



Review of the Accounting of Drug Control Funds and Related Performance Fiscal Year 2020



AUDIT DIVISION

21-033

FEBRUARY 2021

REDACTED FOR PUBLIC RELEASE

Redactions were made to the full version of this report because it contained pre-decisional federal budget information.



EXECUTIVE SUMMARY

Review of the U.S. Department of Justice's Accounting of Drug Control Funds and Related Performance Fiscal Year 2020

Objectives

Pursuant to 21 U.S.C. § 1704(d), as implemented by the Office of National Drug Control Policy (ONDCP) Circular, National Drug Control Program Agency Compliance Reviews, dated October 22, 2019, the Department of Justice (Department) is required to submit to the Director of ONDCP a detailed accounting of all funds expended for National Drug Control Program activities during the previous fiscal year. Additionally, the Office of the Inspector General (OIG) is required to express a conclusion about the reliability of the Department's assertions related to its submission to the ONDCP.

Results in Brief

The OIG concluded that it is not aware of any material modifications that should be made to management's assertions for the fiscal year ended September 30, 2020.

Recommendations

No recommendations were provided in this report.

Review Results

The OIG performed an attestation review of the Department's assertions related to the Budget Formulation Compliance Submission, Detailed Accounting Submission, and the Performance Summary Submission for the fiscal year ended September 30, 2020. The review was performed in accordance with the attestation standards contained in Government Auditing Standards. The purpose of the review was to express a conclusion on management's assertions. Specifically, we:

- Performed inquiries of management to understand its processes used to prepare the reports.
- Evaluated the reasonableness of management's reports.
- Reviewed management's reports for incorrect or incomplete information from the requirements of the ONDCP circular.
- Performed sufficient verifications of reported information to support our conclusion on the reliability of management's assertions.

This report includes the Budget Formulation Compliance Reports, Detailed Accounting Reports, and the Performance Summary Reports of the Department's Assets Forfeiture Fund, Criminal Division, Drug Enforcement Administration, Federal Bureau of Prisons, Office of Justice Programs, Offices of the United States Attorneys, Organized Crime Drug Enforcement Task Forces Program, and United States Marshals Service. The Department of Justice components reviewed and reported approximately \$9.0 billion of drug control obligations and 27 related performance measures for fiscal year 2020.

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OFFICE OF THE INSPECTOR GENERAL'S INDEPENDENT REVIEW REPORT

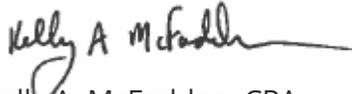
United States Acting Attorney General
U.S. Department of Justice

We have reviewed the U.S. Department of Justice's (Department) assertions related to the Budget Formulation Compliance Submission, Detailed Accounting Submission, and the Performance Summary Submission, as required by the Office of National Drug Control Policy (ONDCP) Circular, National Drug Control Program Agency Compliance Reviews, dated October 22, 2019, and as otherwise agreed to with the ONDCP for the fiscal year ended September 30, 2020. The Department's management is responsible for its assertions. Our responsibility is to express a conclusion on management's assertions based on our review.

Our review was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in Government Auditing Standards issued by the Comptroller General of the United States. Those standards require us to plan and perform the review to obtain limited assurance about whether any material modifications should be made to management's assertions in order for them to be fairly stated. A review is substantially less in scope than an examination, the objective of which is to obtain reasonable assurance about whether management's assertions are fairly stated, in all material respects, in order to express an opinion. Accordingly, we do not express such an opinion. We believe that our review provides a reasonable basis for our conclusion.

Based on our review, we are not aware of any material modifications that should be made to management's assertions for the fiscal year ended September 30, 2020, in order for them to be in accordance with the ONDCP's Circular, National Drug Control Program Agency Compliance Reviews, dated October 22, 2019, and as otherwise agreed to with the ONDCP.

This report is intended solely for the information and use of Department management, the ONDCP, and the U.S. Congress, and is not intended to be, and should not be, used by anyone other than the specified parties.

A handwritten signature in black ink that reads "Kelly A. McFadden". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Kelly A. McFadden, CPA
Director, Financial Statement Audit Office
Office of the Inspector General
U.S. Department of Justice
Washington, D.C.

January 26, 2021

U.S. DEPARTMENT OF JUSTICE

BUDGET FORMULATION COMPLIANCE REPORTS





**Budget Formulation Compliance Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the U.S. Department of Justice's (Department) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the Department's system of accounting, use of estimates, and systems of internal controls provide reasonable assurance that:

1. The summer drug budget submitted to ONDCP in response to ONDCP Circular, Budget Formulation, Section 9.a.(1) was submitted to ONDCP via email on June 25, 2020, and the Department received the budget request from its components on June 18 – 22, 2020, in accordance with 21 U.S.C § 1703(c)(1)(A).
2. The funding request in the submission provided to ONDCP in the summer drug budget resource summary tables represent the funding levels in the budget request made by each component to the Department without alteration or adjustment by any official at the Department.

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for/ Lee J. Lofthus
Assistant Attorney General for
Administration
Chief Financial Officer

Date

Department of Justice - Assets Forfeiture Fund
Dollars in Millions - TOTAL DRUG RESOURCES

Resource Summary	FY 2020 Enacted	FY 2021 President's Budget	FY 2022 Spring Call
Drug Resources by Decision Unit and Function			
<i>Asset Forfeiture</i>			
<i>Investigations</i>	\$148.534	\$155.456	
<i>State and local Assistance</i>	\$87.779	\$87.779	
Total, Asset Forfeiture	\$236.313	\$243.235	
Total Drug Funding	236.313	243.235	
Drug Resources Personnel Summary			
Total FTEs (direct only)	-	-	
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	2.344	1.317	
Drug Resources Percentage	10.1%	18.5%	

Department of Justice - Criminal Division
Dollars in Millions - TOTAL DRUG RESOURCES

Resource Summary	FY 2020 Enacted	FY 2021 President's Request	FY 2022 Spring Call
Drug Resources by Function			
<i>Prosecution</i>	\$42.573	\$44.795	
Total Drug Resources by Funding	42.573	44.795	
Drug Resources by Decision Unit			
<i>Enforcing Federal Criminal Laws</i>	\$42.573	\$44.795	
Total Drug Resources by Funding	42.573	44.795	
Drug Resources Personnel Summary			
Total FTEs (direct only)	163	177	
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	\$0.2	\$0.2	
Drug Resources Percentage	21.8%	22.9%	

Department of Justice - Drug Enforcement Administration

Dollars in Millions - TOTAL DRUG RESOURCES

Resource Summary	FY 2020 Enacted	FY 2021 President's Request	FY 2022 Spring Call
Drug Resources by Budget Decision Unit and Function:			
Decision Unit #1 Domestic Enforcement			
Investigations	\$1,654.984	\$1,736.604	
Intelligence: Domestic Law Enforcement	\$138.350	\$145.172	
Prevention	\$3.413	\$3.582	
Total, Decision Unit #1	\$ 1,796.747	\$ 1,885.358	\$
Decision Unit #2 International Enforcement			
International	\$442.508	\$471.705	
Intelligence: International	\$26.251	\$27.982	
Total, Decision Unit #2	\$ 468.759	\$ 499.687	\$
Decision Unit #3 State and Local Assistance			
State and Local Assistance	\$13.647	\$13.760	
Total, Decision Unit #3	\$ 13.647	\$ 13.760	\$
Decision Unit #4 Diversion Control Fee Account			
Investigations	\$400.921	\$435.954	
Intelligence: Domestic Law Enforcement	\$17.871	\$19.433	
Prevention	\$4.701	\$5.112	
Total, Decision Unit #4	\$ 423.493	\$ 460.499	\$
HIDTA (High Intensity Drug Trafficking Areas)*			
Intelligence: Domestic Law Enforcement	(67.123)	67.123	
Interdiction	(20.678)	20.678	
Investigations	(151.386)	151.386	
Prevention	(2.472)	2.472	
Prosecution	(5.732)	5.732	
Research and Development	(2.700)	2.700	
Treatment	(3.909)	3.909	
Total, HIDTA	(254.000)	254.000	
Total Funding	\$ 2,702.646	\$ 3,113.304	\$
Drug Resources Personnel Summary			
Total FTEs (direct only)	8,000	8,065	
Drug Resources as a Percent of Budget			
Total Agency Budget (in Billions)	2.7	3.1	
Drug Resources Percentage	100.0%	100.0%	

* In FY 2019 and FY 2020, this program was included in the Office of National Drug Control Policy's budget. The FY 2021 President's Budget proposes to transfer HIDTA to DEA.

Department of Justice - Federal Bureau of Prisons
Dollars in Millions - TOTAL DRUG RESOURCES

Resource Summary	FY 2020 Enacted	President's Budget	FY 2022 Spring Call
Drug Resources by Decision Unit and Function			
<i>Decision Unit Inmate Care and Programs</i>			
<i>Corrections</i>	\$1,222.743	\$1,197.297	██████████
<i>Treatment</i>	\$123.717	\$164.687	██████████
Total, Decision Unit	\$1,346.460	\$1,361.984	██████████
<i>Decision Unit Institution Security & Administration</i>			
<i>Corrections</i>	\$1,552.771	\$1,515.739	██████████
Total, Decision Unit	\$1,552.771	\$1,515.739	██████████
<i>Decision Unit Contract Confinement</i>			
<i>Corrections</i>	\$413.194	\$513.535	██████████
<i>Treatment</i>	\$31.300	\$30.026	██████████
Total, Decision Unit	\$444.494	\$543.561	██████████
<i>Decision Unit Management and Administration</i>			
<i>Corrections</i>	\$117.665	\$126.346	██████████
Total, Decision Unit	\$117.665	\$126.346	██████████
<i>Decision Unit New Construction</i>			
<i>Corrections</i>	\$81.812	\$0.000	██████████
Total, Decision Unit	\$81.812	\$0.000	██████████
<i>Decision Unit M&R</i>			
<i>Corrections</i>	\$57.403	\$44.953	██████████
Total, Decision Unit	\$57.403	\$44.953	██████████
Total Drug Funding	3,600.605	3,592.583	██████████
Drug Resources Personnel Summary			
Total FTEs (direct only)	16,051	16,308	██████████
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	7.8	7.7	██████████
Drug Resources Percentage	46.2%	46.7%	██████████

Department of Justice - Office of Justice Programs
Dollars in Millions - TOTAL DRUG RESOURCES

Resource Summary	FY 2020 Enacted	FY 2021 President's Budget	FY 2022 Spring Call
Drug Resources by Decision Unit and Function			
<i>Regional Information Sharing System Program</i> ^{1/}			
<i>State and Local Assistance</i>	\$13.300	\$3.500	
Total, Regional Information Sharing System Program	\$13.300	\$3.500	
<i>Drug Court Program</i>			
<i>Treatment</i>	\$80.000	\$77.000	
Total, Drug Courts Program	\$80.000	\$77.000	
<i>Justice and Mental Health Collaboration</i> ^{2/}			
<i>Treatment</i>	\$4.950	\$4.950	
Total, Justice and Mental Health Collaboration	\$4.950	\$4.950	
<i>Residential Substance Abuse Treatment Program</i>			
<i>Treatment</i>	\$31.000	\$30.000	
Total, Residential Substance Abuse Treatment Program	\$31.000	\$30.000	
<i>Harold Rogers' Prescription Drug Monitoring Program</i>			
<i>State and Local Assistance</i>	\$31.000	\$30.000	
Total, Harold Rogers' Prescription Drug Monitoring Program	\$31.000	\$30.000	
<i>Second Chance Act Program</i> ^{3/}			
<i>Treatment</i>	\$27.172	\$27.808	
Total, Second Chance Act Program	\$27.172	\$27.808	
<i>Project Hope Opportunity Probation with Enforcement (HOPE)</i>			
<i>State and Local Assistance</i>	\$4.500	\$0.000	
Total, Project Hope	\$4.500	\$0.000	
<i>Byrne Criminal Justice Innovation Program</i> ^{4/}			
<i>State and Local Assistance</i>	\$5.100	\$0.000	
Total, Byrne Criminal Justice Innovation Program	\$5.100	\$0.000	
<i>Edward Byrne Memorial Justice Assistance Grant Program</i> ^{5/}			
<i>State and Local Assistance</i>	\$44.720	\$41.170	
Total, Edward Byrne Memorial Justice Assistance Grant Program	\$44.720	\$41.170	
<i>Veterans Treatment Courts Program</i>			
<i>Treatment</i>	\$23.000	\$22.000	
Total, Veterans Treatment Courts Program	\$23.000	\$22.000	
<i>Comprehensive Opioid Abuse Program</i>			
<i>Treatment</i>	\$180.000	\$160.000	
Total, Comprehensive Opioid Abuse Program	\$180.000	\$160.000	
<i>Tribal Set Aside - CTAS Purpose Area 3: Justice Systems and Alcohol and Substance Abuse</i> ^{6/}			
<i>Treatment</i>	\$14.450	\$22.880	
Total, Tribal Set Aside - CTAS Purpose Area 3	\$14.450	\$22.880	
<i>Tribal Set Aside - CTAS Purpose Area 9: Tribal Youth Program</i> ^{6/}			
<i>Prevention</i>	\$1.500	\$1.435	
Total, Tribal Set Aside - CTAS Purpose Area 9	\$1.500	\$1.435	

Department of Justice - Office of Justice Programs (Continued)
Dollars in Millions - TOTAL DRUG RESOURCES

Resource Summary	FY 2020 Enacted	FY 2021 President's Budget	FY 2022 Spring Call
<i>COPS Anti-Heroin Task Forces</i>			
<i>State and Local Assistance</i>	\$35.000	\$0.000	
Total, COPS Anti-Heroin Task Forces	\$35.000	\$0.000	
<i>COPS Anti-Methamphetamine Task Forces</i>			
<i>State and Local Assistance</i>	\$13.000	\$0.000	
Total, COPS Anti-Methamphetamine Task Forces	\$13.000	\$0.000	
<i>Forensic Support for Opioid and Synthetic Drug Investigations 7'</i>			
<i>State and Local Assistance</i>	\$17.000	\$0.000	
Total, Forensic Support for Opioid and Synthetic Drug Investigations	\$17.000	\$0.000	
<i>Opioid-Affected Youth Initiative 7'</i>			
<i>Prevention</i>	\$10.000	\$9.000	
Total, Opioid-Affected Youth Initiative	\$10.000	\$9.000	
<i>Mentoring for Youth Affected by the Opioid Crisis 7'</i>			
<i>Prevention</i>	\$16.000	\$0.000	
Total, Mentoring for Youth Affected by the Opioid Crisis	\$16.000	\$0.000	
<i>National Institute of Corrections 8'</i>			
<i>Treatment</i>	N/A	N/A	
Total, National Institute of Corrections	N/A	N/A	
Total Drug Funding	551.692	429.743	
Drug Resources Personnel Summary			
Total FTEs (direct only)	42	42	
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	2.316	1.850	
Drug Resources Percentage	23.8%	23.2%	

Department of Justice - Office of Justice Programs (Continued)

Dollars in Millions - TOTAL DRUG RESOURCES

OJP Footnotes:

^{1/} Amounts reported for the Regional Information Sharing System reflect 35 percent of total funding for this program as drug-related.

^{2/} Amounts shown for the Justice and Mental Health Collaboration reflect 15 percent of total funding for this program as drug-related.

^{3/} Funding for the Second Chance Act (SCA) Program is jointly managed by the Bureau of Justice Assistance (BJA) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP). Funding for the Project Hope program, which is typically funded as a carve-out of the SCA Program, is subtracted from this total since it is shown on a separate line in the drug budget.

It is estimated that BJA will manage approximately 86% of total SCA funding and OJJDP will manage the remaining 14 percent in FY 2019 - FY 2021.

- Of the total SCA funding managed by BJA, 35 percent of this total is reported as drug-related in support of treatment activities.

- Of the total managed by OJJDP, 12 percent is reported as drug-related in support of treatment activities.

^{4/} OJP is proposing to consolidate the activities of the Byrne Criminal Justice Innovation (BCJI) Program into the Department's other violent crime reduction initiative in the FY 2021 budget request, thereby eliminating line item funding for this program. In FY 2019 and FY 2020, 30 percent of the funding for the BCJI Program is reported as drug-related consistent with prior years' drug budget submissions.

^{5/} Amounts reported for the Byrne Justice Assistance Grant Program reflect 10 percent of total funding for this program as drug-related. In the FY 2020 Enacted funding level for this program, the \$100 million provided for Presidential Nominating Convention Security is not counted as part of overall Justice Assistance Grants funding due to its specialized purpose.

^{6/} In FY 2019 and FY 2020, Congress appropriated funding for OJP's tribal programs instead of the requested tribal justice assistance set aside. The amounts shown for the Tribal Set Aside - CTAS Purpose Area 3 are based on estimates of how much funding from the Tribal Assistance appropriation will be used to support awards in this purpose area based on awards data from prior years. The amounts shown for Tribal Set Aside - CTAS Purpose Area 9: Tribal Youth Program are based on the \$5 million in funding provided for the Tribal Youth Program as a carve-out of the Delinquency Prevention Program.

In FY 2021, the amounts shown for the Tribal Set Aside - CTAS Purpose Area 3 and Tribal Set Aside - CTAS Purpose Area 9: Tribal Youth Program are based on estimates of how much funding the discretionary set aside that funds these programs will generate in each year. OJP estimates how much of the total set aside funding will go to these two purpose areas based on awards data from prior years.

Of the total funding estimated for Tribal Set Aside - CTAS Purpose Area 3, 80 percent is reflected as drug-related in support of treatment activities. Of the total funding estimated for Tribal Set Aside - CTAS Purpose Area 9, 30 percent is reflected as drug-related in support of prevention activities.

^{7/} These three programs were created as new funding carve-outs included under existing OJP programs in the Consolidated Appropriations Act, 2018 (Public Law 115-141). The FY 2021 President's Budget proposes to continue the Opioid-Affected Youth Initiative.

- The Forensic Support for Opioid and Synthetic Drug Investigations program is funded as a carve-out of Paul Coverdell Forensic Science Improvement Grants program. In FY 2019 and 2020, approximately 56.7 percent of the \$30 million appropriated for the Paul Coverdell program (or \$17 million) is scored as drug related and will be dedicated to the Forensic Support program, which will be focused on state and local assistance activities. OJP is requesting no funding for this carveout in FY 2021.

- The Opioid-Affected Youth Initiative is an appropriated carve-out under the Delinquency Prevention Program. In FY 2019, Congress provided \$8 million for this program, which is scored as 100 percent drug related, to support prevention activities. The FY 2020 Enacted budget provides \$10 million for this program. In the FY 2021 budget request, OJP is requesting \$9 million for this program.

