

U.S. Department of Justice



FY 2019 Annual Performance Report / FY 2021 Annual Performance Plan



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This Report's Purpose and Reporting Process

This document combines the Department of Justice Annual Performance Report (APR) for FY 2019 and Annual Performance Plan (APP) for FY 2021. Combining our report on past accomplishments with our plans for the upcoming years provides the reader a useful, complete, and integrated picture of our performance. It represents a continuing step forward in the efforts of the Department to implement the tenets of performance based management at the heart of the Government Performance and Results Modernization Act of 2010 (GPRA Modernization Act). Moreover, the APR/APP provides performance information, enabling the President, Congress, and the American public to assess the annual performance of the Department of Justice. The APR/APP is prepared under the direction of the Department's Chief Financial Officer (CFO) and the Performance Improvement Officer (PIO).

The Department continues to enforce vigorously the broad spectrum of laws of the United States; its highest priority is the fight against terrorism. The Department's FY 2018 – 2022 Strategic Plan is available on the Department's website at

<https://www.justice.gov/jmd/page/file/1071066/download>

The Strategic Plan includes 4 strategic goals and 11 strategic objectives that are mentioned throughout this report.

Organization of the Report

Section I – Overview

This section includes summary information about the mission and organization of the Department, resource information, and an analysis of performance information for the Department's key performance measures.

Section II – Performance Information by Strategic Goal/Objective

This section reports on 39 key performance measures by detailing program objectives, FY 2019 target and actual performance, and noting whether targeted performance levels were or were not achieved.

It also provides FY 2020 and FY 2021 performance targets.

Section III – Appendix

Section I: Overview



Established July 1, 1870 (28 U.S.C. § 501 and 503), the Department of Justice (DOJ or the Department) is headed by the Attorney General of the United States.

The Department was created to control federal law enforcement, and all criminal prosecutions and civil suits in which the United States has an interest. The structure of the Department has changed over the years, with the addition of a Deputy Attorney General, Associate Attorney General, Assistant Attorneys General, and the formation of Divisions and components; however, unchanged is the commitment and response to securing equal justice for all, enhancing respect for the rule of law, and making America a safer and more secure Nation.

Our Mission

The mission of the Department of Justice, as reflected in the Strategic Plan for fiscal years (FY) 2018 – 2022 is as follows:

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

In carrying out the Department's mission, we are guided by the following core values:

Equal Justice Under Law. Upholding the laws of the United States is the solemn responsibility entrusted to DOJ by the American people. The Department enforces these laws fairly and uniformly to ensure that all Americans receive equal protection and justice.

Honesty and Integrity. DOJ adheres to the highest standards of ethical behavior, cognizant that, as custodians of public safety, its motives and actions must be above reproach.

Commitment to Excellence. The Department seeks to provide the highest levels of service to the American people. DOJ is an effective and responsible steward of taxpayers' dollars.

Respect for the Dignity and Worth of Each Human Being. Those who work for the Department treat each other and those they serve with fairness, dignity, and compassion. They value differences in people and ideas. They are committed to the well-being of employees and to providing opportunities for individual growth and development.

Strategic Goals and Objectives

The Department's strategic and annual planning processes stem from our mission and core values. The Department embraces the concepts of performance based management. At the heart of these concepts is the understanding that improved performance is realized through greater focus on mission, agreement on goals and objectives, and timely reporting of results. In the Department, strategic planning is the first step in an iterative planning and implementation cycle. This cycle, which is the center of the Department's efforts to implement performance based management, involves setting long-term goals and objectives, translating these goals and objectives into budgets and program plans, implementing programs, monitoring performance, and evaluating results. In this cycle, the Department's FY 2018 – FY 2022 Strategic Plan provides the overarching framework for component and function specific plans as well as annual performance plans, budgets, and reports. The Strategic Plan is available electronically on the Department's website at:

<https://www.justice.gov/jmd/page/file/1071066/download>

Performance Management

The Department of Justice (DOJ) is reenergizing its performance management processes to strengthen a results oriented culture. The GPRA Modernization Act aligned agency strategic planning cycles to Presidential election cycles and Administration transitions. As a result, the DOJ FY 2018 – FY 2022 Strategic Plan established a new set of strategic priorities that began in FY 2018. FY 2019 was the first year that DOJ conducted a Strategic Objective Review (SOR) of the current FY2018 – FY 2022 DOJ Strategic Plan. This year's SOR focused on "planning and foresight" activities, as well as developing action items to improve program outcomes and better position DOJ to achieve the Department's long-term goals and objectives. This incorporated a strong emphasis on Enterprise Risk Management (ERM) including identifying both opportunities and areas of concern. The FY 2019 Annual Performance Report/FY 2021 Annual Performance Plan includes findings from the SOR assessment.

Strategic Goals and Objectives



Secure the Borders and Enhance Immigration Enforcement and Adjudication

- ◆ 2.1 Prioritize criminal immigration enforcement
- ◆ 2.2 Ensure an immigration system that respects the rule of law, protects the safety of U.S. Citizens and serves the national interest



Promote Rule of Law, Integrity, and Good Government

- ◆ 4.1 Uphold the rule of law and integrity in the proper administration of justice
- ◆ 4.2 Defend first amendment rights to exercise religion and free speech
- ◆ 4.3 Pursue regulatory reform initiatives
- ◆ 4.4 Achieve management excellence

Enhance National Security and Counter the Threat of Terrorism

- ◆ 1.1 Disrupt and defeat terrorist operations
- ◆ 1.2 Combat cyber-based threats and attacks
- ◆ 1.3 Combat unauthorized disclosures, insider threats, and hostile intelligence activities



Reduce Violent Crime and Promote Public Safety

- ◆ 3.1 Combat violent crime, promote safe communities, and uphold the rights of victims of crime
- ◆ 3.2 Disrupt and dismantle drug trafficking organizations to curb opioid and other illicit drug use in our nation

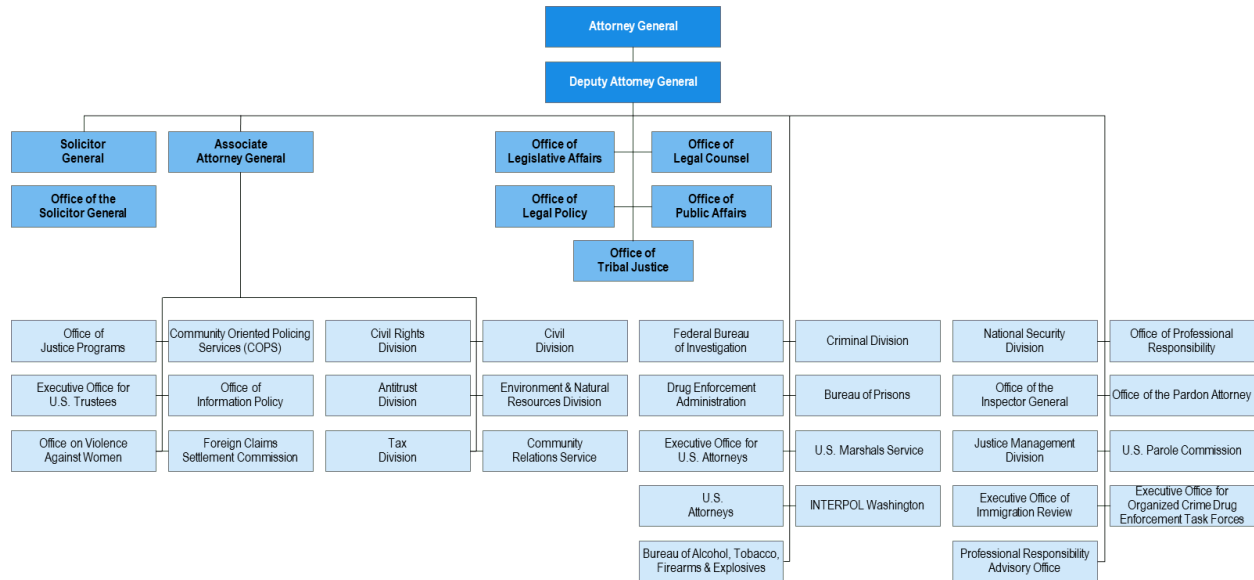


Organizational Structure

Led by the Attorney General, the Department is comprised of approximately 40 separate component organizations. There are over 113,000 employees who ensure that the individual component missions, and the overarching Department goals, are carried out. These include the U.S. Attorneys (USAs) who prosecute offenders and represent the United States government in court; the major investigative agencies – the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), which deter and investigate crimes and arrest criminal suspects; the U.S. Marshals Service (USMS), which protects the federal judiciary, apprehends fugitives, and detains persons in federal custody; the Federal Bureau of Prisons (BOP), which confines convicted offenders; and the National Security Division (NSD), which brings together national security, counterterrorism, counterintelligence, and foreign intelligence surveillance operations under a single authority.

The Department’s litigating divisions represent the rights and interests of the American people and enforce federal criminal and civil laws. The litigating divisions are comprised of the Antitrust (ATR), Civil (CIV), Civil Rights (CRT), Criminal (CRM), Environment and Natural Resources (ENRD), and Tax (TAX) Divisions. The Office of Justice Programs (OJP), the Office on Violence Against Women (OVW), and the Office of Community Oriented Policing Services (COPS) provide leadership and assistance to state, local, and tribal governments. Other major Departmental components include the Executive Office for U.S. Trustees (UST), the Justice Management Division (JMD), the Executive Office for Immigration Review (EOIR), the Community Relations Service (CRS), the Office of the Inspector General (OIG), and several offices that advise the Attorney General on policy, law, legislation, tribal justice matters, external affairs, and oversight. Headquartered in Washington, D.C., the Department conducts its work in offices located throughout the country and overseas.

Figure 1: Organization chart



Financial Structure

The Department's financial reporting structure is comprised of nine principal components.

Component

- ◆ Assets Forfeiture Fund and Seized Asset Deposit Fund (AFF/SADF)
- ◆ Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- ◆ Federal Bureau of Prisons (BOP)
- ◆ Drug Enforcement Administration (DEA)
- ◆ Federal Bureau of Investigation (FBI)
- ◆ Federal Prison Industries, Inc. (FPI)
- ◆ Office of Justice Programs (OJP)
- ◆ Offices, Boards and Divisions (OBDs)*
- ◆ U.S. Marshals Service (USMS)

*OBDs Offices

- ◆ Office of the Attorney General
- ◆ Office of the Deputy Attorney General
- ◆ Office of the Associate Attorney General Community Relations Service Executive
- ◆ Office for Immigration Review Executive
- ◆ Office for U.S. Attorneys Executive
- ◆ Office for U.S. Trustees
- ◆ Executive Office for Organized Crime
- ◆ Drug Enforcement Task Force
- ◆ INTERPOL Washington
- ◆ Office of Community Oriented Policing Services Office of Information Policy Office of Legal Counsel Office of Legal Policy Office of Legislative Affairs
- ◆ Office of Professional Responsibility Office of Public Affairs
- ◆ Office of the Inspector General Office of the Pardon Attorney Office of the Solicitor General Office of Tribal Justice
- ◆ Office on Violence Against Women Professional Responsibility Advisory Office
- ◆ U.S. Attorneys

Boards

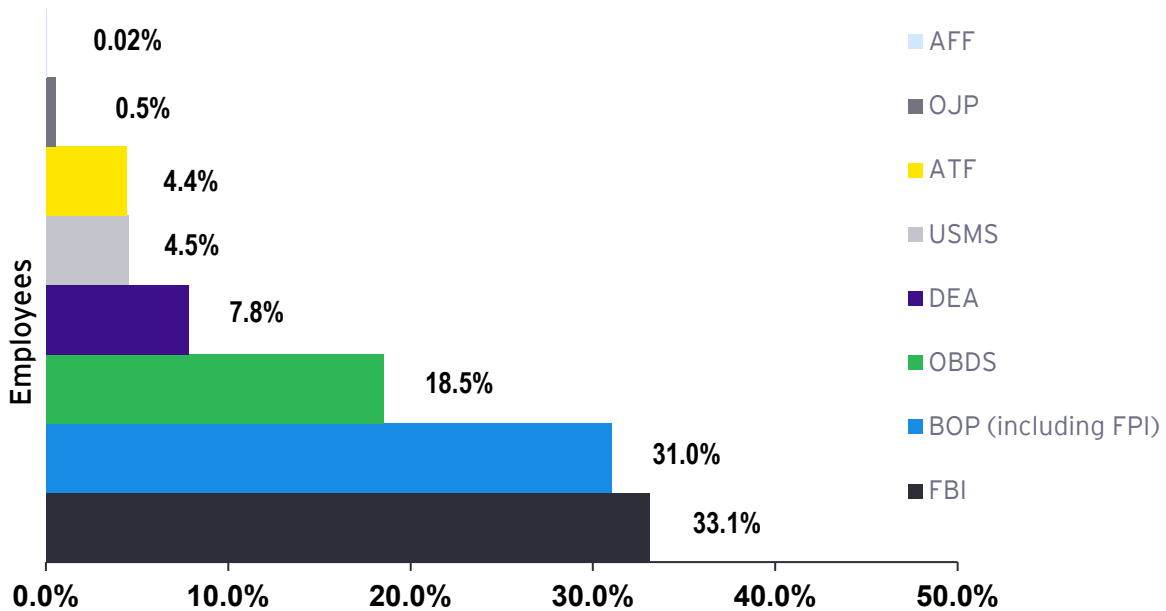
- ◆ Foreign Claims Settlement Commission
- ◆ U.S. Parole Commission

Divisions

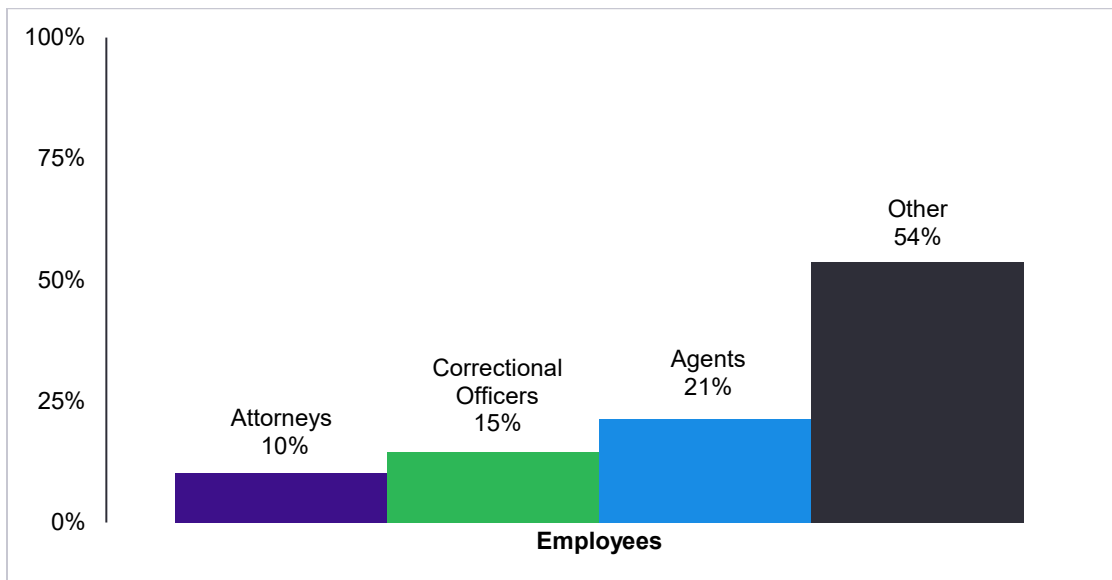
- ◆ Antitrust Division Civil Division
- ◆ Civil Rights Division Criminal Division
- ◆ Environment and Natural Resources Division Justice Management Division
- ◆ National Security Division Tax Division

FY 2019 Resource Information

FY 2019 DOJ Employees On Board by Component
Over 113,000 Employees



FY 2019 DOJ Employees On Board by Category
Attorneys, Correctional Officers, Agents, and Other



"Other" includes pay class categories such as paralegals, intelligence analysts, financial managers, procurement officers, evidence technicians, and security specialists

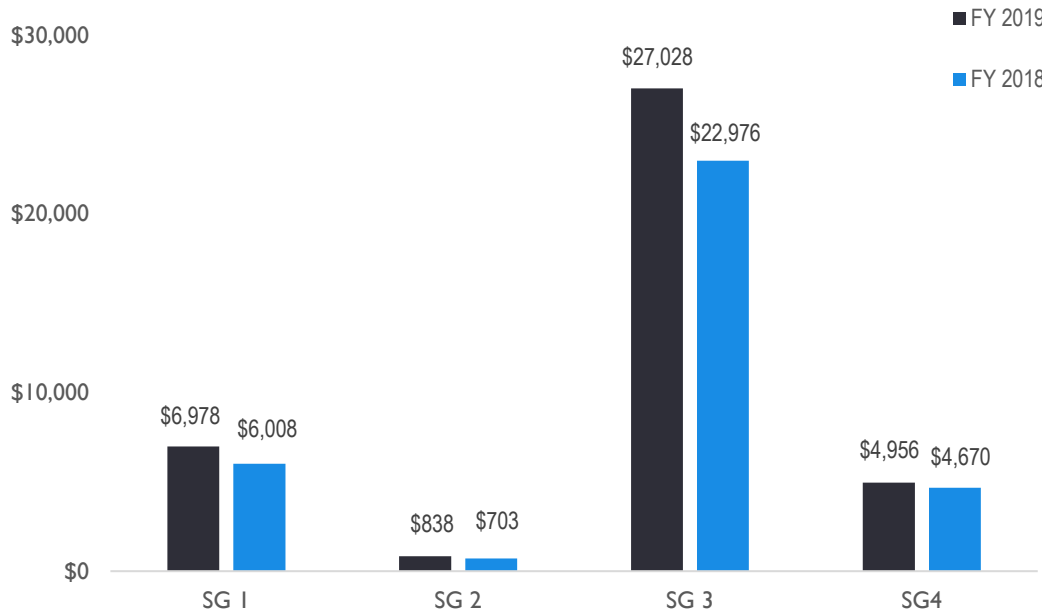
Table 1. Sources of DOJ Resources
(Dollars in Millions)

Source	FY 2019	FY 2018	% Change
Earned Revenue:	\$ 2,999	\$ 3,312	(9.4%)
Budgetary Financing Sources:			
Appropriations Received	31,355	30,435	3.0%
Appropriations Transferred-In/Out	971	986	(1.5%)
Nonexchange Revenues	909	993	(8.5%)
Donations and Forfeitures of Cash and Cash Equivalents	2516	1,082	132.6%
Transfers-In/Out Without Reimbursement	(119)	(226)	(47.2%)
Other Adjustments	(1072)	(674)	(58.9%)
Other Financing Sources:			
Donations and Forfeitures of Property	360	(204)	76.9%
Transfers-In/Out Without Reimbursement	2	9	(82.8%)
Imputed Financing	1051	874	20.4%
Other Financing Sources	(11)	(9)	20.1%
Total DOJ Resources	\$ 38,961	\$ 36,985	5.3%

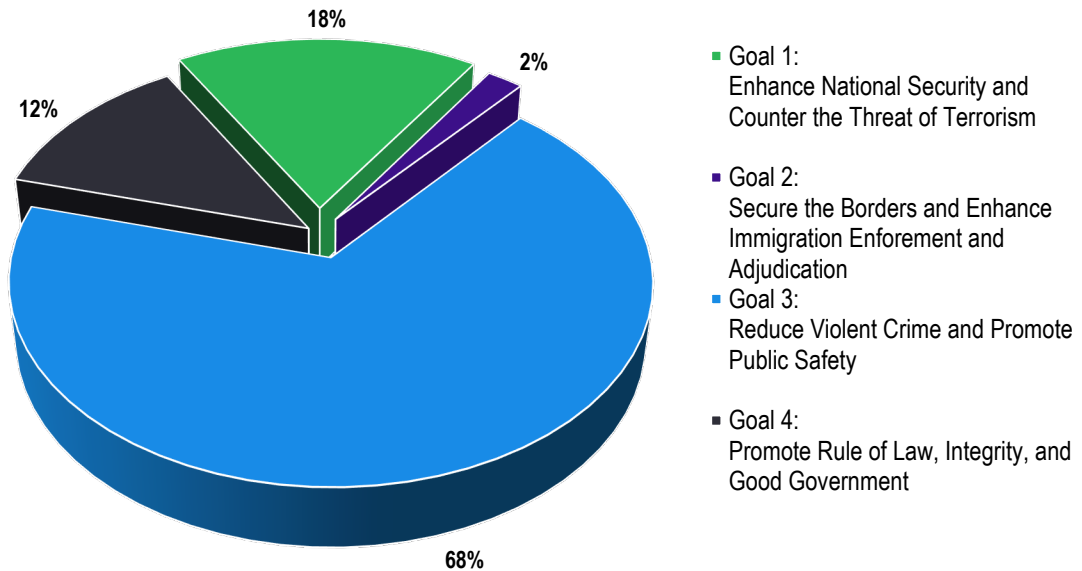
Table 2. How DOJ Resources Are Spent
(Dollars in Millions)

Strategic Goal	FY 2019	FY 2018	% Change
Enhance National Security and Counter the Threat of Terrorism			
Gross Cost	\$ 7,240	\$ 6,294	
Less: Earned Revenue	262	286	
Net Cost	6,978	6,008	16.1%
Secure the Borders and Enhance Immigration Enforcement and Adjudication			
Gross Cost	854	715	
Less: Earned Revenue	16	12	
Net Cost	838	703	19.2%
Reduce Violent Crime and Promote Public Safety			
Gross Cost	28,862	25,017	
Less: Earned Revenue	1,834	2,041	
Net Cost	27,028	22,976	17.6%
Promote Rule of Law, Integrity, and Good Government			
Gross Cost	5,844	5,643	
Less: Earned Revenue	887	974	
Net Cost	4,956	4,670	6.1%
Total Gross Cost	42,800	37,669	
Less: Total Earned Revenue	3,000	3,312	
Total Net Cost of Operations	\$ 39,800	\$ 34,357	15.8%

Comparison of Net Costs by Strategic Goal (SG) – FY 2019 and 2018 (Dollars in Millions)



FY 2019 Percentage of Net Costs by Strategic Goal (Dollars in Millions)



Analysis of Financial Statements

The Department's financial statements received an unmodified audit opinion for the fiscal years ended September 30, 2019 and 2018. These statements were prepared from the accounting records of the Department in accordance with the accounting principles generally accepted in the United States and Office of Management and Budget (OMB) Circular A-136, Financial Reporting Requirements. These principles are the standards promulgated by the Federal Accounting Standards Advisory Board (FASAB).

