

U.S. DEPARTMENT OF JUSTICE OVERVIEW

Organization: Led by the Attorney General, DOJ is comprised of 42 components, which cover a variety of responsibilities. DOJ prosecutes federal law offenders and represents the U.S. Government in court; its attorneys represent the rights and interests of the American people and enforce federal criminal and civil laws, including antitrust, civil rights, environmental and tax laws; its immigration judges ensure speedy justice for detainees; its special agents investigate organized and violent crime, illegal drugs, gun and explosives violations; its deputy marshals protect the federal judiciary, apprehend fugitives and transport persons in federal custody; its correctional officers confine convicted federal offenders and detain illegal immigrants. DOJ also provides grants and training to state, local, and tribal law enforcement partners; and brings together national security, counterterrorism, counterintelligence and foreign intelligence surveillance operations under a single authority.

Thomas Jefferson once wrote, "The most sacred of the duties of government [is] to do equal and impartial justice to all its citizens." This sacred duty to fulfill the promise of justice for all remains the guiding ideal for the men and women of the Department in carrying out their mission:

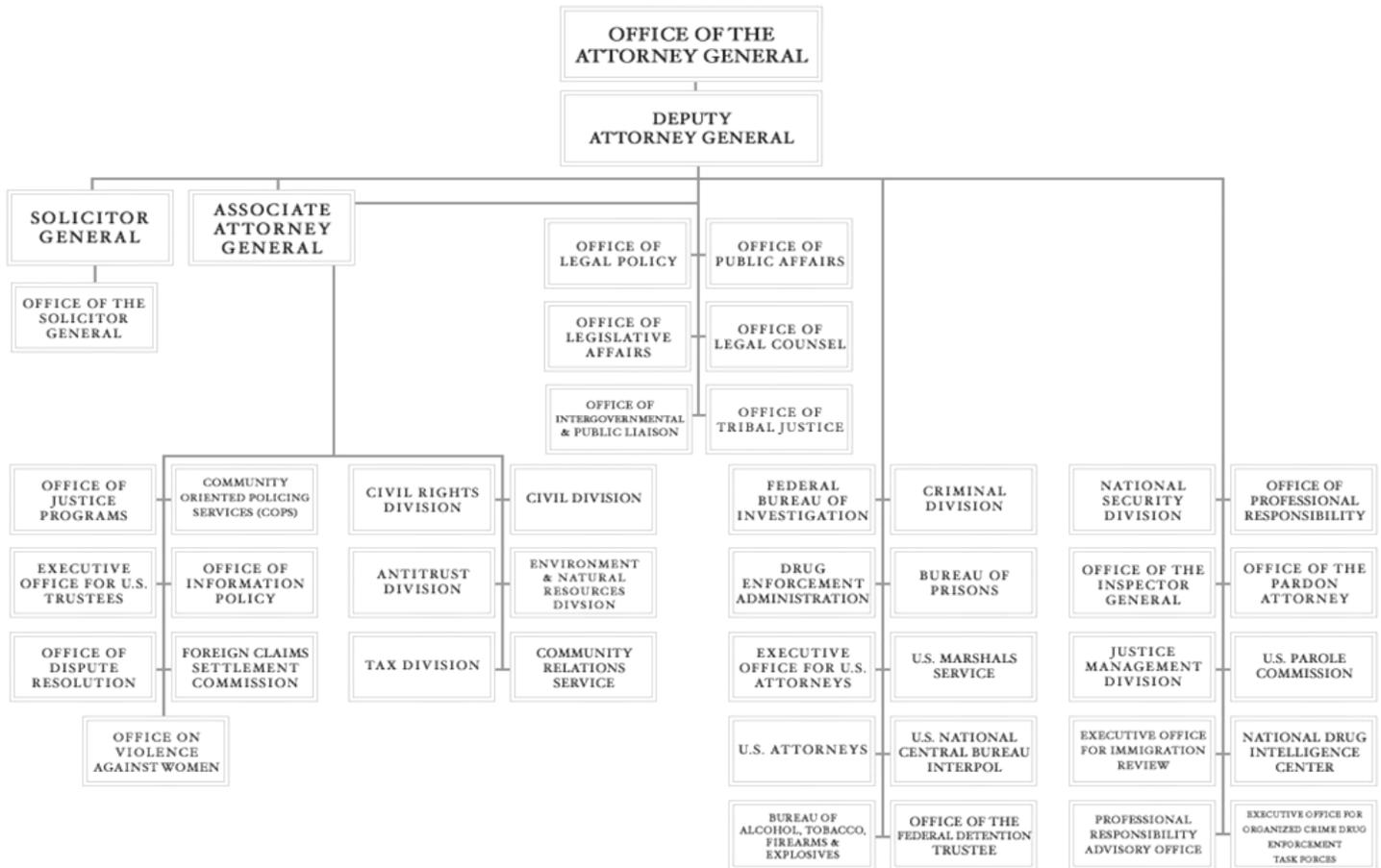
"To enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and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

Statutory Authority: The Judiciary Act of 1789, ch. 20, sec. 35, 1 Stat. 73, 92-93 (1789) created the Office of the Attorney General. In 1870, after the post-Civil War increase in the amount of litigation involving the United States necessitated the very expensive retention of a large number of private attorneys to handle the workload, a concerned Congress passed the Act to Establish the Department of Justice, ch. 150, 16 Stat. 162 (1870) setting it up as "an executive department of the government of the United States" with the Attorney General as its head. Officially coming into existence on July 1, 1870, the Department of Justice, pursuant to the 1870 Act, was to handle the legal business of the United States. The Act gave the Department control over all criminal prosecutions and civil suits in which the United States had an interest. In addition, the Act gave the Attorney General and the Department control over federal law enforcement. To assist the Attorney General, the 1870 Act created the Office of the Solicitor General.

