

Department of Justice E-Government Act Report 2010

Section 1 – Innovation and Transparency

1. Describe your top three E-Government IT accomplishments related to Open Government and innovation from this year.

The Department of Justice's Open Government Plan, dated April 7, 2010, expands on the Office of Management and Budget's Open Government Directive issued in December 2009. The Open Government Plan is tied to the Department's core missions and includes both new initiatives and new efforts to improve ongoing programs. It sets forth endeavors to increase transparency, collaboration and participation in the Department's programs for years to come. The Department has initiated several activities that employ a more open, collaborative and participatory approach. Discussed below are three E-Government IT accomplishments as they pertain to the Department's Open Government Plan.

As the lead agency responsible for implementation of the Freedom of Information Act (FOIA), the Department has a special role in encouraging agency compliance with the FOIA mandates. The Department took an initial step in December 2009 by setting a transparency precedent for the rest of government by releasing on its Web site, the Department of Justice's Fiscal Year 2008 Annual Freedom of Information Act (FOIA) Report in a more publicly accessible format. As a result of the new format, members of the public, including public interest organizations, scholars, and the media, are able to track more easily FOIA performance.

To further transparency in government, the Department will soon launch a web site (FOIA.gov) that collects cross-government data about agency FOIA performance and presents it in an easy-to-understand and interactive manner. When FOIA.gov goes live it will demonstrate how transparency promotes accountability. Interested parties will not only be able to read all reports from all federal agencies in one location but will also have data and graphics to readily compare the performance of the federal agencies in important categories as: most active requests, fastest processing time, most significant reduction in the agency backlog, and most total and partial grants of records.

Of perhaps even more significance is that the data available on the site will also be available to the public for download as XML documents. This will enable any desired offline processing, storage, and comparison. Site visitors will also have, at their fingertips, a glossary of terms, responses to questions most frequently asked, FOIA news, as well as the list of FOIA public liaisons for all agencies and instructions on how to make a FOIA request. These features should help to make this new site a "one stop shop" for FOIA inquiries.

A core element of the Department of Justice's Open Government Plan is the publication of high-value datasets that increase accountability and responsiveness, improve public knowledge of the Department of Justice and our operations, create economic opportunity, and respond to the

needs and demands of the public. At the end of FY 2010, the Department had registered 96 datasets and tools on Data.gov. Data.gov is an initiative intended to allow the public to easily find, download, and use datasets that are generated and held by the government. DOJ components contributing to Data.gov include the Department's Office of Information Policy, the Antitrust Division, Bureau of Justice Statistics, Civil Division, Federal Bureau of Investigation (FBI), FBI's Criminal Justice Information Service, the U.S. Attorneys' Office and U.S. Trustee Program. DOJ datasets and tools on Data.gov are also found in the Open Government Plan (<http://www.justice.gov/open/data.html>) on the Department's site. The Department will continue to register new datasets as they become available for publication.

One other initiative highlighted in the Department's Open Government Plan is the planned publication of the Department's significant court filings. As the Executive Branch's lawyer, much of the Department's most important work occurs in the courtroom, and much of that work is in the form of written papers filed in court. It is in these court filings that significant policy and legal positions are explained. To maximize access to the Department's most significant case filings, the Department will make these noteworthy court filings available on DOJ's website so that the public can review the documents in one place and gain a full understanding of the Department's actions.

Section 2 – Compliance with Goals and Provisions of the Act

Please provide URL(s) to your agency's web site where the following information is located:

2 A. Your agency's Information Resources Management (IRM) Strategic Plan and Enterprise Architecture (EA) Plan;

The Department of Justice IRM Strategic Plan is posted on our public website: <http://www.justice.gov/jmd/ocio/it-strategic-plan.htm>

The DOJ Enterprise Architecture (EA) is an integrated, agency-wide blueprint designed to help DOJ use information technology resources more efficiently and effectively, and to improve the delivery of DOJ's critical mission programs. The Department Transition Strategy and Sequencing Plan (T&S) documents the DOJ progress towards the Target Enterprise Architecture (EA). The goal of the T&S is to clearly articulate Segment performance and provide a summary of modernization activities. The intent of the T&S is to enable better management of DOJ systems and programs against agency-wide plans. The T&S Plan also shows how the Department's investments will address performance gaps and work to improve DOJ capabilities; driving the Department towards the Target Architecture. The EA and T&S were already provided to OMB.

