

PART ONE: 2009 SUMMARY OF REQUEST AND KEY PERFORMANCE MEASURES BY STRATEGIC GOAL

OVERVIEW

Established July 1, 1870 (28 U.S.C, 501, 503), the Department of Justice (DOJ or the Department) is headed by the Attorney General of the United States. Comprised of 40 component organizations, the Department seeks to protect all Americans while preserving their personal freedoms, and to balance strict, tough enforcement of federal laws with abiding respect for individuals and their Constitutional rights. While the Department vigorously enforces the broad spectrum of laws of the United States (U.S.), since the terrorist attacks of September 11, 2001, defending our Nation and protecting our citizens against terrorist attacks is the primary mission of the Department.

Since 2001, the Department has increased its capacity to investigate terrorism and has identified, disrupted, and dismantled terrorist cells operating in the United States. These efforts have resulted in the securing of 319 convictions or guilty pleas in terrorism or terrorism-related cases arising from investigations conducted primarily after September 11, 2001, and zero terrorist attacks on American soil by foreign nationals from 2003 through 2007. The Department has allocated new resources to the war on terror and in FY 2006 created the National Security Division to further improve our information sharing, coordination, and counterterrorism capacity.

In addition to its counterterrorism mission, the Department remains steadfastly committed to enforcing federal laws in the critical areas of violent crime, including gun, drug and other areas in which offenders must to be brought to justice. In fact, due to the dedication and cooperation of law enforcement, the violent crime rate in the United States continues to remain at its lowest level in 30 years. While this statistic is impressive, there is still much to be achieved. For instance, individual localities have seen some increases in crime recently and the Department has responded appropriately working with our state and local partners to study the problem and to develop strategies to reduce and deter that crime. We are also urging prosecutors to redouble their efforts to vigorously prosecute federal crimes involving guns, gangs, drugs, child exploitation, corporate and public corruption, immigration, and civil rights violations.

While our mission is statutorily defined, the Department's core values stem from the strategic and annual planning process and are outlined in *The Department of Justice FY 2007-2012 Strategic Plan* (available on the Internet at <http://www.usdoj.gov/jmd/mps/strategic2007-2012/toc.htm>). This Plan sets forth strategic goals and long-term objectives and strategies, identifies crosscutting programs, and describes external factors that may affect goal achievement.

The Department's FY 2007-2012 Strategic Plan condenses the Department's four goal structure to three goals. Additionally, the Department established 25 key indicators addressing its highest priorities toward achieving these long-term outcome goals.

Long-term, annual performance planning and measurement has become part of the culture at the Department. During FY 2007, the Department achieved 70 percent of its key indicators. Contributing to the Department's success is Department-wide quarterly status reporting, increased emphasis on long-term and annual performance measure development due to OMB's Program

Assessment Rating Tool (PART), and placement of key performance indicators on cascading employee work plans beginning in December 2004. Beyond annual progress, the Department is constantly monitoring progress made against its FY 2009 long-term performance goals for each of its key measures. At the close of FY 2007, 96 percent of the Department's long-term key indicators are on-track for full achievement against FY 2012 targets. This is a 33 percent improvement over FY 2006 status. Additionally, there are still five full years of performance remaining until the Department reports against planned progress, and a number of mechanisms are in place to ensure that the current progress is maintained, including quarterly status reporting, performance-informed budget submissions to request necessary or additional resources, and the OMB's PART to assist in making any deficiencies known to Departmental leadership so that they can be corrected and remedied.

RESOURCES BY STRATEGIC GOAL

The Department's FY 2009 budget request totals \$25.36 billion in mandatory and discretionary funding. Of this amount, the discretionary budget request totals \$22.7 billion.¹ The Department's three strategic goals provide the basis for this request:

STRATEGIC GOAL 1: Prevent Terrorism and Promote the Nation's Security

The prevention of terrorist acts and ensuring the safety of the American people continues to be the Department's primary goal. To support this goal, the FY 2009 budget requests funding of \$5.15 billion, an increase of \$298.5 million over the FY 2008 enacted appropriation.

STRATEGIC GOAL 2: Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People

The Department will continue to vigorously enforce all federal laws to reduce the threat and prevalence of violent crime, gun related crime, illegal drug trafficking, and white collar crime, and to uphold the civil and constitutional rights of all Americans. To support this goal, the FY 2009 budget requests funding of \$11.75 billion, a decrease of \$1.06 billion below the FY 2008 enacted appropriation.

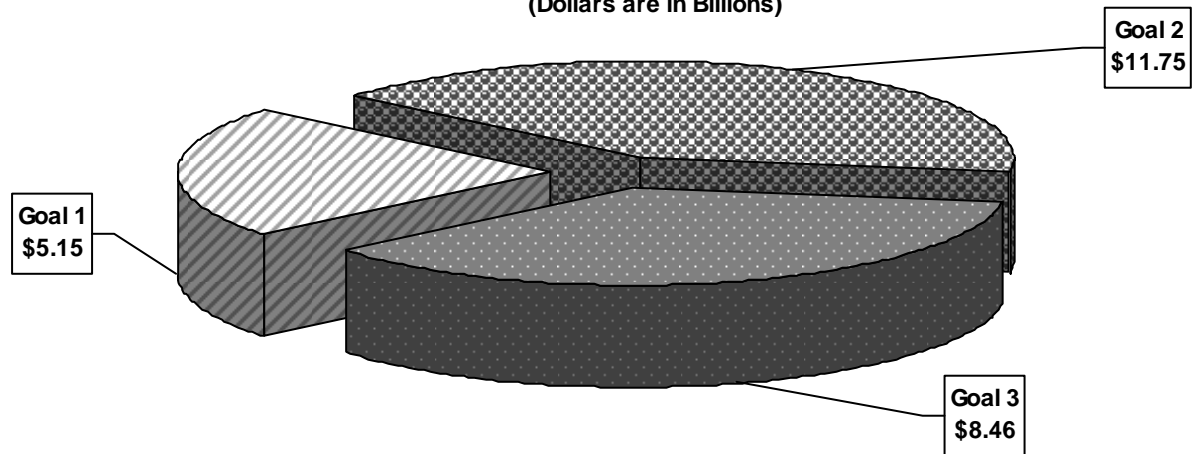
STRATEGIC GOAL 3: Ensure the Fair and Efficient Administration of Justice

The Department is responsible for the administration of our federal justice system by protecting judges, witnesses, and other participants in federal proceedings; ensuring the apprehension of fugitives from justice; providing safe, secure, and humane confinement of defendants and those convicted and sentenced to prison; and providing services and programs to facilitate inmates' successful reintegration into society. To support this goal, the FY 2009 budget requests funding of \$8.46 billion, an increase of \$502.1 million over the FY 2008 enacted appropriation.