The 1870 Act is the foundation upon which the Department of Justice still rests. However, the structure of the Department of Justice has changed and expanded over the years, with the addition of the Deputy Attorney General and the Associate Attorney General, as well as the formation of the components. Unchanged is the steadily increasing workload of the Department. It has become the world's largest law office and the central agency for enforcement of federal laws.

Organization Chart:

U.S. DEPARTMENT OF JUSTICE



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ATTORNEY GENERAL

DATE:

Apr. 30, 2010



U.S. Department of Justice (DOJ)

FY 2012 Budget Request At A Glance Discretionary Budget Authority

FY 2011 CR:	\$27.7 billion (111,998 positions)
Current Services Adjustments:	+\$987.2 million
Program Changes:	-\$518.9 million
FY 2012 Budget Request:	\$28.2 billion (114,903 positions)
Change from FY 2011 CR:	+\$468.2 million (+1.7%) (+2,905 positions)

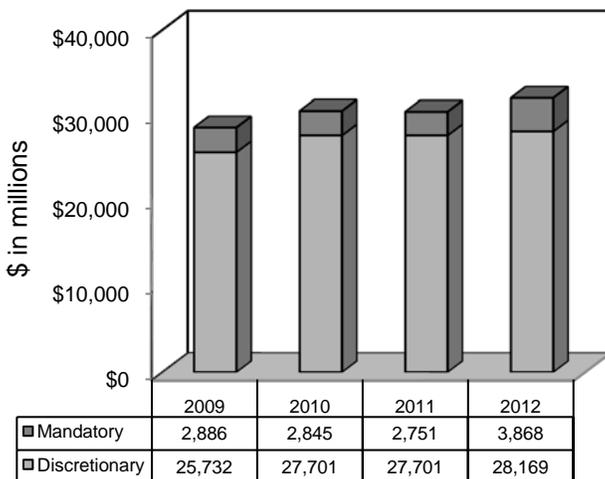
Resources:

The Department of Justice's (DOJ) 2012 Budget totals \$28.2 billion in discretionary budget authority, which is \$468.2 million or 1.7 percent above the FY 2011 CR level. The Budget is comprised of \$987.2 million in adjustments to maintain current services, as well as net program changes totaling -\$518.9 million, including \$1.4 billion for program increases and \$2.0 billion in program offsets. The 2012 DOJ budget delineated by category is law enforcement (46%); litigation (11%); prisons and detention (30%); administration/ technology/other (2%); and grants (11%). In addition, DOJ is estimated to receive \$3.9 billion in mandatory resources in FY 2012.

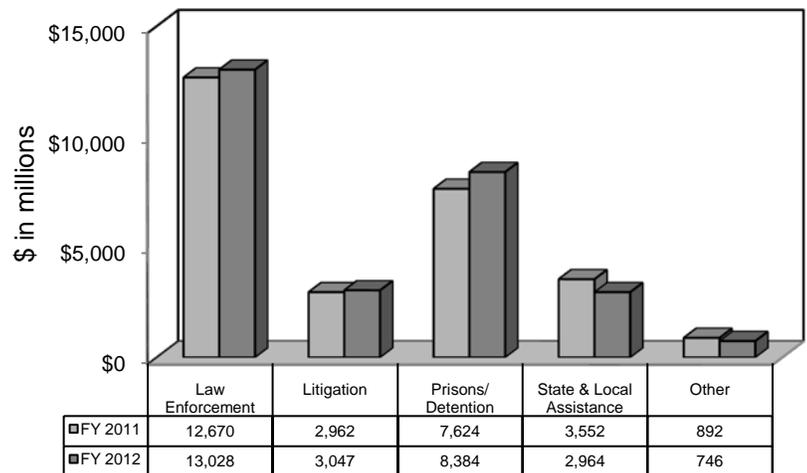
Personnel:

DOJ's FY 2012 request includes 114,903 authorized positions (direct only), which is an increase of 2,905 positions over the FY 2011 CR level. The workforce is comprised of: Agents (over 26,000 or 24%); Attorneys (nearly 11,000 or 10%); Correctional Officers (over 20,000 or 18%); Intelligence Analysts (over 4,000 or 4%); and Other (over 50,000 or 44%). "Other" captures administrative, clerical, analysts, information technology specialists, legal services, and security specialists. Of the 114,903 authorized positions, 1,116 are located in foreign countries.

Funding (FY 2009 – 2012)



Budget by Category



Note: FY 2011 mandatory funding decreases from FY 2010 for AFF and DCFA, based on revised estimates.

Financial Performance Snapshot 2010

Clean Opinion on Financial Statements	Yes	Material Weaknesses	0
Timely Financial Reporting	Yes	Total Assets	\$40,091
Improper Payment Rate	0.034%	Net Operating Costs	\$31,485
Total Liabilities	\$10,575		

2012 BUDGET SUMMARY

The 2012 Budget request provides the necessary resources to strengthen national security, preserve the Department's traditional missions, maintain prisons and detention, and assist our state, local and tribal law enforcement partners. The Budget identifies efficiencies and savings while maintaining the President's and the Attorney General's priorities for the U.S. Department of Justice (DOJ or Department).

To this end, the 2012 Budget requests \$28.2 billion in gross discretionary budget authority for DOJ. After \$7.3 billion in scorekeeping adjustments, the 2012 Budget totals \$20.9 billion in net discretionary budget authority.

Compared to the FY 2011 Continuing Resolution (CR) level, the 2012 Budget represents a 1.7 percent increase in discretionary budget authority and an increase of 2,905 positions. Of the \$28.2 billion requested, an increase of \$987.2 million maintains current services, including resources to make permanent \$212.0 million of the funding provided in 2009 and 2010 emergency supplemental appropriations (Financial Fraud, Southwest Border, Counterterrorism, and Deepwater Horizon Oil Spill). An additional \$1.4 billion in program increases are requested to fund National Security (\$128.6 million), Traditional Missions (\$57.4 million), Prisons and Detention (\$461.4 million), and State, Local and Tribal Law Enforcement Assistance (\$786.4 million). The 2012 Budget proposes to fund investments in these key priorities in a fiscally responsible manner, and identifies about \$2.0 billion in administrative efficiencies, programmatic savings, and rescissions from balances.

