

**U.S. Department of Justice**  
**FY 2014 PERFORMANCE BUDGET**  
**Congressional Submission**

**General Administration**



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## **I. Overview of General Administration**

For the General Administration (GA), the Department of Justice (DOJ) requests a total of 631 permanent positions (177 attorneys), 536 FTE (29 reimbursable), and \$126,208,000 for FY 2014. This request represents an increase of \$15,386,000 from the FY 2012 Enactment, attributable in large part to budget-neutral proposals to make transfers from other components permanent and realign functions within the GA appropriation. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address:  
<http://www.justice.gov/02organizations/bpp.htm>.

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

GA consists of four decision units: Department Leadership, Intergovernmental Relations and External Affairs, Executive Support and Professional Responsibility, and the Justice Management Division.

*Department Leadership*, including the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Privacy and Civil Liberties, Rule of Law, and Access to Justice, develops policies regarding the administration of justice in the United States, and directs and oversees the administration and operation of the Department's bureaus, offices, and divisions to ensure DOJ's success in meeting its strategic goals. These offices also provide advice and opinions on legal issues to the President, members of Congress, and the heads of Executive Departments and Agencies.

*Intergovernmental Relations and External Affairs* includes the Offices of Public Affairs, Legislative Affairs and Tribal Justice. These offices conduct legal and policy analysis of the initiatives necessary for DOJ to meet its strategic goals, and in the many areas in which the Department has jurisdiction or responsibilities. They also act as liaison with federal, state, local and tribal governments, law enforcement officials, the media and Congress on Department activities.

*Executive Support and Professional Responsibility* includes the Offices of Legal Policy, Professional Responsibility, Information Policy and the Professional Responsibility Advisory Office. This decision unit plans, develops, and coordinates the implementation of major policy initiatives of high priority to the Department and to the administration and represents the Department in the administration's judicial process for Article III judges. This decision unit also oversees the investigation of allegations of criminal and ethical misconduct by the Department's attorneys, criminal investigators, or other law enforcement personnel.

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

For performance reporting purposes, resources for GA offices are included under Goal Two, Prevent Crime, Protect the Rights of the American People, and enforce Federal Law, Objective 2.6, Protect the federal fisc and defend the interests of the United States. GA's budget is integrated with its own priorities as well as the Department's Strategic Goals and Objectives.

*Environmental and Sustainability Services* (ESS) is a program responsibility that falls under the Justice Management Division. The duties of this program are to provide guidance for Department compliance on legislation, executive orders, and other regulations. The staff also provides leadership and support to DOJ components, develops and implements DOJ environmental and energy policies, ensures the Department complies with the DOJ occupational safety and health order, and represents DOJ on interagency workgroups among other tasks. ESS has primary responsibility for meeting the various regulatory mandates.

There are three primary Executive Orders (EOs) that govern the activities under ESS areas:

- EO 13423 – “Strengthening Federal Environmental, Energy, and Transportation Management”
- EO 13514 – “Federal Leadership in Environmental, Energy, and Economic Performance” and
- EO 12196 – “Occupational Safety and Health Programs for Federal Employees”

There are also four key pieces of legislation that guide ESS activities:

- Energy Independence and Security Act, 2007,
- Energy Policy Act (EPA) of 2005
- The Occupational Safety and Health Act of 1970, and
- 29 C.F.R. Part 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs

Both EOs 13514 and 13423 include sustainable practices which Federal agencies are encouraged to implement. EO 13514 requires Federal agencies to annually submit the Strategic Sustainability Performance Plan (SSPP) to the Council on Environmental Quality (CEQ) Chair and the Director of the Office of Management and Budget (OMB). The SSPP integrates previous EOs, statutes, and requirements into a single framework that details the agency strategy for achieving goals and targets required. The SSPP explains how the agency will progress from today toward achieving each goal. The Department submitted the SSPP on June 29, 2012. There are eight goals and three additional plans under the Department's SSPP.

- GOAL 1: Greenhouse Gas Reduction and Maintenance of Agency Comprehensive Greenhouse Gas Inventory
- GOAL 2: Buildings, ESPC Initiative Schedule, and Regional & Local Planning
- GOAL 3: Fleet Management

- GOAL 4: Water Use Efficiency and Management
- GOAL 5: Pollution Prevention and Waste Reduction
- GOAL 6: Sustainable Acquisition
- GOAL 7: Electronic Stewardship and Data Centers
- GOAL 8: Agency Innovation & Government-Wide Support

Additional plans: Climate Change Adaptation Plan, Fleet Management Plan and Bio-based Purchasing Strategy.