- The Mentoring for Youth Affected by the Opioid Crisis program is funded as a carve-out of the Youth Mentoring program. In FY 2019, approximately 14.9 percent of the \$94 million appropriated for the Youth Mentoring program (or, \$14 million) is scored as drug related and will be dedicated to the Youth Affected by the Opioid Crisis program, which will be focused on prevention activities. In the FY 2020 Enacted budget, Congress provided \$16 million in funding for this carveout (16.5 percent of the \$97 million provided for Youth Mentoring). OJP is requesting no funding for this carveout in the FY 2021 President's Budget.

^{8/} The FY 2020 President's Budget proposed to transfer the programs and personnel of the National Institute of Corrections (NIC) to OJP; however, this proposal was not enacted. The FY 2021 President's Budget does not propose to transfer NIC programs or personnel to OJP.

Department of Justice - Offices of the United States Attorneys

Dollars in Millions - TOTAL DRUG RESOURCES

Resource Summary	FY 2020 Enacted	President's Budget	FY 2022 Spring Call
Drug Resources by Decision Unit and Function			
<i>Criminal Decision Unit</i>			
<i>Prosecution</i>	89.164	94.854	
Total Drug Funding	89.164	94.854	
Drug Resources Personnel Summary			
Total FTEs (direct only)	510	523	
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	2.3	2.4	
Drug Resources Percentage	4.0%	4.0%	

Department of Justice - Organized Crime Drug Enforcement Task Forces Program

Dollars in Millions - TOTAL DRUG RESOURCES

Resource Summary	FY 2020 Enacted	FY 2021 President's Budget	FY 2022 Spring Call
Drug Resources by Decision Unit and Function			
<i>Investigations</i>			
<i>Investigations</i>	\$381.240	\$406.584	
Total, Investigations	\$381.240	\$406.584	
<i>Prosecutions</i>			
<i>Prosecutions</i>	\$169.218	\$178.561	
Total, Prosecutions	\$169.218	\$178.561	
Total Drug Funding	550.458	585.145	
Drug Resources Personnel Summary			
Total FTEs (direct only)	2,785	2,792	
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	0.6	0.6	
Drug Resources Percentage	100.0%	100.0%	

Department of Justice - U.S. Marshals Service
Dollars in Millions - TOTAL DRUG RESOURCES

Resource Summary	FY 2020 Enacted	FY 2021 President's Budget	FY 2022 Spring Call
Drug Resources by Decision Unit and Function			
Salaries and Expenses			
<i>Fugitive Apprehension</i>			
<i>International</i>	\$1.590	\$1.853	
<i>Investigative</i>	\$157.382	\$183.476	
Total, Fugitive Apprehension	\$158.972	\$185.329	
<i>Judicial and Courthouse Security</i>			
<i>Prosecutions</i>	\$79.548	\$86.772	
Total, Judicial and Courthouse Security	\$79.548	\$86.772	
<i>Prisoner Security and Transportation</i>			
<i>Prosecutions</i>	\$41.802	\$45.529	
Total, Prisoner Security and Transportation	\$41.802	\$45.529	
Federal Prisoner Detention			
<i>Detention Services</i>			
<i>Corrections</i>	\$595.351	\$615.340	
Total, Detention Services	\$595.351	\$615.340	
Total Drug Funding	875.673	932.970	
Drug Resources Personnel Summary			
Total FTEs (direct only)	912	955	
Drug Resources as a Percent of Budget			
Total Agency Budget (in billions)	3.3	3.7	
Drug Resources Percentage	26.4%	25.4%	

U.S. DEPARTMENT OF JUSTICE

DETAILED ACCOUNTING REPORTS





U.S. Department of Justice
Justice Management Division
Asset Forfeiture Management Staff
145 N St., N.E., Suite 5W.511
Washington, D.C. 20530

**Detailed Accounting Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the Assets Forfeiture Fund (AFF) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the AFF system of accounting, use of estimates, and systems of internal controls provide reasonable assurance that:

1. The drug methodology used by the AFF to calculate obligations of budgetary resources by function and budget decision unit is reasonable and accurate in all material respects.
2. The drug methodology disclosed in this statement was the actual drug methodology used to generate the Table of Drug Control Obligations.
3. There were no material weaknesses or other findings by independent sources identified which may affect the presentation of drug-related obligations.
4. There were no modifications to the methodology used to report drug control resources.
5. The data presented are associated with obligations against a financial plan that did not require revision for reprogramming's or transfers during FY 2020.
6. AFF did not have any ONDCP Fund Control Notices issued in FY 2020.

Peter Maxey

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Peter M. Maxey, Director,
Asset Forfeiture Management Staff

Date

U.S. Department of Justice
Assets Forfeiture Fund
Detailed Accounting Submission
Table of Drug Control Obligations
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)

	FY 2020
	Actual Obligations
Drug Obligations by Budget Decision Unit and Function:	
Decision Unit: Asset Forfeiture	
Investigations	\$ 140.28
State and Local Assistance	<u>86.86</u>
Total Asset Forfeiture	<u>\$ 227.14</u>
Total Drug Control Obligations	<u><u>\$ 227.14</u></u>

**U.S. Department of Justice
Assets Forfeiture Fund
Detailed Accounting Submission
Related Disclosures
For Fiscal Year Ended September 30, 2020**

Disclosure 1: Drug Methodology

The Assets Forfeiture Fund (AFF) was established to be a repository of the proceeds of forfeiture and to provide funding to cover the costs associated with forfeiture. These costs include, but are not limited to; seizing, evaluating, maintaining, protecting, and disposing of an asset. Public Law 102-393, referred to as the 1993 Treasury Appropriations Act, amended title 28 U.S.C. 524 (c) and enacted new authority for the AFF to pay for “overtime, travel, fuel, training, equipment, and other similar costs of state or local law enforcement officers that are incurred in a joint law enforcement operation with a Federal law enforcement agency participating in the Fund.” Such cooperative efforts have significant potential to benefit Federal, state, and local law enforcement efforts. The Department of Justice supports state and local assistance through the allocation of Asset Forfeiture Program (AFP) monies, commonly referred to as Joint Law Enforcement Program Operations Expenses. All AFP funded drug investigative monies for the Drug Enforcement Administration (DEA) and Organized Crime Drug Enforcement Task Forces (OCDETF) are allocated in the following program operations expenses: Investigative Costs Leading to Seizure, Awards Based on Forfeiture, Contracts to identify Assets, Special Contract Services, and Case Related Expenses. The funding provided for these particular program expenses are identified below and aid in the process of perfecting forfeiture.

Joint Law Enforcement Operations – These expenses are for the various costs incurred by state and local law enforcement officers participating in joint law enforcement operations with a federal agency participating in the fund.

Investigative Costs Leading to Seizure – These expenses are for certain investigative techniques that are used for drug related seizures.

Awards Based on Forfeiture – These expenses are for the payment of awards for information or assistance leading to a civil or criminal forfeiture.

Contracts to Identify Assets – These expenses are incurred in the effort of identifying assets by accessing commercial database services. Also included in this section is the procurement of contractor assistance needed to trace the proceeds of crime into assets subject to forfeiture.

Special Contract Services – These expenses are for contract services that support services directly related to the processing, data entry, and accounting for forfeiture cases.

Case Related Expenses – These are expenses incurred in connection with normal forfeiture proceedings. They include fees, advertising costs, court reporting and deposition fees, expert

witness fees, courtroom exhibit costs, travel, and subsistence costs related to a specific proceeding. If the case involves real property, the costs to retain attorneys or other specialists under state real property law are also covered. In addition, the Deputy Attorney General may approve expenses for retention of foreign counsel.

All AFF accounting information is derived from the Unified Financial Management System. Obligations that are derived by this system reconcile with the enacted appropriations and carryover balance.

Disclosure 2: Methodology Modifications

There have been no changes to the drug methodology from the previous year. The drug methodology disclosed has been consistently applied from prior years.

Disclosure 3: Material Weaknesses or Other Findings

For the FY 2020 Financial Statements Audit, the Assets Forfeiture Fund (AFF)/Seized Asset Deposit Fund (SADF) received an unmodified audit opinion and no significant deficiencies or material weaknesses were identified in the *Independent Auditors' Report*.

Disclosure 4: Reprogramming's or Transfers

There were no reprogramming's or transfers that affected drug-related budgetary resources.



U.S. Department of Justice

Criminal Division

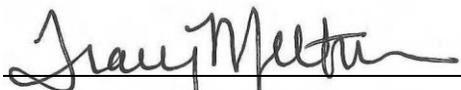
Office of Administration

Washington, D.C. 20530

**Detailed Accounting Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the Criminal Division (CRM) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the CRM system of accounting, use of estimates, and systems of internal controls provide reasonable assurance that:

1. The drug methodology used by the CRM to calculate obligations of budgetary resources by function and budget decision unit is reasonable and accurate in all material respects.
2. The drug methodology disclosed in this statement was the actual drug methodology used to generate the Table of Drug Control Obligations.
3. There were no material weaknesses or other findings by independent sources identified which may affect the presentation of drug-related obligations.
4. There were no modifications to the methodology used to report drug control resources.
5. The data presented are associated with obligations against a financial plan that did not require revision for reprogrammings or transfers during FY 2020.
6. CRM did not have any ONDCP Fund Control Notices issued in FY 2020.



Tracy Melton, Executive Officer

1/26/2021

Date

U.S. Department of Justice
Criminal Division
Detailed Accounting Report
Table of Drug Control Obligations
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)

	FY 2020
	Actual Obligations
Drug Obligations by Budget Decision Unit and Function:	
Decision Unit: Enforcing Federal Criminal Laws	
Prosecution	\$ 45.72
Total Enforcing Federal Criminal Laws	\$ 45.72
Total Drug Control Obligations	\$ 45.72

**U.S. Department of Justice
Criminal Division
Detailed Accounting Report
Related Disclosures
For Fiscal Year Ended September 30, 2020**

Disclosure 1: Drug Methodology

The Criminal Division (CRM) develops, enforces, and supervises the application of all Federal criminal laws except those specifically assigned to other divisions. In executing its mission, the CRM dedicates specific resources in support of the National Drug Control Strategy that focus on disrupting domestic drug trafficking and production and strengthening international partnerships. CRM's drug budget is the funding available for the Division's drug-related activities. The CRM Sections and Offices contributing to this budget are:

- Appellate Section (APP)
- Computer Crimes and Intellectual Property Section (CCIPS)
- Capital Case Section (CCS)
- International Criminal Investigative Training Assistance Program (ICITAP)
- Money Laundering and Asset Recovery Section (MLARS)
- Narcotic and Dangerous Drug Section (NDDS)
- Organized Crime and Gang Section (OCGS)
- Office of Enforcement Operations (OEO)
- Office of International Affairs (OIA)
- Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT)
- Office of Policy and Legislation (OPL)
- Public Integrity Section (PIN)

Since CRM's accounting system, Department of Justice's (DOJ's) Unified Financial Management System (UFMS), does not track obligation and expenditure data by ONDCP's drug functions, CRM's drug resources figures are derived by estimating the level of involvement of each Division component in drug-related activities. Each component is required to estimate the percentage of work/time that is spent addressing drug-related issues. This percentage is then applied against each component's overall resources to develop an estimate of resources dedicated to drug-related activities. Component totals are then aggregated to determine the Division total. For FY 2020, the Division's drug resources as a percentage of its overall actual obligations were 23.4%.

Data – All accounting information for CRM is derived from DOJ's Unified Financial Management System (UFMS).

Financial Systems – UFMS is DOJ's financial system that provides CRM with obligation data. Obligations in this system can also be reconciled with the enacted appropriation.

Disclosure 2: Methodology Modifications

No modifications were made to the methodology from the prior year.

Disclosure 3: Material Weaknesses or Other Findings

The Criminal Division (CRM) is a component within the DOJ Offices, Boards and Divisions (OBDs). For FY 2020, the OBDs were included in the DOJ consolidated financial statements audit and the Criminal Division also received a separate internal audit performed by the Department. There were no significant deficiencies or material weaknesses related to the Criminal Division in either of these audits.

Disclosure 4: Reprogrammings or Transfers

No reprogrammings or transfers occurred that affected the CRM's drug-related budgetary resources.



U. S. Department of Justice
Drug Enforcement Administration

www.dea.gov

**Detailed Accounting Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the Drug Enforcement Administration (DEA) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the DEA system of accounting, use of estimates, and systems of internal controls provide reasonable assurance that:

1. Obligations reported by budget decision unit are the actual obligations from the DEA's accounting system of record for these budget decision units.
2. The drug methodology used by the DEA to calculate obligations of budgetary resources by function is reasonable and accurate in all material respects.
3. The drug methodology disclosed in this statement was the actual drug methodology used to generate the Table of Drug Control Obligations.
4. There were no material weaknesses or other findings by independent sources identified which may affect the presentation of drug-related obligations.
5. There were no modifications to the methodology used to report drug control resources.
6. The data presented are associated with obligations against a financial plan that was revised during the fiscal year to properly reflect the changes, including ONDCP's approval for reprogrammings and transfers affecting drug-related resources in excess of \$5 million or 10 percent of a specific program.
7. DEA did not have any ONDCP Fund Control Notices issued in FY 2020.

**JEFFREY
SUTTON**

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Jeffrey W. Sutton, Chief Financial Officer

Date

**U.S. Department of Justice
Drug Enforcement Administration
Detailed Accounting Report
Table of Drug Control Obligations
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)**

	FY 2020
	Actual Obligations
Drug Obligations by Budget Decision Unit and Function:	
Diversion Control Fee Account	
Intelligence	\$ 19.08
Investigations	490.61
Prevention	12.03
Total Diversion Control Fee Account	\$ 521.72
Domestic Enforcement	
Intelligence	\$ 155.43
Investigations	1,798.74
Prevention	4.89
Total Domestic Enforcement	\$ 1,959.06
International Enforcement	
Intelligence	\$ 27.18
International	450.15
Prevention	.10
Total International Enforcement	\$ 477.43
State and Local Assistance	
State and Local Assistance	\$ 10.72
Total State and Local Assistance	\$ 10.72
Total Drug Control Obligations	\$ 2,968.93
High-Intensity Drug Trafficking Area (HIDTA) Obligations	\$ 14.81

**U.S. Department of Justice
Drug Enforcement Administration
Detailed Accounting Report
Related Disclosures
For Fiscal Year Ended September 30, 2020**

Disclosure 1: Drug Methodology

The mission of the Drug Enforcement Administration (DEA) is to enforce the controlled substances laws and regulations of the United States and to bring to the criminal and civil justice system of the United States or any other competent jurisdiction, those organizations, and principal members of organizations, involved in the growing, manufacture, or distribution of controlled substances appearing in or destined for illicit traffic in the United States; and to recommend and support non-enforcement programs aimed at reducing the availability of illicit controlled substances on the domestic and international markets. In carrying out its mission, the DEA is the lead agency responsible for the development of the overall Federal drug enforcement strategy, programs, planning, and evaluation. The DEA's primary responsibilities include:

- Investigation and preparation for prosecution of major violators of controlled substances laws operating at interstate and international levels;
- Management of a national drug intelligence system in cooperation with Federal, state, local, and foreign officials to collect, analyze, and disseminate strategic and operational drug intelligence information;
- Seizure and forfeiture of assets derived from, traceable to, or intended to be used for illicit drug trafficking;
- Enforcement of the provisions of the Controlled Substances Act and the Chemical Diversion and Trafficking Act as they pertain to the manufacture, distribution, and dispensing of legally produced controlled substances and chemicals;
- Coordination and cooperation with Federal, state and local law enforcement officials on mutual drug enforcement efforts and enhancement of such efforts through exploitation of potential interstate and international investigations beyond local or limited Federal jurisdictions and resources;
- Coordination and cooperation with other Federal, state, and local agencies, and with foreign governments, in programs designed to reduce the availability of illicit abuse-type drugs on the United States market through non-enforcement methods such as crop eradication, crop substitution, and training of foreign officials;
- Responsibility, under the policy guidance of the Secretary of State and U.S. Ambassadors, for all programs associated with drug law enforcement counterparts in foreign countries;
- Liaison with the United Nations, Interpol, and other organizations on matters relating to international drug control programs; and

- Supporting and augmenting U.S. efforts against terrorism by denying drug trafficking and/or money laundering routes to foreign terrorist organizations, as well as the use of illicit drugs as barter for munitions to support terrorism.

The accompanying Table of Drug Control Obligations was prepared in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019 showing function and decision unit. The table represents obligations incurred by the DEA for drug control purposes and reflects one hundred percent of the DEA's mission.

Since the DEA's accounting system, the Unified Financial Management System (UFMS), does not track obligation and expenditure data by ONDCP's drug functions, the DEA uses Managerial Cost Accounting (MCA), a methodology approved by ONDCP to allocate obligations tracked in DEA's appropriated accounts and decision units to ONDCP's drug functions. The Salaries and Expense appropriated account is divided into three decision units, Domestic Enforcement, International Enforcement, and State and Local Assistance. The Diversion Control Fee Account (DCFA) is fee funded by Registrants and covers the full costs of DEA's Diversion Control Program's operations. Thus, the total DCFA cost is tracked and reported as a decision unit by itself to distinguish it from the appropriated S&E account. Although not appropriated funding, the DCFA as authorized by Congress is subject to all rules and limitations associated with Appropriations Law.

Data: *All accounting data for the DEA are maintained in UFMS. UFMS tracks obligation and expenditure data by a variety of attributes, including fund type, allowance center, decision unit and object class. One hundred percent of the DEA's efforts are related to drug enforcement.*

Financial Systems: *UFMS is the information system the DEA uses to track obligations and expenditures. Obligations derived from this system can also be reconciled against enacted appropriations and carryover balances.*

Managerial Cost Accounting: *The DEA uses allocation percentages generated by MCA to allocate resources associated with the DEA's four decision units to ONDCP's drug functions. The MCA model, using an activity-based costing methodology, provides the full cost of the DEA's mission outputs (performance costs). The table below shows the allocation percentages based on the DEA's MCA data.*

The DEA Budget Decision Unit	Allocation	ONDCP Function
Diversion Control Fee Account	3.66%	Intelligence
	94.03%	Investigations
	2.31%	Prevention
Domestic Enforcement	91.82%	Investigations
	7.93%	Intelligence
	0.25%	Prevention
International Enforcement	94.29%	International
	5.69%	Intelligence
	0.02%	Prevention
State and Local Assistance	100.00%	State and Local Assistance

Decision Units: One hundred percent of the DEA’s total obligations by decision unit are associated with drug enforcement. This total is reported and tracked in UFMS.