Funding Highlights:

- Maintains and provides targeted increases for the Department's national security programs, which are critical for countering the threat of terrorism.
- Supports the continued robust efforts to crack down on financial fraud, which have already brought charges for fraud schemes that have cost victims more than \$8 billion in estimated losses nationwide.
- Maintains litigation efforts and ongoing investigations regarding the Deepwater Horizon oil spill.
- Supports core law enforcement functions, including support for efforts along the Southwest border.
- Streamlines programs and redirects funding to improve the capabilities of Department of Justice law enforcement agents.
- Addresses the Federal prison population through sentencing reform and expanded re-entry programming.
- Continues to strengthen state, local and tribal criminal justice programs with almost \$3 billion in discretionary assistance for police hiring, general purpose criminal justice assistance, violence against women programs, and other initiatives.

The Budget prioritizes key areas of Federal law enforcement including FBI operations, corrections officers, and prosecution. In order to eliminate redundancies and target resources, the Budget streamlines a number of law enforcement programs. Sentencing reforms are made to help stabilize the growth of the prison population and address associated long-term costs. Due to the tight fiscal constraints, important trade-offs were necessary in state and local grants, which are reduced a total of \$588 million from the 2010 enacted level. While the Budget includes several program increases to grant programs from the 2010 level,

	(\$000)
2011 Continuing Resolution	\$27,700,551
Continue Existing Mission:	987,155
<i>Technical Adjustments</i>	70,409
<i>Base Increases</i>	1,144,365
<i>Base Decreases</i>	(227,619)
2012 Current Services	\$28,687,706
2012 Program Increases:	1,433,785
<i>National Security</i>	128,636
<i>Traditional Missions</i>	57,406
<i>Prisons/Detention</i>	461,384
<i>Grants</i>	786,359
2012 Program Offsets:	(1,952,699)
<i>Savings and Efficiencies</i>	(62,006)
<i>Programmatic Savings</i>	(300,972)
<i>Balance Rescissions</i>	(170,000)
<i>Grants</i>	(1,419,721)
2012 TOTAL (Gross)	\$28,168,792
Scorekeeping Credits	(7,261,000)
2012 TOTAL (Net)	\$20,907,792

\$487 million is not continued for grant programs that were heavily earmarked. In addition, the Budget includes \$62.0 million in management savings and efficiencies throughout the Department, such as delaying upgrades and reducing spending on technology projects. Finally, the Budget proposes to save an additional \$301.0 million by streamlining operations and consolidating duplicative programs, and offers one-time rescissions of balances totaling \$170.0 million.

DISCRETIONARY BUDGET AUTHORITY

The table below compares the Department's 2009 enacted, 2010 enacted and 2011 CR funding levels to the 2012 Budget, and shows the percent change between the 2011 CR level and 2012 Request. For display purposes throughout this document, the 2012 Budget request is compared with the 2011 CR level, which equals the 2010 enacted level without supplementals.

	Dollars in Millions				
	2009 Enacted	2010 Enacted	Annualized 2011 CR Level ¹	2012 President's Budget	% change 2012 over 2011 CR
Law Enforcement Components	11,763	12,670	12,670	13,028	2.8%
Litigating Components	2,777	2,962	2,962	3,047	2.9%
Prisons and Detention	7,469	7,624	7,624	8,384	10.0%
Admin/Technology/Other	806	892	892	746	-16.4%
<i>Subtotal, Discretionary without Grants</i>	<i>22,815</i>	<i>24,149</i>	<i>24,149</i>	<i>25,205</i>	<i>4.4%</i>
State, Local and Tribal Assistance	2,917	3,552	3,552	2,964	-16.6%
Total, Gross Discretionary	\$25,732	\$27,701	\$27,701	\$28,169	1.7%
Scorekeeping Credits ²	(2,651)	(3,698)	(6,207)	(7,261)	15.5%
Total, Net Discretionary	\$23,081	\$24,002	\$21,493	\$20,908	-2.7%
Supplemental ³	\$4,247	\$206	N/A	N/A	N/A

¹ The 2011 Continuing Resolution (CR) reflects the annualized amount for the 4th Continuing Appropriations Act, 2011, (P.L. 111-322), which maintains conditions and authorities at the 2010 Appropriations level, excluding Supplemental funding.

² Scorekeeping Credits reflect credits applied to DOJ's discretionary budget authority from the Crime Victims Fund and the Assets Forfeiture Fund.

³ In order to obtain comparable figures, "Total, Gross Discretionary" and "Total, Net Discretionary" exclude:

- FY 2008 and FY 2009 Overseas Contingency Operations funding provided in P.L. 110-252: FBI (\$82.6 million).
- FY 2009 Supplemental funding pursuant to P.L. 111-5 (American Recovery and Reinvestment Act) totaling \$4.0 billion: OJP (\$2.8 billion); COPS (\$1 billion); OVW (\$225 million); OIG (\$2 million); and ATF (\$10 million).
- FY 2009 Supplemental funding pursuant to P.L. 111-32 (Making supplemental appropriations for the fiscal year end, September 30, 2009, and other purposes) totaling \$162.0 million for Counterterrorism, Financial Fraud and Southwest Border efforts: NSD (\$1.4 million); OFDT (\$60 million); CRM (\$1.6 million); USA (\$15 million); USMS (\$10 million); FBI (\$35 million); DEA (\$20 million); ATF S&E (\$10 million); ATF Const. (\$14 million); BOP (\$5 million).
- FY 2010 Supplemental funding pursuant to P.L. 111-212 (Deepwater Horizon Oil Spill) totaling \$10 million: Civil Division (\$5 million) and ENRD (\$5 million).
- FY 2010 Supplemental funding pursuant to P.L. 111-230 (Southwest Border) totaling \$196 million: FBI (\$24 million); DEA (\$33.8 million); OFDT (\$7 million); ARA (\$2.1 million); CRM (\$3.6 million); CIV (\$0.3 million); USA (\$9.2 million); BOP (\$20 million); USMS S&E (\$30 million); USMS Const. (\$8 million); ICDE (\$24 million); ATF (\$37.5 million).

