
Introduction

This Summary Performance Plan sets forth the major program goals the Department of Justice expects to achieve during fiscal year (FY) 1999. It summarizes and synthesizes the more detailed performance plans of specific Justice component organizations, including the Federal Bureau of Investigation, the Drug Enforcement Administration, the United States Attorneys, the United States Marshals Service, the Bureau of Prisons, the Immigration and Naturalization Service and others. To fully understand the breadth, complexity and magnitude of Justice programs, as well as the goals and measures we will use to assess our performance, this summary document should be read in conjunction with these component-level plans. Together they constitute the Department's Annual Performance Plan for FY 1999.

The Summary Performance Plan is prepared in accordance with the requirements of the Government Performance and Results Act ("Results Act") and implementing guidance provided by the Office of Management and Budget. The Results Act is intended to improve the performance of Federal programs by focusing on results, rather than activities. It requires that agencies identify long range strategic and annual performance goals that are both measurable and outcome oriented. It also requires that agencies report annually to the Congress and the public on their actual accomplishments in meeting these goals.

Relationship to the Strategic Plan

The first critical milestone in implementing the Results Act was the development of five-year agency strategic plans. On September 30, 1997, the Attorney General formally issued the Department of Justice Strategic Plan for 1997-2002. This Strategic Plan, the first-ever of its kind

for the Department, states:

“Our mission at the United States Department of Justice is to enforce the law and defend the interests of the U. S. according to the law, provide Federal leadership in preventing and controlling crime, seek just punishment for those guilty of unlawful behavior, administer and enforce the Nation’s immigration laws fairly and effectively and ensure fair and impartial administration of justice for all Americans.”

The Strategic Plan also describes our long-range goals, strategies and performance indicators. It provides the foundation for our on-going efforts to improve the performance of our programs and establishes the framework for our annual performance plans and budgets. While the Strategic Plan is broad and long-range, this FY 1999 Summary Performance Plan is more specific, concrete and time-focused. Taken together with the individual performance plans of our component organizations, this summary plan describes what will be achieved within a specific year and with a specific level of resources.

The Department of Justice has revised its internal processes to ensure that annual performance planning and budgeting are driven by and consistent with our long-range strategic goals. In May 1997, the Attorney General directed component heads to explicitly relate their FY 1999 performance plans and budgets to the strategic goals of the Department. This direct linkage between the Department's strategic goals and the annual plans and budgets of our component organizations ensures a coordinated and clear focus on mission and results.

In keeping with this linkage, the Summary Performance Plan is organized according to the seven core functional areas identified in the Department's Strategic Plan. These are:

1. Investigation and Prosecution of Criminal Offenses

2. Assistance to State and Local Governments
3. Legal Representation, Enforcement of Federal Laws, and Defense of U.S. Interests
4. Immigration
5. Detention and Incarceration
6. Protection of the Federal Judiciary and Improvement of the Justice System
7. Management

Relationship to the Budget

The Department of Justice determined early on to incorporate performance planning and reporting with our internal budget process. We recognized that performance information is vital to making resource allocation decisions and, therefore, should be an integral part of the budget. As a result of this decision to present performance information with the budget, individual annual performance plans have been prepared to accompany the budget request of specific Department components. As noted earlier, these individual annual performance plans provide more detailed and complete information on the Department's programs and constitute the basis for the Department's Summary Performance Plan.

The Summary Performance Plan is consistent with the Department's FY 1999 budget and the goals listed are attainable within the resource levels requested. Goals will be revised as necessary to reflect approved funding levels.

The Plan does not associate budgetary resources with specific summary level goals. While the Plan and the budget are consistent, they are structured differently. The performance plan is more thematic, often incorporating multiple activities and organizations under common goals; the budget, more component and program specific. However, the Plan does identify those component organizations of the Department of Justice which have primary responsibility for each goal. Therefore, information about resource levels, as well as additional program detail, can be obtained by referencing the budget requests of these components. It is our intention during the coming year to examine what,

if any, changes we should propose to our budget account structure in order to more readily accommodate the planning and reporting requirements of the Results Act.

FY 1999 Priorities and Initiatives

The Summary Performance Plan reflects the Attorney General's priorities for FY 1999.

- These include:
 - Combating terrorism
 - Reducing youth crime
 - Reducing the availability and use of illegal drugs
 - Reducing violent crime, including organized crime, drug and gang-related violence and domestic violence
 - Reducing white collar crime, including public corruption, health care fraud and cybercrime
 - Administering and enforcing immigration laws
 - fairly and effectively
 - Improving Federal investigative capabilities
 - and law enforcement in Indian Country
 - Championing greater protection of the environment
 - Protecting the Federal fisc through affirmative and defensive litigation
 - Reducing societal divisions by increasing understanding of civil rights laws and prosecution of civil rights violations
 - Increasing comprehensive community law

- enforcement approaches among Federal, State and local governments
- Ensuring that victims can meaningfully
- participate in judicial proceedings

Ensuring that sufficient infrastructure exists to support law enforcement needs

The Plan also reflects specific initiatives for which program enhancements are requested. Several are highlighted below and cross-referenced to the relevant summary annual performance

- goal(s) listed in the appendix:

Indian Country. Two particular annual performance goals illustrate the Department's commitment to improved law enforcement services in Indian Country, including the deployment of additional FBI task forces and the assignment of increased numbers of Assistant US Attorneys (see goals 1.5.3 and

- 6.2.2).

Hate Crimes. A specific annual performance goal is devoted to hate crime enforcement (see goal 3.1.1). The Department will increase its attention to hate crimes through the coordinated and interrelated efforts of the Civil Rights Division, the FBI, the U. S. Attorneys, and the Bureau of Justice Statistics. Another goal (see goal 2.3.1) reflects the heightened efforts planned by the Community Relations Service to reduce racial

- and ethnic tensions that may lead to hate crimes.