The following information highlights the Department's financial position and results of operations in FY 2019. The complete set of financial statements, related notes, and the opinion of the Department's auditors are provided in in the Department's FY 2019 Agency Financial Report on the Department website.

Assets

The Department's Consolidated Balance Sheet as of September 30, 2019, shows \$55.8 billion in total assets, a decrease of \$1.7 billion over the previous year's total assets of \$57.5 billion. The decrease is primarily due to payments made to Madoff victims and the Victim Compensation Fund (VCF) claimants. Fund Balance with U.S. Treasury (FBWT) was \$39.4 billion, which represented 70.6% percent of total assets.

Liabilities

Total Department liabilities were \$21.0 billion as of September 30, 2019, an increase of \$2.1 billion from the previous year's total liabilities of \$18.9 billion. The net change was the result of an increase of approximately \$1.0 billion in seized cash and monetary instruments, and approximately \$1.1 billion in the liability for the September 11th Victim Compensation Fund.

Net Cost of Operations

The Consolidated Statement of Net Cost presents Department's gross and net cost by strategic goal. The net cost of the Department's operations totaled \$39.8 billion for the fiscal year ended September 30, 2019, an increase of \$5.4 billion from the previous year's net cost of operations of \$34.4 billion.

The increase is primarily attributed to additional intragovernmental expenses with the U.S. Census Bureau and the Department of Health and Human Services, and the State Criminal Alien Assistance Program (SCAAP), for which there were no expenses in FY 2018, and increase expenses and corresponding outlay for the Crime Victims Fund (CVF).

Budgetary Resources

The Department's FY 2019 Combined Statement of Budgetary Resources shows \$56.3 billion in total budgetary resources, an increase of \$0.1 billion from the previous year's total budgetary resources of \$56.2 billion.

Net Agency Outlays

The Department's FY 2019 Combined Statement of Budgetary Resources shows \$37.4 billion in net agency outlay, an increase of \$2.8 billion from the previous year's total net agency outlays of \$34.6 billion. The increase is primarily due to the SCAAP program, as well as expenses and outlays for the CVF. This increase in CVF reflects increased grants program activity following prior fiscal year increases in appropriations, as the grant programs follow a four-year cycle: the year of award plus three years of expenditures.

Office of the Inspector General's Top Management Challenges

The Office of the Inspector General reports annually on DOJ Top Management and Performance Challenges. The OIG report for FY 2019 can be found at: <https://oig.justice.gov/challenges/> The DOJ response to these OIG identified challenges can be found at: <https://www.justice.gov/doj/page/file/1218576/download#page=175>

Limitations of the Financial Statements

The principal financial statements are prepared to report the financial position and results of operations of the Department of Justice, pursuant to the requirements of 31 U.S.C. § 3515(b).

While the statements have been prepared from the books and records of the Department in accordance with U.S. generally accepted accounting principles for federal entities and the formats prescribed by the OMB, the statements are in addition to the financial reports used to monitor and control budgetary resources, which are prepared from the same books and records

The statements should be read with the realization that they are for a component of the United States Government, a sovereign entity.

Data Reliability and Validity

The Department views data reliability and validity as critically important in the planning and assessment of its performance. As such, the Department makes every effort to ensure completeness and improve reliability of its performance information by performing “data scrubs” (routine examination of current and historical data sets, as well as looking toward the future for trends) to ensure the data we rely on to make day-to-day management decisions are as accurate and reliable as possible and targets are ambitious enough given the resources provided. To communicate our data limitations and commitment to providing accurate data, this document includes a discussion of data validation, verification, and any identified data limitations for each performance measure presented.

The Department ensures each reporting component providing data for this report meets the following criteria:

- ◆ At a minimum, performance data are considered reliable if transactions and other data that support reported performance measures are properly recorded, processed, and summarized to permit the preparation of performance information in accordance with criteria stated by management. Performance data need not be perfect to be reliable, particularly if the cost and effort to secure the best performance data possible will exceed the value of any data so obtained.

Forward-Looking Information

The Department of Justice faces challenges and risks every day as we work to meet our diverse mission. Some challenges and risks are recognizable and obvious, others are subtle, or are on the horizon. In a complex world where events and actions are happening simultaneously, the Department is employing forward-thinking and agile approaches to address our critical role of maintaining and strengthening the nation's liberty, safety, and prosperity.

One approach the Department is implementing to manage risks and challenges is an Enterprise Risk Management (ERM) capability that looks across the enterprise to address the full spectrum of the Department's significant risks as an interrelated portfolio, which includes strategic, operational, compliance, and compliance risks. DOJ is using a streamlined methodology to facilitate risk-informed decision-making through identification and mitigation activities that aligns strategy, processes, people, technology, and knowledge for the purpose of evaluating and managing uncertainties in executing our diversified missions.

ERM enables the Department's leadership to manage uncertainty (risks) and challenges more effectively to ensure its programs and activities continue to focus on meeting the dynamic demands of a complex legal, economic, and technological environments presently and in the future. Below we summarize a number of forward-looking initiatives we are pursuing.

National Security

Going Dark: Criminals and terrorists are using encryption and other anonymous or hidden services to avoid detection, identification and capture. Conducting court-approved intercepts has become more challenging. Providers offer encryption as a selling point.

Even when legal authority exists, technical ability is lacking, as are storage and data retention policies. A coordinated strategic response is urgently needed.

Foreign Intelligence and Insider Threat: Both international and domestic terrorists threaten Americans at home and abroad. Foreign governments and state-sponsored actors threaten U.S. national security through foreign operations and espionage.

Cyber Threat: Cyber issues straddle both national security and criminal areas, with the United States facing daily telecommunications network attacks from a range of nations, criminals and terrorists, all with potentially devastating consequences. The Department of Justice itself is under constant cyber-attack. The threat is pervasive and persistent, and the methods of adversaries are always evolving.

Law Enforcement

Opioid Epidemic: More than 70,200 Americans died from drug overdoses in 2017, of which 68% were caused by opioids.

Transnational Organized Crime: Transnational criminal organizations pose the greatest threat to national security and the safety of American citizens.

State, Local and Tribal: Federal law enforcement officers constitute only 15% of the total number of law enforcement officers nationwide; therefore, 85% of the officer support relies upon strong partnership in state and local law enforcement, who have critical intelligence about violent crime in their communities, and whose actions are crucial in the fight against violent crime and the opioid epidemic.

Immigration

Increasing Workload: At the beginning of FY 2019, there were nearly 988,112 cases pending in immigration courts nationwide, marking another year of increased backlogs.

Illegal Aliens: An increase in the Department of Homeland Security (DHS) apprehensions will result in more fugitive investigations for individuals with immigration warrants; more protective investigations and details for members of the judiciary; and more prisoners to receive, process, and detain.

Immigration Enforcement Prosecutors: Federal prosecution of border crime is an essential part of the nation's defense and security and critical to public safety. U.S. Attorneys' Offices address the criminal and civil caseloads generated by law enforcement activities to ensure aggressive enforcement of all immigration statutes.

Hiring and Staffing

Given an aging population in the federal workforce, the Department faces a series of difficulties in the coming years. Most components have experienced reduced staffing levels in the past several years. The hiring process can be lengthy and complex, especially the added time needed for background investigations.

Budget Constraints and Uncertainties

From 2001 to 2010, the Department's discretionary budget rose steadily, from \$18 billion to \$28 billion, an increase of 55%. However, since then, the discretionary budget has been largely flat or lower, with components absorbing inflationary costs. The 2019 enacted budget was \$30.7 billion, an increase of 10.8% over 2010, or only 1.2% increase per year, which is less than rent and personnel costs rise each year.

Unpredictable

Changes in federal laws may affect responsibilities and workload.

Much of the litigation caseload is defensive. The Department has little control over the number, size, and complexity of the civil lawsuits it must defend.

Summary of FY 2019 Performance

The Government Performance and Results Modernization Act of 2010 (GPRA Modernization Act) requires an agency's Strategic Plan to be updated every four years and cover a period of no less than four years forward from the fiscal year in which it is submitted.

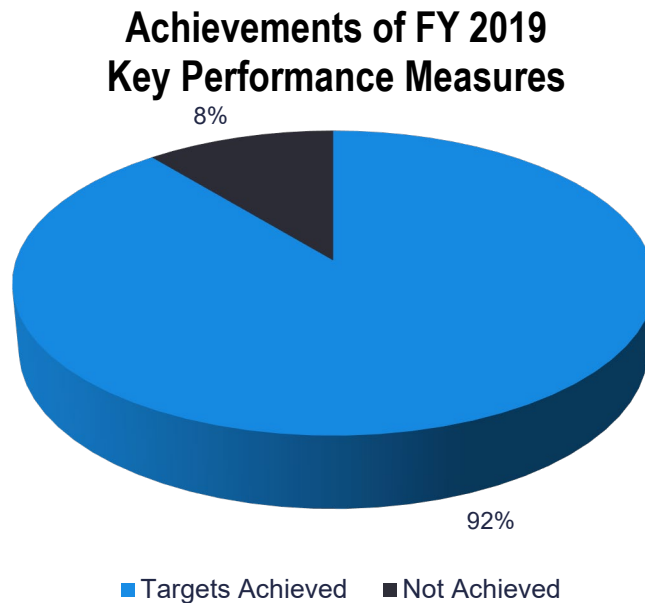
The Department's FY 2018 – 2022 Strategic Plan contains four strategic goals. The Department's Plan includes 39 key performance measures addressing DOJ's priorities toward achieving its long-term outcome goals. The performance measures are summarized in this document. The Department strives to present the highest-level outcome-oriented measures available.

During FY 2019, Departmental components have worked to improve the quality and timeliness of financial and performance information that inform quarterly status reporting and operating plans.

As FY 2018 was the first year of this Strategic Plan, the Department developed baselines for areas with new measures.

The chart below and the table that follows summarize the Department's achievement of its FY 2019 long-term outcome goals (key performance measures).

Figure 1: Achievements of FY 2019 Key Performance Measures



Goal 1: Enhance National Security and Counter the Threat of Terrorism

Strategic Objective	[] Designates the reporting entity	FY 2019 Target	FY 2019 Actual	Status
1.1	Number of terrorism disruptions affected through investigations [FBI]	250	518	Target Achieved
1.1	Number of incidents reported to the United States Bomb Data Center via the Bomb and Arson Tracking System [ATF]	32,000	38,594	Target Achieved
1.1	Percentage of counterterrorism defendants whose cases were favorably resolved [NSD]	90%	96%	Target Achieved
1.1	Number of assistance activities conducted with the goal of building the capacity of foreign law enforcement, prosecutors, and judicial systems to disrupt and dismantle terrorist actions and organizations [CRM]	947	952	Target Achieved
1.2	Number of computer intrusion program deterrences, detections, disruptions and dismantlements [FBI]	8,000	15,897	Target Achieved
1.2	Percentage of cyber defendants whose cases were favorably resolved [NSD, CRM and USAO]	90%	100%	Target Achieved
1.3	Number of counterintelligence program disruptions and dismantlements [FBI]	400	529	Target Achieved
1.3	Percentage of espionage defendants whose cases are favorably resolved [NSD]	90%	99%	Target Achieved

Goal 2: Secure the Borders and Enhance Immigration Enforcement and Adjudication

Strategic Objective	[] Designates the reporting entity	FY 2019 Target	FY 2019 Actual	Status
2.1	Percentage of criminal immigration dispositions that are successfully resolved [USAO]	90%	99.6%	Target Achieved
2.1	Percentage of federal denaturalization of dispositions that are successfully resolved [USAO, CIV]	80%	95%	Target Achieved
2.2	Percentage of criminal immigration-related benefits fraud dispositions that are successfully resolved [USAO]	90%	99%	Target Achieved
2.2	Percentage of employer sanctions, immigration related unfair employment practices, and immigration related document fraud cases completed within the established timeframe [EOIR]	90%	95%	Target Achieved
2.2	Percentage of Immigration and Nationality Act (INA) Section 274B Protecting U.S. Workers Initiative discriminatory or unlawful hiring practice enforcement actions successfully resolved [CRT]	75%	100%	Target Achieved
2.2	Clearance rate for detained and non-detained cases [EOIR]	50%	61%	Target Achieved

Goal 3: Reduce Violent Crime and Promote Public Safety

Strategic Objective	[] Designates the reporting entity	FY 2019 Target	FY 2019 Actual	Status
3.1	Percentage of Federal violent crime defendants whose cases were favorably resolved [CRM, USAO]	90%	92%	Target Achieved
3.1	Number of National Integrated Ballistic Information Network (NIBIN) "hits/leads" that is the linkage of two or more crime scene investigations based upon comparisons of the marking made on fired ammunition recovered from the crime scenes [ATF]	55,000	74,123	Target Achieved
3.1	Number of victims of a violent crime that received services through the Victim Assistance Program [OJP]	5,000,000	6,578,459	Target Achieved
3.1	Percentage of extraditions received related to violent criminals [CRM]	20%	21.2%	Target Achieved
3.1	Percentage increase of non-Consolidated Organization Target (non-CPOT) gang/criminal enterprise dismantlements [FBI]	15%	16%	Target Achieved
3.1	Reduce violent crime [Department-wide]	-1%	-3.3%	Target Achieved*
3.1	Stop and reverse rise in homicides [Department-wide]	-2%	-6.2%	Target Achieved*
3.2	Reduce Drug Overdose Deaths [Department-wide]	-4%	-5.1%	Target Achieved*
3.2	Reduce Opioid Prescriptions [DEA]	-27%	-30.5%	Target Achieved
3.2	Number of disruptions and dismantlements of Drug Trafficking Organizations (DTOs) linked to Consolidated Priority Organization Targets (CPOT) [OCDETF]	255	328	Target Achieved
3.2	Number of disruptions and dismantlements of Priority Threat Organizations (PTOs) not linked to CPOTs [DEA]	1,500	1,352	Not Achieved
3.2	Number of Scheduled Diversion Investigations completed [DEA]	1,441	1,329	Not Achieved
3.2	Number of Consolidated Priority Organization Target (CPOT)-linked investigations with one or more defendants convicted [OCDETF]	314	314	Target Achieved

* Target and Actual data are for CY 2018.

Goal 4: Promote Rule of Law, Integrity, and Good Government

Strategic Objective	[] Designates the reporting entity	FY 2019 Target	FY 2019 Actual	Status
4.1	Percentage of illicit market defendants whose cases were favorably resolved [CRM, USAO]	85%	92%	Target Achieved
4.1	Percentage of the Office of Professional Responsibilities (OPR) inquiries resolved within one year, and investigations within two years	Inquiries 50% Investigations 50%	Inquiries 91% Investigations 97%	Target Achieved Target Achieved
4.2	Increase the number of statements of interest involving First Amendment or religious liberty [CRT]	10%	167%	Target Achieved
4.2	Increase the number of Religious Land Use and Institutionalized Persons Act (RLUIPA) matters opened [CRT]	10%	20%	Target Achieved
4.3	Ratio of deregulatory actions to regulatory actions [OLP]	2 to 1	3 to 1	Target Achieved
4.3	Cost of regulations per fiscal year is below OMB cost cap [OLP]	\$0.00	-\$1.689M	Target Achieved
4.4	Ethics training for DOJ employees conducted by the Departmental Ethics Office (DEO) and the timely review of financial disclosures [JMD]	Training 100% Disclosures 100%	Training 100% Disclosures 98%	Target Achieved Not Achieved
4.4	Time-To-Hire (measured in calendar days) for Mission Critical Occupations (MCOs) [JMD]	205 days	172 days	Target Achieved
4.4	Percentage of unmodified audit opinions achieved [JMD]	100%	100%	Target Achieved
4.4	Number of DOJ systems moved to the Cloud [JMD]	2	5	Target Achieved

Priority Goals

The Department is committed to the Administration's performance management strategy to use performance information to lead, learn, and improve outcomes. As a key part of this strategy, the Administration directed agencies to identify a limited number of Priority Goals. A Priority Goal is a measurable commitment to a specific result that the agency will deliver for the American people. The Goals represent high priorities for both the Administration and the agency, have high relevance to the public, reflect the achievement of key agency missions, and will produce significant results over a 12 to 24 month period. The Priority Goals directly support the Department's FY 2018 – FY 2022 Strategic Plan; however, they reflect a limited number of priorities, and do not fully reflect the entirety of the agency's strategic goals or mission.

FY 2018 – FY 2019 Priority Goals

The Department's Priority Goals are a subset of those used to regularly monitor and report performance. To view the full set of performance information, visit: <https://www.justice.gov/doj/budget-and-performance>. The Department's three FY 2018 – FY 2019 Priority Goals were:

Priority Goal 1

Combat Cyber-Enabled Threats and Attacks¹

Cybercrime is one of the greatest threats facing our country, and has enormous implications for our national security, economic prosperity, and public safety. The range of threats and challenges cybercrime presents for law enforcement expands just as rapidly as technology evolves. By September 30, 2019, the Department of Justice will combat cyber-enabled threats and attacks by conducting 8,400 computer intrusion program deterrences, detections, disruptions and dismantlements, while successfully resolving 90 percent of its cyber defendant cases.

Status

The Department of Justice surpassed its two-year targets for the Combat Cyber-Enabled Threats and Attacks Priority Goal. The 'Cyber' Priority Goal tracked two performance measures throughout FY 2018 – 2019. Both measures exceeded their two-year targets.

The FBI's Cyber Division substantially exceeded its two-year target of conducting 12,200 (the annual target for FY 2019 was increased from 4,200 to 8,000) computer intrusion program deterrences, detections, disruptions and dismantlements, by successfully achieving a total of 27,437 investigative outcomes by the end of FY 2019. The Department will continue to track the FBI's efforts to deter, detect, disrupt and dismantle even more computer intrusion programs for the FY 2020 – 2021 Combat Cyber-Enabled Threats and Attacks Priority Goal.

The Department exceeded its target of favorably resolving 90% of its cyber defendants' cases, by successfully resolving 99% of its prosecutions of 325 cyber defendants, throughout FY 2018 – 2019. In FY 2018, the Department completed 164 cases, of which 98% were successful, and successfully resolved each of the 165 cases prosecuted in FY 2019. Cyber cases tend to involve other related criminal conduct under which the matter could be coded in the Executive Office for U.S. Attorneys' case management database. U.S. Attorneys will continue to individually assess each case brought for criminal prosecution in a manner that promotes the ends of justice. The Department will continue to track its efforts to successfully resolve at least 90% of its cyber defendant cases for the FY 2020 – 2021 Combat Cyber-Enabled Threats and Attacks Priority Goal.

Combating cyber threats remains one of the Agency's top priorities. DOJ will continue its cybercrime priority goal into FY 2020 – 2021. The goal will continue to focus on its current strategies to combat cyber-enabled threats and attacks, as well as a new strategy focused on strengthening public-private partnerships.

¹ The FY 2018 performance results for the Combat Cyber-Enabled Threats and Attacks Priority Goal was updated after the FY 2018 Agency Financial Report.

Priority Goal 2

Violent Crime Reduction

In the past four decades, we have won great victories against violent crime in America. Although the overall violent crime rate decreased for several decades, the FBI's annual report on national crime statistics revealed an increase in the national violent crime rate of 7 percent between 2014 and 2016. The causes of violent crime are many and varied, therefore, reducing violent crime requires a holistic approach that addresses law enforcement, as well as social and economic factors that contribute to increases in violent crime. The Department's primary role in that framework is enforcing the law and improving public safety.

By September 30, 2019, the Department of Justice will increase the percentage of non-Consolidated Priority Organization Target (non-CPOT) gang/criminal enterprise dismantlements by 30% over the baseline of 150; increase the number of National Integrated Ballistic Information (NIBIN) "hits/leads," that is the linkage of two or more crime scene investigations, based upon comparisons of 3D digital ballistic image of spent shell casings recovered from the crime scenes and from crime gun test-fires by 55,000; and favorably resolve 90% of federal "violent crime" cases.

Status

The Department of Justice surpassed its two-year targets for the Violent Crime Reduction Priority Goal. As part of the goal, the Department also demonstrated progress towards implementing the enhanced Project Safe Neighborhoods (PSN) program. The 'Violent Crime' Priority Goal tracked three performance measures throughout FY 2018 – FY 2019. All three measures exceeded their two-year targets.

The FBI exceeded its two-year target of increasing the dismantlement of non-CPOT gang/criminal enterprises by 30%, over the baseline of 150. By the end of the priority goal cycle, the FBI dismantled a total of 217 non-CPOT gang/criminal enterprises. Collectively, the total number of dismantlements reported for FY 2018 – 2019, reflect a 45% increase over the baseline.

By the end of FY 2019, ATF exceeded its two-year target to increase the number of National Integrated Ballistic Information (NIBIN) "hits/leads," that is the linkage of two or more shootings to the same firearm, based upon comparisons of 3D digital ballistic images of spent shell casings recovered from crime scenes and from crime gun test-fires by 55,000, by achieving a total of 74,123 "hits/leads." In FY 2018, ATF exceeded its annual target (50,000), by 9.4%, with a total of 54,686 "hits/leads." ATF continued to remain on target throughout each fiscal year.

