used political or ideological affiliations to "deselect" candidates, violating Department policy and federal law. At times, this resulted in rejecting high-quality career attorney candidates for important work details in favor of less-qualified candidates. It also affected screening of candidates for immigration judge positions and caused significant delays in appointing immigration judges at a time when the immigration courts were experiencing an increased workload and a high vacancy rate.</p> <p>Action: As noted by the OIG, the DOJ has taken many steps to address these issues, both before and after the OIG/Office of Professional Responsibility (OPR) reports were released, and has adopted all of the recommendations made by OIG and OPR. For example, the central review process for the Honors Program hiring is now handled by career employees. The Department also issued stronger guidance to enforce the use of merit hiring principles and to clarify that political affiliation may not be used to evaluate candidates and that ideological affiliations may not be used as a proxy factor to discriminate on the basis of political affiliation. In addition, all current and new political appointees now receive briefing and training material on the applicability of merit hiring principles and prohibited personnel practices in career attorney hiring.</p>

FY 2008 PERFORMANCE MEASURES BY STRATEGIC GOAL

STRATEGIC GOAL I: Performance

Public Benefit

Terrorism is the most significant national security threat that faces our Nation. The Department's foremost focus is protecting the Homeland from future terrorist attacks. To ensure attainment of this goal, prevention is our highest priority. The Department has taken, and will continue to take, assertive actions to prevent, disrupt and defeat terrorist operations before they occur; investigate and prosecute those who commit or intend to commit terrorist acts; and strengthen partnerships to prevent, deter and respond to terrorist incidents. In order to have the information we need to keep our Nation safe, we are continuing to strengthen and expand our counterintelligence capabilities. The Department is hard at work to ensure that the people that intend to do us harm come to justice.

IN THE NEWS

January 22, 2008 (MIAMI) — A federal judge in the Southern District of Florida has sentenced to prison, Jose Padilla (208 months), Adham Amin Houssoun (188 months) and Kifa Wael Jyyousi (152 months) on charges of conspiracy to murder, kidnap and maim individuals in a foreign country, conspiracy to provide material support to terrorists and providing material support to terrorists.

The jury found the defendants guilty of being part of a North American support cell designed to send money, physical assets and mujahideen recruits to overseas jihad conflicts.

The following represents the Department's key performance measures used to determine how well we are meeting Strategic Goal I:

	FY 2004 Actual	FY 2005 Actual	FY 2006 Actual	FY 2007 Actual	FY 2008 Target	FY 2008 Actual	FY 2008 Rating
Terrorist acts committed by foreign nationals against U.S. interests within U.S. borders	Zero	Zero	Zero	Zero	Zero	Zero	●
Catastrophic acts of domestic terrorism	Zero	Zero	Zero	Zero	Zero	Zero	●
The Department achieved 100% of its FY 2008 performance goals for Strategic Goal I							●
Budget Resources allocated to Strategic Goal I in FY 2008:				\$4.8 billion 18.9% of total DOJ budget			
Legend: Achievement of 100% of performance targets for this Strategic Goal = Green; 75-99% = Yellow; 74% or below = Red; and when data are not yet available = Blue.							

Notable accomplishments for this goal during FY 2008 include:

- Although no terrorist incidents of this kind occurred during FY 2008, one notable arrest of an international terrorism subject identified by the FBI occurred in Afghanistan. Afghanistan National Police personnel discovered a Pakistani woman, later identified as FBI Boston subject Aafia Siddiqui, and a teenage boy loitering and acting suspicious in the vicinity of the governor's compound in Afghanistan. Siddiqui was taken into custody for "loitering and acting suspicious." A search of her personal items revealed a purse containing numerous documents, to include the creation of explosives, use of chemical weapons, targeting of U.S. military assets and excerpts from the Anarchist's Arsenal.

Discussion of FY 2008 Results

For this strategic goal, the Department achieved or surpassed 100 percent of its FY 2008 targets. Additionally, the Department maintained or surpassed its FY 2007 performance for both measures under this goal.



STRATEGIC GOAL II: Performance

Public Benefit

The heart of the Department's mission is to enforce federal laws and represent the rights and interests of the American people. Preventing and controlling crime is critical to ensuring the strength and vitality of the democratic principles, rule of law and the administration of justice. The enforcement of federal laws assists societal safety by combating economic crime and reducing the threat, trafficking, use and related violence of illegal drugs. The strengthening of partnerships between federal, state, local and tribal law enforcement will enhance our ability to prevent, solve and control crime. Through the enforcement of our laws, we protect the rights of the vulnerable by reducing the threat, incidence and prevalence of violent crime, including crimes against children. We are also committed to upholding the civil and constitutional rights of all Americans.

