

without the government making full use of the authorities available to it under a variety of federal laws, including the Foreign Intelligence Surveillance Act. The Department will continue its important work of representing the government before the Foreign Intelligence Surveillance Court. In addition, DOJ will expand its oversight operations, promoting ongoing communication and cooperation with the Intelligence Community, and advise relevant entities within the Executive Branch and Congress on the use of intelligence authorities.

## **Strategic Goal 2: Prevent Crime, Protect the Rights of the American People, and Enforce Federal Law**

Without relaxing our guard in the fight against global terrorism, the Department must also embrace its historic role in fighting crime, protecting civil rights, preserving the environment, ensuring fairness in the market place, and defending and representing the interests of the United States. Accordingly, Goal 2 encompasses what is viewed as the traditional missions of DOJ: enforcing and upholding federal law.

From the violent gangs in our cities and suburbs, to sophisticated financial fraud schemes that threaten the financial security of all citizens, to the flow of drugs across the Southwest Border and the associated violent crime, the Department's law enforcement mission is as complex and varied as it has ever been in its history. Goal 2 covers this broad range of law enforcement issues, including violent crime, illegal drugs, criminal gangs, and gun violence. It includes white collar crimes, such as health care fraud, corporate fraud, and public corruption. It also includes computer crime, identity theft, IP crime, and other kinds of

crime facilitated by computer networks. In addition, it covers the exploitation of vulnerable populations such as children and the elderly. This goal also includes enforcing federal civil and criminal statutes that protect civil rights, safeguard the environment, preserve a competitive market structure, and preserve the integrity of the Nation's bankruptcy system.

Goal 2 addresses the role of the Department as the Nation's largest law office and chief litigator, which involves representing hundreds of United States' agencies, offices, and employees and defending against myriad challenges to federal laws, programs, and policies. This work is critical to protecting the federal fisc against unwarranted monetary claims and to ensuring the United States can continue to protect the Nation's security, maintain civil law and order, and enhance public safety.

The Department has established six objectives to guide its work in this diverse area:

Objective 2.1: Combat the threat, incidence, and prevalence of violent crime

Objective 2.2: Prevent and intervene in crimes against vulnerable populations; uphold the rights of, and improve services to, America's crime victims

Objective 2.3: Combat the threat, trafficking, and use of illegal drugs and the diversion of licit drugs

Objective 2.4: Combat corruption, economic crimes, and international organized crime

Objective 2.5: Promote and protect Americans' civil rights

Objective 2.6: Protect the federal fisc and defend the interests of the United States

Among DOJ components that share responsibility for this strategic goal are the: FBI; Office of Justice Programs (OJP); DEA; U.S. Attorneys; ATF; Organized Crime Drug Enforcement Task Forces (OCDETF); Office on Violence Against Women (OVW); Civil, Civil Rights, Criminal, Antitrust, Environment, and Tax Divisions; USMS; Community Relations Service; Office of the Solicitor General; INTERPOL Washington, U.S. National Central Bureau of; Office of Legal Counsel; Office of Legal Policy; Office of Dispute Resolution; Office of the Pardon Attorney; and U.S. Trustee Program.

### **Objective 2.1: Combat the threat, incidence, and prevalence of violent crime**

Violent crime remains a serious problem in many rural and urban areas and throughout much of Indian Country. It continues to inflict a heavy toll on communities across America, limiting the quality of life for U.S. citizens, paralyzing neighborhoods, and stretching state and local law enforcement resources to their limits. According to the 2009 National Gang Threat Assessment, more than 20,000 gangs, consisting of approximately one million members, exist in all regions of the United States. The vast majority of these gangs are loosely organized local gangs or street crews, as opposed to the more tightly organized gangs with a national or international presence.

The vast majority of violent crime in this country falls within the jurisdiction of state and local agencies, and the vast majority of resources to combat it are provided by state and local governments. While some cities are well-equipped to handle issues involving violent gangs, many smaller cities and towns

are easily overwhelmed by the violence and criminal activity that gangs bring to their communities. Each community faces different challenges that will require different solutions.

The Department will combat violent crime through vigorous investigation and prosecution of those who engage in violent criminal acts. It will work with its law enforcement partners at the federal, state, local, tribal, and international level to combat all types of violence, from the neighborhood-based street gangs, to increasingly brutal and prevalent violence along the Southwest Border, to the transnational gangs operating throughout the United States and abroad, to violent criminals seeking haven in the United States. It will also employ a comprehensive strategy that focuses on investigation, prosecution, and prevention efforts to address violence in America.

### **Strategies to Achieve the Objective**

*Disrupt, dismantle, and prosecute the most violent criminal enterprises*

Confronting violent street gangs, international gangs operating within the United States and abroad, and cartels along the Southwest Border is a paramount concern for the United States. The Department will continue to employ a comprehensive anti-gang strategy focusing on prevention, intervention, enforcement, and reentry efforts to address gang membership and gang violence at every stage. The Department will lead task forces across the country and apply a variety of methods, including community outreach, public awareness, and mentor-based re-entry assistance. By conveying the priorities, messages, and results of enhanced violent crime enforcement efforts to the media and

community members, the Department can help shape the attitudes of law abiding citizens and those who would otherwise believe they can violate gun laws with impunity.

A successful violent crime reduction program requires tailored solutions to address the needs of individual communities; a “one-size-fits-all” approach will likely fail. The Department’s value is in supplying leadership necessary to bring different federal, state, local, and tribal partners together to focus on multi-jurisdictional problems within a particular community. Each of the Department’s law enforcement agencies will provide unique expertise and capabilities when leading a violent crime task force. The diversity of task forces will allow a community that is crafting its individual strategy to select the task force that best matches its particular violent crime problem. Task forces have missions designed for specific purposes, including targeting violent firearms crime, dismantling organized gangs by addressing them as criminal enterprises, apprehending violent fugitives, or helping state and local police combat violent gang and drug-trafficking crime in their communities.

Criminal street gangs, outlaw motorcycle gangs, and prison gangs are the primary retail distributors of illegal drugs in the United States. The threat of these organizations is magnified by the high level of violence associated with their attempts to control and expand drug operations in Mexico. In addition, many gangs operating in the United States are linked to those responsible for the drug-related violence in Mexico. As a result, DOJ will continue to respond to these threats through close coordination with state, local, and tribal law enforcement and vigorous investigation and prosecution of these gangs. This will

include, for example, the continued use of multi-agency task forces to identify, target, disrupt, arrest, and prosecute the “worst of the worst” criminals. The Department’s aforementioned efforts are designed to produce long-term reductions in firearms violence rather than a mere shift of the violence to adjacent neighborhoods. In the long term, DOJ prosecutors will continue to coordinate strategies and policies to target, attack, dismantle, and prosecute the most significant national and transnational gangs operating in the United States. In coordination with law enforcement, the Department will use grand jury investigations, consensual monitoring, financial analysis, and Title III wire intercepts to root out and prosecute an entire gang, from the street level thugs and dealers up through the crew leaders and ultimately the gang’s command structure.