Full Time Equivalents (FTE): One hundred percent of the DEA FTEs are dedicated to drug enforcement efforts. The DEA’s Direct FTE total for FY 2020 including Salaries & Expenses (S&E) and Diversion Control Fee Account (DCFA) appropriations, was 7,956 through pay period 19, ending September 26, 2020.

Transfers and Reimbursements: High Intensity Drug Trafficking Area (HIDTA) transfers and reimbursable obligations are excluded from the DEA’s Table of Drug Control Obligations since they are reported by other sources.

Disclosure 2: Methodology Modifications

The DEA’s method for tracking drug enforcement resources has not been modified from the prior year methodology. The DEA uses current MCA data to allocate FY 2020 obligations from four decision units to ONDCP’s drug functions.

Disclosure 3: Material Weaknesses or Other Findings

DEA was included in the Department of Justice (DOJ) consolidated audit and did not receive a separate financial statements audit. The DOJ’s consolidated FY 2020 Independent Auditor’s Report revealed no material weaknesses or significant deficiencies.

Disclosure 4: Reprogrammings or Transfers

The DEA reprogrammed \$2.6 million from its State and Local Decision Unit to its Domestic Enforcement Decision Unit. Due to the ongoing pandemic, the DEA was forced to suspend all training activities at the DEA academy indefinitely. These reprogrammed funds will be used to cover an unanticipated shortfall in the Department of Homeland Security (DHS) physical security charges, which cover guard services in DEA facilities around the country. In FY 2020, the DHS changed its billing methodology but did not inform the DEA at the start of the fiscal

year. Due to changes, the DEA must allocate an additional \$4.2 million to fund the DHS security charges in FY 2020.

The DEA received four transfers during FY 2020 (see the attached Table of FY 2020 Reprogrammings and Transfers) with individual transfer amounts that matched or exceeded the \$5M or 10 percent of a specific program threshold. Two transfers were internal from DEA's prior year funded unobligated balances to DEA's S&E No Year account for a total of \$32M. DEA received one transfer from HIDTA that met the reporting threshold, in the amount of \$14,712,560 and the DEA received an interagency transfer from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in the amount of \$14.95M. DEA made one transfer out to the DOJ in the amount of \$10 million as a rescission. Transfers under the Drug Resources by Function section in the Table of FY 2020 Reprogrammings and Transfers are based on the same MCA allocation percentages as the Table of Drug Control Obligations.

**U.S. Department of Justice
Drug Enforcement Administration
Detailed Accounting Report
Table of Reprogrammings and Transfers
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)**

Drug Resources by Budget Decision Unit and Function:	Reprogramming	Transfers-in	Transfers-out	Total
Domestic Enforcement				
Intelligence	\$	\$ 3.91	\$ 0.63	\$ 4.54
Investigations	2.6	45.29	7.35	55.24
Prevention		0.12	0.02	0.14
Total Domestic Enforcement	<u>\$ 2.6</u>	<u>\$ 49.32</u>	<u>\$ 8.00</u>	<u>\$ 59.92</u>
International Enforcement				
Intelligence	\$	\$ 0.70	\$ 0.11	\$ 0.81
International		11.63	1.89	13.52
Prevention		0.00	-	0.00
Total International Enforcement	<u>\$</u>	<u>\$ 12.33</u>	<u>\$ 2.00</u>	<u>\$ 14.33</u>
State and Local Assistance				
State and Local Assistance	\$ (2.6)	\$ -	\$ -	\$ (2.60)
Total State and Local Assistance	<u>\$ (2.6)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (2.60)</u>
Total	<u>\$ -</u>	<u>\$ 61.65</u>	<u>\$ 10.00</u>	<u>\$ 71.65</u>
High-Intensity Drug Trafficking Area (HIDTA) Transfers		\$ 14.71	\$ -	\$ 14.71



U.S. Department of Justice
Federal Bureau of Prisons

Central Office

Washington, DC 20534

**Detailed Accounting Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the Federal Bureau of Prisons (BOP) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the BOP system of accounting, use of estimates, and systems of internal controls provide reasonable assurance that:

1. The drug methodology used by the BOP to calculate obligations of budgetary resources by function and budget decision unit is reasonable and accurate in all material respects.
2. The drug methodology disclosed in this statement was the actual drug methodology used to generate the Table of Drug Control Obligations.
3. There were no material weaknesses or other findings by independent sources identified which may affect the presentation of drug-related obligations.
4. There were no modifications to the methodology used to report drug control resources.
5. The data presented are associated with obligations against a financial plan that was revised during the fiscal year to reflect the changes, including ONDCP's approval for reprogrammings and transfers affecting drug-related resources in excess of \$5 million.
6. BOP did not have any ONDCP Fund Control Notices issued in FY 2020.



Hugh J. Hurwitz,
Assistant Director
for Administration

January 26, 2021

Date

**U.S. Department of Justice
Federal Bureau of Prisons
Detailed Accounting Report
Table of Drug Control Obligations
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)**

**FY 2020
Actual Obligations**

Drug Obligations by Budget Decision Unit and Function:

Decision Unit #1: Inmate Care and Programs	
Treatment	\$ 89.36
Corrections	\$ 1,308.05
Total Inmate Care and Programs	\$ 1,397.41
Decision Unit #2: Institution Security and Administration	
Corrections	\$ 1,599.17
Total Institution Security and Administration	\$ 1,599.17
Decision Unit #3: Contract Confinement	
Treatment	\$ 32.89
Corrections	\$ 409.97
Total Contract Confinement	\$ 442.86
Decision Unit #4: Management and Administration	
Corrections	\$ 107.33
Total Management and Administration	\$ 107.33
Decision Unit #5: New Construction	
Corrections	\$ 0.76
Total New Construction	\$ 0.76
Decision Unit #6: Modernization and Repair	
Corrections	\$ 42.21
Total Modernization and Repair	\$ 42.21
Total Drug Control Obligations	\$ 3,589.74

**U.S. Department of Justice
Federal Bureau of Prisons
Detailed Accounting Report
Related Disclosures
For Fiscal Year Ended September 30, 2020**

Disclosure 1: Drug Methodology

The mission of the Federal Bureau of Prisons (BOP) is to protect society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, appropriately secure, and which provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

The BOP's drug resources are divided into two functions: 1) Treatment; and 2) Corrections.

Treatment Function Obligations are calculated by totaling, actual amount obligated (100%) for Drug Treatment Functions, which includes: Drug Program Screening and Assessment; Drug Abuse Education; Non-Residential Drug Abuse Treatment; Residential Drug Abuse Treatment; and Community Transitional Drug Abuse Treatment. The treatment obligations for Community Transitional Drug Treatment are captured in Contract Confinement Decision unit, where, as all other programs are included in Inmate Care and Program Decision Unit.

Correction Function Obligations are calculated by totaling, all BOP Direct Obligations, subtracting Treatment Functions obligations from it and applying drug percentage to these obligations. Drug percentage is the percentage of inmates sentenced for drug-related crimes (46.2%).

The Table of Drug Control Obligations was prepared in accordance with the Office of National Drug Control Policy (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019. The table represents obligations incurred by the BOP for drug control purposes. The amounts are net of all reimbursable agreements.

Data - All accounting information for the BOP is derived from the Department of Justice (DOJ) Financial Management Information System 2 (FMIS2).

Financial Systems - The FMIS2 is the DOJ financial system that provides BOP obligation data. Obligations in this system can also be reconciled with the enacted appropriation and carryover balances.

Disclosure 2: Methodology Modifications

The overall methodology to calculate drug control obligations has not been changed from the prior year (FY 2019).

Disclosure 3: Material Weaknesses or Other Findings

In FY 2020, there were no significant deficiencies or material weaknesses identified in OMB Circular A-123 testing or the *Independent Auditors' Report*.

Disclosure 4: Reprogrammings or Transfers

BOP's FY 2020 obligations include all approved transfers. For FY 2020, there was a one-time reprogramming action of S&E funds that shifts a total of \$40.0 million from the BOP's unobligated balance in the Institution Security & Administration Decision Unit (DU) to the Inmate Care & Programs DU (\$25 million) and to the Management & Administration DU (\$15 million) to cover current and projected Coronavirus Disease 2019 (COVID-19)-related expenses. (see the attached Table of Reprogrammings and Transfers).

Disclosure 5: Other Disclosures

The BOP allocates funds to the Public Health Service (PHS). The PHS provides a portion of the drug treatment for federal inmates. In FY 2020, \$446,070 was allocated from the BOP to PHS, and was designated and expended for current year obligations of PHS staff salaries, benefits, and applicable relocation expenses associated with three PHS Full Time Equivalents in relations to drug treatment. Therefore, the allocated obligations were included in BOP's Table of Drug Control Obligations.

**U.S. Department of Justice
Federal Bureau of Prisons
Detailed Accounting Report
Table of Reprogrammings and Transfers
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)**

Drug Resources by Budget Decision Unit and Function:	Reprogrammings	Transfers - in	Transfers- out	Total
Decision Unit: Inmate Care and Programs				
Corrections	\$ 11.55	\$ 48.51	\$ (48.51)	\$ 11.55
Total Inmate Care and Programs	<u>\$ 11.55</u>	<u>\$ 48.51</u>	<u>\$ (48.51)</u>	<u>\$ 0.00</u>
Decision Unit: Institution Security & Administration				
Corrections	\$ (18.48)	\$ 0.00	\$ 0.00	\$ (18.48)
Total Institution Security & Administration	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>
Decision Unit: Contract Confinement				
Corrections	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Total Contract Confinement	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>
Decision Unit: Management & Administration				
Corrections	\$ 6.93	\$ 0.00	\$ 0.00	\$ 6.93
Total Management and Administration	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>
Total	<u>\$ 0.00</u>	<u>\$ 48.51</u>	<u>\$ (48.51)</u>	<u>\$ 0.00</u>



U.S. Department of Justice

Office of Justice Programs

Washington, D.C. 20531

**Detailed Accounting Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the Office of Justice Programs (OJP) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, National Drug Control Program Agency Compliance Reviews, dated October 22, 2019, we assert that the OJP system of accounting, use of estimates, and systems of internal controls provide reasonable assurance that:

1. Obligations reported by budget decision unit are the actual obligations from the OJP's accounting system of record for these budget decision units.
2. The drug methodology used by the OJP to calculate obligations of budgetary resources by function is reasonable and accurate in all material respects.
3. The drug methodology disclosed in this statement was the actual drug methodology used to generate the Table of Drug Control Obligations.
4. There were no material weaknesses or other findings by independent sources identified which may affect the presentation of drug-related obligations.
5. There were no modifications to the methodology used to report drug control resources.
6. The data presented are associated with obligations against a financial plan that was revised during the fiscal year to properly reflect the changes, including ONDCP's approval for reprogrammings or transfers affecting drug-related resources in excess of \$1 million.
7. OJP did not have any ONDCP Fund Control Notices issued in FY 2020.

**RACHEL
JOHNSON**

Rachel Johnson, Acting Chief
Financial Officer

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January 26, 2021

Date

U.S. Department of Justice
Office of Justice Programs
Detailed Accounting Submission
Table of Drug Control Obligations
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)

FY 2020
Actual
Obligations ^{1/}

Drug Obligations by Budget Decision Unit and Function:

Decision Unit #1: Regional Information Sharing System Program

State and Local Assistance \$ 12.46

Total, Regional Information Sharing System Program \$ 12.46

Decision Unit #2: Drug Court Program

Treatment \$ 71.88

Total, Drug Court Program \$ 71.88

Decision Unit #3: Justice and Mental Health Collaborations

Treatment \$ 4.93

Total, Justice and Mental Health Collaborations \$ 4.93

Decision Unit #4: Residential Substance Abuse Treatment Program

Treatment \$ 28.93

Total, Residential Substance Abuse Treatment Program \$ 28.93

Decision Unit #5: Harold Rogers' Prescription Drug Monitoring Program

State and Local Assistance \$ 28.93

Total, Harold Rogers' Prescription Drug Monitoring Program \$ 28.93

Decision Unit #6: Second Chance Act Program

Treatment \$ 28.37

Total, Second Chance Act Program \$ 28.37

Decision Unit #7: Project Hope Opportunity Probation with Enforcement (HOPE)

State and Local Assistance \$ 3.56

Total, Project Hope \$ 3.56

U.S. Department of Justice
Office of Justice Programs
Detailed Accounting Submission
Table of Drug Control Obligations – Continued
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)

	FY 2020 Actual Obligations ^{1/}
Drug Obligations by Budget Decision Unit and Function:	
Decision Unit #8: Byrne Criminal Justice Innovation Program	
State and Local Assistance	\$ 4.98
Total, Byrne Criminal Justice Innovation Program	\$ 4.98
 Decision Unit #9: Edward Byrne Memorial Justice Assistance Grant Program	
State and Local Assistance	\$ 30.86
Total, Edward Byrne Memorial Justice Assistance Grant Program	\$ 30.86
 Decision Unit #10: Tribal Youth Program ^{2/}	
Prevention	\$ 2.21
Total, Tribal Youth Program	\$ 2.21
 Decision Unit #11: Veterans Treatment Courts Program	
Treatment	\$ 19.87
Total, Veterans Treatment Courts Program	\$ 19.87
 Decision Unit #12: Comprehensive Opioid Abuse Program	
Treatment	\$ 160.72
Total, Comprehensive Opioid Abuse Program	\$ 160.72
 Decision Unit #13: Tribal Courts Program ^{2/}	
Treatment	\$ 2.04
Total, Tribal Courts Program	\$ 2.04
 Decision Unit #14: Indian Alcohol and Substance Abuse Program ^{2/}	
Prevention	\$ 17.61
Total, Indian Alcohol and Substance Abuse Program	\$ 17.61
 Decision Unit #15: Forensic Support for Opioid and Synthetic Drug Investigations	

**U.S. Department of Justice
Office of Justice Programs
Detailed Accounting Submission
Table of Drug Control Obligations – Continued
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)**

	FY 2020 Actual Obligations ^{1/}
Drug Obligations by Budget Decision Unit and Function:	
State and Local Assistance	\$ 17.33
Total, Forensic Support	\$ 17.33
 Decision Unit #16: Opioid-Affected Youth Initiative	
Prevention	\$ 9.35
Total, Opioid-Affected Youth Initiative	\$ 9.35
 Decision Unit #17: Mentoring for Youth Affected by the Opioid Crisis	
Prevention	\$ 14.33
Total, Mentoring for Youth Affected by the Opioid Crisis	\$ 14.33
 Total Drug Control Obligations ^{3/}	 \$ 458.36

Notes:

^{1/} Actual obligations reflect direct program obligations plus estimated management and administration obligations.

^{2/} In FY 2020, Congress provided funding for OJP's tribal programs on the Tribal Assistance and Tribal Youth Program line items, rather than under the 7% discretionary tribal justice assistance set aside that was requested in the FY 2020 President's Budget. Therefore, OJP is reporting funding for programs supported by part of the funding provided by the Tribal Assistance line item under the Tribal Courts and Indian Alcohol and Substance Abuse programs. Funding for the Tribal Youth Program is appropriated to OJP as a carveout under the Delinquency Prevention Program.

^{3/} OJP is not reporting on the Enforcing Underage Drinking Laws program in this table, as there were no obligations for this program in FY 2020.

**U.S. Department of Justice
Office of Justice Programs
Detailed Accounting Report
Related Disclosures
For Fiscal Year Ended September 30, 2020**

Disclosure 1: Drug Methodology

The mission of the Office of Justice Programs (OJP) is to provide leadership, resources and solutions for creating safe, just, and engaged communities. As such, OJP's resources are primarily targeted toward assisting state, local, and tribal governments. In executing its mission, OJP dedicates a significant level of resources to drug-related program activities, which focus on breaking the cycle of drug abuse and crime including: drug testing and treatment, provision of graduated sanctions, drug prevention and education, and research and statistics.

The Table of Drug Control Obligations was prepared in accordance with the Office of National Drug Control Policy (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019. The OJP obligations reported for the Fiscal Year (FY) 2020 attestation reflect a revised drug budget methodology established by OJP and ONDCP in January 2018. This methodology was implemented to better reflect OJP contributions to the ONDCP drug strategy.

OJP's Office of the Chief Financial Officer, Budget Formulation and Appropriations Division is responsible for the development and presentation of the annual OJP ONDCP Budget. OJP's FY 2020 drug obligations have a total of 18 decision units identified for the National Drug Control Budget. No new decision units were added to during FY 2020.

The following programs are not being reported, as Congress did not enact the set aside in FY 2020: (1) the 7 percent Tribal Set Aside Coordinated Tribal Assistance Solicitation (CTAS) Purpose Area 3: Justice Systems and Alcohol and Substance Abuse, and (2) the 7 percent Tribal Set Aside - CTAS Purpose Area 9: Tribal Youth Program.

The 18 decision units in FY 2020 include the following:

- Regional Information Sharing System Program
- Drug Court Program
- Justice and Mental Health Collaborations
- Residential Substance Abuse Treatment Program
- Harold Rogers' Prescription Drug Monitoring Program
- Second Chance Act Program
- Project HOPE
- Byrne Criminal Justice Innovation Program
- Edward Byrne Memorial Justice Assistance Grant Program
- Tribal Youth Program
- Veterans Treatment Courts Program
- Comprehensive Opioid Abuse Program
- Tribal Courts Program

- Indian Alcohol and Substance Abuse Program
- Enforcing Underage Drinking Laws Program
- Forensic Support for Opioid and Synthetic Drug Investigations
- Opioid-Affected Youth Initiative
- Mentoring for Youth Affected by the Opioid Crisis

Of the 18 decision units listed above, OJP is not reporting obligations for the Enforcing Underage Drinking Laws Program in FY 2020, as the program has not been funded since FY 2014; however, there are drug-related transfers and recoveries for this program which are being reported.

In determining the level of resources used in support of the remaining 17 active budget decision units, OJP used the following methodology:

Drug Program Obligations by Decision Unit

Data on obligations, as of September 30, 2020, were gathered from the Department of Justice’s (DOJ’s) Financial Management Information System 2 (FMIS2). The total obligations presented for OJP are net of funds obligated under the Crime Victims Fund and Public Safety Officers’ Benefits Program.

Management and Administration (M&A) Data

M&A funds are assessed at the programmatic level and obligations are obtained from FMIS2 (OJP’s Financial System). The obligation amounts were allocated to each decision unit by applying the relative percentage of Full-Time Equivalents (FTE) assigned to the 17 active drug related decision units to the total M&A obligations for OJP.

Overall, OJP program activities support the two goals of the National Drug Control Strategy to: (1) prevent drug use through education and evidence-based prevention programs; and (2) reduce barriers to evidence-based treatment and recovery support services to address addiction. Functionally, OJP program activities fall under the following functions: State and Local Assistance, Treatment, and Prevention. To determine the function amount, OJP used an allocation method that was derived from an annual analysis of each program’s mission and by surveying program officials. OJP then applied that function allocation percentage to the obligations associated with each decision unit line item.