The following represents the Department's key performance measures used to determine how well we are meeting [Strategic Goal II](#):

STRATEGIC GOAL II: Performance							
	FY 2004 Actual	FY 2005 Actual	FY 2006 Actual	FY 2007 Actual	FY 2008 Target	FY 2008 Actual	FY 2008 Rating
Number of organized criminal enterprises dismantled	29	34	36	43	34	34	●
Number of child pornography websites or web hosts shut down	2,638	2,088	906	1,667	1,000	1,525	●
Percentage of firearms investigations resulting in a referral for criminal prosecutions	N/A	55%	57%	57%	58%	60%	●
Consolidated Priority Organizations Target-linked drug trafficking organizations							
<i>Disrupted</i>	159	204	189	169	220	293	●
<i>Dismantled</i>	36	121	93	86	115	102 ¹	●
¹ The FY 2008 targets were very ambitious. Even though the Department experienced resource reductions for the OCDETF program in FY 2008, it was still able to achieve 102 dismantlements, a 19 percent increase over the 86 dismantlements in FY 2007.							
Legend: Achievement of 100% of performance targets for this Strategic Goal = Green; 75-99% = Yellow; 74% or below = Red; and when data are not yet available = Blue.							
<i>Continued on next page.</i>							

Notable accomplishments for this goal during FY 2008 include:

- An ATF investigation into the illegal activities of the Latin Kings street gang in Waterbury, CT led to the indictment of 18 individuals who are charged with various federal weapons and drug trafficking offenses. ATF conducted this investigation in conjunction with the Waterbury Police Department and the Connecticut State Department of Corrections. During the course of the investigation, law enforcement officers made controlled purchases of firearms and illegal narcotics from more than 50 suspected members of the Latin Kings. This investigation targeted gang members from four different factions of Latin Kings in Waterbury, as well as narcotics traffickers associated with the Latin Kings.



IN THE NEWS

September 17, 2008 (MIAMI) — The Drug Enforcement Administration's "Project Reckoning" leads to the seizure of \$60 million and over 40 tons of illegal drugs from one of Mexico's largest drug cartels.

"Project Reckoning," a multi-agency law enforcement effort led by the DEA, targeted the Mexican drug trafficking cartel known as the "Gulf Cartel." Among those indicated are the three alleged leaders of the Gulf Cartel: Ezequiel Cardenas-Guillen, Heriberto Lazcano and Jorge Eduardo Costilla-Sanchez. These individuals, each designated as Consolidated Priority Organization Targets (CPOTs) by the Organized Crime Drug Enforcement Task Force, have been indicted in the U.S. District Court in the District of Columbia on charges that they conspired to import drugs in to the U.S. from Mexico. A CPOT designation is reserved for significant narcotics traffickers who are believed to be the leaders of drug trafficking organizations responsible for the importation of large quantities of narcotics into the U.S.



The Gulf Cartel is responsible for the transportation of multi-ton quantities of cocaine, methamphetamine, heroin and marijuana from Colombia, Guatemala, Panama and Mexico into the U.S., as well as the distribution of those narcotics within the U.S. The Gulf Cartel is also believed to be responsible for laundering multiple millions of dollars in criminal proceeds. Individuals indicted in the cases are charged with a variety of crimes, including: drug trafficking charges related to cocaine and marijuana; solicitation and conspiracy to kidnap; attempted murder; conspiracy to use a firearm in a violent crime; conspiracy to kill and kidnap in a foreign country; interstate and foreign travel in aid of racketeering; money laundering and other related crimes.

- The U.S. Attorney's Office for the Eastern District of Pennsylvania has entered into a settlement agreement with the pharmaceutical manufacturer, Merck & Co., Inc. Under the agreement, Merck has agreed to pay \$399 million plus interest, resolve civil liabilities for the Medicaid rebates the company allegedly underpaid to the federal government, 49 states, and District of Columbia for Zocor and Vioxx.
- The America's Missing: Broadcast Emergency Response (AMBER) alert program, coordinated by the Office of Justice Programs, was responsible for assisting in the safe return of a child in Los Angeles who was abducted by his father, who had shot the child's mother. The father dropped the child off with relatives upon hearing the AMBER alert.
- An FBI investigation targeted a large-scale Polish criminal enterprise involved in the interstate transportation of stolen motor vehicles, international distribution of ecstasy, the trafficking of counterfeit U.S. currency, mortgage fraud, and sale of false driver's licenses and passports. The investigation was worked jointly with FBI's New York office, a Chicago High-Intensity Drug Trafficking Area/DEA Task Force, the Royal Canadian Mounted Police, and investigators from the National Insurance Crime Bureau. A total of 10 subjects were charged, arrested and convicted as a result of the investigation. Four vehicles, 100,000 ecstasy pills, \$95,000 in counterfeit bills and \$826,000 were recovered during the investigation. On June 19, 2008, Piotr Misiolek, who was arrested in Prague, was sentenced to a 45 year prison term for conspiracy to traffic narcotics.
- An FBI investigation led to seven former executives of National Century Financial Enterprises (NCFE). The NCFE was one of the largest healthcare financing companies in the U.S. before filing for bankruptcy in November 2002. The former executives were charged with conspiring to defraud investors by lying about how the investors' funds would be used, diverting the funds and then hiding the shortfall by moving money back and forth between subsidiaries' bank accounts. On August 6, 2008, the former Vice Chairman and Chief Operating Officer, and four of his co-conspirators were ordered to jointly pay approximately \$2.4 billion in restitution. The judge ordered a forfeiture money judgment of approximately \$1.7 billion. To date, four of the five former executives who have pled guilty have been sentenced.



STRATEGIC GOAL II: Performance (continued)

	FY 2004 Actual	FY 2005 Actual	FY 2006 Actual	FY 2007 Actual	FY 2008 Target	FY 2008 Actual	FY 2008 Rating
DOJ's reduction in the supply of drugs available for consumption in the U.S.	N/A	N/A	N/A	N/A	Progress toward establishing baseline ²	TBD	●
² Measuring reduction in the drug supply is a complex process reflecting a number of factors outside the control of drug enforcement. Moreover, the impact of enforcement efforts on drug supply and the estimated availability are currently not measurable in a single year.							
Number of high-impact Internet fraud targets neutralized	7	10	9	11	11	11	●
Number of criminal enterprises engaging in white collar crime dismantled	137	163	231	277	150	194	●
Percent reduction in DNA Backlog (casework only)	11%	21%	34%	37%	26%	45%	●
Percent of children recovered within 72 hours of an issuance of an AMBER alert	N/A	N/A	N/A	85.3	75	81.9	●

Legend: Achievement of 100% of performance targets for this Strategic Goal = Green; 75-99% = Yellow; 74% or below = Red; and when data are not yet available = Blue.

