
VII. Core Function: Management

The achievement of the Department's performance goals in 1998 and beyond requires dedication to improving management processes and having a solid infrastructure. Efforts continued Department-wide in 1998 to upgrade technology, improve service to customers, and discover new and better ways of doing business. Components continued to pursue program oversight and integrity initiatives, while the installation of new accounting systems promises continued improvements in financial management and debt collection. Important steps were taken in 1998 to improve the Department's planning and monitoring of information technology (IT) investments. Justice components also worked to improve efficiencies in their mission-critical processes and to make more resources available on the Internet and through other automated, electronic means.

Goal 7.1: Strengthen Oversight and Integrity Programs, Ensure Consistent Accountability, and Emphasize Core Mission Responsibilities.

The Department's first priority in pursuing its performance goals is to ensure the integrity of Department programs and operations. To that end, the Office of the Inspector General (OIG) investigates allegations and conducts an aggressive program of audits and inspections. In 1998, priority attention went to justice operations with the highest potential for serious misconduct, including immigration activities, Violent Offender Incarceration/Truth in Sentencing grant uses, and debt collection. The Office of Professional Responsibility (OPR) helped to ensure that Department employees maintained the highest ethical standards in performing their law enforcement responsibilities.

Oversight and Integrity

OIG Process and Grant Reviews.

The OIG works with Department managers to ensure the integrity, effectiveness, and efficiency of Department programs and personnel. In 1998, the OIG identified systemic problems in controlling the borders of the United States and also concluded that the

INS and the State Department must clarify which agency is responsible for determining whether an applicant for asylum in the United States is a terrorist. In addition, the OIG recommended that INS and the Department of State delineate their respective roles in the visa process.

The Department conducted 17 VOI/TIS grant reviews to ensure funds were used in accordance with the Violent Crime Control and Law Enforcement Act of 1994. Site reviews were conducted to verify that state grant recipients used Federal funds to build or expand correctional facilities and jails to increase secure confinement space for violent offenders. OJP is acting on OIG recommendations for improved program operation.

The Naturalization Process.

Protecting the integrity of the naturalization process is a Department priority and is of significance to all Americans. A 30-month investigation by the Department's OIG Investigations Division resulted in the indictment of 20 individuals on charges of conspiracy to defraud the Federal Government and unlawful procurement of citizenship. This investigation uncovered a series of nationwide schemes by private testing services that held subcontracts to administer the INS citizenship testing program. In exchange for fees ranging from \$150 to \$300, these testing services issued fraudulent passing grades to alien applicants seeking U.S. citizenship. As many as 13,000 aliens collectively paid over \$3 million to the conspirators. INS has since discontinued its practice of subcontracting the citizenship testing program.

Management Challenge: Abuse of Administratively Uncontrollable Overtime

The INS had a material issue with possible overuse of administratively uncontrollable overtime (AUO). In response, it completed a comprehensive review of the subject, trained its managers to improve administration of AUO, and completed other corrective actions.

Debt Collection Management Program.

A comprehensive Departmentwide debt management review was completed to assess implementation of the Debt Collection Improvement Act of 1996 (DCIA) and explore opportunities to enhance debt collection programs. The report on the review provides (1) an inventory of the Department's debt, (2) detailed information on debt management and accounting practices, and (3) a Departmentwide plan to fully implement the DCIA and correct related deficiencies identified during the review.

**Executive Office of U.S. Attorneys
Evaluation Program.**

Through its Evaluation Program, the Department is able to meet its responsibility for conducting reviews of U.S. Attorneys' offices and on-site reviews of internal management controls. On-site evaluations were conducted in 30 U.S. Attorneys' offices during 1998.

OPR Integrity Program.

During 1998, the Department continued to pursue an active integrity program for its employees, particularly Department attorneys. OPR, which is responsible for investigating allegations of misconduct against Department attorneys, conducted expedited investigations of judicial findings of attorney misconduct, cooperated with state bar licensing authorities on attorney misconduct matters, and issued public summaries of the results of OPR investigations in appropriate cases.