*Reduce the risk to public safety caused by firearms trafficking*

Reducing firearms trafficking on a nationwide basis is a critical part of the objective to reduce violent crime. There is no legal way for a convicted felon, a drug trafficker, or an illegal alien to possess a firearm or ammunition, but firearms traffickers (those persons and organizations willing to sell firearms without regard to the law) continually supply firearms and ammunition to these persons and others who are prohibited by federal law from possessing them. The violence fueled by firearms trafficking is demonstrated in the crisis on our Southwest Border. Through firearms trafficking interdiction efforts, the Department will work to decrease the availability of illicit firearms and prosecute those who illegally supply firearms to persons prohibited from possessing them.

*Prevent violent crime through international law enforcement partnerships and information sharing*

The Department, through INTERPOL Washington, will continue to be a central point of contact for the United States and its various law enforcement authorities. This will ensure that all investigative information received from foreign sources about suspected criminals who may attempt to enter or operate in the United States is shared with appropriate U.S. law enforcement and border protection personnel. The Department will continue to post information on foreign wanted criminals, including violent criminals, in U.S. databases; enable direct query access to INTERPOL databases to U.S. federal, state, and local law enforcement entities; and make biometric records, such as fingerprints and photographs of known international criminals, available to DHS Customs and Border Protection so that violent offenders are denied entry into the United States.

The Department will also help build the tactical and specialized investigative capacity of foreign law enforcement agencies to prevent and respond to the violence used by organized crime and terrorist groups to further their aims. Tactical skills include civil disorder management, explosive hazards detection and response, hostage negotiation and rescue, VIP and physical security, and small unit operations. Specialized investigations include homicide, kidnapping, and post-blast investigations. The Department will provide assistance to partner governments with controlling their domestic violent crime problems, including organized crime and gang violence, before those crimes are exported to the United States.

**Objective 2.2: Prevent and intervene in crimes against vulnerable populations; uphold the rights of, and improve services to, America's crime victims**

The Department must continue to be vigilant in supporting and protecting the most vulnerable segments of our population that may fall victim to crime. Children are the most vulnerable and most exploited members of our society. The criminal victimization of children impacts not only the children, but also their families, community, and society at large. Unfortunately, children are but one segment of society that is at risk. In the United States and across the globe, domestic violence, dating violence, sexual assault, and stalking occur in all ages, races, socioeconomic classes, genders, and sexual orientations. Research shows that these crimes are overwhelmingly committed against women. In addition, elder abuse, neglect, and exploitation is an area that has been overlooked but research suggests it is an ongoing problem in the United States. Further, victims of crime committed on tribal lands is also an area that has been overlooked for far too long as research suggests violent crime rates may be two, four, and in some cases, 10 times the national average. All victims deserve to be treated with respect and support. The Department will address the needs of victims by investigating and prosecuting matters impacting vulnerable groups while leading the way in providing innovative training, resources, and support to victims of crime. The Department will continue to pursue financial investigations and administrative and judicial forfeiture and restraint of crime proceeds.

## Strategies to Achieve the Objective

### *Prevent, investigate, and prosecute crimes against children*

In August 2010, the Department delivered to Congress its first-ever *National Strategy for Child Exploitation Prevention and Interdiction*

(<http://www.projectsafechildhood.gov/docs/natstrategyreport.pdf>). This comprehensive report lays out the threat our children face from sexual exploitation, reviews the prevention and interdiction work the Department and others currently undertake, and sets out goals and priorities for DOJ and its partners. At its core, the goal of this *Strategy* is to reduce the incidence of the sexual exploitation of children. This goal is the guiding principle for all of the Department's current and future efforts under the *Strategy*. The Department's approach for achieving this goal is multifaceted and includes: (1) an overarching set of broad goals that will be used to direct DOJ's efforts; (2) programmatic goals that will provide some measurable information and results to help guide the *Strategy* going forward; and (3) individualized goals for DOJ components that are designed to support both the broad goals of the *Strategy* and the programmatic goals of the Department.

As outlined in the *Strategy*, the Department's broad goals include: (1) partnering closely with state, local, tribal, and non-governmental entities, as well as other federal agencies and the private sector to implement the *National Strategy* in a coordinated fashion; (2) increasing its commitment to a leadership role in finding a global solution to the transnational problem of the sexual exploitation of children; (3) partnering with industry to develop objectives to reduce the exchange of child

pornography; (4) exploring opportunities to increase the education and awareness of federal, state, local, and tribal judges of the difficult issues involved in child sexual exploitation; (5) working toward improving the quality, effectiveness, and timeliness of computer forensic investigations and analysis; (6) increasing its commitment to effective and sophisticated training for prosecutors and investigators; and (7) building on the success of the Project Safe Childhood initiative.

### *Combat elder abuse*

The U.S. Census Bureau predicts that by 2030, the population over age 65 will double to more than 70 million people. According to the best available estimates, between one and two million Americans age 65 or older have experienced abuse; and for each reported case about five more cases go unreported.<sup>1</sup> Further, recent studies have shown that a substantial number of nursing home facilities provide substandard care that is seriously deficient, and in some cases, life-threatening.<sup>2</sup> Unfortunately, as the number of older individuals increases, so does the number of potential victims of elder abuse. In response to this serious and significant abuse, DOJ will continue to take aggressive action to protect this growing population of vulnerable victims by expanding the Federal Government's response to elder abuse, neglect, and exploitation through DOJ's Elder Justice Task Force. The Department will also help assist state and local communities in addressing the problem by supporting programs that provide training and resources

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<sup>1</sup> The National Center on Elder Abuse, *Elder Abuse Prevalence and Incidence*, April 2005

<sup>2</sup> Office of the Inspector General, Department of Health and Human Services. Memorandum Report: "Trends in Nursing Home Deficiencies and Complaints," OEI-02-00140, dated September 18<sup>th</sup>, 2008

to combat elder abuse and support survivors of abuse. In addition, DOJ will continue to participate and provide leadership to the Interagency Working Group on Elder Justice which is designed to help safeguard the welfare of the elderly by sharing research, exchanging ideas, discussing trends, and developing best practices among numerous federal agencies.