Continued on next page.

Notable accomplishments for this goal during FY 2008 include (continued):

- Operation Cyber Jive, is an FBI investigation into Jive Network, Inc. (JIVE), an Internet company based in Daytona Beach, FL. JIVE was involved in the illegal sale of both controlled and non-controlled prescription drugs over the Internet. From February 25, 2002 through April 19, 2005, JIVE coordinated the distribution of approximately 1 million on-line prescriptions, almost 70 percent of which were for controlled substances. Thirty-six pharmacies throughout the U.S., one from the Bahamas and one from Ireland filled prescriptions for JIVE. Twenty-one doctors were involved in the criminal enterprise by approving prescriptions for JIVE's customers. In each case, prescriptions were issued based solely on an on-line questionnaire and no doctor-patient relationship was ever established.
- Due to the reduction in backlog of DNA casework, the Buffalo police department was able to solve the 1984 rape and murder case of an elderly woman because the DNA sample produced a match, or "hit." The perpetrator was not a suspect at the time of the murder and most likely would not have been apprehended if the sample had not been entered into the Combined DNA Index System, or CODIS.

IN THE NEWS

August 15, 2008 (ALEXANDRIA, LA) — Jeremiah Munsen, 19, of Pineville, LA was sentenced to four months in prison for his role in using nooses to threaten and intimidating marchers who participated in a "Jena Six" civil rights rally in Jena, LA by displaying two hangman's nooses from the back of a pickup truck.

Munsen pleaded guilty, admitting that he displayed two large, life-size nooses from the back of his pickup truck with the intent to frighten and intimidate the demonstrators. He and another person hung the nooses in a manner to be clearly visible to the gathered demonstrators. Munsen drove past the group two or three times while the other person glared out the window at the demonstrators.

"The defendant committed a federal hate crime by using a powerful symbol of hate to intimidate a group of interstate travelers because of their race," said U.S. Attorney Donald W. Washington. "It is a violation of federal law to intimidate, oppress, injure or threaten people because of their race ... Our civil rights laws protect civil rights of all Americans, and they emphasize the reality that we are all members of one particular race — the human race."

STRATEGIC GOAL II: Performance (continued)

	FY 2004 Actual	FY 2005 Actual	FY 2006 Actual	FY 2007 Actual	FY 2008 Target	FY 2008 Actual	FY 2008 Rating
Percentage of cases favorably resolved							
<i>Criminal</i>	91%	91%	92%	92%	90%	92%	●
<i>Civil</i>	85%	84%	83%	83%	80%	79% ³	●
³ In Spring 2008, after it was announced that defendants who were convicted of Title 21 violations involving cocaine base or crack could be resentenced, the USAOs received a deluge of motions requesting that a resentencing hearing be held. If a defendant's motion for resentencing was granted and the defendant's sentence was decreased in any way, the case was tracked as a Judgment against the U.S. The crack resentencings have significantly skewed the numbers, making it numerically appear that there is a drop off in "favorably resolved" cases, when in fact, the change in numbers actually reflects decreases in crack sentences and not changes in judgments for or against the U.S.							
Percent of Assets/Funds returned to creditors:							
<i>Chapter 7</i>	58%	59%	63%	61%	58%	TBD ⁴	●
<i>Chapter 13</i>	86%	86%	87%	84%	86%	TBD ⁴	●
⁴ Data lags one year due to the requirement to audit data submitted by U.S. Trustees prior to reporting.							
Homicides per site (funded under the Weed and Seed Program)	3.7	3.7	3.3	3.5	3.9	TBD ⁵	●
⁵ Data are collected on a calendar year basis and reported with a one year lag.							
The Department achieved over 82% of its FY 2008 performance goals for Strategic Goal II							●
Budget Resources allocated to Strategic Goal II in FY 2008:				\$12.8 billion 50% of total DOJ budget			

Legend: Achievement of 100% of performance targets for this Strategic Goal = Green; 75-99% = Yellow; 74% or below = Red; and when data are not yet available = Blue.

Discussion of FY 2008 Results

For this strategic goal, the Department achieved or surpassed 82 percent of its FY 2008 targets when excluding data that are not yet available—the Department achieved or surpassed only 60 percent of its FY 2008 targets when factoring in data that are yet to be determined. Additionally, the Department maintained or surpassed its FY 2007 performance over 50 percent of the time when excluding data that are not yet available. It is expected that these percentages will improve as data become available and the Department meets or exceeds its FY 2008 targets.

IN THE NEWS

June 17, 2008 (ATLANTA) — James Bartholomew Huskey, 38, of LaFayette, GA has been arrested by federal, state and local law enforcement authorities on a federal criminal complaint charging him with manufacturing child pornography.

“This defendant allegedly produced a notorious series of images of child sexual abuse that have circulated around the world, with demand from the most hard-core and despicable child porn consumers,” said David E. Nahmias, U.S. Attorney for the Northern District of Georgia. “The series of videos depict a girl being abused from the time she was approximately 5 years old to when she was 9 years old.