Integrity Act Performance

Since 1982, the Department has reported 53 material program issues and fixed 35 of them, with 18 left in various stages of correction. Over the same period, we have had 38 material financial system issues, fixed or consolidated 37 of them, and have 1 left to be corrected.

Internal Control			
	Reported	Corrected	Pending
Pre-1996	42	34	8
1996	1	0	1
1997	9	1	8
1998	1	0	1
Total	53	35	18
Financial Management Systems			
Pre-1996	35	35	0
1996	0	0	0
1997	3	2	1
1998	0	0	0
Total	38	37	1

Goal 7.2: Meet or Exceed the Expectations of Customers.

In 1998, the Department continued its progress toward improving the way that government works in people's lives. One big way is to increase the public's access to government documents, as in Freedom of Information Act (FOIA) requests. In 1998, the Department cut its backlog of FOIA requests in half, with most components completely eliminating their backlogs. The Department implemented several other customer service initiatives, modeling successes for more widespread uses.

Freedom of Information and Privacy Act

Building on past Department successes, the Office of the Associate Attorney General has continued to implement the Attorney General's vision of openness in government by working with all Department components to reduce their FOIA request backlogs, which have declined significantly. Departmentwide, the backlog of FOIA requests declined from 34,028 in FY 1997 to 17,717 by the end of FY 1998.

The Executive Office of Immigration Review is one of many Department components to have completely eliminated its FOIA backlog, maintaining a zero backlog while receiving and processing a record 3,400 FOIA/Privacy Act requests in 1998. EOIR received the Friends of the FOIA Award from the Associate Attorney General in recognition of outstanding efforts to provide timely and substantive access to the requester community. In 1998, BOP also made significant progress in providing the public with faster, easier access to numerous policies and in reducing costs associated with responding to individual FOIA requests.

Customer Service Standards

EOIR received the Volunteer and Community Service Award, in part for its active support of pro bono legal activities. Attorneys participated in pro bono clinics, performed pretrial work, and appeared in court representing clients in a variety of civil cases. Further, EOIR contracted with three nongovernmental organizations (NGOs), which pilot-tested "Know Your Rights" presentations for detained aliens—those respondents least likely to seek representation in proceedings before Immigration Judges. The NGOs prepared and presented videos and pamphlets to the test groups. EOIR is working with the NGOs in reviewing the pilot results and in planning future activities.

INS implemented two aspects of its Customer Management Information System (CMIS), with beneficial results. The first is a triage counter that enhances INS' ability to handle brief service requests quickly and identifies customers who require more specialized and time-consuming services. The second is a customer sequencing system that assures customers of an orderly wait and enables them to track their progress. In addition to a customer service sequencing tool, CMIS could be used as a management information system to manage and improve waiting room operations.

Goal 7.3: Achieve Excellence in Management Practices.

The Department continued in 1998 to upgrade technology, improve customer service, and discover new and better approaches to conducting the business of government. Reinvention laboratories developed by the Justice Performance Review (JPR) gave employees the opportunity to field test new management practices. The Department bestowed JustWorks Awards on the most promising and creative approaches devised by employee teams.

Reinvention Labs

JPR developed and provides oversight to a reinvention laboratory program designed to field test more effective and cost-efficient methods of providing services and products. In 1998, the Department continued to implement labs aimed at improving government service in several key areas. Among the labs making substantial progress in 1998 were the following:

Secure Electronic Network for Travelers' Rapid Inspection (SENTRI) Lab.

Without compromising security, the SENTRI lab facilitates international travel and promotes business on both sides of the southern border. With prescreened, low-risk, frequent crossers automatically inspected by state-of-the-art technology, government inspectors are able to concentrate their efforts on border crossers who pose a greater risk. The members of the INS-led SENTRI reinvention laboratory include representatives from INS, DEA, FBI, the U.S. Department of Transportation, and Customs. For its outstanding accomplishments, SENTRI earned a place in the Smithsonian Institution's permanent collection on technology and won finalist honors in 1998 in the Innovations in American Government Competition sponsored by the Ford Foundation and Harvard University.