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

- Developing and implementing a department level higher-tier Environmental Management System (EMS) as the primary management approach for addressing environmental aspects of internal agency operations and activities, including environmental aspects of energy and transportation functions.
- Coordinating and Submitting the Strategic Sustainability Performance Plan to CEQ/OMB annually in June – submitted June 29, 2012.
- Submitting the Climate Adaptation Plan to CEQ/OMB -- submitted June 29, 2012.
- Developing an Electronic Stewardship Program to include acquisition, operation & maintenance and disposal of electronic products. Completed the Department program planning in November, 2012.
- Submitting Department Greenhouse Gas (GHG) inventory to CEQ and OMB annually in January. Submitted the GHG inventory and annual energy report to OMB on January 31, 2013.
- Submitting the Department OMB scorecard semiannually to OMB (January and July) and following through with bureaus and components for improvement. Submitted the OMB scorecard on January 31, 2013.
- Implementing and updating the status of the Energy Savings Performance Contracts (ESPC) to OMB monthly through the end of 2013. Submitted the ESPC contracts' status in the OMB scorecard on January 31, 2013.
- Responding to internal and external customer concerns regarding environmental, health and safety program areas.
- Working closely with Procurement Staff in the sustainable acquisitions program area. Issued Procurement Guidance Document, "Requirement to Incorporate Biobased Terms and Conditions in Solicitations" in December, 2012.
- Developing the safety program for the Offices, Boards, and Divisions.
- Composing the annual Department OSHA report which is submitted to the Department of Labor. Submitted on January 1, 2013.
- Conducting safety evaluations for the Bureaus, Offices, Boards, and Divisions.
- Providing oversight and acting as a safety resource for all DOJ employees.

## II. Summary of Program Changes

| Item Name                 | Description   |          |          |                 | Page      |
|---------------------------|---|----------|----------|-----------------|-----------|
|                           |   | Pos.     | FTE      | Dollars (\$000) |           |
| <b>Tribal Justice</b>     | Funding and staffing to support the Office of Tribal Justice. Includes 3 attorneys to work on legal issues. | <b>3</b> | <b>3</b> | <b>530</b>      | <b>18</b> |
| <b>Admin Efficiencies</b> | Identified across-the-board economies of scale that result in increased efficiencies and cost savings.      |          |          | <b>-200</b>     | <b>20</b> |
| <b>IT Savings</b>         | Represents savings that will be generated through greater inter-component collaboration in IT contracting.  |          |          | <b>-14</b>      | <b>22</b> |

## **II. Appropriations Language and Analysis of Appropriations Language**

### **Appropriations Language**

For expenses necessary for the administration of the Department of Justice, [\$110,822,000] \$126,208,000, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended: Provided, That the Attorney General is authorized to transfer funds appropriated within the General Administration to any office in this account: Provided further, That this transfer authority is in addition to transfers authorized under section 504 [505] of this Act.

### **Analysis of Appropriations Language**

No substantive changes.

Note.--A full-year 2013 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Resolution, 2013 (P.L. 112-175). The amounts included for 2013 reflect the annualized level provided by the continuing resolution.

### III. Decision Unit Justification

#### A. Department Leadership

| <i>Department Leadership</i>               | <b>Direct Pos.</b> | <b>Estimate FTE</b> | <b>Amount</b> |
|--|--------------------|---------------------|---------------|
| 2012 Enacted                               | 71                 | 64                  | \$18,401      |
| 2013 Continuing Resolution                 | 71                 | 64                  | 18,401        |
| 2013 Continuing Resolution 0.612% Increase |                    |                     | 108           |
| Base and Technical Adjustments             |                    |                     | 178           |
| 2014 Current Services                      | 71                 | 64                  | 18,687        |
| 2014 Program Increases                     |                    |                     |               |
| 2014 Program Offsets                       |                    |                     |               |
| 2014 Request                               | 71                 | 64                  | 18,687        |
| <b>Total Change 2012-2014</b>              | <b>0</b>           | <b>0</b>            | <b>286</b>    |

#### 1. Program Description

The Department Leadership decision unit includes the Office of the Attorney General, the Office of the Deputy Attorney General, the Office of the Associate Attorney General, the Office of Privacy and Civil Liberties, the Rule of Law Office and Access to Justice. The general goals and objectives of the Department Leadership decision unit are:

- Advise the President on Constitutional matters and legal issues involving the execution of the laws of the United States.
- Formulate and implement policies and programs that advise the administration of justice in the United States.
- Provide executive-level leadership in: the prevention of terrorism, the continuing war on drugs, combating violent crimes, investigating and prosecuting fraud and other white collar crimes, diminishing prison overcrowding, and, enforcing environmental and civil rights laws.
- Provide executive-level oversight and management of: international law enforcement training and assistance, financial institutions reform, recovery, and enforcement programs, and investigative policy.
- Coordinate criminal justice matters with federal, state, and local law enforcement and criminal justice agencies.
- Prepare and disseminate an *Annual Report* to the Congress and the public regarding the programs and accomplishments of the Department of Justice.
- Develop, review, and oversee the Department’s privacy policies and operations to ensure privacy compliance.

The Attorney General (AG), as head of the DOJ, is the nation’s chief law enforcement officer and is appointed by the President and confirmed by the Senate. The AG furnishes advice and opinions on legal matters to the President, the Cabinet and to the heads of the executive departments and agencies of the government, as provided by law, and makes recommendations to the President concerning appointments within the Department, including U.S. Attorneys and

U.S. Marshals. The AG appears in person to represent the Government before the U.S. Supreme Court in cases of exceptional gravity or importance, and supervises the representation of the government in the Supreme Court and all other courts, foreign and domestic, in which the United States is a party or has an interest as may be deemed appropriate. The AG supervises and directs the administration and operation of the DOJ, including the Federal Bureau of Investigation, Drug Enforcement Administration, Bureau of Alcohol, Tobacco, Firearms and Explosives, Bureau of Prisons, Office of Justice Programs, U.S. Attorneys, and U.S. Marshals Service.