Drug Courts. We will expand the Drug Court program. This program has been

- proven to be effective in reducing repeated drug use (see goal 1.2.7).

National Capital Revitalization and Self-Government Act of 1997. The Department has been assigned increased responsibilities in supporting the criminal

- justice activities of the District of Columbia and in particular, providing for the custody of D.C. sentenced felons (see goal 6.2.1).

Immigration. The Department continues to make improvements in the administration of the Nation's immigration laws. All of the annual performance goals in Core Function 4, Immigration, relate to this initiative. In addition, the Department anticipates significant increases in demands for its air transportation service in large part as a result

- of increased numbers of deportations (see goals 4.5.1 and 5.1.2).

Cybercrime. Protecting the Nation's infrastructure and responding to the growing threat of computer crime are high priorities and reflected in annual performance goals

- related to preventing and reducing both terrorism and white collar crime (see goals 1.3.4 and 1.4.3).

Drugs. The Department will continue to combat illegal drug use in concert with its Federal, State and local partners and foreign governments. Performance goals relate to ongoing initiatives against major drug organizations, including those operating primarily in the southwestern United States

- and the Caribbean Corridor and/or trafficking in methamphetamine, cocaine and heroin (see goals 1.2.1 through 1.2.5).

Defensive Civil Litigation. The importance of representing the fiscal interests of the United States and upholding Federal statutes and lawful government policies and

- practices is exhibited by the Department's litigating divisions and the U.S. Attorneys (see related goals in Core Function 3).

State and Local Assistance. The Department plans to continue emphasizing community-based approaches to crime prevention in FY 1999, including a new community prosecution program (see goal

2.3.2).

Infrastructure. We will also continue to strengthen the infrastructure which undergirds the effectiveness of our total law enforcement effort, especially in respect to improved use of technology, upgraded communications systems, expanded training and equipment modernization (see Part II).

The Plan is organized into three parts. Part I describes major FY 1999 themes and priorities in each core functional area. Part II briefly describes the resources, processes and technologies that are needed to carry out the Plan. This section also addresses major management issues. Here again, detailed information is provided in the component-specific plans and simply summarized here.

Part III addresses important measurement considerations. These include the availability and integrity of performance data, the sources from which the data are or will be drawn, the validity and appropriateness of certain indicators, problems in measuring cross-cutting programs and others.

Organization of the Plan

Part I:

Overview of FY 1999 Performance Goals

The Appendix contains (1) a detailed matrix of all FY 1999 summary-level goals and indicators grouped according to the long-range strategic goals and indicators they support, and (2) a glossary of abbreviations and acronyms.

Core Function 1: Investigation and Prosecution of Criminal Offenses

There are several component organizations of the Department of Justice that share primary responsibility for enforcing the Nation's criminal laws. Law enforcement is an inherently shared responsibility and is addressed cooperatively not only among DOJ organizations but also with other Federal, State and local agencies. In addition, the increased globalization of crime requires that DOJ pursue strengthened cooperation with other countries' law enforcement organizations.

The Federal Bureau of Investigation (FBI) has responsibility to investigate over 200 categories of Federal crimes, as well as to gather information about activities that jeopardize the Nation's security. Another of its major functions is to provide cooperative law enforcement assistance and other specialized support when required.

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

domestic and international markets.

The U.S. Attorneys and DOJ's Criminal Division are other key players in this core function because they prosecute violators of Federal criminal law, seek punishment of those guilty of unlawful behavior and represent the United States in other specialized litigation. Both are also committed to devoting efforts to dismantle major drug organizations, to target violent crime and to prosecute high-priority white collar crime nationwide. These efforts are pursued in close cooperation with Federal, Indian Country, State and local law enforcement.

In addition, the Antitrust, Civil, Civil Rights, Environment, and Tax Divisions perform critical and specialized functions in prosecuting violators of the Nation's environmental, antitrust, consumer and tax laws. Although they will often be involved in initiatives discussed in this section, the priority performance goals of these Divisions are primarily discussed in Core Function 3 of this document.

Targeting Organized Crime and Gang Violence

In FY 1999, DOJ's principal law enforcement investigative agencies will counter violent crime by emphasizing targeted enforcement strategies. For example, the FBI, working in close conjunction with the DOJ's prosecutorial resources, will continue its five-year plan to eliminate La Cosa Nostra (LCN) as a crime factor in the United States. The FBI intends to remove LCN-affiliated individuals from organizations such as labor unions and contracting cartels that make up their base of power. A related FY 1999 goal is to undercut the strong financial underpinnings of these large criminal enterprises by putting renewed emphasis on the laundering of illegal proceeds and forfeiture

of their assets, thereby seeking to permanently cripple their illegal operations.

Another key part of DOJ's FY 1999 enforcement plan involves a stronger focus on the growing threat posed by emerging organized crime enterprises. These so-called "non-traditional" crime organizations have a rapidly expanding membership, can flourish in the drug underworld, and often employ violent means to establish themselves. The FBI and the DEA will be adapting new technologies to improve analytical support to investigations and strengthen their intelligence base about these non-traditional groups and their leadership in order to prevent them from gaining a stronger foothold. Another effort will focus on monitoring changes in patterns of abuse and shifts in trafficking trends to measure the impact of enforcement initiatives.

This FY 1999 objective also involves the continued commitment of resources for international liaison and enforcement efforts. This will help counter the foreign-based aspects of emerging threats such as Russian, Eastern European and other organized crime groups. The increasing international nexus of this new breed of criminal organization means that the corruption of key officials in major industries and the operation of large-scale money laundering schemes through banks, stock exchanges and commodities markets can flourish without regard to national boundaries.