The Department of Justice exceeded its two-year target of favorably resolving at least 90% of its federal violent crime defendants' cases, by successfully resolving 92% of its prosecutions of 30,484 federal violent crime defendants throughout FY 2018 – 2019. In FY 2018, the Department completed 14,561 cases, of which 93% were successful. In FY 2019, The Department pursued nearly 16,000 cases against federal violent crime defendants, of which 92% were successfully resolved.

As part of the Project Safe Neighborhoods program, the USAOs developed and implemented district specific violent crime strategies. By the end of FY 2018, all 93 USAOs completed each of the key milestone activities. The Department continued to report on its semiannual reporting requirements throughout FY 2019. The last full cycle of the semiannual reports was due the summer of 2018 (covering Oct. 2018 – Mar. 2019). By August 2019, 98% of the 93 USAOs submitted at least one of the two parts of the semiannual report.

Reducing violent crime remains one of the Agency's top priorities. DOJ will continue with a violent crime reduction priority goal into FY 2020 – 2021.

Milestones:

As part of the enhanced Project Safe Neighborhoods (PSN) program, the United States Attorney's Offices (USAOs) will develop and implement a district specific violent crime reduction strategy. By 2018, 75% of districts would have implemented violent crime reduction strategies. By 2019, 100% of districts would have implemented violent crime reduction strategies.

Priority Goal 3

Disrupt Drug Trafficking to Curb Illicit Drug Use

Drug abuse is both a public safety and public health challenge – leading to drug trafficking gang violence, illicit drug abuse and death. In 2016, there were 63,632 overdose deaths. Nearly 67 percent of those deaths were from opioids. The opioid epidemic affects a broad cross-section of the United States population without regard for age, gender, race, ethnicity, or economic status. Living in a rural, suburban, or urban jurisdiction does not insulate an individual from ravages of the opioid epidemic.

By September 30, 2019, the Department will increase the number of disruptions and dismantlements of Transnational Criminal Organizations (TCOs) to 402; complete 2,785 scheduled diversion investigations; and increase the number of diversion criminal cases initiated to 1,725.

Status

The Department of Justice partially met its two-year targets for the Disrupt Drug Trafficking to Curb Illicit Drug Use. The 'Drug Trafficking' Priority Goal tracked three performance measures throughout FY 2018 – 2019. Two of the three performance measures exceeded their two-year targets. As part of the goal, the Department also tracked and demonstrated progress in the implementation of the Threat Enforcement Prioritization Process (TEPP).

Number of disruptions and dismantlements of TCOs was a new performance measure, established in FY 2018.

Due to the newness and complexity of the measure, the Department had set only annual targets. The intent of this measure is to increase the overall sum of disruptions and dismantlements of TCOs each fiscal year.

The initial target estimate was 402 disruptions and dismantlements conducted in FY 2019. However, based on past performance, the Department adjusted its annual target from 402 to 374.

The Department exceeded its revised target to increase the number of disruptions and dismantlements of TCOs carried out each fiscal year, to 374, with 416 investigative outcomes in FY 2019. The Department achieved 92% of its annual target (380) for FY 2018, with 348 disruptions and dismantlements completed.

The initial target for annual number of scheduled diversion investigations completed by DEA, was 2,785 by the end of the end FY 2019. However, in light of past performance – DEA achieved 87% of its FY 2018 target – and successive adjustments in policy, the DEA Diversion Control Division (DCD) established a more realistic target of 1,441 for FY 2019.

DEA achieved 92% of its revised target to increase the number of scheduled diversion investigations completed annually, to 1,441, with 1,329 investigations completed in FY 2019. The DCD modified the FY 2019 Scheduled Investigation Work Plan to create flexibility in conducting investigations of DEA registrants. The modified work plan enables the field to aggressively address the identified threats and concerns within each division. DCD's work plans continue to enable operational flexibility, therefore at times higher priority investigations involving criminal and regulatory violators take precedence over scheduled investigations.

Milestones:

The Drug Enforcement Administration (DEA) will continue ongoing efforts to implement its Threat Enforcement Prioritization Process (TEPP). The TEPP proactively manages enforcement performance (activities, outcomes and resources) allowing for greater accountability. TEPP enhances DEA's ability to identify evolving threats, prioritize its response, evaluate success, and report on its effectiveness in a timely manner. TEPP shifts DEA's performance from a more quantitative approach to a more qualitative, results oriented approach that focuses and reports on community based, environmental outcomes.

- ◆ By 2018, 33% of DEA Field Division fully transitioned to TEPP
- ◆ By 2019, 66% of DEA Field Division fully transitioned to TEPP

DEA exceeded its target to increase the number of diversion criminal cases initiated each year, to 1,725, with 1,850 investigations completed in FY 2019. DEA exceeded its annual target for FY 2019 by 7%, or 125 cases. DEA exceeded its annual target for FY 2018 by 9%, or 153 cases.

The scheduled implementation of DEA's Threat Prioritization enforcement Process (TEPP) was completed (100%) in Q1 FY 2019. Although the milestone is complete, key elements of TEPP will continue – including Threat Identification and Threat Mitigation Plans and Impact statements. The detailed level of reporting has been adjusted to reflect the next phase of TEPP to allow DEA the opportunity to evaluate the impact on performance.

Disrupting drug trafficking and curbing illicit drug use remains one of the Agency's top priorities. DOJ will continue with a 'drug trafficking' priority goal, however for the FY 2020 – 2021 cycle, the goal will focus specifically on combating the opioid crisis

FY 2020 – FY 2021 Priority Goals

The Department has four new Priority Goals for FY 2020 – 2021. The FY 2020 – 2021 Priority Goals are:

Combat Cyber-Enabled Threats and Attacks

Cybercrime is one of the greatest threats facing our country, and has enormous implications for our national security, economic prosperity, and public safety. The range of threats and challenges cybercrime presents for law enforcement expands just as rapidly as technology evolves. By September 30, 2021, the Department of Justice will combat cybercrime threats and attacks by conducting 16,000 computer intrusion program deterrences, detections, disruptions and dismantlements; favorably resolving 90 percent of prosecutions of cyber defendants; and increasing the percentage of private sector losses recovered by the FBI's Internet Crime Complaint Center (IC3) to 76 percent. The results from FY 2018 (73%) currently serve as a baseline for the Department's new IC3 measure.

Combat the Opioid Crisis

The opioid epidemic affects a broad cross section of the United States population without regard for age, gender, race, ethnicity, or economic status. Communities across the United States, including those in rural, suburban, and urban jurisdictions, have been hit by the opioid epidemic. By September 30, 2021, the Department of Justice will reduce illicit opioid overdoses by: increasing the percentage of opioid related Priority Target Organizations (PTOs) disrupted and dismantled by 3% as compared to the FY 2019 baseline (36.2%); increasing the percentage of opioid related PTO investigations initiated by 3% as compared to the FY 2019 baseline (38.8%); increasing the number of diversion criminal cases initiated by 3% as compared to the FY 2019 baseline (1,850); and increasing the number of training, outreach and public education events completed by 33% as compared to the FY 2019 baseline (3,125).

Prevent and Disrupt Transnational Elder Fraud

Reduce the impact of transnational fraud schemes on older Americans. Through increased disruption and coordination among government and private stakeholders, and outreach to older Americans, the Department of Justice and its law enforcement partners will reduce the devastating effects of transnational elder fraud schemes. By September 30, 2021, 90% of the U.S. Attorney's Offices (USAOs) will file an elder fraud case or take other action to disrupt elder fraud and 100% of the USAOs will conduct elder fraud outreach. The Department will conduct at least 375 elder fraud related outreach events for state and/or local government officials (including law enforcement and/or protective and social services); 275 elder fraud related outreach events with senior citizens and/or organizations representing seniors; and over 155 elder fraud related outreach events with industry groups and/or representatives.

Reduce Violent Crime, Specifically Gun Violence

Strengthen and recommit our efforts to reduce gun violence through the launch of Project Guardian. By September 30, 2021, the Department will provide to state law enforcement fusion centers biweekly reports 100% of the time on NICS denials that are reported to ATF and increase the number of USAO federal firearms prohibitor records submitted to NICS by 10 percent.

Section II: Performance Information by Strategic Goal/Objective

Strategic Goal 1: Enhance National Security and Counter the Threat of Terrorism



Protecting national security and combating terrorism are priorities of the Department of Justice (DOJ or the Department). A key tenet of these objectives is to ensure that law enforcement and intelligence agencies are able to use all available tools to investigate and prevent acts of terror.

The nation also faces an array of cyber threats to our national security and public safety. The DOJ investigates, disrupts, and prosecutes large scale data breaches and other serious cyberattacks. As technology evolves and our adversaries increase in sophistication, the Department's capabilities must evolve as well. This requires expanding our toolsets and investigative abilities to deter and disrupt those threats and lawful and efficient information sharing among public and private sector partners.

Strategic Objective 1.1: Disrupt and defeat terrorist operations

The DOJ's top priority is combating terrorism, whether via deterrence, disruption, or prosecution. It will use intelligence and law enforcement resources to enforce the rule of law, provide justice to terrorism victims, and use other tools to disrupt and hold accountable those responsible for plots and acts of terrorism worldwide.

Summary of Progress

The Department of Justice, in consultation with the Office of Management and Budget, has determined that performance toward this objective is on track.

Key Performance Indicators		
Total Measures	Total Measures Achieved	Percent Achieved
4	4	100%
Risks		
-	Lawful Access (formerly Going Dark)	
-	Drone Threat	
-	Evolution of Terrorism	
+	Workforce Development – provide interactive courses to DOJ staff across the country, to build counterterrorism investigative knowledge and skills that improves our ability to thwart terrorism activities.	

Highlights

- ◆ **United States v. Khatallah:** A Libyan national was charged in the September 2012 terrorist attack on a U.S. compound in Benghazi, Libya, resulting in the deaths of four U.S. citizens, including Ambassador Stevens. On June 27, 2018, Khatallah was sentenced to 22 years in prison.
- ◆ **United States v. Kourani:** On May 16, 2019, the United States Attorney for Southern District of New York, announced that Ali Kourani was found guilty by a jury on all eight counts in the indictment, which charged him with terrorism, sanctions, and immigration offenses for his illicit work as an undercover terrorist operative for Hizballah's external attack planning component. One of the targets surveilled by Kourani was JFK Airport.

Other Accomplishments, Innovations, Collaborations, and Leading Practices

- ◆ In July 2019, three members of the racially violent extremist group "Rise Above Movement" were sentenced in the Western District of Virginia for their role in inciting a riot and other violent activity at the 2017 Unite the Right Rally in Charlottesville, Virginia.
- ◆ The Department played a leading role in the Administration's successful effort to develop and pass legislation authorizing DOJ and DHS to use technology capable of mitigating malicious drone activity. Known as the Preventing Emerging Threats Act, this path breaking legislation authorizes the use of effective technical measures to detect and disable malicious drones, notwithstanding potential conflicts with other federal laws. The Department used that new authority for the first time to protect Super Bowl LIII in February 2019. Working closely with USA, FAA and other law enforcement entities, FBI agents detected and seized dozens of drones flying in close proximity to the Super Bowl venue in Atlanta, Georgia.
- ◆ On September 4, 2019, the CRM's International Criminal Investigative Training Assistance Program (ICITAP) received a group Certificate of Appreciation for contributing to an interagency prison intelligence project in Kosovo. The interagency team was recognized for its innovative collaboration that began with an assessment in March 2019 to establish a new corrections capacity development program in partnership with the Kosovo Correctional Service on increasing its ability to prevent radicalization and rehabilitate and reintegrate Foreign Terrorist Fighter prisoners.
- ◆ In August 2018, the ATF's U.S. Bomb Data Center created the Interagency Fire Intelligence (IFIX) Program – a collaborative group of fire service, law enforcement, and intelligence personnel that share fire intelligence and threats nationwide. IFIX held its first training, Pyro-terrorism Threats, in September 2019.

Performance Measure

Number of terrorism disruptions affected through investigations [FBI]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	200	250	400	400
Actual	540	518	N/A	N/A

Discussion of FY 2019 Results

In FY 2019, the FBI’s Counterterrorism Division (CTD) exceeded the target of 250 terrorism disruptions with an actual count of 518 disruptions.

Noteworthy disruptions include the arrest of a subject who attempted to attack the White House in January 2019 and the arrest of a subject who had been stockpiling weapons and aspired to conduct a mass terrorist attack.

FY 2020 and FY 2021 Planned Future Performance

To achieve DOJ Strategic Objective 1.1 “disrupt and defeat terrorist operations” in FY 2020 and 2021, the FBI CTD will emphasize strategic capabilities that maximize the Bureau’s impact on the threat and ability to achieve terrorism disruptions. In a first ever leadership decision to develop a three year strategic plan, the FBI CTD has highlighted goal areas to ensure optimal operational capacity in disrupting and defeating terrorism: Rigorous Program Management, Accelerating Innovation, Workforce Development, Human Intelligence, and Intelligence Analysis.

Definition

A *disruption* is defined as interrupting or inhibiting a threat actor from engaging in criminal or national security related activity. A disruption is the result of direct actions and may include, but is not limited to, the arrest, seizure of assets, or impairing the operational capabilities of threat actors.

Data Validation, Verification, and Limitations

The FBI Counterterrorism Division’s operational priorities are classified. Therefore, it is only possible to report aggregate data that lacks significant detail. Data is collected routinely and stored on a classified enterprise platform and is validated and verified manually.

Performance Measure

Number of incidents reported to the United States Bomb Data Center via the Bomb and Arson Tracking System (BATS) [ATF]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	40,000	32,000	32,000	32,000
Actual	38,241	38,594*	N/A	N/A

**The Actual data previously reported for this measure has been updated based on additional evaluation.*

Discussion of FY 2019 Results

For FY 2019, the cumulative number of incidents reported through Bomb Arson Tracking System (BATS) was 38,594 — nearly 22% more than the annual target. As of November 13, 2019, 38,594 was the total number of incidents reported in BATS for FY 2019. Historically there have been some challenges in encouraging its Federal partners to comply with the mandate which requires them to input their data in the BATS. Understanding the critical need to increase BATS users, the ATF targeted underrepresented regions by providing increased training and awareness to state and local partners.

- ◆ At the end of calendar year 2018, the ATF's U.S. Bomb Data Center (USBDC) BATS Section had 13,155 registered BATS users, a five percent increase from the prior fiscal year.
- ◆ The ATF's USBDC BATS Section provided training to 2,574 registered and potential BATS users in 1,346 law enforcement and fire agencies.

These efforts ensued a noticeable boost in the number of incidents being reported by federal agencies (outside ATF), during FY 2019.

FY 2020 and FY 2021 Planned Future Performance

The ATF will continue to work on increasing BATS participation in FY 2020 and FY 2021. The initial annual target for FY 2020 and FY 2021 is 32,000. However, the targets may change based on future performance trends.

Definition

This measure is focused on increasing the reporting of bomb incidents to the U.S. Bomb Center via BATS.

Data Validation, Verification, and Limitations

Data validation and verification are accomplished via quarterly reviews by ATF. Agencies have the capability to add an incident in BATS at any time and backdate it to the actual date of the incident.

Performance Measure

Percentage of counterterrorism defendants whose cases were favorably resolved [NSD]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	90%	90%	90%	90%
Actual	91%	96%*	N/A	N/A

**The Actual data previously reported for this measure has been updated based on additional evaluation.*

Discussion of FY 2019 Results

The Department’s National Security Division (NSD) handled a total of 59 counterterrorism defendant cases in FY 2019. Of those, 57 (96%) were favorably resolved. The NSD continues to see fewer U.S. persons attempting to travel overseas to Syria now that the physical caliphate of ISIS has been defeated. However, the NSD noticed an uptick in the number of domestic terrorism cases, particularly investigations, into racially motivated violent extremists.

United States v. Sayoc:

In August 2019, Cesar Sayoc was sentenced to 20 years in prison in connection with his mailing 16 improvised explosive devices (IED) to 13 victims throughout the country, including President Barack Obama, Secretary of State Hilary Clinton, Vice President Joe Biden, as well as CNN, by sending explosive packages to them through the U.S. Postal Service. The FBI arrested Sayoc on October 26, 2018 – less than five days after the October 22nd recovery of the first IED.

FY 2020 and FY 2021 Planned Future Performance

On the domestic terrorism front, the NSD has continued to increase training opportunities for prosecutors and law enforcement on domestic terrorism trends. In addition, the Counterterrorism Section of the NSD has two trial attorneys assigned as Domestic Terrorism Coordinators, in addition to the Domestic Terrorism Counsel position that was created several years ago. Furthermore, in the last year, the Counterterrorism Section conducted regional training on domestic terrorism cases for the National Security/ Anti-Terrorism Advisory Council (NS/ATAC) Regional Coordinator program as well as training for all Counterterrorism Section trial attorneys. The NSD will continue to focus training and resources on the rise of domestic terrorism cases.

Definition

Defendants whose cases were favorably resolved include those defendants whose cases resulted in court judgments favorable to the government.

Data Validation, Verification, and Limitations

Data validation and verification were accomplished via quarterly reviews by NSD. There are no identified data limitations.

Performance Measure

Number of assistance activities conducted with the goal of building the capacity of foreign law enforcement, prosecutors, and judicial systems to disrupt and dismantle terrorist actions and organizations [CRM]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	541	947*	850	850
Actual	958	952	N/A	N/A

**The Target data previously reported for this measure has been updated based on additional evaluation.*

Discussion of FY 2019 Results

In FY 2019, the Criminal Division’s two international programs, the International Criminal Investigative Training Assistance Program (ICITAP) and the Office of Overseas Prosecutorial Development Assistance and Training (OPDAT) together exceeded the Division’s forecasted goals working collaboratively within the Department of Justice and in close partnership with its primary interagency partner, the State Department’s Bureau of Counterterrorism (DOS/CT).

In FY 2019, both programs had notable successes related to this performance measure.

ICITAP successes include:

- ◆ ICITAP-Bangladesh concluded a ten-week K9 training for eight new explosive detection dogs of the Counter Terrorism and Transnational Crime unit of the Dhaka Metropolitan Police and the Dhaka Airport Armed Police Battalion. This was a leading initiative and the program continues to grow.
- ◆ ICITAP maintained six field offices to manage projects oriented toward developing capacity in six countries to prevent and respond to terrorism activity.
- ◆ ICITAP deployed 22 subject matter expert advisors overseas to provide short- and long-term mentorship in the areas of prison intelligence development, prison management, community based coalition building, and other CT development areas.

In Qatar, OPDAT helped strengthen the country’s anti-money laundering and countering terrorist financing (AML/CTF) framework through technical assistance during the drafting of the country’s new AML/CTF law and through case based mentoring that helped reverse a judicial ruling overturning the terrorist financier designations of numerous defendants.

OPDAT’s successes include:

- ◆ OPDAT organized a meeting of the Global Law Enforcement Coordination Group with counterparts from 26 countries as part of its international partnership of law enforcement officials and criminal justice practitioners to increase cross-border collaboration against Lebanese Hizballah and to strengthen multilateral support for action.
- ◆ As a result of OPDAT engagements, Argentina established a Domestic Terrorist Designation regime, which included Lebanese Hizballah and several of its top leaders on the list. Such designations enable closer coordination with the U.S. on terrorism cases and asset freezes.

FY 2020 and FY 2021 Planned Future Performance

In FY 2020 and 2021, the Criminal Division envisions a continued energetic collaboration with DOS/CT. In coordination with its DOJ and interagency partners, and in support of the National Strategy for Counterterrorism, the CRM will continue to focus its efforts on sustainable institutional capacity building activities designed to provide key foreign countries and regions with the means to disrupt, investigate and dismantle terrorism actions and organizations.

ICITAP will continue to work with the DOS/CT to develop targeted, integrated plans that leverage the respective capabilities of the interagency to build law enforcement capacities to counterterrorism in ICITAP's programs in the Balkans Region, Central Asia, Indonesia, Mali, Philippines, Somalia, Tunisia, and the Western Hemisphere.

OPDAT will continue the efforts related to the ongoing Hizballah threat and building upon the success of the pilot five-phase program in Cote d'Ivoire, will implement the five-phase counter Lebanese Hizballah program with Bahrain and Argentina in 2020 and 2021.

To address the continued issues presented by returning foreign terrorist fighters, not only those from Syria but also from other conflict zones, OPDAT will continue to mentor, on a case by case basis, prosecutors in countries where those repatriations are occurring.

OPDAT will continue the "Life Cycle" or "Train the Trainer" program in Georgia, Northern Africa, and Uzbekistan, which brings judges, prosecutors, and investigators together to build capacity and assist them with the development of their own training programs.

The reduced targets of 850 for FY 2020 and FY 2021 are not reflective of achievements or successes in this performance area, but indicative of changing resources at the State Department, who funds this work.

Definition

The performance measure is the number of assistance activities conducted with the goal of building the capacity of foreign law enforcement, prosecutors and judicial systems to disrupt and dismantle terrorist organizations.

Data Validation, Verification, and Limitations

CRM captures all data in internal systems. Data is validated quarterly by OPDAT's and ICITAP's Directors.

Strategic Objective 1.2: Combat cyber-based threats and attacks

From attacks on critical infrastructure to the theft of sensitive information and intellectual property, our adversaries seek to use cyberspace to their military and competitive advantage. In collaboration with federal, state, local, and foreign partners as well as the private sector, the Department will ensure that our nation's networks and infrastructure remain a safe and secure conduit for commerce, free expression of ideas, and essential services.

Summary of Progress

The Department of Justice, in consultation with the Office of Management and Budget, has determined that performance toward this objective is on track.