The Deputy Attorney General (DAG) advises and assists the AG in formulating and implementing Department policies and programs and in providing overall supervision and direction to all organizational units of the Department. The DAG is appointed by the President and confirmed by the Senate and is second in command of the Department. The DAG exercises all the power and authority of the AG unless any such power of authority is required by law to be exercised by the AG personally or has been specifically delegated exclusively to another Department official. The DAG exercises the power and authority vested in the AG to take final action in matters specifically pertaining to: (1) the employment, separation, and general administration of personnel in the Senior Executive Service (SES) and of attorneys and law students regardless of grade or pay, (2) the appointment of special attorneys and special assistants to the AG, (3) the appointment of Assistant U.S. Trustees and fixing of their compensation, and (4) the approval of the appointment by U.S. Trustees of standing trustees and the fixing of their maximum annual compensation and percentage fees as provided in 28 U.S.C. 586 (e). The DAG also coordinates departmental liaison with White House staff and the Executive Office of the President, and coordinates and controls the Department's reaction to terrorism and civil disturbances.

The Associate Attorney General (AAG) is appointed by the President and is subject to confirmation by the Senate. As the third-ranking official of the Department, the AAG is a principal member of the AG's senior management team and advises and assists the AG and DAG on the formulation and implementation of DOJ policies and programs. The AAG coordinates departmental liaison with the White House staff and prepares recommendations for the consideration of the AG for judicial appointments and presidential appointments within the Department. In addition to these duties, the AAG oversees the work of the Antitrust, Civil, Civil Rights, Environment and Natural Resources, and Tax Divisions. This office also has oversight responsibility for the Office of Justice Programs, the Office of Community Oriented Policing Services, the Community Relations Service, the Office on Violence Against Women, the Office of Information Policy, the Executive Office for U.S. Trustees, and the Foreign Claims Settlement Commission.

The Office of Privacy and Civil Liberties (OPCL) is responsible for refining the Department's policies relating to the protection of individual civil rights, specifically in the context of the Department's counterterrorism and law enforcement efforts, and coordinating the work of the Department related to the protection of privacy and civil liberties. The OPCL also ensures that the appropriate Department personnel receive training on the additional privacy and civil liberties protections provided in the Patriot Improvement and Reauthorization Act. OPCL works with the Inspector General to ensure that all reports required by that Act regarding privacy and civil liberties are submitted.

In March 2007, pursuant to his responsibilities under 22 U.S.C 3927 and 2656, the U.S. Ambassador in Iraq reorganized all civilian and law enforcement efforts supporting Rule of Law in Iraq under a single authority, and named a senior Justice Department official as the Rule of Law Coordinator at the Embassy. The ROL Coordinator provided oversight for more than 80 personnel under Chief of Mission authority, coordinated these efforts with United States Forces-Iraq to ensure a unified effort, and served as an advisor to the Ambassador on justice-related issues. In December 2011, with the final withdrawal of all U.S. forces from Iraq and the normalization of the U.S. Embassy in Baghdad, DOJ made the transition from the leadership role for Rule of Law development in Iraq under the DOJ-led Office of the Rule of Law Coordinator to a smaller, more-focused mission supervised by the Office of the Justice Attaché. The Justice Attaché is now the senior DOJ official in Iraq and is responsible for the Embassy's liaison relationship with the Iraqi court system and the Ministry of Justice, Iraq-related operational matters within Iraqi or U.S. courts, and the coordination of DOJ-implemented capacity building programs.

The primary focus of the Access to Justice Initiative is to help the justice system efficiently deliver outcomes that are fair and accessible to all, irrespective of wealth and status. The Initiative's staff works within the Department of Justice, across federal agencies, and with state, local, and tribal justice system stakeholders to increase access to counsel and legal assistance and to improve the justice delivery systems that serve people who are unable to afford lawyers.

**B. Intergovernmental Relations/External Affairs**

| Intergovernmental Relations/External Affairs | Direct Pos. | Estimate FTE | Amount       |
|--|-------------|--------------|--------------|
| 2012 Enacted                                 | 46          | 42           | \$8,142      |
| 2013 Continuing Resolution                   | 46          | 41           | 8,142        |
| 2013 Continuing Resolution 0.612% Increase   |             |              | 47           |
| Base and Technical Adjustments               | 4           | 1            | 1,107        |
| 2014 Current Services                        | 50          | 42           | 9,296        |
| 2014 Program Increases                       | 3           | 3            | 530          |
| 2014 Program Offsets                         |             |              |              |
| 2014 Request                                 | 53          | 45           | 9,826        |
| <b>Total Change 2012-2014</b>                | <b>7</b>    | <b>3</b>     | <b>1,684</b> |

Note: The majority of the increase in base and technical adjustments is for transfers from components to centralize funding for the Office of Tribal Justice.

**1. Program Description**

The Intergovernmental Relations/External Affairs decision unit consists of the Offices of Public Affairs, Legislative Affairs and Tribal Justice. The general goals and objectives of the Intergovernmental Relations/External Affairs program are to:

- Improve the process of reviewing and clearing through the Department legislative proposals initiated by other agencies within the Administration.