MAINTAIN CURRENT SERVICES

The FY 2012 Budget includes \$987.2 million in adjustments to base to “keep the lights on” and pay the staff. Within this amount are the resources necessary to maintain the priorities of the Attorney General, including resources to make permanent \$212.0 million of the \$368.0 million in emergency supplemental funding provided in FY 2009 and in FY 2010 for Counterterrorism (\$2.3 million), Financial Fraud (\$68.2 million), Deepwater Horizon Oil Spill (\$9.6 million), and Southwest Border (\$132.0 million). The FY 2012 Budget includes the following changes from the annualized FY 2011 CR level:

People +\$741.2 million

- \$154.9 million – annualization and salary and benefits adjustments for approximately 114,000 staff. There is no 2012 pay raise included in this amount.
- \$416 million – 2012 cost of 2,129 new positions added in 2009 and 2010 annual appropriations.
- \$88.6 million – makes permanent the 248 new positions in the 2009 Counterterrorism, Financial Fraud and Southwest Border Emergency Supplementals.
- \$81.7 million – makes permanent the 480 new positions in the 2010 Deepwater Horizon and Southwest Border Emergency Supplementals.

Rent and Moves +\$147.3 million

- \$72.1 million for domestic rent and security increases.
- \$75.2 million for lease expirations and moves.

Other Adjustments +\$102.3 million

- \$6.2 million for increased costs of over 1,100 DOJ employees stationed in U.S. embassies and consulates.
- \$18.2 million makes permanent the continuing operational funding to support the 2010 Deepwater Horizon and Southwest Border Emergency Supplementals.
- \$144.0 million for restoration of one-time rescissions enacted in 2010.
- \$3.5 million to maintain the ATF Iraq effort supported in the prior supplementals; and other administrative adjustments.
- \$5.2 million for restoration of USTP financing from prior year balances.
- -\$74.8 million for fees adjustments.

Prisons and Detention +\$224.0 million

- \$77.1 million to continue to activate two prisons that received partial activation funding in FY 2010, which added 2,880 prison beds to the Federal Prison System.
- \$21.1 million makes permanent the prisons and detention funding contained in the 2010 Southwest Border Supplemental.
- \$125.8 million for the marginal increases for inmate care/programs and contract bed cost adjustments.

Non-Recurring Decreases -\$227.6 million

- -\$138.6 million for one-time construction costs enacted in 2010.
- -\$89.0 million for a one-time program increase to the FBI S&E account enacted in 2010.

The key program changes requested in the Department’s Budget for 2012 are as follows:

STRENGTHEN NATIONAL SECURITY

Defending national security from both internal and external threats remains the Department of Justice’s highest priority. National security threats are constantly evolving and adapting, requiring additional resources to address new critical areas. Increasing global access to technological advancements results in new vulnerabilities that must be addressed. As such, the FY 2012 Budget requests a total of \$128.6 million and 170 positions in program increases that provide essential technological and human capital to detect, disrupt, and deter threats to our national security.

The requested national security resources include \$122.5 million in program increases for the Federal Bureau of Investigation (FBI) and \$729,000 in program increases for the National Security Division (NSD). Of this amount, \$18.6 million and 42 positions are requested for the FBI’s Computer Intrusion Initiative to increase coverage in detecting cyber intrusions, and \$48.9 million and 73 positions are requested for the FBI to expand national security related surveillance and enhance its Data Integration and Visualization System. Additional resources are included for the FBI’s Operational Enablers program and Weapons of Mass Destruction/Render Safe capabilities; NSD’s counterterrorism investigations and prosecutions, export enforcement and counterespionage prosecutions, and national security law and policy programs (including

5 positions); and additional resources are provided to allow the Drug Enforcement Administration to begin the development of a counterintelligence capability to support operational security and enhance confidential source handling.

To address the growing technological gap between law enforcement's electronic surveillance capabilities and the number and variety of communications devices available to the public, the Department is requesting \$17.0 million and 37 positions. Of this amount, \$15.0 million will support the establishment of the Domestic Communications Assistance Center (DCAC) under the FBI. The DCAC would leverage existing research and development efforts of federal law enforcement, facilitate the sharing of technology between law enforcement agencies, strengthen compliance with the Communications Assistance for Law Enforcement Act (CALEA), and seek to build more effective relations with the communications industry.

PRESERVE TRADITIONAL MISSIONS

It is the mission of the Department of Justice to enforce the law and ensure the fair and impartial administration of justice for all Americans. Accomplishing this requires necessary resources both to investigate and to litigate. As such, the DOJ FY 2012 Budget requests \$57.4 million for program increases to expand DOJ's enforcement litigation capacity and ability to protect vulnerable populations.

The Hate Crimes Prevention Act of 2009 greatly expanded Community Relations Service's (CRS) mandate, requiring CRS to help communities prevent and respond to violent hate crimes committed on the basis of gender, gender identity, sexual orientation, religion, and disability in addition to race, color, and national origin. To further the mission of defending vulnerable populations, \$1.5 million and 8 positions are requested for program increases for hate crimes prevention activities.

The FY 2012 Budget requests additional resources to expand its ability to not only effectively enforce the law, but also provide necessary support for those efforts. For the Office of the Solicitor General, this request includes \$424,000 and 2 attorney positions to support the expanding caseload and additional responsibilities associated with appellate court actions. Additionally, \$3.0 million and 6 attorney positions are requested in program increases for the Criminal Division for transnational enforcement of intellectual property law.