The Table of Drug Control Obligations amounts were calculated as follows:

Function: The appropriate drug-related percentage was applied to each decision unit line item and totaled by function. For FY 2020, the 17 active budget decision units had a function allocation of 100 percent.

Decision Unit: In accordance with the ONDCP Circulars and OJP’s drug budget methodology, 100 percent of the actual obligations for 7 of the 17 active budget decision units are included in the Table of Drug Control Obligations.

As specified in the current OJP drug budget methodology:

- Only 35 percent of the actual obligations for the Regional Information Sharing System Program are included;
- Only 15 percent of the actual obligations for Justice and Mental Health Collaborations are included;
- Only 35 percent of the actual obligations administered by the Bureau of Justice Assistance (BJA) and 12 percent of the actual obligations administered by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) under the Second Chance Act are included;
- Only 30 percent of the actual obligations for the Byrne Criminal Justice Innovation Program and Tribal Youth Program are included;
- Only 10 percent of the actual obligations for the Edward Byrne Memorial Justice Assistance Grants Program are included;
- Only 80 percent of the actual obligations for the Tribal Courts Program and Indian Alcohol and Substance Abuse Program are included;
- Only 57 percent of total actual obligations for the Paul Coverdell Forensic Science Improvement Grants Program are included to represent the activity under the Forensic Support for Opioid and Synthetic Drug Investigations decision unit; and
- Only 15 percent of total actual obligations for the Youth Mentoring Program are included to represent the activity under the Mentoring for Youth Affected by the Opioid Crisis decision unit.

Disclosure 2: Methodology Modifications

As noted above, OJP and ONDCP agreed to a revised drug budget methodology for OJP programs in January 2018. Since the implementation of this methodology in FY 2018, there have been no significant changes to OJP's methodology for reporting drug budget obligations.

Funding for OJP tribal programs in the FY 2020 attestation is reported under:

- The Tribal Courts and Indian Alcohol and Substance Abuse decision units (both of which are funded from the Tribal Assistance line item appropriation); and
- The Tribal Youth Program (which is funded as a carveout from the Delinquency Prevention Program line item appropriation).

Disclosure 3: Material Weaknesses or Other Findings

For FY 2020, OJP was included in the DOJ consolidated financial statements audit and did not receive a separate financial statements audit. The DOJ's consolidated FY 2020 *Independent Auditors' Report* revealed no material weaknesses or significant deficiencies directed at OJP. Additionally, the Department's assessment of risk and internal controls in FY 2020 conducted in

accordance with OMB Circular A-123 did not identify any findings which may materially affect the presentation of prior year drug-related obligations data.

Disclosure 4: Reprogrammings or Transfers

In accordance with the ONDCP's Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, OJP has provided the attached Table of Reprogrammings and Transfers. In FY 2020, for the reported decision units and programs, OJP had no reprogrammings, and \$58.8 million and \$117.6 million in drug-related transfers-in and transfers-out, respectively. The transfers-in amounts include OJP's FY 2020 prior-year recoveries associated with the reported budget decision units. The transfers-out amounts reflect the assessments for the 2.0 percent Research, Evaluation, and Statistics (RES) set aside and M&A assessments against OJP programs.

The RES 2.0 percent set-aside was directed by Congress for funds to be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics to be used for research, evaluation, or statistical purposes. In FY 2020, Congress provided OJP the authority to assess programs for administrative purposes.¹

Disclosure 5: Other Disclosures

In FY 2020, OJP's drug-related programs were supported by \$46.2 million in unobligated resources carried forward from previous fiscal years.

¹ See the Senate report language (S. Report 116-127) accompanying the 2020 Appropriations Act (P.L. 116-93), page 111: <https://www.congress.gov/116/crpt/srpt127/CRPT-116srpt127.pdf>.

**U.S. Department of Justice
Office of Justice Programs
Detailed Accounting Submission
Table of Reprogrammings and Transfers
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)**

Drug Resources by Budget Decision Unit and Function:	Reprogrammings ^{1/}	Transfers-in ^{2/}	Transfers-out ^{3/}	Total
Decision Unit #1: Regional Information Sharing System Program				
State and Local Assistance	\$ -	\$ 35.67	\$ (0.76)	\$ 34.91
Total, Regional Information Sharing System Program	<u>\$ -</u>	<u>\$ 35.67</u>	<u>\$ (0.76)</u>	<u>\$ 34.91</u>
Decision Unit #2: Drug Court Program				
Treatment	\$ -	\$ 2.66	\$ (10.05)	\$ (7.39)
Total, Drug Court Program	<u>\$ -</u>	<u>\$ 2.66</u>	<u>\$ (10.05)</u>	<u>\$ (7.39)</u>
Decision Unit #3: Justice and Mental Health Collaborations				
Treatment	\$ -	\$ 1.25	\$ (4.56)	\$ (3.31)
Total, Justice and Mental Health Collaborations	<u>\$ -</u>	<u>\$ 1.25</u>	<u>\$ (4.56)</u>	<u>\$ (3.31)</u>
Decision Unit #4: Residential Substance Abuse Treatment Program				
Treatment	\$ -	\$ 0.62	\$ (2.73)	\$ (2.11)
Total, Residential Substance Abuse Treatment Program	<u>\$ -</u>	<u>\$ 0.62</u>	<u>\$ (2.73)</u>	<u>\$ (2.11)</u>

**U.S. Department of Justice
Office of Justice Programs
Detailed Accounting Submission
Table of Reprogrammings and Transfers
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)**

Drug Resources by Budget Decision Unit and Function:	Reprogrammings ^{1/}	Transfers-in ^{2/}	Transfers-out ^{3/}	Total
Decision Unit #5: Harold Rogers' Prescription Drug Monitoring Program				
State and Local Assistance	\$ -	\$ 2.24	\$ (2.73)	\$ (0.49)
Total, Harold Rogers' Prescription Drug Monitoring Program	<u>\$ -</u>	<u>\$ 2.24</u>	<u>\$ (2.73)</u>	<u>\$ (0.49)</u>
Decision Unit #6: Second Chance Act Program				
Treatment	\$ -	\$ 2.72	\$ (9.74)	\$ (7.02)
Total, Second Chance Act Program	<u>\$ -</u>	<u>\$ 2.72</u>	<u>\$ (9.74)</u>	<u>\$ (7.02)</u>
Decision Unit #7: Project Hope Opportunity Probation with Enforcement (HOPE)				
State and Local Assistance	\$ -	\$ 0.49	\$ (0.40)	\$ 0.09
Total, Project Hope	<u>\$ -</u>	<u>\$ 0.49</u>	<u>\$ (0.40)</u>	<u>\$ 0.09</u>
Decision Unit #8: Byrne Criminal Justice Innovation Program				
State and Local Assistance	\$ -	\$ 1.22	\$ (1.50)	\$ (0.28)
Total, Byrne Criminal Justice Innovation Program	<u>\$ -</u>	<u>\$ 1.22</u>	<u>\$ (1.50)</u>	<u>\$ (0.28)</u>

**U.S. Department of Justice
Office of Justice Programs
Detailed Accounting Submission
Table of Reprogrammings and Transfers
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)**

Drug Resources by Budget Decision Unit and Function:	Reprogrammings ^{1/}	Transfers-in ^{2/}	Transfers-out ^{3/}	Total
Decision Unit #9: Edward Byrne Memorial Justice Assistance Grant Program				
State and Local Assistance	\$ -	\$ 5.76	\$ (58.11)	\$ (52.35)
Total, Edward Byrne Memorial Justice Assistance Grant Program	<u>\$ -</u>	<u>\$ 5.76</u>	<u>\$ (58.11)</u>	<u>\$ (52.35)</u>
Decision Unit #10: Tribal Youth Program ^{4/}				
Prevention	\$ -	\$ 0.11	\$ (0.44)	\$ (0.33)
Total, Tribal Youth Program	<u>\$ -</u>	<u>\$ 0.11</u>	<u>\$ (0.44)</u>	<u>\$ (0.33)</u>
Decision Unit #11: Veterans Treatment Courts Program				
Treatment	\$ -	\$ 0.86	\$ (2.03)	\$ (1.17)
Total, Veterans Treatment Courts Program	<u>\$ -</u>	<u>\$ 0.86</u>	<u>\$ (2.03)</u>	<u>\$ (1.17)</u>
Decision Unit #12: Comprehensive Opioid Abuse Program				
Treatment	\$ -	\$ 1.17	\$ (20.28)	\$ (19.11)
Total, Comprehensive Opioid Abuse Program	<u>\$ -</u>	<u>\$ 1.17</u>	<u>\$ (20.28)</u>	<u>\$ (19.11)</u>

**U.S. Department of Justice
Office of Justice Programs
Detailed Accounting Submission
Table of Reprogrammings and Transfers
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)**

Drug Resources by Budget Decision Unit and Function:	Reprogrammings ^{1/}	Transfers-in ^{2/}	Transfers-out ^{3/}	Total
Decision Unit #13: Tribal Courts Program ^{4/}				
Treatment	\$ -	\$ 0.54	\$ -	\$ 0.54
Total, Tribal Courts Program	<u>\$ -</u>	<u>\$ 0.54</u>	<u>\$ -</u>	<u>\$ 0.54</u>
Decision Unit #14: Indian Alcohol and Substance Abuse Program ^{4/}				
Prevention	\$ -	\$ 2.19	\$ -	\$ 2.19
Total, Indian Alcohol and Substance Abuse Program	<u>\$ -</u>	<u>\$ 2.19</u>	<u>\$ -</u>	<u>\$ 2.19</u>
Decision Unit #15: Enforcing Underage Drinking Laws Program				
Prevention	\$ -	\$ -	\$ -	\$ -
Total, Enforcing Underage Drinking Laws Program	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

**U.S. Department of Justice
Office of Justice Programs
Detailed Accounting Submission
Table of Reprogrammings and Transfers
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)**

Drug Resources by Budget Decision Unit and Function:	Reprogrammings ^{1/}	Transfers-in ^{2/}	Transfers-out ^{3/}	Total
Decision Unit #16: Forensic Support for Opioid and Synthetic Drug Investigations				
State and Local Assistance	\$ -	\$ 1.26	\$ (3.38)	\$ (2.12)
Total, Forensic Support	<u>\$ -</u>	<u>\$ 1.26</u>	<u>\$ (3.38)</u>	<u>\$ (2.12)</u>
Decision Unit #17: Opioid-Affected Youth Initiative				
Prevention	\$ -	\$ -	\$ (0.88)	\$ (0.88)
Total, Opioid-Affected Youth Initiative	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (0.88)</u>	<u>\$ (0.88)</u>
Decision Unit #18: Mentoring for Youth Affected by the Opioid Crisis				
Prevention	\$ -	\$ -	\$ -	\$ -
Total, Mentoring for Youth Affected by the Opioid Crisis	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Total	<u>\$ -</u>	<u>\$ 58.76</u>	<u>\$ (117.59)</u>	<u>\$ (58.83)</u>

**U.S. Department of Justice
Office of Justice Programs
Detailed Accounting Submission
Table of Reprogrammings and Transfers
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)**

Notes:

^{1/} There were no reprogrammings related to the programs displayed in this table in FY 2020.

^{2/} Transfers In reflect a Congressionally-directed \$35.41 million transfer from COPS to fund the Regional Information Sharing System program and \$380,000 from COPS and OVW to support training and technical assistance under OJP's Tribal Courts program.

^{3/} Amounts reported for Total Transfers Out in FY 2020 include all funding transferred out of OJP accounts as well as funding assessed from these programs to support the 2.0% Research, Evaluation, and Statistics set aside and OJP Management and Administration. In addition, this amount includes transfers out of OJP from six programs (Drug Courts, Justice and Mental Health Collaborations, Second Chance Act, Byrne Justice Assistance Grants, Comprehensive Opioid Abuse Program, and Forensic Support for Opioid and Synthetic Drug Investigations) that were made as part of a DOJ-wide effort to address a shortage of operational funding for the U.S. Marshals Service Federal Prisoner Detention Fund.

^{4/} In FY 2020, Congress provided funding for OJP's tribal programs on the Tribal Assistance and Tribal Youth Program line items, rather than under the 7% discretionary tribal justice assistance set aside that was requested in the FY 2019 President's Budget. Therefore, OJP is reporting funding for programs supported by part of the funding provided by the Tribal Assistance line item under the Tribal Courts and Indian Alcohol and Substance Abuse programs. Funding for the Tribal Youth Program is appropriated to OJP as a carveout under the Delinquency Prevention Program.



U.S. Department of Justice

Executive Office for United States Attorneys

Resource Management and Planning Staff

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**Detailed Accounting Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the United States Attorneys management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, National Drug Control Program Agency Compliance Reviews, dated October 22, 2019, we assert that the United States Attorneys' system of accounting, use of estimates, and systems of internal controls provide reasonable assurance that:

1. The drug methodology used by the United States Attorneys to calculate obligations of budgetary resources by function and budget decision is reasonable and accurate in all material respects.
2. The drug methodology disclosed in this statement was the actual drug methodology used to generate the Table of Drug Control Obligations.
3. There were no material weaknesses or other findings by independent sources identified which may affect the presentation of drug-related obligations.
4. There were no modifications to the methodology used to report drug control resources.
5. The data presented are associated with obligations against a financial plan that did not require revision for reprogrammings or transfers during FY 2020.
6. The United States Attorneys did not have any ONDCP Fund Control Notices issued in FY 2020.

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Jonathan Pelletier
Chief Financial Officer

1/26/2021

Date

U.S. Department of Justice
United States Attorneys
Detailed Accounting Report
Table of Drug Control Obligations
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)

FY 2020
Actual Obligations

Drug Obligations by Budget Decision Unit and Function:

Decision Unit: Criminal

Prosecution	\$ 117.024
Total Criminal Decision Unit	\$ 117.024
Total Drug Control Obligations	\$ 117.024
High-Intensity Drug Trafficking Area (HIDTA) Obligations	\$ 0.862

**U.S. Department of Justice
United States Attorneys
Detailed Accounting Report
Related Disclosures
For Fiscal Year Ended September 30, 2020**

Disclosure 1: Drug Methodology

The United States Attorneys work in conjunction with law enforcement to disrupt domestic and international drug trafficking and narcotics production through comprehensive investigations and prosecutions of criminal organizations. A core mission of each of the United States Attorneys' Offices (USAOs) is to prosecute violations of Federal drug trafficking, controlled substance, money laundering, and related Federal laws in order to deter continued illicit drug distribution and use in the United States. This mission includes utilizing the grand jury process to investigate and uncover criminal conduct and subsequently presenting the evidence in court as part of prosecution of individuals and organizations who violate Federal law. USAOs also work to dismantle criminal drug organizations through asset forfeiture, thereby depriving drug traffickers of the proceeds of illegal activities.

In addition to this traditional prosecutorial role, efforts to discourage illegal drug use and to prevent recidivism by convicted drug offenders also form important parts of the USAO's drug control mission. Each USAO is encouraged to become involved in reentry programs that may help prevent future crime, including drug crimes. Reentry programs, such as reentry courts, typically include access to drug treatment and support for recovery. Prosecutors and USAO staff also participate in community outreach through initiatives that educate communities about the hazards of drug abuse.

The United States Attorneys community does not receive a specific appropriation for drug-related work in support of the National Drug Control Strategy. The United States Attorneys drug resources are part of, and included within, the United States Attorneys annual Salaries and Expenses (S&E) Appropriation. As a result of not having a specific line item for drug resources within our appropriation, the United States Attorneys have developed a drug budget methodology based on workload data. The number of work years dedicated to non-OCDETF drug related prosecutions is taken as a percentage of total workload. This percentage is then multiplied against total obligations to derive estimated drug related obligations.

Data – In FY 2020, all financial information for the United States Attorneys was derived from Department of Justice's (DOJ's) Unified Financial Management System (UFMS). Workload information was derived from the United States Attorneys' USA-5 Reporting System.

Financial Systems –UFMS is DOJ's financial system. Obligations in this system can also be reconciled with the enacted appropriation.

Disclosure 2: Methodology Modifications

No modifications were made to the drug methodology from prior years.

Disclosure 3: Material Weaknesses or Other Findings

The United States Attorneys community is a component within the DOJ Offices, Boards and Divisions (OBDs). For FY 2020, the OBDs were included in the DOJ consolidated audit and did not receive a separate financial statement audit. The fiscal year 2020 audit resulted in an unmodified opinion on the financial statements.

It is important to note that the Department implemented significant improvements to the financial statement compilation and review controls. These improvements resolved the material weakness identified in FY 2019. As a result, KPMG did not identify any material weaknesses and did not report any significant deficiencies in the FY 2020 Independent Auditors' Report. The audit required under Government Auditing Standards revealed no instances of non-compliance or other matters. KPMG subsequently conducted tests that disclosed no instances where the Department's financial management systems were substantially non-compliant with Federal Financial Management Improvement Act (FFMIA).

Disclosure 4: Reprogrammings or Transfers

There were no drug related reprogrammings or transfers that affected drug-related budgetary resources in FY 2020.



**Detailed Accounting Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the Organized Crime Drug Enforcement Task Forces (OCDETF) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the OCDETF system of accounting, use of estimates, and systems of internal controls provide reasonable assurance that:

1. Obligations reported by budget decision unit are the actual obligations from OCDETF's accounting system of record for these budget decision units.
2. The drug methodology used by OCDETF to calculate obligations of budgetary resources by function is reasonable and accurate in all material respects.
3. The drug methodology disclosed in this statement was the actual drug methodology used to generate the Table of Drug Control Obligations.
4. There were no material weaknesses or other findings by independent sources identified which may affect the presentation of drug-related obligations.
5. There were no modifications to the methodology used to report drug control resources.
6. The data presented are associated with obligations against a financial plan that did not require revision for reprogrammings or transfers during FY 2020.
7. OCDETF did not have any ONDCP Fund Control Notices issued in FY 2020.