2 B. For each E-Gov initiative, provide final determinations, priorities, and schedules. Also include your agency's information dissemination product catalogs, directories, inventories, and any other management tools used to improve the dissemination of and access to your agency's information by the public;

In FY 2010, the Department continued its support of the OMB-sponsored E-Gov Initiatives and Lines of Business (LOBs) solutions and/or services including those DOJ adopted in previous years. Ongoing efforts continue with the following E-Gov Initiatives and LOBs:

EHRI - DOJ will work towards migrating to EHRI eOPF and back file conversion of personnel files by 2013.

E-Travel – DOJ will be implementing E-Travel under the existing GSA ETS1 contract, due to expire in November 2013. During this implementation, the Department will continue to its participation in the Source Selection Committee for the next version of E-travel or ETS2 Solution.

LOBs – DOJ will continue to participate and support the OMB-sponsored LOBs to leverage government-wide IT business practices and policies. These include: collaborating and implementing the Human Resources LOB Multi-Agency Executive Strategy Committee (MAESC) guidance; and continuing discussions with the Grants Management LOB lead about adding the Community Partnership Grants Management System as a consortium provider.

The Department of Justice publishes a comprehensive web site inventory at and priority list at <http://www.justice.gov/jmd/ocio/egovschedule.htm>. This list is available for public comment at all times.

2 C. Identify improved performance (e.g., outcome measures) by tracking performance measures supporting agency objectives and strategic goals;

The Performance and Accountability Report (PAR) <http://www.justice.gov/ag/annualreports/pr2009/TableofContents.htm> for fiscal year (FY) 2009 provides financial and performance information, enabling the President, Congress, and the American public to assess the annual performance of the Department of Justice (DOJ or the Department). The PAR for FY2010 will be available before the end of this calendar year.

2 D. Your agency's FOIA handbook, the URL of your agency's primary FOIA Web site, and the URL where frequent requests for records are made available to the public;

The Office of Information Policy (OIP) is responsible for encouraging agency compliance with FOIA and ensuring that the President's intentions and the Attorney General's guidelines are met. The [OIP home page](#) provides comprehensive guidance on the use and implementation of the FOIA. OIP is redesigning its site to coincide with the launching of FOIA.gov. (FOIA.gov is discussed above.) Here are the links for the current site:

FOIA Handbook http://www.justice.gov/oip/04_3.html
Office of Information Policy web site <http://www.justice.gov/oip/oip.html>
Available records http://www.justice.gov/oip/04_7.html

The following URLs will access the information requested once the new site is live:

FOIA Handbook – www.justice.gov/oip/foia_guide09.htm
Office of Information Policy – www.justice.gov/oip/index.html
FOIA Library – www.justice.gov/oip/foia-library.html

2 E. A list of your agency's public Web sites disseminating research and development (R&D) information to the public, describing for each whether the website provides the public information about federally funded R&D activities and/or provides the results of Federal research;

DOJ public websites disseminating research and development (R&D) information to the public are:

<http://www.ojp.usdoj.gov/nij/>
<http://www.ojp.usdoj.gov/BJA/>
<http://www.ojjdp.gov>
www.it.ojp.gov
www.dna.gov
www.cops.usdoj.gov

Those providing information on the results of Federal research are:

<http://bjs.ojp.usdoj.gov>
www.ojp.usdoj.gov
www.ojp.usdoj.gov/nij
www.ojp.usdoj.gov/BJA
<http://bjs.ojp.usdoj.gov/>
www.ojjdp.gov/
www.ojp.usdoj.gov/ccdo/
www.ojp.usdoj.gov/ovc/
www.ncjrs.gov
www.dna.gov
www.ojp.gov/smart/
www.cops.usdoj.gov

2 F. An inventory describing formal agency agreements (e.g., contracts, memorandum of understanding) with external entities (e.g., partnerships with State and local governments, public libraries, industry and commercial search engines) complementing your agency's information dissemination program, briefly explaining how each agreement improves the access to and dissemination of government information to the public;

The 2010 inventory describing agreements with external entities complementing DOJ's information dissemination program is attached.

2 G. An inventory that describes your agency's NARA-approved records schedules(s) or the link to the publicly posted records schedules(s), and a brief explanation of your agency's progress to implement NARA Bulletin 2006-02. For the brief explanation please report the number of systems for which a record schedule was submitted to NARA in FY 2010 and the number of systems still requiring records schedules.

