U.S. Department of Justice
FY 2018 PERFORMANCE BUDGET
Congressional Submission

General Administration
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I. Overview of General Administration

For the General Administration (GA), the Department of Justice (DOJ) requests a total of 441 permanent positions (147 attorneys), 426 FTE (68 reimbursable), and $114.0 million for FY 2018. This request represents an increase of $2.7 million from the FY 2017 Continuing Resolution. Electronic copies of the Department of Justice’s Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: http://www.justice.gov/02organizations/bpp.htm.

For GA, the primary mission is to support the Attorney General and DOJ senior policy level officials in managing Department resources and developing policies for legal, law enforcement, and criminal justice activities. GA also provides administrative support services to the legal divisions and policy guidance to all Department organizations. GA’s mission supports every aspect of the DOJ strategic plan. Most GA offices have significant oversight responsibilities that shape DOJ policy and influence the way the Department works toward meeting each of its strategic goals.

GA consists of four decision units:

- **Department Leadership**
  - Attorney General, Deputy Attorney General, Associate Attorney General
  - Privacy and Civil Liberties, and
  - Rule of Law
  - Office for Access to Justice

- **Intergovernmental Relations and External Affairs**
  - Public Affairs
  - Legislative Affairs, and
  - Tribal Justice

- **Executive Support and Professional Responsibility**
  - Legal Policy
  - Professional Responsibility
  - Information Policy, and
  - Professional Responsibility Advisory Office

- **Justice Management Division**

**Department Leadership**

These offices develop policies regarding the administration of justice in the United States, and direct and oversee the administration and operation of the Department’s bureaus, offices, and divisions to ensure DOJ’s success in meeting its strategic goals. These offices also provide advice and opinions on legal issues to the President, members of Congress, and the heads of Executive Departments and Agencies.
Intergovernmental Relations and External Affairs
These offices conduct legal and policy analysis of the initiatives necessary for DOJ to meet its strategic goals, and in the many areas in which the Department has jurisdiction or responsibilities. They also act as liaison with federal, state, local and tribal governments, law enforcement officials, the media and Congress on Department activities.

Executive Support and Professional Responsibility
These offices plan, develop, and coordinate the implementation of major policy initiatives of high priority to the Department and to the administration and represent the Department in the administration’s judicial process for Article III judges. These offices also oversee the investigation of allegations of criminal and ethical misconduct by DOJ’s attorneys, criminal investigators, or other law enforcement personnel and encourage compliance with the Freedom of Information Act.

Justice Management Division (JMD)
JMD provides advice to senior DOJ officials and develops departmental policies in the areas of management and administration, ensures compliance by DOJ components with departmental and other federal policies and regulations, and provides a full range of management and administration support services.

Environmental and Sustainability Services (ESS) is a program responsibility that falls under the Justice Management Division. The duties of this program are:
- To provide guidance for Department compliance on legislation, executive orders, and other regulations
- To provide leadership and support to DOJ components
- To develop and implement DOJ environmental and energy policies and management plans
- To ensure the Department complies with the DOJ occupational safety and health order
- To represent DOJ at interagency workgroups to meet the various regulatory mandates and
- To ensure DOJ participation in the climate resilience and adaptation planning effort

There are three primary Executive Orders (EOs) that govern the activities under ESS areas:
- EO 13693 – “Planning for Federal Sustainability in the next Decade”
- EO 12196 – “Occupational Safety and Health Programs for Federal Employees,” and

There are also five key pieces of legislation that guide ESS activities:
- Energy Policy Act (EPAct) of 2005
- Environmental Regulations, Title 40 Code of Federal Regulations (C.F.R.), Protection of Environment, July 1, 2002
• The Occupational Safety and Health Act of 1970, and
• 29 C.F.R. Part 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs

EO 13693 requires federal agencies to annually submit the Strategic Sustainability Performance Plan (SSPP) to the Council on Environmental Quality (CEQ) Chair and the Director of the Office of Management and Budget (OMB). The SSPP integrates previous EOs, statutes, and requirements into a single framework that details the agency strategy for achieving goals and targets required. The SSPP explains how the agency will progress from today toward achieving each goal. The Department is going to submit the SSPP on June 30, 2017. There are ten goals and one additional plan under the Department’s SSPP.