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Simshindo Msola, Principal Associate
Director

Date

**U.S. Department of Justice
Organized Crime Drug Enforcement Task Forces (OCDETF) Program
Detailed Accounting Report
Table of Drug Control Obligations
For Fiscal Year Ended September 30, 2020**

Dollars in Millions

Drug Obligations by Decision Unit and Function	FY 2020 Actual Obligations	FY 2020 OCDETF Executive Office*	FY 2020 Carryover	Total FY 2020 Actual Obligations
Investigations:				
Drug Enforcement Administration (DEA)	\$ 180.27	\$ 2.94	\$ 0.91	\$ 184.12
Federal Bureau of Investigation (FBI)	120.81	2.58		123.39
U.S. Marshals Service (USMS)	10.51	0.22		10.74
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)	12.04	0.26		12.30
OCDETF Fusion Center (OFC)	34.91	0.75		35.66
International Organized Crime Intelligence and Operations Center (IOC-2)	5.99	0.13		6.12
National Emerging Threats	1.68	0.04		1.71
Co-Located Strike Forces Operations	8.29	0.18		8.46
TOTAL INVESTIGATIVE DECISION UNIT	\$ 374.49	\$ 7.10	\$ 0.91	\$ 382.50
Prosecutions:				
U.S. Attorneys (USAs)	\$ 163.06	\$ 2.54	\$ 0.00	\$ 165.60
Criminal Division (CRM)	2.63	0.04	0.00	2.67
EXO Threat Response Unit (TRU)	0.60	0.01	0.00	0.61
TOTAL PROSECUTORIAL DECISION UNIT	\$ 166.29	\$ 2.59	\$ 0.00	\$ 168.88
Total Drug Control Obligations	\$ 540.78	\$ 9.69	\$ 0.91	\$ 551.38

(*Includes funding for the following agencies" HIS, \$0.50 ; USCG, \$1.45; IRS, \$0.23; all split among investigations)

**U.S. Department of Justice
Organized Crime Drug Enforcement Task Forces Program
Detailed Accounting Report
Related Disclosures
For Fiscal Year Ended September 30, 2020**

Disclosure 1: Drug Methodology

The Organized Crime Drug Enforcement Task Forces (OCDETF) Program is comprised of member agencies from three different Departments: the Department of Justice (DOJ), the Department of Treasury (Treasury), and the Department of Homeland Security (DHS). Beginning in FY 1998 and continuing through FY 2003, OCDETF member agencies were funded through separate appropriations. (Prior to the creation of DHS, which involved the transfer of the U.S. Coast Guard to DHS from the Department of Transportation, OCDETF was funded in DOJ, Treasury and Transportation appropriations.)

During FY 2004 and FY 2005, the DOJ's Interagency Crime and Drug Enforcement (ICDE) appropriation included funding to reimburse agencies in the DOJ, Treasury and DHS for their participation in the OCDETF Program. The availability of a consolidated budget has been critical to the OCDETF Program's ability both to ensure the proper and strategic use of OCDETF resources and to effectively monitor Program performance across all Departments and participating agencies. However, Congress repeatedly expressed concern with funding non-DOJ agencies via a DOJ appropriations account, and in FY 2005, Congress decreased base funding for non-DOJ program participants.

Recognizing that uncertainty surrounding funding levels for non-DOJ participants posed great difficulties for OCDETF in terms of program planning and administration, the Administration has not submitted a consolidated budget for the program since FY 2007. Instead, funding for the OCDETF Program's non-DOJ partners was requested through direct appropriations for Treasury and DHS. Currently, only DOJ OCDETF appropriated funding comes from the ICDE account.

The OCDETF Program is directly charged with carrying out the DOJ drug supply reduction strategy, and all of its activities are aimed at achieving a measurable reduction in the availability of drugs in this country. The disruption and dismantlement of drug trafficking networks operating regionally, nationally, and internationally is a critical component of the supply reduction effort. In particular, the OCDETF Program requires that in *each* OCDETF case, investigators identify and target the financial infrastructure that permits the drug organization to operate.

The Table of Drug Control Obligations was prepared in accordance with the Office of National Drug Control Policy (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019. The Table represents obligations from the ICDE account incurred by OCDETF for drug control purposes. All amounts are net of reimbursable agreements.

Data - All accounting information for the OCDETF Program is derived from the DOJ Unified Financial Management System (UFMS). ICDE resources are reported as 100 percent drug-related because the entire focus of the OCDETF Program is drug control.

Financial Systems - UFMS is the financial system used to provide all ICDE obligation data. Obligations that are derived by this system reconcile with the enacted appropriations and carryover balances.

The Administration's request for the OCDETF Program reflects a restructuring that collapses the OCDETF Program's four areas - Investigations, Drug Intelligence, Prosecution, and Administrative Support- into two decision units- Investigations and Prosecutions. Under this methodology, the Administrative Support of the OCDETF Executive Office is pro-rated among decision units based on the percentage of appropriated ICDE Program funding. Additionally, Drug Intelligence Costs is reported as part of the Investigations Decision Unit.

The OCDETF Program's Decision Units are divided according to the two major activities of the Task Force – Investigations and Prosecutions – and reflect the amount of reimbursable ICDE resources appropriated for each participating agency. With respect to the Table of Drug Control Obligations, the calculated amounts were derived from the UFMS system as follows:

- a. Investigations Function - This decision unit includes the reimbursable resources that support investigative activities of the following participating agencies: the Drug Enforcement Administration; Federal Bureau of Investigation; the Bureau of Alcohol, Tobacco, Firearms and Explosives; the U.S. Marshals Service; the OCDETF Fusion Center; and the International Organized Crime Intelligence and Operations Center. The methodology applies 100 percent of the resources that support the OCDETF Program's investigative activities.
- b. Prosecution Function - This decision unit includes the reimbursable prosecution resources for the following participating DOJ agencies: the U.S. Attorneys; the Criminal Division; and the OCDETF Executive Office Threat Response Unit. The methodology applies 100 percent of the OCDETF Program's Prosecution resources to the Prosecution Decision Unit.

Disclosure 2: Methodology Modifications

The overall methodology to calculate drug control obligations has not been modified from previous years.

Disclosure 3: Material Weaknesses or Other Findings

The OCDETF Program is a component within the DOJ Offices, Boards and Divisions (OBDs). For FY 2020, the OBDs were included in the DOJ consolidated audit and did not receive a separate financial statements audit. The DOJ's consolidated FY 2020 *Independent Auditors' Report* revealed no material weaknesses or significant deficiencies directed at OCDETF. Additionally, the Department's assessment of risk and internal control in FY 2020 conducted in accordance with OMB Circular A-123 did not identify any findings which may materially affect the presentation of prior year drug-related obligations data.

Disclosure 4: Reprogrammings or Transfers

There were no reprogrammings or transfers in FY 2020.



U.S. Department of Justice

United States Marshals Service

Financial Services Division

Washington, D.C. 20530-1000

**Detailed Accounting Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the United States Marshals Service (USMS) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the USMS system of accounting, use of estimates, and systems of internal controls provide reasonable assurance that:

1. The drug methodology used by the USMS to calculate obligations of budgetary resources by function and budget decision unit is reasonable and accurate in all material respects.
2. The drug methodology disclosed in this statement was the actual drug methodology used to generate the Table of Drug Control Obligations.
3. There were no material weaknesses or other findings by independent sources identified which may affect the presentation of drug-related obligations.
4. There were no modifications to the methodology used to report drug control resources.
5. The data presented are associated with obligations against a financial plan that did not require revision for reprogrammings or transfers during FY 2020.
6. The USMS did not have any ONDCP Fund Control Notices issued in FY 2020.

**HOLLEY
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Holley O'Brien
Chief Financial Officer

01/26/2021

Date

**U.S. Department of Justice
United States Marshals Service
Detailed Accounting Report
Table of Drug Control Obligations
For Fiscal Year Ended September 30, 2020
(Dollars in Millions)**

	FY 2020 Actual Obligations
Drug Obligations by Budget Decision Unit and Function:	
Decision Unit #1: Fugitive Apprehension	
International	\$ 1.41
Investigations	\$ 139.95
Total Fugitive Apprehension	\$ 141.36
Decision Unit #2: Judicial & Courthouse Security	
Prosecution	\$ 102.68
Total Judicial & Courthouse Security	\$ 102.68
Decision Unit #3: Prisoner Security & Transportation	
Prosecution	\$ 53.96
Total Prisoner Security & Transportation	\$ 53.96
Decision Unit #4: Detention Services	
Corrections	\$ 744.18
Total Detention Services	\$ 744.18
Total Drug Control Obligations	\$ 1,042.18
High-Intensity Drug Trafficking Area (HIDTA) Obligations	\$ 0.95
Organized Crime Drug Enforcement Task Force (OCDETF)	\$ 10.90

- Report all decision units listed in the most recent National Drug Control Strategy Budget Summary

**U.S. Department of Justice
United States Marshals Service
Detailed Accounting Report
Related Disclosures
For Fiscal Year Ended September 30, 2020**

Disclosure 1: Drug Methodology

The USMS does not receive a specific appropriation for drug-related work in support of the National Drug Control Strategy. Therefore, the USMS uses drug-related workload data to develop drug control ratios for some decision units, and the average daily population (ADP) for drug offenses to determine the drug prisoner population cost for the Detention Services decision unit.

Three decision units, Fugitive Apprehension, Judicial & Courthouse Security, and Prisoner Security & Transportation, are calculated using drug-related workload ratios applied to the Salaries & Expenses (S&E) appropriation. For the Fugitive Apprehension decision unit, the USMS uses drug-related workload ratios based on the number of all warrants cleared, including felony offense classifications for Federal, state, and local warrants such as narcotics possession, manufacturing, and distribution. To calculate the drug-related workload percentage for this decision unit, the USMS divides the number of drug-related warrants cleared by the total number of warrants cleared. For the Judicial & Courthouse Security, and Prisoner Security & Transportation decision units, the USMS uses drug-related workload ratios based only on in custody, drug-related, primary Federal offenses, such as various narcotics possession, manufacturing, and distribution charges. Primary offense refers to the crime with which the accused is charged that usually carries the most severe sentence. To calculate the drug-related workload percentages for these two decision units, the USMS divides the number of drug-related offenses in custody by the total number of offenses in custody. The USMS derives its drug related obligations for these three decision units starting with the USMS S&E appropriation actual obligations at fiscal year-end as reported in the Standard Form-133, *Report on Budget Execution and Budgetary Resources*. The previously discussed drug workload ratios by decision unit are then applied to the total S&E annual appropriation to derive the drug-related obligations.

Detention services obligations are funded through the Federal Prisoner Detention (FPD) Appropriation. The USMS is responsible for Federal detention services relating to the housing and care of Federal detainees remanded to USMS custody, including detainees booked for drug offenses. The FPD appropriation funds the housing, transportation, medical care, and medical guard services for the detainees. FPD resources are expended from the time a prisoner is brought into USMS custody through termination of the criminal proceeding and/or commitment to the Bureau of Prisons. The FPD appropriation does not include specific resources dedicated to the housing and care of the drug prisoner population. Therefore, for the Detention Services decision unit, the methodology used to determine the cost associated with the drug prisoner population is to multiply the ADP for drug offenses by the per diem rate (housing cost per day), which is then multiplied by the number of days in the year.

Data – All accounting information for the USMS, to include S&E and FPD appropriations, is derived from the USMS Unified Financial Management System

(UFMS). The population counts and the daily rates paid for each detention facility housing USMS prisoners are maintained by the USMS in the Justice Detainee Information System (JDIS). The data describe the actual price charged by state, local, and private detention facility operators and is updated on an as needed, case-by-case basis when rate changes are implemented. In conjunction with daily reports of prisoners housed, a report is compiled describing the price paid for non-federal detention space on a weekly and monthly basis. Data are reported on both district and national levels. The daily population counts and corresponding per diem rate data capture actuals for the detention population count and for the expenditures to house the population.

Financial Systems – UFMS is the financial system that provides USMS with obligation data. Obligations in this system can also be reconciled with the enacted appropriation.

Disclosure 2: Methodology Modifications

The USMS drug budget methodology applied is consistent with the prior year and there were no modifications.

Disclosure 3: Material Weaknesses or Other Findings

For FY 2020, the USMS was included in the DOJ consolidated financial statements audit and did not receive a separate financial statements audit opinion. The DOJ's consolidated FY 2020 Independent Auditors' Report, which was performed in Accordance with *Government Auditing Standards*, revealed no material weaknesses, significant deficiencies, or other findings for the USMS. Additionally, the Department's review of the USMS internal controls as well as program activity for FY 2020 conducted in accordance with OMB Circular A- 123 did not identify any findings that adversely affected the functioning of existing controls, or the integrity of the data used in published financial reports.

Disclosure 4: Reprogrammings or Transfers

There were no reprogramming or transfers that directly affected drug-related budgetary resources.

Disclosure 5: Other Disclosures

None.

U.S. DEPARTMENT OF JUSTICE

PERFORMANCE SUMMARY REPORTS





U.S. Department of Justice
Justice Management Division
Asset Forfeiture Management Staff
145 N St., N.E., Suite 5W.511
Washington, D.C. 20530

**Performance Summary Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the Assets Forfeiture Fund (AFF) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the AFF system of performance reporting provides reasonable assurance that:

1. The AFF uses Unified Financial Management System (UFMS), Production Business Objects, Production CATS, and SharePoint to capture performance information accurately and these systems were properly applied to generate the performance data.
2. The AFF met the reported performance targets for FY 2020.
3. The methodology described to establish performance targets for the current year is reasonable given past performance and available resources.
4. The AFF has established at least one acceptable performance measure for each budget decision unit, as agreed to by ONDCP, for which a significant amount of obligations (\$1 million or 50 percent of the agency drug budget, whichever is less) were incurred in the previous fiscal year. Each performance measure considers the intended purpose of the National Drug Control Program activity.

Peter Maxey

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Peter M. Maxey, Director
Asset Forfeiture Management Staff

Date

**U.S. Department of Justice
Assets Forfeiture Fund
Performance Summary Report
Related Performance Information
For Fiscal Year Ended September 30, 2020**

Performance Measure: Achieve Effective Funds Control as Corroborated by an Unmodified Opinion on the Assets Forfeiture Fund and Seized Asset Deposit Fund Annual Financial Statements.

The accomplishment of an unmodified audit opinion reflects favorably on the execution and oversight of the Assets Forfeiture Fund (AFF)/Seized Asset Deposit Fund (SADF) by the Asset Forfeiture Management Staff and all the agencies that participate in the Department’s Asset Forfeiture Program.

Decision Unit: Asset Forfeiture						
Performance Report & Target						
Performance Measure:	FY 2017	FY 2018	FY 2019	FY 2020		FY 2021
	Actual	Actual	Actual	Target	Actual	Target
Achieve effective funds control as corroborated by an unmodified opinion on the AFF/SADF financial statements.	100%	100%	100%	100%	100%	100%

Data Validation and Verification

Due to the nature of this performance measure, the standard procedure is to undergo an extensive annual financial statements audit. The results of the audit will indicate if the measure has been met. An unmodified audit opinion will result in satisfying the performance measure; therefore a modified audit opinion (i.e., qualified, disclaimer, or adverse) would indicate that the performance measure has not been met.



U.S. Department of Justice

Criminal Division

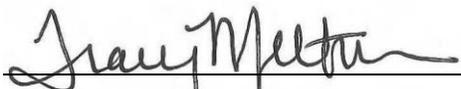
Office of Administration

Washington, D.C. 20530

**Performance Summary Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the Criminal Division (CRM) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the CRM system of performance reporting provides reasonable assurance that:

1. CRM uses the Automated Case Tracking System (ACTS), the Division's Performance Dashboard, and the Extradition and Mutual Legal Assistance Tracking System to capture performance information accurately and these systems were properly applied to generate the performance data.
2. Explanations offered for failing to meet a performance target and for any recommendations concerning plans and schedules for meeting future targets or for revising or eliminating performance targets is reasonable.
3. The methodology described to establish performance targets for the current year is reasonable given past performance and available resources.
4. CRM has established at least one acceptable performance measure for each budget decision unit, as agreed to by ONDCP, for which a significant amount of obligations (\$1 million or 50 percent of the agency drug budget, whichever is less) were incurred in the previous fiscal year. Each performance measure considers the intended purpose of the National Drug Control Program activity.



Tracy Melton, Executive Officer

1/26/2021

Date

**U.S. Department of Justice
Criminal Division
Performance Summary Report
Related Performance Information
For Fiscal Year Ended September 30, 2020**

Performance Measure 1: Number of New Drug-Related Investigative Matters and Cases

The Criminal Division’s Narcotic and Dangerous Drug Section (NDDS) investigates and prosecutes priority national and international drug trafficking groups, and other transnational criminal organizations. These efforts support the National Drug Control Program activities: Disrupt Domestic Drug Trafficking and Production, and Strengthen International Partnerships. The Division quantifies its new drug-related investigative matters and cases, which is a measure of the work achieved by NDDS during a fiscal year.

Number of New Drug-Related Investigative Matters and Cases					
FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Actual	FY 2021 Target
39	36	34	30	30	27

In FY 2020, NDDS met its target for opening new drug-related investigative matters and cases. NDDS set its FY 2020 targets for new drug-related prosecutions and investigations based on historical trend analysis, while taking into account the available litigation resources.

For FY 2021, NDDS’ target for the number of new drug-related investigative matters and cases is 27. This target was set based on historical trend analysis, in addition to the assumption of staffing and resources similar to FY 2020.

Data Validation and Verification

All investigative matters and cases are entered and tracked in the Division’s Automated Case Tracking System (ACTS). System and policy requirements for tracking litigation data in ACTS are captured in its manual. The policy for data validation and verification is as follows: within ten business days following the close of the quarter, Sections Chiefs or their designee are required to validate in the Division’s Performance Dashboard confirming that their Section’s ACTS performance data are valid. A verification email is sent from the system to the Division’s Executive Officer.

Performance Measure 2: Number of OCDETF Title III Wiretaps Reviewed

The Criminal Division’s Office of Enforcement Operations (OEO) is responsible for reviewing and approving all applications submitted by federal prosecutors to intercept wire, oral, and electronic communications to obtain evidence of crimes. A subset is applications relating to investigations and prosecutions of Organized Crime Drug Enforcement Task Force (OCDETF) cases. These efforts support the National Drug Control Program activities: Disrupt Domestic

Drug Trafficking and Production, and Strengthen International Partnerships. The Division quantifies its number of OCDETF Title III wiretaps reviewed, which is a measure of the drug-related Title III wiretap work achieved by OEO during a fiscal year.