Key Performance Indicators		
Total Measures	Total Measures Achieved	Percent Achieved
2	2	100%
Risks		
-	Lawful Access (formerly Going Dark)	
-	Case Locations (cyber threats continue to expand beyond major cities across the nation)	
-	Sophistication of cyber threats	
-	Private Sector Engagement	
+	Response Planning (define functions across the entire mission to better respond to and mitigate cyber threats to the enterprise)	
+	Cyber Training System Modernization (use new tools and training for information security workforce to conduct continuous evaluation of the system security)	

Highlights

- ◆ **United States v. Zhu. Et al.:** On December 20, 2018, two Chinese nationals, from the hacking group Advanced Persistent threat (the APT10 group) were charged in relation with a decade long campaign of computer intrusions at managed service providers of businesses and governments around the world. The evidence derived from the investigation provided a platform for coalition of major countries to attribute APT10 group computer intrusions to the Chinese government and condemn China's product.
- ◆ **United States v. Khusyaynova:** On October 19, 2018, a Russian national was charged for her alleged role in a Russian conspiracy to interfere in the U.S. political system, including the 2018 midterm election. Khusyaynova allegedly managed the financing of Project Lakhta operations, including what they referred to as "information warfare against the United States." The public charges against Khusyaynova served to shine a light on this Russia based malign influence activity and raise awareness of the threat.
- ◆ **United States v. Wang, Et. al.:** In May 2019, the Computer Crime and Intellectual Property Section (CCIPS) in the Criminal Division and the Indianapolis U.S. Attorney's Office obtained an indictment charging a Chinese national and a coconspirator with conducting a sophisticated computer intrusion into large U.S. based businesses, including Indianapolis based health insurer anthem Inc. The indictment alleges, the defendants stole data concerning approximately 78.8 million persons from Anthem's computer network. Defendants were charged with conspiracy to commit fraud, identity theft, conspiracy to commit wire fraud, and intentional damage to a protected computer.

Other Accomplishments, Innovations, Collaborations, and Leading Practices

- ◆ Following the launch of the International Computer Hacking and Intellectual Property Global Law Enforcement Network, in 2018, the Intellectual Property Law Enforcement Coordinators (IPLECs) and cyber legal advisor positions were combined to form DOJ's expanded Global Law Enforcement network of International computer Hacking and Intellectual Property (ICHIP) attorney advisors. CCIPS plays a key role in training these attorneys and coordinating their training and enforcement efforts.
- ◆ The FBI now uses Trade Winds, a classified high-speed data transfer network developed to more quickly share sensitive, large data files with foreign partners.
- ◆ Law enforcement is increasingly facing challenges due to the phenomenon of “warrant-proof” encryption — encryption that can only be decrypted by the end user or customer and does not allow for lawful access by law enforcement agencies in appropriate circumstances. To address this grave threat to public safety, various projects have been completed and are underway to advance the Attorney General's goals for the Lawful Access Initiative, including a summit that took place at DOJ on October 4, 2019, multiple international meetings, and a statement joined by international partners.

Performance Measure

Number of computer intrusion program deterrences, detections, disruptions and dismantlements [FBI]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	4,200	8,000	8,000	8,000
Actual	11,540	15,897*	N/A	N/A

**The Actual data previously reported for this measure has been updated based on additional evaluation.*

Discussion of FY 2019 Results

The FBI Cyber Division (CyD) engages in comprehensive investigative, analytical, and engagement related activities involving numerous stakeholders to include other FBI operational divisions, field offices, legal attaches, foreign partners, private sector, state and local law enforcement, and the United States Intelligence Community, in an effort to mitigate and eliminate the capabilities of cyber-criminal and national security state actors. In FY 2019, the CyD successfully achieved a total of 15,897 operational and preventive outcomes related to detects, deters, disruptions, and dismantlements.

In February 2018, the CyD’s Internet Crime Complaint Center (IC3) established the Recovery Asset Team (RAT) to assist the field and streamline communications to financial institutions in an effort to recover funds for victims of any crime type that transfers funds to fraudulent domestic accounts.

From May 2019 until September 2019, the FBI’s CyD working alongside the FBI’s Criminal Investigative Division completed a global effort, dubbed Operation ReWired, which focused on law enforcement action against Business Email Compromise actors. The law enforcement action resulted in 282 arrests globally and over \$3.6 million in seized assets.

FY 2020 and FY 2021 Planned Future Performance

The FBI CyD will continue all efforts to accomplish operational and preventive activities to detect, deter, disrupt, and dismantle the top cyber threat actors and to meet or exceed the FY 2020 target. Each fiscal year, the FBI CyD continues to communicate cyber threat level guidance to all FBI field offices, seeking to influence field offices’ progress towards achieving threat mitigation outcomes. Further, the FBI CyD seeks to ensure over 70% of all cyber disruptions and dismantlements, the strongest enforcement actions when deterrence fails, are against the highest priority cyber threats. Throughout FY 2020, the CyD, in coordination with IC3 RAT will continue outreach to the private sector and public to educate victims on filing with IC3. Each fiscal year, the total number of detects, disruptions, and dismantlements accomplished against criminal and national security threats is unpredictable because of the nature of ongoing cyber campaigns, however, FBI expects continued and sustained performance on this metric.

Definitions

Detect is the FBI identification of a threat actor and/or criminal or national security related activity. *Deter* is the FBI prevention of a threat actor from engaging in criminal or national security related activity through defensive countermeasures that are implemented by the FBI or by strategic partners due to FBI engagement. *Disruption* is interrupting or inhibiting a threat actor from engaging in criminal or national security related activity. A *dismantlement* occurs when the targeted organization's leadership, financial base and supply network has been destroyed, such that the organization is incapable of operating and/or reconstituting itself.

Data Validation, Verification, and Limitations

The FBI Cyber Division's operational priorities are classified. Therefore, it is only possible to report aggregate data that lacks significant detail. Data is collected routinely and stored on a classified enterprise platform and is validated and verified manually.

Performance Measure

Percentage of cyber defendants whose cases were favorably resolved [NSD, CRM and USAO]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	90%	90%	90%	90%
Actual	98%	100%	100%	100%

Discussion of FY 2019 Result

Confronting and combating malicious cyber activity is one of the Department’s top priorities, and the Department will continue to devote its focused attention and resources to successfully address this persistent threat.

The Department exceeded its annual target of favorably resolving at least 90 percent of its cyber defendants’ cases by successfully resolving all its prosecutions of 165 cyber defendants, in FY 2019.

The Department has successfully prosecuted cyber cases despite the majority of national security cyber threat actors being located abroad (often protected by their governments) and becoming increasingly sophisticated in their efforts to avoid detection, identification, and capture by U.S. law enforcement and the Intelligence Community. The following is a highlight from the Department’s recent cyber cases:

- ◆ **United States v. Ruslan Bondars:** Ruslan Bondars was convicted on May 16, 2018, following a five day trial in the Eastern District of Virginia, of one count conspiracy to violate the Computer Fraud and Abuse Act, one count of conspiracy to commit wire fraud, and one count of computer intrusion with intent to cause damage and aiding and abetting. Bondars – a Latvian “non-citizen,” meaning a citizen of the former USSR who resided in Riga – was sentenced to 168 months in prison on September 21, 2018, for offenses related to his operation of “Scan4you,” an online counter antivirus service that helped computer hackers determine whether the computer viruses and other malicious software they created would be detected by antivirus software. From at least 2009 until 2016, Bondars operated Scan4you, one of the largest services of its kind. Scan4you differed from legitimate antivirus scanning services in multiple ways. Malware developed with the assistance of Scan4you included some of the most prolific malware known to the FBI and was used in major computer intrusions committed against American businesses. In issuing the sentence, the court found a loss amount of \$20.5 billion.

U.S. v. Savandi, et al.

In November 2018, the Computer Crime and Intellectual Property Section of the Criminal Division and the New Jersey U.S. Attorney’s Office obtained an indictment charging two Iranian nationals with deploying sophisticated ransomware, known as SamSam, against more than 200 victims in the United States and elsewhere, causing over \$30 million USD in losses. Victims included state agencies, city governments, hospitals, and other innocent entities. The indictment was the first of its kind and charged defendants with one count of conspiracy to commit wire fraud, one count of conspiracy to commit fraud and related activity in connection with computers, two substantive counts of intentional damage to a protected computer and two substantive counts of transmitting a demand in relation to damaging a protected computer. The FBI is conducting the investigation.

FY 2020 and FY 2021 Planned Future Performance

The Department works on the front lines in combating cyber threats, and as it continues to move forward to address the threat and protect Americans across the country, the Department will benefit by applying the lessons its dedicated personnel have learned while handling cases that involve these cutting edge, emerging areas of the law.

Among the strategies that the Department will pursue in this area are: support and supervise the investigation and prosecution of all types of computer intrusion cases through coordinated efforts with Department investigators and others to support increased capacity to analyze seized computer evidence. Computer crime cases may be brought against individuals, criminal organizations, and state sponsored entities and may impact all types of industries.

Combating cyber threats remains one of the Agency's top priorities for FY 2020 and 2021. The Department will continue to track its efforts to successfully resolve 90 percent of its cyber defendant cases.

Definition

Defendants whose cases were "favorably resolved" include those defendants whose cases resulted in court judgments favorable to the government, such as convictions after trial or guilty pleas. Cases dismissed based on government endorsed motions were not categorized as either favorable or unfavorable for purposes of this calculation. Such motions may be filed for a variety of reasons to promote the interest of justice.

Data Validation, Verification, and Limitations

Data validation and verification is accomplished via quarterly reviews performed by the Counterintelligence and Export Control Section. CRM captures all litigation data in its Automated Case Tracking System (ACTS). Cases with cyber defendants in ACTS were validated quarterly by Computer Crime and Intellectual Property Section's (CCIPS) Section Chief. CRM relies on its own data collection as well as that of the USAOs, particularly when the case was handled as a partnership with a USAO. USAO data is entered locally by each district, where district personnel were responsible for following procedures to maintain the integrity of data in the system. Data is collected nationally in CaseView (formerly, the Legal Information Online Network System), which contains information on matters, cases, and appeals handled by all USAOs. Many cases concerning cybercrime may not be captured under these statistics, as there was not a single statute to prosecute criminal cyber conduct. Cyber cases tend to involve other related criminal conduct under which the matter could be coded in the database. USAOs routinely examine current and historical data sets, as well as look for trends, to confirm that the data was as accurate and reliable.

Strategic Objective 1.3:

Combat unauthorized disclosures, insider threats, and hostile intelligence activities

The U.S. government faces a significant and real threat that an insider will use authorized access, wittingly or unwittingly, to harm the security of the United States. Additionally, the United States faces a broad, rising threat from hostile intelligence activities. Foreign nations take a broad spectrum approach, in which traditional and nontraditional intelligence collectors seek to acquire vital U.S. assets to give our adversaries an economic or national security advantage.

Key Performance Indicators		
Total Measures	Total Measures Achieved	Percent Achieved
2	2	100%
Risks		
-	Case Locations (cyber threats continue to expand beyond major cities across the nation)	
-	Evolution of Insider Threats	
-	Lawful Access (formerly Going Dark)	
-	Private Sector Engagement	

Summary of Progress

The Department of Justice, in consultation with the Office of Management and Budget, has determined that performance toward this objective is on track.

Highlights

- ◆ **United States v. Kevin Mallory:** On June 8, 2018, Kevin Mallory, a former member of the Intelligence Community, was convicted of conspiring to commit espionage on behalf of China. Mallory was a former member of the Intelligence Community. In March and April 2017, Mallory travelled to Shanghai and met with Michael Yang, who he concluded worked for the People’s Republic of China Intelligence Service. Yang had previously targeted Mallory through his LinkedIn page. Yang gave Mallory a covert communications device, which he used to send or attempt to send documents to Yang, including documents containing Top Secret and Secret information.
- ◆ **United States v. Weiqiang Zhang:** On April 4, 2018, Weiqiang Zhang was sentenced to 121 months in prison for conspiring to steal trade secrets related to the production of genetically modified rice. According to trial evidence, Zhang acquired without authorization hundreds of rice seeds produced by Ventria and stored them at his residence in Manhattan. On August 7, 2013, U.S. Customs and Border Protection (CBP) officers found seeds belonging to Ventria in the luggage of Zhang’s visitors from China. The FBI and CBP investigated the case and it was prosecuted by attorneys from the USA for the District of Kansas, from the CRM’s CCIPS, and the NSD’s Counterespionage and Export Control Section.
- ◆ **United States v. Mariia Butina:** In April 2019, Mariia Butina, a Russian national, was sentenced to 18 months in prison after earlier pleading guilty to a federal charge of conspiracy to act as an agent of a foreign government. According to the government’s evidence, from approximately 2015 to 2017, Butina acted as an agent of a Russian government official. Under his direction, she provided key information about Americans who were in a position to influence United States politics and took steps to establish an unofficial communication between Russia and these Americans. As described in the plea documents, Butina sought to do so for the benefit of the Russian Federation.

Other Accomplishments, Innovations, Collaborations, and Leading Practices

- ◆ In 2019, the Department brought three new unauthorized disclosure cases related to leaks to news outlets or organizations.
- ◆ The Attorney General's China Initiative reflects the Department's strategic priority of countering Chinese national security threats through a combined effort from the NSD, the CRM, the USAOs, the FBI and their intelligence community partners. This initiative has endeavored to identify priority Chinese economic espionage cases, ensure the Department has sufficient resources dedicated to them, and work to bring them to an appropriate conclusion quickly and effectively. This initiative has also prioritized outreach to the public to raise awareness of the need to prevent and mitigate the theft of intellectual property and other national security threats posed by the PRC government.
- ◆ The FBI, in coordination with the NSD and the USA, works with the private sector to educate companies about the economic espionage threat and encourage businesses to take active steps to protect themselves by meeting with firms and organizations to promote awareness about the threat and to suggest measures to prevent the theft of trade secrets.

Performance Measure

Number of counterintelligence program disruptions and dismantlements [FBI]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	400	400	400	400
Actual	698	529	N/A	N/A

Discussion of FY 2019 Results

FY 2019, the FBI's Counterintelligence Division successfully achieved 529 disruptions and dismantlements of counterintelligence programs, by collaborating with international law enforcement to open new opportunities to disrupt hostile intelligence activities through intelligence sharing and joint action. Engagement between the United States Intelligence Community partners provides best practices as well as a thorough understanding of requirements and expectations regarding investigations. Furthermore, a close working relationship between the FBI and the NSD has led to increased numbers of case referrals regarding counterintelligence and other insider threat activities.

As the result of FBI collaborative efforts, the U.S. Department of Treasury's Office of Foreign Asset Control and the U.S. Department of Commerce added multiple entities to sanctions lists for conducting business with or on behalf of sanctioned entities. The FBI's collaborative relationships facilitated the disruption of adversarial actors and the dismantlement of nefarious networks via nonjudicial methods.

Threats are ever evolving, come from all sides, and impact all sectors of the U.S. government and economy. The FBI is consistently learning new tactics and making new connections to combat these threats; as such, the number of disruptions and dismantlements may fluctuate as adversaries change strategies and the FBI develops new techniques to counter the new threats.

FY 2020 and FY 2021 Planned Future Performance

The FBI Counterintelligence Division plans to focus on protecting U.S. information, items, and other assets by disrupting hostile foreign actors and by dismantling organizations that further the hostile. Preventing the loss of assets and proactively disrupting threat actors are essential parts of a counterintelligence strategy; once a hostile foreign nation has acquired U.S. assets, this damage cannot be undone. The FBI Counterintelligence Division plans to achieve this goal by leveraging the broadest set of lawful tools, including non-prosecutorial methods, and the broadest set of allies, including other U.S. agencies at all levels of government, the private sector, and friendly foreign partners.

Definition

This measure uses the combined score of two types of statistical accomplishments — disruptions and dismantlements — as documented by the FBI in its record keeping system. FBI personnel claim statistical accomplishments for various types of operational activities so the number of occurrences of these activities can be tracked for oversight purposes. This measure will include only disruptions and dismantlements documented in case files within the counterintelligence program.

Data Validation, Verification, and Limitations

The FBI Counterintelligence Division's operational priorities are classified. Therefore, it is only possible to report aggregate data that lacks significant detail. Data is collected routinely and stored on a classified enterprise platform and was validated and verified manually.

Performance Measure

Percentage of espionage defendants whose cases were favorably resolved [NSD]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	90%	90%	90%	90%
Actual	100%	99%	N/A	N/A

Discussion of FY 2019 Results

In FY 2019, 99% of the 74 espionage defendant cases handled by the National Security Division (NSD) was successfully resolved.

FY 2020 and FY 2021 Planned Future Performance

Among the strategies that National Security Division (NSD) will pursue in this area are:

- ◆ Supporting and supervising the prosecution of espionage and related cases through coordinated efforts and close collaboration with Department leadership, the FBI, the Intelligence Community, and the 94 Offices of the U.S. Attorneys.
- ◆ Overseeing and assisting the expansion of investigations and prosecutions for unlawful export of military and strategic commodities and technology, and violations of U.S. economic sanctions.
- ◆ Coordinating and providing advice in connection with cases involving the unauthorized disclosure of classified information and supporting prosecutions by providing advice and assistance with application of the Classified Information Procedures Act.
- ◆ Enforcing the Foreign Agents Registration Act of 1938 and related disclosure statutes.

United States v. Julian Assange:

On May 23, 2019, a federal grand jury returned an 18 count superseding indictment, charging Julian P. Assange, the founder of WikiLeaks, with offenses that relate to Assange’s alleged role in one of the largest compromises of classified information in the history of the United States. The superseding indictment alleges that Assange unlawfully obtained and disclosed classified documents related to the national defense.

Definition

Defendants whose cases were favorably resolved include those defendants whose cases resulted in court judgments favorable to the government.

Data Validation, Verification, and Limitations

Database records and data updates from Counter Espionage Section attorneys are reviewed quarterly to ensure that records are current and accurate. Reporting lags may be an issue for this performance measure.

Section II - Performance Information by Strategic Goal/Objective

Strategic Goal 2:

Secure the Borders and Enhance Immigration Enforcement and Adjudication



The Department plays a key role in the nation's immigration enforcement and adjudication processes, in collaboration with several other agencies, including the Departments of Homeland Security (DHS), State (DOS), Health and Human Services (HHS), and Labor (DOL).

Together and in cooperation with partner agencies, DOJ components secure the borders and protect public safety and national security, through prioritizing criminal immigration enforcement, and ensure an immigration system that respects the rule of law, protects the safety of U.S. citizens and legal aliens, and serves the national interest.

Strategic Objective 2.1:

Prioritize criminal immigration enforcement

Enforcement of our nation's immigration laws is a fundamental priority of the Department of Justice. It is critical to the defense of the United States that criminal immigration laws are enforced. As such, emphasis on prosecuting criminal immigration law offenses by the United States Attorney Offices will be a priority.

Key Performance Indicators		
Total Measures	Total Measures Achieved	Percent Achieved
2	2	100%
Risks		
+	Major Executive Initiatives	
-	Illegal Entries	

Summary of Progress

The Department of Justice, in consultation with the Office of Management and Budget, has determined that performance toward this objective is on track.

Highlights

- ◆ **United States v. Zazi:** On November 30, 2018, a Colorado man was denaturalized for conspiring to bomb the New York City Subway in 2009 and convicted of obstructing justice and conspiring to obstruct justice. As a result, he was forced to surrender his Certificate of Naturalization, and any other indicia of United States Citizenship, including, but not limited to, United States passports, voter registration cards, and other voting documents, and any copies thereof in his possession.
- ◆ **United States v. Rivera Weir, et al.:** In September 2017, one Ecuadorian and three Colombian nationals were charged with smuggling resulting in death and were extradited to the United States. All three Columbian defendants plead guilty. In FY 2019, the organizer received 15 years in prison and the other two defendants received 45 and 50 years in prison respectively.

Other Accomplishments, Innovations, Collaborations, and Leading Practices

- ◆ The CIV has updated civil denaturalization training tools and templates to promote coordination and collaboration to have consistent prosecution of civil denaturalization cases. The CIV continues its training initiative across the U.S. to prosecutors, agents, and leadership on civil and criminal denaturalization law, best practices, and to consult on the immigration nuances of criminal naturalization fraud prosecutions.
- ◆ The USMS developed a bi-weekly southwest border Detention Capacity Report to track metrics such as population, available in-district beds, prisoner transportation status, and prisoners received. This improved leadership's ability to identify district needs and hotspots to apply additional resources and efforts.
- ◆ The BOP is currently sharing intelligence on gangs they track in their facilities and this information assisted with the prosecution of 44 members of MS-13.

Performance Measure

Percentage of criminal immigration dispositions that are successfully resolved [USAO]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	90%	90%	90%	90%
Actual	99.6%	99.6%	N/A	N/A

Discussion of FY 2019 Results

In FY 2019, the U.S. Attorney’s Office (USAO) exceeded the target for successfully resolving criminal immigration dispositions by 99.6%. These investigations and prosecutions are consistent with the Zero Tolerance Policy. The Department has successfully resolved 30,471 cases out of 30,588.

FY 2020 and FY 2021 Planned Future Performance

In FY 2020, the USAOs will continue to place a high priority on the vigorous prosecution of criminal immigration offenses. Each case will be evaluated on its individual merits consistent with the Department’s prosecution guidelines.

Definition

Defendants whose cases were favorably resolved include those whose cases resulted in court judgments favorable to the government, including dismissal of cases on motion of the government.

Data Validation, Verification, and Limitations

All USAO data is entered locally by each district, where district personnel are responsible for following procedures to maintain the integrity of data in the system. This data is collected nationally in CaseView (formerly, the Legal Information Online Network System), which contains information on matters, cases, and appeals handled by all USAOs. That data is reviewed by knowledgeable personnel, including data analysts and others; attorneys and support personnel are responsible for following all local procedures to maintain the integrity of the data in the system. The USAOs routinely examine current and historical data sets, as well as look toward the future for trends so the data is accurate and reliable.

U.S. v. Gerson Serrano-Ramirez aka Frijole.