In order to continue to meet the E-government Act of 2002 Electronic Records Management Initiative requirements for scheduling electronic information systems beyond the initial September 30, 2009 deadline, the DOJ Office of Records Management Policy (ORMP) continues to collaborate with NARA to submit records retention schedules for all existing systems containing Federal records. Our ongoing FY 2010 activities in this area included:

- Updating inventories for electronic information systems
- Determining which unscheduled systems contain federal records
- Determining which of these records are covered by the General Records Schedules
- Developing records retention schedules for those unscheduled systems that contain records

On September 30, 2010, ORMP provided NARA the following inventory: total E-Systems or Series, 170; Total E-Systems or Series with approved Records Schedules, 136; total E-Systems or Series with Records Schedules Submitted to NARA and Total Pending Approval, 26; and Remaining Unscheduled E-Systems or Series, 8. Additionally, the total systems for which a Record Schedule was submitted to NARA in FY 2010 is three (3).

Each Bureau-level component of the Department of Justice manages their own records management program, maintains its list of systems, and reports them to NARA independently. The Executive Office of U.S. Attorneys and the Executive Office for Immigration Review's figures were included on last year's report. They have since been elevated to Bureau-level status for Records Management related issues, and now report directly to NARA on these matters. This explains why there is a significant decrease in E-Systems on this year's report.

NOTE: In FY2010, NARA began posting all SFs-115 on its website at <http://www.archives.gov/records-mgmt/rcs/>.

2 H. Describe how your agency has implemented use of electronic signatures for appropriately secure electronic transactions with Government and established a framework to allow efficient interoperability.

The DOJ has begun to plan and implement the use of digital signatures as part of the Department's compliance with the Federal Identity Credentialing and Access Management (ICAM) roadmap. To date, a small number of pilots have begun within the DOJ enabling Adobe PDF documents to be signed using the PKI signing certificates present on the HSPD-12 card. Additionally, DOJ has established a base technical infrastructure to validate the certificate status of a digitally signed document.

2 I. Describe how your agency has enhanced public participation in Government by electronic means for development and issuance of regulations. (Ex: regulations.gov)

With one single online website, the Federal Docket Management System (FDMS) enables the Department of Justice to improve public access to all rulemaking material. Additionally it provides a central location for the public to find and comment on Justice regulatory actions that affect their lives. The components of DOJ with more active regulatory and notice programs are the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Civil Rights Division, the Drug Enforcement Administration, the Executive Office for Immigration Review, and the Federal Bureau of Investigation.

2 J. Describe your agency has linked performance goals to key stakeholders, private sector, other agencies, and internal operations in delivering information and services through use of IT.

DOJ has a diverse range of performance processes that collect metrics from all components to measure strategic, process, and system performance. These processes include the Department Performance Accountability Report (PAR), Program Assessment Rating Tool (PART) results, Exhibit 300s and information sharing results. The metrics produced from these processes range from extremely high-level strategic outcomes to detailed system or investment specific metrics. The Department reports its performance annually in two major documents, the DOJ Performance Accountability Report (PAR) and Transition Strategy and Sequencing (T&S) Plan. These documents cover a wide range of performance goals within DOJ, including the delivery of information and services through the use of IT.

Performance Accountability Report

DOJ tracks performance on an annual basis through the PAR, reporting on all accounts and associated activities of each office, bureau, and activity of the Department. The PAR links performance with the DOJ Strategic Goals, Financial Management, and the Management of its mission. In each instance, the PAR identifies the key stakeholder, component, and/or system that are responsible for the performance metric. The PAR provides a comprehensive overview of DOJ's performance against its Strategic Goals and its ability to manage investments and programs. The latest DOJ PAR (<http://www.justice.gov/ag/annualreports/pr2009/TableofContents.htm>) is available on the DOJ website.

DOJ T&S Plan

The DOJ T&S Plan helps the Department relate IT system performance with strategic outcomes to show segment progress towards the target state. Since DOJ does not collect specific performance metrics for every single IT system in the Department, it can be a challenge to show how every IT system contributes to strategic results. The DOJ segment architecture is used as a framework to help relate performance metrics with Components, business processes, programs, activities, and IT systems. The DOJ EAPMO aggregates performance metrics from across the Department and aligns them with the segment architecture and strategic goals. Business processes, programs, and IT systems within each segment are then linked to the

performance metrics to show causal relationships. The goal is to show how the performance of a single IT system or service may affect a strategic outcome in the Department. The DOJ EAPMO reviews each segment's performance information to identify performance gaps and areas for improvement.

