

U.S. Department of Justice
FY 2016 PERFORMANCE BUDGET
Congressional Submission

General Administration



Table of Contents

	Page No.
I. Overview	2
II. Summary of Program Changes	6
III. Appropriations Language and Analysis of Appropriations Language	7
IV. Program Activity Justification	
A. Department Leadership	8
1. Performance Tables	17
B. Intergovernmental Relations/External Affairs	11
1. Performance Tables	17
C. Executive Support/Professional Responsibility	13
1. Performance Tables	17
D. Justice Management Division	
1. Performance Tables	15
2. Performance, Resources, and Strategies	18
V. Program Increases by Item	21
A. Department Coordination, Analysis and Compliance	
VI. Exhibits	
A. Organizational Chart	
B. Summary of Requirements	
C. FY 2016 Program Changes by Decision Unit	
D. Resources by DOJ Strategic Goal/Objective	
E. Justification for Technical and Base Adjustments	
F. Crosswalk of 2014 Availability	
G. Crosswalk of 2015 Availability	
H. Summary of Reimbursable Resources	
I. Detail of Permanent Positions by Category	
J. Financial Analysis of Program Changes	
K. Summary of Requirements by Object Class	
L. Status of Congressionally Requested Studies, Reports, and Evaluations	

I. Overview of General Administration

For the General Administration (GA), the Department of Justice (DOJ) requests a total of 586 permanent positions (154 attorneys), 565 FTE (68 reimbursable), and \$119.4 million for FY 2016. This request represents an increase of \$7.9 million from the FY 2015 Enactment. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.justice.gov/02organizations/bpp.htm>.

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

GA consists of four decision units:

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

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

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

- Justice Management Division

Department Leadership

These offices develop policies regarding the administration of justice in the United States, and direct and oversee the administration and operation of the Department's bureaus, offices, and divisions to ensure DOJ's success in meeting its strategic goals. These offices also provide advice and opinions on legal issues to the President, members of Congress, and the heads of Executive Departments and Agencies.

Intergovernmental Relations and External Affairs

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

Executive Support and Professional Responsibility

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

Justice Management Division (JMD)

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

For performance reporting purposes, the vast majority of 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

Only the Office of Tribal Justice and Access to Justice are included in:

- Goal Three, Ensure and Support the Fair, Impartial, Efficient and Transparent Administration of Justice at the Federal, State, Local, Tribal and International Levels
 - Objective 3.1, Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders through innovative leadership and programs

Environmental and Sustainability Services (ESS) is a program responsibility that falls under the Justice Management Division. The duties of this program are:

- To provide guidance for Department compliance on legislation, executive orders, and other regulations
- To provide leadership and support to DOJ components
- To develop and implement DOJ environmental and energy policies and management plans
- To ensure the Department complies with the DOJ occupational safety and health order
- To represent DOJ at interagency workgroups to meet the various regulatory mandates and
- To ensure DOJ participation in the climate resilience and adaptation planning effort

There are four 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”
- EO 12196 – “Occupational Safety and Health Programs for Federal Employees,” and
- EO 13653 – “Preparing the United States for the Impacts of Climate Change”

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

- Energy Independence and Security Act, 2007
- Energy Policy Act (EPAAct) of 2005
- Environmental Regulations, Title 40 Code of Federal Regulations (C.F.R.), *Protection of Environment, July 1, 2002*
- The Occupational Safety and Health Act of 1970, and
- 29 C.F.R. Part 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs

EOs 13514 and 13423 both 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 is going to submit the SSPP on June 30, 2015, and will submit the update in June 2016. There are ten goals and two additional plans under the Department’s SSPP.

- GOAL 1: Greenhouse Gas (GHG) Reduction
- GOAL 2: Sustainable Buildings
- 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: Renewable Energy
- GOAL 9: Climate Change Resilience
- GOAL 10: Energy Performance Contracts

Additional plans: Fleet Management Plan and Climate Change Adaptation Plan

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

- Implementing a department-level higher-tier Environmental Management System (EMS) as the primary management approach for addressing environmental aspects of internal

agency operations and activities, including environmental aspects of energy and transportation functions to achieve the sustainability goals.