In May 2019 US District Court sentenced Gerson Serrano-Ramirez, aka Frijole, 31, an illegal alien and MS-13 gang member from El Salvador, to 19 years in prison. At the completion of his sentence, Serrano-Ramirez will be deported from the United States. Serrano-Ramirez was convicted by a federal jury in September 2018, of using physical force to tamper with a witness; being an illegal alien in possession of a firearm; illegally re-entering the United States after previously being deported; multiple counts of cocaine distribution; and multiple counts of other firearms violations. During a search of Seranno-Ramirez’s home, law enforcement seized an AK-47 assault rifle; multiple rifle magazines; 582 rounds of ammunition; body armor; and a small amount of cocaine and marijuana.

Performance Measure

Percentage of federal denaturalization dispositions that are successfully resolved [USAO, CIV]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	80%	80%	80%	80%
Actual	91%	95%	N/A	N/A

Discussion of FY 2019 Results

The Department has continued to deliver high quality work and in depth investigations leading to favorable outcomes in all areas of its denaturalization practice. The Department has favorably resolved 63 out of 66 cases. These successes are in part due to continued training and outreach efforts, as well as collaboration between the CIV, the USAOs and agency and law enforcement partners.

FY 2020 and FY 2021 Planned Future Performance

In FY 2020, the Department will continue to pursue criminal immigration enforcement efforts by identifying and prosecuting those who illegally obtained United States citizenship through fraud or misrepresentations by seeking denaturalization. The Department expects to meet or exceed the FY 2020 target of 80 percent successful denaturalization dispositions.

Definition

Defendants whose cases were favorably resolved include those whose cases resulted in court judgments favorable to the government, including dismissal of cases on motion of the government. In other instances, a favorable outcome includes a settlement on terms that are agreeable to client agencies. CIV measures its assorted favorable outcomes by using a systematic approach that records dispositions as favorable, unfavorable, or neutral. Successful denaturalization represents a total of favorable denaturalization from the Office of Immigration Litigation (OIL) District Courts Section and the OIL Appellate Section.

United States v. Kariye (D. Or.)

On May 6, 2019, the CIV division secured the denaturalization of an Oregon man who willfully misrepresented and concealed a material fact during his naturalization proceedings. During the denaturalization process, the FBI provided information indicating that defendant had received military training in a jihadist training camp in Afghanistan, coordinated with Osama bin Laden and other terrorist leaders, and was associated with terrorist organizations including Makhtab Al-Khidamat, a U.S. government designated terrorist organization and precursor to al Qaeda. After his denaturalization proceedings, Kariye self-deported.

Data Validation, Verification, and Limitations

Federal civil denaturalization dispositions are tracked in CIV's electronic management information website. OIL staff are responsible for entering disposition forms into the website once a disposition is closed, and the website then aggregates the data. The site tracks favorable, unfavorable, and neutral outcomes for the District Court and Appellate sections. Data is collected quarterly.

Federal criminal denaturalization dispositions are tracked in EOUSA's CaseView, which contains information on matters, cases, and appeals handled by all USAOs. USAO data is entered locally by each district, where district personnel are responsible for following procedures to maintain the integrity of data in the system.

That data is reviewed by knowledgeable personnel, including data analysts and others; attorneys and support personnel are responsible for following the local procedures to maintain the integrity of the data in the system. The USAOs routinely examine current and historical data sets, as well as look toward the future for trends so the data is accurate and reliable.

Strategic Objective 2.2:

Ensure an immigration system that respects the rule of law, protects the safety of U.S. citizens and legal aliens, and serves the national interest

The administration of immigration laws is nuanced and complex, requiring efficient processes and constant collaboration with multiple stakeholders and partners. DOJ will implement internal improvements to immigration offices and processes and will expand collaboration with external stakeholders and partners in upholding immigration law.

Key Performance Indicators		
Total Measures	Total Measures Achieved	Percent Achieved
4	4	100%
Risks		
+	Illegal Immigration	
-	Litigation and Legislation	

Summary of Progress

The Department of Justice, in consultation with the Office of Management and Budget, has determined that performance toward this objective needs focus. The Department has faced a number of external challenges related to immigration and the uncertain outcome of various cases in the courts.

Highlights

The Executive Office for Immigration Review (EOIR) case management system (CASE) is fragmented and paper based. To address this challenge, EOIR has launched an improved CASE pilot, and is currently studying it for necessary corrections and adaptations. A nationwide rollout is planned for FY 2020.

Other Accomplishments, Innovations, Collaborations, and Leading Practices

- ◆ The EOIR Courts and Appeals System (ECAS) is currently being piloted at several locations. It is expected that the process will be more efficient from electronic filing, electronic records of proceeding, and the judicial tools functionality.
- ◆ The Environment and Natural Resources Division (ENRD) coordinated with the U.S. Army Corp of Engineers (USACE) that is tasked with building the wall, on titles and surveys to determine what USACE is buying, who they are buying it from, and how much it will cost.
- ◆ The Criminal Division has an Interagency Working Group on Human Smuggling and Trafficking in Persons.
- ◆ The USMS shares booking information with Immigration and Customs Enforcement (ICE) in real time instead, of weekly. To accomplish this, they are setting up secure locations to collect and transmit data.
- ◆ The BOP established the Institution Hearing Program (IHP), a coordinated effort between ICE and the EOIR to provide deportation, exclusion, or removal proceedings to sentenced aliens while housed in the BOP facilities prior to release. BOP plans to expand IHP to additional the BOP locations.

Performance Measure

Percentage of criminal immigration related benefits fraud dispositions that are successfully resolved [USAO]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	90%	90%	90%	90%
Actual	99.3%	99%	N/A	N/A

Discussion of FY 2019 Results

In FY 2019, the United States Attorneys' Offices community advanced the Department of Justice's commitment to combat crimes involving immigration related benefits fraud to ensure United States citizens and legal aliens are safe, and to protect the integrity of the United States' immigration system. Of the 959 cases undertaken 950 were successfully resolved.

U.S. v. Edwin J. Gire and Grayson Enterprises, Inc.: February 7, 2019 – Edwin J. Gire, 47, owner of Gire Roofing, Inc., of Champaign, IL., was sentenced to three years in prison for visa fraud and for harboring and employing illegal aliens. In addition, Gire was ordered to pay a fine of \$30,000, and to remain on supervised release for two years following his release from prison. Grayson Enterprises, Inc., Gire Roofing's parent company, was sentenced to a three year term of probation and ordered to pay a fine of \$250,000.

In January 2018, Gire and Grayson Enterprises were convicted of visa fraud (four counts) and harboring illegal aliens (three counts) following a bench trial. Gire had previously entered pleas of guilty to three misdemeanor counts of unlawful employment of aliens. At trial, the court found undisputed evidence that proved that Gire knew or recklessly disregarded the fact that illegal aliens were allowed to live in a building owned by his company. Gire did this to make the aliens' employment as roofers for Grayson Enterprises attractive, despite the fact that Grayson Enterprises was paying them less than the applicable prevailing wage. By giving the aliens a place to live, the court found that Gire safeguarded the aliens from the authorities by making it more difficult for authorities to locate them.

FY 2020 and FY 2021 Planned Future Performance

In FY 2020, the United States Attorneys' Offices will continue to implement the Department's mission by vigorously prosecuting criminal immigration related benefits fraud. Each case will be evaluated on its individual merits consistent with the Department's prosecution guidelines. Cases accepted for Federal prosecution will be thoroughly reviewed prior to indictment to confirm that there is sufficient evidence to support a criminal conviction. Federal prosecutors will carefully assess all relevant evidence.

Definition

Defendants whose cases were favorably resolved include those defendants whose cases resulted in court judgments favorable to the government, including dismissal of cases on motion of the government.

Data Validation, Verification, and Limitations

USAO data is entered locally by each district, where district personnel are responsible for following procedures to maintain the integrity of data in the system. Data is collected nationally in CaseView, which contains information on matters, cases, and appeals handled by all USAOs. That data is reviewed by knowledgeable personnel, including data analysts and others; attorneys and support personnel are responsible for following local procedures to maintain the integrity of the data in the system. The USAOs routinely examine current and historical data sets, as well as look toward the future for trends so the data is accurate and reliable.

Performance Measure

Percentage of employer sanctions, immigration related unfair employment practices, and immigration related document fraud cases completed within the established timeframe [EOIR]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	90%	90%	90%	90%
Actual	97%	95%	N/A	N/A

Discussion of FY 2019 Results

In FY 2019, the Executive Office for Immigration Review (EOIR) exceeded its goal of completing 90% of employer sanctions, immigration related unfair employment practices, and immigration related document fraud cases within the established timeframes.

FY 2020 and FY 2021 Planned Future Performance

In FY 2020, EOIR’s Office of the Chief Administrative Hearing Officer (OCAHO) plans to continue to execute proven case management practices and resource allocations to continue to exceed the target in the future.

Definition

Immigration and Nationality Act (INA) 274A refers to employer sanctions cases. INA 274B refers to immigration related unfair employment practice cases. INA 274C refers to immigration related document fraud cases. Each of these time frames is measured from receipt to completion.

The above performance measure speaks to three distinct case types, each with its own completion target:

- ◆ 90% of INA274A(8 USC §1324a) cases completed within 430 days
- ◆ 90% of INA274B (8 USC §1324b) cases completed within 500 days
- ◆ 90% of INA274C (8 USC §1324c) cases completed within 750 days

Data Validation, Verification, and Limitations

Data is collected from the Automated Case Management System (ACMS). OCAHO employees are trained to accurately enter data and on the importance of how data entry can affect the business. OCAHO has clear data owners, both the single person and the single system, with unique individual passwords. Data is in a trusted format, and weekly reports are run to sample accuracy against certified records.

ACMS is a relational database that does not give stakeholders the ability to register, log in, and add/process filings. There is also no automatic backup mechanism. OCAHO is in the process of creating a permanent electronic filing program with the ability to move toward a more current, secure, paperless electronic operational environment. Implementing this system will enhance the efficiency of OCAHO’s case management system and operations.

Performance Measure

Performance Measure: Percentage of INA Section 274B Protecting U.S. Workers Initiative discriminatory or unlawful hiring practice enforcement actions successfully resolved [CRT]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	90%	75%	75%	75%
Actual	90%	100%	N/A	N/A

Discussion of FY 2019 Results

In FY 2019, the Department continued to combat unlawful hiring practices against U.S. workers and exceeded the target of 75 percent. Of the 14 total actions 11 were successfully resolved. The Initiative focuses on combatting employment discrimination against U.S. workers, consistent with the President’s Buy American and Hire American Executive Order. The Department used traditional tools of investigation, lawsuits, outreach, and interagency coordination to fight employers’ discriminatory preferences for temporary visa holders, while educating U.S. workers on their rights. The Department held employers accountable for discriminating against U.S. workers by requiring them to pay fines, pay lost wages to affected workers, and adopt policies and procedures that prevent future use of illegal preferences. Since the Initiative’s inception, employers have agreed to pay or have distributed a combined total of more than \$1.1 million in back pay to affected U.S. workers and civil penalties to the United States. During FY 2019, the Division exceeded the performance target, with one hundred percent of discriminatory or unlawful hiring practice enforcement actions successfully resolved.

On June 11, 2019, the Department of Justice announced that it had reached a settlement agreement with Sam Williamson Farms Inc. (SWF), a strawberry farm in Dover, Florida. The settlement resolved the Department’s investigation into whether SWF violated the anti-discrimination provision of the Immigration and Nationality Act (INA) by preferring to hire H-2A visa holders to harvest its strawberry crop instead of U.S. workers. Under the settlement, SWF paid \$60,000 in civil penalties to the United States, was required to pay up to \$85,000 in back pay to eligible U.S. workers, and must conduct enhanced U.S. worker recruitment and advertising for future positions.

This was the seventh settlement under the Civil Rights Division’s Protecting U.S. Workers Initiative, which is aimed at targeting, investigating, and taking enforcement actions against companies that discriminate against U.S. workers in favor of temporary visa workers.

FY 2020 and FY 2021 Planned Future Performance

The CRT will continue to implement the Protecting U.S. Workers Initiative, by investigating and bringing enforcement actions against companies that discriminate against U.S. workers in favor of foreign visa workers. When handling discriminatory or unlawful hiring practice enforcement actions under the Initiative, the Division expects to meet or exceed the target of 75 percent successfully resolved.

Definition

For the purposes of the Protecting U.S. Workers Initiative, an *enforcement* action is defined as any claim for relief that the Immigrant and Employee Rights Section pursues against a person or entity that is allegedly discriminating against U.S. workers in favor of foreign visa workers. Enforcement actions are generally initiated when the section notifies respondent that reasonable cause exists to believe a violation of the law has occurred and invites the respondent to engage in settlement negotiations to resolve the alleged violation. An action is considered successfully resolved where the resolution requires the cessation of the offensive conduct, requires training or other similar measures to ensure the offensive conduct is not repeated, and provides for back pay, where applicable, and civil penalties, where appropriate. Back pay and civil penalties shall be assessed consistent with statutory ranges, 8 U.S.C. 1324b (g), and applicable case law.

Data Validation, Verification, and Limitations

The CRT routinely collects data on these types of investigations. Data is maintained, analyzed, validated and verified manually.

Performance Measure

Clearance rate for detained and non-detained cases [EOIR]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Baseline	50%	55%	TBD
Actual	62%	61%	N/A	N/A

Discussion of FY 2019 Results

In FY 2019, the Executive Office for Immigration Review (EOIR) exceeded the target by 11 percent. Of 459,783 cases 279,736 were cleared. The EOIR piloted a Courts and Appeals System in effort to improve efficiency in reducing caseloads.

While the influx of receipts is outside EOIR control, the uptick in completion levels is a positive indication of EOIR’s potential to improve the overall clearance rate in future years.

FY 2020 and FY 2021 Planned Future Performance

The EOIR is undertaking several efforts to increase adjudicative capacity and help reduce the pending caseload. These include a continued focus on hiring developing and implementing a workforce staffing model, and making the immigration judge hiring process more efficient, efforts to maximize existing resources and eliminate agency inefficiencies including, making docket adjustments to reflect enforcement priorities; leveraging IT systems, and emphasizing policy coordination and analysis.

Definition


Clearance rate is defined as the ratio of initial case completions to initial receipts within a given time period. Subsequent case completions are excluded so there can be at most one completion for any given receipt. Clearance rate reflects caseload management, in that a clearance rate above one shows that completions exceed receipts during a given time period, and vice versa.

Data Validation, Verification, and Limitations

Data is collected from the Case Access System for EOIR (CASE), a nationwide case tracking system at the trial and appellate levels. Court staff nationwide enters data, which is electronically transmitted and stored at EOIR headquarters, allowing for timely and complete data collection. Data is verified by online edits of data fields. Headquarters and field office staff use routine daily, weekly, and monthly reports that verify data. Data validation is also performed on a routine basis through data comparisons between EOIR and DHS databases.

Section II - Performance Information by Strategic Goal/Objective

Strategic Goal 3: Reduce Violent Crime and Promote Public Safety



The following years will be a critical time in the Department's crime reduction efforts. Between 2014 and 2016, the violent crime rate rose faster than it has in 25 years. Evidence suggests that collaborative and targeted enforcement efforts are effective in combatting crime and saving lives. Accordingly, the Department's agents, analysts, professional staff, and prosecutors work together with state, local, and tribal partners to focus our powerful investigative and enforcement tools and technologies against the offenders who most threaten the safety and security of our communities.

The Department's grant making components supply communities with critical assistance to advance their violent crime reduction efforts and to assist victims. Every effort will be made to consider the plight of victims throughout the criminal justice process and to provide them a voice during the investigation and prosecution of their case.

Finally, pursuant to Section 2 of the President's Executive Order on Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking (Executive Order) signed on February 9, 2017, the Department will enhance its cooperation with foreign counterparts where permitted by law through sharing intelligence and law enforcement information and resources.

Strategic Objective 3.1:

Combat violent crime, promote safe communities, and uphold the rights of victims of crime

The vigorous investigation and prosecution of violent criminals are critical tools that incapacitate offenders and help to deter crime. The Department's enforcement efforts must be strategic and coordinated to combat violent criminals and push state, local, and tribal law enforcement agencies to develop locally based on reduction efforts.

Summary of Progress

The Department of Justice, in consultation with the Office of Management and Budget, has determined that performance toward this objective is making noteworthy progress.

Key Performance Indicators		
Total Measures	Total Measures Achieved	Percent Achieved
7	7	100%
Risks		
-	Firearms Tracing	
-	Evolution of Technology and Applications	
-	Virtual Currency	

Highlights

- ◆ **United States v. Hector Enamorado, et al.:** In October 2018, MS-13 member, Enamorado was sentenced to life in prison for Racketeer Influenced and Corrupt Organizations (RICO) conspiracy involving the murder of a 29 year old victim. Boston, MA, area MS-13 gang members were found to have actively recruited prospective members, engaged in drug trafficking and robberies, and committed or knowingly participated in murders.
- ◆ **United States v. Patrick Stein, et al.:** Three men were convicted of plotting to blow up an apartment complex that housed and contained a mosque for more than 200 Somali refugees. United States Attorney Stephen McAllister held a town hall meeting in the apartment complex to discuss the case with residents, and the USA and FBI victim assistance personnel worked with community elders to provide notices and answer questions.

Other Accomplishments, Innovations, Collaborations, and Leading Practices

- ◆ To address the challenge of notifying victims of an inmate's immediate release, since victims often do not provide contact information, the BOP has begun utilizing CenturyLink's Inmate Telephone System to interface with the Victim Notification System.
- ◆ The Tribal Access Program for National Crime Information has become a nexus for collaborative outreach between law enforcement agencies and data providers working with Native populations. In support of this program, OTJ significantly exceeded its FY 2019 goal to increase the number of tribes gaining access to National Crime Information databases.
- ◆ The ATF develops and disseminates actionable crime gun intelligence through Crime Gun Intelligence Centers (CGIC) across the country. CGIC uses crime gun data from ATF's National Integrated Ballistic Information Network (NIBIN) firearms tracing, and industry inspections to develop actionable intelligence leads for federal, state, and local law enforcement.

- ◆ The CRT Division launched the Department's Hate Crimes website, which provides a centralized portal for the Department's hate crimes resources for law enforcement, media, researchers, victims, advocacy groups, and other related organizations and individuals. In just over a year, more than 270,000 people have visited the hate crimes website. The site has helped over 400 people locate the FBI's crime reporting portal.
- ◆ The FBI is spearheading the deployment and application of an innovative technique known as Forensic Genetic Genealogy (FGG). FGG involves using familial DNA searches combined with traditional genealogy methods, specifically the FBI worked with ODAG, OLP, and other DOJ components to create an interim policy to govern the Department's use of FGG. Investigative Genealogy has resulted in more arrests in one year than any previously used familial DNA searches in the last 25 years and has been effective in solving cold cases as such as the Golden State Killer.
- ◆ The USMS developed and deployed a mobile application and biometrics capabilities to transmit important identifying information to the FBI's Criminal Justice Information Services Division and other law enforcement platforms. The application provides rapid real time access to crucial information on warrants, criminal history, and suspects for increased deputy safety.
- ◆ USA, with approval by the Attorney General and the Attorney General's Advisory Committee (AGAC), created the Domestic Violence Working Group, chaired by the U.S. Attorney for Northern District of Texas. This group will explore best practices for an aggressive policy focusing on domestic violence as part of each USA's Project Safe Neighborhood initiative.

Performance Measure:

Percentage of federal violent crime defendants whose cases were favorably resolved [CRM, USAO]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	90%	90%	90%	90%
Actual	93%	92%	N/A	N/A

Discussion of FY 2019 Results

The Department of Justice exceeded its annual target of favorably resolving at least 90% of its federal violent crime defendants' cases, by successfully resolving 92% of its prosecutions of 15,933 federal violent crime defendants, in FY 2019.

U.S. v. Dante Bailey, et al.: In spring 2019, the U.S. Attorney's Office for the District of Maryland secured guilty verdicts against the leader and three members of Murderland Mafia Piru (MMP), a subset of the Bloods gang, for racketeering, drug, and firearms offenses. A fourth MMP member was found guilty of drug trafficking conspiracy.

This violent gang, which operates in Maryland and elsewhere, carried out multiple acts of violence, operated street-level drug-distribution shops in Baltimore, and committed numerous murders to retaliate against rivals, impose discipline within the gang, and eliminate potential witnesses against the gang. On Nov. 5, 2019, the district court sentenced Dante Bailey, MMP's founder and leader, to life in federal prison.

By the end of 2019, 25 MMP defendants charged during the investigation had been convicted at trial or through guilty pleas. Most of the defendants sentenced received between 14 and 30 years in federal prison.

FY 2020 and FY 2021 Planned Future Performance

The Department will continue to place a high priority on the vigorous prosecution of violent criminals, violent gangs, and criminal enterprises, focusing on the most serious violent offenders as targets for federal prosecution. Each case will be evaluated on its individual merits consistent with the Department's prosecution guidelines. Cases accepted for federal prosecution will be thoroughly reviewed prior to indictment to ensure that there is sufficient evidence to support a criminal conviction. All relevant evidence will be carefully assessed by federal prosecutors. Any potential evidentiary issues will be analyzed to ensure that each criminal prosecution supports the Department's efforts to apprehend violent offenders and improve public safety.

Definition

Defendants favorably resolved for USAO include those disposed in cases that resulted in court judgments favorable to the government, such as convictions and government-endorsed motions to dismiss cases. Favorable resolution for CRM is measured at the defendant level and reported at the conviction stage of the case. Only defendants in violent crime cases in CRM are included. For the purpose of this measure, CRM uses a set of program categories to identify violent crime cases.

Data Validation, Verification, and Limitations

USAO data is entered locally by each district, where district personnel are responsible for following procedures to maintain the integrity of data in the system. Data is reviewed by knowledgeable personnel, including data analysts and others; attorneys and support personnel are responsible for following local procedures to maintain the integrity of the data in the system. USAOs routinely examine current and historical data sets, as well as look toward the future for trends to ensure the data is as accurate and reliable.