¹ Neither the \$25.36 billion nor the \$22.7 billion includes rescissions from the Crime Victims Fund, the Assts Forfeiture Fund, the Working Capital Fund totaling \$2.41 billion, and Health Care Fraud Reimbursements of \$177.4 million.

RESOURCES BY STRATEGIC GOAL (continued)²

FY 2009 Budget Request by Strategic Goal Discretionary and Mandatory (Dollars are in Billions)



- Goal 1: Prevent Terrorism and Promote the Nation's Security
- Goal 2: Prevent Crime, Enforce Federal Laws, and Represent the Rights and Interests of the American People
- Goal 3: Ensure the Fair and Efficient Administration of Justice

Total \$25.36 billion

² For Department's resource breakouts by Strategic Goal on this page and in the "Resources" areas on the following pages in Part One, the FY 2009 funding totals [\$25.36 billion] do not include rescissions from the Crime Victims Fund, the Assets Forfeiture Fund, the Working Capital Fund totaling \$2.41 billion, and Health Care Fraud Reimbursements of \$177.4 million.

2009 BUDGET HIGHLIGHTS, RESOURCES, AND KEY PERFORMANCE MEASURES BY STRATEGIC GOAL

STRATEGIC GOAL 1: Prevent Terrorism and Promote the Nation's Security

Counterterrorism, National Security, and Intelligence. The Department's top priority continues to be the prevention, investigation, and prosecution of terrorist activities against U.S. citizens and interests. The FY 2009 President's Budget requests \$492.7 million in investments to strengthen the nation's counterterrorism investigative capabilities to identify, track, and dismantle terrorist cells operating in the U.S. and overseas and to fortify the Nation's intelligence analysis capabilities.

The Department has made significant strides in the global war on terror by identifying, disrupting, and defeating terrorist plots within the United States and ensuring those responsible are brought to justice. Since September 11, 2001, the Department has charged 512 individuals with terrorism or terrorism-related crimes and convicted or obtained guilty pleas in 319 terrorism-related and anti-terrorism cases. Resource needs for counterterrorism and national security will continue to grow in the foreseeable future due to the United and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act, the Intelligence Reform and Terrorism Prevention Act of 2004, and the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (WMD Commission), as well as several programs mandated by Presidential Directives to the Attorney General.

Following, September 11, 2001, the Federal Bureau of Investigation (FBI) undertook an historic transformation from operating primarily as a law enforcement agency to serving as an integrated domestic intelligence and law enforcement agency. Among the key operational changes of this transformation were an increased emphasis on threat-based, intelligence-driven investigations and operations, especially in the areas of counterterrorism and counterintelligence, and on internal and external information sharing. Additionally, the FBI's national security, criminal investigative, and criminal justice service missions have been further expanded over recent years by federal laws, Presidential Directives, Departmental Orders, and Director of National Intelligence decisions.

While the FBI has achieved significant progress to date in transforming its enterprise structure and strategy, continued investments in existing programs and investments in new programs and capacities are required if the FBI is to meet the expectations of the American public, the Administration, and the Congress. The FBI has articulated a group of six critical, enterprise-wide capabilities it needs to perform its mission and adopted a capabilities-based approach to planning future budget requirements to enable the FBI to address the range of national security threats and crime problems growing out of the current threat environment.

This budget provides \$7.1 billion for the FBI inclusive of \$447.4 million in investments to support an additional 280 agents and 271 Intelligence Analysts in achieving its end-state capabilities, including:

- *Domain and Operations* resources to identify and analyze national security and criminal threats and to develop and execute operational strategies, including resources for national security investigations, enhancement of the WMD, cyber and Render Safe missions, computer intrusion investigative support, and foreign intelligence collection and operations.
- *Surveillance* resources to support a surveillance technology capability to meet operational requirements, including resources for physical and electronic surveillance, and collection processing exploitation, analysis and reporting.

- *Infrastructure* resources to ensure a safe and appropriate work environment and updated technology, including resources for Central Records management, field facility infrastructure and IT disaster recovery.
- *Leveraging Technology* resources to enable an enhanced capability for providing services to FBI's partners, including resources for analytical support and applied technologies in DNA, communication capabilities and forensic analysis.
- *Partnerships* resources to promote an established and productive network of partnerships at all levels, including resources for the expansion of the Legal Attaché and Fusion Center programs.
- *Workforce* resources to provide a professional workforce that possesses the critical skills, competencies, and training required to perform the FBI's mission, including resources for security and background adjudications, comprehensive human intelligence (HUMINT) development and collection course, and other training initiatives.

In response to the recommendations presented by the WMD Commission, the President directed the Attorney General to create a National Security Division (NSD) within the Department. On March 9, 2006, the NSD was authorized by the USA PATRIOT Improvement and Reauthorization Act. This critical Division consolidated the Office of Intelligence Policy and Review and the Criminal Division's Counterterrorism and Counterespionage Sections, which strengthened the Department's efforts to combat terrorism and other threats to national security. The Division is responsible for assisting in the design, implementation, and support of law enforcement efforts, legislative initiatives, policies, and strategies relating to combating international and domestic terrorism, espionage, and other threats to national security. The Division also assists in preventing and disrupting acts of terrorism through investigation and prosecution. The NSD is positioned to coordinate all intelligence-related Departmental resources and ensure that criminal intelligence information is shared across the Department and the Administration, as appropriate. This budget provides \$83.8 million for the Division for: vigorous oversight of certain intelligence activities; increased counterterrorism prosecutorial personnel to strengthen investigative and prosecutorial capabilities; addressing the volume of Foreign Intelligence Surveillance Act (FISA) processing and related workload; coordination with other agencies and providing policy advice to the Attorney General, the Deputy Attorney General, and Department components on national security and related matters; and staffing for monitoring and overseeing the investigation and prosecution of terrorist attacks against Americans abroad.