- Coordinating and submitting the SSPP to CEQ/OMB annually in June – submit June 30, 2015, and will submit an update in June 2016.
- Submitting an updated Climate Adaptation Plan to CEQ/OMB -- submit June 30, 2015; strategies for climate change resilience were submitted in the 2014 SSPP.
- Implementing an Electronic Stewardship Program to include acquisition, operation & maintenance and disposal of electronic products.
- Submitting Department GHG inventory to CEQ and OMB annually in January – submit January 31, 2015.
- Submitting the Department OMB scorecard semiannually to OMB (January and July) and following through with bureaus and components for improvement. Submit the OMB scorecard on January 31, 2015.
- Implementing and updating the status of the Energy Savings Performance Contracts (ESPC) to OMB monthly through the end of 2016. Submit the ESPC contracts' status in the OMB scorecard on January 31, 2015, and update status monthly into OMB Max.
- Responding to internal and external customer concerns regarding environmental, health and safety program areas.
- Working closely with the Procurement Policy and Review Group in the sustainable acquisitions program area. Monitor Procurement Guidance Document: Requirement to Incorporate Biobased Terms and Conditions in Solicitations, Electronic Product Environmental Assessment Tool registered product and Green Acquisition Plan.
- Implementing Sustainable Buildings Implementation Plan, Metering Plan and Recycling & Solid Waste Management Plan.
- Leading the safety program for the Offices, Boards, and Divisions.
- Composing the annual Department Occupational Safety and Health Administration report which is submitted to the Department of Labor – submit May 2015.
- Conducting safety evaluations for the Bureaus, Offices, Boards, and Divisions.
- Providing oversight and acting as a safety resource for all DOJ employees, including safety training and ergonomic evaluation support.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Department Coordination, Analysis and Compliance	Funding and staffing is requested to support the Department's responsibilities for coordination and analysis of priority activities, and to ensure sufficient resources are available to address compliance responsibilities.	14	12	3,045	21

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

For expenses necessary for the administration of the Department of Justice, [\$111,500,000] *\$119,437,000*, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

Analysis of Appropriations Language

No substantive changes.

IV. Decision Unit Justification

A. Department Leadership

<i>Department Leadership</i>	Direct Pos.	Estimate FTE	Amount
2014 Enacted	71	54	17,313
2015 Enacted	72	55	18,066
Adjustments to Base and Technical Adjustments			485
2016 Current Services	72	55	18,551
2016 Program Increases	4	3	439
2016 Request	76	58	18,990
Total Change 2015-2016	4	3	924

1. Program Description

The Department Leadership decision unit includes:

- Office of the Attorney General
- Office of the Deputy Attorney General
- Office of the Associate Attorney General
- Office of Privacy and Civil Liberties
- Rule of Law Office 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:
 - preventing terrorism
 - the war on drugs
 - combating violent crimes
 - investigating and prosecuting fraud and other white collar crimes
 - diminishing prison overcrowding, and
 - enforcing environmental and civil rights laws
- Provide executive-level oversight and management of:
 - international law enforcement training and assistance
 - financial institutions reform, recovery, and enforcement programs, and
 - investigative policy
- Coordinate criminal justice matters with federal, state, and local law enforcement and criminal justice agencies.
- Prepare and disseminate an *Annual Report* to the Congress and the public regarding the programs and accomplishments of the Department of Justice.
- Develop, review, and oversee the Department's privacy policies and operations to ensure privacy compliance.

The Attorney General (AG), as head of the DOJ, is the nation's chief law enforcement officer and is appointed by the President and confirmed by the Senate. The AG furnishes advice and opinions on legal matters to the President, the Cabinet and to the heads of the executive departments and agencies of the government, as provided by law, and makes recommendations to the President concerning appointments within the Department, including U.S. Attorneys and U.S. Marshals. The AG appears in person to represent the Federal Government before the U.S. Supreme Court in cases of exceptional gravity or importance, and supervises the representation of the government in the Supreme Court and all other courts, foreign and domestic, in which the United States is a party or has an interest as may be deemed appropriate. The AG supervises and directs the administration and operation of the DOJ, including the Federal Bureau of Investigation; Drug Enforcement Administration; Bureau of Alcohol, Tobacco, Firearms and Explosives; Bureau of Prisons; Office of Justice Programs; U.S. Attorneys; and U.S. Marshals Service.