• GOAL 1: Greenhouse Gas (GHG) Reduction and Energy Savings
• GOAL 2: Sustainable Buildings
• GOAL 3: Clean & Renewable Energy
• GOAL 4: Water Use Efficiency and Management
• GOAL 5: Fleet Management
• GOAL 6: Sustainable Acquisition
• GOAL 7: Pollution Prevention and Waste Reduction
• GOAL 8: Energy Performance Contracts
• GOAL 9: Electronic Stewardship and Data Centers
• GOAL 10: Climate Change Resilience

Additional plans: Fleet Management Plan

In addition to having the lead on coordinating efforts to meet the SSPP goals for the Department, ESS also has responsibility for the following:

• Coordinating and submitting the SSPP to CEQ/OMB annually in June – due June 30, 2017, and will submit an update in June 2018.
• Implementing an Electronic Stewardship Program to include acquisition, operations and maintenance and disposal of electronic products.
• Submitting Department GHG inventory to CEQ and OMB annually in January – submitted on January 29, 2017.
• Submitting the Department OMB scorecard semiannually to OMB (January and July) and following through with bureaus and components for improvement. Submitted the OMB scorecard on January 29, 2017 and will submit a progress report in June 2017.
• Implementing and updating the status of the Energy Savings Performance Contracts (ESPC) to OMB monthly through the end of 2017. Submit the ESPC contracts’ status in the OMB scorecard on January 29, 2017, and update status monthly into OMB Max.
• Responding to internal and external customer concerns regarding environmental, health and safety program areas.
• Working closely with the Procurement Policy and Review Group in the sustainable acquisitions program area. Monitor Procurement Guidance Document: Requirement
to incorporate Biobased Terms and Conditions in Solicitations, purchase Electronic Product Environmental Assessment Tool and Energy Star products and Green Acquisition Plan.

- Implementing a department-level higher-tier Environmental Management System (EMS) as the primary management approach for addressing environmental aspects of internal agency operations and activities, including environmental aspects of energy and transportation functions to achieve the sustainability goals.
- Leading the safety program for the Offices, Boards, and Divisions.
- Composing the annual Department Occupational Safety and Health Administration report, which will be submitted to the Department of Labor – due in May 2017.
- Conducting safety evaluations for the Bureaus, Offices, Boards, and Divisions.
- Providing oversight and acting as a safety resource for all DOJ employees, including safety training and ergonomic evaluation support.
II. Summary of Program Changes – No program changes
III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

For expenses necessary for the administration of the Department of Justice, $114,000,000 [125,896,000], of which not to exceed $4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

Analysis of Appropriations Language

No substantive changes proposed.
IV. Decision Unit Justification

A. Department Leadership

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1. Program Description

The Department Leadership decision unit includes:
- Office of the Attorney General
- Office of the Deputy Attorney General
- Office of the Associate Attorney General
- Office of Privacy and Civil Liberties
- Rule of Law Office
- Office for Access to Justice

The general goals and objectives of the Department Leadership decision unit are:
- Advise the President on Constitutional matters and legal issues involving the execution of the laws of the United States.
- Formulate and implement policies and programs that advise the administration of justice in the United States.
- Provide executive-level leadership in:
  - preventing terrorism
  - the war on drugs
  - combating violent crimes
  - investigating and prosecuting fraud and other white collar crimes
  - diminishing prison overcrowding, and
  - enforcing environmental and civil rights laws
- Provide executive-level oversight and management of:
  - international law enforcement training and assistance
  - financial institutions reform, recovery, and enforcement programs, and
  - investigative policy
- Coordinate criminal justice matters with federal, state, and local law enforcement and criminal justice agencies.
- Prepare and disseminate an Annual Report to the Congress and the public regarding the programs and accomplishments of the Department of Justice.
- Develop, review, and oversee the Department’s privacy policies and operations to ensure privacy compliance.
The Attorney General (AG), as head of the DOJ, is the nation’s chief law enforcement officer and is appointed by the President and confirmed by the Senate. The AG furnishes advice and opinions on legal matters to the President, the Cabinet and to the heads of the executive departments and agencies of the government, as provided by law, and makes recommendations to the President concerning appointments within the Department, including U.S. Attorneys and U.S. Marshals. The AG appears in person to represent the Federal Government before the U.S. Supreme Court in cases of exceptional gravity or importance, and supervises the representation of the government in the Supreme Court and all other courts, foreign and domestic, in which the United States is a party or has an interest as may be deemed appropriate. The AG supervises and directs the administration and operation of the DOJ, including the Federal Bureau of Investigation; Drug Enforcement Administration; Bureau of Alcohol, Tobacco, Firearms and Explosives; Bureau of Prisons; Office of Justice Programs; U.S. Attorneys; and U.S. Marshals Service.