\$848,000 is requested for senior management offices so they can continue to provide the necessary Departmental support. For the U.S. Attorneys, \$2.0 million is requested to enhance data analysis to identify and assess cost-effective crime reduction strategies. Lastly, \$5.8 million and 8 positions in program increases are requested for the U.S. Trustees to provide program oversight and contract performance of debtor audits. This increase is fully offset by fee collections.

The Department also maintains substantial responsibilities with respect to immigration, including enforcement, detention, judicial functions, administrative hearings and litigation, among others. The FY 2012 Budget requests \$15.0 million for the Executive Office for Immigration Review (EOIR) to support increasing workload generated by increasing immigration enforcement activities at DHS and to expand the Legal Orientation Program to improve efficiencies in immigration court proceedings for detained aliens by increasing their awareness of the overall process.

Finally, Title II of the James Zadroga 9/11 Health and Compensation Act of 2010 (P.L. 111-347), reopens the September 11 Victim Compensation Fund (VCF), extending eligibility for compensation associated with physical harm stemming from debris removal and extending the deadline for claims associated with harms not discovered before the Fund's original deadline. The VCF was established by the Air Transportation Safety and System Stabilization Act (P.L. 107-42) as an alternative to litigation, and terminated operations in 2004 after making compensation payments of more than \$7.0 billion to survivors of 2,880 persons killed in the September 11, 2001 terrorist attacks and to 2,680 individuals who were injured in the attacks and subsequent rescue efforts. The James Zadroga 9/11 Health and Compensation Act of 2010 makes available up to \$2.8 billion for settlement of new claims. It is expected that the Civil Division will execute budgetary and administrative functions on behalf of the Special Master.

MAINTAIN PRISONS & DETENTION

With increasingly effective enforcement of federal law and administration of justice comes a greater need for prison and detention capacity. The Department has always prioritized maintaining secure, controlled detention facilities, and providing the necessary resources to accommodate a growing inmate population. The FY 2012 Budget request maintains this

commitment, providing \$224.0 million in prison and detention adjustments to maintain current services and \$461.4 million for program increases to ensure offenders are confined in secure facilities and to improve inmate reentry and recidivism rates.

The FY 2012 Budget requests a total of \$8.4 billion for prisons and detention, a 10.0 percent increase over FY 2011 Continuing Resolution level. Of this amount, \$6.8 billion is requested for the Bureau of Prisons (BOP), including a 10.5 percent increase (+\$638.0 million) for the Salaries and Expenses account and a total of \$99.4 million for the Buildings and Facilities account, which is the current services level in FY 2012. Also, \$1.6 billion is requested for the Office of the Federal Detention Trustee (OFDT), which is a 10.9 percent increase over FY 2011 Continuing Resolution level. The request is an increase of \$156.6 million to maintain detention operations.

The current services adjustments are requested to fully activate two prisons that received partial activation funding in FY 2010. This funding will add 2,560 prison beds to the Federal Prison System, alleviating overcrowding and related security issues. A \$21.2 million adjustment is requested to make permanent contract bed funding contained in the FY 2010 Southwest Border Emergency Supplemental, and \$158.8 million is requested for the marginal increases for inmate care/programs and contract bed cost adjustments.

Program increases, totaling \$461.4 million, are essential for ensuring the secure detention of a growing inmate population. Increases for BOP include \$140.4 million to begin activation of three prisons including a secure female FCI Aliceville, AL (1,792 beds), which will reduce crowding levels at secure female facilities from over 50 percent to 13 percent; FCI Berlin, NH (1,280 beds) for which the Department anticipates construction completion in FY 2011; and ADX USP Thomson, IL (up to 1,600 high security cells) for which funding to acquire and renovate the facility is still pending in the FY 2011 request. The request also includes, \$109.8 million to increase staffing levels; \$22.2 million for Second Chance Act initiatives to enhance inmate reentry, specifically vocational training, education and drug treatment programs; and \$32.4 million to support increases associated with projected inmate growth in BOP facilities. To give inmates incentive for good behavior and reduce the likelihood of recidivism, the Administration will transmit legislative proposals to amend the

statutes governing federal inmate good conduct time credit for a potential savings of up to \$41.0 million in FY 2012. Further, \$156.6 million in program increases is requested for federal detention to offset increases in the average daily detainee population and inflationary increases for detention related costs such as transportation and medical care.

ASSIST STATE, LOCAL AND TRIBAL LAW ENFORCEMENT

In total, the FY 2012 Budget requests \$3.0 billion for state, local and tribal law enforcement assistance programs. This represents 11 percent of the Department's total FY 2012 Budget. These funds will allow the Department of Justice to substantially increase the support we provide to our state, local and tribal partners who fight violent crime, combat violence against women, and support victim programs.

The Department of Justice continues to maintain key partnerships with state, local and tribal officials and community members. These relationships maximize the Federal Government's ability to fight crime and promote justice throughout the United States. One such partnership is the COPS grant program. These grants enable state and local police agencies to increase the number of officers available for targeted patrol and other proven strategies designed to prevent and reduce crime. The budget requests an additional \$302.0 million for the COPS Hiring program in FY 2012, for a total of \$600.0 million for this program. As part of this request, \$50.0 million is included for hiring of civilians to permit officer redeployment to street duty and \$20.0 million is for a college loan repayment assistance program to make police careers more attractive to college graduates.

The FY 2012 Budget requests a total of \$454.9 million for the Office on Violence Against Women (OVW). This funding will provide communities with the opportunity to combat sexual assault and violence against women. The request includes an OVW Consolidated Youth Oriented grant program totaling \$14.0 million. This consolidation will allow OVW to leverage resources for maximum impact in communities by funding comprehensive projects that include both youth service and prevention components. The request also includes \$35.0 million for the Sexual Assault Services Program and \$50.0 million for the Legal Assistance for Victims Program.