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

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

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

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

- Antitrust
- Civil
- Civil Rights
- Environment and Natural Resources, and
- Tax Division

This office also has oversight responsibility for:

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

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

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

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

The primary focus of the 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 DOJ, across federal agencies, and with state, local, and tribal justice system stakeholders to increase access to counsel and legal assistance and to improve the justice delivery systems that serve people who are unable to afford lawyers.

B. Intergovernmental Relations/External Affairs

<i>Intergovernmental Relations/External Affairs</i>	Direct Pos.	Estimate FTE	Amount
2014 Enacted	50	38	9,393
2015 Enacted	52	44	9,393
Adjustments to Base and Technical Adjustments	1	1	1,499
2016 Current Services	53	45	10,892
2016 Program Increases	1	1	374
2016 Request	54	46	11,266
Total Change 2015-2016	2	2	1,873

1. Program Description

The Intergovernmental Relations/External Affairs decision unit includes:

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

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

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

- Advise Department components litigating, protecting or otherwise addressing Native American rights and/or related issues.

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

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

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

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

C. Executive Support/Professional Responsibility

Executive Support/Professional Responsibility	Direct Pos.	Estimate FTE	Amount
2014 Enacted	64	52	12,513
2015 Enacted	65	57	13,260
Adjustments to Base and Technical Adjustments			410
2016 Current Services	65	57	13,670
2016 Program Increases	9	8	1,735
2016 Request	74	65	15,405
Total Change 2015-2016	9	8	2,145

1. Program Description

The Executive Support/Professional Responsibility decision unit consists of:

- Office of Legal Policy
- Office of Professional Responsibility
- Office of Information Policy, and
- the Professional Responsibility Advisory Office

The general goals and objectives of this decision unit are to:

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

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

The Office of Professional Responsibility (OPR), which reports directly to the AG, is responsible for investigating allegations of misconduct by DOJ attorneys in their duties to investigate, represent the government in litigation, or provide legal advice. In addition, OPR has jurisdiction to investigate allegations of misconduct by law enforcement personnel when they are related to allegations of attorney misconduct within the jurisdiction of OPR. OPR's primary objective is to

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

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

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

D. Justice Management Division

<i>Justice Management Division</i>	Direct Pos.	Estimate FTE	Amount
2014 Enacted	382	309	70,781
2015 Enacted	382	328	70,781
Adjustments to Base and Technical Adjustments			2,498
2016 Current Services	382	328	73,279
2016 Program Increases			497
2016 Request	382	328	73,776
Total Change 2015-2016	0	0	2,995

1. Program Description

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

The major functions of JMD are to:

- Review and oversee management functions, programs, operating procedures, supporting systems and management practices.
- Supervise, direct, and review the preparation, justification, and execution of the Department's budget, including the coordination and control of the programming and reprogramming of funds.
- Review, analyze, and coordinate the Department's programs and activities to ensure that the Department's use of resources and estimates of future requirements are consistent with the policies, plans, and mission priorities of the Attorney General.
- Plan, direct, and coordinate department-wide personnel management programs and develop and issue department-wide policy in all personnel program areas.
- Direct department-wide financial management policies, internal controls, programs, procedures, and systems including financial accounting, planning, analysis, and reporting.
- Formulate and administer the GA appropriation of the Department's budget.
- Plan, direct, administer, and monitor compliance with department-wide policies, procedures, and regulations concerning:
 - records

- reports
 - procurement
 - printing
 - graphics
 - audiovisual activities
 - forms management
 - supply management
 - motor vehicles
 - real and personal property
 - space assignment and utilization
 - employee health and safety programs, and
 - other administrative services functions
- Direct all Department security programs including:
 - personnel
 - physical
 - document
 - information processing
 - telecommunications, and
 - special intelligence
- Formulate and implement Department defense mobilization and contingency planning.
 - Review legislation for potential impact on the Department's resources.
 - Establish policy and procedures related to debt collection and asset forfeiture.
 - 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, including issuing advice, providing ethics briefings, and reviewing financial disclosure reports.