The Deputy Attorney General (DAG) advises and assists the AG in formulating and implementing Department policies and programs and in providing overall supervision and direction to all organizational units of the Department. The DAG is appointed by the President and confirmed by the Senate and is second in command of the Department. The DAG exercises all the power and authority of the AG unless any such power of authority is required by law to be exercised by the AG personally or has been specifically delegated exclusively to another Department official. The DAG exercises the power and authority vested in the AG to take final action in matters specifically pertaining to:

- the employment, separation, and general administration of personnel in the Senior Executive Service (SES) and of attorneys and law students regardless of grade or pay
- the appointment of special attorneys and special assistants to the AG
- the appointment of Assistant U.S. Trustees and fixing of their compensation, and
- the approval of the appointment by U.S. Trustees of standing trustees and fixing of their maximum annual compensation and percentage fees as provided in 28 U.S.C. 586 (e)

The DAG also coordinates departmental liaison with White House staff and the Executive Office of the President, and coordinates and controls the Department’s reaction to terrorism and civil disturbances.

The Associate Attorney General (AAG) is appointed by the President and is subject to confirmation by the Senate. As the third-ranking official of the Department, the AAG is a principal member of the AG’s senior management team and advises and assists the AG and DAG on the formulation and implementation of DOJ policies and programs. In addition to these duties, the AAG oversees the work of the following divisions:

- Antitrust
- Civil
- Civil Rights
- Environment and Natural Resources, and
- Tax Division
This office also has oversight responsibility for:

- the Office of Justice Programs
- the Office of Community Oriented Policing Services
- the Community Relations Service
- the Office on Violence Against Women
- the Office of Information Policy
- the Executive Office for U.S. Trustees, and
- the Foreign Claims Settlement Commission

The Office of Privacy and Civil Liberties (OPCL) supports the Department’s Chief Privacy and Civil Liberties Officer (CPCLO), who serves in the Office of the Deputy Attorney General and is the principal advisor to Department leadership and components on privacy and civil liberties matters affecting the Department’s missions and operations. The CPCLO determines the Department’s privacy policy and standards, consistent with applicable law, regulation, and Administration policy. OPCL works with the CPCLO and supports the fulfillment of the CPCLO’s statutory duties set forth in Section 1174 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 and Section 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007. OPCL’s primary mission is to implement the Department’s privacy policies relating to the protection of individual privacy and civil liberties, including in the context of the Department’s counterterrorism, cybersecurity, and law enforcement efforts, and to ensure Department compliance with federal information privacy laws and requirements. OPCL works with the Administration, Congress, the Privacy and Civil Liberties Oversight Board, and other executive branch agencies on high priority privacy and civil liberties issues affecting the Federal Government. OPCL is responsible for:

- providing legal and policy guidance on privacy and civil liberties issues
- reviewing proposed legislation and initiatives that impact privacy issues
- providing privacy training
- reviewing privacy redress and complaint issues, and
- fulfilling the Department’s various privacy reporting requirements