The Department is requesting a total of \$1.9 billion for the Office of Justice Programs.

Within this funding, \$30.0 million is requested for a new Byrne Criminal Justice Innovation Program, \$10.0 million for an initiative to support smart policing, \$30.0 million to implement the Adam Walsh Act, \$120.0 million for a new Race to the Top-style Juvenile Justice System Incentive Grant Program, and \$25.0 million to assist children exposed to violence.

In addition, the FY 2012 Budget proposes \$250.0 million in mandatory funds for states to reform their laws on medical malpractice.

PROMOTE SAVINGS AND EFFICIENCIES

As we move forward with the tough choices necessary to rein in our deficit and put the country on a sustainable fiscal path, we must balance those efforts with the investments and actions required to maintain law enforcement and to protect the nation. This budget streamlines programs and redirects funding to improve the capabilities of the Department of Justice. As such, \$2.0 billion in program and management offsets and rescissions are proposed to support our highest priority missions. These offsets include administrative efficiencies and savings, task force and space consolidations, a reduction of DOJ's physical footprint, component-unique program savings, IT project management efficiencies, relocation efficiencies, reductions to less effective grant programs, and rescissions of prior year balances.

In total, \$62.0 million is proposed in cross-cutting savings achieved through efficiencies and consolidations. Administrative efficiencies and savings total \$39.3 million, including administrative efficiencies across DOJ (-\$22.0 million); reducing ATF and FBI's relocation programs (\$15.3 million); and converting contractors to government personnel at NSD (-\$1.2 million). The Department has identified savings totaling \$12.1 million from limiting existing physical and IT infrastructure projects to a slower rate of replacement and growth.

Consolidations resulted in another \$10.6 million in savings, including realigning the Office of Intergovernmental and Public Liaison into the Office of Legislative Affairs (-\$495,000); realigning certain Justice Management Division strategic planning functions (-\$1.3 million); and consolidating the Justice Information Sharing Technology (JIST) program management contractors (-\$5.0 million). In addition to these consolidations, the Department proposes to realign the core function of the Office of Dispute Resolution and place it within the Office of Legal Policy (no dollar savings). The FY 2012 Budget

also proposes reductions to the Department's overall physical footprint, including reductions to regional and field office structures (-\$2.2 million) and reducing the number of DOJ task forces that are in close geographic proximity and target the same crime problem (-\$1.6 million). In addition to financial benefits, these restructurings are expected to improve the organizations' overall efficiency.

In addition to DOJ-wide initiatives, component-unique program savings have been identified, totaling \$301.0 million. These include reducing FBI's Sentinel program out-year costs (-\$15.0 million), Lookout program (-\$2.6 million), Secure Work Environment (-\$26.3 million), and Network and Intrusion Analysis (-\$5.8 million); adjusting USMS' perimeter security contract costs (-\$5.0 million), and reducing the USMS' construction program (-\$11.0 million); revising the way Good Time Credit for inmates is calculated (-\$41.0 million); reductions to JIST for IT operations (-\$11.5 million); reductions to the Department's Integrated Wireless Network (-\$105.0 million); reducing the National Security Division's Foreign Agent Registration Act filing fees (-\$0.2 million); reductions to ATF's National Integrated Ballistic Information Network program (-\$10.0 million), Alcohol and Tobacco programs (-\$1.0 million), state and local training program (-\$4.0 million); eliminating DEA's Mobile Enforcement Teams (-\$39.1 million) and reducing foreign operations (-\$4.3 million); and program reductions to the National Drug Intelligence Center (-\$19.2 million). Reductions to grant programs are also requested, providing \$1.4 billion in savings. These savings are from the reduction or elimination of less effective or lower-priority programs, and fund growth in several innovative and evidence-based grant programs.

Lastly, an additional \$170.0 million in one-time rescissions of prior year balances are proposed, including OJP (-\$42.6 million); COPS (-\$10.2 million); OVW (-\$5.0 million); Working Capital Fund (-\$40.0 million); USMS S&E (-\$7.2 million); BOP construction (-\$35.0 million); and DEA S&E (-\$30.0 million).

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Other highlights of the Department's request for FY 2012 include:

HEALTH CARE FRAUD AND ABUSE CONTROL (HCFAC)

The Department's efforts to combat health care fraud are funded almost exclusively through reimbursements from the Health Care Fraud and Abuse Control account and the Health Insurance

Portability and Accountability Act, both of which are administered by the Department of Health and Human Services (HHS).

In FY 2011, it is anticipated that \$220.0 million in mandatory and discretionary funding will be provided for the DOJ litigating components and the FBI which are engaged in combating health care fraud. In FY 2012, the President's Budget is requesting an increase of \$63.4 million, for a total of \$283.4 million for DOJ components to combat health care fraud. These funds will be used to further the efforts of the Health Care Fraud Prevention and Enforcement Action Team (HEAT) initiative, announced in 2009 by the Attorney General and the HHS Secretary. Specifically, the funding will permit DOJ to expand Medicare Fraud Strike Force operations to 13 additional locations, for a total of 20 across the nation, in order to target agents and attorneys to the criminal hubs where health care fraud activities occur. In addition to expansion of the Strike Forces, additional funding will be provided to bolster civil enforcement efforts, including False Claims Act and matters alleging fraudulent or false claims submitted to the government by health care providers or those caused by pharmaceutical manufacturers.

PUBLIC SAFETY IN INDIAN COUNTRY

There are over 56 million acres of Indian Country and more than 560 federally recognized American Indian tribes. The Major Crimes Act provides federal criminal jurisdiction over certain specified major crimes if the offender is Indian, while tribal courts retain jurisdiction for conduct that might constitute a lesser offense. Thus, federal investigation and prosecution of felonies in Indian Country cannot be deferred to a local jurisdiction and therefore federal law enforcement is both the first and only avenue of protection for the victims of these crimes.