*Ensure safety and justice for victims in Indian Country*

The Department has a unique legal relationship with federally recognized tribes because for much of Indian Country, DOJ alone has the authority to seek a conviction that carries an appropriate potential sentence when a serious crime has been committed. The Department will fulfill its responsibility to these communities in a coordinated, multi-tiered approach, which will include: (1) ensuring that every U.S. Attorney's Office (USAO) with Indian Country in its district coordinates annually with law enforcement partners and tribes in that district to formulate and/or revise its operational plan to address public safety in Indian Country; (2) ensuring that every USAO with Indian Country in its district pays particular attention to violence against women and works closely with law enforcement to make these crimes a priority; (3) improving sexual assault and domestic violence services in Indian Country by providing both funding and intensive, on-site technical assistance to tribes; (4) responding to requests from tribal leaders for assistance in addressing tension associated with allegations of discrimination and hate incidents with services including mediation, conciliation, technical assistance, or training; and (5) expanding critical services, best practices, tools, and other resources to serve tribal communities and

protect individuals in those communities from risk of harm.

*Increase public awareness and enhance prevention of violence against women*

Domestic violence, dating violence, sexual violence, and stalking are a widespread set of crimes that primarily affects women and cuts across all races, socioeconomic levels, and geographic lines. The Department will work to prevent violence against women, empower victims, and hold perpetrators accountable and bring them to justice. The Department will increase public awareness and further efforts in this area by continuing to administer financial and technical assistance to communities around the country. This will serve to facilitate the creation of programs, policies, and practices aimed at ending domestic violence, dating violence, sexual assault, and stalking. By forging state, local, federal and tribal partnerships among police, prosecutors, victim advocates, health care providers, and community leaders, DOJ grant programs will help educate and prevent crimes and provide victims with the protection and services they need to pursue safe and healthy lives.

*Support victims of crime throughout their interaction within the federal criminal justice system*

Although the Department would always like to prevent crime before it occurs, that is not always possible. The Department will continue to be committed to ensuring that crime victims are treated fairly, with dignity and respect, throughout their involvement in the federal criminal justice system and to provide them with the support and resources they need. The Department will pursue this objective by continuing to rely on DOJ's dedicated victim witness professionals who

have training and expertise to provide victims with the highest quality assistance as cases proceed through the criminal justice system. The Department will assist victims with funding for emergency needs, such as reunification travel, crime-scene cleanup, replacement clothing, shipment of victims' remains, emergency shelter, and crisis counseling, in federal matters when other resources are not available. In addition, DOJ will assist victims by supporting state victim assistance and compensation programs. Further, it will support state, local, and tribal communities through grant programs that provide a wide array of services, including counseling, advocacy, legal, and mental health services.

### **Objective 2.3: Combat the threat, trafficking, and use of illegal drugs and diversion of licit drugs**

The Department's drug strategy will leverage the collective talent and expertise of several federal law enforcement agencies to identify and target drug supply organizations nationwide, to attack their financial infrastructure, and to disrupt and ultimately dismantle them. Through the formation of prosecutor-led, multi-agency task forces that conduct intelligence-driven, multi-jurisdiction investigations, the Department will continue to mount a comprehensive, multilevel, organizational attack on the drug trafficking and money laundering organizations that pose the greatest threat to the Nation. The Department will enforce controlled substances laws and regulations of the United States, and disrupt and dismantle major drug trafficking organizations responsible for the supply of illegal or diverted drugs in the United States. Additionally, it will utilize the skills of prosecutors and agents from federal, state, local, and tribal agencies to combat the most

prolific drug trafficking and money laundering organizations. Partnerships with state, local, and tribal governments, along with grants and technical assistance will help reduce the use of illegal drugs and the violence associated with that use.

The Southwest Border region is a particularly vulnerable area and has increasingly become a focal point in the national security strategy due to the considerable cross-border law enforcement challenges in the region. The flow of narcotics north into the United States, along with the smuggling of criminal monetary proceeds and the illegal trafficking of firearms south out of the United States has had a devastating effect on the United States and Mexico, particularly along the Southwest Border. Much of the violence along the Southwest Border region and in Mexico is perpetuated by drug trafficking organizations vying for control of trafficking routes to the United States and engaging in turf battles for disputed distribution territories.

The vast 5,225-mile border and evolving drug trafficking trends also provide numerous challenges for law enforcement and intelligence entities operating along the Northern border under differing authorities, protocols, and expertise. Marijuana and Ecstasy remain the most significant Northern border drug threats to the United States, while the United States remains the primary transit country for cocaine into Canada from South America.

### **Strategies to Achieve the Objective**

*Disrupt and dismantle Consolidated Priority Organization Targets (CPOTs)*

A CPOT is the leader of an international drug trafficking organization identified as

being among those organizations most responsible for the supply of illicit drugs in the United States. They are the most significant drug trafficking and money laundering organizations, clandestine drug manufacturers, and major drug transporters in the world impacting the supply of illegal drugs in the United States. These organizations can have significant links to terrorist organizations or activities. The Department will continue to participate in high-level, multi-agency investigations to disrupt or dismantle CPOTs and disrupt the drug trade. It will use the CPOT process to evaluate the collective investigative resources aimed at these priority targets and to assess the overall impact of drug enforcement efforts on the operations of these major organizations.

*Target, investigate, and prosecute domestic and international drug traffickers and their organizations*

Consistent with the *President's National Drug Control Strategy*, which seeks to disrupt domestic drug trafficking and production and strengthen international partnerships, the Department will simultaneously attack all elements of the most significant drug organizations affecting the United States. These include the international supply sources, their international and domestic transportation organizations, the regional and local distribution networks, and the violent enforcers the traffickers use to protect their lucrative business from their competitors and the law. This strategy will focus limited federal drug enforcement resources on reducing the flow of illicit drugs, drug proceeds, and weapons by identifying and targeting the major trafficking organizations; eliminating the financial infrastructure of drug organizations by emphasizing financial investigations, money laundering

prosecutions, and asset forfeiture; redirecting federal drug enforcement resources to align them with existing and emerging drug threats; and conducting expanded, nationwide investigations against all the related parts of the targeted organizations, including the channels through which they obtain their arsenals. To assist in this strategy, the Department has initiated innovative, international sharing efforts to increase information analysis, networking, and data sharing, which will enhance law enforcement's ability to better identify narcotics traffickers' identities, locations, contacts, associates, and assets. The Department will disseminate the results to law enforcement components with a vested interest in the information.

Another integral part of this strategy is to develop strong collaborative partnerships with international partners. The Department recognizes that international cooperation is an essential element of a comprehensive drug control strategy and is key to significantly reducing transnational crime, including drug trafficking and narco-terrorism. The Department will continue to expand its international presence against sources of supply and narco-terrorism. The significant rise in drug and precursor chemical trafficking through parts of Africa from diverse countries presents an ever-growing threat. Increasing DOJ's presence in these areas will allow the Department to build relationships with its partner nations and collaborate with its law enforcement counterparts to help stabilize the regions affected by drug trafficking and neutralize these criminal organizations.