IV. Decision Unit Performance Information

PERFORMANCE AND RESOURCES TABLE										
TOTAL RESOURCES	Target		Actual		Projected		Changes		Requested (Total)	
	FY 2014		FY 2014		FY 2015		Current Services Adjustments and FY 2016 Program Changes		FY 2016 Request	
Total General Administration Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
	548	110,000	525	104,942	552	111,500	13	7,937	565	119,437
Strategic										
Goal/Objective: Goal 2/Objective 2.6 Protect the federal fisc and defend the interests of the United States										
Decision Unit: Department Leadership										
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
	48	16,182	49	14,664	47	16,635	2	812	49	17,447
Decision Unit: Intergovernmental Relations/External Affairs										
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
	37	8,155	33	7,318	37	7,763	1	1,633	38	9,396
Decision Unit: Professional Responsibility/Executive Support										
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
	56	12,513	52	11,216	57	13,260	8	2,145	65	15,405
Strategic										
Goal/Objective: Goal 3/Objective 3.1 Promote and strengthen relationship and strategies for the administration of justice with state, local, tribal and international law enforcement										
Decision Units: Department Leadership										
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
	6	1,131	5	1,121	8	1,431	1	112	9	1,543
Decision Units: Intergovernmental Relations/External Affairs										
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
	5	1,238	5	1,094	7	1,630	1	240	8	1,870

PERFORMANCE AND RESOURCES TABLE

Strategic Goal/Objective: Goal 2/Objective 2.6 Protect the federal fisc and defend the interests of the United States

Decision Unit: Justice Management Division

RESOURCES		Target		Actual		Projected			Changes		Requested (Total)	
		FY 2014		FY 2014		FY 2015			Current Services Adjustments and FY 2016 Program Changes		FY 2016 Request	
Total Costs and FTE [reimb]		FTE	\$000	FTE	\$000	FTE	\$000		FTE	\$000	FTE	\$000
		328	[11,957]	325	[4,025]	328	70,781	[4,025]	0	2,995	328	73,776 [4,025]
TYPE/ STRATEGIC OBJECTIVE	PERFORMANCE	FY 2014		FY 2014		FY 2015			Current Services Adjustments and FY 2016 Program Changes		FY 2016 Request	
<u>Program Activity: Human Capital</u>		FTE	\$000	FTE	\$000	FTE	\$000		FTE	\$000	FTE	\$000
		54	10,723			54	11,259		0	111	54	11,370
Number of Personnel Actions		213,982		0		214,382			0		214,382	
Number of Whistleblower Case Issuances		30		0		30			0		30	
Ensure there are sufficient replacement workers for separations (ratio)		0.50		0.00		0.50					0.50	
Reduce percentage of permanent employees separating with less than one year of service		20		0.00		20			0		20	
<u>Budget and Performance Integration</u>		FTE	\$000	FTE	\$000	FTE	\$000		FTE	\$000	FTE	\$000
		52	7,407			52	7,777		0	7	52	7,784
Monitor Budget & Performance Goals Quarterly for all Accouts		100%		0%		100%			0		100%	
<u>Secure and Consolidated Facilities</u>		FTE	\$000	FTE	\$000	FTE	\$000		FTE	\$000	FTE	\$000
		108	18,426			115	19,347		0	192	115	19,539
Number of Security Compliance Reviews/Follow-Ups Completed		15		0		15			0		15	
Number of Employee/Contractor Adjudications Completed		10,000		0		10,000			0		10,000	
Ensure components have current COOP plans		100		0		100			0		100	