Number of OCDETF Title III Wiretaps Reviewed					
FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Actual	FY 2021 Target
2,382	2,138	2,220	2,225	1,714	2,000

In FY 2020, OEO reviewed a significant number of OCDETF wires. Of the total facilities reviewed by OEO during that time period, nearly 70% were for OCDETF investigations. Although in FY 2020 OEO reviewed approximately 23% fewer OCDETF Title III wiretaps than its projected target, this decrease is in line with the overall reduction of Title III applications submitted to OEO following the nationwide spread of COVID-19. OEO’s workload is wholly dependent on the needs of the field, therefore the effects of COVID-19 at the investigative level, including stay-at-home orders, temporary shutdowns, and social distancing measures, directly impacted the number of Title III wiretaps submitted. OEO expects that as federal prosecutors, agents, and the courts continue to adapt to the challenges posed by investigating and prosecuting criminal cases in the current environment, the number of submissions will start to return to pre-COVID-19 levels. Additionally, federal prosecutors and agents continued to face numerous challenges associated with new and emerging communications technologies, most notably end-to-end encryption. End-to-end encryption continued to have a significant impact on whether to pursue wiretaps and the implementation of Title III wiretaps in numerous investigations. Notwithstanding the challenges posed by end-to-end encryption and COVID-19, OEO remained flexible and responsive to the needs of the field. After COVID-19 restrictions and court closures commenced, OEO quickly provided extensive initial guidance to the field on several Title III issues impacted by these unprecedented conditions and worked closely with federal investigative agencies and prosecutors to respond and adapt to these challenges. OEO also expanded upon its outreach to the field in other areas, including continuing to increase its consultations with prosecutors on suppression motions and critical appellate matters involving wiretaps. Most notably, in response to COVID-19, OEO shifted to conducting virtual trainings on a regular basis in order to continue to meet the needs of the field, the vast majority of which were directly to OCDETF agents and prosecutors.

In FY 2021, OEO will continue its strong commitment to providing effective and targeted training and outreach, producing a robust review of Title III materials with efficient turnaround times, increasing the ability to provide support to the field for suppression motions and appellate matters, and keeping abreast of issues important to the preservation and successful use of this important investigative tool.

For FY 2021, OEO’s target for the number of OCDETF Title III wiretap reviews will be 2,000. This target was based on analysis of recently implemented Department initiatives and the resulting increase in staffing and resources in priority areas around the country, and consideration of the increasing challenges facing the field regarding emerging technologies and the lingering challenges posed by COVID-19. OEO also relied on a review of historical trends and the assumption that staffing and resources within OEO remain similar to FY 2020 levels.

Data Validation and Verification

The total number of OCDETF Title III wiretaps reviewed is entered each quarter in the Division’s Performance Dashboard. The policy for data validation and verification is as follows: within ten business days following the close of the quarter, Sections Chiefs or their designee are required to validate in the Division’s Performance Dashboard confirming that their Section's performance data are valid. A verification email is sent from the system to the Division’s Executive Officer.

Performance Measure 3: Number of Drug-Related Mutual Legal Assistance Treaties (MLAT) Requests Closed

The Criminal Division’s Office of International Affairs (OIA) secures the return of fugitives from abroad and obtains from foreign countries evidence and other assistance (e.g., freezing of accounts and forfeiture of funds) needed in criminal investigations and prosecutions. These efforts support the National Drug Control Program activities: Disrupt Domestic Drug Trafficking and Production, and Strengthen International Partnerships. The Division quantifies its drug-related MLAT requests closed, which is a measure of OIA’s drug-related work during a fiscal year.

Number of Drug-Related Mutual Legal Assistance Treaties (MLAT) Requests Closed					
FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Actual	FY 2021 Target
444	313	417	N/A	559	N/A

This measure cannot be targeted. This measure is a subset of an overall measure. The Division can target the entire measure, but is not able to target any specific subset of the measure.

Data Validation and Verification

All MLAT requests are tracked in OIA’s Extradition and Mutual Legal Assistance Tracking System, including drug-related requests. The total MLAT requests closed is entered each quarter in the Division’s Performance Dashboard. The policy for data validation and verification is as follows: within ten business days following the close of the quarter, Sections Chiefs or their designee are required to validate in the Division’s Performance Dashboard confirming that their Section's performance data are valid. A verification email is sent from the system to the Division’s Executive Officer.

Performance Measure 4: Number of Drug-Related Extradition Requests Closed

The Criminal Division’s Office of International Affairs (OIA) secures the return of fugitives from abroad, and obtains from foreign countries evidence and other assistance (e.g., freezing of accounts and forfeiture of funds) needed in criminal investigations and prosecutions. These efforts support the National Drug Control Program activities: Disrupt Domestic Drug Trafficking and Production, and Strengthen International Partnerships. The Division quantifies its drug-

related extradition requests closed, which is a measure of OIA’s drug-related work during a fiscal year.

Number of Drug-Related Extradition Requests Closed					
FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Actual	FY 2021 Target
449 ¹	409	318	N/A	329	N/A

This measure cannot be targeted. This measure is a subset of an overall measure. The Division can target the entire measure, but is not able to target any specific subset of the measure.

Data Validation and Verification

All extradition requests are tracked in OIA’s Extradition and Mutual Legal Assistance Tracking System, including drug-related requests. The total extradition requests closed is entered each quarter in the Division’s Performance Dashboard. The policy for data validation and verification is as follows: within ten business days following the close of the quarter, Sections Chiefs or their designee are required to validate in the Division’s Performance Dashboard confirming that their Section's performance data are valid. A verification email is sent from the system to the Division’s Executive Officer.

¹ The FY 2017 value was previously reported, in error, as 168, and has been updated to reflect the actual total of 449. The correct FY 2017 number was reflected in previously-submitted supporting document, but not updated in the FY 2017 Performance Summary Report table.



U. S. Department of Justice
Drug Enforcement Administration

www.dea.gov

**Performance Summary Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the Drug Enforcement Administration (DEA) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the DEA system of performance reporting provides reasonable assurance that:

1. DEA uses Priority Target Activity Resource Reporting System and Controlled Substance Act Database to capture performance information accurately and these systems were properly applied to generate the performance data.
2. Explanations offered for failing to meet a performance target and for any recommendations concerning plans and schedules for meeting future targets or for revising or eliminating performance targets is reasonable.
3. The methodology described to establish performance targets for the current year is reasonable given past performance and available resources.
4. DEA has established at least one acceptable performance measure for each budget decision unit, as agreed to by ONDCP, for which a significant amount of obligations were incurred in the previous fiscal year. Each performance measure considers the intended purpose of the National Drug Control Program activity.

**JEFFREY
SUTTON**

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Jeffrey W. Sutton, Chief Financial Officer

Date

**U.S. Department of Justice
Drug Enforcement Administration
Performance Summary Report
Related Performance Information
For Fiscal Year Ended September 30, 2020**

Performance Measure 1: Number of Active International and Domestic PTOs Linked to CPOT Targets Disrupted or Dismantled

The Drug Enforcement Administration (DEA) is committed to bringing organizations involved in the growing, manufacturing, or distribution of controlled substances to the criminal and civil justice system of the U.S., or any other competent jurisdiction. To accomplish its mission, the DEA targets Priority Target Organizations (PTOs), which represent the major drug supply and money laundering organizations operating at the international, national, regional, and local levels that have a significant impact upon drug availability in the United States. Specifically, the DEA's PTO Program focuses on dismantling entire drug trafficking networks by targeting their leaders for arrest and prosecution, confiscating the profits that fund continuing drug operations, and eliminating international sources of supply. As entire drug trafficking networks from sources of supply to the distributors on the street are disrupted or dismantled, the availability of drugs within the United States will be reduced.

In its effort to target PTOs, the DEA is guided by key drug enforcement programs such as the Organized Crime Drug Enforcement Task Forces (OCDETF) program. The DEA, through the OCDETF program, targeted the drug trafficking organizations on the DOJ's FY 2020 Consolidated Priority Organization Target (CPOT) list – the "Most Wanted" drug trafficking and money laundering organizations believed to be primarily responsible for the Nation's illicit drug supply. The disruption or dismantlement of CPOT-linked organizations is primarily accomplished through multi-agency and multi-regional investigations directed by the DEA and the Federal Bureau of Investigation. These investigations focus on the development of intelligence-driven efforts to identify and target drug trafficking organizations that play a significant role in the production, transportation, distribution, and financial support of large-scale drug trafficking operations. The DEA's ultimate objective is to dismantle these organizations so that reestablishment of the same criminal organization is impossible.

Since the PTO Program is the DEA's flagship initiative for meeting its enforcement goals, including the enforcement goals of DEA's Diversion Control Program (DCP), the performance measures associated with this program are the most appropriate for assessing the DEA's National Drug Control Program activities. The performance measure, active international and domestic priority targets linked to CPOT targets disrupted or dismantled is the same measure included in the National Drug Control Budget Summary. DEA's resources are presented in the Table of Drug Control Obligations in the international and domestic enforcement decision units and Diversion Control Fee Account. Reimbursable resources from the OCDETF program contributed to these performance measures, but are not responsible for specifically identifiable performance.

Table 1: Measure 1

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Actual	FY 2021 Target
203	157	139	195	226	210

In the first few years of the DEA's Priority Targeting Program, DEA repeatedly exceeded its annual targets for PTO disruptions¹ and dismantlements². Prior to FY 2005, DEA in conjunction with DOJ components reported its PTO disruptions and dismantlements for closed cases. Thereafter in FY 2007, DEA included PTOs disrupted pending dismantlements³ (Category D – PTOs) among its disruption statistics because these cases achieved significant enforcement milestones (arrests, seizures, etc.). However, internally, DEA has never included disruptions pending dismantlement in its year-end reporting. Therefore in FY 2015, in order to align DEA's external and internal reporting, DEA has decided to exclude disruptions pending dismantlement from its year-end accounting of disruptions and dismantlements.

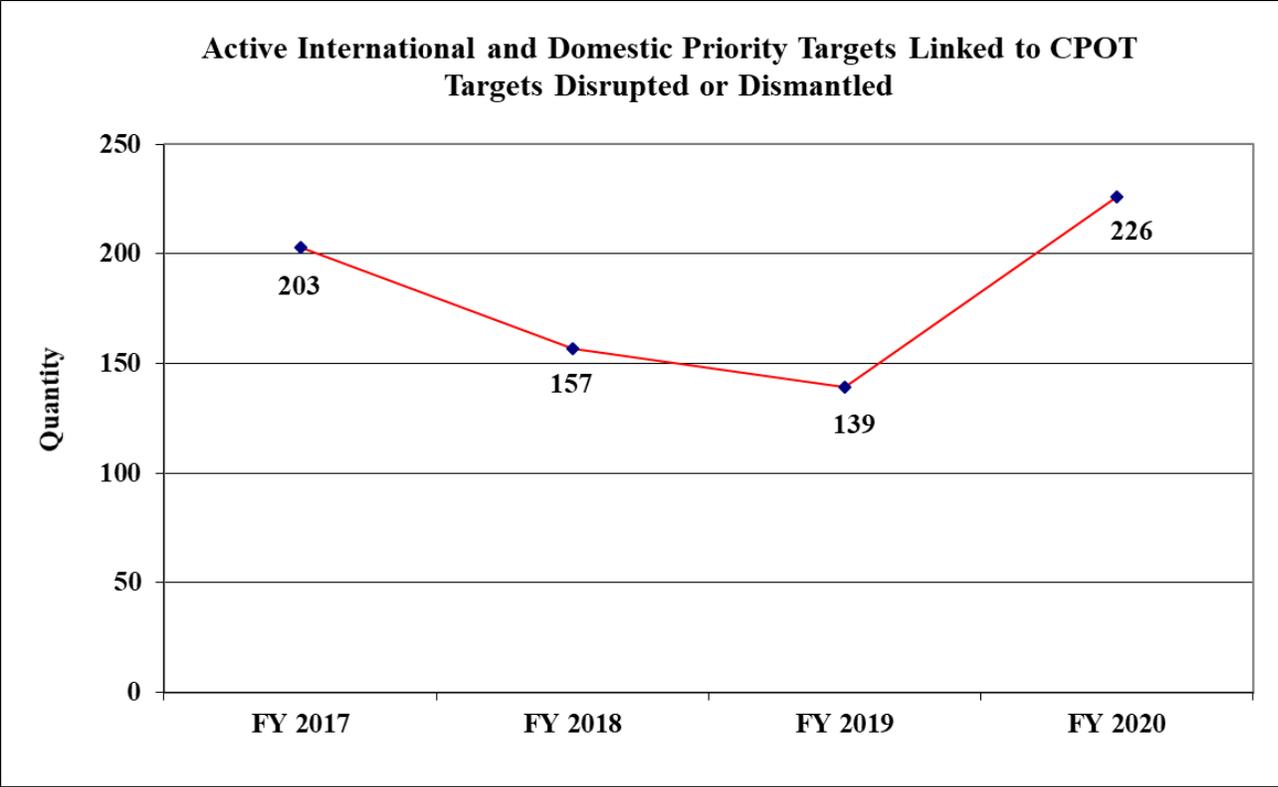
Due to this change, DEA restated its year-end disruption and dismantlement statistics for fiscal years 2011-2015 and adjusted its FY 2017-2020 targets accordingly. The impacts on performance from FY 2017 through FY 2020 are reflected in the graphs that follow (Dispositions of PTOs linked to CPOTs) and (Dispositions of PTOs not linked to CPOTs).

After excluding Category D PTO dispositions from its reporting protocols to better align with its internal reports from FY 2015 through FY 2019, DEA determined that reporting protocols implemented in FY 2015 underreported actual performance. As a result, in FY 2020, DEA reinstated its protocols for reporting Category D PTOs as a disruption. In addition, DEA also restored two more of its previous performance reporting procedures, and they were to: (1) Designate all OCDETF cases as PTO cases; and (2) Sustain prior PTO CPOT linkages, indefinitely.

¹ A disruption occurs when the normal and effective operation of a targeted organization is impeded, as indicated by changes in organizational leadership and/or changes in methods of operation, including financing, trafficking patterns, communications, or drug production.

² A dismantlement occurs when the organization's leadership, financial base, and supply network are destroyed, such that the organization is incapable of operating and/or reconstituting itself.

³ A disruption pending dismantlement occurs when the normal and effective operation of the targeted organization is impeded, as defined above, but the investigation continues toward the organization's complete evisceration such that it is incapable of operating and/or reconstituting itself.



As a result in FY 2020, DEA disrupted or dismantled 226 PTOs linked to CPOTs or 115.9 percent to target (n=195). DEA exceeded its FY 2020 target by 31 PTOs linked to CPOT dispositions.

DEA targets for the number of PTO Dispositions (CPOT-linked and Not CPOT-linked) reflect an optimal inventory of active investigations worked and disposed based on anticipated resources. Throughout the year the actual inventory of Active PTOs will fluctuate based on available resources and case complexity. This metric accounts for the aggregate performance of DEA against PTOs linked to CPOTs across its International and Domestic Areas of Responsibility (AOR a.k.a. Budget Decision Units). The Covid-19 pandemic has had an increasingly negative, but disparate effect on the performance of each of the aforementioned AORs. Nevertheless, buttressed by reinstated reporting policies, DEA has been able to refocus its investigative efforts, marginally increase the number of CPOT linked PTO dispositions, and thereby exceed its FY 2020 target. This highlights the agility and ability of DEA to adapt and perform under very extreme and adverse conditions. As such, DEA anticipates that it will continue to meet the target for this metric in FY 2021.

In support of PTO outcomes, the DEA’s Threat Enforcement Planning Process (TEPP) continues to augment and refine DEA’s drug control strategy and shifts agency performance from a quantitative based approach to a more, qualitative results oriented approach that focuses on outcomes. The purpose of the TEPP is to proactively manage enforcement efforts and resources, while identifying goals and reporting effectiveness. As such, TEPP establishes agency wide, national level threat priorities that guide field enforcement strategies and the allocation of limited

resources. Field offices, at the Division/Region level identify threats in their Area of Responsibility (AOR) that fall under DEA-wide National Level Threats, and document their efforts to mitigate those threats through enforcement planning, operations, and initiatives.

Still in its exploratory and deliberative phase, the FY 2020 TEPP identified four DEA-wide National Level Threats that are in alignment with the Departments FY 2018-2022 Strategic Plan and the President's Executive Orders:

- Transnational Criminal Organizations (organized crime/drug networks)
- Opioid Threats (e.g., Heroin, Fentanyl, controlled prescription drugs)
- Violent Domestic Drug Gangs (e.g., MS-13)
- Cyber Drug Threats

This comprehensive effort, rooted in performance-based management with tangible outcomes and resource efficiencies, is a testament to DEA's commitment to thwart drug-related threats that endanger the health and public safety of residents and communities throughout the United States. In FY 2020, DEA inaugurated a new era of coordinated enforcement and efficient resource management, supported by data analytics in a manner that adapts to new and evolving threats with an enhanced capability to report Agency-wide effectiveness in real time.

DEA routinely evaluates the performance of its programs as well as their functional capabilities to include its PTO case management and reporting system, PTARRS (Priority Target Activity Resource and Reporting System). This ongoing effort is designed to facilitate the seamless integration of newer technologies that enhance its enforcement capabilities and ensure that investigations are being re-aligned to include evolving constructs and performance measures that address the aforementioned threats to our nation.

Target Forecast Methodology

DEA's FY 2020 and FY 2021 targets for International and Domestic Dispositions for PTOs linked to CPOTs are 195 and 210, respectively. The targets were computed using a cascading algorithm that utilizes prior year PTO disposition distributions (FY 2014 through FY 2019), as well as the metrics that account for the overall inventory of potential PTO cases worked within the period of interest to include the current inventory of cases open and a projected estimate of new cases initiated during that same period. The final target estimates are correlated to and supported by a corresponding analysis of the work hours (Special Agent and Total Core) dedicated to PTOs as an aggregate and by subcategory – CPOT/Not, Disrupted/Dismantled [closed], Administratively Closed [closed] and Still Active [open].

Data Validation and Verification

PTOs identified by the DEA's domestic field divisions and foreign country offices are managed using the *Priority Target Activity Resource Reporting System* (PTARRS), a database used to track designated PTOs. PTARRS outlines the organizational scope, operational lifecycle, work hours expended, and action plan towards disruption/dismantlement. The DEA's PTO Program focuses on dismantling entire drug trafficking networks by targeting their leaders for arrest and

prosecution, confiscating the profits that fund continuing drug operations, and eliminating international sources of supply. Once an investigation meets the criteria for a PTO, the investigation can be nominated as a PTO submission through PTARRS, the case is selected for nomination in IMPACT by the case agent or co-case agent. As part of the case management system, PTARRS provides its users with a means of electronically proposing, nominating, reviewing, editing and tracking PTO investigations. The roles in the electronic approval chain are as follows:

In the Field

- Special Agent – The Special Agent, Task Force Officer, or Diversion Investigator collects data on lead cases proposed as PTOs. They can create, edit, update, and propose a PTO record.
- Group Supervisor – The Group Supervisor/Country Attaché coordinates and plans the allocation of resources for a proposed PTO. The Group Supervisor/Country Attaché can create, edit, update, propose, resubmit, and approve a PTO record; however, they must be a co-agent of that particular case in order to edit and update.
- Resident Agent in Charge (RAC)/Diversion Program Manager (DPM) – The Resident Agent in Charge/Diversion Program Manager reviews the proposed PTO from the Special Agent/Group Supervisor.
- Assistant Special Agent in Charge – The Assistant Special Agent in Charge /Assistant Regional Director review the PTO proposed and approved by the Group Supervisor/Country Attaché/Resident Agent in Charge, ensuring that all the necessary information meets the criteria for a PTO. The Assistant Special Agent in Charge /Assistant Regional Director can also edit, update, resubmit, or approve a proposed PTO.
- Special Agent in Charge – The Special Agent in Charge /Regional Director reviews the proposed PTO from the Assistant Special Agent in Charge /Assistant Regional Director and is the approving authority for the PTO. The Special Agent in Charge /Regional Director can also edit, update, resubmit, or approve a proposed PTO.