Through the implementation of the Administration's *National Southwest Border Counternarcotics Strategy* and the Department's *Strategy for Combating the Mexican Cartels*, the Department will



continue to confront the cartels and provide security at the Southwest Border, engaging in collaboration and coordination at various levels of the government. Addressing Southwest Border security will have two basic elements: policing the actual border to interdict and deter the illegal crossing of undocumented persons or contraband goods and confronting the large and sophisticated criminal organizations operating simultaneously on both sides of the border.

The Department will work systematically to degrade the power of the Mexico-based DTOs, while simultaneously improving the capacity of the Mexican law enforcement institutions to confront the cartels domestically. The desired outcomes of the strategies are to increase the security of U.S. citizens along the Southwest Border and throughout the country; reduce the flow of contraband, primarily drugs, entering the United States; and reduce the flow of weapons and illegal cash into Mexico. The Department will continue to foster coordinated, nationwide investigations and prosecutions that incapacitate the cartels by incarcerating large segments of the leadership cadres while simultaneously destroying their financial infrastructure through seizure and forfeiture of cartel assets.

The Department will also focus its efforts on helping partners establish effective law enforcement tools, such as witness protection programs and asset seizure laws, as well as helping foreign forensic labs achieve international accreditation so that they can share evidence. The Department will provide technical assistance to our foreign counterparts to develop and strengthen legislative regimes needed to combat narcotics trafficking.

*Prevent the diversion of pharmaceutical controlled substances and listed chemicals from legitimate channels, including the Internet*

The Controlled Substances Act (CSA) and its implementing regulations create a closed system of distribution with internal controls. The diversion of pharmaceutical controlled substances or listed chemicals, however, can occur through a myriad of criminal schemes. These schemes include, but are not limited to, “doctor shopping,” forged prescription rings, rogue Internet pharmacies, and rogue pain clinics or pill mills. The prevalence of rogue pain clinics, and the millions of dosage units of pharmaceutical controlled substances they divert, negatively affects communities throughout the Nation. The Department will use an investigative approach to disrupt and dismantle these diversion schemes on two fronts. The first involves the expansion of Tactical Diversion Squads throughout the United States. This approach will provide teams of federal, state, and local law enforcement officials whose sole responsibility will be to investigate suspected violations of the CSA and other federal and state statutes pertaining to the diversion. The second approach will involve enhanced regulatory oversight of the more than 1.4 million registrants. Enhanced regulatory oversight and education will ensure that CSA registrants adhere to their responsibilities under the CSA by maintaining effective controls against diversion and thereby maintaining the closed system of distribution. This comprehensive approach will be accomplished through a variety of methods, including targeted registrant training, increased frequency of scheduled investigations, specialized initiatives, and use of shared databases to identify, investigate, and prosecute those responsible for diversion and illegal sale of controlled

substances. The Department will simultaneously ensure that an adequate and uninterrupted supply of pharmaceutical controlled substances and listed chemicals are maintained in order to meet legitimate medical and scientific needs.

#### **Objective 2.4: Combat corruption, economic crimes, and international organized crime**

The Nation's recent economic crisis has had significant and devastating effects on mortgage markets, credit markets, and the banking system. The Department will protect Americans from the financial fraud and corruption that devastates consumers, siphons taxpayer dollars, weakens our markets, and impedes our ongoing economic recovery. The impact of financial crime is not confined to Wall Street – and many times the victims of fraud have worked hard and played by established investment rules, only to see their retirement and life savings vanish at hands of white-collar criminals. Additionally, the rapid expansion of Internet use throughout the Nation, including business and government, creates a continually growing risk of unlawful acts. The Department will focus its white collar enforcement resources on these areas of potential fraud and associated corruption.

These offenses represent separate and very severe threats to the United States' economy. The corruption of federal, state, and locally elected, appointed, or contracted officials, undermines democratic institutions and may threaten the condition of the economy, public safety, and national security, while wasting many taxpayer dollars. As businesses, governments, educational institutions, and individual citizens continue to integrate the Internet and other global network computer systems, extortionists, hostile insiders, identity

thieves, and other criminals have new opportunities and new venues to commit unlawful acts. The increased presence of fraud such as corporate fraud, securities fraud, healthcare fraud, and mortgage fraud have escalated and will continue to hamper economic recovery and persist long after any recovery occurs. IP crime poses a grave threat to the country's economic well-being, as well as the health and safety of U.S. citizens. Finally, transnational crime has expanded dramatically in size, scope, and influence, and transnational criminal networks pose a significant threat to national and international security. In response, the Department will implement actions to support the Administration's *Strategy to Combat Transnational Organized Crime*, which seeks to build, balance, and integrate the tools of American power to combat transnational organized crime and related threats to national security and urge America's foreign partners to do the same.

The Department will pursue fraud and corruption committed against the Federal Government and state and local governments and their programs and will protect consumers through vigorous investigations and civil and criminal enforcement of federal laws. These efforts will return significant amounts to the Treasury, Medicare, and other entitlement programs every year and provide deterrence to those contemplating defrauding federal programs, businesses, and individual citizens.

#### **Strategies to Achieve the Objective**

*Investigate and prosecute public and corporate corruption*

One way to reduce future corruption is to vigorously investigate and prosecute existing corruption and seek appropriately

long prison terms for persons convicted of these crimes. Aggressive and effective prosecutions send a clear message that these crimes will not be tolerated and that those engaging in them do so at their peril. The Department intends to increase its efforts against corruption in three ways: first, it will increase awareness of public corruption, the significant harm it causes, and the interest DOJ has in combating it at all levels of government; second, it will make public corruption investigations and prosecutions a top litigating priority; and third, it will ensure federal prosecutors and investigators that focus on the handling of corruption investigations and prosecutions continue to receive the training necessary to successfully litigate these complex cases.

*Combat mass-marketing fraud, identity theft, disaster-related fraud, and other fraud schemes*

The Department will conduct proactive investigations and prosecutions, with investigative support from the FBI, the Postal Inspection Service, and other agencies, directed at criminal organizations conducting mass-marketing fraud schemes and identity theft that generate significant criminal proceeds. The Department will develop and conduct, in cooperation with other federal law enforcement and regulatory agencies and private-sector organizations, innovative training courses and modules for U.S. and foreign law enforcement authorities on mass-marketing fraud and identity theft. The Department will support special initiatives directed at fraud involving large-scale victimization. Additionally, the Department will conduct, in consultation with federal investigative agencies, outreach to foreign law enforcement authorities to develop cooperative measures and joint or coordinated investigations and enforcement

operations against transnational mass-marketing fraud and identity theft schemes.