Performance Report and Performance Plan Targets		FY 2010	FY 2011	FY 2012	FY 2013	FY 2014		FY 2015	FY 2016
		Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Performance Measure	Number of Personnel Actions	370,090	287,080	264,303	207,868	213,982	368,519	214,382	214,382
Performance Measure	Number of Whistleblower Case Issuances	40	20	63	39	30	90	30	30
Performance Measure	Reduce percentage of permanent employees separating with less than one year of service		12.75	10.50	10.25	20	10.75	20	20
Performance Measure	Ensure there are sufficient replacement workers for separations (ratio)			0.69	0.75	0.5	1.28	0.5	0.5
Performance Measure	Monitor Budget & Performance Goals Quarterly for all Accounts	100%	100%	100%	100%	100%	100%	100%	100%
Performance Measure	Number of Security Compliance Reviews/Follow-ups Completed	43	37	42	14	15	16	15	15
Performance Measure	Number of Employee/Contractor Adjudications Completed		10,552	11,523	10,764	10,000	11,230	10,000	10,000
Performance Measure	Ensure components have current COOP plans		25	75	100	100	100	100	100
OUTCOME Measure									

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

N/A = Data unavailable

Performance, Resources, and Strategies

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

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

V. Program Increases by Item

Item Name: **Department Coordination, Analysis & Compliance**

Strategic Goal: Strategic Goal 2 and 3
 Strategic Objective: Objective 2.6 and 3.1
 Budget Decision Unit(s): Department Leadership, Intergovernmental Relations/External Affairs, Executive Support/Professional Responsibility, Justice Management Division

Organizational Program: Multiple – See Table Below

Program Increase: Positions 14 Atty 7 FTE 12 Dollars \$3,045,000

Description of Item

Funding and staffing is requested to support the Department’s responsibilities for coordination and analysis of priority activities and to ensure sufficient resources are available to address compliance responsibilities.

Support of the Department’s Strategic Goals

The request supports Objective 2.6 “Protect the federal fisc and defend the interests of the United States,” which is included in Strategic Goal 2, and Objective 3.1 “Promote and strengthen relationships and strategies for the administration of justice with law enforcement agencies, organizations, prosecutors, and defenders through innovative leadership and programs,” which is included in Strategic Goal 3.

Justification

This program increase will fund the following critical enhancements which are housed in the General Administration appropriation but support the entire Department of Justice:

Initiative Name	Decision Unit	Positions	FTE	Dollars (\$000)
Privacy Compliance Unit	DL	3	2	327
Access to Justice	DL	1	1	112
Tribal Justice	IREA	1	1	240
Legislative Affairs	IREA	0	0	134
Professional Responsibility	ESPR	2	1	223
Data Analysis	ESPR	7	7	1,512
Cross-Agency Priorities Transfer to GSA	JMD	0	0	497
TOTAL		14	12	3,045

Privacy Compliance Unit

The privacy laws, including the Privacy Act of 1974 and the E-Government Act of 2002, were enacted to ensure that federal agencies reviewed and assessed key privacy issues at the outset of an agency program or system and memorialize the issues identified, assessed, and mitigated in privacy documentation to provide notice and transparency to the public. With additional staff, the Department could help ensure that sufficient resources are dedicated to the compliance of these important statutory requirements.

The Office of Privacy and Civil Liberties (OPCL) has only three staff attorneys to address all of the Department's privacy compliance matters. The Department's privacy compliance work consists primarily of administrative law work, which necessarily requires numerous drafts and reviews of documents for publication in the Federal Register, the Code of Federal Regulations, and the Department's website.

The privacy compliance unit would be comprised of 3 dedicated compliance attorneys with support as needed from existing staff. Providing funding and staffing for the new privacy compliance unit would permit the existing staff to fulfill the duties of the growing list of new privacy and civil liberties initiatives in which OPCL is asked to participate.

OPCL's funding request will directly enhance the Department's ability to meet or exceed the Department's performance targets. It will help the Department comply with its statutory privacy laws and requirements in a timely and efficient manner. And, it will allow OPCL and the Department to adequately be represented at key Administration-led reviews and inter-agency committees. These committees work on issues to improve the US government's protection of privacy and civil liberties that are deeply important to the Department and the American public.

Access to Justice

The Access to Justice Initiative (ATJ) strives to address the access-to-justice crisis in the criminal and civil justice system. ATJ's mission 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 DOJ, across federal agencies, and with state, local, and tribal justice system stakeholders to increase access to counsel and legal assistance and to improve the justice delivery systems that serve people who are unable to afford lawyers.