JustWorks Awards Innovation through Teamwork

The JustWorks Program, established in October 1995, annually identifies and rewards employee teams whose innovative approaches to their work demonstrate successful creativity and a commitment to building a better Department. The JustWorks Program stresses the importance of teamwork in government service. In 1998, JustWorks Award winners included OJP for its Phone-Activated Paperless Request System (PAPRS), which provides access to grant funds through use of a touch-tone telephone, saving about 80,000 staff hours and 28,000 pieces of paper annually. Another 1998 winner was the FBI's Houston Division for reinvigorating its forfeiture program. Adapting its approach to a changing forfeiture environment, the Houston Division seized more than \$10 million in assets, up from a low of \$600,000 in 1995.

Electronic Document Exchange (EDE) Lab.

The EDE lab was established in 1997 to review existing and proposed technology and policy issues involving the electronic exchange of documents in government litigation. The successful pilot electronic filing project in the New Mexico U.S. District Court prompted the Administrative Office of the United States Courts to organize nine electronic filing prototypes. In January 1998, the lab furthered Department leadership on EDE issues by hosting a Symposium on Electronic Exchange of Legal Documents for 160 representatives from 20 agencies and the courts.

USMS Accreditation Lab.

In 1998, the USMS became the first Federal law enforcement agency to seek accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA). The goal of this JPR laboratory is to enhance the efficiency and effectiveness of the USMS by improving operational and administrative policies and procedures in accordance with 350 national standards. The USMS is on schedule to achieve accreditation in FY 2000.

Financial Management

Enhanced Financial Management Systems.

The Department continues to make progress toward upgrading, consolidating, and integrating its financial management systems. New financial management systems installed by several Department components improved their accounting functions and financial information reporting capabilities. Some examples follow:

- JMD initiated a series of enhancements to its Financial Management Information System (FMIS) that streamline accounting functions and enhance reporting of financial information. FMIS is used by Department Offices, Boards, and Divisions and by BOP.
- The INS began implementation of a Financial Management Systems Software (FMSS) schedule system in October 1997 through a cross-servicing agreement with the Departments of Commerce and Treasury. The INS implemented the system under a multiphased schedule, alongside corrective actions to resolve longstanding accounting weaknesses disclosed during audits.
- The USMS, in October 1997, assumed complete responsibility for financial operations and reporting for appropriations to fund its activities. Concurrently, the USMS initiated

implementation of an FMSS schedule system through a cross-servicing agreement with the Department of Commerce.

- DEA implemented an FMSS schedule system in October 1997 through a cross-servicing agreement with the Department of Interior, U.S. Geological Survey. The system replaced an antiquated system developed in the 1970s.

Management Challenge: Financial Management

Over the years, the Department has experienced a number of material issues related to financial management. Last year, in recognition of the new Federal standards for financial systems, many of these issues were consolidated into one at the Department level. In most cases, long-term solutions were the same: replacement of accounting and financial systems with new, more modern and automated systems. The Department's Offices, Boards, and Divisions, along with the FBI, have resolved most of their issues in this area. Major corrections are still needed in the USMS and INS, both of which plan to replace their accounting systems by the end of FY 1999. In the case of INS, another material issue related to its financial control environment and structure will be corrected as well, because the reorganization it requires will accompany installation of the new system. DEA has a material issue with its diversion control fee account, because it does not have the controls to ensure that the account is spent according to the law and regulations governing it. DEA has trained its managers at headquarters and in many of its field offices on the correct use of this fund; they will complete training and publish final regulations on the fund by the end of September 2000.

Component Audits.