CRM captures all litigation data in its Automated Case Tracking System (ACTS). Data in ACTS is validated quarterly by the Section Chief in each of the litigating sections.

Performance Measure

Number of National Integrated Ballistic Information Network (NIBIN) “hits/leads” that is the linkage of two or more crime scene investigations, based upon comparisons of the marking made on fired ammunition recovered from the crime scenes [ATF]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	50,000	55,000	88,000	114,300
Actual	54,686	74,123*	N/A	N/A

**The Actual data previously reported for this measure has been updated based on additional evaluation.*

Discussion of FY 2019 Results

The upturn in “hits/leads” is mostly due to an increase in workforce as well as the addition of new Integrated Ballistics Identification System (IBIS) equipment at existing NIBIN sites. The ATF’s surge in communication (seminars/meetings) with the law enforcement community and ATF’s partner forensic services have also contributed to the growth of the NIBIN program as demonstrated in the increase in acquisitions from last fiscal year.

The actual number of NIBIN “hits/ leads” reported for FY 2019 exceeded the annual target by approximately 35%.

FY 2020 and FY 2021 Planned Future Performance

Due to past performance results, the ATF has increased its annual targets, substantially, over the next two years. The ATF projects there will be 258 NIBIN sites by the end of FY 2020, which will positively impact the number of ballistic acquisitions and the NIBIN Leads issued. The ATF plans to host webinars to discuss the investments made in improving the technology for our partner agencies.

Definition

Hits: Measures the number of times a firearms examiner confirms an Integrated Ballistic Identification System (IBIS) match of two or more electronic images linking two or more separate criminal investigations, where no known connection may have previously existed.

Leads: Measures the number of times a firearms examiner or NIBIN technician identifies a match of two or more electronic images linking two or more separate criminal investigations, where no known connection may have previously existed. The matches are not confirmed by a firearms examiner under a scope and are considered presumptive leads for investigative purposes.

Data Validation, Verification, and Limitations

Data validation and verification is accomplished via quarterly reviews by ATF. An additional validation and verification process is completed by the ATF each fiscal year. This final data validation and verification process confirms whether identified leads are actually leads, hits or errors. This final review only adjusts the year-end totals and does not adjust quarterly totals retrospectively.

Performance Measure

Number of victims of a violent crime that received services through the Victim Assistance Program [OJP]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	4,800,000	5,000,000	5,000,000	5,500,000
Actual	5,836,452	6,578,459	N/A	N/A

Discussion of FY 2019 Results

The violent crime victimizations include assault, adult sexual assault, adults sexually abused/assaulted as children, child sexual abuse, domestic and/or family violence, mass violence, robbery, survivors of homicide victims, and terrorism. The numbers of victimizations reported in FY 2019, by Victims of Crime Act (VOCA) Victim Assistance grantees in each of these categories were aggregated to determine the number served. The number of violent crime victimizations served increased 13 percent, since FY 2018.

Office for Victims of Crime (OVC) is working closely with its Victim Assistance grantees to monitor grant expenditures and ensure that funds support victims in need of services.

FY 2020 and FY 2021 Planned Future Performance

OVC outlined a variety of innovative “direct services” programs in its FY 2019 State VOCA Victim Assistance solicitation which, if employed by state grantees, could have a high impact on victim services. The OJP/OVC has set an annual target of serving 5,000,000 victims of violent crime in FY 2020. As the actual numbers reported reflect a potential upward trend, the FY 2021 target has been set at 5,500,000 to reflect the projected upturn in victims served. Possible adjustments to resources may impact the number of programs funded and number of victims served in the upcoming years.

Definition

Victims of violent crimes include the crime categories of child abuse/assault, domestic violence, rape/sexual assault, robbery, assault, mass violence, terrorism, and survivors of homicide victims as reported by grantees in OJP’s performance measurement tool. Services received can include information and referral, personal advocacy/accompaniment, emotional support or safety services, shelter/housing services, or criminal/civil justice system assistance.

Data Validation, Verification, and Limitations

OVC only collects aggregate data from victim services organizations funded under the Victim Assistance Program. Data is collected quarterly from respondents and aggregated annually. Some overlap in quantities inevitably occurs when calculating for one year. Numbers here only represent OVC’s State Victims of Crime Act (VOCA) Victim Assistance program; many other victims of crime are assisted through additional OVC programs. Case-level detail is never available, limiting the ability to track the outcomes of individuals over time, including the number of services they receive, the specific services they received, and how those services improved their situation.

Performance Measure

Percentage of extraditions received related to violent criminals [CRM]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	Baseline	20%	20%	20%
Actual	18.4%	21.2%	N/A	N/A

Discussion of FY 2019 Results

The CRM's Office of International Affairs (OIA) plays a strategic role in extraditing violent criminals to the U.S. to be held accountable in U.S. federal and state courts and works to extradite or expel violent criminals in the United States who are wanted by our foreign partners for crimes committed abroad. In FY 2019, the OIA:

- ◆ Opened 142 U.S. extradition requests for fugitives located abroad and wanted for violent crimes.
- ◆ Received 111 foreign extradition requests for fugitives charged with violent crimes and believed to be located in the U.S. These numbers account for 21.2% of the overall number of extradition requests opened during the fiscal year, representing a slight increase from the previous two fiscal years when DOJ began reporting this measure regularly.
- ◆ Gave priority to reviewing and processing violent crime extradition requests and implemented a violent crime tracking tool in its pending workload case management system.

FY 2020 and FY 2021 Planned Future Performance

This performance goal is determined by how many extradition requests are sent to the CRM's OIA each year and what percentage of those are related to violent crimes. OIA has seen a slight increase in the number of violent crime related extradition requests opened over the past two fiscal years, and we expect this to remain steady. Variance in the measure is not a reflection of performance, but rather an indicator of the volume of extradition requests opened by U.S. and foreign prosecutors seeking fugitives charged with violent crimes.

Definition

The average percentage of incoming and outgoing extraditions received by the Criminal Division's OIA for fugitives charged or convicted of a violent crime.

Data Validation, Verification, and Limitations

CRM captures all data in an internal database. Data is validated quarterly by OIA's Director. Often, extradition proceedings carry over into another fiscal year due to litigation, appeals, or other circumstances and are not concurrently captured in performance measures in the same fiscal year in which work is completed on the case.

Performance Measure

Percentage increase of non-Consolidated Priority Organization Target (non-CPOT) gang/ criminal enterprise dismantlements [FBI]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	15%	15%	15%	15%
Actual	29%	16%	N/A	N/A

Discussion of FY 2019 Results

Gangs, criminal enterprises, criminal organizations engaging in white collar crime and money laundering, and drug trafficking organizations are some of the highest priority threats, as identified by the Department. The disruption and dismantlements of these criminal groups hinder or eliminates their ability to commit crimes. The FBI’s Criminal Investigative Division addresses numerous criminal threats, including violent crimes, violent gangs, and transnational organized crimes, violent crimes against children, Indian Country crimes, human trafficking, complex financial crimes, fraud, money laundering, public corruption, and civil rights.

In FY 2019, the FBI dismantled a total of 217 non-CPOT gang/criminal enterprises. The FBI’s working partnerships with federal, state, and local law enforcement counterparts has been instrumental to its continued success in combating gangs/criminal enterprises.

For FY 2019, the FBI’s Criminal Investigative Division exceeded the annual target for this measure by increasing the percentage of non-CPOT gang/criminal enterprise dismantlements by 16 percent, over the previous FY 2018 target (173).

The FBI manages and oversees task forces targeting violent crime, gangs, and transnational criminal enterprises. These task forces have been and continue to be at the forefront of the federal government’s campaign against violent gangs, violent crimes, and transnational organized crime throughout the nation.

FY 2020 and 2021 Planned Future Performance

The FBI will continue its efforts to combat violent crime and promote safe communities and expects:

- ◆ To increase the number of gangs/criminal’s enterprise dismantlements target by 15% in FY 2020 to 227 and by another 15% in FY 2021.
- ◆ To continue to implement agile strategies to increase the dismantlements of violent gangs and criminals threatening the American people.

Definition

A dismantlement means that the targeted organization’s leadership, financial base, and supply network have been destroyed, such that the organization is incapable of operating and/or reconstituting itself.

Data Validation, Verification, and Limitations

The FBI Criminal Investigative Division’s operational priorities are classified. Therefore, it is only possible to report aggregate data that lacks significant detail. Data is collected routinely and stored on a classified enterprise platform. Data will be validated and verified manually. Changes to prior year data may occur due to factors beyond the control of the FBI’s data collection system.

Performance Measure

Reduce violent crime [Department-wide]

	CY 2017	CY 2018	CY 2019	CY 2020
Target	N/A	-1%	-2%	-3%
Actual	382.9%	-3.3%*	N/A	N/A

**Represents Actual data as reported in February 2020.*

Discussion of Results for Calendar Year (CY) 2018:

The 2018 statistics show the estimated rate of violent crime was 368.9 offenses per 100,000 inhabitants. This continued decline was driven most heavily by large decreases in the number of robberies (down 12.0 percent), as well as a sizeable decrease in the number of murders (down 6.2 percent). Meanwhile, aggravated assault counts posted a marginal decline (down 0.4 percent), while the number of rapes rose by 2.7 percent.

For the second consecutive year, the estimated number of violent crimes in the nation decreased, down 3.3 percent from the 2017 number. The violent crime rate fell 3.9 percent when compared with the 2017 rate.

In FY 2020, the Department launched Operation Relentless Pursuit, an initiative aimed at combating violent crime in seven of America’s most violent cities through a surge of federal resources.

CY 2020 and CY 2021 Planned Future Performance

The Department will continue its efforts:

- ◆ On Project Safe Neighborhoods (PSN), an evidence-based program proven to be effective at reducing violent crime.
- ◆ Of United States Attorneys partnering with all levels of law enforcement – federal, state, local and tribal; local organizations and members of the community.

Definition

Reduction in violent crime is measured by violent crimes reported to police, as reflected in the annual Uniform Crime Report (UCR) published by the Federal Bureau of Investigation. It consists of the four major “index” crimes: murder/non-negligent manslaughter, rape, robbery, and aggravated assault. Percentage decline is measured against the baseline of FY 2017 for each year.

Data Validation, Verification, and Limitations

The Department relies on data collected and maintained by the FBI through its Uniform Crime Reporting program. The FBI employs rigorous protocols for validating and verifying that the data is both accurate and uniform across the nearly 18,000 police departments that voluntarily report their crime data to the UCR. While the UCR offers the best insight into violent crime trends across the country, it is not without its limitations. These limitations include:

- ◆ There is a significant time lag between the time period being examined and when the data is published. Data for the first six months of a given year is generally not available until the beginning of the following year, while full year data is not published until the fall of the following year. This presents obvious challenges for being able to respond to trends and allocate resources in a timely manner.
- ◆ UCR data is only summary data in nature. While it offers the best available look at violent crime on a national scale, it lacks the depth to give policymakers the complete picture of crime. For example, UCR data only captures the subset of crimes that are reported to the police, and in incidents where multiple crimes occurred at the same time, only the most “serious” of offenses is recorded.

Beyond the limitations of the datasets themselves, considerable challenges are associated with attempting to reduce the violent crime rate at the federal level. State, local, and tribal law enforcement constitutes the vast majority of the law enforcement assets in this country, with law enforcement across the federal government making up only approximately 15% of the total available resources. The Department recognizes that the overwhelming majority of violent crime reduction is a result of the actions taken by local law enforcement agencies that have ultimate responsibility for policing their cities and neighborhoods. That said, the Department’s law enforcement agencies and federal prosecutors have an important role to play in partnership with these entities, and the Department has chosen this measure as a reflection of our commitment to work together with law enforcement of all levels, along with the communities we serve, to help make every neighborhood safer.

Performance Measure

Stop and reverse rise in homicides [Department-wide]

	CY 2017	CY 2018	CY 2019	CY 2020
Target	N/A	-2%	-3%	-4%
Actual	5.3%	-6.2%*	N/A	N/A

* Represents Actual data as reported in February 2020.

Discussion of Results for Calendar Year (CY) 2018:

For the second consecutive year, the estimated number of homicides in the nation decreased, dropping 6.2 percent from the 2017 number. Additionally, the rate of homicides per 100,000 persons decreased by 6.8 percent in 2018, from 5.3 to 5.0. While the homicide rate has not yet returned to the low of 4.4 per 100,000 persons in 2014, the combined 6.9 percent rate reduction in just the last two years is a promising indicator that homicide reduction is on the right path.

CY 2020 and CY 2021 Planned Future Performance

The Department will continue its efforts on Project Safe Neighborhoods (PSN), an evidence-based program proven to be effective at reducing violent crime.

Definition

Reduction in homicide rate is measured by homicides reported to police, as reflected in the annual Uniform Crime Report published by the Federal Bureau of Investigation. Percentage decline is measured against the baseline of FY 2017 for each year.

The United States Attorney General directed all United States Attorneys to focus their efforts on the most violent criminals in their jurisdictions and to use the full complement of federal law to remove them from the streets.

In FY 2020, the Department launched several new initiatives including:

- ◆ **Project Guardian**, a new initiative designed to reduce gun violence and enforce federal firearms laws across the country. This initiative emphasizes enforcing gun prohibitions based on domestic violence convictions and mental health denials
- ◆ **Operation Relentless Pursuit**, an initiative aimed at combating violent crime in seven of America's most violent cities through a surge of federal resources.

Data Validation, Verification, and Limitations

The Department relies on data collected and maintained by the FBI through its UCR program. The FBI employs rigorous protocols for validating and verifying that the data is both accurate and uniform across the nearly 18,000 police departments that voluntarily report their crime data to the UCR. While the UCR offers the best insight into violent crime trends across the country, it is not without its limitations. These limitations include:

- ◆ There is a significant time lag between the time period being examined and when the data is published. Data for the first six months of a given year is generally not available until the beginning of the following year, while full year data is not published until the fall of the following year.
- ◆ UCR data is only summary data in nature. While it offers the best available look at violent crime on a national scale, it lacks the depth to give policymakers the complete picture of crime. Examples are the fact that UCR data only captures the subset of crimes that are reported to the police, and in incidents where multiple crimes occurred at the same time, only the most “serious” of offenses is recorded.

Beyond the limitations of the datasets themselves, considerable challenges are associated with attempting to reduce the homicide rate at the federal level. State, local, and tribal law enforcement constitutes the vast majority of the law enforcement assets in this country, with law enforcement across the entire federal government comprising only approximately 15% of the total available resources. The Department recognizes that the overwhelming majority of violent crime reduction, including the reduction in homicides, is a result of the actions taken by local law enforcement agencies that have ultimate responsibility for policing their cities and neighborhoods. That said, the Department’s law enforcement agencies and federal prosecutors have an important role to play in partnership with these entities, and the Department has chosen this measure as a reflection of our commitment to work together with law enforcement of all levels, along with the communities we serve, to help make every neighborhood safer.

Strategic Objective 3.2:

Disrupt and dismantle drug trafficking organizations to curb opioid and other illicit drug use in our nation

The Department will leverage the collective talent and expertise of its law enforcement components to target, investigate, and prosecute domestic and international drug traffickers and their organizations. Through the formations of prosecutor led, multi-agency task forces, the Department will continue to mount a comprehensive multi-level attack on drug trafficking and money laundering organizations that pose the greatest threat to the nation.

Key Performance Indicators		
Total Measures	Total Measures Achieved	Percent Achieved
6	4	67%
Risks		
-	Dark Web Trafficking	
-	International shipment of fentanyl	

Summary of Progress:

The Department of Justice, in consultation with the Office of Management and Budget, has determined that performance toward this objective is on track.

Highlights

- ◆ **United States v. Joaquin Archivaldo Guzman Loera:** In February 2019, Guzman was convicted of being a principal operator of a continuing criminal enterprise, on 26 drug related violations, one murder conspiracy, and nine other counts of international narcotics trafficking, money laundering, and weapons charges.
- ◆ **United States v Zheng, et al.:** In August 2018, two Chinese nationals were charged with using numerous companies to manufacture and distribute hundreds of controlled substances, including fentanyl analogues. In November 2018, Massachusetts based co-conspirator Bin Wang, a Chinese national, was sentenced to 71 months in prison for his role in the conspiracy.

Other Accomplishments, Innovations, Collaborations, and Leading Practices

- ◆ The Attorney General mandated that all 94 United States Attorney Offices develop, report, then update their district specific opioid strategies, that focused on three pillars: enforcement, prevention, and treatment. Each US Attorney's Office became a laboratory for testing disparate anti-opioid programs. USAs reported their most effective anti-opioid programs. The responses were compiled and summarized, and a report on effective and promising practices was disseminated to all USAs.
- ◆ The DEA's Guns Encountered Tracker (GET) is an innovative tool for the DEA/Domestic Cartel Initiative (DCI) in specific geographical areas. This system assists investigators in identifying high violence areas and will allow DCI investigators to glean specific strategic intelligence regarding DCI investigations.
- ◆ To counter the illegal shipments of fentanyl through both public and private parcel carrier services, the CRM is working with U.S. Customs and Border Protection (CBP) on improving parcel interdiction and with the U.S. Postal Service (USPS) to improve success rates and seizures through more advanced electronics resources on packages.
- ◆ The DEA's DCI collaborates with Project Safe Neighborhoods to support joint federal investigations with the FBI, the ATF, the USMS, the BOP, and the USAs to target the opioid and violent criminal offenders.
- ◆ In collaboration with the Bureau of Indian Affairs, DCI has successfully targeted an organization with links to violent Mexican Cartels on Tribal Lands.

Performance Measure

Reduce drug overdose deaths [Department-wide]

	CY 2017	CY 2018	CY 2019	CY 2020
Target	Baseline	-4%	-8%	-12%
Actual	72,221	-5.1%	TBD*	TBD

**CY 2019 data is not available at this time*

Discussion of FY 2019 Results

The statistics for drug overdoses are reported on a calendar year basis. Provisional data for drug overdose deaths are reported six months after the date of death. Performance data represents the 12 month ending provisional number of drug overdose deaths. On July 17, 2019, Health and Human Services (HHS) Secretary Azar released a statement that the CDC’s National Center for Health Statistics provisional data showed a 5.1 percent decline in drug overdoses from 2017 to 2018. The Department, in conjunction with HHS, exceeded the FY 2018 goal.

CY 2020 and CY 2021 Planned Future Performance

To achieve a cumulative reduction of 15% by 2021, the Department will continue to work with HHS to reduce the number of overdose deaths each year. In FY 2020, the target is a 12% reduction.

The Department will continue to disrupt and dismantle drug trafficking organizations with a special emphasis on links to the most significant organization operating around the country and the world. Additionally, the Department will also support efforts to prevent accidental exposure by law enforcement to fentanyl and support efforts to provide naloxone and training to first responders.

Definition

Measuring the number of people who died in the U.S. using an algorithm estimate to account for underreporting. This number will change monthly as new reports are submitted. Provisional death counts presented are for “12 month ending periods,” defined as the number of deaths occurring in the 12-month period ending in the month indicated. The 12 month ending period counts include all seasons of the year and are insensitive to reporting variations by seasonality.

Data Validation, Verification, and Limitations

Provisional drug overdose death counts are based on death records received and processed by CDC’s National Center for Health Statistics (NCHS) as of a specified cutoff date. National provisional estimates include deaths occurring within the 50 states and the District of Columbia. NCHS receives the death records from state vital registration offices through the Vital Statistics Cooperative Program. The timeliness of provisional mortality surveillance data in the National Vital Statistics System (NVSS) database varies by cause of death. The lag time (i.e., the time between when the death occurred and when the data is available for analysis) is longer for drug overdose deaths compared with other causes of death. Thus, provisional estimates of drug overdose deaths are reported six months after the date of death.

Provisional drug overdose death data is often incomplete, and the degree of completeness varies by jurisdiction and 12 month ending period. Consequently, the numbers of drug overdose deaths are underestimated based on provisional data relative to final data and are subject to random variation. Methods to adjust provisional counts have been developed to provide predicted provisional counts of drug overdose deaths. Provisional data is based on available records that meet certain data quality criteria at the time of analysis and may not include all deaths that occurred during a given time period. Therefore, it should not be considered comparable with final data and is subject to change.

Performance Measure
Reduce opioid prescriptions [DEA]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	-4%	-27%	30%	30%
Actual	-21.7%	-30.5%	TBD	TBD

**The FY 2018 Actual figure was reported as -23.1% in the FY 2018 APR/FY 2020 APP. IQVIA has since restated two years of history for all classes and products within the retail channel (2017–18 data).*

Discussion of FY 2019 Results

DEA has been tracking the decline in the number of prescriptions dispensed for opioids since their high of 2012.

FY 2020 and FY 2021 Planned Future Performance

Pursuant to the President’s plan to address the opioid epidemic, the Department of Justice, working with the Department of Health and Human Services has already surpassed the FY 2020 target, but will strive to further reduce opioid prescriptions.

Definition

Prescription volume dispensed nationwide as reported by IQVIA’s National Prescription Audit.

Data Validation, Verification, and Limitations

National Prescription Audit (NPA), extracted February 2019. In 2019, IQVIA changed how prescription volume is being captured in the Rx offerings by moving from “dispensed to bin” to “sold to patient.” IQVIA has restated two years of history for all classes and products within the retail channel (2017–18 data). These restated statistics are reflected in the current performance measure table.

Through a combination of education and outreach; effective enforcement using a broad range of criminal, civil and administrative actions, and enhanced collaboration with our colleagues at the U.S. Department of Health and Human Services (HHS), the United States has observed a 30.5% decrease in the prescriptions dispensed for the most frequently encountered prescription drugs since the end of FY 2016. This includes hydrocodone (e.g., Vicodin), oxycodone (e.g., OxyContin / Roxicodone), hydromorphone (e.g., Dilaudid), oxymorphone (e.g., Opana), morphine (e.g., MS Contin), codeine and of course, licit fentanyl (e.g., Duragesic).