The Departments of Justice, Homeland Security and the Treasury have a joint project, the Integrated Wireless Network (IWN), to implement secure, nationwide tactical wireless communications systems and services. For DOJ, the IWN will provide a range of secure and reliable wireless communications services, including voice, data and multimedia services that support counterterrorism, counterintelligence, law enforcement and emergency response operations. In FY 2009, DOJ proposes a \$43.9 million program increase to employ a multi-pronged approach to providing tactical wireless communications capabilities for law enforcement personnel across the country. This approach provides for \$24.9 million to implement the IWN in the Washington, DC area. The IWN will replace legacy stand-alone component networks with a new and improved single network with better security, improved range, and enhanced interoperability features. The Department intends to implement IWN on a nationwide basis over a multi-year time frame. The initiative also includes \$19.0 million to replace outdated legacy equipment with narrowband compliant technology for the Federal Bureau of Investigation, the Drug Enforcement Administration (DEA), the United States Marshals Service (USMS), and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). The replacement of legacy equipment is an interim solution that will immediately improve communications and network security.

Counterterrorism Litigation and Oversight. Since September 11, 2001, the United States Government has implemented numerous counterterrorism strategies that have proven highly effective in disrupting attacks and weakening global terrorist networks. Many of these policies have drawn legal challenges in courts, including hundreds of lawsuits filed on behalf of alien enemy combatants held at the Guantanamo Bay Naval Base in Cuba. The successful litigation of these cases is necessary to ensure that legal challenges do not strip the United States of critical counterterrorism tools and hinder counterterrorism efforts. U.S. Attorneys offices in each district, in conjunction with skilled attorneys from the NSD, will continue to work together to build strong cases, and coordinate efforts throughout investigations. In certain instances, prosecutors will utilize the Anti-Terrorism Advisory Council to coordinate efforts that require the assistance of other law enforcement organizations. With coordinated prosecution strategies, federal and local law enforcement authorities will be better guided toward the strongest most relevant evidence for sound prosecutions.

Additionally, as funding for the Department's counterterrorism efforts continues to increase, so does the need to monitor and evaluate Departmental programs. This budget provides an increase of \$1.2 million to enable the Office of the Inspector General (OIG) to assist the Department in ensuring that its counterterrorism funds are put to the most effective use. The OIG will continue to examine issues such as the FBI's use of National Security Letters and U.S. Patriot Act Section 216 orders to obtain business records.

	FY 2007 Revised Actual	FY 2008 Revised Target	FY 2009 Target
[] Designates the reporting entity			
Strategic Goal 1: Prevent Terrorism and Promote the Nation's Security			
Terrorist acts committed by foreign nationals against U.S. interests within U.S. borders [FBI]	Zero	Zero	Zero
NEW MEASURE: Catastrophic acts of domestic terrorism [FBI]	Zero	Zero	Zero

FY 2008 Revised Target: Targets for FY 2008 were initially set with the submission of the FY 2008 President's Budget. Following the reporting of FY 2007 actual performance, the Department is submitting its final (and in some cases revised) FY 2008 targets within this performance plan.

Strategic Goal 1: Resources						
Appropriation	FY 2007 Enacted		FY 2008 Enacted		FY 2009 President's Budget	
	FTE	\$ thousands	FTE	\$ thousands	FTE	\$ thousands
Administrative/Enabling	340	61,465	352	50,780	366	76,004
Alcohol Tobacco Firearms and Explosives	2,043	395,239	1,974	393,639	1,998	411,126
Criminal Division	142	20,178	142	20,175	150	22,179
Drug Enforcement Administration	157	54,840	185	55,717	185	56,049
Federal Bureau of Investigation	16,958	3,748,377	16,715	3,982,727	17,724	4,350,192

Strategic Goal 1: Resources						
Appropriation	FY 2007 Enacted		FY 2008 Enacted		FY 2009 President's Budget	
	FTE	\$ thousands	FTE	\$ thousands	FTE	\$ thousands
Federal Bureau of Investigation - Construction	0	51,392	0	164,200	0	36,458
FPI Commissary Fund	0	0	701	0	701	0
National Security Division	272	68,706	308	73,373	346	83,789
Spectrum transfer to ATF	0	486	0	0	0	0
Spectrum transfer to FBI	0	81,718	0	0	0	0
U.S. Attorneys	567	102,570	567	100,497	567	103,512
U.S. Marshals Service	43	5,219	43	5,269	43	5,524
Total Strategic Goal 1:	20,522	\$ 4,590,190	20,987	\$ 4,846,377	22,080	\$ 5,144,833

STRATEGIC GOAL 2: Enforce Federal Laws and Represent the Rights and Interests of the American People

Reducing Violent Crime. Preventing and controlling crime is critical to ensuring the strength and vitality of our Nation. Due to the hard work of law enforcement, the Nation's crime rates remain at historic lows. Where small increases in crime are being experienced in some cities, the Department is responding appropriately working with our state and local partners to identify the problem and develop meaningful strategies to reduce and deter that crime. One such strategy is the Project Safe Neighborhoods (PSN) initiative, implemented in 2001 to eradicate firearms-related crime in our communities by bringing together federal, state, and local agencies. This initiative is returning positive results. PSN reduces gun crime in America by networking existing local programs that target gun crime and providing these programs with additional tools necessary to be successful. In FY 2007, the Department filed 10,079 federal gun crime cases against 12,087 defendants. Over 93 percent of those offenders received prison terms and over 50 percent were sentenced to three or more years in prison. Since 2002, the Department has filed 61,502 federal firearms cases against 74,261 defendants, nearly a 100% increase in cases filed from the prior five year period. Since the inception of PSN, over \$2.3 billion in federal resources have been dedicated to providing additional federal prosecutors in U.S. Attorneys Offices and agents and training within the ATF.

Due to their geographical spread, demographic diversity, and involvement in criminal activity, gangs can have a damaging impact on communities. Gangs and their members actively participate in criminal activities such as firearm transactions, drug sales and use, car theft, homicide, and other crimes – as well as contribute to the general deterioration to the safety and security of the surrounding community. In response, the Department has developed a comprehensive strategy to combat gang violence that is affecting communities across the Nation. The Department is leading the effort to combat the threat to the public order posed by national and international street gangs. The Department's strategy is to achieve maximum impact at the national level against the most violent gangs in this country. The Department's efforts are augmented by the National Gang Targeting, Enforcement & Coordination Center (GangTECC) which is a multi-agency center designed to serve as a critical catalyst in a unified federal effort to

help disrupt and dismantle the most significant and violent gangs in the United States, and share information and coordinate anti-gang efforts among federal law enforcement agencies.