Due to the Department's decentralized structure and the many automated financial systems in use by its various components, the OIG performed separate financial statement audits for nine components. These nine audits were combined for the Department's consolidated audit (see Chapter VIII for the Department's 1998 annual financial statement). The OIG promotes fiscal effectiveness in the Department through its work under the Chief Financial Officers Act and the Government Management Reform Act (GMRA) in overseeing the preparation of audited financial statements of various Department accounts.

In support of the Administration's goal to achieve an unqualified opinion on the FY 1999 financial statements, the Department, in 1998, developed a corrective action plan designed to enable it to meet this goal. The Attorney General and the acting Chief Financial Officer met with senior management of the Bureaus to encourage their participation, and to request each Bureau head to make the necessary resource adjustments needed to achieve an unqualified opinion for FY 1999 consolidated financial statements. The Department submitted an action plan to OMB to resolve material financial and management deficiencies identified in the Department's FY 1997 audited financial statements.

Debt Collection.

The Department of Justice plays a major role in the collection of debts owed the United States. In addition to litigating and collecting civil debts owed to other Federal agencies, the Department enforces collection of fines and restitution imposed by the U.S. courts in criminal cases.

Civil debt collections are the result of litigation by the U.S. Attorneys on behalf of Federal agencies for the collection of defaulted loans, overpayments, and administratively assessed penalties. During 1998, the U.S. Attorneys handled more than 24,000 civil debt collection referrals and reported \$1.2 billion in cash and other recoveries. A rapidly increasing part of the U.S. Attorneys' debt collection activities involves enforcement of unpaid criminal monetary penalties, including restitution owed to Federal agencies and third-party victims of crime. In 1998, the U.S. Attorneys collected \$317 million in criminal fines. Additionally, more than \$126 million was collected as restitution for both Federal agencies and third-party crime victims. The Department continued to assist with local efforts in teaching prosecutors, probation officers, and court personnel about new restitution laws and procedures.

In 1998, the Department collected nearly \$1.2 billion dollars in cash receipts in the recovery of both criminal and civil debts—the 5th consecutive year that the Department has exceeded a billion dollars in cash collections. These figures represent only part of the debt collection program. Through the efforts of Department litigators and support staff, additional payments are sent directly by defendants to the U.S. courts, and other recoveries are obtained through the seizure of property or offsets of benefits.

The Private Counsel Program, administered by JMD with local oversight by the U.S. Attorneys, has proven to be an effective means of supplementing the Department's civil litigation and collection resources. Twelve judicial districts now participate in the program. In addition to recompeting contracts for private counsel in districts in which the program currently operates, JMD began efforts in 1998 to expand the program. Criteria were established to identify judicial districts for expansion in 1999.

The Department is committed to the implementation of a new, improved computer system to fully automate debt collection litigation and enforcement activities Departmentwide. JMD awarded a contract in May 1998 for the purpose of operating the Nationwide Central Intake Facility and providing access to a system capable of supporting the Department's debt collection programs. The selected system is widely used by debt collection firms in the private sector.

Assets Forfeiture Management.

Installed in more than 700 headquarters and field office locations in 10 agencies nationwide, the Department's Consolidated Assets Tracking System (CATS) 1500 has enabled users to share access to information and operational support in all of the asset forfeiture program's business functions. CATS has replaced several legacy asset forfeiture systems through a design that addressed the agencies' requirements and the conversion of all data on active assets beginning in 1994 and completed in 1998. CATS provides a consistent view of each asset, increases visibility of information, facilitates proactive management, and enhances communication across agencies.

Performance Information

During 1998, the Department met the second of three major statutory requirements of the Government Performance and Results Act (GPRA) by submitting its FY 1999 Annual Summary Performance Plan in conjunction with its FY 1999 budget request. To provide additional detail, components also submitted annual performance plans with their budget requests. To ensure linkage between component plans and the Department's plans, this year's guidance in the spring call for budget submissions directed components to use the Department's Strategic Plan (FY 1997-2002) as an outline of the Attorney General's priorities to ensure that annual performance plans and budgets are driven by and consistent with the long-term strategic goals contained in the Strategic Plan.