Helping curtail gang-related violence and the illegal use of firearms are other major features of FY 1999 planning within this Core Function. In response to a surge in juvenile and gang-related violent crime between 1985 and 1995, DOJ has strongly supported the FBI's National Gang Strategy, and will also be establishing additional Safe Streets Task Forces in FY 1999. This represents an appropriate and realistic targeting of limited Federal resources to address unique crime problems that persist even when the overall level of violent crime may be decreasing. Similarly, the DEA will deploy its highly-successful Mobile Enforcement Teams to help meet emerging drug crises in particular localities, and the National Drug

Intelligence Center (NDIC) will update its National Street Gang Survey Report, a key reference for enforcement agencies. Implementation of the National Instant Criminal Background Check System will assist in performing checks on prospective firearms purchasers.

Another key initiative planned in this DOJ Core Function will address more aggressively the rising incidence of crimes against children, including abduction cases, sexual exploitation offenses against them and production of child pornography. DOJ's FY 1999 performance plan calls for the FBI to continue using multi-agency, multi-disciplinary teams to address these problems, including the growing use of the Internet and commercial on-line subscription services to pursue related crimes.

Reducing Drug-related Crime

DOJ's FY 1999 performance plan strongly supports the President's anti-drug abuse policies and is consistent with the general guidance of the Office of National Drug Control Policy (ONDCP). Both ONDCP and DOJ's program planning to curtail the use of illegal drugs is characterized by an increased focus on coordinated interagency enforcement efforts, thereby making better use of each agency's unique expertise. This approach also recognizes that a drug trafficker's criminal activity operates along a broad continuum that begins in the source and transit countries, continues to the entry points and the transportation and production infrastructure within this country, and then arrives at the street and neighborhood levels. DOJ's enforcement priority, working in concert with Treasury Department agencies such as the U.S. Customs Service and the Internal Revenue Service, will be on disrupting and ultimately dismantling these drug organizations and their networks, including the money launderers that are critical to such operations.

In FY 1999, DOJ will continue a leadership role in supporting the intelligence needs of law enforcement officials and policymakers. Timely,

accurate and useful intelligence is vital to defining and targeting the criminal activities of drug organizations and gangs that represent the most urgent threats. As part of this leadership role, DOJ, in cooperation with ONDCP and the Intelligence Community, will ensure a coordinated interagency approach to gathering, analyzing and disseminating intelligence information. DOJ will also continue to support actively the work of key interagency groups, including the National Drug Intelligence Center (NDIC), the El Paso Intelligence Center (EPIC) and the Financial Crimes Intelligence Center (FinCen).

There is a particular focus in the FY 1999 performance plan on enforcement efforts both along the Southwest Border and in the Caribbean Corridor. The significant threat posed by the Colombian and the Mexican Criminal Enterprises (MCEs) trafficking in drugs requires this focus, and DOJ's enforcement agencies will pursue MCE-related activity as it moves toward "second tier" cities. Similarly, DOJ's planning goals for FY 1999 emphasize heightened enforcement against drug-related crime and trafficking in the Caribbean, particularly Puerto Rico, the U.S. Virgin Islands and the Dominican Republic.

To emphasize the interagency coordination that underlies efforts to disrupt and dismantle these transnational drug networks, DOJ's FY 1999 plan also calls for an increase in the number of Organized Crime Drug Enforcement Task Force (OCDETF) cases initiated. These OCDETF cases are multi-agency by definition and invariably involve several different jurisdictions, thus making clear the regional, national, and international implications of the drug trade. Most importantly, they help focus the varied expertise of the participating Federal agencies. There will also be continued emphasis in FY 1999 on DOJ's anti-methamphetamine efforts, as well as development and coordination of strategies against heroin.

DOJ's FY 1999 performance plan also emphasizes that initiatives other than direct enforcement will be important in the overall drug reduction effort. Therefore, DOJ will intensify its community outreach efforts to communicate a strong anti-drug abuse message and will put an

increased emphasis on the value of education, treatment availability and volunteerism in drug prevention. Also in FY 1999, through the Office of Justice Programs, DOJ will expand the number of Drug Courts funded and promote increased drug testing and treatment for individuals under the supervision of the criminal justice system.

Meeting the Threat from Terrorism, including Cyberterrorism

DOJ's FY 1999 performance plan maintains a strong focus on pursuing the early detection, investigation, and prosecution of terrorist conspiracies, including cyberterrorism. There will be a prompt, aggressive, and fully-coordinated response to all terrorist acts directed against Americans, their interests or the National Information Infrastructure, including those located or originating from abroad. Consistent with legislative mandates and related Presidential directives, DOJ and its components coordinate with other Executive Branch agencies in these efforts. For all overseas-based incidents, particular liaison occurs with the Department of State. As another example, the National Defense Authorization Act of 1996 provided funding and a training mandate to assist State and local authorities in the proper response to a terrorist incident. The FBI participates with the Departments of Defense, Energy, Health and Human Services and the Environmental Protection Agency in the development and delivery of this training.

One important initiative for FY 1999, being planned with the assistance of the Treasury Department, is to identify and trace funds provided to designated terrorist organizations. A second initiative is to expand the voluntary participation by the international community in using an expanded forensic database to help identify terrorist attacks more effectively.

Other key features of the DOJ FY 1999 performance plan will further strengthen the Nation's response capability to terrorist episodes. Specifically, DOJ will work through the FBI, the U.S. Attorneys' Offices and the Department's

Criminal Division to establish or expand partnerships with State, local and international entities to better respond to domestic terrorist acts, cyberattacks and other threats.

Recognizing the threat of terrorist acts to critical infrastructure such as the information highway, power systems and transportation networks, the President created a Commission on Critical Infrastructure Protection to study the issue. The Commission has completed its work and has made a number of recommendations that are being reviewed by an interagency group prior to consideration by the President. The DOJ and its components are poised to implement the President's decisions as they relate to our efforts to combat cyber-crime and threats to the Nation's infrastructure.