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

The Office of Public Affairs (PAO) is the principle point of contact for DOJ with the public and the media. PAO is responsible for ensuring the public is informed about the Department's activities and the priorities and policies of the AG with regard to law enforcement and legal affairs. Its staff advises the AG and other Department officials on all aspects of media relations and general communications. The Office also coordinates the public affairs units for Departmental components. PAO also prepares and issues Department news releases and frequently reviews and approves those issued by components. It serves reporters assigned to the Department by responding to queries, issuing news releases and statements, arranging interviews, and conducting news conferences. PAO ensures that information provided to the media by the Department is current, complete, and accurate. It also ensures that all applicable laws, regulations, and policies involving the release of information to the public are followed so that the maximum disclosure is made without jeopardizing investigations and prosecutions, violating rights of individuals, or compromising national security interests.

The Office of Legislative Affairs (OLA) has responsibility for devising and implementing the legislative strategy to carry out the AG's initiatives that require congressional action. Similarly, OLA articulates the views of the Department, including the components, on congressional legislative initiatives. OLA responds for the Department to requests and inquiries from congressional committees, individual congressional members, and their staffs. It coordinates congressional oversight activities involving the Department, as well as the appearances of Department witnesses and the interagency clearance of all congressional testimony. OLA participates in the Senate confirmation process for federal judges and Department nominees, such as Assistant Attorneys General and U.S. Attorneys.

There are over 54 million acres of Indian country, the majority of which is under federal jurisdiction. Hundreds of federal cases, in addition to other conflicts needing resolution are

generated in this area each year. The Office of Tribal Justice (OTJ) is responsible for serving as the primary point of contact between the 566 federally recognized tribes and the Department in these matters. OTJ coordinates these complex matters, the underlying policy, and emerging legislation between more than a dozen DOJ components active in Indian country. External coordination with the Departments of Interior, Health and Human Services, and Homeland Security, as well as the Congress is another of OTJ's duties. OTJ also provides legal expertise in Indian law to the Department in those matters that progress to the Appellate level, or issues being considered for legislation. In FY 2014, this formerly fully reimbursable office will be converted to appropriated via adjustment to base transfers from the contributing components.

**C. Executive Support/Professional Responsibility**

| Executive Support/Professional Responsibility | Direct Pos. | Estimate FTE | Amount        |
|---|-------------|--------------|---------------|
| 2012 Enacted                                  | 58          | 53           | \$12,971      |
| 2013 Continuing Resolution                    | 58          | 51           | 12,971        |
| 2013 Continuing Resolution 0.612% Increase    |             |              | 81            |
| Base and Technical Adjustments                | 67          | 53           | 12,081        |
| 2014 Current Services                         | 125         | 104          | 25,133        |
| 2014 Program Increases                        |             |              |               |
| 2014 Program Offsets                          |             |              | -200          |
| 2014 Request                                  | 125         | 104          | 24,933        |
| <b>Total Change 2012-2014</b>                 | <b>67</b>   | <b>51</b>    | <b>11,962</b> |

Note: The majority of the increase in base and technical adjustments is for transfers from components to centralize funding for the Office of Information Policy and the Professional Responsibility Advisory Office and to realign 3 positions from the Executive Office for United States Attorneys to the Office of Professional Responsibility.

**1. Program Description**

The Executive Support/Professional Responsibility decision unit consists of the Offices of Legal Policy, Professional Responsibility, Information Policy, and the Professional Responsibility Advisory Office. The general goals and objectives of this decision unit are to:

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

The Office of Legal Policy (OLP) plans, develops, and coordinates the implementation of major policy initiatives of high priority to the Department and the Administration and represents the Department in the Administration's judicial process for Article III judges. OLP is headed by an Assistant Attorney General who is appointed by the President and confirmed by the Senate. OLP

also absorbed the functions of the Office of Dispute Resolution (ODR) in FY 2012 from the General Legal Activities appropriation. The mission of ODR is to promote and facilitate the broad and effective use of alternative dispute resolution processes in settling litigation handled by the Department of Justice and in resolving administrative disputes throughout the Executive Branch of the Federal Government.

The Office of Professional Responsibility (OPR), which reports directly to the AG, is responsible for investigating allegations of misconduct by DOJ attorneys in their duties to investigate, represent the government in litigation, or provide legal advice. In addition, OPR has jurisdiction to investigate allegations of misconduct by law enforcement personnel when they are related to allegations of attorney misconduct within the jurisdiction of OPR. OPR's primary objective is to ensure that DOJ attorneys continue to perform their duties in accordance with the high professional standards expected of the nation's principal law enforcement agency. OPR is headed by the Counsel for Professional Responsibility, who is a career government official. Under the Counsel's direction, OPR reviews allegations of attorney misconduct involving violation of any standard imposed by law, applicable rules of professional conduct, or departmental policy. When warranted, OPR conducts full investigations of such allegations and reports its findings and conclusions to the Attorney General and other appropriate Department officials. The Professional Misconduct Review Unit is responsible for all disciplinary and state bar referral actions relating to OPR findings of professional misconduct against career attorneys. OPR also oversees the Federal Bureau of Investigation's Office of Professional Responsibility and the Drug Enforcement Administration's Office of Professional Responsibility and serves as the Department's contact with state bar disciplinary organizations. The objectives of OPR are different from the Office of the Inspector General (OIG) in that OPR focuses on allegations of misconduct which affect the ability of the Department to investigate, litigate, or prosecute, while the OIG focuses on allegations of waste and abuse and other matters which do not implicate the ability of the Department to investigate, litigate or prosecute. In FY 2014, OPR is receiving a transfer of 3 positions and \$618,000 from the United States Attorneys to permanently fund positions that have been filled by detailees over the last several years.