Southwest Border Enforcement Initiative. The Southwest Border of the U.S. is the principal arrival zone for most illicit drugs smuggled into the U.S., as well as the predominant staging area for the subsequent distribution of drugs throughout the country. According to the El Paso Intelligence Center, most of the cocaine, marijuana, methamphetamine and Mexico-produced heroin available in the U.S. is smuggled across the Southwest Border. In addition, both the Southwest Border and the smuggling routes and methods used by drug traffickers provide opportunities to support other national security threats facing our country, including alien smuggling and terrorism. To address this ever growing threat the Department proposes \$100 million for a Southwest Border Enforcement Initiative.

The Department of Homeland Security (DHS), U.S. Customs and Border Protection expanded from approximately 9,000 agents in 2001 to more than 13,000 by the end of FY 2007; by the end of 2008, there are anticipated to be a total of more than 18,000 agents. DOJ has estimated that the additional Border Patrol agents will double the 1.2 million apprehensions along the Southwest Border and generate over 24,000 new cases over two years. The Southwest Border Enforcement Initiative proposes \$12.7 million for the U.S. Marshals Service (USMS), including 52 Deputy U.S. Marshals, to address the increased workload and costs caused by stricter immigration enforcement. As the number of illegal immigrants entering America has increased, the USMS has experienced huge prisoner and fugitive workload growth along the Southwest Border. These resources will assist USMS in meeting the increasing demands to improve courthouse security and effectively manage the administrative workload in Southwest Border districts.

The number of detainees remanded to USMS custody as a result of the number of arrests made by federal law and border enforcement agencies and the prosecutorial efforts of the U.S. Attorney is projected to soar. The FY 2009 budget includes a \$38 million program increase for the Office of Federal Detention Trustee to support the United States' efforts along the Southwest Border. This funding will be used to accommodate an anticipated increase in the number of detainees placed in non-federal facilities along the Border. These resources will be utilized to fund the costs associated with providing housing and care for the anticipated additional immigration offenders apprehended by the DHS and processed by the U.S. Marshals Service.

To support law enforcement, intelligence, and prosecution activities that disrupt and dismantle major drug trafficking organizations and "Gatekeepers" (organizations that facilitate the flow of drugs and illicit proceeds to drug trafficking organizations) along the Southwest Border, this initiative provides \$9.6 million and 6 agents and 30 attorneys for the Organized Crime Drug Enforcement Task Force (OCDETF) program) to address prosecutorial resources along the Southwest Border and strengthen the U.S. Marshals Service's ability to apprehend fugitives in the region. As a result of this initiative, OCDETF will be in a better position to: identify smuggling routes and patterns; indict and prosecute high-level traffickers; and coordinate fugitive apprehension efforts to ensure organization members are brought to justice. This includes \$2.8 million for the OCDETF Fusion Center for communications costs of a system to link vehicles traveling outbound from the U.S. into Mexico with Mexico-based drug trafficking organizations and affiliated Gatekeepers. Additionally, \$20.4 million and 30 agents are proposed for the DEA to support the Department's efforts along the Southwest Border and to strengthen drug interdiction activities throughout the Central American transit zone.

Federal prosecution of border crime is a critical part of our Nation's defense. To ensure a sufficient U.S. Attorney Office (USAO) presence to meet the steadily increasing case load generated by additional law enforcement resources and enable aggressive enforcement of the immigration statutes, including those against alien smuggling organizations and those against aliens, who after deportation attempt to re-enter or are found in the United States illegally, this budget provides \$8.4 million to support the USAO efforts along the Southwest Border. In addition, this budget proposes \$10 million to support the Executive Office for Immigration Review (EOIR) efforts to address increased immigration court case receipts. EOIR's activities are further discussed under Strategic Goal 3: Ensure the Fair and Efficient Administration of Justice.

The ATF supports the Department's Southwest Border Enforcement Initiative by specifically addressing the firearms-related violence perpetrated by warring drug trafficking organizations in border cities such as Laredo, Texas, and Nuevo Laredo, Mexico. The Southwest Border Enforcement Initiative includes \$1 million and 12 positions to enable ATF to support the Department's efforts along the Southwest Border and enhance ATF's ability to inspect, investigate, and more effectively regulate the firearms industry. Agents have noted an "iron river of guns" with thousands of weapons per week crossing the border into Mexico from the United States. Approximately 40 percent of those weapons are linked to drug trafficking organizations. The additional ATF positions will strengthen industry oversight in the region and implement a focused inspection program to identify purchasers, traffickers and non-compliant licensees that may be sources of illegally trafficked firearms used by violent criminals.

Drug Enforcement. The Department's drug strategy utilizes the collective talent and expertise of several federal law enforcement agencies to identify and target the most significant drug supply organizations and components nationwide, and to attack the financial infrastructure supporting those enterprises. Hence, the Department focuses its drug law enforcement efforts on reducing the availability of drugs by disrupting and dismantling the largest drug supply and related money laundering networks operating nationally and internationally, including those on the Attorney General's Consolidated Priority Organization Target (CPOT) List. The CPOT List, consists of the "Most Wanted" drug trafficking and money laundering organizations believed to be primarily responsible for the Nation's illicit drug supply. In FY 2007, the Department dismantled 164 CPOT-linked drug trafficking organizations and severely disrupted 81 organizations. The Department has a long-term goal of dismantling 810 and disrupting 1,260 CPOT-linked organizations through FY 2012. At the end of FY 2007, the Department has achieved 351 of its dismantlement and 778 of its disruption long-term targets.

The Attorney General has designated the OCDETF program to serve as the cornerstone of Department's drug supply reduction strategy. Centrally managed within the Department, the OCDETF program coordinates multi-agency and multi-jurisdictional investigations targeting the most serious drug trafficking threats. The OCDETF program combines the resources and expertise of Drug Enforcement Administration (DEA), the FBI, the ATF, the USMS, the Internal Revenue Service, the Bureau of Immigration and Customs Enforcement, the U.S. Coast Guard, and the litigating forces of DOJ's Criminal Division, Tax Division, and the U.S. Attorneys' Offices. These organizations coordinate to identify, disrupt, and dismantle the most serious drug trafficking and money laundering organizations. The goal of each OCDETF investigation is to determine connections among related investigations nationwide in order to identify and dismantle the entire structure of the drug trafficking organization, from international supply and national transportation cells, to regional and local distribution networks. The FY 2009 budget includes \$532 million for OCDETF. Currently, OCDETF investigations account for approximately 76 percent of all CPOT-linked investigations.