Combating Public Corruption, Fraud and other Forms of White-Collar Crime

DOJ's FY 1999 performance plan regarding white collar crime is based on the premise that a strong deterrent capability must be put in place that will prevent criminals from defrauding and therefore weakening the Nation's industries and institutions. In this area, the criminal threat comes from varied sources and may have any number of purposes and targets, e.g., public officials open to corruption; certain elements of high technology-related industries; cybercrime; and telemarketing, insurance, commodities, and other businesses susceptible to fraud. In monetary terms alone, the annual loss to American citizens and businesses is conservatively estimated at many billions of dollars.

During FY 1999, the FBI and DOJ's prosecutors will devote considerable resources to countering the type of computer crime that can cause major disruptions in commerce and

information sharing. The FBI will continue to strengthen its headquarters and field-based computer crime expertise, supported by the Computer Investigations and Infrastructure Threat Assessment Center. In conjunction with State and local task forces, this will better equip the DOJ to investigate and prosecute threats to the Nation's infrastructure and deter related crimes, pursuant to the President's directive contained in Executive Order 13010. Similarly, in FY 1999, DOJ's Criminal Division, in cooperation with the U.S. Attorneys and Federal investigative agencies and State and local authorities, will focus attention on computer intrusions, as well as on other priority white-collar crime matters such as health care fraud.

The FY 1999 performance plan objectives summarized throughout this core function section underscore the urgency that DOJ attributes to fully-coordinated, interagency enforcement efforts. Taking effective action against such fundamental threats as the illegal drug trafficking or potential assaults against the Nation's infrastructure can only occur when Federal, State and local agencies cooperate completely and focus their limited resources in a targeted fashion.

Core Function 2: Assistance to State and Local Governments

Strengthening the criminal and juvenile justice capabilities of State and local governments is one of the most important ways the DOJ carries out its leadership role in preventing and controlling crime. The Department recognizes that effective law enforcement requires a concerted and coordinated effort at all levels of government.

Three components are in the forefront of DOJ's efforts to assist States and localities. The Office of Justice Programs (OJP) provides financial support, technical assistance and training to encourage a wide range of improvement efforts. It also

conducts research, evaluates programs, and collects and publishes statistical information. The Office of Community Oriented Policing Services (COPS) supports local efforts to hire and deploy additional police officers and adopt community policing practices. The Community Relations Service (CRS) works with localities and community groups to prevent and resolve disputes and conflicts emanating from racial or ethnic tension.

Improving Research and Statistical Efforts

OJP's National Institute of Justice (NIJ) is the research and development arm of DOJ. It is charged with investing public funds to develop knowledge that will reduce crime, enhance public safety, and improve the administration of justice. It conducts and sponsors basic and applied research into the causes and prevention of crime and tests and evaluates new approaches, techniques and technologies.

In FY 1999, NIJ will support initiatives that are innovative and responsive to strong public safety concerns, especially those that are felt at the community level. There will be continued support for improvements that have practical value, such as helping identify trace evidence samples (e.g., gunshot residue), and other forensic science advancements. There will also be enhanced technology outreach and support to State and local law enforcement. This will include improvements to the Justice Technical Information Network (JUSTNET), the information gateway, via the Internet and its World Wide Web, to provide information on new technologies, equipment and other products and services to the criminal justice community. Other research efforts will address the following types of issues:

- Breaking the cycle of drugs and crime
- National drug use data
- Tracking illegal firearms

The Bureau of Justice Statistics (BJS), another

OJP bureau, is the primary source of justice statistics in the United States. It collects, analyzes, publishes and disseminates information on crime, criminal offenders, victims of crime and the operation of the justice systems at all levels of government.

BJS' planning goals call for the enhancement of several key surveys and statistics. Examples include:

- Hate Crime Reporting and Statistics
- Criminal Justice Expenditure and Employment Survey
- Police Use-of-Force Statistics

Forming New Community Partnerships Against Crime, Youth Violence and Drugs

Youth violence and drug abuse continue to be major national problems and DOJ's FY 1999 performance plan supports many programs at the State and local level designed to address these problems. OJP, as it seeks to involve citizens in innovative community programs that can make a difference, will undertake initiatives that target neighborhood-based problems, with emphasis on violent crime committed by gangs and juveniles. In addition, the new Violent Youth Court Program will help establish juvenile gun courts, drug courts, or other specialized jurisdictions. There will also be special program assistance given to local prosecutors, and the Byrne Formula and Discretionary Grants will emphasize drug control strategies and violent crime prevention.

In FY 1999, DOJ will help build community partnerships to combat youth violence and drug use. OJP's "Weed and Seed" Program will provide funding for an estimated 25 new sites, making this community-based program operational in approximately 170 sites. In addition, DOJ will provide resources in FY 1999 to State and local prosecutors to increase the number of local prosecutors that directly interact with the community. This program, which is a natural

extension of community-oriented policing, encourages local prosecutors to move from the “assembly line” processing of cases to solving specific crime problems and disorder in the community.

Emphasizing Community Policing

DOJ has consistently emphasized the need for developing strong problem-solving partnerships between law enforcement organizations and communities. The Community Oriented Policing Services (COPS) program is another example of how DOJ is seeking to accomplish this goal. This program provides grants to States and localities for the purpose of increasing the number of law enforcement officers by 100,000 over 1992 levels. Another important part of COPS’ mission is promoting the widespread adoption of community policing.

During FY 1999, COPS will provide funding to permit the hiring and deployment of approximately 16,000 new police officers, strengthen its training and technical assistance efforts, and support other strategies that foster and sustain community policing.

Combating Violence Against Women and Children

Violence against women and children is a major concern to the Attorney General and the President. To comply with the Violence Against Women Act of 1994 (VAWA), which also addresses violence against children, DOJ has established the Violence Against Women Grants Office. Its mission is to restructure and strengthen the criminal justice system’s response to crimes of violence committed against women and enhance the services available to victims of such violence through the award of grants to State, local, Indian Country and other public and private entities, including those in rural areas. A related

responsibility is to ensure that domestic violence is recognized and treated as a serious violation of criminal law.