The addition of one attorney would enable ATJ to:

- Expand efforts to file Statements of Interest and amicus briefs in cases that align with the Department's commitment to the constitutionally protected right to counsel and other access to justice issues.
- Identify new opportunities for cross-agency collaboration where two or more agencies are working with the same vulnerable populations also helped by civil legal aid programs (continuing the work of the 18-federal agency Legal Aid Interagency Roundtable jointly convened by the Associate Attorney General and the White House Domestic Policy Council). The new staff member would work with agencies to identify programs, initiatives and activities where integrating legal aid with existing services would improve program efficiency and outcomes, as well as promote research and evaluation to better determine the effectiveness of programs that include legal services.
- Coordinate with the Office of Justice Programs and other parts of the Department on important cross-cutting issues, including new items in the FY 2015 budget, related to increased grant-making on indigent defense and new grants related to civil legal aid research and evaluation and a civil legal aid competitive grant program to encourage best

practices. The new staff member would assist with outreach and evaluation in these types of new initiatives.

Tribal Justice

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. 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. The additional staffing requested includes one attorney to work on legal issues. OTJ is also anticipated to need to cover travel expenses, which is included as non-personnel funding.

Legislative Affairs

OLA advises appropriate components of the Department on the development of the Department's official policies through legislation initiated by the Department, by other parts of the executive branch, or by Members of Congress, and explains and advocates the Department's policies to the Congress. OLA also serves as the Attorney General's focal point for dealing with Department nominees, congressional oversight, congressional correspondence, and congressional requests for documents and access to Department employees. Maintaining a robust workforce that is sufficiently trained to work with all the stakeholders on crafting effective legislation is important to the Department and the Administration.

Currently OLA has 27 FTE authorized, but only has sufficient funding for 24 FTE. Funding for an additional attorney is needed to handle the substantial workload of clearing documents, questions for the record, and testimony for presentation to Congress.

Professional Responsibility

There are over 10,500 attorneys in the Department and, as their duties have broadened to meet the increased demands of law enforcement, national security and defense of the United States' interest, the Professional Responsibility Advisory Office (PRAO) attorneys have been called upon to analyze professional responsibility issues in even more novel and challenging ways.

We anticipate, as the Department seeks to bring onboard several hundred new attorneys in the upcoming year, that PRAO inevitably will be required to respond to more inquiries and will be called upon to train the new Department attorneys in addition to continuing the significant amount of customized, office-specific training PRAO already provides. In particular, the Basic Criminal or Civil Trial Advocacy course that a majority of new Department attorneys are required to take includes a professional responsibility component, and PRAO attorneys have almost always taught that course and are best suited to continue to teach these courses because of their subject matter expertise in the professional responsibility rules nationwide.

One of the most critical components of PRAO's mission is to respond to professional responsibility inquiries from Department attorneys, within 24 hours if possible (at least orally). A PRAO Legal Advisor is on duty every business day to handle inquiries the Office receives by telephone or email, and PRAO Legal Advisors are available on an emergency basis twenty-four hours a day, seven days a week. The number of inquiries (averaging more than 2,300/year over the past five years) has continued to be extremely high since 2009 when PRAO had an exponential increase in inquiries.

In addition, PRAO's work has qualitatively increased as the Office has developed and PRAO's analysis of professional responsibility issues has become more sophisticated such that crafting written advice takes more time. Moreover, the Professional Responsibility Officers (PROs) and Department attorneys have become better educated about professional conduct issues as a result of PRAO's training and the thousands of inquiries handled over the past 15 years. Consequently, some PROs and attorneys themselves more frequently handle the routine professional responsibility questions that arise, directing the more complex inquiries to PRAO. These more complex inquiries involve more complicated facts, demand more extensive research, and require more nuanced and lengthy written analysis. The addition of two attorneys to PRAO will allow the Office to continue to provide Department attorneys with the prompt, high quality advice and Office-specific training they have come to expect and respond to the increased number of advice and training requests expected from the significant influx of many new Department attorneys.