The DEA is the only single-mission federal agency dedicated to enforcing federal drug laws. DEA plays a significant role in reducing the drug supply in America by disrupting and dismantling international and domestic Priority Target Organizations (PTOs), assisting state and local agencies with drug enforcement, and reducing the diversion of illicit drugs. DEA's FY 2009 budget of \$2.2 billion seeks to continue reducing the availability of illicit drugs and the diversion of illicit drugs and precursor chemicals in the United States by disrupting or dismantling significant drug trafficking and money laundering organizations. In FY 2007, the U.S. Coast Guard, as a result of a joint DEA and Panama law enforcement intelligence effort, made the largest maritime seizure of 21 tons of cocaine. In addition, Mexican law enforcement partners, working closely with DEA seized \$207 million in cash from methamphetamine chemical traffickers, the largest drug cash seizure ever made.

In order to dismantle transnational drug trafficking organizations that are responsible for supplying the United States with illegal drugs and precursor chemicals for clandestine laboratories, the Criminal Division focuses its efforts on ensuring the organizations and leaders are brought to justice and prosecuted to the fullest extent of the law. Extradition and mutual legal assistance requests (MLAT) are critical tools for law enforcement and prosecutors. The case load for these types of cases (extradition and MLAT) has grown more than 300 percent over the past seven years. Since FY 2004, the number of Title III electronic surveillance requests reviewed for OCDETF cases and investigations has increased by 40 percent.

Combating Crimes Against Children and Obscenity. Children are our most vulnerable and most exploited members of society. The criminal victimization of children impacts not only the children but also their families, community and society at large. The protection of our Nation's children has been and will continue to be, one of the Department's highest priorities. While signing the Adam Walsh Act into law in July 2006, President Bush said, "Protecting our children is our solemn responsibility. It's what we must do. When a child's life or innocence is taken it is a terrible loss -- it's an act of unforgivable cruelty. Our society has a duty to protect our children from exploitation and danger." The passage of the Act considerably expanded the Department's legal arsenal to protect our children from sexual predators. The Department has established the Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) Office site. The responsibilities of the SMART Office include providing states with guidance regarding the implementation of the Adam Walsh Act, and providing technical assistance to the states, territories, Indian tribes, local governments, and to public and private organizations. The SMART Office also will track important legislative and legal developments related to sex offenders and administer grant programs related to the registration, notification, tracking and monitoring of sex offenders. The FY 2009 Budget includes \$185 million directed to state and local governments to combat crimes against children and obscenity.

Grants Consolidation. To improve the Nation's capacity to prevent crime and build crime fighting capacity in our communities, the Department continuously searches for ways to strengthen the criminal and juvenile justice capabilities of state, local and tribal governments. The Office of Justice Programs (OJP), the Community Oriented Policing Services, and the Office on Violence Against Women administer formula and discretionary grant programs, as well as targeted training and technical assistance on a wide range of criminal justice topics and programs that directly respond to the existing and emerging needs of state, local, and tribal communities. This budget proposes to consolidate more than 70 of the Department's state and local grant programs in order to provide states and localities with more flexibility in addressing our Nation's most critical criminal justice needs, including targeting violent crime. Primarily, the Department's discretionary grant programs will be consolidated into four separate grants: Byrne Public

Safety and Protection Program (\$200 million); Child Safety and Juvenile Justice Program (\$185 million); Violent Crime Reduction Partnership Initiative (\$200 million) and Violence Against Women Program (\$280 million).

Violent Crime Reduction Partnership Initiative. Funding for this initiative (\$200 million) will be used to help communities suffering from high rates of violent crime to tackle this problem by forming and developing effective multi-jurisdictional law enforcement partnerships between local, state, and federal law enforcement agencies. Through a competitive grant process, OJP will provide funding and technical assistance to communities seeking to establish partnerships to investigate and reduce violent crime, including efforts to address drug trafficking and criminal gang activity, which contribute to many violent offenses.

Byrne Public Safety and Protection (Byrne) Program. Funding for this initiative (\$200 million) will assist state and local governments in addressing a number of high-priority concerns, such as: (1) reducing violent crime at the local levels through the Project Safe Neighborhoods initiative; (2) addressing the criminal justice issues surrounding substance abuse through drug courts, residential treatment for prison inmates, prescription drug monitoring programs, methamphetamine enforcement and lab cleanup; (3) promoting and enhancing law enforcement information sharing efforts through improved and more accurate criminal history records; (4) improving the capacity of state and local law enforcement and justice system personnel to make use of forensic evidence and reducing DNA evidence analysis backlogs; (5) addressing domestic trafficking in persons; (6) improving and expanding prisoner re-entry initiatives; and (7) improving services to victims of crime to facilitate their participation in the legal process.

Improving and Local Law Enforcement Intelligence Capabilities. The Department’s Regional Information Sharing System (RISS) is the only national criminal intelligence system operated by and for state and local law enforcement agencies. RISS is comprised of six regional intelligence centers operating in mutually exclusive geographic regions that include all 50 states, the District of Columbia, and U.S. territories. These regional centers facilitate and encourage information sharing and communications to support member agencies' investigative and prosecution efforts by providing -of-the-art investigative support and training, analytical services, specialized equipment, secure information sharing technology, and secure encrypted e-mail and communication capabilities to over 6,000 municipal, county, state, and federal law enforcement agencies nationwide. For FY 2009, \$34.2 million in total funding is requested and will be used to provide increased intelligence and forensic services for state and local law enforcement.