Another 1998 effort linking component budgets to the Department's strategic goals was the Department Managerial Cost Accounting Standards Working Group, which developed mapping standards to consistently classify appropriations according to the Strategic Plan core function structure.

A Worklife 2000 contract was established to provide expert support to Department managers in assessing operational needs, determining the suitability of flexible work arrangements for diverse occupations and regional sites, developing criteria for entry into and continued use of flexible work programs, and conducting demonstration projects to evaluate impact of flexible work arrangements. A brochure on the Department's Worklife Program was developed and distributed to Department employees nationwide.

Employees can call the Department's "Worklife Information Line" to obtain worklife documents on demand via fax and U.S. mail.

Goal 7.4: Make Effective Use of Information Technology.

New Chief Science and Technology Advisor Position Established

In recognition of the vast and rapidly changing domains of science and technology and their relationship to civil and criminal legal matters affecting the government, the Office of the Associate Attorney General has worked with interested Justice components to create a new position in the Department—the Chief Science and Technology Advisor (CSTA)—who will serve as an advisor to the Department's leadership officials on all matters of science and technology. The CSTA will provide Department leadership with a senior level technology advisor for the first time in the Department's history.

During the past fiscal year, several Department components expanded their Internet presence and established web sites (see Appendix III, "Index of Justice Component Web Sites"). Often, the sites provide links to electronic FOIA request forms and allow users access to the Department's best practices and innovations in customer service, law enforcement, and technology. An entire resource library of justice-related materials, full text publications, and various program and job applications are available through the Department's web sites. One can even ask questions of Department personnel.

Architecture and Infrastructure

The Department has made significant progress in improving information sharing across local, state, and Federal governments and across the entire criminal justice community. The Department's IT architecture will provide an integrated policy and technical framework for IT and enable the Department to deploy information systems around the world at lower cost and in shorter time frames. A joint effort with the ongoing participation of more than 15 component organizations, the 1998 architecture initiative resulted in the publication of a technical reference model that will guide the acquisition and use of major technology investments by all component organizations. This progress is a significant factor in strengthening information security and developing interoperable systems.

All components are investing in new and upgraded infrastructure to take advantage of the vastly improved technologies for carrying out the Department's mission. The Justice Consolidated Network (JCN) will correct a situation in which Department components had independently acquired and used telecommunications networks to meet their respective mission requirements. The Justice Consolidated Office Network (JCON) will provide a new infrastructure for office automation and related computing requirements in JMD, the litigating Divisions, and the senior management offices. The DEA's firebird infrastructure project will provide the platform for automating the investigative report process, sharing case information, and performing analysis and administrative activities. The INS is completing a major technology infrastructure project to provide its employees with automated tools to improve organizational efficiency and effectiveness.

In 1998, the FBI completed planning activities associated with the Information Sharing Initiative (ISI) and secured the funding required to begin the first phase. ISI is a 5-year program to upgrade the FBI's technical infrastructure and applications to support full electronic case files, tools to support analysis of large volumes of data collected during investigations, and mechanisms to support secure electronic exchange of information. This initiative will provide the support needed to realize the goals identified in the FBI's strategic operational plans.

Computer Security

An effective IT security program is the first line of defense against internal vulnerabilities and external threats to information. Security awareness and prevention activities have been a major focus over the past year. The Department completed the first phase of an ongoing program of network penetration testing to assess external and internal threats so that vulnerabilities may be closed quickly. Also in 1998, the Department initiated a Digital Signature Working Group with component representatives to identify and test new digital signature and encryption technologies. This technology is critical to expanding electronic transmission of sensitive and classified law enforcement and litigation materials.

Management Challenge: Computer Security

As we have come to rely more on computers for our work, the importance of computer security has grown as a material issue. This issue has become more important with the growth of networks and the existence of cyberterrorist threats. Constant vigilance is required to keep pace with the enormous rate of change in the field. All Department components have improved the security of their systems, assessing their weaknesses, developing contingency plans, and implementing better security policies and procedures. We expect all outstanding issues to be corrected by December 2000. The U.S. Marshals Service has a special issue for its new MNET, with related actions to be completed by the end of March 1999.