The Department will spearhead strategic enforcement initiatives to combat all types of fraud stemming from disasters, including charity fraud, identity theft, emergency-benefit fraud, procurement fraud, and public corruption; will spearhead the establishment and operation of command centers for disasters, such as the National Center for Disaster Fraud; and will coordinate and support multiagency efforts to collect intelligence information, reports, and complaints and generate referrals for disaster-related fraud.

*Combat health care fraud*

Health care fraud is one of the most urgent, destructive, and widespread national challenges facing our country. Billions of dollars in public and private health care spending is lost each year to health care fraud. In addition to the losses to the federal health benefit programs Medicare and Medicaid, private insurance programs lose billions of dollars each year to blatant fraud schemes in every sector of the health care industry. The Department has responded, and will continue to fight this battle by aggressively investigating and litigating matters involving a variety of health care fraud schemes utilizing Department-wide task forces. These task forces will tackle health care fraud through coordination, communication, and sharing with all federal, state, and local partners.

*Uphold and enforce consumer protections*

The Department will lead in the efforts to protect consumers through vigorous civil and criminal enforcement of federal consumer protection laws. Enforcement includes combating fraud perpetrated by

manufacturers and distributors of misbranded, adulterated, defective, or fraudulent consumer goods and services. The Department will investigate and prosecute major prescription drug and device manufacturers believed to be illegally promoting misbranded and adulterated drugs or devices and distributing their products for unapproved uses. It will fight financial frauds that victimize consumers in areas such as business opportunity fraud and telephone bill cramming, which is the practice of placing unauthorized, misleading or deceptive charges on a telephone bill.

#### *Investigate and prosecute financial institution fraud*

The explosion of financial fraud over the past few years has threatened the Nation's financial stability. The Administration and DOJ recognized that threats to the U.S. economic system must be addressed with the same seriousness and sense of purpose that guide efforts to protect the safety of the Nation. In 2009, the President created the Financial Fraud Enforcement Task Force to bring together a coalition of federal agencies and regulators, along with state and local partners, to provide a broad enforcement effort to combat financial fraud. The Department leads this task force and is committed to increasing the investigation and prosecution of corporate, financial institution, mortgage, investment, and securities and commodities fraud in order to restore confidence in the integrity of the financial and housing markets.

#### *Combat intellectual property crime*

The Department investigates and prosecutes a wide range of IP crimes, including those involving copyrighted works, trademarks, and trade secrets. Further, the Prioritizing Resources and Organization of Intellectual

Property Act of 2008 created the Intellectual Property Enforcement Coordinator (IPEC) position within the Executive Office of the President to coordinate the development of a joint strategic plan for combating IP crimes and coordinating national and international efforts to protect IP rights. The Department's IP Task Force worked closely with the IPEC in developing the joint strategic plan. Additionally, over 270 designated prosecutors are specially trained to handle computer crime and IP cases. The specially trained cadre of prosecutors will continue to coordinate investigative and prosecutorial resources for maximum efficiency in the battle against computer and IP crime. In addition to strengthening domestic enforcement, the Department will place special emphasis on improving the international enforcement of IP rights.

#### *Investigate and prosecute high-technology crimes*

The United States is facing a continuing and increasing threat from high-technology crime. The Department will develop and support the development of tools, legal approaches, and operational strategies to assist law enforcement in detecting and investigating criminal activity that increasingly abuses the power of global networks and computers and threatens the U.S. critical infrastructure. Prosecutors that are specially trained to handle computer crime and IP cases will continue to receive the ongoing high technology training needed to keep up with the ever-changing technologies and complexities inherently associated with cyber crime investigations and prosecutions.

With the increasing globalization of crime, DOJ will also work with its international partners to develop the global infrastructure – legal, technical, and operational –

necessary to combat criminal activity involving computers, networks, and IP. The Department will help foreign law enforcement agencies establish specialized cybercrime units and facilitate donations of sophisticated computer hardware and software. It will also provide training in the recognition of electronic evidence, its protection and preservation, and methods of safe transportation.

#### *Combat transnational organized crime*

Transnational organized criminals pose serious threats to the Nation's security, from penetrations of U.S. markets to collaborating with terrorists and nations hostile to the United States. Every day, transnational organized criminals threaten the lives and properties of U.S. citizens by committing every imaginable type of serious crime, from sophisticated cyber crimes to trafficking in human beings, fraud, and the theft of IP to money laundering, traditional rackets, and labor racketeering, all protected by a vicious cycle of corruption and violence.

In support of the Administration's *Strategy to Combat Transnational Organized Crime*, the newly modernized Organized Crime Program will enable federal law enforcement to take a unified approach to combating transnational organized crime. The Attorney General's Organized Crime Council will continue to focus high-level attention on these issues and provide a renewed direction for the Program. The Department will bring together information and intelligence of the Federal Government in a dynamic way that can greatly improve the efforts to identify, penetrate, and dismantle the most dangerous organized crime groups through investigations, prosecutions, and asset forfeiture. Through the formation of prosecutor-led, multi-

agency task forces that conduct intelligence-driven, multi-jurisdiction investigations, investigators and prosecutors will concentrate on those transnational organized crime groups that pose the greatest threat to the United States.

Working with other agencies, DOJ will provide international technical assistance to partner nations to build their capacity to partner with the United States in combating transnational organized crime.

#### **Objective 2.5: Promote and protect Americans' civil rights**

The Department is committed to upholding the civil and constitutional rights of all Americans, including the most vulnerable members of society. Federal civil rights statutes reflect some of America's highest ideals and aspirations – equal treatment and equal justice under law. These statutes not only aim to protect the civil rights of racial and ethnic minorities, but also of members of religious minorities, women, persons with disabilities, service-members, individuals housed in public institutions, and individuals who come from other nations and speak other languages. The Department will ensure equal opportunity for all litigation, prevention efforts, outreach initiatives, technical assistance, and partnerships.