PART

The PART allows for the tracking of program enhancements, as well as the evaluation of programs in four key areas – purpose and design, strategic planning, program management, and results and accountability. The Department utilizes the results of PART assessments in its ongoing efforts to improve programs and processes and refine its long-term measurable performance goals. Through the Department's Quarterly Status Reporting (QSR) system, the Department is able to engage leadership in a dialogue regarding the progress and status of PART follow-up actions and hold managers accountable for the long-term outcomes of these assessments. This reporting system also allows components to provide routine, reliable financial and performance information. [PART ratings](#) are available on the OMB website.

Exhibit 300s

The Department captures performance information for each of the major programs it is required to submit an Exhibit 300 to OMB. DOJ follows OMB's guidance on the number and type of performance information that is captured for each Exhibit 300. There is at least one measurement indicator for each of the four different measurement areas (Mission & Business Results, Customer Results, Processes & Activities, and Technology), for each fiscal year. DOJ infrastructure investments only capture performance metrics within the technology measurement area. Some Exhibit 300 information can be viewed through the [OMB IT Dashboard](#).

2K. Describe how your agency has reduced errors through the use of electronic submissions.

Use of electronic submissions has helped to fulfill the Department's mission and to better serve the public. Electronic submission allows for better management of data including re-use and audit purposes. Work processes are streamlined and more efficient.

Following are a few examples:

NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

The Brady Handgun Violence Prevention Act of 1993 (Brady Act) requires Federal Firearms Licensees (FFLs) to use the National Instant Criminal Background Check System (NICS) to determine whether a prospective firearm transfer would violate state or federal laws. The NICS is a computerized system designed to immediately determine if a person is disqualified from receiving or possessing firearms by conducting a search of available records. To comply with

the Brady Act requirement to offer “other electronic means,” FFLs use the NICS E-Check to benefit from features not available when initiating a check via the telephone.

During Fiscal Year (FY) 2010, a total of 437,210 NICS E-Check transactions were processed. Since program inception (August 19, 2002 - September 30, 2010), a total of 1,531,145 NICS E-Check transactions have been processed. One feature of submitting the background check via the Internet is the availability of maintaining an electronic log of the information submitted making submission data verification accessible. If any information was submitted incorrectly, the FFL notifies the FBI Criminal Justice Information Services (CJIS) Division’s NICS Section of the incorrect information and takes the necessary steps for correction. One of the major users of the NICS E-Check has notified the NICS Section of various operational discrepancies identified by using the NICS E-Check. This knowledge has enabled other users to rectify the deficiencies all thanks to NICS E-Check usage and the sharing of information. Therefore, not only have the background checks conducted using the NICS E-Check eliminated errors at initiation; it has assisted in the prevention of future mistakes due to issues identified through its use.

During FY 2010, a total of 70,972 potential purchasers were denied by the NICS Section. The majority of the denials were due to the potential purchasers/possessors having criminal histories such as felony convictions, domestic violence convictions, and drug abuse. The NICS Section continually strives to improve the immediate response rate to FFLs regarding subject eligibility. In FY 2010, the NICS Section maintained an immediate determination rate of approximately 91.36 percent. The remaining 8.64 percent required further research.

GRANTS PROCESSING

DOJ grant making agencies, the Office of Justice Programs (OJP), Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) review several thousand grant applications each year that are electronically submitted. The electronic submission of applications has allowed DOJ grant making components to more efficiently and effectively process applications and award grants to scholars, practitioners, experts, and state and local governments and agencies applying for federal financial assistance.

Over the past 10 years, OJP has provided 52,000 funding awards to the criminal justice community totaling more than \$26 billion. In Fiscal Year (FY) 2009, OJP awarded 4,900 grants totaling more than \$2.5 billion. In FY 2009, OJP also awarded an additional 3,883 Recovery Act grants totaling more than \$2.74 billion to state and local and tribal law enforcement and community organizations. The OVW administers 19 grant programs to help provide victims of domestic violence, sexual assault, dating violence, and stalking with the protection and services they need to pursue safe and healthy lives and enable communities to hold offenders accountable for their violence. The COPS Office does its work principally by sharing information and making grants to police departments around the United States. The COPS Office awards millions of dollars every year to help keep America safe through community policing.