Year 2000

It is of major importance that all the Department's mission-critical systems operate correctly on January 1, 2000, so as not to interrupt program operations. The governmentwide goal for Year 2000 (Y2K) compliance is March 1999. In 1998, each component designated a senior program executive with overall responsibility for Y2K compliance. In addition, the Department established an independent verification and validation program to ensure compliance of mission-critical systems. At the time this report was printed, 86 percent of the Department's mission-critical information systems were compliant and implemented.

All of the INS' mission-control software applications have been corrected for Y2K and were in production effective January 4, 1999.

Management Challenge: Year 2000 Computing

The Department of Justice, like many others, is concerned about the "Y2K Bug." The Department started work on this material issue in 1996 because so many of its operations depend on systems that could be affected by it. The responsibility for the analysis and correction of the issues lies with the Department's components that operate the respective systems, under departmental leadership and coordination. Almost 60 percent of its mission-critical systems complied with Y2K requirements at the end of FY 1998, and 34 percent more were being renovated on schedule. Just over 7 percent were behind schedule, but 95 percent should be completely renovated by the end of March 1999 and all by the end of October 1999, well before the end of the century. All this will cost an estimated \$92.9 million.

Goal 7.5: Ensure a Motivated and Diverse Workforce that is Well-Trained and Empowered To Do Its Job.

Using multiple outreach techniques, the Department actively promotes the hiring and advancement of minorities, women, and people with disabilities. During 1998, various Department components participated in and sponsored job fairs, special events, and recruitment booths at annual minority conferences, both locally and nationally. In an effort to develop long-term relationships with

minority organizations and the communities they represent, Department officials networked with a variety of organizations for minorities, women, and people with disabilities. The Attorney General continued to publicly express her personal commitment to the Department's diversity goals by sending a clear message to managers for their support. Departmentwide recruitment efforts, such as the Attorney General's Honor Program and the Summer Law Intern Program, targeted colleges and student associations having high enrollments of African Americans, Asian Pacifics, Hispanics, Native American Indians, and students with disabilities.

In 1998, as the following examples show, Department components affirmed their commitment to the Department's diversity goals:

- The Executive Office of U.S. Attorneys (EOUSA) developed the video "Making Diversity Work," which focused on open communication in the U.S. Attorneys' offices and EOUSA from the viewpoint of enhancing diversity.
- EOUSA purchased and distributed more than 200 telecommunication devices for the deaf to each staffed U.S. Attorney's office. This acquisition will facilitate the Attorney General's 9-1-1 Compliance Review Program and allow each U.S. Attorney's office to communicate with citizens who are hearing-impaired or deaf.
- OAPM launched a pilot first-year interview and presentation program in the spring of 1998 to promote the Department and its volunteer summer legal intern positions. This program is designed to take advantage of the strong interest in volunteer summer positions among first-year law students, to introduce employment opportunities at the Department to law students who are just beginning to formulate their career plans, and to provide an opportunity for Department components to consider candidates from law schools outside of the metropolitan DC area.
- The U.S. Trustee Program continued its efforts to increase diversity among the private bankruptcy trustees it appoints and supervises. Out of 101 new Chapter 7 and 13 trustees appointed this year, more than half were women and/or minorities.

New Training Site for Prosecutors and Support Staff

During 1998, work was completed on the National Advocacy Center (NAC), a training and conference center located on the campus of the University of South Carolina in Columbia, South Carolina. NAC is operated jointly by the Executive Office of U.S. Attorneys and the National District Attorneys Association. As the principal training site for Federal, state, and local prosecutors and support staff, NAC will train approximately 15,000 people annually. This integrated educational environment will foster greater partnership and cooperation among Federal, state, and local prosecutors throughout the Nation.