#### **Strategies to Achieve the Objective**

##### *Combat discriminatory lending and ensure fair housing*

The current financial crisis has disproportionately impacted minority communities. Risky and irresponsible predatory and discriminatory lending practices that targeted minority communities resulted in high numbers of subprime and exotic loans to minority borrowers and high

rates of foreclosures in those communities. The Department will pursue and prosecute mortgage fraud and discriminatory lending practices. On the other end of the lending spectrum, important federal programs have evolved to help distressed homeowners avoid foreclosure and modify unsustainable loans. The Department will work with all relevant agencies, fair housing groups, and community partners to ensure that those lenders and agents participating in federal programs neither discriminate against nor defraud homeowners seeking help. In particular, the Department will share information and strategies that allow for collaborative and targeted enforcement. The Department will engage state attorneys general and other state and local partners to identify emerging questionable lending and loss mitigation activities for investigation and prosecution. The Department will collaborate with banking regulatory agencies and the new Consumer Financial Protection Bureau to increase referrals and enforcement of fair lending pattern or practice cases.

#### *Investigate and prosecute hate crimes*

Hate crimes are a significant investigative priority because they impact not only the victims, but an entire community. In FY 2009, the FBI documented 6,598 hate crime incidents involving 8,336 victims and 7,775 offenses. Nearly 50 percent of these were motivated by racial bias. Conservative estimates indicate that the level of voluntarily reported hate crimes is less than half of the actual hate crimes that occur annually in the United States. According to the Bureau of Justice Statistics' National Crime Victimization Survey, there were 148,400 hate crimes in calendar year 2009. Eighty-seven percent of those crimes involved violence. Additionally, the terrorist acts of September 11, 2001 brought an increase of incidents of violence, threats,

and other forms of discrimination to Arabs, Muslims, Sikhs, and South Asians.

The Department's authority to prosecute hate crime cases expanded considerably with enactment of the "Matthew Shepard and James Byrd Jr. Hate Crime Prevention Act" in 2009. The Act allows federal prosecutions of hate crimes committed against victims because of their actual or perceived sexual orientation, gender, gender identity, or disability. With this expanded authority, the Department will actively work on a comprehensive implementation plan.

The Department will work in each district to coordinate the efforts of federal law enforcement agencies, state law enforcement agencies, state and local district attorneys responsible for hate crimes prosecutions, and community-based organizations. These organizations will evaluate the hate crime threats in the district, develop strategies to effectively deter and punish such crimes, and develop a means for reporting possible violations. The Department will also design and implement a nationwide training program for federal prosecutors, FBI agents, and state and local law enforcement officials, beginning in states that do not have hate crimes statutes. In addition, the Department will continue to support communities employing strategies to prevent and respond to alleged violent hate crimes committed on the basis of actual or perceived gender, gender identity, sexual orientation, religion or disability. DOJ will work with state and local government and law enforcement officials, private and public organizations, and community groups to mediate disputes, provide conflict resolution training, and help communities enhance their capacity to independently prevent and resolve future conflicts and hate crimes. Also, as necessary, DOJ conciliators will assist in restoring stability and accord to

communities following civil disorders or controversial interactions with law enforcement, or in initiating rumor control to prevent misinformation from spreading throughout a community.

#### *Ensure voting rights*

With the release of the 2010 census data, redistricting plans under Section 5 of the Voting Rights Act (VRA) are underway. Between early 2011 and the end of 2013, approximately 3,000 redistricting plans will be submitted for review by the Department, the majority of which will be received during the first 18 months after release of the census data. To prepare for this flood of activity, the Department has published new Section 5 guidelines, which provide a roadmap to state and local elected officials and other stakeholders on the Section 5 review process. The Department will update guidance on the legal standards that the Department will use for the review of redistricting plans to reflect changes in the law that were part of the 2006 reauthorization of the VRA.

In addition, Section 3 and Section 8 give the federal courts and the Attorney General, respectively, authority to certify counties for the assignment of federal observers. Federal observers will continue to monitor election-day practices at polling-places in response to concerns about discrimination in the voting process and to provide information about compliance with bilingual election procedures. Department staff may also be sent to monitor elections.

#### *Fight employment discrimination*

Under the Fair Housing Act, DOJ may start a lawsuit where it has reason to believe that a person or entity is engaged in a "pattern or practice" of discrimination or where a denial

of rights to a group of persons raises an issue of general public importance. Through these lawsuits, the Department can obtain both actual and punitive damages, for persons harmed by a defendant's discriminatory actions as well as injunctions to correct past discriminatory conduct or prevent further discriminatory conduct. The defendant may also be required to pay civil penalties to the United States. Pattern or practice cases are particularly important civil rights enforcement tools because they can lead to systemic reforms that remedy and prevent future discrimination, benefiting large numbers of minority and/or female applicants and employees. The Department is committed to the use of this tool on behalf of minorities and women. It will institute and apply principles for targeting employers most likely to be engaging in pattern or practice discrimination; monitor sources of information likely to lead to development of pattern or practice cases, such as media reports, interactions with stakeholders, and outreach to unions; train additional attorneys to develop and bring lawsuits under Section 707 of Title VII of the Civil Rights Act of 1964, including complex cases involving the statistical and validity evidence necessary to prove that employment practices have an unlawful disparate impact; identify opportunities to participate as persons not directly party to the case in appellate and Supreme Court cases addressing interpretation of the employment discrimination laws; and work with the Equal Employment and Opportunity Commission and the Department of Labor to leverage joint resources and improve the effectiveness of enforcement, including by collaborating on investigations, training, and development of policy.

### *Protect the rights of persons with disabilities*

The Americans with Disabilities Act (ADA) is an indispensable tool for combating discrimination against, and ensuring equal access for, individuals with disabilities. To enhance ADA enforcement, the Department will enforce its requirement of accessible public transportation by bringing cases to challenge inaccessible mainline transit and inadequate para-transit services; initiate litigation to ensure equal access for persons with disabilities in admissions testing, educational opportunities, employment and places of public accommodation; build on its successful enforcement of the accessible-new-construction provisions of the ADA by increasing attention to enforcement of the requirement that barriers to access be removed in pre-ADA buildings; and promulgate regulations implementing Titles II and III of the ADA, including regulations addressing the accessibility of medical equipment, movie theaters (e.g., captioning), next generation 911 systems, and websites.

### *Protect religious liberty*

The Department enforces a wide range of laws and civil rights statutes protecting religious liberty including: laws barring discrimination based on religion in employment, public education, housing, credit, and access to public facilities and public accommodations; laws barring zoning authorities from discriminating against houses of worship and religious schools; laws protecting the religious rights of institutionalized persons; and criminal statutes such as the Church Arson Prevention Act, which makes it a federal crime to attack persons or institutions based on their religion or otherwise interfere with religious exercise.

### **Objective 2.6: Protect the federal fisc and defend the interests of the United States**

This objective addresses the role of the Department as the Nation's largest law office and chief litigator which involves both defending and representing hundreds of United States' agencies, offices, and employees and defending against myriad challenges to federal laws, programs, and policies. This work is critical to protecting the federal fisc against unwarranted monetary claims and to ensuring the United States can continue to protect the Nation's security, maintain civil law and order, and ensure public safety. Accordingly, the Department will continue to fulfill these responsibilities by defending the Federal Government against monetary claims and challenges to its jurisdiction and authority, including the constitutionality of statutes passed by Congress.