The Office of Information Policy (OIP) was established as an independent office in 1993. It manages certain departmental responsibilities related to FOIA. These responsibilities include coordinating and implementing policy development and compliance government-wide for the FOIA, and Department-wide for the Privacy Act. OIP makes decisions on all appeals from denials by any Department component of access to information under these two Acts. Additionally, OIP promotes effective FOIA operations across government by issuing guidance and providing training to agency FOIA officers. In FY 2014, this formerly fully reimbursable office will be converted to appropriated via adjustment to base transfers from the contributing components.

The Professional Responsibility Advisory Office (PRAO) is dedicated to resolving professional responsibility issues faced by Department attorneys and Assistant U.S. Attorneys. PRAO provides prompt, consistent advice to Department leadership, government attorneys and Assistant U.S. Attorneys with respect to areas of professional responsibility and choice-of-law issues. It assembles and maintains the codes of ethics, including all relevant interpretative decisions and bar opinions of every state, territory and the District of Columbia as well as other

reference materials, and serves as a central repository for briefs and pleadings as cases arise. It provides coordination with the litigating components of the Department to defend attorneys in any disciplinary or other hearings that allege they failed to meet their ethical obligations and serves as liaison with the state and federal bar associations in matters related to the implementation and interpretation of the Ethical Standards for Prosecutors Act and any amendments and revisions to the various state ethics codes. PRAO is headed by a director who is a career government executive. In FY 2014, this formerly fully reimbursable office will be converted to appropriated via adjustment to base transfers from the contributing components.

#### **D. Justice Management Division**

| <i>Justice Management Division</i>         | <b>Direct Pos.</b> | <b>Estimate FTE</b> | <b>Amount</b> |
|--|--------------------|---------------------|---------------|
| 2012 Enacted                               | 382                | 341                 | \$71,308      |
| 2012 Continuing Resolution                 | 382                | 330                 | 71,308        |
| 2013 Continuing Resolution 0.612% Increase |                    |                     | 442           |
| Base and Technical Adjustments             |                    | -7                  | 1,026         |
| 2014 Current Services                      | 382                | 323                 | 72,776        |
| 2014 Program Increases                     |                    |                     |               |
| 2014 Program Offsets                       |                    |                     | -14           |
| 2014 Request                               | 382                | 323                 | 72,762        |
| <b>Total Change 2012-2014</b>              |                    | -18                 | 1,454         |

| <i>Justice Management Division – Information Technology Breakout (of Decision Unit Total)</i> | <b>Direct Pos.</b> | <b>Estimate FTE</b> | <b>Amount</b> |
|---|--------------------|---------------------|---------------|
| 2012 Enacted  |                    |                     | 1,392         |
| 2013 Continuing Resolution  |                    |                     | 1,286         |
| 2013 Continuing Resolution 0.612% Increase  |                    |                     | 1,286         |
| Base and Technical Adjustments  |                    |                     |               |
| 2014 Current Services   |                    |                     | 1,286         |
| 2014 Program Increases  |                    |                     |               |
| 2014 Program Offsets  |                    |                     | -14           |
| 2014 Request  |                    |                     | 1,272         |
| <b>Total Change 2012-2014</b>   |                    |                     | -120          |

#### **1. Program Description**

The Justice Management Division (JMD), under the direction of the Assistant Attorney General for Administration, provides advice and assistance to senior management officials relating to basic Department policy for budget and financial management, personnel management and training, facilities, procurement, equal employment opportunity, information processing, records management, security, and all other matters pertaining to organization, management and administration. JMD provides direct administrative support services such as personnel, accounting, procurement, library, budget, facilities and property management to offices, boards and divisions of the Department and operates several central services, such as automated data processing and payroll, on a reimbursable basis through the Working Capital Fund. The

Division collects, organizes, and disseminates records information that is necessary for the Department to carry out its statutory mandate and provides general research and reference assistance regarding information to Department staff, other government attorneys, and members of the public.

The major functions of JMD are to:

- Review and oversee management functions, programs, operating procedures, supporting systems and management practices.
- Supervise, direct, and review the preparation, justification, and execution of the Department's budget, including the coordination and control of the programming and reprogramming of funds.
- Review, analyze, and coordinate the Department's programs and activities to ensure that the Department's use of resources and estimates of future requirements are consistent with the policies, plans, and mission priorities of the Attorney General.
- Plan, direct, and coordinate department-wide personnel management programs and develop and issue department-wide policy in all personnel program areas.
- Direct department-wide financial management policies, internal controls, programs, procedures, and systems including financial accounting, planning, analysis, and reporting.
- Formulate and administer the General Administration appropriation of the Department's budget.
- Plan, direct, administer, and monitor compliance with department-wide policies, procedures, and regulations concerning records, reports, procurement, printing, graphics, audiovisual activities, forms management, supply management, motor vehicles, real and personal property, space assignment and utilization, employee health and safety programs, and other administrative services functions.
- Direct all Department security programs including personnel, physical, document, information processing, telecommunications, and special intelligence and formulate and implement Department defense mobilization and contingency planning.
- Review legislation for potential impact on the Department's resources.
- Establish policy and procedures related to debt collection and asset forfeiture.
- Develop, direct, coordinate, and monitor compliance with department wide policies and programs for implementing an effective and viable equal employment opportunity program that includes affirmative employment initiatives and procedures for the timely and equitable processing of discrimination complaints.
- Direct the Department's ethics program by administering the ethics laws and regulations and coordinating the work of the deputy ethics officials throughout the Department. This includes issuing advice, providing ethics briefings, and reviewing financial disclosure reports.