- During FY 1999, important initiatives will be supported under this program to address different aspects of this unique type of violence. Several are described below.

The **Law Enforcement and Prosecution Grant Program** is an integrated response to violent crimes against women that actively involves all components of the criminal justice system, victim advocates and service providers, and the community as a whole.

The **Grants to Encourage Arrest Policies Program** assists communities in creating a unified, coordinated response to domestic violence that includes rigorous enforcement of protection orders and arrest and prosecution of batterers. It also involves appropriate supervision of and intervention with batterers in the community, and legal and support services for domestic violence victims.

The **Rural Domestic Violence and Child Victimization Enforcement Program** implements and establishes cooperative efforts and projects among law enforcement officers, prosecutors, victim advocates and service providers and other related parties. This assists in investigating and prosecuting incidents of domestic violence and child abuse, providing treatment and counseling to victims of these crimes, and developing education and prevention strategies.

All of the programs and initiatives discussed in this section are joint efforts among various organizations, both public and private, consistent with the missions of OJP, COPS, and CRS. For example, of particular note is Project Safe Start, which will improve coordination among public and private entities with the goal of improving access and delivery of critical services to children exposed to

violence. DOJ has the responsibility for providing grants to communities to kick off this project.

Another example of interagency coordination is the Missing Children initiative. Both OJP and the FBI are addressing this problem and are working together and with local communities and law enforcement organizations to increase the number of children returned, unharmed, to their parents.

Finally, other funding assistance that DOJ provides to State and local governments will enhance their capability to confine violent offenders in secure facilities and ensure that such offenders remain incarcerated for substantial periods of time through implementation of truth-in-sentencing laws. The OJP accomplishes this by providing two types of grants under what is commonly referred to as the Violent Offender Incarceration and Truth-in-Sentencing Incentive Grant Program (VOI/TIS). These VOI/TIS funds may be used to build or expand prison space for violent offenders or alternative beds to free space for violent offenders

Core Function 3: Legal Representation, Enforcement of Federal Laws, and Defense of U. S. Interests

The DOJ is the Nation's litigator and is often described as the largest law office in the world. This Core Function primarily involves the missions of five of DOJ's six litigating components (the Environment and Natural Resources Division, the Antitrust Division, the Civil Rights Division, the Civil Division, and the Tax Division), as well as the 93 U.S. Attorneys, which share the responsibility for representing the interests of the United States and enforcing the Nation's environmental, tax, civil rights, antitrust and civil laws. Working together, they ensure that the

Federal Government speaks with one voice with respect to law. DOJ's sixth litigating division, the Criminal Division, is primarily involved in criminal law enforcement activity, as discussed in the first Core Function.

The Attorney General has identified a number of priorities that DOJ's litigating divisions and the U.S. Attorneys will be focusing on in FY 1999. These include an initiative to stop the proliferation of hate crimes; the protection of the public fisc and defense of challenges to the Federal Government's regulations and initiatives through affirmative and defensive litigation; and an increased focus on litigation with international implications.

Stopping Hate Crimes

The President announced his commitment to "mount an all-out assault on hate crimes, to punish them swiftly and severely, and to do more to stop them from happening in the first place." In response to this directive, DOJ's FY 1999 performance plan calls for implementing a strategy of community outreach, devoting more FBI agents to hate crimes investigations and establishing a Civil Rights Analytical Center in the FBI. In FY 1999, these efforts will lead to an increase in prosecutorial demands that will be met by the Civil Rights Division and the U.S. Attorneys. Working together to promptly prosecute those responsible for hate crimes will serve as a deterrence to any person or group responsible for perpetrating such crimes.

Protecting the Public Fisc and Defending Against Challenges to the Federal Government's Regulations and Program Initiatives

Monetary claims against the government can involve huge sums of money. Ensuring that only those claims with merit under the law are paid is

the responsibility of the Civil, Environment and Natural Resources and Tax Divisions, as well as the U.S. Attorneys. The Divisions, in conjunction with the U.S. Attorneys, save taxpayers billions of dollars each year by defeating unwarranted claims and recovering dollars owed to the government. In FY 1999, the Divisions and the U.S. Attorneys will continue to protect the public fisc by prevailing in a majority of cases involving monetary claims.

Equally important as the defeat of unjustified monetary claims are the litigating offices' efforts to uphold provisions of law that are challenged in court. It is vitally important that DOJ's litigating divisions and the U.S. Attorneys continue in FY 1999 to successfully defend against the Constitutional and statutory challenges to the Federal Government's regulations and program initiatives. For example, DOJ's Civil Division will continue to defend against constitutional challenges to the Violence Against Women Act, as well as defending the so-called "Megan's Laws."

Cooperating with International, State and Local Law Enforcement Entities

The Environment and Natural Resources, Tax and Antitrust Divisions, in concert with the U.S. Attorneys, will also continue to address the increase in internationalization of many illegal activities that affect the lives of our citizens. In FY 1999, DOJ's attorneys will put special emphasis toward uncovering the illegal activities of foreign companies whose activities affect U.S. consumers.

The efforts of DOJ's litigating divisions and the U.S. Attorneys to fight hate crimes, protect the public fisc and defend against challenges to the Federal Government's regulations and program initiatives, as well as address the overseas connection of many illegal activities, are assisted through cooperative efforts with international, State

- and local law enforcement entities and coordination with other agencies. For example:

The Joint Center for Strategic Environmental Enforcement, a joint undertaking of the Environment and Natural Resources Division

- and the Environmental Protection Agency, will serve as a think tank, consolidating and analyzing regulatory data to develop leads for investigations of possible serious environmental crimes. It will also serve as a central clearinghouse for Federal, State and local prosecutors and criminal investigators who need information about subjects and targets in environmental crimes cases. In FY 1999, these functions are expected to result in a surge of referrals for further investigation.

The Civil Rights Division and the U.S.