	FY 2007 Revised Actual	FY 2008 Revised Target	FY 2009 Target
[] Designates the reporting entity			
Strategic Goal 2: Enforce Federal Laws and Represent the Rights and Interests of the American People			
Number of organized criminal enterprises dismantled [FBI]	38	34	36
Number of child pornography websites or web hosts shut down [FBI]	1667	700	700
Percentage of firearms investigations resulting in a referral for criminal prosecutions [ATF]	57%	58%	59%

	FY 2007 Revised Actual	FY 2008 Revised Target	FY 2009 Target
[] Designates the reporting entity			
Strategic Goal 2: Enforce Federal Laws and Represent the Rights and Interests of the American People			
DOJ's reduction in the supply of drugs available for consumption in the U.S. [Associate Deputy Attorney General (ADAG/Drugs)]	Progress towards establishing baseline*	Progress towards establishing baseline	Progress towards establishing baseline
Consolidated Priority Organizations Target-linked drug trafficking organizations Disrupted (DEA, FBI [Consolidated data – ADAG/Drugs]) Dismantled (DEA, FBI [Consolidated data – ADAG/Drugs])	169 Disrupted (revised) 86 Dismantled (revised)	Disrupted: 220 Dismantled: 115	Disrupted: 270 Dismantled: 115
TITLE REFINED: Number of high-impact Internet fraud targets neutralized [FBI]	11	11	12
Number of criminal enterprises engaging in white collar crime dismantled [FBI]	255	150	175
Percent of cases favorably resolved: (ATR, CIV, CRM, CRT, ENRD, TAX, USA), [Consolidated data – JMD/BS]) Percent of Criminal Cases favorably resolved Percent of Civil Cases favorably resolved	92% 83%	90% 80%	90% 80%
Percent of Assets/Funds returned to creditors: [USTP] Chapter 7	Data not available until after 1/31/08**	58%	58%
Chapter 13	Data not available until after 4/30/08**	86%	86%
Homicides per site (funded under the Weed and Seed Program) [OJP]	Data not available until after 10/31/08	3.9	3.7
Percent reduction in DNA Backlog (casework only) [OJP]	37% casework	26% casework	26% casework
NEW MEASURE: Percent of children recovered within 72 hours of an issuance of an AMBER alert [OJP]	85.3%	75.0%	75.0%

FY 2007 actuals showing as "Revised": This data was initially reported in the Department's FY 2007 Performance and Accountability Report, November 15, 2007; however, it has been revised to accurately reflect FY 2007 accomplishments

FY 2008 Revised Target: Targets for FY 2008 were initially set with the submission of the FY 2008 President's Budget. Following the reporting of FY 2007 actual performance, the Department is submitting its final (and in some cases revised) FY 2008 targets within this performance plan.

* For DOJ's performance measure: DOJ's reduction in the supply of illegal drugs available for consumption in the U.S. (Establish Baseline by end of FY 2009) [OCDETF]: Measuring reduction in the drug supply is a complex process reflecting of a number of factors outside the control of drug enforcement. Moreover, the impact of enforcement efforts on drug supply and the estimated availability are currently not

measurable in a single year. DOJ is working to develop a meaningful baseline for the supply of drugs available for consumption in the U.S. during FYs 2007-2009. Once a meaningful baseline is established, the Department will achieve a 6% reduction (2% each year) in the supply of illegal drugs from FYs 2010-2012.

** Data lags due to the requirement to audit data submitted by Trustees prior to reporting.

Strategic Goal 2: Resources						
Appropriation	FY 2007 Enacted		FY 2008 Enacted		FY 2009 President's Budget	
	FTE	\$ thousands	FTE	\$ thousands	FTE	\$ thousands
Administrative/Enabling	838	151,373	820	118,213	816	169,634
Alcohol, Tobacco, Firearms, and Explosives	3,065	592,858	2,961	613,958	2,999	616,688
Antitrust Division	851	139,000	851	147,819	851	150,591
Assets Forfeiture Fund (Discretionary)	0	20,990	0	20,990	0	20,990
Assets Forfeiture Fund (Permanent Indefinite)	0	1,554,918	0	1,198,789	0	1,281,410
Civil Division	1,187	208,311	1,294	250,114	1,373	270,431
Civil Rights Division	751	113,597	731	114,450	731	123,151
Community Oriented Policing Services	202	510,838	142	499,733	0	-100,000
Community Relations Service	56	10,221	56	9,794	56	9,873
Crime Victims Fund (Obligation Cap)	0	590,000	0	590,000	0	590,000
Criminal Division	715	118,299	716	128,804	724	141,882
Diversion Control Fee (Mandatory)	1,152	212,078	1,176	239,249	1,184	244,450
Drug Enforcement Administration	9,318	1,702,215	9,311	1,801,852	9,337	1,880,535
Environment & Natural Resources Division	490	95,093	679	99,365	683	103,093
FBI Health Care Fraud	[775]	0	[760]	0	[760]	0
Federal Bureau of Investigation	16,905	2,498,804	15,889	2,510,762	16,007	2,714,908
Federal Bureau of Investigation - Construction	0	0	0	0	0	6,533
Federal Prison System - Salaries and Expenses	0	0	43	6,400	71	9,216
Foreign Claims Settlement Commission	11	1,561	11	1,606	11	1,823
General Administration - NDIC	120	39,000	120	39,000	120	19,500
Health Care Fraud	250	0	250	0	250	0
Interagency Crime & Drug Enforcement	[3,521]	493,935	[3,522]	497,935	[3,550]	531,581
Interpol	65	20,748	65	23,252	65	24,548
Office of Dispute Resolution	3	586	3	541	3	574
Office of Justice Programs - Justice Assistance	476	180,214	451	168,338	593	78,855
Office of Justice Programs - Juvenile Justice	0	326,198	0	358,456	0	144,199
Office of Justice Programs - Public Safety Officers' Death Benefits	0	8,834	0	8,834	0	6,100
Office of Justice Programs - S&L Law Enforcement	0	1,232,892	0	879,009	0	278,576
Office of Justice Programs - Weed & Seed	0	47,861	0	32,100	0	0

Strategic Goal 2: Resources						
Appropriation	FY 2007 Enacted		FY 2008 Enacted		FY 2009 President's Budget	
	FTE	\$ thousands	FTE	\$ thousands	FTE	\$ thousands
Office of Legal Counsel	37	6,278	37	6,184	37	6,693
Office of Solicitor General	49	9,883	49	9,883	49	10,440
Office on Violence Against Women	46	382,571	57	385,300	57	280,000
Public Safety Officers' Death Benefits (Mandatory)	0	66,000	0	66,000	0	49,734
Radiation Exposure Compensation	0	73,650	0	40,000	0	31,050
Spectrum transfer to ATF	0	47,538	0	0	0	0
Spectrum transfer to DEA	0	74,772	0	0	0	0
Spectrum transfer to FBI	0	47,762	0	0	0	0
Tax Division	520	85,729	578	92,781	577	101,016
U. S. Attorneys	11,120	1,557,316	11,220	1,654,325	11,339	1,727,824
U.S. Marshals Service	3	981	3	3,815	3	3,830
U.S. Trustees	1,460	189,000	1,344	189,763	1,344	217,416
Total Strategic Goal 2:	50,541	\$ 13,411,904	48,857	\$ 12,807,414	49,280	\$ 11,747,144