On June 16, 2008, Huskey was arrested at his residence in LaFayette, GA. According to the criminal complaint, Huskey admitted he had abused the child victim and had sent the images of the abuse out over the Internet. The victim was also identified and interviewed and confirmed that Huskey had sexually assaulted her over a period of time and had videotaped the assaults. Huskey’s two children have been taken into protective custody by Georgia state authorities.

STRATEGIC GOAL III: Performance

Public Benefit

As Americans, we are offered many rights. One of these is the right to a speedy public trial if charged with a crime. To ensure this right is protected, the Department ensures defendants appear before the court in a timely manner and our judges, witnesses and others involved in the federal proceedings are kept safe. The Department also ensures that defendants are provided with safe, secure and humane conditions while awaiting trial and/or sentencing. Our job is not finished once the trial is over. After a defendant is found guilty of his or her crimes, the convicted must also be provided with safe, secure and humane living conditions and provided programs to learn valuable skills to reintegrate into society once their time is served.

The Department provides assistance to state, local and tribal governments by providing alternatives to incarceration for non-violent substance abuse offenders making space available for violent offenders in a growing prison system and offering treatment programs for offenders already serving sentences for crimes related to substance abuse to prepare them for life outside the prison walls. Additionally, the Department works to prevent and reduce youth involvement in gangs by providing assistance to address specific risk factors associated with delinquent behavior and the needs and desires contribute to the decision of a youth to join a gang.

Finally, the Department strives to adjudicate all immigration cases promptly and impartially in accordance with due process before they become physical threats or economic burdens to the public.

The following represents the Department's key performance measures used to determine how well we are meeting [Strategic Goal III](#):

STRATEGIC GOAL III: Performance							
	FY 2004 Actual	FY 2005 Actual	FY 2006 Actual	FY 2007 Actual	FY 2008 Target	FY 2008 Actual	FY 2008 Rating
Number of participants in the Residential Substance Abuse Treatment (RSAT) Program	33,239	31,740	27,756	26,991	20,000	TBD ⁶	●
⁶ Data are collected on a calendar year basis and reported with a one year lag.							
Graduation rate of program participants in the Drug Courts Program	N/A	18.1	31.9	29.9	24.0	12.0 ⁷	●
⁷ The pool of program participants has increased by more than the pool of participants eligible for graduation, which has affected the graduation rate.							
Ensure judicial proceedings are not interrupted due to inadequate security	Zero	Zero	Zero	2	0	1 ⁸	●
⁸ During this single event, a prisoner was being escorted to stand in front of the presiding judge. Before arriving in front of the judge, the prisoner lunged at the prosecuting attorney, attempting to choke her and forcefully knocking her to the ground. The Deputy U.S. Marshal was able to wrestle the prisoner off the attorney and restrain him in handcuffs. At no time during the incident was the judge or the public in danger.							
Legend: Achievement of 100% of performance targets for this Strategic Goal = Green; 75-99% = Yellow; 74% or below = Red; and when data are not yet available = Blue.							
<i>Continued on next page.</i>							

STRATEGIC GOAL III: Performance (continued)

	FY 2004 Actual	FY 2005 Actual	FY 2006 Actual	FY 2007 Actual	FY 2008 Target	FY 2008 Actual	FY 2008 Rating
Total primary fugitives apprehended or selected							
<i>Number</i>	29,140	30,434	30,192	33,437	32,370	34,393	●
<i>Percent</i>	55%	55%	54%	55%	54%	55%	●
Per day jail cost	\$61.87	\$61.92	\$62.73	\$64.40	\$65.62	\$67.47 ⁹	●
⁹ This target was not met due to several factors. Federal bed-space was not utilized as projected due to reduction in available capacity. This resulted in using inter-governmental agreement bed-space at a higher cost. In addition, Operation Streamline did not generate the increase in average daily population in specific locations and for the durations expected. This prevented realizing the economies of scale factored for certain contracts. During FY 2009, the Department will continue efforts to strengthen communication with our federal partners as they execute enforcement initiatives to capitalize on maximum usage of federal beds to the extent possible.							
System-wide crowding in federal prisons	41%	34%	36%	37%	39%	36%	●
Escapes from secure BOP facilities	2	Zero	1	Zero	Zero	Zero	●
Comparative recidivism for Federal Prison Industries (FPI) inmates versus non-FPI inmates							
<i>3 years after release</i>	N/A	N/A	23%	39%	15%	34%	●
<i>6 years after release</i>	N/A	N/A	10%	23%	10%	42%	●
Rate of serious assaults in federal prisons (assaults/inmates)	10/5,000	13/5,000	14/5,000	12/5,000	14/5,000	12/5,000	●

Legend: Achievement of 100% of performance targets for this Strategic Goal = Green; 75-99% = Yellow; 74% or below = Red; and when data are not yet available = Blue.

Notable accomplishments for this goal during FY 2008 include:

- A total of 536 participants have graduated from the Drug Court program during 2008. This alternative treatment program resulted in fewer offenders being sent to jail, which frees up space for more violent offenders and provides participants with training and knowledge to succeed and refrain from recidivating in the future.
- Operation FALCON (Federal and Local Cops Organized Nationally), led by the USMS, resulted in the arrest of 19,380 fugitives, which was more than any operation to date.
- There have been no escapes from BOP facilities for the past two years. Additionally, BOP has reached 100 percent accreditation by the American Correctional Association (ACA) for the past two years. The ACA recognizes agencies that have reached this milestone with its highest honor, the prestigious Golden Eagle award.