Performance Measure

Number of disruptions and dismantlements of Drug Trafficking Organizations (DTOs) linked to Consolidated Priority Organization Targets (CPOTs) [OCDETF]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	245	255	285	300
Actual	290	328*	N/A	N/A

* FY 2019 is preliminary data.

Discussion of FY 2019 Results

For FY 2019, the Department exceeded its target for dismantling and disrupting CPOT-linked drug trafficking organizations. The Department dismantled 110 CPOT-linked organizations and disrupted 218 CPOT-linked organizations in FY 2019. Therefore, a total of 328 CPOT-linked organizations were dismantled or disrupted in FY 2019, an increase of 29% over the estimated target. Below are disruptions/dismantlements highlights from FY 2019:

- ◆ One CPOT target was disrupted and four CPOT targets were dismantled. In addition to the disruptions and dismantlements over the course of the past fiscal year, 11 other CPOTs were arrested; six were extradited to the United States; and two are deceased.
- ◆ DTOs linked to the five CPOT targets were disrupted and dismantled in FY 2019 that generated thirty three OCDETF investigations and 153 indictments, which have already resulted in more than 553 defendants charged and 272 convictions, combined over the course of these investigations.
- ◆ Drug trafficking organizations linked to the five FY 2019 disrupted and dismantled CPOT targets have led to over \$25 million in seizures, more than \$18 million in forfeitures, and over \$6.5 million in money judgments.

The Department's FY 2019 success resulted in over 5,000 related convictions, more than a hundred thousand kilograms of cocaine and heroin seizures, various weapons seizures, and the prevention of more than a million kilograms of cocaine, marijuana, methamphetamine and heroin entering the United States over the course of these investigations.

FY 2020 and FY 2021 Planned Future Performance

The Departmental targets for disrupted and/or dismantled CPOT-linked investigations are 285 for FY 2020 and 300 for FY 2021. OCDETF investigations will strive to determine connections among related investigations to identify and dismantle the entire structure of drug trafficking organizations.

Definition

An organization is considered linked to a CPOT if evidence exists of a nexus between the primary investigative target and a CPOT target, verified associate, or component of the CPOT organization. A credible link to a CPOT indicates the primary investigative target, if not a CPOT, is not more than six degrees away from the CPOT. This allows investigations to focus on the highest levels of Transnational Criminal Organizations (TCO) leadership with the ability to impact and investigate the CPOTs themselves. Disruption means impeding the normal and effective operation of the targeted organization, as indicated by changes in the organizational leadership and/or changes in methods of operation, for example, financing, trafficking patterns, communications, or drug production. Dismantlement means destroying the organization's leadership, financial base, and supply network such that the organization is incapable of reconstituting itself.

Data Validation, Verification, and Limitations

The CPOT list is updated semiannually. Each OCDETF agency has an opportunity to nominate targets for addition to or deletion from the list. Nominations are considered by the CPOT Working Group (comprising mid-level managers from the participating agencies). Based upon the working group's recommendations, the OCDETF Operations Chiefs decide which targets will be added to or deleted from the CPOT list. Once a CPOT is added to the list, OCDETF investigations can be linked to that CPOT. OCDETF field managers review and confirm the OCDETF links by using the OCDETF Fusion Center, agency databases, and intelligence information. Field recommendations are reviewed by the OCDETF Executive Office. In instances where a link is not fully substantiated, the sponsoring agency is given the opportunity to follow up. Ultimately, the OCDETF Executive Office "un-links" any investigation for which sufficient justification has not been provided. When evaluating disruptions/dismantlements of CPOT linked organizations, OCDETF verifies reported information with the investigating agency's headquarters.

Investigations of CPOT level targets and the TCOs they lead are complex and time consuming, and the impact of disrupting/dismantling such a network may not be immediately apparent. In fact, data may significantly lag behind enforcement activity. For example, a CPOT linked organization may be disrupted in one fiscal year and subsequently dismantled in a later year when law enforcement permanently destroys the organization's ability to operate.

Performance Measure

Number of disruptions and dismantlements of Drug Trafficking Organizations (DTOs) not linked to Consolidated Priority Organization Targets (CPOTs) [DEA]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	1,475	1,500	1,533	1,567
Actual	1,384	1,352*	N/A	N/A

* FY 2019 is preliminary data.

Discussion of FY 2019 Results

The year end actual result for this measure is 90 percent of the target. Since 2014, Domestic CPOT linked and Not linked PTO performance has been tempered in part due to declining number of Special Agents onboard; a net decrease of 316 Special Agents or 7.9 percent from FY 2014 to FY 2018. As the inventory of active cases decreased, DEA reported a corresponding reduction in the number of PTO investigations opened (CPOT linked and Not linked) and disposed (disrupted/dismantled).

FY 2020 and FY2021 Planned Future Performance

In FY 2020, the DEA plans to intensify its use of data analytics to maximize the allocation of resources and personnel. The DEA will continue to prioritize enforcement efforts to disrupt and dismantle Transnational Criminal Organizations (TCOs) and OCDETF Targeted, PTOs (CPOT linked and Not linked) to address the illicit drug activity and violence attributed to these organizations despite constrained resources. DEA will also continue to:

- ◆ Work with OCDETF partner agencies to apprehend and prosecute the leaders, managers and supervisors of criminal networks,
- ◆ Sustain or exceed its level of effort against drug trafficking networks in coordination with OCDETF and its partner agencies, federal and foreign counterparts, and state and local LEOs in the impacted communities,
- ◆ Use the Staffing Allocation Model (SAM) that helps to align agent resources to offices based on the risk profile within their area of responsibility (AOR). The model utilizes 49 external and internal variables (e.g., drug deaths, violent crime, drug purity and seizures) determined to be the most important by DEA's Special Agents in Charge within their domestic AOR's. The model results are used on a continual basis to identify areas of increased activity while balancing areas in which perceived risks were shifting to make informed staffing decisions.

Definition

Disruption means impeding the normal and effective operation of the targeted organization, as indicated by changes in organizational leadership and/or changes in methods of operation, including, for example, financing, trafficking patterns, communications, or drug production. Dismantlement means destroying the organization's leadership, financial base, and supply network such that the organization is incapable of operating and/or reconstituting itself.

Data Validation, Verification, and Limitations

Priority Target Activity Resource and Reporting System (PTARRS) provides a means of electronically validating and verifying PTO data through the following approval chain:

- ◆ Through DEA's PTARRS, Special Agents (SAs) or Diversion Investigators (DIs) begin the process by creating and proposing a PTO. The Group Supervisor, Associate Special Agent in Charge and Special Agent in Charge (SAC) review the PTO and provide case assessment through a hierarchical approval process for or against the nomination of the PTO. Once approved and nominated by the SAC, PTARRS generates and saves a unique identification number for the nominated PTO.

At Headquarters, PTOs nominated by the SAC are assigned to the appropriate section within the DEA's Office of Enforcement (OE). Once assigned, the corresponding OE Staff Coordinator validates all information reported on the PTO nomination. The validation process includes a review of the PTO nomination for completeness, compliance with established criteria, and confirmation of all related case linkages, including links to CPOTs. Staff Coordinators coordinate with the DEA's Special Operations Division and Intelligence Division to confirm that available facts exist to support all case linkages. In the unlikely event the documentation submitted is insufficient to validate the reported link(s), the Staff Coordinator will work with the submitting GS to obtain the required information.

All statistics are limited by a lack of a relational link between case files and enforcement outputs (e.g., arrest, seizure, and work hour data). The link is inferred through data manipulation, but some areas are prone to error until all data systems are linked in a relational manner, and errors are prevented through data validation and referential integrity.

Performance Measure

Number of scheduled diversion investigations completed [DEA]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	2,775	1,441	1,375	1,729
Actual	2,414	1,329	N/A	N/A

Discussion of FY 2019 Results

For FY 2019, the DEA achieved 92%, of the target. In response to a decline in Diversion Investigator and Special Agent FTE, from FY 2014 to FY 2018 and the emergence of the Opioid Epidemic, the Diversion Control Division (DCD) implemented adjustments to the Scheduled Investigation Work Plan in order to better align resources and improve the efficiency, capacity and capabilities of DCD's workforce.

In a collaborative effort to direct manpower, the Diversion Control Division modified the FY 2019 Scheduled Investigation Work Plan to allow an office to choose a timeframe, between one to five years, to initiate a scheduled investigation.

FY 2020 and FY 2021 Planned Future Performance

DEA continues to allow for flexibility within the Scheduled Diversion Investigations to allow each division to focus on emerging trends/threats that may be specific to their geographical area and not originally included in their scheduled investigation plan. These plans are also reviewed annually to adjust for national emerging trends/threats or to add/remove a registrant population if intelligence dictates an adjustment.

Through sustained efforts that capitalize on a cyclical schedule of inspections, target pursuits based on investigative leads and conduct audits as well as follow ups, the Diversion Control Division anticipates improved performance in subsequent fiscal years. Due to these adjustments to policy, the Diversion Control Division has established moderate, yet increasing targets for the ensuing fiscal years.

Definition

Scheduled investigations serve as a deterrent to diversion through the continuous evaluation of registrants' recordkeeping procedures, security, and general adherence to the Controlled Substances Act (CSA). Registrants that fall under a scheduled investigation are controlled substance importers, exporters, manufacturers, distributors, reverse distributors, narcotic treatment programs, pharmacies, researchers and listed chemical manufacturers, distributors, importers and exporters.

Data Validation, Verification, and Limitations

The Diversion Investigator and the field office Group Supervisor (GS) are tasked with timely and accurate reporting as the registrant's investigative status change occurs. Both the GS and the Diversion Program Manager (DPM) have the ability to view the report of ongoing and completed regulatory investigation actions for their office/division at any time during the quarter or at the quarter's end, since the actions are in real time.

The content of the quarterly reports is restricted to regulatory investigative action on controlled substance/chemical registrants and makes no mention of budgetary information. Timeliness is not considered a limitation since the data is collected as the change in the status of the investigation occurs.

Performance Measure

Number of CPOT linked investigations with one or more defendants convicted [Organized Crime Drug Enforcement Task Forces (OCDETF)]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	344	314	334	340
Actual	320	314*	N/A	N/A

* FY 2019 is preliminary data.

Discussion of FY 2019 Results

This is the second year the measure has been in use by the Department. The OCDETF currently reports 314 CPOT linked investigations with at least one defendant convicted during FY 2019. These investigations are linked to the most prolific international drug trafficking and money laundering organizations affecting the United States. OCDETF has achieved impressive results culminating from these investigations. These 314 investigations have resulted in 2,540 indictments, 8,230 defendants charged, and 5,678 convictions. Additionally, OCDETF has made a significant impact on the financial systems that support the drug trade by charging and convicting high-level targets that conduct or facilitate illicit financial activity, and by seizing and forfeiting their assets.

CPOT linked investigations with one or more conviction during FY 2019 have led to over \$514 million in seizures, nearly \$430 million in forfeitures, and more than \$1.64 billion in money judgments.

FY 2020 and FY2021 Planned Future Performance

In FY 2020, OCDETF will continue to determine connections among related investigations in order to identify and dismantle the entire structure of drug trafficking organizations, from international supply and national transportation cells to regional and local distribution networks. A major emphasis of the Department's drug strategy is to coordinate efforts to disrupt the traffickers' financial dealings and two dismantle the financial infrastructure that supports these organizations.

Definition

An organization is considered linked to a CPOT if credible evidence exists of a nexus between the primary investigative target and a CPOT target, verified associate, or component of the CPOT organization. A credible link to a CPOT indicates the primary investigative target, if not a CPOT, is not more than six degrees away from the CPOT. This focuses investigations on the highest levels of organization leadership with the ability to impact and investigate the CPOTs.

OCDETF field managers review and confirm the links using the OCDETF Fusion Center, agency databases, and intelligence information. Field recommendations are reviewed by the OCDETF Executive Office. In instances where a link is not fully substantiated, the sponsoring agency is given the opportunity to follow-up. Ultimately, the OCDETF Executive Office "un-links" any investigation for which sufficient justification has not been provided. A conviction occurs when a defendant charged in an OCDETF investigation is found guilty by plea, by the verdict of a jury, or by the decision of a judge in a court of law.

Data Validation, Verification, and Limitations

Data for this measure is maintained within the OCDETF Management Information System. The intended result is to increase the overall sum of CPOT-linked investigations with one or more defendants convicted each fiscal year. Data for this measure is obtained through required reporting forms that must be submitted throughout the year. These forms are prepared and reviewed by all involved agencies, districts, regions, investigatory, prosecutorial and data analyst personnel.

Section II - Performance Information by Strategic Goal/Objective

Strategic Goal 4:

Promote Rule of Law, Integrity, and Good Government



The solemn duty of the Department of Justice is to uphold the Constitution and laws of the United States so that all Americans can live in peace and security. As the chief law enforcement agency of the United States government, the Department of Justice's most fundamental mission is to protect people by enforcing the rule of law.

Strategic Objective 4.1:

Uphold the rule of law and integrity in the proper administration of justice

In the pursuit of the fostering of integrity, the Department will internally and externally set the conditions for the predictable, reliable, and fair application of the law.

Summary of Progress:

The Department of Justice, in consultation with the Office of Management and Budget, has determined that performance toward this objective is making noteworthy progress.

Highlights

- ◆ **United States v. Tim Leissner and United States v. Low Taek Jho and Ng Chong Hwa:** Between 2009 and 2014, 1Malaysia Development Berhad misappropriated and fraudulently diverted billions of dollars through bond transactions. These civil and criminal prosecutions best exemplify the work of the CRM Money Laundering and Asset Recovery Sections Kleptocracy Initiative and constitutes one of the largest money laundering and embezzlement cases ever prosecuted. The CRM's Office of International Affairs also provided assistance in these matters. Leissner pleaded guilty to both counts and was ordered to forfeit \$43.7 million.
- ◆ **United States v. Sheldon Silver:** In July 2018, New York State Assembly Speaker Sheldon Silver was sentenced to seven years in prison after using his official position to unlawfully solicit and obtain client referrals worth millions of dollars in exchange for his official acts and laundering the proceeds of his crimes.
- ◆ **United States v. GS Caltex Corp., Hanjin Transportation Co., Ltd., and SK Energy Co., Ltd:** In November 2018, three oil companies pleaded guilty to criminal charges and fines for their involvement in a decade-long bid-rigging conspiracy that targeted contracts to supply fuel to U.S. military bases in South Korea. The Antitrust Division also civilly pursued treble damages and obtained payments of approximately \$150 million in relief 2018, Massachusetts-based co-conspirator Bin Wang, a Chinese national, was sentenced to 71 months in prison for his role in the conspiracy.

Key Performance Indicators		
Total Measures	Total Measures Achieved	Percent Achieved
2	2	100%
Risks		
-	Cybersecurity	
-	Lawful Access	
+	System modernization	
+	Cross component collaboration	
+	Globalization	

Other Accomplishments, Innovations, Collaborations, and Leading Practices

- ◆ Developed and deployed the first-ever analytical project to incorporate the DEA Automation of Reports and Consolidated Orders System data for purposes of better identifying patterns associated with illegal activity of pharmacies and distributors associated with highly suspicious dispensing.
- ◆ The CRM created a Healthcare Fraud Data Analytics Team program to utilize data to help identify targets for investigation. To ensure that other components and members of CRM were up-to-date with the new ways health care fraud was being prosecuted, CRM hosted a health care fraud training conference.

Performance Measure

Percentage of illicit market defendants whose cases were favorably resolved [CRM, USAO]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	85%	85%	85%	85%
Actual	92%	92%	N/A	N/A

Discussion of FY 2019 Results

In FY 2019, the Department exceeded the target, with 92 percent of illicit market defendants whose cases were favorably resolved. A number of successful practices adopted in FY 2019 have allowed the Department to surpass the target:

- ◆ The implementation of several policy initiatives that reward companies who choose to voluntarily self-disclose misconduct,
- ◆ Increased cooperation with foreign counterparts on strengthening investigations and prosecutions against cyber and IP crimes; and
- ◆ The utilization of advanced software that has allows DOJ to quickly and efficiently analyze large volumes of data to identify potential healthcare fraud.

The following highlights a favorably resolved illicit market case:

FY 2020 and FY 2021 Planned Future Performance

In FY 2020, the Department will strengthen its capacity to investigate, deter, and prevent illicit market; by focusing efforts on combatting crime where illicit goods and services are marketed and sold. The Department will also educate criminal justice professionals, policy officials, and the public about new technologies enabling such markets. Each case will be evaluated on its individual merits consistent with the Department’s prosecution guidelines. Cases accepted for federal prosecution will be thoroughly reviewed prior to indictment to ensure that there is sufficient evidence to support a criminal conviction. All relevant evidence will be carefully assessed by federal prosecutors. Any potential evidentiary issues will be analyzed to ensure that each criminal prosecution supports the Department's efforts to disrupt and deter crimes facilitated through these illicit markets.

United States v. USP Labs et al., (N.D. Tex.)

In March 2019, culminating years of investigation and litigation, multiple defendants pleaded guilty in Dallas to felony charges in connection with a multi-million dollar fraudulent scheme to sell popular workout supplements known as Jack3d and OxyElite Pro. The indictment stated that the defendants misrepresented the nature and origin of the active ingredients in their products. OxyElite Pro was recalled in 2013 after the FDA linked it to a deadly outbreak of serious liver injuries.

Definition

Defendants whose cases were favorably resolved include those whose cases resulted in court judgments favorable to the government, as well as settlements. Only defendants in illicit market cases are included.

Data Validation, Verification, and Limitations

USAOs routinely examine current and historical data sets, as well as look toward the future for trends so the data is as accurate and reliable as possible and targets are ambitious enough given the resources provided USAOs also maintain the accuracy and integrity of the statistical data maintained in the Legal Information Online Network System, which contains information on matters, cases, and appeals handled by the USAOs, and the companion USA-5 reporting system, which tracks how USAO personnel spend their time.

The data is reviewed by knowledgeable personnel; attorneys and support personnel are responsible for following local procedures to maintain the integrity of the data in the system. CRM captures all litigation data in its case management systems: Automated Case Tracking System (ACTS) and Docket. Data in both ACTS and Docket is validated quarterly by the Section Chief in each of the litigating sections.

Performance Measure

Percentage of the Office of Professional Responsibilities (OPR) inquiries resolved within one year

	FY 2018	FY 2019	FY 2020	FY 2021
Target	50%	50%	50%	50%
Actual	89%	91%	N/A	N/A

and investigations within two years:

	FY 2018	FY 2019	FY 2020	FY 2021
Target	50%	50%	50%	50%
Actual	100%	97%	N/A	N/A

Discussion of FY 2019 Results

This is the second year that the Department has reported this measure. During FY 2019, OPR resolved 91 percent of its inquiries within one year and 97 percent of its investigations within two years. These results were achieved through regular reviews of the statuses of OPR’s cases, as well as ongoing management oversight of the reports of investigations and inquiry closing memoranda. As a result of these efforts, Department attorneys and agents were exonerated in appropriate cases and held accountable in instances where their conduct fell below the high professional standards expected of them.

FY 2020 and FY 2021 Planned Future Performance

Strategies OPR will pursue in this area include:

- ◆ Continuing to review professional misconduct allegations against Department attorneys, immigration judges, and law enforcement personnel that relate to allegations of attorney misconduct within the jurisdiction of OPR.
- ◆ Carefully analyzing the allegations, accurately identifying the factual and legal issues to be resolved, and appropriately resolving the allegations in a timely manner.
- ◆ Timely notification to the subject attorney, the United States attorney or component head, as well as the Department leadership of the results.
- ◆ Preparing and make publicly available an annual report that will include statistical information on OPR’s activities and summaries of investigations completed during the fiscal year.
- ◆ Working collaboratively with PRAO and the Department Ethics Office to identify appropriate training for Department attorneys, provide training through the Office of Legal Education, and recommend policy changes and other corrective actions to Department leadership.

Definition

OPR investigates allegations of professional misconduct against Department attorneys that relate to the exercise of their authority to investigate, litigate, or provide legal advice. *Professional misconduct* is generally defined as an intentional violation of a clear and unambiguous obligation or standard imposed by law, applicable rule of professional conduct, or Department regulation or policy, or the reckless disregard of an obligation to comply with that obligation or standard. OPR will initiate an inquiry when it needs more information to resolve a matter, which may include pleadings, transcripts, or requesting additional written responses from the complainant or subject. In cases that are not resolved during the inquiry stage, and in all cases in which OPR believes misconduct may have occurred, OPR conducts a full investigation, including a review of the case files and interviews of witnesses and the subject attorney(s).

Data Validation, Verification, and Limitations

OPR maintains data in its case management system on the opening, conversion, and closure of the matters that are received. OPR's analysts routinely update the system and review the accuracy of the information that is stored. OPR compiles its inquiries and investigations data to provide Department leadership with quarterly reports as well as to respond to data inquiries. On an annual basis, OPR releases statistical information about its investigations and inquiries along with a summary of the cases reviewed to the public. The information provided in OPR's annual report reinforces the Department's commitment to ensuring that the attorney and law enforcement workforce are professional, well managed, and adhere to the highest ethical standards.

Strategic Objective 4.2:

Defend First Amendment rights to exercise religion and free speech

The Department will vigorously enforce and advocate for constitutional and statutory protections of First Amendment freedoms against all persons and entities—including state and local government agencies—who would intrude upon those rights. In particular, the Department will reasonably accommodate religious observance and practice in all government activity, including employment, contracting, and programming.

Key Performance Indicators		
Total Measures	Total Measures Achieved	Percent Achieved
2	2	100%
Risks		
+	Court Filings	
-	Addressing citizen's complaints	

Summary of Progress:

The Department of Justice, in consultation with the Office of Management and Budget, has determined that performance toward this objective is on track.