PTARRS also offers these additional roles outside of the approval chain:

- Program Analyst – The division/region Program Analyst usually serves as the PTARRS Administrator for their respective office; however, each Special Agent in Charge/Regional Director can choose whom they want to serve in this position. The Program Analyst, or another person assigned the role, views the same PTO records displayed on the Special Agent in Charge/Regional Director's "Work in Progress" screen and can edit their contents.
- Intelligence Research Specialist – an Intelligence Research Specialist can perform analysis (read-only) on all PTO records DEA-wide.

At Headquarters

- Operations Division (OC) – The Section Chief of the Data and Operational Accountability Section (OMD), or his designee, is the PTO Program Manager, and is responsible for the review of all newly approved PTO submissions and their assignment

to the applicable Office of Diversion Control Operations (DO), Diversion Control Division (DC) or The Office of Foreign Operations (OF) section. The PTO Program Manager may request that incomplete submissions be returned to the field for correction and resubmission. OMD is also responsible for tracking and reporting information in the PTO Program through PTARRS; and is the main point-of-contact for the PTO program and PTARRS related questions.

- OMD will assign PTO’s to the HQs section based on the nexus of the investigation to organizations located in specific geographic areas of the world, or to specific program areas. After assignment of a PTO, the appointed HQ section becomes the point-of-contact for that PTO and division/region personnel should advise appropriate HQ section personnel of all significant activities or requests for funding via Priority Target Funding Module in Concorde IMPACT/PTARRS during the course of the investigation. The Staff Coordinator (SC) assigned to the PTO will initiate a validation process to include a review for completeness and confirmation of all related linkages (e.g., CPOTs). In the unlikely event that the documentation submitted is insufficient to validate reported linkages; the SC will coordinate with the submitting office to obtain the required information.
- All PTO cases that are reported as disrupted or dismantled must be validated by OMD or the Organized Crime Drug Enforcement Task Force – OCDETF Section (OMO). OMD will validate all non-OCDETF related PTO cases (including those with a CPOT link) and OMO will validate all PTO CPOT-linked OCDETF related cases. The CPOT-linked OCDETF disruptions and dismantlements are reported to the Executive Office of OCDETF via memo by OMO.

Performance Measure 2: Number of Active International and Domestic PTOs Not Linked to CPOT Targets Disrupted or Dismantled

Although there is a primary emphasis on international and domestic PTOs linked to CPOT Targets, the PTOs not linked to CPOT targets disrupted or dismantled are just as important to DEA’s mission. Specifically, the DEA’s PTO Program focuses on dismantling entire drug trafficking networks by targeting their leaders for arrest and prosecution, confiscating the profits that fund continuing drug operations, and eliminating international sources of supply. As entire drug trafficking networks from sources of supply to the distributors on the street are disrupted or dismantled, the availability of drugs within the United States will be reduced. The performance measure, active international and domestic priority targets not linked to CPOT targets disrupted or dismantled, is the same measure included in the National Drug Control Budget Summary.

Table 2: Measure 2

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Actual	FY 2021 Target
1,248	1,158	1,114	1,281	1,335	1,307

In the first few years of the DEA's Priority Targeting Program, DEA repeatedly exceeded its annual targets for PTO disruptions⁴ and dismantlements⁵. Prior to FY 2005, DEA in conjunction with DOJ components reported its PTO disruptions and dismantlements for closed cases. Thereafter in FY 2007, DEA included PTOs disrupted pending dismantlements (Category D – PTOs) among its disruption statistics because these cases achieved significant enforcement milestones (arrests, seizures, etc.). However, internally, DEA has never included disruptions pending dismantlement in its year-end reporting. Therefore in FY 2015, in order to align DEA's external and internal reporting, DEA has decided to exclude disruptions pending dismantlement from its year-end accounting of disruptions and dismantlements.

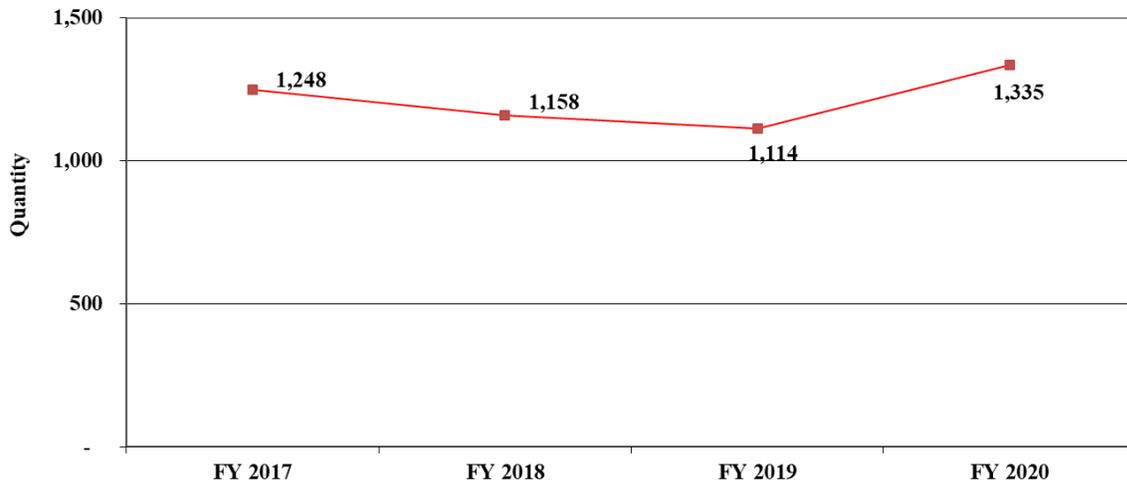
Due to this change, DEA restated its year-end disruption and dismantlement statistics for fiscal years 2011-2015 and adjusted its FY 2017-2020 targets accordingly. The impacts on performance from FY 2017 through FY 2020 are reflected in the graphs that follow (Dispositions of PTOs linked to CPOTs) and (Dispositions of PTOs not linked to CPOTs).

After excluding Category D PTO dispositions from its reporting protocols to better align with its internal reports from FY 2015 through FY 2019, DEA determined that reporting protocols implemented in FY 2015 underreported actual performance. As a result, in FY 2020, DEA reinstated its protocols for reporting Category D PTOs as a disruption. In addition, DEA also restored two more of its previous performance reporting procedures, and they were to: (1) Designate all OCDETF cases as PTO cases; and (2) Sustain prior PTO CPOT linkages, indefinitely.

⁴ A disruption occurs when the normal and effective operation of a targeted organization is impeded, as indicated by changes in organizational leadership and/or changes in methods of operation, including financing, trafficking patterns, communications, or drug production.

⁵ A dismantlement occurs when the organization's leadership, financial base, and supply network are destroyed, such that the organization is incapable of operating and/or reconstituting itself.

**Active International and Domestic Priority Targets Not-Linked to CPOT Targets
Disrupted or Dismantled**



As of September 30, 2020, the DEA disrupted or dismantled 1,335 PTOs not linked to CPOTs or 104.2 percent to target (n=1,281). DEA exceeded its FY 2020 target by 54 PTOs linked to CPOT dispositions.

DEA targets for the number of PTO Dispositions (CPOT-linked and Not CPOT-linked) reflect an optimal inventory of active investigations worked and disposed based on anticipated resources. Throughout the year the actual inventory of Active PTOs will fluctuate based on available resources and case complexity. This metric accounts for the aggregate performance of DEA against PTOs not linked to CPOTs across its International and Domestic Areas of Responsibility (AOR a.k.a. Budget Decision Units). The Covid-19 pandemic has had an increasingly negative, but disparate effect on the performance of each of the aforementioned AORs. Nevertheless, buttressed by reinstated reporting policies, DEA has been able to refocus its investigative efforts, marginally increase the number of non-CPOT linked PTO dispositions, and thereby exceed its FY 2020 target. This highlights the agility and ability of DEA to adapt and perform under very extreme and adverse conditions. As such, DEA anticipates that it will continue to meet the target for this metric in FY 2021.

Accordingly and in support of PTO outcomes, the DEA's Threat Enforcement Planning Process (TEPP) continues to augment and refine DEA's drug control strategy and shifts agency performance from a quantitative based approach to a more, qualitative results oriented approach that focuses on outcomes. Details regarding TEPP have been enumerated in the narrative for Performance Measure 1 - Number of Active International and Domestic PTOs Linked to CPOT Targets Disrupted or Dismantled.

Target Forecast Methodology

DEA's FY 2020 and FY 2021 targets for International and Domestic Dispositions for PTOs not linked to CPOTs are 1,281 and 1,307, respectively. The targets were computed using a cascading algorithm that utilizes prior year PTO disposition distributions (FY 2014 through FY 2019), as well as the metrics that account for the overall inventory of potential PTO cases worked within the period of interest to include the current inventory of cases open and a projected estimate of new cases initiated during that same period. The final target estimates are correlated to and supported by a corresponding analysis of the work hours (Special Agent and Total Core) dedicated to PTOs as an aggregate and by subcategory – CPOT/Not, Disrupted/Dismantled [closed], Administratively Closed [closed] and Still Active [open].

Data Validation and Verification

Dispositions for International and Domestic PTOs linked and not linked to CPOTs are subject to the same data validation and verification criteria. Moreover, both are also documented, managed and reported utilizing the same case management system, PTARRS. The only distinction is captured by the CPOT variable field in which CPOT linkages are identified and coded "Yes" while Not CPOT linkages are identified and coded "No".

Performance Measure 3: Number of DCP-related PTOs Disrupted/Dismantled

The Diversion Control Program (DCP), administered by DEA's Diversion Control Division, has been working diligently to address the growing problem of diversion and prescription drug abuse. Criminal entrepreneurs have, over the past few years, leveraged technology to advance their criminal schemes and reap huge profits while diverting millions of dosages of powerful pain relievers such as hydrocodone. One such method was the use of rogue Internet pharmacies. Investigations involving Internet pharmacies required the DEA to retool and retrain investigators. Most of these investigations involved several jurisdictions and involved voluminous amounts of electronic data. Compounding the problem was the fact that many of the laws under which investigators worked were written years prior to today's technological advances.

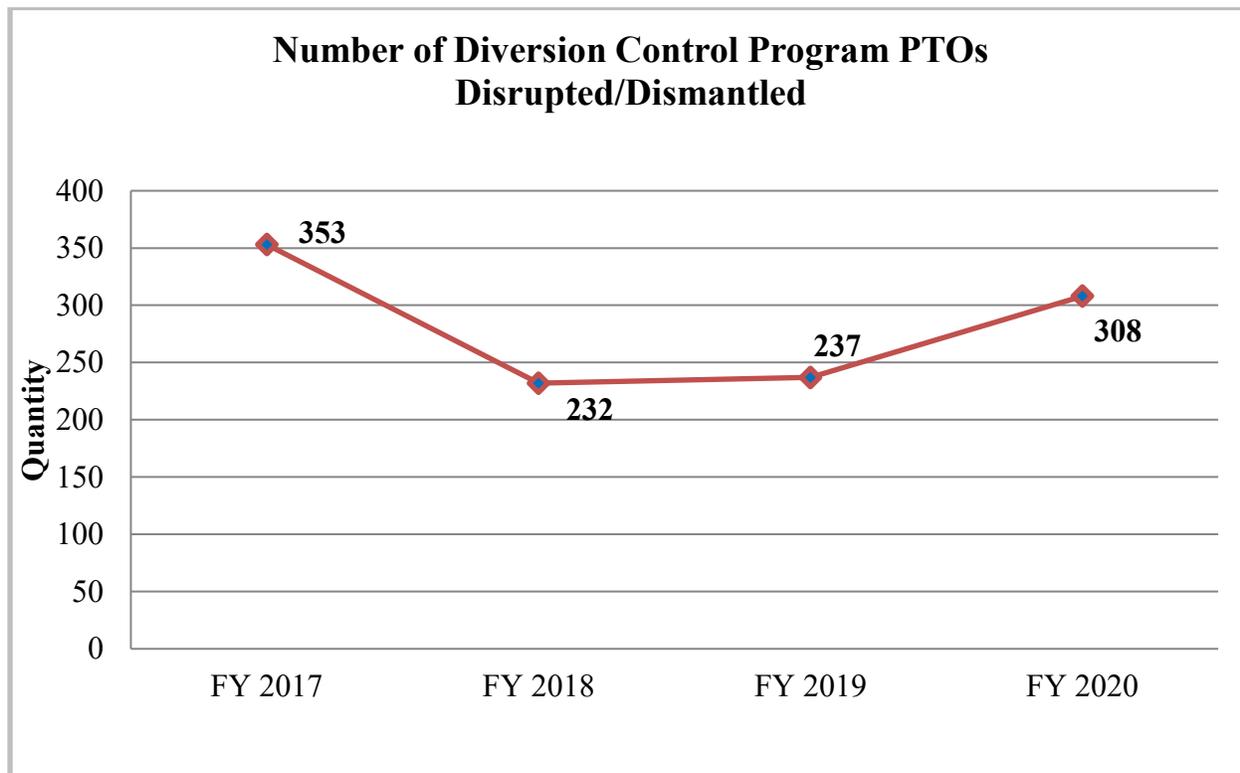
The DEA also developed and implemented the Distributor Initiative Program designed to educate and remind registrants of their regulatory and legal responsibilities. This program has been very successful and has moved the pharmaceutical industry to install new and enhanced measures to address their responsibilities and due diligence as registrants. Despite these efforts, the prescription drug abuse problem continues to be a major problem. Many state and local law enforcement agencies have devoted limited, if any resources, in the area of pharmaceutical diversion.

To effectively attack this problem, the DEA, beginning in FY 2009, began establishing Tactical Diversion Squads (TDS) across the United States to tackle the growing problem of diversion and prescription drug abuse. These TDS groups, which incorporate Special Agents, Diversion Investigators and state and local Task Force Officers, have begun to show very successful investigations. Some of these investigations have resulted in multi-million dollar seizures. Beginning in FY 2011, DEA reported its DCP PTOs separately under the Diversion Control Fee Account. As a participant in the PTO program, the DCP is required to report PTOs linked to CPOT and not linked to CPOT. However, with the nature of the DCP, CPOT linkages are a rare event. Beginning in FY 2010, with the creation of Tactical Diversion Squads (TDS) in every domestic field division, the DCP began focusing on the identification of PTOs and their eventual disruption and dismantlement. As the DCP continues to work to fully staff its TDS groups, PTO performance is expected to increase.

Table 3: Measure 3

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Actual	FY 2021 Target
353	232	237	252	308	260

Consistent with DEA’s PTO Program policies, Diversion also excluded Category D PTO dispositions from its reporting protocols to better align with its internal reports from FY 2015 through FY 2019, until FY 2020 when DEA determined that reporting protocols implemented in FY 2015 underreported actual performance. As a result, in FY 2020, Diversion reinstated its protocols for reporting Category D PTOs as a disruption, and agency-wide, DEA restored two more of its previous PTO performance reporting procedures, and they were to: (1) Designate all OCDETF cases as PTO cases; and (2) Sustain prior PTO CPOT linkages, indefinitely.



In FY 2020, DEA disrupted or dismantled 308 DCP PTOs linked/not linked to CPOTs or 122.2 percent to target (n=252). DEA exceeded its FY 2020 target by 56 PTO dispositions.

Target Forecast Methodology

DEA's FY 2020 and FY 2021 targets for Diversion PTO Dispositions (CPOT linked or not) are 252 and 260, respectively. The targets were computed using a cascading algorithm that utilizes prior year PTO disposition distributions (FY 2014 through FY 2019), as well as the metrics that account for the overall inventory of potential cases worked within the period of interest to include the current inventory of cases open and a projected estimate of new cases initiated during that same period. The final target estimates were correlated to and supported by a corresponding analysis of the work hours (Special Agent and Total Core) dedicated to PTOs as an aggregate and by subcategory – CPOT/Not, Disrupted/Dismantled [closed], Administratively Closed [closed] and Still Active [open].

Data Validation and Verification

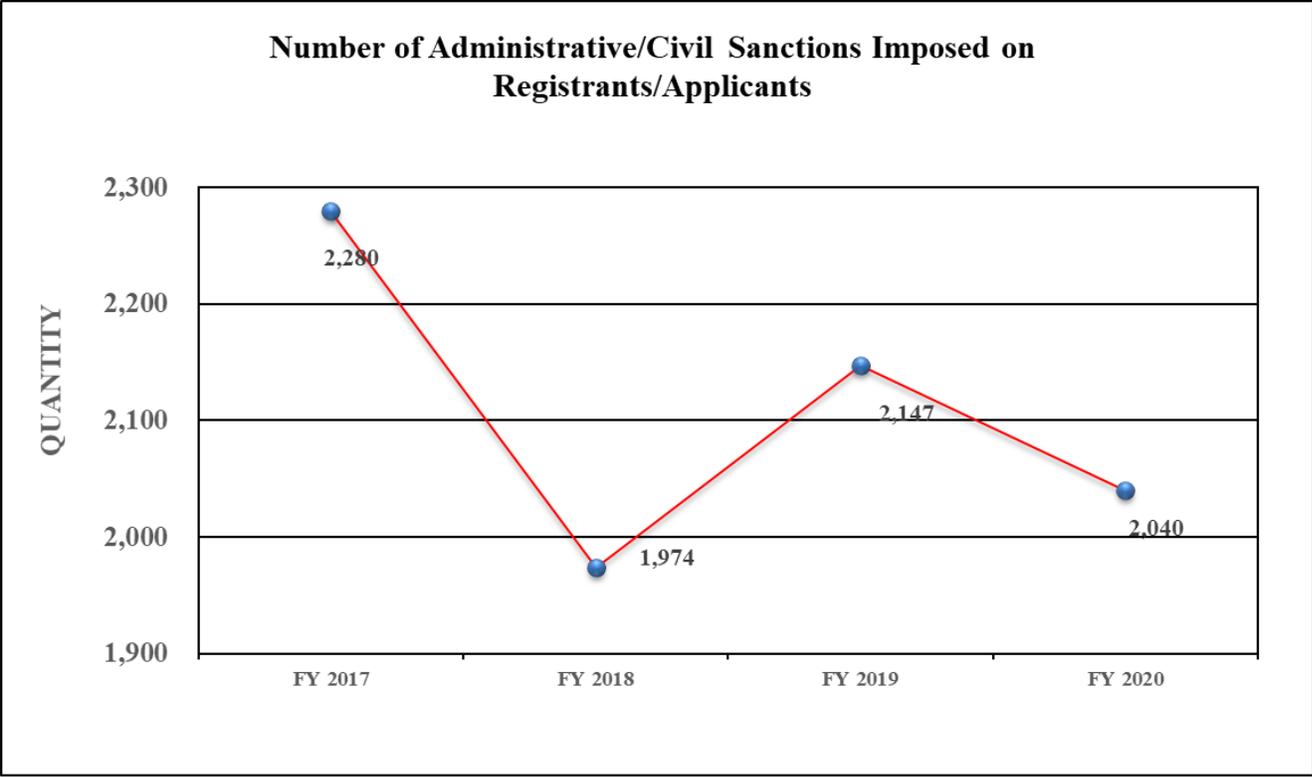
Dispositions for Diversion, International and Domestic PTOs linked and not linked to CPOTs are subject to the same data validation and verification criteria. Moreover, they are also well documented, managed and reported utilizing the same case management system, PTARRS. The only distinction is captured by the CPOT variable field in which CPOT linkages are identified and coded “Yes” while Not CPOT linkages are identified and coded “No”. Diversion cases are further identified by a 2000 series case file number and certain fee fundable GEO – Drug Enforcement Program (GDEP) drug codes.