In March 2007, pursuant to his responsibilities under 22 U.S.C 3927 and 2656, the U.S. Ambassador in Iraq reorganized all civilian and law enforcement efforts supporting Rule of Law in Iraq under a single authority, and named a senior Justice Department official as the Rule of Law (ROL) Coordinator at the Embassy. The ROL Coordinator provided oversight for more than 80 personnel under Chief of Mission authority, coordinated these efforts with United States Forces-Iraq to ensure a unified effort, and served as an advisor to the Ambassador on justice-related issues. In December 2011, with the final withdrawal of all U.S. forces from Iraq and the normalization of the U.S. Embassy in Baghdad, DOJ made the transition from the leadership role for ROL development in Iraq under the DOJ-led Office of the ROL Coordinator to a smaller, more-focused mission supervised by the Office of the Justice Attaché. The Justice Attaché position is the senior DOJ official in Iraq (deployed from the Office of the Deputy Attorney General (ODAG)) and is responsible for the Embassy’s liaison relationship with the Iraqi court system and the Ministry of Justice, Iraq-related operational matters within Iraqi or U.S. courts, and the coordination of DOJ-implemented capacity building programs.
The primary focus of the Office for Access to Justice is to help the justice system efficiently deliver outcomes that are fair and accessible to all, irrespective of wealth and status. The Office’s staff works within DOJ, across federal agencies, and with state, local, and tribal justice system stakeholders to increase access to counsel and legal assistance and to improve the justice delivery systems that serve people who are unable to afford lawyers.

B. Intergovernmental Relations/External Affairs

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1. Program Description

The Intergovernmental Relations/External Affairs decision unit includes:

- Office of Public Affairs
- Office of Legislative Affairs and
- Office of Tribal Justice

The general goals and objectives of the Intergovernmental Relations/External Affairs decision unit are to:

- Improve the process of reviewing and clearing through the Department legislative proposals initiated by other agencies within the Administration.
- Maintain an efficient and responsive legislative liaison service operation.
- Provide support in advancing the Administration's overall legislative agenda.
- Assure policy consistency and coordination of Departmental initiatives, briefing materials, and policy statements.
- Disseminate timely, accurate information about the Department, the AG and the Administration's law enforcement priorities, policies and activities to the media and the general public.
- Enhance and promote the enforcement goals of the Department by distributing news releases, coordinating press conferences, telephone and video conferences to announce indictments, settlements, and statements on civil rights, environmental, criminal, antitrust, and other Department enforcement activities.
- Ensure that all applicable laws, regulations and policies involving the release of information to the public are followed so that material is not made public that might jeopardize investigations and prosecutions, violate rights of defendants or potential defendants or compromise national security interests.
- Promote internal uniformity of Department policies and litigating positions relating to Indian country.
Advise Department components litigating, protecting or otherwise addressing Native American rights and/or related issues.

The Office of Public Affairs (PAO) is the principal point of contact for DOJ with the media. PAO is responsible for ensuring the public is informed about the Department’s activities and the priorities and policies of the AG with regard to law enforcement and legal affairs. Its staff advises the AG and other Department officials on all aspects of media relations and general communications. PAO also:

- coordinates with the public affairs units of Departmental components and U.S. Attorneys’ Offices
- prepares and issues Department news releases and frequently reviews and approves those issued by components
- serves reporters assigned to the Department by responding to queries, issuing news releases and statements, arranging interviews and conducting news conferences
- ensures that information provided to the media by the Department is current, complete and accurate, and
- ensures that all applicable laws, regulations and policies involving the release of information to the public are followed so that the maximum disclosure is made without jeopardizing investigations and prosecutions, violating rights of individuals or compromising national security interests

The Office of Legislative Affairs (OLA) has responsibility for devising and implementing legislative strategies to carry out Department initiatives that require congressional action. OLA also articulates the views of the Department and its components on proposed legislation and handles the interagency clearance process for the Department with respect to views letters, congressional testimony, and other expressions of Administration policy. OLA responds on behalf of the Department to requests and inquiries from congressional committees, individual Members of Congress, and their staffs. It coordinates congressional oversight activities involving the Department and the appearance of Department witnesses before congressional committees. OLA also participates in the Senate confirmation process for Federal judges and Department nominees, including Assistant Attorneys General and United States Attorneys.