| PERFORMANCE AND RESOURCES TABLE  |             |         |                    |         |                   |           |                   |  |       |                   |                   |
|--|-------------|---------|--------------------|---------|-------------------|-----------|-------------------|--|-------|-------------------|-------------------|
| Decision Unit: Justice Management Division   |             |         |                    |         |                   |           |                   |  |       |                   |                   |
| DOJ Strategic Goal/Objective: Goal 2/Objective 2.6 Protect the federal fisc and defend the interests of the United States. |             |         |                    |         |                   |           |                   |  |       |                   |                   |
| WORKLOAD/ RESOURCES  |             | Target  |                    | Actual  |                   | Projected |                   | Changes  |       | Requested (Total) |                   |
|  |             | FY 2012 |                    | FY 2012 |                   | FY 2013   |                   | Current Services Adjustments and FY 2014 Program Changes |       | FY 2014 Request   |                   |
| Total Costs and FTE [reimb]  |             | FTE     | \$000              | FTE     | \$000             | FTE       | \$000             | FTE  | \$000 | FTE               | \$000             |
|  |             | 403     | 78,540<br>[10,487] | 361     | 69,590<br>[4,482] | 350       | 71,308<br>[4,345] | 0  | 0     | 343               | 72,762<br>[4,345] |
| TYPE/<br>STRATEGIC<br>OBJECTIVE  | PERFORMANCE | FY 2012 |                    | FY 2012 |                   | FY 2013   |                   | Current Services Adjustments and FY 2014 Program Changes |       | FY 2014 Request   |                   |
| <u>Program Activity: Human Capital</u>   |             | FTE     | \$000              | FTE     | \$000             | FTE       | \$000             | FTE  | \$000 | FTE               | \$000             |
|  |             | 53      | 12,241             | 51      | 10,613            | 54        | 10,723            | 0  | 0     | 54                | 10,723            |
| Number of Personnel Actions  |             | 287,080 |                    | 263,678 |                   | 282,625   |                   | 0  |       | 282,625           |                   |
| Number of Whistleblower Case Issuances   |             | 20      |                    | 63      |                   | 40        |                   | 0  |       | 40                |                   |
| Ensure there are sufficient replacement workers for separations (ratio)  |             | 0.69    |                    | 1.08    |                   | 0.50      |                   |  |       | 0.50              |                   |
| <u>Budget and Performance Integration</u>  |             | FTE     | \$000              | FTE     | \$000             | FTE       | \$000             | FTE  | \$000 | FTE               | \$000             |
|  |             | 46      | 7,109              | 47      | 7,137             | 52        | 7,407             | 0  | 0     | 52                | 7,407             |
| Monitor Budget & Performance Goals Quarterly for all Accounts  |             | 100%    |                    | 100%    |                   | 100%      |                   | 0  |       | 100%              |                   |
| <u>Secure and Consolidated Facilities</u>  |             | FTE     | \$000              | FTE     | \$000             | FTE       | \$000             | FTE  | \$000 | FTE               | \$000             |
|  |             | 108     | 21,528             | 106     | 18,050            | 108       | 18,426            | 0  | 0     | 115               | 18,426            |
| Number of Security Compliance Reviews/Follow Ups Completed   |             | 36      |                    | 42      |                   | 35        |                   | 0  |       | 35                |                   |
| Number of Employee/Contractor Adjudications Completed  |             | 10,050  |                    | 10,471  |                   | 10,050    |                   | 0  |       | 10,050            |                   |

**PERFORMANCE MEASURE TABLE**

**Decision Unit: JMD**

| Performance Report and Performance Plan Targets |   | FY 2007 | FY 2008 | FY 2009 | FY 2010 | FY 2011 | FY 2012 | FY 2013 |        | FY 2014 |
|---|---|---------|---------|---------|---------|---------|---------|---------|--------|---------|
|   |   | Actual  | Actual  | Actual  | Actual  | Actual  | Actual  | Target  | Actual | Target  |
| <b>Performance Measure</b>                      | Number of Personnel Actions                                   | 390,608 | 317,313 | 280,725 | 370,090 | 287,080 | 263,678 | 282,625 | 0      | 282,625 |
| <b>Performance Measure</b>                      | Number of Whistleblower Case Issuances                        | 60      | 109     | 35      | 40      | 20      | 63      | 40      | 0      | 40      |
| <b>Performance Measure</b>                      | Monitor Budget & Performance Goals Quarterly for all Accounts |         |         | 100%    | 100%    | 100%    | 100%    | 100%    | 0%     | 100%    |
| <b>Performance Measure</b>                      | Number of Security Compliance Reviews/Follow-ups Completed    | 55      | 53      | 51      | 43      | 36      | 42      | 35      | 0      | 35      |
| <b>OUTCOME Measure</b>                          |   |         |         |         |         |         |         |         |        |         |

## **Performance, Resources, and Strategies**

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

- Human Capital - to recruit, hire, train, appraise, reward, and retain a highly qualified and diverse workforce to achieve DOJ’s mission objectives.
- Budget and Performance - to manage DOJ resources using integrated budget and performance criteria.
- Secure and Consolidated Facilities - to maximize space utilization and ensure safe and secure facilities.