Defensive litigation impacts virtually every aspect of the Federal Government's operations. The Department represents over 200 federal agencies, the U.S. Congress, and the federal treasury in litigation arising from a broad range of monetary claims against the government, including legal action related to domestic and foreign operations, American Indian litigation, commercial activities, entitlement programs, internal revenue activities, and environmental and conservation laws. The potential cost to the government and federal tax payers from these matters could be substantial, but through rigorous and fair representation, DOJ will continue to mitigate any potential losses and protect federal monies.



## Strategies to Achieve the Objective

### *Safeguard taxpayer dollars from monetary claims against the Federal Government*

As a policy matter, the Department settles matters based upon careful litigation risk analysis. The Department will settle cases when it is reasonable to do so and pursue litigation when necessary. It will strive to obtain a fair contribution to the settlement from third parties or non-parties who have an arguable obligation to underwrite the government. This will serve to minimize the portion of the settlement borne by the government in such cases and avoid further litigation over the issue.

While the Department resolves many cases through dispositive motions and trials, it resolves nearly half through settlements and voluntary dismissals. In addition, the Department has shifted some of its efforts from reactive litigation defense toward more proactive client counseling to avoid potential litigation and prevent unfavorable outcomes should cases proceed. These actions will continue in the future. The Department will also assist agencies in considering substantial administrative claims before they result in litigation. This will allow for identification of claims that should be settled at that stage, help agencies craft an effective denial letter that will dissuade the claimant from pursuing litigation, or, at a minimum, permit DOJ attorneys to become familiar with the dispute prior to a lawsuit being filed so that they can defend the litigation more effectively.

The Department will rigorously investigate the nature and extent of claimed injuries, available defenses, and mitigation of damages, using appropriate formal and informal mechanisms of discovery. It will

use appropriate and sophisticated motion practice to narrow issues and achieve early disposition of cases. Moreover, the Department will identify claims that need defending at trial and through appeal, if necessary, or negotiate a fair and just pre-trial resolution within the confines of the law.

The Department will continue to support the use of private alternative dispute resolution processes (primarily mediation) in strategic settlement of affirmative and defensive civil cases. The Department must also weigh the importance of promoting government interests against an interest in preserving the federal fisc through the encouragement of equitable and expeditious settlement as early as possible in the case.

Nearly one-third of civil cases in foreign courts involve defensive labor cases brought by employees of U.S. embassies and consulates. As a result, Department attorneys now serve as instructors at the DOS Foreign Affairs Institute to train human resources officers how to avoid potentially expensive labor-related lawsuits, prior to their foreign assignments. Given the frequency with which foreign courts award large judgments in labor cases where terminations have been ruled improper, this will help to avoid potential expenditures from the Judgment Fund or client agency budgets, as well as the considerable costs of the foreign counsel that represent the interests of the United States in court.

The Department will continue to independently review the merits of each case the Internal Revenue Service requests be brought or defended, to ensure that the government's litigating positions are consistent with applicable law and policy. The Department will encourage its attorneys to consider reasonable settlement offers (or complete government concessions, if

appropriate), and well-established settlement policies, including a separate office that will independently consider settlement offers in the largest and most complex cases. To effectively and efficiently collect the judgments it has obtained, the Department created Financial Litigation Units (FLUs), whose paralegals perform administrative collection functions, freeing FLU attorneys to conduct additional litigation required to effect judgment collection.

*Protect the integrity and ensure the effective operation of the Nation's bankruptcy system*

The Department promotes the integrity and efficiency of the bankruptcy system for the benefit of all stakeholders – debtors, creditors, and the public. The Department will continue to enforce the Bankruptcy Code and oversee the administration of bankruptcy cases, ranging from individual consumer cases to large corporate reorganizations. The Department possesses broad administrative, regulatory, and litigation authorities. It will identify, investigate, and prosecute bankruptcy fraud and abuse, including obtaining civil remedies for abuse by debtors as well as providing consumer protection to debtors who are victimized by attorneys, petition preparers, creditors and others who prey upon those in dire financial straits, in coordination with U.S. Attorneys and law enforcement agencies.

The U.S. Trustees have an affirmative duty to refer instances of possible criminal conduct to the U.S. Attorneys and to assist in prosecutions. The integrity of the bankruptcy system depends upon debtors to report honestly and accurately all their assets and liabilities when they file for bankruptcy protection. Criminal referrals from the U.S. Trustees show that bankruptcy crimes often are linked to other white collar crimes, such

as fraud in obtaining federally guaranteed mortgage loans, money laundering, identity theft, mail fraud, or wire fraud.

Collaboration with USAOs, FBI, fraud working groups, and task forces will continue in order to identify and investigate suspected violations of federal criminal laws.

The Department appoints and regulates private trustees who administer cases filed under chapters 7, 12, and 13. U.S. Trustees will continue to monitor the activities of these private trustees and employ electronic reporting systems and field audits to ensure the private trustees handle cases effectively and efficiently. This will entail maximizing the recovery of assets, promptly administering cases, accurately distributing funds to creditors, and conducting themselves in accordance with the law and high fiduciary standards. The Department will continue to train trustees and evaluate their overall performance, review their financial operations, ensure the effective administration of estate assets, and intervene to prevent loss of estate assets when instances of embezzlement, mismanagement, or other improper activity are uncovered.

Lastly, even though chapter 11 filings represent one percent of all bankruptcy filings, they often require urgent attention and ongoing oversight. The goal is to ensure chapter 11 debtors comply with the law, and move promptly to resolve their financial difficulties, and confirm a plan of reorganization. The Department will continue in this role, which is especially important in smaller chapter 11 cases where creditors lack a financial stake to participate actively, and complex chapter 11 cases involving multi-billion dollar corporations that raise novel legal issues.