Data Analysis

This funding will support the creation of a quantitative analysis unit within the Office of Legal Policy (OLP) that will provide critical support for the Department's efforts to ensure evidence-based policy making. The unit will analyze, on behalf of Department leadership, the effects and impacts of policy related to the Department's core missions, including criminal and civil law enforcement; the criminal justice system; and the enforcement of civil rights. That analysis will better enable Department policy makers to make informed decisions.

Applying statistics, econometrics, and quantitative data analysis, a new data analysis unit in OLP would benefit the Department in at least the following three ways.

- Policy Evaluation: Enhanced analytical capabilities would help the Department evaluate which policies are ripe for change, in light of problems and emerging trends. It would also help to evaluate whether the policy changes, once implemented, achieved the desired effect—and if not, how they might be improved.

- **Policy Modeling:** Enhanced analytical capabilities would help predict, with greater precision and rigor, the impact of particular policy changes; would help guide policy development; and would help in establishing baseline measures, based on available data, by which new policy can subsequently be evaluated.
- **Regulatory Development:** Enhanced analytical capabilities would bolster the Department's regulatory development; some of the Department's rules require significant quantitative analysis to undertake the economic modeling required by various statutes and Executive Orders.

Below are two representative examples of how the data analysis unit could contribute to the Department's work:

- **Smart on Crime:** The Department's Smart on Crime initiative arose out of a review of all phases of the criminal justice system – from charging to reentry -- and an examination of state experiences and academic research. An in-house data analysis capability would have been helpful in that process. Even more significant, now that the policy is in effect, data analysis could be used to help assess the policy's effectiveness. For example, and once an appropriate amount of time has passed to allow for analysis, it would be useful to determine how the Department's new initiative is affecting the total population entering the Bureau of Prison system, impacts on certain communities, and recidivism rates. The Department does not currently have the analytical capacity necessary to make those assessments in house.
- **Significant Rules:** The Department is called upon to promulgate significant rules with regularity. Developing Regulatory Impact Assessments for these rules can be difficult, time-consuming, and costly. The Department's efforts in developing rules under the Prison Rape Elimination Act and the Americans with Disabilities Act provide just two examples in which the Department has had to rely on outside contractors to conduct the legally required analyses. Having an in-house capability could significantly reduce such costs.

Creating the data analysis unit within OLP will complement and strengthen the Department's existing policy-making apparatus. A relatively modest investment in this capacity will benefit the entire Department—and the Department's efforts to ensure public safety and the fair and impartial administration of justice for all Americans.

Cross-Agency Priorities Transfer to GSA

Under Section 721 of PL 113-76, major Federal agencies currently contribute to the General Services Administration in support of the interagency management councils, which have supported numerous cross-agency management reforms and efficiencies for more than a decade. Building on the success of this cross-agency work, the Department is requesting an increase of \$497,205 in FY 2016 in this authority to support implementation of the Cross Agency Priority Goals.

Funding

Base Funding

FY 2014 Enacted				FY 2015 Enacted				FY 2016 Current Services			
Pos	agt/ atty	FTE	\$(000)	Pos	agt/ atty	FTE	\$(000)	Pos	agt/ atty	FTE	\$(000)
43	29	43	8,390	46	32	46	9,925	46	32	46	9,968

Personnel Increase Cost Summary

Type of Position/Series	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2016 Request (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)	FY 2018 Net Annualization (change from 2017) (\$000)
Clerical and Office Services (0300-0399)	147	7	864	0	0
Attorneys (0905)	213	7	1,159	327	0
Total Personnel		14	2,023	327	0

Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2016 Request (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)	FY 2018 Net Annualization (change from 2017) (\$000)
Travel	35		35	0	0
Technology Update	15		15	0	0
Contracts			475		
Inter-Governmental Transfer	497		497	0	0
Total Non-Personnel			1,022	0	0

Total Request for this Item

	Pos	Agt/ Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2017 Net Annualization (change from 2016) (\$000)	FY 2018 Net Annualization (change from 2017) (\$000)
Current Services	46	32	46	6,977	2,990	9,967	99	101
Increases	14	7	12	2,023	1,022	3,045	327	0
Grand Total	60	39	58	9,000	4,012	13,012	426	101

VI. EXHIBITS