There are over 54 million acres of Indian country, the majority of which is under federal jurisdiction. Hundreds of federal cases, in addition to other conflicts needing resolution are generated in this area each year. The Office of Tribal Justice (OTJ) is responsible for serving as the primary point of contact between the 566 federally recognized tribes and the Department in these matters. OTJ coordinates these complex matters, the underlying policy, and emerging legislation between more than a dozen DOJ components active in Indian country. External coordination with numerous federal agencies, including the Departments of Interior, Health and Human Services, and Homeland Security, as well as the Congress is another of OTJ’s duties. OTJ also provides legal expertise in Indian law to the Department in those matters that progress to the Appellate level, or issues being considered for legislation.
C. Executive Support/Professional Responsibility

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1. Program Description

The Executive Support/Professional Responsibility decision unit consists of:
- Office of Legal Policy
- Office of Professional Responsibility
- Office of Information Policy, and
- the Professional Responsibility Advisory Office

The general goals and objectives of this decision unit are to:
- Improve the Department's efficacy in providing substantive and timely input on the Administration's law enforcement initiatives as well as other legislative proposals affecting Department responsibilities.
- Handle the processing of judicial and other nominations efficiently and responsively.
- Oversee the investigation of allegations of criminal and ethical misconduct by the Department’s attorneys, criminal investigators, or other law enforcement personnel.
- Assist Department components in processing Freedom of Information Act (FOIA) requests from the public, as well as promote effective FOIA operations across the Executive Branch.

The Office of Legal Policy (OLP) develops and coordinates the implementation of policy initiatives of high priority to the Department and the Administration; represents the Department in the Administration’s judicial process for Article III judges; and reviews and coordinates all regulations promulgated by the Department and its components. OLP is headed by an Assistant Attorney General who is appointed by the President and confirmed by the Senate. OLP also absorbed the functions of the Office of Dispute Resolution (ODR) in FY 2012 from the General Legal Activities appropriation. The mission of ODR is to promote and facilitate the broad and effective use of alternative dispute resolution processes in settling litigation handled by DOJ and in resolving administrative disputes throughout the Executive Branch.

The Office of Professional Responsibility (OPR), which reports directly to the AG, is responsible for investigating allegations of misconduct by DOJ attorneys in their duties to investigate, represent the government in litigation, or provide legal advice. In addition, OPR has jurisdiction to investigate allegations of misconduct by law enforcement personnel when they are related to allegations of attorney misconduct within the jurisdiction of OPR. OPR’s primary objective is to ensure that DOJ attorneys continue to perform their duties in accordance with the high professional standards expected of the nation’s principal law enforcement agency. OPR is
headed by the Counsel for Professional Responsibility, who is a career government official. Under the Counsel’s direction, OPR reviews allegations of attorney misconduct involving violation of any standard imposed by law, applicable rules of professional conduct, or departmental policy. When warranted, OPR conducts full investigations of such allegations and reports its findings and conclusions to the Attorney General and other appropriate Department officials. OPR also serves as the Department’s contact with state bar disciplinary organizations. The objectives of OPR are different from the Office of the Inspector General (OIG) in that OPR focuses on allegations of misconduct which affect the ability of the Department to investigate, litigate, or prosecute, while the OIG focuses on allegations of waste and abuse and other matters which do not implicate the ability of the Department to investigate, litigate or prosecute.

The Office of Information Policy (OIP) was established to provide guidance and assistance to all government agencies in administering the Freedom of Information Act (FOIA). Originally part of the Office of Legal Counsel and later the Office of Legal Policy, OIP became an independent office in 1993. OIP is responsible for encouraging agency compliance with the FOIA and for overseeing agency implementation of that law. To carry out those responsibilities OIP develops legal and policy guidance for agencies, publishes the *Department of Justice Guide to the FOIA*, conducts multiple training sessions, and provides counseling services to help agencies properly implement the law. OIP also establishes reporting requirements for all agencies and conducts assessments of their progress in implementing the FOIA. In addition to these government-wide responsibilities, OIP adjudicates, on behalf of the Department, administrative appeals from denials of access to information made by the Department’s components, processes initial requests made for the records of the Senior Leadership Offices, and handles the defense of certain FOIA litigation cases.