Many tribal law enforcement agencies face unique obstacles that often challenge their ability to promote and sustain community policing effectively. Unlike municipal police agencies, many tribes still lack basic technology to modernize their departments, such as laptops installed in police vehicles. The officer-to-population ratio still remains lower on Indian reservations than in other jurisdictions across the country. Finally, tribal law enforcement has a unique challenge of patrolling large areas of sparsely populated land.

The FY 2012 President's Budget requests \$424.4 million in total resources for public safety initiatives in Indian Country. Investments include significant grant resources for

addressing a broad range of criminal justice issues and additional FBI agents to help tribal communities combat illegal drug use, trafficking, and violent crime. The FBI has limited resources to cover a large number of crimes over the vast geographic area of Indian Country. Additionally, agents working in Indian Country are often assigned collateral duties, allowing only a part-time presence on Safe Trails Task Forces. In FY 2012, the Department is requesting an increase of \$9.0 million for the FBI to support 40 new positions (24 agents) to investigate violent crimes in Indian Country.

* * *

This section outlines the Department's FY 2012 Performance Plan and discusses other recent initiatives to improve agency performance and increase accountability to stakeholders.

2012 PERFORMANCE PLAN

The Department of Justice recognizes that performance information is vital to making resource allocation decisions and should be an integral part of the budget. The Department's budget and performance integration efforts have included a full budgetary restructuring of all of the Department's accounts to better align strategic goals and objectives with resources. In addition, the Department provides detailed component-specific annual performance plans within individual budget submissions, which also serve as the Department's annual performance plan.

Under the Government Performance and Results Act of 1993 (GPRA), government agencies are required to develop long-term Strategic Plans defining general goals and objectives for their programs, and to develop Annual Performance Plans specifying measurable performance goals for all of the program activities in their budgets. Presently, the Department of Justice FY 2007-2012 Strategic Plan contains three goals. Additionally, the Department's Plan includes 23 key performance measures addressing its highest priorities toward achieving these long-term outcome goals. The Department strives to present the highest level outcome-oriented measures available and fully report the accomplishments achieved during the reporting period.

As of the end of December 2010, 87 percent of the key performance measures have actual data. In some cases, indicators have a one-year lag time and thus are not included in this report. Based on available actual data, the Department

achieved 77 percent of its key indicators in FY 2010, which is higher than last year's overall success of 61 percent. The Department continues to emphasize long-term and annual performance measure development, placement of key performance indicators on cascading employee work plans, and Department-wide quarterly status reporting.

The Department will continue to examine its performance management system overall and implement improvements, where necessary. Additional improvement areas include continuing to improve the quality and utility of performance information, and developing the capacity to use performance information through the use of technology and reliable data systems. The Department is currently revising its Strategic Plan. The 23 key performance measures will be reexamined and revised to align with the new Strategic Plan's Goals and Objectives.

IMPROVING PERFORMANCE AND ACCOUNTABILITY

On January 4, 2010, the President signed the Government Performance and Results Modernization Act of 2010 into law (P.L. 111-352) which amends the GPRA Act of 1993. P.L. 111-352 creates a more defined performance framework by defining a governance structure and by better connecting strategic plans, programs, and performance information. The new law also requires more frequent reporting and review (on a quarterly basis) that are intended to increase the use of performance information in program decision-making.

The legislation incorporates key elements of OMB's performance management approach, such as agency leaders setting priorities and using ambitious targets to communicate such priorities. The law also creates new responsibilities, including cross-agency federal priority goals. In addition, the bill improves federal performance management by establishing a Chief Operating Officer within each agency tasked with improving the performance of his or her agency. It also codifies and strengthens the existing resources for performance management, including the Performance Improvement Officers within the federal agencies and the interagency Performance Improvement Council.

PRIORITY GOALS

In June 2009, OMB issued a Budget and Performance Guidance Memorandum requiring federal agencies to identify a limited number of Priority Goals and begin to define the strategies

and means to achieve them – this was the first step toward developing the President's agenda for building a high-performing government.

The guidance stated that a "priority goal" is a measurable commitment to a specific result the Federal Government will deliver for the American people. These goals represent priorities for both the Administration and the agency, and have high relevance to the public or reflect the achievement of key agency missions. Given that the Priority Goals reflect a limited number of priorities, they do not fully reflect the agency's strategic goals nor cover the entire agency mission. While the goals were initially designed to produce significant results by the end of FY 2011, OMB has requested that the goals be continued through FY 2012 and be included in the FY 2012 budget, funded within agency discretionary budget requests. The Priority Goal targets for FY 2010 and FY 2011 were developed, in part, with consideration towards the budget submissions for those respective years; reaching the targets listed for FY 2011 and FY 2012 are predicated on resource levels.

The Department's Priority Goals are not the Attorney General's only high priority performance goals—the Department has many equally important goals that are not included here. The Priority Goals listed below are a small subset of those used to regularly monitor and report performance. To view additional performance information, please visit:

<http://www.justice.gov/O2organizations/bpp.htm>.

National Security - Increase the percentage of total counterterrorism investigations targeting Top Priority threats by five percent by the end of FY 2011.

The FY 2012 target for this goal is to target 65 percent of all counterterrorism investigations toward Top Priority threats. In FY 2010, the Department's target was 62.3 percent of all counterterrorism investigations targeting Top Priority threats. The FY 2010 annual target was missed by less than 0.2 percent.

White Collar Crime - Increase white collar caseload by five percent concerning mortgage fraud, health care fraud, and official corruption by FY 2011, with 90 percent of cases favorably resolved.

The FY 2012 target for this goal is to continue to ensure that the level of effort will occur pertaining to white collar crime caseload, while continuing to resolve 90 percent of cases

favorably. In FY 2010 the Department favorably resolved 92.2 percent of its white collar crime cases, surpassing its FY 2010 annual target. The increased white collar caseload target was missed by less than one percent.