## V. Program Increases by Item

**Item Name:** Tribal Justice  
Budget Decision Unit(s): Intergovernmental Relations/External Affairs  
Strategic Goal/Objective: Strategic Goal 3/Objective 3.1  
Organizational Program: Office of Tribal Justice

Component Ranking of Item: 1

Program Increase: Positions 3 Atty 3 FTE 3 Dollars \$530,000

### Description of Item

Funding and staffing is requested to support the DOJ's Office of Tribal Justice (OTJ).

### Justification

OTJ was established in 1985 in response to the overwhelming demand by Indian tribes for better coordination within the Department and among other federal agencies on law enforcement and public safety issues. OTJ has been funded through reimbursements from other Department components. Because of its successes, the Department recognizes the need to institutionalize OTJ within the Intergovernmental Relations/External Affairs Decision Unit. Therefore, the Department is requesting that \$1,238,235 and five positions/FTE be transferred from the following appropriations to the General Administration appropriation to fund OTJ: \$489,144 and two positions/FTE from the Executive Office for U.S. Attorneys appropriation, \$597,083 and two positions/FTE from General Legal Activities (\$336,425 and one pos/FTE from the Criminal Division and \$260,658 and 1 pos/FTE from the Civil Rights Division), and \$152,008 from the Justice Management Division within the General Administration appropriation.

In addition to the transfer of resources, OTJ is also in need of additional staffing to manage the increasing responsibilities of the Indian Country initiative. The additional staffing requested includes three attorneys to work on legal issues. OTJ is also anticipated to need \$30,000 for travel, which is included as non-personnel funding.

This increase in staffing is in recognition of the real duties of the OTJ. There are over 54 million acres of Indian country, the majority of which is under federal jurisdiction. Hundreds of federal cases, in addition to other conflicts needing resolution are generated in this area each year. OTJ is responsible for serving as the primary point of contact between the 566 federally recognized tribes and the Department in these matters. OTJ coordinates these complex matters, the underlying policy, and emerging legislation between more than a dozen DOJ components active in Indian country. OTJ also serves as the lead component in managing the Department's complex government-to-government relationship with tribes. This relationship and OTJ's responsibilities are delineated in Executive Order 13175, the Attorney General's memorandum reorganizing the OTJ, 28 C.F.R. 0.134, establishing OTJ as a distinct component of the Department, and in provisions of the Tribal Law and Order Act of 2010. External coordination with the Departments of the Interior, Health and Human Services, and Homeland Security, and other federal agencies, as well as the Congress is another of OTJ's duties. OTJ also provides

legal expertise in Federal Indian Law to the Department in those matters that progress to the Appellate level, or issues being considered for legislation. To ensure that the Department's Indian country responsibilities are met, the increase in OTJ staff is necessary.

Impact on Performance (Relationship of Increase to Strategic Goals and Priority Goals)

The request supports Objective 3.1 "Promote and strengthen relationships and strategies for the administration of justice with State, local, Tribal, and international law enforcement," which is included in Strategic Goal 3.

**Funding**

Base Funding

| FY 2012 Enacted |      |     |         | FY 2013 CR |      |     |         | FY 2014 Current Services |      |     |         |
|-----------------|------|-----|---------|------------|------|-----|---------|--------------------------|------|-----|---------|
| Pos             | atty | FTE | \$(000) | Pos        | atty | FTE | \$(000) | Pos                      | atty | FTE | \$(000) |
| 0               | 0    | 0   | 0       | 0          | 0    | 0   | 0       | 4                        | 4    | 4   | 1,238   |

Personnel Increase Cost Summary

| Type of Position         | Modular Cost per Position (\$000) | Number of Positions Requested | FY 2014 Request (\$000) | FY 2015 Net Annualization (change from 2014) (\$000) | FY 2016 Net Annualization (change from 2015) (\$000) |
|--------------------------|-----------------------------------|-------------------------------|-------------------------|--|--|
| Attorney Advisor – GS 13 | 167                               | 3                             | 500                     | 0  | 0  |
| Total Personnel          |                                   | 3                             | 500                     | 0  | 0  |

Non-Personnel Increase Cost Summary

| Non-Personnel Item  | Unit Cost | Quantity | FY 2013 Request (\$000) | FY 2015 Net Annualization (Change from 2014) (\$000) | FY 2016 Net Annualization (Change from 2015) (\$000) |
|---------------------|-----------|----------|-------------------------|--|--|
| Travel Expenses     | 30        | 1        | 30                      | 0  | 0  |
| Total Non-Personnel |           |          | 30                      | 0  | 0  |

Total Request for this Item

|                  | Pos | Agt/Atty | FTE | Personnel (\$000) | Non-Personnel (\$000) | Total (\$000) | FY 2015 Net Annualization (Change from 2014) (\$000) | FY 2016 Net Annualization (Change from 2015) (\$000) |
|------------------|-----|----------|-----|-------------------|-----------------------|---------------|--|--|
| Current Services | 5   | 4        | 5   | 1,238             | 0                     | 1,238         | 0  | 0  |
| Increases        | 3   | 3        | 3   | 500               | 30                    | 530           | 0  | 0  |
| Grand Total      | 8   | 7        | 8   | 1,738             | 30                    | 2,238         | 0  | 0  |

## VI. Program Offsets by Item

**Item Name:** Administrative Efficiencies

Budget Decision Unit(s): Executive Support/Professional Responsibility

Strategic Goal/Objective: Strategic Goal 4/Enabling

Organizational Program: Non-personnel

Component Ranking of Item: 2

Program Offset: Positions 0 Atty 0 FTE 0 Dollars -\$200,000

### Description of Item

Administrative efficiencies.