Highlights

- ◆ **New Doe Child #1 v. Congress, 901 F.3d 1015 (8th Cir. 2018):** A decision by Congress was defended to require inscription of the National Motto on all United States coins and currency, as representation of government speech that is consistent with the First Amendment.
- ◆ **Gaylor v. Mnuchin, 2017 WL 1217647 (7th Cir. 2019):** The CIV assisted the TAX in upholding the constitutionality of the parsonage exemption from the income tax laws against an Establishment Clause challenge.

Other Accomplishments, Innovations, Collaborations, and Leading Practices

- ◆ The Department held listening sessions to hear stakeholders' position on religious liberty issues.
- ◆ The Department summarized Religious Land Use and Institutional Persons Act (RLUIPA) Policy into a brochure to maximize availability and ease of consumption by religious institutions and other stakeholders.
- ◆ The CIV regularly consults with numerous federal agencies, such as the BOP, the military services, and the Department of Health and Human Services, to assist them in assuring full protection of religious freedom.
- ◆ The CRM's Office of International Affairs (OIA) is conducting training of foreign authorities on First Amendment U.S. Constitutional standards to improved requests made by foreign authorities.
- ◆ The CRT is working with 18F, a digital services unit in GSA, to develop the Citizen's Complaint Portal, an internet-based portal that: offers a unified and efficient means for citizens to report discrimination; and, improves the Division's ability to assess and respond to complaints. The project is scheduled to be completed in July 2020.

Performance Measure

Increase the number of statements of interest involving First Amendment or religious liberty [CRT]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	N/A	10%	10%	10%
Actual	N/A	167%	N/A	N/A

Discussion of FY 2019 Results

In FY 2019, the Department regularly consulted with agencies regarding free speech and the free exercise of religion issues. The Department also wrote memoranda and briefs aimed at defending free speech on college campuses.

Some highlights include:

- ◆ Filing intervener briefs defending the constitutionality of the Early Retirement Income Security Act’s (ERISA) “church plan exemption” which allows churches and other religious organizations to structure their pension plans consistent with their religious beliefs.
- ◆ Defending the Department of the Navy’s ability to effectively and appropriately meet the religious needs of thousands of uniformed personnel and their dependents.

FY 2020 and FY 2021 Planned Future Performance

This is the second year the Department has used this measure, one of two that addresses First Amendment rights in the exercise of free speech and freedom to worship. The goal is to increase the number of statements involving First Amendment or religious liberty by 10 percent each year.

Definition

This performance measure is based upon a count of various types of statements of interest supporting plaintiffs seeking to defend their First Amendment rights to free speech or freedom of worship.

Data Validation, Verification, and Limitations

The Division has filed a number of statements of interest in First Amendment cases. The data validation is simply a count of those statements. There are no issues regarding validation and verification and no limitations on compiling the information.

Performance Measure

Increase the number of Religious Land Use and Institutionalized Persons Act (RLUIPA) matters opened [CRT]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	N/A	10%	10%	10%
Actual	N/A	20%	N/A	N/A

Discussion of FY 2019 Results

In FY 2019, the Civil Rights Division (CRT) regularly consulted with Federal agencies and military services to provide assistance in assuring the full protection of religious freedom. The CRT also increased enforcement of the Religious Land Use and Institutionalized Persons Act (RLUIPA). As result of these efforts the Department exceeded its goal of 10 percent for FY 2019.

The CRT increased enforcement of RLUIPA and public education efforts, under the Place of Worship Initiative. The CRT launched a complaint portal for the Place of Worship Initiative; and held 15 community outreach and training events to raise awareness about RLUIPA across the country.

FY 2020 and FY 2021 Planned Future Performance

This is the second year the Department has used this measure, one of two that addresses First Amendment rights in the exercise of free speech and freedom to worship. The goal is to increase the number of statements involving First Amendment or religious liberty by 10 percent each year.

Definition

This performance measure is based upon a count of matters opened by CRT involving land use provisions under RLUIPA. These provisions protect individuals, houses of worship, and other religious institutions from discrimination in zoning and land-marking laws.

Data Validation, Verification, and Limitations

CRT has filed a number of lawsuits and initiated a number of investigations under RLUIPA. The data validation is simply a count of those matters opened. Matters are recorded in CRT’s internal case management application. There are no issues regarding validation and verification and no limitations on compiling the information.

Strategic Objective 4.3: Pursue regulatory reform

In promulgating regulations, the Department is committed to abiding by constitutional principles and following the rules imposed by Congress and the President. The Department is also committed to considering the effects of rulemaking, including the burdens that regulations may impose on the public.

Summary of Progress:

The Department of Justice, in consultation with the Office of Management and Budget, has determined that performance toward this objective is on track.

Key Performance Indicators		
Total Measures	Total Measures Achieved	Percent Achieved
2	2	100%
Risks		
+	Component Buy-In	
+	Workforce Development	
+	Sessions and Brand memos	

Highlights

- ◆ By December 21, 2018, the Department rescinded 118 guidance documents that were identified as unnecessary, outdated, inconsistent with existing law, or otherwise improper.
- ◆ The ATF created and launched its eRegulation website to increase efficiency and accuracy when researching ATF laws, regulations, and ATF rules.

Other Accomplishments, Innovations, Collaborations, and Leading Practices

- ◆ The Department's Regulatory Reform Task Force works with Department components to identify existing guidance documents that should be repealed, replaced, or modified per Attorney General Sessions' memorandum prohibiting regulation by guidance document.
- ◆ The Department of Justice Second Amendment Working Group Rehabilitation Act Working Group help to resolve issues involving public safety and the Second Amendment.

Performance Measure

Ratio of deregulatory actions to regulatory actions [OLP]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	2:1	2:1	2:1	2:1
Actual	5:0	3:1	N/A	N/A

Discussion of FY 2019 Results

The Department exceeded its FY 2019 target for ratio of deregulatory actions to regulatory actions. This is a positive trend that evidences the Department’s continued commitment to pursuing regulatory reform.

Cost of regulations per fiscal year is below OMB cost cap [OLP]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	-\$2M	\$0.00	TBD	TBD
Actual	-\$4.798M	-\$1.689M	N/A	N/A

Discussion of FY 2019 Results

The Department exceeded its FY 2019 OMB cost cap target of \$0.00. This is a positive trend that evidences the Department’s continued commitment to pursuing regulatory reform.

FY 2020 and FY 2021 Planned Future Performance

In FY 2020, the Department plans to issue an updated OLP Rulemaking Checklist that reflects the latest Executive Orders and regulations related to rulemaking and guidance documents. The Rulemaking Checklist, provided by OLP to components pursuant to OLP’s role coordinating all Department rulemaking activity, lays out the statutory and Executive Order requirements that components should consider when conducting rulemaking and developing guidance documents.

Definition

A *regulatory action* is an action that prohibits or requires certain conduct by an individual or entity subject to the action. A *deregulatory action* is an action that removes or repeals certain prohibitions or requirements placed on an individual or entity.

Data Validation, Verification, and Limitations

The DOJ will track regulatory and deregulatory actions as well as use the above definitions to classify any particular action as regulatory or deregulatory. It is possible that the proposed cost of a regulatory action will not be equal to the actual cost of that action.

Strategic Objective 4.4: Achieve management excellence

The Department will achieve management excellence across all functions and mission specific operations by verifying ethical conduct, developing its workforce, producing accurate and transparent information, and deploying innovative technology. The Department will employ effective, efficient, strategically aligned business processes that establish transparency and the highest level of stewardship of the Federal fisc.

Key Performance Indicators		
Total Measures	Total Measures Achieved	Percent Achieved
5	4	80%
Risks		
-	Procurement delays	
-	Cybersecurity	
-	Government shutdown	

Summary of Progress

The Department of Justice, in consultation with the Office of Management and Budget, has determined that performance toward this objective is on track.

Highlights

- ◆ Between FY 2018 and FY 2019, the Department’s average number of days to hire mission critical occupations by was reduced 37 days.
- ◆ The ATR implemented a Judgment Termination Initiative to review outdated “legacy” judgments and post them on public websites for review and to seek termination.
- ◆ DOJ issued a Department-wide IT Strategic Plan for FY 2019 – FY 2021.
- ◆ The CRT created the Centrally Assigned Paralegal Support Program, a centralized paralegal program, modelled on ATR’s highly successful paralegal program.
- ◆ To address an OIG’s Top Management and Performance Challenge, noting that the Department has “struggled to use outcome oriented measures to monitor whether its programs are accomplishing their intended goals,” the Department has established true outcome related measures for the four annual performance measures for violent crime.
- ◆ The ATF is using targeted social media platforms to attract a more diverse workforce for all government series. As such, the past two recruitment cycles included at least 30% women in the applicant pool.
- ◆ The Department’s Human Resource/Administration (HRA) conducted a complete human capital audit at four DOJ components. Seven components participated in peer-to-peer audits.

Other Accomplishments, Innovations, Collaborations, and Leading Practices

- ◆ The JMD’s Office of the Chief Information Officer has a department investment review council. The council reviews all high profile initiatives, reviews policy and planning, makes sure high priority department IT programs are meeting objectives and leverages collective resources to meet Department-wide goals.
- ◆ The JMD implemented a Department-wide Personnel Accountability and Assessment System. This solution enables emergency notifications and updates to linked personal devices of DOJ employees and the Department’s homepage.
- ◆ The Department’s HRA partnered with DOJ components to create an online repository for sharing intra-agency talent and training resources that support efforts to develop the workforce and address the Department’s talent management needs.

Performance Measure

Ethics training for DOJ employees conducted by the Departmental Ethics Office [JMD]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	100%	100%	100%	100%
Actual	95%	100%	N/A	N/A

and the timely review of financial disclosures [JMD/DEO]:

	FY 2018	FY 2019	FY 2020	FY 2021
Target	100%	100%	100%	100%
Actual	95%	98%	N/A	N/A

This measure was initially reported as a single measure. In FY 2019, the Department began reporting ethics training and the timely review of financial disclosures as two separate measures.

Discussion of FY 2019 Results

The Department was able to offer ethics training to every employee required to complete the training in FY 2019, under the Office of Government Ethics Regulations. In FY 2019, the Departmental Ethics Office offered a total of 35 trainings, and met all ethics training requirements, by offering:

- ◆ 12 New Employee Trainings for career staff
- ◆ 9 New Employee Trainings for non-career staff
- ◆ 6 Annual Trainings to meet the requirements for public and financial disclosure filers for 2018
- ◆ 2 Annual Trainings to meet the requirements for public and financial disclosure filers for 2019
- ◆ 3 out-briefings for political appointees
- ◆ 3 trainings for the Special Counsel's Office

The Department was able to meet its ethics training goal and achieved 98% of its annual target for timely review of financial disclosure reports. The financial disclosure reports need to have their initial review completed within 60 days of the DEO's receiving the report from the filer, however due to the government shutdown in FY 2019, some financial disclosure reports were unable to be reviewed by the DEO until after the 60 day limit.

FY 2020 and 2021 Planned Future Performance

DEO will continue to provide all training required by Office of Government Ethics (OGE) and will review all financial disclosure reports timely.

Definition

OGE requires new entrant and annual training for federal employees and submission and review of financial disclosure reports, in accordance with each employee's position. DEO is responsible for providing these services to appropriate *JMD employees and senior management offices*.

Data Validation, Verification, and Limitations

DEO maintains records of employees' completion of training requirements via sign-in sheets at in-person training and employee certifications of online training and of the dates of employees' submission and DEO review of assigned financial disclosure reports.

Performance Measure

Time-to-hire Mission-Critical Occupations (MCOs) (average number of days) [JMD]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	167 days	205 days	201 days	167 days
Actual	209 days	172 days	N/A	N/A

Discussion of FY 2019 Results

The average number of days to hire were the result of a few key factors. The Department hired more Correctional Officers in FY 2019 compared to FY 2018, yet the average time-to-hire for that occupation remained at less than 90 days. There was also an overall decrease in the number of days to hire Criminal Investigators across the Department. Finally, the Department's components that migrated to the EmpowHR System have seen a slight improvement in streamlining and automating the time-to-hire process.

The Department of Justice's average time to hire mission critical occupations in FY 2019, was 172 days – a significant improvement over the 209 days, reported in FY 2018.

On April 11, 2019, AG Barr lifted the hiring freeze that was in effect since September 23, 2018. The BOP immediately took action to expedite the hiring of Correctional Officers. The former Acting Director authorized the use of recruitment incentives for newly hired Correctional Officers who came on board by September 30, 2019. With this short turnaround, human resources offices immediately contacted veteran eligible applicants on the Correctional Officer standing register and effectuated appointments utilizing special hiring authorities. This action helped to expedite actions taken on certificates and hiring. Additionally, the BOP's Consolidated Staffing Unit in Grand Prairie, Texas worked overtime to expedite processing of certificates to meet the September 30, 2019 deadline. Though the Department hired more Correctional Officers in FY 2019, compared to FY 2018, the average number of days to hire for that occupation was less than 90 days.

FY 2020 and 2021 Planned Future Performance

The Department's ability to successfully execute its mission is dependent on having highly skilled and qualified individuals in its mission critical occupations. In an effort to recruit and judiciously hire top talent to carry out the DOJ mission, the Department's Human Resource Administration will work to enhance recruitment and outreach strategies to attract and retain top talent by improving the Departmental backfill rate by 3% and reducing the attrition rate by 1%.

Definition

Time to hire is measured from the time the need is validated by the hiring manager to the time of entry on duty.

Data Validation, Verification, and Limitations

JMD sends quarterly data calls to DOJ components requesting time-to-hire data for the Department's MCO. There is currently no automated tool to compile this data, so the Department is dependent on its components to provide the data.

JMD has no independent mechanism to validate the data submitted by components. The average time to hire is computed by calculating the total number of days to hire for all the MCOs in DOJ components during the fiscal year and dividing that amount by the total number of MCO hires in DOJ components during the fiscal year.

Performance Measure

Percentage of unmodified audit opinions achieved [JMD]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	100%	100%	100%	100%
Actual	100%	100%	N/A	N/A

Discussion of 2019 Results

In November 2019, JMD Finance published the Department’s unmodified opinions.

FY 2020 and 2021 Planned Future Performance

The Department’s Justice Management Division (JMD) will continue its operational and oversight activities to confirm the accuracy and completeness of the Department’s financial statements and underlying financial data.

The Department expects to meet FY 2020 and FY 2021 targets of an unmodified audit opinion at the consolidated Department level.

In FY 2020, the JMD is implementing a new quarterly open obligation certification to improve its financial integrity and external reporting processes to ensure DOJ continues to meet this important financial goal.

Definition

An unmodified audit opinion is the opinion of an independent auditor that the financial statements of the Department are presented fairly, in all material respects, in accordance with U.S. Generally Accepted Accounting Principles (GAAP).

Data Validation, Verification, and Limitations

The DOJ OIG audits the Department’s financial statements on an annual basis. As part of the annual APR, the OIG publishes the Department’s audit opinion.

Performance Measure

Number of DOJ systems moved to the Cloud [JMD]

	FY 2018	FY 2019	FY 2020	FY 2021
Target	12	2	3	3
Actual	14	5	N/A	N/A

Discussion of FY 2019 Performance Results

The cloud environment allows for faster implementation, streamlined procurement processes, opportunities for improved performance, automation and other efficiencies to yield reduced total cost of ownership. DOJ components and divisions made significant progress in moving systems to the cloud in FY 2019, exceeding its annual target of two, by migrating five systems to cloud hosting.

The following DOJ systems that were moved to the cloud in FY 2019:

- ◆ Incident Management Portfolio
- ◆ Personnel Accountability and Assessment System
- ◆ API Manager
- ◆ BJA National Training Technical Assistance Center
- ◆ Inspector General Network for Information and Telecommunications Exchange (IGNITE)

FY 2020 and 2021 Planned Future Performance

The OCIO will continue its coordinated operational adoption of Department-wide cloud hosting and optimization. OCIO expects the availability of AWS GovCloud East and GSA's Enterprise Infrastructure Solutions (EIS) procurement option will greatly influence and accelerate DOJ's adoption of public cloud resources. Appropriately leveraging emerging cloud technology throughout the Department will enable components to focus their time and resources on unique mission critical activities.

Definition

A *DOJ system* is defined as a FISMA Authorization Boundary, which includes all components of an information system to be authorized for operation by an authorizing official and excludes separately authorized systems to which the information system is connected.

Data Validation, Verification, and Limitations

The OCIO will monitor Department cloud migration efforts through a quarterly data collection process and track progress toward achievement of annual performance targets. Data is validated and verified manually.

Section III: Appendices



Appendix A: Abbreviations and Acronyms

A		DEO	Departmental Ethics Office
ACTS	Automated Case Tracking System	DTO	Drug Trafficking Organization
APP	Annual Performance Plan	DHS	Department of Homeland Security
APR	Annual Performance Report	DOJ	Department of Justice
ATF	Bureau of Alcohol, Tobacco, Firearms and Explosives	E	
ATR	Antitrust Division	ENRD	Environment and Natural Resources Division
B		EOIR	Executive Office for Immigration Review
BATS	Bomb and Arson Tracking System	F	
BIA	Board of Immigration Appeals	FASAB	Federal Accounting Standards Advisory Board
BOP	Bureau of Prisons	FBI	Federal Bureau of Investigation
C		FBWT	Fund Balance with U.S. Treasury
CASE	Case Access System for EOIR	FCSC	Foreign Claims Settlement Commission
CI	Counterintelligence	FPI	Federal Prison Industries, Inc.
CIV	Civil Division	FTE	Full-Time Equivalent
COPS	Office of Community Oriented Policing Services	FY	Fiscal Year
CPOT	Consolidated Priority Organization Target	G	
CRM	Criminal Division	GPRAMA	GPRA Modernization Act of 2010
CRS	Community Relations Service	H	
CRT	Civil Rights Division	HRA	Human Resources/Administration
D		I	
DEA	Drug Enforcement Administration	IC	Intelligence Community

ICITAP	International Criminal Investigative Training Assistance Program
IHP	Institutional Hearing Program
INA	Immigration and Nationality Act
INTERPOL	International Criminal Police Organization
J	
JMD	Justice Management Division
M	
MAR	Monthly Administrative Report
N	
N/A	Not Applicable
NCIC	National Crime Information Center
NIBIN	National Integrated Ballistic Information Network
NICS	National Instant Criminal Background Check System
NSD	National Security Division
O	
OBDs	Offices, Boards and Divisions
OCDETF	Organized Crime Drug Enforcement Task Forces
OCIO	Office of the Chief Information Officer
OIG	Office of the Inspector General
OJP	Office of Justice Programs
OJJDP	Office of Juvenile Justice and Delinquency Prevention

OMB	Office of Management and Budget
OPA	Office of the Pardon Attorney
OSG	Office of the Solicitor General
OTJ	Office of Tribal Justice
OVW	Office on Violence Against Women
P	
R	
RDAP	Residential Drug Abuse Program
S	
T	
TAX	Tax Division
TNLC	Tribal Nations Leadership Council
U	
USA	United States Attorney(s)
USAO	United States Attorneys' Office(s)
USC	United States Code
USMS	United States Marshals Service
USTP	United States Trustee Program

Appendix B: Department Component Websites

Component	Website
American Indian and Alaska Native Affairs Desk (OJP)	www.ojp.gov/programs/aiana.htm
Antitrust Division	www.justice.gov/atr
Bureau of Alcohol, Tobacco, Firearms and Explosives	www.atf.gov
Bureau of Justice Assistance (OJP)	www.bja.gov
Bureau of Justice Statistics (OJP)	www.bjs.gov
Civil Division	www.justice.gov/civil
Civil Rights Division	www.justice.gov/crt
Community Oriented Policing Services - COPS	www.cops.usdoj.gov
Community Relations Service	www.justice.gov/crs
Criminal Division	www.justice.gov/criminal
Diversion Control Program	www.deadiversion.usdoj.gov/
Drug Enforcement Administration	www.dea.gov
Environment and Natural Resources Division	www.justice.gov/enrd
Executive Office for Immigration Review	www.justice.gov/eoir
Executive Office for U.S. Attorneys	www.justice.gov/usao/eousa
Executive Office for U.S. Trustees	www.justice.gov/ust
Federal Bureau of Investigation	www.fbi.gov
Federal Bureau of Prisons	www.bop.gov
Foreign Claims Settlement Commission of the United States	www.justice.gov/fcsc
INTERPOL Washington	www.justice.gov/interpol-washington
Justice Management Division	www.justice.gov/jmd
National Criminal Justice Reference Service (OJP)	www.ncjrs.gov
National Institute of Corrections	www.nicic.gov
National Security Division	www.justice.gov/nsd
Office of the Associate Attorney General	www.justice.gov/asg

Office of the Attorney General	www.justice.gov/ag
Office of the Deputy Attorney General	www.justice.gov/dag
Office of Information Policy	www.justice.gov/oip
Office of the Inspector General	www.justice.gov/oig
Office of Justice Programs	www.ojp.gov
Office of Juvenile Justice and Delinquency Prevention (OJP)	www.ojjdp.gov
Office of Legal Counsel	www.justice.gov/olc
Office of Legal Policy	www.justice.gov/olp
Office of Legislative Affairs	www.justice.gov/ola
Office of the Pardon Attorney	www.justice.gov/pardon
Office of Professional Responsibility	www.justice.gov/opr
Office of Public Affairs	www.justice.gov/opa
Office of the Solicitor General	www.justice.gov/osg
Office of Tribal Justice	www.justice.gov/otj
Office for Victims of Crime (OVC)	www.ojp.gov/ovc/
Office of Violence Against Women (OVW)	www.justice.gov/ovw
Tax Division	www.justice.gov/tax
U.S. Attorneys	www.justice.gov/usao
U.S. Marshals Service	www.usmarshals.gov
U.S. Parole Commission	www.justice.gov/uspc