- Attorneys' efforts to increase attention and improve the Federal response to hate crimes in FY 1999 will include working with State attorneys general and local prosecutors to implement a coordinated plan.

One of the effective tools used to decrease anticompetitive behavior affecting U.S. businesses and consumers is the establishment

- and use of international enforcement agreements. Therefore, in FY 1999, the Antitrust Division will expand its use of international law enforcement assistance and will continue to work toward establishing International Enforcement Agreements. Such Agreements are necessary because of the increasingly global and complex nature of the Antitrust Division's work.

The Tax Division, working in coordination with the Internal Revenue Service, has worked at achieving more effective, efficient, fair and uniform results in tax enforcement and litigation. In FY 1999, these efforts will include an emphasis to thwart the activities of Illegal Tax Protesters that seek to undermine

compliance with the Internal Revenue Code.

Acting jointly with local law enforcement entities, the U.S. Attorneys, the Criminal Division and client agencies, the Civil Division's Office of Foreign Litigation initiates proceedings in foreign courts to seize the ill-gotten gains resulting from telemarketing and Internet fraud. Recoveries obtained in these efforts are returned to the victims of these scams. Through FY 1999 and beyond, such cooperative efforts will be expanded.

As stated in its strategic plan, all DOJ components are dedicated to making the legal system of the United States work fairly for all Americans. In FY 1999, DOJ's litigating divisions, working in conjunction with the U.S. Attorneys, will continue their efforts toward that end.

Core Function 4: Immigration

The four DOJ components with primary responsibility for carrying out the goals and strategies stated in this Core Function are the Immigration and Naturalization Service (INS), the Executive Office for Immigration Review (EOIR), the Civil Division and the U.S. Attorneys' Offices. INS' mission is to administer and enforce the Nation's immigration laws. It determines the admissibility of persons seeking entry and adjusts the status of, and provides other benefits to, legally entitled non-citizens within the country with proper regard for equity and due process. It controls the border, inspects persons seeking entry, denies entry to those who are not legally admissible and apprehends and removes those individuals who have no legal status that would allow them to remain in the U.S.

EOIR's mission is to provide separate and independent fora for the objective, unbiased adjudication of disputes between the INS and aliens or other individuals regarding immigration status, removal or the availability of relief under the law. In the conduct of this mission, EOIR and

its components — the Board of Immigration Appeals, the Immigration Courts, and the Administrative Hearing Officers — seek to render fair and proper decisions in a timely and efficient manner.

The Civil Division and the U.S. Attorneys' Offices defend the decisions of the INS, the Immigration Courts and the Board of Immigration Appeals. By defending policies and administrative decisions, the Civil Division strengthens immigration enforcement activities.

Strengthening Enforcement Activities

The DOJ continuously strives to halt the operations of individuals who attempt to sidestep immigration laws in order to gain illegal entry into the country or obtain benefits for which they are not entitled. Over the past several years, INS has deployed a myriad of resources, including thousands of new border patrol agents, special agents, deportation officers, and other personnel along the southwest border, and other critical locations, to respond to illegal immigration and related criminal activities that are part of this problem.

In FY 1999, INS will continue to implement its multi-year strategy to gain increasing control of the border, deter and disrupt illegal employment, combat smuggling and other alien-related crime and remove greater numbers of criminal and otherwise deportable and inadmissible aliens. INS will improve its enforcement efforts both at the border and inside the United States. For example, INS will increase its efforts to seek out illegal aliens being transported along the nation's highways from border locations to major cities where they may eventually work in sweat-shops or for unlawful employers. In cooperation with the U.S. Attorneys, increased efforts will be made to link border management, overseas enforcement activity, and enforcement efforts in key U.S. cities and States, with particular emphasis on alien smuggling, intelligence sharing, document fraud

and other criminal activities, such as drug smuggling.

Other enforcement activities will focus on removing the opportunities for illegal employment and illicit receipt of entitlements or benefits which spur illegal migration, and on identifying and removing aliens engaged in criminal activities. Overseas enforcement activities will be strengthened, in cooperation with the Department of State and foreign governments. This will allow INS to address smuggling and other criminal alien activities affecting illegal immigration, especially in those countries in which large numbers of illegal aliens migrate from or transport through.

Ensuring Accurate Data and Improving Automation

Over the past three years, INS has vastly increased its investments in automation and technology. INS will continue building on these investments through FY 1999. It will maximize the efficiency and effectiveness of the automation it deploys, not only to ensure that it serves as a useful operational tool, but that it provides accurate information for key management and other decision-making processes, for its partner agencies, and for its customers and other members of the public.

A major priority for the INS in FY 1999 is to enhance the quality and availability of its data and accelerate the deployment and integration of key information systems that are critical to accomplishing the goals set forth in this plan and the objectives of all immigration programs. This includes: improving record keeping activities; increasing the timeliness and accuracy of processing immigration-related benefits and services; ensuring that all INS employees have the hardware and software they need to perform their duties; and upgrading the automation used in data collection and reporting activities which affect the timeliness, accuracy, and availability of overall INS data. INS will reengineer its data repository systems to streamline and improve its corporate

information systems and the data contained in those systems. This is integral to supporting the accuracy of data INS will use to measure performance, as well as carry out its overall mission.

Improving Benefits Processing and Customer Services

In FY 1999, INS will continue significant changes in benefits processing and customer services that were initiated over the past two years to correct flaws in the INS naturalization process and in other areas. For example, INS will pursue re-engineering and implementing changes in the way it processes applications for benefits. It will ensure that only those eligible to receive citizenship, or other immigration-related benefits, are granted them. Process and customer-servicing “lessons learned” from re-engineering the naturalization process will be incorporated into other INS programs.

Improvements will also be made to centralized telephone information and forms services provided INS customers. Increased use of direct mailing of applications to processing centers will be pursued to shorten processing times and alleviate unnecessary delays at District offices. In addition, INS will strengthen and expand its alien status verification services made available to other Federal, State and local governments and employers. These initiatives, along with the status adjustment improvements noted above, will directly support INS’ strong FY 1999 performance focus on delivering services to the public that are timely, consistent, fair and of high quality.