*Support competitive markets by enforcing antitrust laws*

The Department will promote competition in the U.S. economy through enforcement of the antitrust laws and advocating on behalf of consumers and competition. There are two broad categories of work: criminal and civil. On the criminal side, the Department will focus on price-fixing conspiracies that harm U.S. consumers. These matters often transcend national boundaries, involve technologically advanced and subtle forms of criminal behavior, and increasingly impact U.S. businesses and consumers. The Department will employ international advocacy and coordination to help combat international cartels that target U.S. markets because of the breadth and magnitude of the harm that they inflict on American businesses and consumers. In civil matters, the Department will seek to promote competition by blocking potentially anticompetitive mergers and restricting anticompetitive activities such as group boycotts and exclusive dealing. The Department will seek to maintain the competitive structure of the national economy by investigating and litigating instances where monopoly power is sought, attained, or maintained through anticompetitive conduct and by seeking injunctive relief against mergers and acquisitions that may negatively impact competition. More specifically, the Department will continue to investigate, challenge, and prosecute the international price fixing on the part of the cartels' business arrangements that are potentially anticompetitive. The Department will do so while advancing procompetitive national and international laws, regulations, and policies. In addition, DOJ will guide and educate businesses, consumers, and counterpart agencies about antitrust law to increase their awareness and understanding.

The Department will continue to work toward bringing greater cooperation to international antitrust enforcement by facilitating international discussions on important issues and by building and reinforcing its bilateral and multilateral relationships. The Department will continue to intensify its day-to-day considerations of international issues in its criminal, merger, and civil non-merger investigations and enforcement actions. The result of these actions has been, and will continue to be, more frequent and active engagement with the Department's counterparts around the world in efforts to protect competition and consumers. The Department will also bring greater convergence, where appropriate, to the substantive standards that agencies around the world use in judging anticompetitive conduct. In addition, the Department will actively work with international organizations to encourage the adoption, regulation, and enforcement of competition laws as worldwide consensus that international cartel activity is pervasive and is victimizing consumers everywhere.

The Department will provide guidance and raise awareness of competition issues through its business review program, outreach efforts to business groups and consumers, and the publication of antitrust guidelines and policy statements aimed at particular industries or issues. The Department will reach as many companies, agencies, and other groups as possible. By providing them with detailed and specific guidance on the law, the Department will seek to promote competitive behavior and deter anticompetitive behavior.

*Support efforts to protect the environment and natural resources*

As the Nation's chief environmental litigator, the Department enforces federal pollution abatement laws to protect the environment of the United States and the health of its citizens. The Department also defends against suits challenging environmental and conservation laws, programs, and activities; represents the United States in all matters concerning the protection, use, and development of the Nation's natural resources and public lands; supports the Nation's military and national security interests; and litigates on behalf of Indian tribes and individual Indians. Prosecution will remain a cornerstone of the Department's integrated approach to ensure broad-based environmental compliance. Investigators and prosecutors will seek to discover and prosecute criminals before they cause substantial harm to the environment, resulting in serious health effects or economic damage to consumers or honest competitors.<sup>3</sup>

The Department will represent federal agencies in litigation and assist in the development of effective enforcement strategies that seek compliance with, and deter violation of, the Nation's environmental protection and conservation laws. The Department will address these issues by enforcing statutes designed to address the cleanup of hazardous waste sites; the management of hazardous wastes and used oil; the pollution of surface waters and the integrity of drinking water; the quality of air and the regulation of chemical substances and mixtures which present a risk

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<sup>3</sup> Office of Criminal Enforcement, U.S. Environmental Protection Agency. Memorandum from E. Devaney, "The Exercise of Investigative Discretion", Jan. 12, 1994

to human health and the environment; the regulation of pesticides; claims that wetlands or other U.S. waters have been filled without required Clean Water Act permits; and the regulation of ocean and coastal water. It will represent federal agencies such as the National Oceanic and Atmospheric Administration, the Fish and Wildlife Service, and the National Marine Fisheries Service in civil cases arising under the fish and wildlife conservation laws. This will include violations of the Endangered Species Act and the Marine Mammal Protection Act. The Department will also place a high priority on cases involving the protection of critical military and security operations while maintaining the Administration's commitment to the protection of the land and natural resources through robust enforcement of, and compliance with, the Nation's environmental laws. Additionally, the Department will maintain the integrity of the Nation's infrastructure and continue to enforce infractions involving pipeline integrity, leaky storage tanks, endangerment from chemical and manufacturing plants, and threats to public drinking water systems.

The Department will also strengthen its ability to convict those who commit environmental crimes and further deter environmental crimes by leading law enforcement initiatives involving terrestrial and marine oil spills, vessel pollution, wildlife smuggling, illegal disposal of electronic waste, laboratory fraud, and hazardous materials transportation. The Department will continue to conduct training, perform outreach, and engage in domestic and international cooperation and coordination efforts to combat environmental and wildlife crimes.

*Defend the Federal Government against challenges to its jurisdiction and authority, and defend the constitutionality of statutes passed by Congress*

The Department represents the U.S. Government in court in a number of ways. It represents the government in challenges and jurisdiction in the Supreme Court; defends the constitutionality and application of federal statutes, policies, and programs; defends federal agency officials and actions in challenges to executive orders, federal statutes, regulations, and administrative decisions; defends federal civil rights laws from constitutional challenges; enforces the Nation's tax laws fully, fairly, and consistently, through both criminal and civil litigation, in order to promote voluntary compliance with the tax laws, maintain public confidence in the integrity of the tax system, and promote the sound development of the law; and defends challenges to federal environmental and conservation programs and activities by representing the United States in all matters concerning the protection, use, and development of the Nation's public lands and natural resources.

The Department will continue to support the Attorney General in his role as legal adviser to the President and the rest of the Executive Branch. This includes advising the President concerning the appropriate disposition of applications for executive clemency, counseling interagency task forces and providing comments and consultation, and participating in proceedings before federal regulatory agencies to support adoption of the best designed forms of regulation where continued regulation is deemed necessary. Component officials will continue also to testify before Congress concerning the impact of proposed federal legislation.

In the area of national security, the Department will seek to continue its successes in federal courts reviewing habeas corpus petitions by prisoners seeking release from Guantanamo Bay and from facilities in Afghanistan. The Department also will defend the legality of efforts to crack down on terrorist organizations seeking funds via U.S. charities. It will continue to defend the constitutionality of FISA against legal challenges. All the while, the Department will defend the country's national security interests in a manner consistent with law.

In matters pertaining to land management, the Department represents federal land management agencies in challenges to regulatory and permits activities which impact public lands. It will defend decisions concerning oil and gas leasing on public lands, as well as other actions which land management agencies take in fulfillment of their multiple use mandates.

### **Strategic Goal 3: Ensure and Support the Fair, Impartial, Efficient, and Transparent Administration of Justice at the Federal, State, Local, Tribal, and International Levels**

All levels of law enforcement – international, federal, state, local, and tribal – as well as the Intelligence Community and partners in industry and academia, look to DOJ for leadership and assistance. The Department will continue to maintain and enhance existing partnerships, develop new relationships, and work with organizations at all levels to achieve common operational objectives. Through strong relationships, all participants will enhance and benefit from the collective knowledge and understanding of the values inherent in the American justice system.