IN THE NEWS

October 7, 2008 (WASHINGTON) — U.S. Marshals arrested “15 Most Wanted Fugitive” Luc Pierre-Charles, Jr. in Rockledge, FL. His capture marks the 200th Most Wanted Fugitive arrested in the program’s 25-year history.

Information received from an associate led U.S. Marshals to the house of one of Pierre-Charles’ relatives where he was found hiding under a bed and refused to comply with commands to surrender. After a brief struggle, U.S. Marshals subdued the fugitive and transferred him to the Brevard County Jail.

Pierre-Charles was wanted by the U.S. Marshals and Florida authorities on multiple charges including: murder in the 1st degree (two counts); armed home invasion; aggravated assault; battery on a police officer; and unlawful flight to avoid prosecution.

STRATEGIC GOAL III: Performance (continued)							
	FY 2004 Actual	FY 2005 Actual	FY 2006 Actual	FY 2007 Actual	FY 2008 Target	FY 2008 Actual	FY 2008 Rating
Rate of serious assaults in federal prisons (assaults/inmates)	10/5,000	13/5,000	14/5,000	12/5,000	14/5,000	12/5,000	●
Inspection Results—Percent of federal facilities with American Correctional Association Accreditations	94%	99%	99%	100%	99%	100%	●
Percent of Executive Office for Immigration Review (EOIR) priority cases completed within established timeframes							
<i>Asylum</i>	89%	92%	95%	90%	90%	86% ¹⁰	●
¹⁰ This target was missed due to the high number of immigration judge vacancies as well as the great progress the courts made in the agency's initiative to complete the oldest pending cases. In FY 2009, EOIR intends to fill immigration judge vacancies, which will allow for more cases, especially complex asylum cases to be completed in a timely manner.							
<i>Institutional Hearing Program</i>	88%	89%	92%	86%	90%	91%	●
<i>Detained Cases</i>	88%	91%	92%	89%	90%	90%	●
<i>Detained Appeals</i>	N/A	N/A	N/A	97%	90%	96%	●
The Department achieved over 73% of its FY 2008 performance goals for Strategic Goal III							●
Budget Resources allocated to Strategic Goal III in FY 2008:				\$8.0 billion 31.1% of total DOJ budget			
Legend: Achievement of 100% of performance targets for this Strategic Goal = Green; 75-99% = Yellow; 74% or below = Red; and when data are not yet available = Blue.							

Notable accomplishments for this goal during FY 2008 include (continued):

- The Executive Office for Immigration Review, which is comprised of the Board of Immigration Appeals (BIA) and Immigration Courts, exceeded three of its four priority case targets. Of these, the BIA met its targets for appeals by keeping strict timelines for each step within the adjudicatory process and effective management of human resources. The Immigration Courts were able to meet two of their targets due to careful docket management at courts that hear the two types of detained cases.

Discussion of FY 2008 Results

For this strategic goal, the Department achieved or surpassed 73 percent of its FY 2008 targets when excluding data that are not yet available—the Department achieved or surpassed only 69 percent of its FY 2008 targets when factoring in data that are yet to be determined. Additionally, the Department maintained or surpassed its FY 2007 performance over 60 percent of the time when excluding data that are not yet available. It is expected that these percentages will improve as data become available and the Department meets or exceeds its FY 2008 targets.

IN THE NEWS

October 3, 2008 (WASHINGTON) — Attorney General Michael B. Mukasey announced more than \$293 million in grant awards to help at-risk youth and improve juvenile justice systems nationwide. These grants, administered by OJP's Office of Juvenile Justice and Delinquency Prevention, support community efforts to prevent crime and protect public safety through focusing on the well-being of our nation's young people.

“The Department is committed to fighting gangs and gang violence through both enforcement and prevention,” said Attorney General Michael B. Mukasey. The grant awards announced today are an important investment in our efforts to provide youth with alternatives to the destructive lifestyle of crime and gangs.”

A MESSAGE FROM THE CHIEF FINANCIAL OFFICER

November 12, 2008

In a year of challenges and increasing resource demands, the Department remains committed to making measurable progress in improving our financial management practices. Our financial managers recognize that their successes in financial stewardship directly support critical mission programs.

In this light, I am pleased to report that the Department of Justice has earned an unqualified audit opinion on its FY 2008 consolidated financial statements. More importantly, for the second straight year, the auditor's report on internal control identified no material weaknesses at the consolidated level. For the third straight year, we had no Department-level material weaknesses in financial reporting. We also reduced component-level material weaknesses from four last year to one this year, another positive accomplishment.

Everyday commitment from managers and employees, coupled with a strong foundation of internal control, has created this success. I also want to recognize each of the Department's nine financial reporting entities, all of which earned unqualified audit opinions this year on their financial statements. Our current and past emphasis on OMB Circular A-123 financial reporting assurance, and on information systems security and controls, continues to provide positive benefits. New financial system enhancements and reporting tools have improved the integrity of our systems, have helped identify cost savings, and have increased accountability.

Achieving a record of sustained success is not something to take for granted. While we continue as a Department to make progress, our work is unfinished. We will aggressively continue to correct the underlying causes of potential deficiencies in financial reporting and information systems controls.