Violent Crime - Increase agents and prosecutors by three percent, in order to reduce incidents of violent crime in high crime areas by FY 2011.

The FY 2012 target for this goal is to continue to ensure the level of effort of agents and prosecutors in order to reduce incidents of violent crime. In FY 2010 the Department increased the number of agents and prosecutors dedicated to violent crime to 2,354 surpassing its FY 2010 annual target.

Immigration - Increase Immigration Judges by 19 percent so that, as Department of Homeland Security criminal alien enforcement activity increases, not less than 85 percent of immigration court detained cases are completed within 60 days.

The FY 2012 target for this goal is to continue to complete 85 percent of immigration court detained cases within 60 days. In FY 2010 the Department completed 89 percent of its immigration court detained cases within 60 days, surpassing its FY 2010 annual target. Regarding the increase of Immigration Judges by 19 percent, the Department missed its FY 2010 target by 17.6 percent. However, at the end of December 2010, an additional 34 Immigration Judges were brought on board for a total of 270 Immigration Judges on board, a 16 percent increase over the FY 2009 starting point.

Meeting the goal of increasing the number of Immigration Judges by 19 percent depends in large part on factors outside the control of the Department – the constant attrition rate of approximately 10 Immigration Judges a year compounded by the fact that at the end of FY 2010, 41 percent of the current Immigration Judges were eligible to retire; and the late receipt of the FY 2011 budget or operation under a Continuing Resolution for the full year will severely impact EOIR's ability to hire more immigration judges.

Public Safety – Supported over 6,000 additional police officers through FY 2010 via COPS Hiring Programs to promote community policing strategies that are evidence based.

The FY 2012 target for this goal is to support

approximately 4,500 additional police officers via the COPS Hiring Programs. The Department surpassed its FY 2010 annual target of funding an additional 1,393 officers for a total of 6,092 officers.

Civil Rights - Increase the number of persons favorably impacted by resolution of civil rights enforcement cases and matters. By the end of 2011:

- Increase the criminal civil rights caseload by 18 percent, with 80 percent of cases favorably resolved.
- Increase the non-criminal civil rights caseload by 28 percent, with 80 percent of cases favorably resolved.
- Increase the number of complaints finalized by mediation by 10 percent, with 75 percent of mediation complaints successfully resolved.

The FY 2012 target is to continue the civil rights caseload levels (criminal and non-criminal) with 80 percent of cases favorably resolved. The Department surpassed its FY 2010 increased caseload targets and is on pace to meet its FY 2011 and FY 2012 caseload targets. In addition, in FY 2010, the Department favorably resolved 100 percent of its criminal cases and non-criminal cases, surpassing its FY 2010 annual targets.

The FY 2012 target is to continue the number of complaints finalized by mediation, with 75 percent of cases successfully resolved. The Department surpassed its FY 2010 annual increased number of complaints finalized by mediation target. In addition, in the Department successfully resolved 81 percent of its mediation complaints, surpassing its FY 2010 annual target.

DEPARTMENT OF JUSTICE ADVISORY COUNCIL FOR SAVINGS AND EFFICIENCIES (THE SAVE COUNCIL)

In July 2010, the Attorney General created the Advisory Council for Savings and Efficiencies (the SAVE Council). The SAVE Council is responsible for developing and reviewing Department-wide savings and efficiency initiatives, as well as monitoring component progress to ensure positive results for cost savings, cost avoidance and efficiencies. The SAVE Council provides a framework to identify and implement best practices for saving taxpayer money, realizing efficiencies, and monitoring our savings progress. Representatives from numerous components were appointed by the Attorney General to serve

as members on the Council. The members have the lead responsibility to develop and report out on the savings and efficiency initiatives.

The SAVE Council institutionalizes the Department's pilot savings efforts that began in June 2009, which resulted in over \$39 million savings/cost avoidance from June 2009 through FY 2010. The creation of the SAVE Council paves the way for the development of future on-going initiatives that will result in cost avoidance, actual savings, and streamlining, while leveraging and instituting best practices.

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RESTRUCTURING THE FEDERAL DRUG BUDGET

In FY 2010, the Office of National Drug Control Policy (ONDCP) convened a panel of experts to determine which federal agency programs should be included in the National Drug Control Budget. This panel applied a two-pronged test: first, to determine whether the program had a drug-control nexus, and second to determine whether the program had an acceptable budget estimation methodology.

The Drug Enforcement Administration, the Organized Crime Drug Enforcement Task Forces (OCDETF) Program, Bureau of Prisons, the Office of Justice Programs, and the National Drug Intelligence Center are already part of the National Drug Control Budget. Based on the panel's recommendation, the following Department of Justice programs will be included in the FY 2012 National Drug Control Budget:

- **Assets Forfeiture Fund (AFF):** to reflect the estimate of funding allocated to DEA and OCDETF from the assets and profits of drug-related criminal enterprises.
- **Bureau of Prisons (BOP)-Corrections:** to reflect funding to incarcerate and monitor offenders in controlled environments for Federal drug-related offenses.
- **Criminal Division- Narcotics and Dangerous Drugs Section (NDDS):** to reflect funding to support the development and implementation of domestic and international narcotics programs and policies; this funding will not include funding reimbursed by OCDETF.
- **Office of Federal Detention Trustee:** to reflect funding for the detention costs of drug-related offenders.

- **U.S. Attorneys:** to reflect funding to support the prosecution of violations of controlled substances, money laundering, and drug trafficking; this funding will not include resources provided by OCDETF for prosecutions.
- **U.S. Marshals Service (USMS) – Judicial and Courthouse Security, Fugitive Apprehension, and Prisoner Security and Transportation:** to reflect funding in support of the movement of prisoners and detainees held on drug charges, and executing court orders and arrest warrants for apprehension of fugitives that are involved in drug-related crime and violence.