E-SUBMISSIONS TO OMB

The Department has been submitting its Office of Management and Budget (OMB) Exhibits 53 and 300 to OMB electronically for some time now, first through OMB's MAX ITWeb and now through the Federal IT Dashboard. The Department uses the electronic Capital Planning and Investment Control (eCPIC) application to collect, validate, and submit its IT Budget and project management information to OMB. The ability of eCPIC to connect directly to the Federal IT Dashboard via the Federal IT Dashboard API has been very beneficial. This connection allows data to be collected at the project level in eCPIC, reviewed and the Component and Department level, and then submitted directly to OMB and the Public. Project Managers, Department Management, and OMB can now view what the public views more quickly and identify and correct data quality issues sooner than ever previously possible. The direct one way database to database communication also enables updates and corrections to be made quicker, sometimes in a matter of minutes. The speed by which Project Managers, Department Leadership, OMB and the Public can review and correct data has improved data quality and overall project management.

2 L. Briefly describe your agency efforts to comply with Section 508.

The Department of Justice Office of the CIO designates a Section 508 Coordinator. This person is charged with ensuring that appropriate awareness and information regarding requirements for complying with Section 508 of the Rehabilitation Act are available and publicized to IT program sponsors and program managers. Additionally, components also designate a Section 508 Point of Contact who serves as a resource to program sponsors and program managers for Section 508 compliance information. Department and component procurement staff support compliance with Section 508 by ensuring that all acquisitions of IT solutions include the specific contractual language requiring compliance with Section 508 in the contract specifications. Commercial software vendors are also required to provide certifications of compliance with Section 508.

Of particular note, the Department of Justice is currently piloting an Assistive Technology Resource Center (ATRC) within the Justice Management Division. The objective of the ATRC is to make electronic and information technology accessible to Department of Justice employees with disabilities in compliance with the standards mandated in Section 508 of the Rehabilitation Act (1998). The ATRC will work with organization managers and employees with disabilities who qualify for assistive technology. Upon determining the success of this pilot program, JMD will expand the ATRC for use by all DOJ Components.

2 M. Quantify the cost savings and cost avoidance achieved through implementation of IT programs.

Following are examples of DOJ IT programs that achieve cost savings and/or contribute to cost avoidance.

The Endpoint Lifecycle Management System [ELMS] BigFix is an Enterprise Unified Management Platform expected to deliver costs savings and/or cost avoidance. ELMS BigFix provides modular security-lifecycle management functionality to the DOJ Enterprise. It was procured as SAIR I (Situational Awareness Incident Response) security solution through the GSA's SmartBUY program, in collaboration with the Department of Homeland Security. Key program benefits include: standard security configurations throughout the DOJ enterprise to enable improved communication, and collaboration; enforcing minimal desirable configurations throughout the DOJ enterprise, resulting in fewer incidents, greater standardization, and a lower total cost of ownership per asset; fosters and drives synergy among DOJ Cyber Security workforce and improves internal communication; increased efficiency and efficacy on security posture through collaboration and streamlining; improved regulatory compliance across the Department; and improved customer service through centralized service delivery model from the Enterprise Service Bus.

Project initiation and procurement began in FY2009. The pilot, ran from February through August, 2010, involved the training of 54 console operators and the deployment of management agents to 30,000 endpoints across eight components. The system is expected to be deployed across the Department by December 30, 2010, with additional features to be rolled out by July 2011.

As a tool, BigFix is already showing promising and measurable returns as a platform with a small footprint that is able to deliver significant and measurable results. The platform features a centralized data model with decentralized application architecture. The centralized data model maximizes the benefits and savings associated with centralization. The federated application architecture places management and control of component end-points with component operators.

Through each phase of product lifecycle, the ELMS Program Office delivers planning, consultation, engineering, and training services to deliver functionality from the moment that agents are deployed. Over the life of the platform the greatest return on investment (ROI) and efficacy will be achieved through the number of endpoints under management (target 99 % of servers and workstations), and the depth of functional adoption and integration with business goals, practices, and processes. The velocity at which components approach agent deployment and business process integration are largely dependent on the availability of functional and technical resources and the priority that adoption is given. Simply stated, the more assets under management and the more tasks performed through BigFix, the greater the savings.

As an enterprise procurement, the department leveraged volume license discounts to realize significant saving (projected at over \$8.5M over the life of the program) versus procurement on a component-by-component basis. With a centralized data and service model the equipment and resource costs are minimized from start-up and better controlled across the life of the program.