Our next step is clear: to embed in our daily processes the improved practices that supported the successful FY 2008 audit. Our commitment to the Department's Unified Financial Management System will ensure that we reap the benefits of uniform financial management practices across our organization. This year, a successful pilot within the Asset Forfeiture Fund tested 28 standardized financial management processes. This was an important milestone that positions us for a successful conversion by the Drug Enforcement Administration, the first large component implementing the system. Further implementation, in FY 2010 and beyond, will empower staff to manage our finances at new levels of accountability, responsibility, and rigorous stewardship.

We take our financial accountability seriously and, as demonstrated, we take our commitment to sound agency performance results and providing taxpayer value seriously. We look forward in FY 2009 to building on our past achievements as we continue to support the important work of the Department of Justice.



Lee Lofthus
Chief Financial Officer



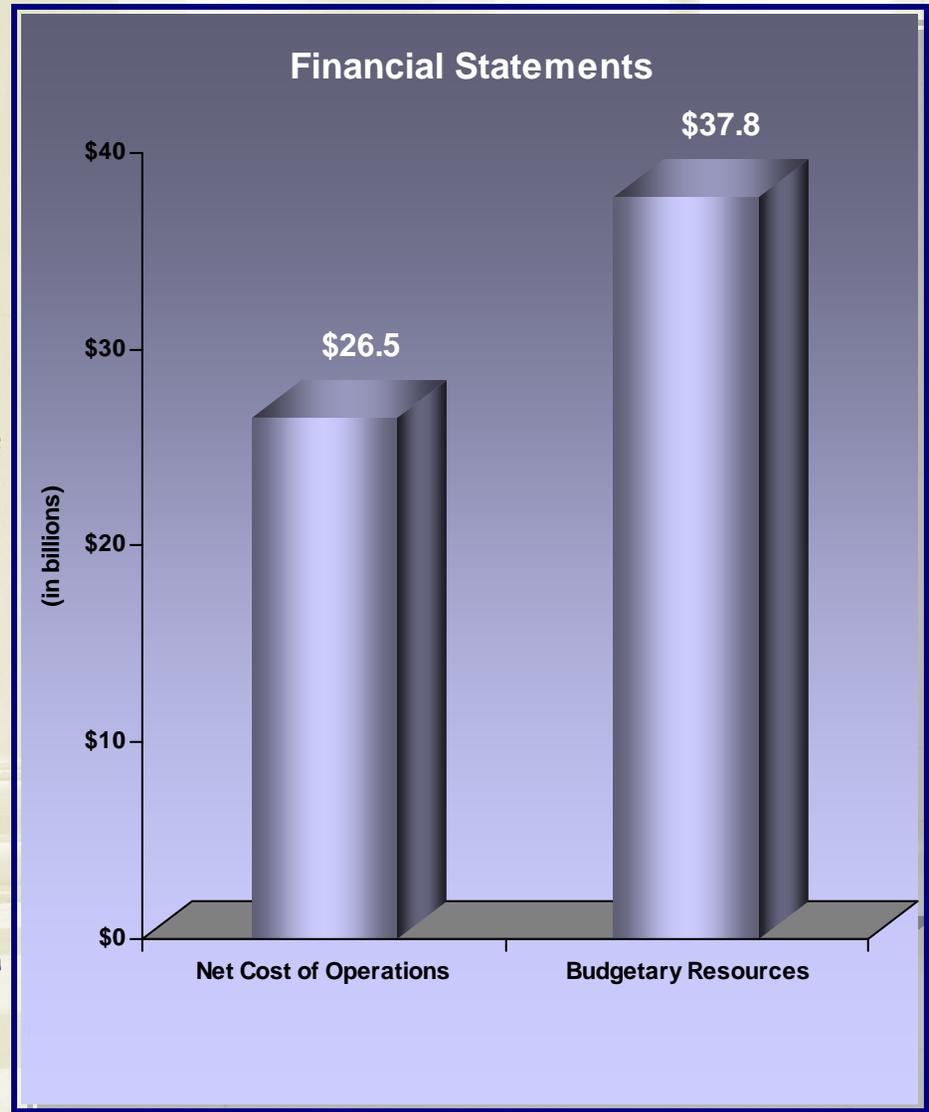
ANALYSIS OF FINANCIAL STATEMENTS

The Department's financial statements, which appear in Section III of the Department's Performance and Accountability Report (PAR), received an unqualified audit opinion for fiscal years ended September 30, 2008 and 2007. These statements have been prepared from the accounting records of the Department in conformity with the accounting principles generally accepted in the United States and Office of Management and Budget (OMB) Circular A-136, *Financial Reporting Requirements*. These principles are the standards prescribed by the Federal Accounting Standards Advisory Board.

The complete set of financial statements, related notes, and the [opinion](#) of the Department's auditors can be found in Section III of the Department's PAR.

Net Cost of Operations: The Consolidated Statement of Net Cost presents the Department's gross and net cost by strategic goal. The net cost of Department operations totaled \$26.5 billion for the year ended September 30, 2008, an increase of \$606.9 million (2.3 percent) from the previous year's net cost of operations of \$25.9 billion.

Budgetary Resources: The Department's FY 2008 Combined Statement of Budgetary Resources shows \$37.8 billion in total budgetary resources, an increase of \$1.0 billion from the previous year's total budgetary resources of \$36.8 billion.