STRATEGIC GOAL 3: Ensure the Fair and Efficient Administration of Justice

Detention and Incarceration. The Department protects American society by providing for the safe, secure, and humane confinement of persons in federal custody through the efforts of the Office of the Federal Detention Trustee (OFDT) and the Federal Bureau of Prisons (BOP). These components ensure that federal criminals and those awaiting trial or deportation are safely and cost-effectively incarcerated and detained. The costs of federal incarceration and detention activities account for almost a third of the Department's annual discretionary budget. At present, there are over 200,000 inmates in BOP's custody, of whom approximately 64 percent were convicted of immigration or drug-related offenses. The population of federal detainees in the custody of OFDT has experienced record growth, having increased more than 83 percent in the past decade. The FY 2009 Budget provides \$5.5 billion for BOP and \$1.3 billion for OFDT. Specific initiatives include: \$50 million to fund 4,000 new beds to house minimum and low security offenders in contractor owned and operated facilities, and \$17.1 million to fund marginal costs (food, medical care, clothing and inmate programs) associated with the inmate population growth above new contract beds in FY 2009, and \$38 million to strengthen OFDT's resources along the Southwest Border.

Judicial Security and Fugitive Apprehension. The U.S. Marshals Service (USMS) maintains the responsibility of ensuring that the federal judicial process operates securely and effectively, a mission that encompasses protection of judges, witnesses, and the public; transporting and producing prisoners for court proceedings; and apprehending fugitives. The increase in the number of terrorist trials, as well as threats against judges and prosecutors, brings perspective to the growing needs for improved courtroom

security. The FY 2009 budget provides a total of \$933 million for the USMS inclusive of \$12.7 million for the Southwest Border Enforcement Initiative. Furthermore, this budget provides the resources needed for the Department to achieve its long-term goal of ensuring that no judicial proceedings are interrupted due to inadequate security through FY 2009.

Additionally, the USMS is charged with conducting and investigating fugitive matters involving escaped federal prisoners; probation, parole and bond default violators; and certain other related felony cases. In FY 2007, through coordinated efforts between federal, state and local law enforcement agencies, the USMS apprehended or cleared 33,437 fugitives in FY 2007, supporting the Department's long-term goal of apprehending or clearing 34,370 primary fugitives by 2012.

Enhancing Immigration-Related Enforcement. The fight against terrorism is the first and overriding priority of the Department and the Administration. A key component of this effort is the securing of our Nation's borders and the repair of the immigration system as a whole. The Executive Office for Immigration Review (EOIR) performs the adjudication of the Department's immigration cases. Protecting America requires a multifaceted strategy that must include the effective coordination of investigative, enforcement, legal and adjudicative resources, both within the Department and in cooperation with other agencies. In October 2006, President Bush signed the Secure Fence Act, which will have profound implication for EOIR's adjudications programs. This budget provides \$261.4 million for EOIR including \$10 million for the Southwest Border Enforcement Initiative for immigration adjudication which will support the Department's long-term goal of completing 90% of EOIR priority cases within established time frames each year through FY 2012. Specific initiatives include \$8.3 million for the implementation and maintenance of a Digital Audio Recording System for immigration courts nationwide to improve audio quality and eliminate inaudible and indiscernible passages and \$1.7 million for the Immigration Review Information Exchange System, which will enable sharing of mission-critical information with DHS and DOJ's Civil Division.

	FY 2007 Revised Actual	FY 2008 Revised Target	FY 2009 Target
[] Designates the reporting entity			
Strategic Goal 3: Ensure the Fair and Efficient Administration of Justice			
Number of participants in the Residential Substance Abuse Treatment (RSAT) Program [OJP]	Data not available until after 10/31/08	20,000	20,000
TITLE REFINED: Graduation rate of program participants in the Drug Courts Program [OJP]	30%	24%	26%
Ensure judicial proceedings are not interrupted due to inadequate security [USMS]	Zero	Zero	Zero
NEW MEASURE: Total primary fugitives apprehended or cleared [USMS]			
Number	33,437	32,370	32,870
Percent	55%	54%	55%
Per day jail cost [OFDT]	\$64.40	\$65.11	\$66.69

[] Designates the reporting entity	FY 2007 Revised Actual	FY 2008 Revised Target	FY 2009 Target
Strategic Goal 3: Ensure the Fair and Efficient Administration of Justice			
Percent of system-wide crowding in Federal prisons [BOP]	37%	37%	39%
Ensure zero escapes from secure BOP facilities [BOP]	Zero	Zero	Zero
Comparative recidivism for Federal Prison Industries (FPI) inmates versus non-FPI inmates [FPI / BOP] Percentage less likely to recidivate: 3 years after release 6 years after release	39% 23%	15% 10%	15% 10%
MEASURE REFINED: Rate of serious assaults in federal prisons [BOP]	12/5000 assaults/inmates	14/5,000 assaults/inmates	14/5,000 assaults/inmates
Inspection Results – Percent of federal facilities with American Correctional Association (ACA) Accreditations [BOP]	100%	99%	99%
Percent of Executive Office for Immigration Review priority cases completed within established timeframes [EOIR] Asylum IHP Detained Detained Appeals	90% 86% 89% 97%	90% 90% 90% 90%	90% 90% 90% 90%

FY 2008 Revised Target: Targets for FY 2008 were initially set with the submission of the FY 2008 President's Budget. Following the reporting of FY 2007 actual performance, the Department is submitting its final (and in some cases revised) FY 2008 targets within this performance plan.