INS will facilitate lawful traffic and commerce by increasing the use of automated technologies and other innovations, such as license plate readers and specialized lane approaches, to expedite pre-approved vehicle crossings at certain borders. It will also work in FY 1999 to reduce passenger waiting time by increasing the use of border crossing cards (used at land ports-of-entry), as well as the INSPASS card, which is used to expedite the

inspections process for frequent air travelers meeting specified requirements.

These FY 1999 INS performance goals will be pursued in close cooperation with the U.S. Customs Service with which it shares an overall obligation to improve border inspections procedures and processes. As one example, INS plans in FY 1999 to review and determine its deployment of Immigration Inspectors in comparison with the assignment of Customs personnel along the southern border, focusing on traffic management on the inbound lanes at ports-of-entry.

Expediting the Removal of Illegal Aliens

In order to strengthen the enforcement of the immigration laws, quick removal from the country of those determined to be in violation of the immigration laws is crucial. Individuals appearing before an immigration judge, or before INS officials, to determine whether or not they should be removed will have their cases handled in an expeditious and fair manner.

Both INS and EOIR are committed to ensuring that removable aliens are identified in a timely manner. These agencies will continue to work closely with the Federal Bureau of Prisons, and State and local correctional institutions to ensure that aliens who are already incarcerated are accurately identified and directed into the Institutional Removal Program. This will help ensure that removal hearings occur prior to their release date. These efforts, in conjunction with those of the Civil Division to continue to defend successfully against challenges to EOIR decisions, will lead to the expeditious removal of the aliens from the country, if warranted.

The INS will also continue to work with the U.S. Marshals Service to utilize the Justice Prisoner and Alien Transportation System (JPATS)

to transport aliens more effectively to INS or other detention facilities, and to ultimately transport illegal aliens out of the country. Planned FY 1999 enhancements to JPATS are also highlighted both within the following core function discussion and in Part II of this document.

Expanding Community Outreach

INS will work more proactively and collaboratively with internal and external groups in the development and implementation of immigration-related policies and practices. Specifically, INS will seek community input on its policies and procedures having significant community impact. INS will develop a number of community perspective issue papers for select INS policies and procedures for circulation and review by various parties interested in the issues being considered. Consistent with DOJ efforts to respond to customers' needs, INS will vastly improve its efforts to acknowledge the issues, concerns and complaints received by Community Relations Officers within 30 days, with feedback provided on the steps INS is taking or will take to respond to the stated concerns.

Core Function 5: Detention and Incarceration

This Core Function describes DOJ's responsibilities for the confinement of persons convicted of Federal crimes and sentenced to a term of incarceration, and of those charged with Federal offenses and detained while awaiting trial or sentencing, a hearing on their immigration status, or deportation. Three of DOJ's components — the Bureau of Prisons (BOP), the Immigration and Naturalization Service (INS), and the U.S. Marshals Service (USMS) — conduct activities related to this function.

Primary BOP responsibilities are to maintain secure, safe and humane correctional institutions for individuals placed under its custody; to develop and operate correctional programs that seek a

balanced application of the concepts of punishment, deterrence, incapacitation and opportunities to prepare for successful reintegration into society; and to provide, through the National Institute of Corrections, assistance to State and local correctional agencies.

BOP conducts its incarceration function by utilizing a range of high, medium, low and minimum security institutions, community corrections facilities and half-way houses. While it must deal with special problems that accompany the long-term custody and care of sentenced Federal prisoners, many of whom have a history of violence and drug use, it also responds to DOJ's critical shortage of detention space in certain large court cities. Certain INS detainees, determined to be unsuitable for housing in its Service Processing Centers, are also confined in BOP facilities.

Over the next few years, a major initiative affecting BOP activities will be the National Capital Revitalization and Self-Government Improvement Act of 1997. BOP will assume responsibility, by FY 2001, for all District of Columbia adult felons sentenced to a term of confinement. Efforts are already underway to ensure that BOP is in position during FY 1999 to provide housing for the first 2,000 D.C. transfers, and to begin construction on new correctional institutions.

Providing Increased Detention Space and Related Services

The USMS houses Federal offenders during the pretrial stage to help ensure their scheduled court appearances, thereby contributing to the effective and orderly work of the Federal courts. In addition, the USMS places pre-sentenced individuals who have not been released on bond into secure confinement facilities. It houses these prisoners in State, local or county jails; BOP institutions; or private facilities.

Similarly, INS has a strong need to maintain adequate detention space. It has responsibility for confining individuals who have entered the U.S. illegally or have been found in violation of U.S.

immigration laws. The INS typically houses its detainee population in its own Service Processing Centers; contractor-run facilities; State, local or county jails; and BOP facilities.

DOJ's FY 1999 performance plan includes a goal to provide sufficient bedspace for expected increases in the detainee populations of both the USMS and the INS. The anticipated INS population increases are connected to the projected impact of implementing the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which requires stricter processing of illegal aliens.

The special difficulty of maintaining and managing adequate detention bedspace prompted Congress to mandate a complete review of this problem. A DOJ report summarizing the results of that review was recently completed and will be transmitted to Congress shortly.

Another important FY 1999 performance initiative related to detention planning concerns planned upgrades to the Justice Prisoner and Alien Transportation System (JPATS), as referenced in the previous Core Function and in Part II. This system is responsible for air transportation of Federal prisoners and aliens, whether in custody of the USMS, the BOP or the INS. Although the USMS functions as the overall lead, JPATS represents an important crosscutting DOJ project to contain costs associated with transporting Federal detainees and prisoners. Expanding JPATS was also recommended in the above-noted DOJ review.