### Summary Justification

The Department is continually evaluating its programs and operations with the goal of achieving across-the-board economies of scale that result in increased efficiencies and cost savings. In FY 2014, the Department is focusing on areas in which savings can be achieved, which includes: printing, publications, travel, conferences, supplies, and general equipment. For GA, these administrative efficiencies will result in an offset of \$200,000.

### Impact on Performance (Relationship of Decrease to Strategic Goals and Priority Goals)

No known effect on the Priority Goals.

## Funding

### Base Funding

| FY 2012 Enacted |              |     |         | FY 2013 CR |              |     |         | FY 2014 Current Services |              |     |         |
|-----------------|--------------|-----|---------|------------|--------------|-----|---------|--------------------------|--------------|-----|---------|
| Pos             | agt/<br>atty | FTE | \$(000) | Pos        | agt/<br>atty | FTE | \$(000) | Pos                      | agt/<br>atty | FTE | \$(000) |
| 382             | 0            | 341 | 71,308  | 382        | 0            | 330 | 71,308  | 382                      | 0            | 323 | 72,776  |

### Non-Personnel Reduction Cost Summary

| Non-Personnel Item  | Unit | Quantity | FY 2014 Request (\$000) | FY 2015 Net Annualization (change from 2014) (\$000) | FY 2016 Net Annualization (change from 2015) (\$000) |
|---------------------|------|----------|-------------------------|--|--|
| Total Non-Personnel | 0    | 0        | -200                    | 0  | 0  |

Total Request for this Item

|                     | Pos | Agt/Atty | FTE | Personnel<br>(\$000) | Non-<br>Personnel<br>(\$000) | Total<br>(\$000) | FY 2015 Net<br>Annualization<br>(change from 2014)<br>(\$000) | FY 2016 Net<br>Annualization<br>(change from 2015)<br>(\$000) |
|---------------------|-----|----------|-----|----------------------|------------------------------|------------------|---|---|
| Current<br>Services | 382 | 0        | 323 | 48,759               | 24,017                       | 72,776           | 0   | 0   |
| Decreases           | 0   | 0        | 0   |                      | -200                         | -200             | 0   | 0   |
| Grand<br>Total      | 382 | 0        | 323 | 48,759               | 24,017                       | 72,576           | 0   | 0   |

**Item Name:** IT Savings

Budget Decision Unit(s): Justice Management Division  
Strategic Goal/Objective: Strategic Goal 4/Enabling  
Organizational Program: Justice Management Division

Component Ranking of Item: 3

Program Offset: Positions 0 Atty 0 FTE 0 Dollars -\$14,000

Description of Item

Information technology savings.

Summary Justification

As part of its effort to increase IT management efficiency and comply with OMB’s direction to reform IT management activities, the Department is implementing a cost saving initiative as well as IT transformation projects. To support cost savings, the Department is developing an infrastructure to enable DOJ components to better collaborate on IT contracting; which should result in lower IT expenditures. In FY 2014 the Department anticipates realizing savings on all direct non-personnel IT spending through IT contracting collaboration. These savings will support greater management efficiency within GA. The offset to support these initiatives for GA is \$14,000.

Impact on Performance (Relationship of Decrease to Strategic Goals and Priority Goals)

No known effect on the Priority Goals.

**Funding**

Base Funding

| FY 2012 Enacted |              |     |         | FY 2013 CR |              |     |         | FY 2014 Current Services |              |     |         |
|-----------------|--------------|-----|---------|------------|--------------|-----|---------|--------------------------|--------------|-----|---------|
| Pos             | agt/<br>atty | FTE | \$(000) | Pos        | agt/<br>atty | FTE | \$(000) | Pos                      | agt/<br>atty | FTE | \$(000) |
| 0               | 0            | 0   | 1,392   |            | 0            |     | 1,286   | 0                        | 0            | 0   | 1,286   |

Non-Personnel Reduction Cost Summary

| Non-Personnel Item  | Unit | Quantity | FY 2013 Request (\$000) | FY 2014 Net Annualization (change from 2013) (\$000) | FY 2015 Net Annualization (change from 2014) (\$000) |
|---------------------|------|----------|-------------------------|--|--|
| IT Savings          |      |          | -14                     | 0  | 0  |
| Total Non-Personnel |      |          | -14                     | 0  | 0  |

Total Request for this Item

|                     | Pos | Agt/Atty | FTE | Personnel<br>(\$000) | Non-<br>Personnel<br>(\$000) | Total<br>(\$000) | FY 2014 Net<br>Annualization<br>(change from 2013)<br>(\$000) | FY 2015 Net<br>Annualization<br>(change from 2014)<br>(\$000) |
|---------------------|-----|----------|-----|----------------------|------------------------------|------------------|---|---|
| Current<br>Services | 0   | 0        | 0   | 0                    | 1,286                        | 1,286            | 0   | 0   |
| Decreases           |     |          |     |                      | -14                          | -14              | 0   | 0   |
| Grand<br>Total      | 0   | 0        |     | 0                    | 1,272                        | 1,272            | 0   | 0   |

## **IV. EXHIBITS**