FINANCIAL STATEMENT AUDIT SUMMARY

The Federal Financial Management Improvement Act of 1996 (FFMIA) was designed to improve federal financial and program managers' accountability, provide better information for decision-making, and improve the efficiency and effectiveness of federal programs. The FFMIA requires agencies to have financial management systems that substantially comply with federal financial management systems requirements, applicable federal accounting standards, and the U.S. Standard General Ledger (USSGL) at the transaction level. Furthermore, the FFMIA requires independent auditors to report on agency compliance with the three requirements as part of financial statement audit reports. The Federal Information Security Management Act (FISMA) states that to be substantially compliant with FFMIA, there are to be no significant deficiencies in information security policies, procedures, or practices.

FFMIA Compliance Determination

During FY 2008, the Department assessed its financial management systems for compliance with FFMIA and determined that, when taken as a whole, they substantially comply with the requirements of FFMIA. This determination is based on the results of FISMA reviews and testing performed for OMB Circular A-123, Appendix A. Consideration was also given to issues identified in the Department's financial statement audit.

Summary of the Department's Consolidated Financial Statement Audit and Material Weaknesses

The Department began and ended FY 2008 with zero material weaknesses at the consolidated level. The table below summarizes the results of the Department's financial statement audit regarding the effectiveness of internal control over financial reporting and program operations (Federal Managers' Financial Integrity Act (FMFIA) Section 2) and compliance with the FFMIA. To read Attorney General Mukasey's FMFIA Assurance Statement and review the Summaries of Management Assurances, click [here](#).

Consolidated Financial Statement Audit Opinion and Material Weaknesses					
Audit Opinion	Unqualified				
Restatement	No				
Material Weaknesses	Beginning Balance	New	Resolved	Consolidated	Ending Balance
None	0	0	0	0	0
Total Material Weaknesses	0	0	0	0	0



PRESIDENT'S MANAGEMENT AGENDA

In an effort to make government more citizen-centered and results-oriented, OMB established the [President's Management Agenda \(PMA\)](#) in 2001, which heralded a strategy for improving the management of the federal government. The Department recognizes the importance of the PMA and, together with two additional initiatives specific to the Department, follows the PMA criteria to strengthen its management practices, increase transparency and accountability, and improve program performance.

During 2008, the Department maintained "green" in the Commercial Services Management (formerly, "Competitive Sourcing"), Performance Improvement, Faith-based and Community and Real Property Asset Management Initiatives. Although the Department dropped in Overall status in the Strategic Management of Human Capital initiative, the Department made significant progress in achieving the annual goals and long-term criteria outlined under the PMA. For example, the Department improved from "red" to "yellow" rating in the area of Improved Financial Performance due in part by receiving a clean audit opinion each year since FY 2005, possessing no chronic and significant Anti-Deficiency Act violations and having no material non-compliances with laws or regulations.

Additionally, the Department continued to create and retain a capable workforce; hold organizations and programs accountable by aligning budgets and performance; make decisions based on timely, sound financial information; expand technology to better serve the public; and manage resources in ways that best serve the taxpayer. For a full report of the Department's accomplishments under the PMA, click [here](#).

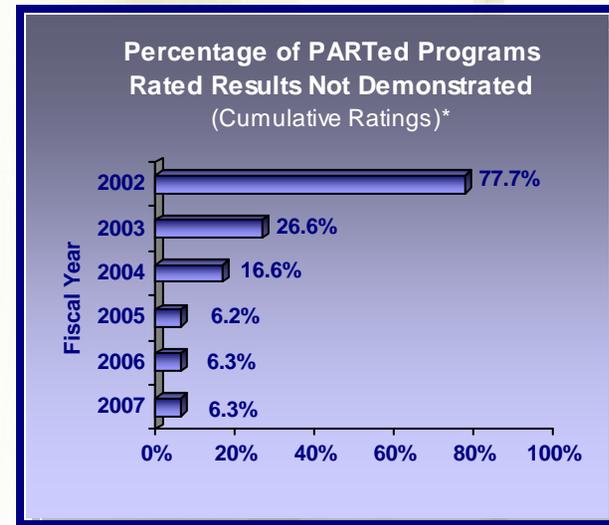
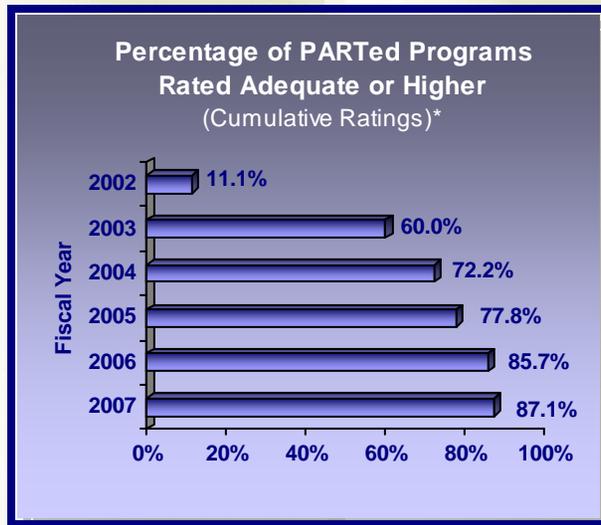
President's Management Agenda			
Initiative	Overall Status	Progress Status	Overall Status Compared to FY 2007
Strategic Management of Human Capital	●	●	↓
Commercial Services Management	●	●	↔
Improved Financial Performance	●	●	↑
Expanded Electronic Government	●	●	↔
Performance Improvement	●	●	↔
Faith-Based and Community	●	●	↔
Real Property Asset Management	●	●	↔

Legend: ↑ = Improvement over prior year's Overall Status; ↔ = No Change compared to prior year's Overall Status; ↓ = Decline from prior year's Overall Status



PROGRAM ASSESSMENT RATING TOOL

In 2002, OMB implemented an analytic assessment of federal programs through the use of the Program Assessment Rating Tool (PART). This management tool examines and identifies the effectiveness of programs and helps inform management actions, budget requests, and legislative proposals. The PART also serves as a means to show improvements over time, as well as evaluate programs in these four areas: purpose and design; strategic planning; program management; and results and accountability. For a full listing of all programs assessed through the PART assessment, visit ExpectMore.gov. There, you will be able to search for specific programs administered by the Department of Justice.