Expanding Prison Capacity

In FY 1999, DOJ will take several steps to ensure that it has sufficient capacity to imprison violent offenders to the fullest extent of the law. For example, BOP will increase its rated capacity by adding over 4,300 beds as several new facilities and one expansion become fully operational. Further, BOP will complete the design phase and begin construction of a high security prison in the western region, which is the most overcrowded (at 35% above capacity) of BOP's six regions.

In addition, consistent with DOJ's long-range

strategic plan, BOP will continue to expand use of alternative confinement for lower security non-violent inmates. For FY 1999, it is expected that at least 10 percent of BOP's rapidly growing population will be managed through alternative confinement outside of BOP-operated prisons.

Managing Inmate Services

Inmate programs are a key correctional management tool used by the BOP to reduce inmate idleness, enhance institutional safety and security and provide inmates an opportunity for positive change, preparing themselves for successful reintegration into society upon release. In FY 1999, BOP will provide services and programs that address inmate needs and contribute to these goals. BOP will continue to meet the requirement that all eligible inmates receive residential drug treatment. An interim evaluation recently completed by the National Institute of Drug Abuse reveals that Federal offenders who completed the residential drug abuse program and had been released to the community for at least six months were less likely to be rearrested or use drugs than were similar inmates that did not participate in the drug abuse treatment program.

Core Function 6: Protection of the Federal Judiciary and Improvement of the Justice System

The DOJ has significant responsibility for ensuring the effective, efficient and secure operation of the Federal justice system. It does so by protecting the Federal judiciary; ensuring the safe and secure operation of the Federal courts; promoting the participation of victims at each stage of criminal and juvenile proceedings; administering the Nation's bankruptcy system; and providing operational and specialized support to State, local

and Indian Country governments.

Protecting the Judiciary

The primary mission responsibility of the USMS is protecting the Federal judiciary and ensuring that all Federal court proceedings take place free of intimidation or fear of violence.

In FY 1999, the USMS will continue to provide the necessary resources and expertise to maintain high levels of security in the Federal judicial environment. As resources permit, it will staff high-threat criminal judicial proceedings with more than one deputy. It will also take steps to increase physical security at selected courthouses. In addition, it will continue to give priority to the identification and investigation of threats and the prevention and elimination of assaults on judicial personnel, witnesses and victims.

Operational and Specialized Support

In FY 1999, DOJ will continue to provide Federal, State and local criminal justice agencies with high quality technical and forensic assistance. Two major FBI initiatives that have been in development for a number of years will come to fruition — NCIC 2000 and IAFIS. These new, advanced systems will significantly enhance the ability of law enforcement agencies to rapidly obtain information on persons suspected of criminal wrongdoing.

The FBI will also continue to provide forensic laboratory services to the law enforcement community. Sophisticated forensic systems such as the Combined DNA Information System (CODIS), used for the identification of subjects through DNA testing, and DRUGFIRE, used for firearm identification, will be enhanced to perform identification tasks more quickly and be made available to more law enforcement communities.

At the same time, the FBI will continue to work with the telecommunications industry to ensure that law enforcement retains the capability to conduct electronic surveillance when authorized by the court.

In certain areas, the Department will assume greater operational criminal justice responsibility. As noted earlier, under the National Capital Revitalization and Self-Government Improvement Act, it is expected that the Department will house D.C. adult sentenced felons and that approximately 300 parole hearings will be conducted each month by the U.S. Parole Commission.

Another major priority for the Department in FY 1999 is to work with the Department of the Interior to improve law enforcement operations in Indian Country. In addition, both the FBI and the USAs will add personnel and more training to address Indian Country problems and OJP will provide increased financial and technical assistance.

Promoting the Participation of Victims and Witnesses

In FY 1999, DOJ will continue to give a high priority to increasing the participation of victims and witnesses in the judicial process. Specifically, DOJ will take steps to ensure that there is full compliance with the Attorney General's Guidelines for Victim and Witness Assistance through increased training for Federal law enforcement

officers and prosecutors in victim/witness responsibilities and improved notification processes.

Protecting the Integrity of the Bankruptcy System

In FY 1999, DOJ, through the U.S. Trustee (UST) system, will continue to enforce the bankruptcy laws and regulations of the Nation. The UST program will strive to reduce its overall caseload, particularly older cases, by providing administrative support to move cases expeditiously through the bankruptcy process. Particular attention will be placed on maintaining and promoting uniform fee and expense guidelines related to the employment of professionals and others involved in the bankruptcy process. When appropriate, in FY 1999, the UST will continue to inform law enforcement agencies of possible violations of bankruptcy laws and continue to participate in task forces designed to identify and prosecute individuals or organizations engaged in the fraudulent use of bankruptcy laws.

Core Function 7: Management

Achieving DOJ's performance goals requires continued attention to improving management processes and building and maintaining a strong infrastructure. The first priority in this area is to ensure the integrity of DOJ programs and

operations. Toward that end, the independent Office of the Inspector General investigates allegations of misconduct and carries out an aggressive program of audits and inspections. In FY 1999, the OIG will give priority attention to those Justice operations where the potential for serious misconduct seems highest, including those involving immigration or drug enforcement activities.

In FY 1999, the DOJ will make continued improvements in financial management. New accounting systems will be installed in several major components and corrective action will be taken in response to recent audited financial statements. DOJ's goal is to achieve unqualified audited financial statements, for itself and its components, by FY 2000. There will also be improved management of the disposal of forfeited assets and the collection of debts due the Government.

The wise use of advanced information systems technology is pivotal to improved mission performance. DOJ has already taken steps to improve its planning and monitoring of information technology investments in accord with the Clinger-Cohen Act by establishing an Information Technology Investment Board (ITIB). These efforts will be continued and expanded in FY 1999. An architectural blueprint, including a change management process, will be put in place to ensure our systems are linked appropriately and the ITIB will carefully oversee all major new and on-going information technology projects to ensure the cost, schedule and performance targets are met.

Further information on DOJ's major management activities is provided in Part II of this Plan.