The Professional Responsibility Advisory Office (PRAO) is responsible for providing professional responsibility advice and training to all Department attorneys, including United States Attorneys and Assistant United States Attorneys, on how they may carry out their duties in compliance with the applicable rules of professional conduct. PRAO serves as a liaison with state and federal bar associations relating to the implementation and interpretation of the rules of professional conduct. PRAO coordinates with the litigating components of the Department to defend all Department attorneys in any disciplinary or other hearings concerning allegations of professional misconduct. PRAO assembles and maintains the professional responsibility rules, interpretative decisions and bar opinions of every state, territory and the District of Columbia. PRAO’s Director is a career government senior executive.
D. Justice Management Division

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1. Program Description

The Justice Management Division (JMD), under the direction of the Assistant Attorney General for Administration, provides advice and assistance to senior management officials relating to basic Department policy for budget and financial management, personnel management and training, facilities, procurement, equal employment opportunity, information processing, records management, security, and all other matters pertaining to organization, management and administration. JMD provides direct administrative support services such as personnel, accounting, procurement, library, budget, facilities and property management to offices, boards and divisions of the Department and operates several central services, such as automated data processing and payroll, on a reimbursable basis through the Working Capital Fund. The Division collects, organizes, and disseminates records information that is necessary for the Department to carry out its statutory mandate and provides general research and reference assistance regarding information to Department staff, other government attorneys, and members of the public.

The major functions of JMD are to:

- Review and oversee management functions, programs, operating procedures, supporting systems and management practices.
- Supervise, direct, and review the preparation, justification, and execution of the Department’s budget, including the coordination and control of the programming and reprogramming of funds.
- Review, analyze, and coordinate the Department’s programs and activities to ensure that the Department’s use of resources and estimates of future requirements are consistent with the policies, plans, and mission priorities of the Attorney General.
- Plan, direct, and coordinate department-wide personnel management programs and develop and issue department-wide policy in all personnel program areas.
- Direct department-wide financial management policies, internal controls, programs, procedures, and systems including financial accounting, planning, analysis, and reporting.
- Formulate and administer the GA appropriation of the Department’s budget.
- Plan, direct, administer, and monitor compliance with department-wide policies, procedures, and regulations concerning:
  - records
  - reports
• Procurement
• Printing
• Graphics
• Audiovisual activities
• Forms management
• Supply management
• Motor vehicles
• Real and personal property
• Space assignment and utilization
• Employee health and safety programs, and
• Other administrative services functions

• Direct all Department security programs including:
  • Personnel
  • Physical
  • Document
  • Information processing
  • Telecommunications, and
  • Special intelligence

• Formulate and implement Department defense mobilization and contingency planning.
• Review legislation for potential impact on the Department’s resources.
• Establish policy and procedures related to debt collection and asset forfeiture.
• Direct the Department’s ethics program by administering the ethics laws and regulations and coordinating the work of the deputy ethics officials throughout the Department, including issuing advice, providing ethics briefings, and reviewing financial disclosure reports.
# Decision Unit: Justice Management Division

## Performance and Resources Table

<table>
<thead>
<tr>
<th>RESOURCES</th>
<th>Target</th>
<th>Actual</th>
<th>Projected</th>
<th>Changes</th>
<th>Requested (Total)</th>
<th>Performance and Resources Table</th>
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### Notes
- Ensure components have current COOP plans
- Budget and Performance Integration
- Monitor Budget & Performance Goals Quarterly for all Accounts
- Secure and Consolidated Facilities
- Number of Security Compliance Reviews/Follow-Ups Completed
- Number of Employee/Contractor Adjudications Completed
- Ensure there are sufficient replacement workers for separations (ratio)
- Reduce percentage of permanent employees separating with less than one year of service
- Program Activity: Human Capital
- Number of Personnel Actions
- Number of Whistleblower Case Issuances
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</table>

Measures were adjusted in the FY 2013 submission to align with reporting on the quarterly status report.

N/A = Data unavailable
Performance, Resources, and Strategies

The mission of JMD is “Serving Justice by Securing Results with Strategic Counsel.” JMD’s performance measures are centered on our mission and organized in the following performance areas:

- **Human Capital** - to recruit, hire, train, appraise, reward, and retain a highly qualified and diverse workforce to achieve DOJ’s mission objectives.

- **Budget and Performance** - to manage DOJ resources using integrated budget and performance criteria.

- **Secure and Consolidated Facilities** - to maximize space utilization and ensure safe and secure facilities.
VI. EXHIBITS