*The FY 2008 PART assessments have already taken place; however, OMB will not release the Department's final scores for these assessments until the issuance of the FY 2010 President's budget in February 2009. This release date is subject to change due to the transition in administration.

The Department uses the results of these assessments to continue its efforts of improving programs and processes and refining its long-term measurable performance goals. Throughout FY 2007, components reported the current status of follow-up actions stemming from the PART process through the Department's internal Quarterly Status Reporting (QSR) system. In addition to providing routine, reliable financial and performance information, the QSR provides the components a chance to engage leadership in a dialogue regarding the progress and status of PART follow-up actions. These actions demonstrate the Department's clear commitment to making programmatic improvements and holding managers accountable for the long-term outcomes of these assessments.

The Department continues to make improvements to its programs, which are reflected in the increase of average PART scores from 45 percent in FY 2002 to 72.5 percent in FY 2007. Similarly, ratings of Adequate, Moderately Effective, and Effective

have increased from 11.1 percent in FY 2002 to 87.1 percent in FY 2007. At the same time, ratings of "Results Not Demonstrated (RND)" have declined from 77.7 percent in FY 2002 to 6.3 percent in FY 2007. The Department continues to make improvements to programs that received such scores and continues its efforts to limit ratings of RND in the future.

Efficiency Measures

The PART assessments have led to the development of efficiency measures that track how programs make the best use of resources—time, effort and money—and capture improvements in program outcomes for a specific level of resource use. To date, the Department has developed 56 efficiency measures spanning the Department's strategic goals.

These measures attempt to show the Department's progress toward carrying a greater workload per resources used. Just a few examples of DOJ efficiency measures include: "Increase the percentage of human sources reporting on Tier 1 Groups" by the Federal Bureau of Investigation; "Ratio of dollars defeated and recovered to dollars obligated for litigation" by the Civil Division; "Ratio of Crime Victims' Fund dollars awarded to program management and administrative dollars spent" by the Crime Victims' Fund; and "Number of primary violent federal and violent non-federal felony fugitives apprehended or cleared per full cost full-time equivalent (FTE)" by the USMS (see table below). For additional information about the Department's efficiency measures as a whole, follow this link to the ExpectMore.gov. Once there, select any of the programs found on that page. Then, under the "View Assessment Details" link, you will find the measures used to determine efficiencies for that program. You can also click on each measure below to find the full assessment of the programs identified in the table below.

Efficiency Measures							
Performance Measure	Strategic Goal	FY 2006 Target	FY 2006 Actual	FY 2007 Target	FY 2007 Actual	FY 2008 Target	FY 2008 Actual
Increase in the percentage of human sources reporting on Tier 1 Groups (FBI)	I	50%	33%	38%	33%	42%	44%
Ratio of dollars defeated and recovered to dollars obligated for litigation (CIV)	II	\$61:\$1	\$52:\$1	\$62:\$1	\$49:\$1	\$42:\$1	\$37:\$1
Ratio of Crime Victims Fund dollars awarded to program management and administrative dollars spent (CVF)	II	\$98:\$1	\$130:\$1	\$95:\$1	\$148:\$1	\$92:\$1	\$108:\$1
Number of primary violent Federal and violent non-Federal felony fugitives apprehended or cleared per full cost FTE (USMS)	III	N/A	27	28	31	30	66





CONTACT AND ADDITIONAL INFORMATION

Contact Information

Thank you for your interest in the *Department of Justice FY 2008 Citizens' Report — FY 2008 Summary of Performance and Financial Results*. We welcome your comments and suggestions on how we can improve this report for FY 2009. Please e-mail comments to: performance@usdoj.gov

Additional Information

Below, you will find the web locations to the full reports identified in this report:

[Budget and Performance Summary](http://www.usdoj.gov/jmd/2009summary/): <http://www.usdoj.gov/jmd/2009summary/>

[Congressional Budget Justification](http://www.usdoj.gov/jmd/2009justification/): <http://www.usdoj.gov/jmd/2009justification/>

[Congressional Budget Summary Table](http://www.usdoj.gov/jmd/2009justification/office/fy09-presidents-budget.xls): <http://www.usdoj.gov/jmd/2009justification/office/fy09-presidents-budget.xls>

[Strategic Plan](http://www.usdoj.gov/jmd/mps/strategic2007-2012/strategic_plan20072012.pdf): http://www.usdoj.gov/jmd/mps/strategic2007-2012/strategic_plan20072012.pdf

[Performance and Accountability Report](http://www.usdoj.gov/ag/annualreports/pr2008/2008par.pdf): <http://www.usdoj.gov/ag/annualreports/pr2008/2008par.pdf>

[Budget, Performance and Planning](http://www.usdoj.gov/O2organizations/bpp.htm): <http://www.usdoj.gov/O2organizations/bpp.htm>

[Department of Justice Homepage](http://www.usdoj.gov): <http://www.usdoj.gov>

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