Strategic Goal 3: Resources						
Appropriation	FY 2007 Enacted		FY 2008 Enacted		FY 2009 President's Budget	
	FTE	\$ thousands	FTE	\$ thousands	FTE	\$ thousands
Administrative/Enabling	771	139,182	741	106,871	740	153,754
Exec. Office for Immigration Review	1,364	226,813	1,424	234,320	1,424	261,404
Federal Prison Industries	1,914	3,322	1,930	2,328	1,931	2,328
Federal Prison System - Salaries and Expenses	37,062	5,012,433	35,010	5,044,040	35,228	5,426,538
Federal Prison System - Buildings and Facilities	259	432,425	258	372,720	261	95,807
Fees and Expenses of Witnesses	0	168,300	0	168,300	0	168,300
Justice Prisoner & Alien Transportation System	0	0	0	0	0	0
Office of Federal Detention Trustee	21	1,225,816	21	1,080,920	23	1,295,319
Office of Justice Programs - Justice Assistance	196	118,203	182	94,530	182	125,017
Spectrum transfer to FBI	0	10,545	0	0	0	0
U.S. Marshals Service	4,786	819,166	4,508	857,439	4,780	923,763
U.S. Parole Commission	98	11,509	95	11,462	98	12,570
Violent Crime Reduction Trust Fund	0	-8,000	0	-10,278	0	0
Total Strategic Goal 3:	46,471	\$ 8,159,714	44,169	\$ 7,962,652	44,667	\$ 8,464,800

THE PRESIDENT'S MANAGEMENT AGENDA

In an effort to make government more citizen-centered and results-oriented, the Office of Management and Budget (OMB) established the President's Management Agenda (PMA) in 2001, which heralded a strategy for improving the management of the federal government. The Department recognizes the importance of the PMA and, together with two additional initiatives specific to the Department, follows the PMA criteria to strengthen its management practices, increase transparency and accountability, and improve program performance.

Getting to Green – Status of PMA Implementation: In FY 2001, OMB established criteria to determine if an agency was making progress in the implementation of the objectives outlined within the PMA. The OMB grades agency progress and provides status reports using a green, yellow, red grading system. A score of green identifies an agency as meeting all standards of success for a goal. A yellow score identifies an agency as achieving an intermediate level of performance for all criteria within a goal. The final rating of red defines an agency as having one or more weaknesses. The chart below provides "overall status" regarding the Department's cumulative progress in meeting each objective and the "progress status" displays the Department's incremental progress as of September 30, 2007.

President's Management Agenda	Overall Status*	Progress Status*	Overall Status Compared to FY 2006
Strategic Management of Human Capital	Green	Yellow	↔
Competitive Sourcing	Green	Green	↑
Improved Financial Performance	Red	Green	↔
Expanded Electronic Government	Yellow	Yellow	↔
Performance Improvement Initiative **	Green	Green	↔
Faith-Based and Community Initiative	Green	Green	↔
Real Property Asset Management Initiative	Green	Green	↑

*As of September 2007

**This initiative was previously named Budget and Performance Integration

During 2007, the Department made significant progress in achieving the annual goals and long-term criteria outlined under the PMA. For example, the Department improved to “green” ratings for Competitive Sourcing and Real Property Asset Management Initiatives. The Department successfully maintained “green” in Strategic Management of Human Capital, Performance Improvement, and Faith Based Community Initiatives.

Additionally, the Department continued to create and retain a capable workforce; hold organizations and programs accountable by aligning budgets and performance; make decisions based on timely, sound financial information; expand technology to better serve the public; and manage resources in ways that best serve the taxpayer.

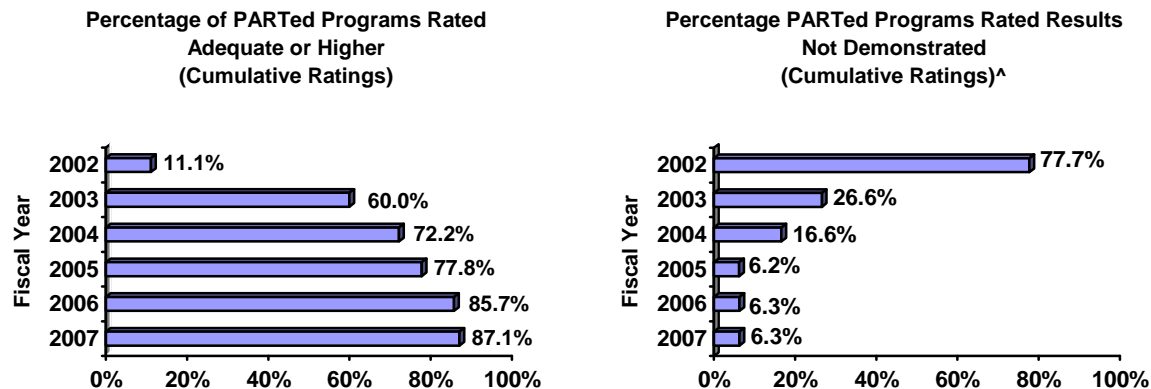
THE PROGRAM ASSESSMENT RATING TOOL (PART)

In 2002, the OMB implemented an analytic assessment of federal programs through the use of the PART. This management tool examines and identifies the effectiveness of programs and helps inform management actions, budget requests, and legislative proposals. The PART also serves as a means to show improvements over time, as well as evaluate programs in these four areas: purpose and design, strategic planning, program management, and results and accountability.

The Department uses the results of these assessments to continue its efforts of improving programs and processes and refining its long-term measurable performance goals. Throughout FY 2007, components reported the current status of follow-up

actions stemming from the PART process through the Department’s Quarterly Status Reporting (QSR) system. In addition to providing routine, reliable financial and performance information, the QSR provides the components a chance to engage leadership in a dialogue regarding the progress and status of PART follow-up actions. These actions demonstrate the Department’s clear commitment to making programmatic improvements and holding managers accountable for the long-term outcomes of these assessments.

The Department continues to make improvements to its programs, which are reflected in the increase of average PART scores from 45 percent in FY 2002 to 72.5 percent in FY 2007. Similarly, respectable ratings of Adequate, Moderately Effective, and Effective have increased from 11.1 percent in FY 2002 to 87.1 percent in FY 2007. At the same time, ratings of “Results not Demonstrated (RND)” have declined from 77.7 percent in FY 2002 to 6.3 percent in FY 2007. The Department continues to make improvements to programs that received such scores and continues its efforts to limit ratings of RND in the future.



[^]The data for this chart are calculated using the Annual Budget authority (dollars) for each program rated Results not Demonstrated divided by total Annual Budget authority for all PARTed programs for each individual fiscal year.

During FY 2007, the Department began the second five-year cycle of PART assessments (FY 2007-2011) with the review of four programs receiving the following ratings: U.S. Attorneys (Adequate); Apprehension of Fugitives (Moderately Effective); Firearms Programs – Integrated Violence (Adequate); and Prison Operations (Moderately Effective). To date, OMB has assessed 39 of the Department’s programs, 10 of which have been reassessed, representing 100 percent of the Department’s non-administrative/enabling annual budget authority.

The PART assessments have led to the development of efficiency measures that track how programs make the best use of resources – time, effort, and money – and capture improvements in program outcomes for a specific level of resource use. To date, the Department has developed 56 efficiency measures spanning across the Department’s strategic goals.