Performance Measure 4: Number of Administrative/Civil Sanctions Levied on Registrants/Applicants

In addition to the DCP’s enforcement activities, a large component of the DCP is regulatory in nature. Specifically, DEA’s DCP is responsible for enforcing the Controlled Substances Act (CSA) and its regulations pertaining to pharmaceutical controlled substances and listed chemicals. The DCP actively monitors more than 1.8 million individuals and companies that are registered with DEA to handle controlled substances or listed chemicals through a system of scheduling, quotas, recordkeeping, reporting, and security requirements. The DCP implements an infrastructure of controls established through the CSA and ancillary regulations. This system balances the protection of public health and safety by preventing the diversion of controlled substances and listed chemicals while ensuring an adequate and uninterrupted supply for legitimate needs. Because of this regulatory component, an additional performance measure, the number of Administrative/Civil Sanctions Imposed on Registrants/Applicants, is included in this report, which is indicative of the overall regulatory activities supported by the DCP.

Table 4: Measure 4

FY 2017	FY 2018	FY 2019	FY 2020	FY 2020	FY 2021
Actual	Actual	Actual	Target	Actual	Target
2,280	1,974	2,147	2,095	2,040	2,095



In FY 2020, DCP levied 2,040 Administrative/Civil Sanctions on its registrants/applicants or 97.4 percent to target (n=2,095).

Diversion Investigators are engaging more with the registrant population during their scheduled investigations to correct minor regulatory violations onsite, instead of citing registrants with formal administrative sanctions. Moreover, because of the unique effort, technical challenges and complexities associated with Diversion investigations, the number of Administrative Sanctions levied will fluctuate from quarter to quarter. The Covid-19 pandemic impacted Diversion's ability to conduct on-site regulatory investigations especially in the 3rd and 4th quarters. Nevertheless, while significantly reduced, the overall number of Administrative/Civil Sanctions levied continued to be consistent with historical trends because these sanctions, with a few exceptions, are primarily attributed to new/inexperienced registrants and/or industry professionals engaged in deliberate attempts to divert controlled substances. Because Diversion only marginally failed to meet its FY 2020 target by approximately 5 percent in light of the challenges expressed above, Diversion continues to anticipate that it will meet its FY 2021 target for this metric (n=2,095) in light of Covid-19 with vaccinations being approved for use by medical professionals.

Target Forecast Methodology

DEA's FY 2020 and FY 2021 targets for Administrative/Civil Sanctions are 2,095 and 2,095, respectively. Projections for the number of Administrative/Civil Sanctions levied are derived using a Microsoft Excel algorithm that compiles and computes a trend (usually linear) utilizing

actual data from the preceding periods (e.g., fiscal years) and predicts data estimates for subsequent fiscal years.

Data Validation and Verification

The Controlled Substance Act Database (CSA2) is an Oracle database, which maintains all of the historical and investigative information on DEA registrants. It also serves as the final repository for punitive actions (i.e., sanctions) levied against CSA violators. During the reporting quarter, the domestic field divisions change the status of a registrant’s CSA2 Master Record to reflect any regulatory investigative actions that are being conducted on the registrant. The reporting of the regulatory action by each field division is available on a real-time basis through the reporting system within CSA2, as the investigative status change occurs. The regulatory investigative actions that are collected in a real-time environment are as follows: letters of admonition/MOU, civil fines, administrative hearing, order to show cause, restricted record, suspension, surrender for cause, revocations, and applications denied.

The Diversion Investigators and Group Supervisors/Diversion Program Managers are tasked to ensure that timely and accurate reporting is accomplished as the registrant’s investigative status changes. Group Supervisors/Diversion Program Managers 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.

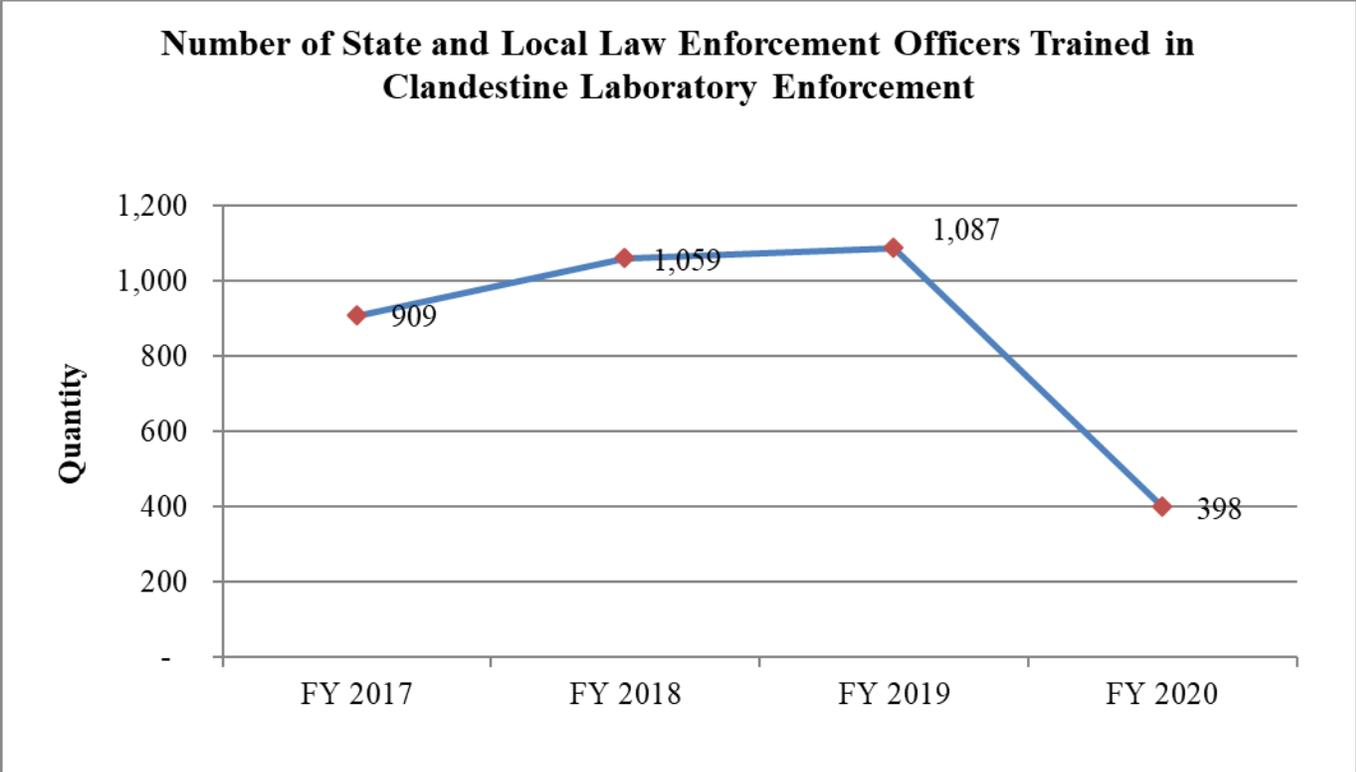
Performance Measure 5: Number of State and Local Law Enforcements Officers (LEOs) Trained in Clandestine Laboratory Enforcement

The DEA supports state and local law enforcement with methamphetamine-related assistance and training, which allows state and local agencies to better address the methamphetamine threat in their communities and reduce the impact that methamphetamine has on the quality of life for American citizens.

One of the most critical, specialized training programs offered by DEA to state and local LEOs is in the area of Clandestine Laboratory Training. Because state and local police encounter the clandestine laboratories with greater frequency, they are tasked to investigate, dismantle, and appropriately dispose of toxic materials, thereby protecting the public’s health and safety.

Table 5: Measure 5

FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Actual	FY 2021 Target
909	1,059	1,087	900	398	425



During FY 2020, DEA conducted training for 398 state and local LEOs or 44.2 percent to target (n=900). This includes State and Local Clandestine Laboratory Certification Training, Site Safety Training, Tactical Training, and Authorized Central Storage Program Training.

As the Office of Training (TR) continues to work through the challenges of the COVID-19 Global Pandemic, all DEA in-service training remains suspended until further notice. This includes all TR sponsored courses and events scheduled to be held at Quantico or at off-site locations. In addition state, local, and tribal training conducted in the divisions have also been put on hold. This significantly impacted TR’s ability to meet the FY 2020 target. Hence, the FY 2021 target is 425. DEA believes that it would be prudent to leave the targets unchanged pending further review at the end of FY 2021. As the Office of Training continues to monitor and develop plans to return to normal operations to the maximum extent possible, it will continue to work closely with the divisions to revisit future training activities and adapt to potential challenges that impact performance.

Target Forecast Methodology

DEA’s FY 2020 and FY 2021 targets for the Number of State and Local LEOs Trained in Clandestine Laboratory Enforcement are 900 and 425, respectively. Projections for the number of State and Local LEOs Trained in Clandestine Laboratory Enforcement are derived using Microsoft Excel. In recognition of the disparate distribution of its targets and actuals, DEA will utilize more robust analytical methods that use historical patterns to better forecast its annual targets.

Data Validation and Verification

The DEA Training Academy receives quarterly training data from the field on training provided by Division Training Coordinators (DTC). The field data are combined with the data generated by the DEA's Training Academy for total training provided by the DEA. Data are tabulated quarterly and analyzed as part of an overall evaluation of programs process at the end of the fiscal year.



U.S. Department of Justice
Federal Bureau of Prisons

Central Office

Washington, DC 20534

**Performance Summary Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the Federal Bureau of Prisons (BOP) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the BOP system of performance reporting provides reasonable assurance that:

1. BOP uses SENTRY to capture performance information accurately and SENTRY was properly applied to generate the performance data.
2. Explanations offered for failing to meet a performance target and for any recommendations concerning plans and schedules for meeting future targets is reasonable.
3. The methodology described to establish performance targets for the current year is reasonable given past performance and available resources.
4. BOP has established at least one acceptable performance measure for each budget decision unit, as agreed to by ONDCP, for which a significant amount of obligations (\$1 million or 50 percent of the agency drug budget, whichever is less) were incurred in the previous fiscal year. Each performance measure considers the intended purpose of the National Drug Control Program activity.

Hugh J. Hurwitz

Hugh J. Hurwitz,
Assistant Director
for Administration

January 26, 2021

Date

**U.S. Department of Justice
Federal Bureau of Prisons
Performance Summary Report
Related Performance Information
For Fiscal Year Ended September 30, 2020**

Performance Measure 1: Residential Drug Abuse Treatment Program Capacity and Enrollment

The BOP has established a performance measurement of monitoring the utilization of residential drug treatment program capacity as a performance indicator to measure effective usage of Drug Treatment Programs. This measure complies with the purpose of National Drug Control Program activity and is presented in support of the Treatment function.

The Violent Crime Control and Law Enforcement Act of 1994 requires the BOP to provide residential substance abuse treatment for 100% of “eligible” inmates by the end of FY 1997 and each year thereafter (subject to the availability of appropriations). The BOP established a performance measurement tracking the capacity of the Residential Drug Abuse Program (RDAP) to the number of participants at the end of each fiscal year. The objective is to monitor the utilization of RDAP capacity.

RDAP is offered at 73 BOP locations and one contract facility. Inmates who participate in these residential programs are housed together in a treatment unit that is set apart from the general population. Treatment is provided for a minimum of 500 hours.

Data on inmate capacity and participation is entered in the BOP on-line system (SENTRY). SENTRY Key Indicator reports provide the counts of inmates participating in the RDAP and subject matter experts enter and analyze the data.

In FY 2020, the BOP achieved a total capacity of 5,755 (capacity is based on number of treatment staff) that was available for the fiscal year and 3,873 actual participants (participants are actual inmates enrolled in the program at year end). The BOP missed the participants target due to the decline in the BOP inmate population as well as modified operations resulting from the Covid-19 pandemic.

For FY 2021, the capacity of BOP’s RDAP is projected to be 5,755 with total participants of 5,467. This is based on past performance of FY 2020 and BOP operations returning to normal status.

Fiscal year-end Residential Drug Abuse Treatment Program Capacity and Enrollment

Fiscal Year	Capacity	Participants*	Utilization
FY 2017 Actual	7,022	6,781	97%
FY 2018 Actual	6,719	6,435	96%
FY 2019 Actual	6,239	5,940	95%
FY 2020 Target	6,239	5,940	95%
FY 2020 Actual	5,755	3,873	67%
FY 2021 Target	5,755	5,467	95%

*Participants may exceed Capacity due to overcrowding and demand for the program.

Data Validation and Verification

To ensure the reliability of the data, the capacity of the program and the utilization rate is monitored by subject matter experts at the end of each quarter using Key Indicator reports generated from SENTRY.



Washington, D.C. 20531

**Performance Summary Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the Office of Justice Programs (OJP) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the OJP system of performance reporting provides reasonable assurance that:

1. OJP used the Grants Management System and Performance Management tool to capture performance information accurately and these systems were properly applied to generate the performance data.
2. OJP met the reported performance targets for FY 2019, per its October 20, 2020 agreement with ONDCP to report on performance measures and targets with a one-year lag.
3. The methodology described to establish performance targets for the current year was reasonable given past performance and available resources.
4. OJP established at least one acceptable performance measure for each budget decision unit, as agreed to by ONDCP, for which a significant amount of obligations (\$1 million or 50 percent of the agency drug budget, whichever is less) were incurred in the previous fiscal year. Each performance measure considers the intended purpose of the National Drug Control Program activity.

**RACHEL
JOHNSON**

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Rachel Johnson, Acting Chief
Financial Officer

January 26, 2021

Date

**U.S. Department of Justice
Office of Justice Programs
Performance Summary Report
Related Performance Information
For Fiscal Year Ended September 30, 2020**

Performance Measures:

The Office of Justice Programs (OJP), established by the Justice Assistance Act of 1984, supports a variety of criminal justice programs. Within OJP's overall program structure, specific resources dedicated to support the National Drug Control Strategy in FY 2020 were found in the following programs:¹

- Adult Drug Courts program (including Veterans Treatment Courts);
- Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP);
- Edward Byrne Memorial Justice Assistance Grant (JAG) program
- Harold Rogers' Prescription Drug Monitoring Program (PDMP);
- Justice and Mental Health Collaboration Program (JMHCP);
- Juvenile Drug Court and Family Drug Court programs;
- Mentoring for Youth Affected by the Opioid Crisis (Mentoring);
- Opioid-Affected Youth Initiative;
- Paul Coverdell Forensic Science Improvements Grant program;²
- Regional Information Sharing System (RISS) program;
- Residential Substance Abuse Treatment (RSAT) program;
- Second Chance Act (SCA) program; and
- Consolidated Tribal Assistance Solicitation (CTAS), Purpose Areas Three and Nine.³

As required by the Office of National Drug Control Policy (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews, dated October 22, 2019*, OJP is reporting on the following performance measures in this Performance Summary Report.⁴

1. COSSAP: Percent of high-risk individuals receiving services and referrals who do not experience a subsequent overdose in six months

¹In accordance with OJP's January 25, 2018 agreement with ONDCP, OJP is not required to report performance measures for the following legacy programs/decision units: Enforcing Underage Drinking Laws program, Tribal Courts program, Indian Alcohol and Substance Abuse program, and Tribal Youth program. Per this same agreement, OJP will not report on measures for the Innovations in Community Based Crime Reduction Program (previously called the Byrne Criminal Justice Innovation Program) and Project Hope Opportunity with Enforcement Program since they currently do not have a drug related focus.

²In accordance with OJP's November 6, 2020 agreement with ONDCP, the Forensic Support for Opioid and Synthetics Drug Investigations Program (also known as the Paul Coverdell Forensic Science Improvements Grant Program) grantees will report on a new performance measure beginning in January, 2022 and OJP will start reporting on this measure in the FY 2020 PSR.

³CTAS Purpose Area 3 is funded by appropriations for the Tribal Assistance Program and shown on the Tribal Courts and Indian Alcohol and Substance Abuse Program lines; and CTAS Purpose Area 9 is funded by appropriations provided as a carve out under the Title V Program and shown on the Tribal Youth Program line.

⁴OJP's October 20, 2020 agreement with ONDCP specified that the FY 2020 attestation would reflect a one-year lag for OJP's performance measures data, and all FY 2020 data is marked as TBD.

2. CTAS Purpose Areas Three and Nine: Overall graduation rate of healing-to-wellness court/drug court participants
3. Drug Courts (Including Veteran’s Court): Overall graduation rate of drug court participants⁵
4. Juvenile and Family Drug Courts: Overall graduation rate of juvenile drug court participants and overall graduation rate of family drug court participants
5. JAG: overall graduation/completion rate of JAG-funded drug court programs overall⁶
6. A. PDMP: Number of PDMP Interstate Solicited and Unsolicited Reports Produced – Measure phased-out in FY 2019; and B. PDMP: Percent of grantees with a registered prescriber rate above 65% in their state PDMPs – New Measure in FY 2020
7. JMHCP: Percent of participants who were tested that did not test positive for the presence of alcohol or illicit substances during the reporting period
8. Mentoring and Opioid Affected Youth: Percent of youth who exhibited a reduction in substance use behavior
9. RISS: Percent of deconfliction system conflicts identified by RISS through RISSafe
10. RSAT: A. Number of participants in the RSAT for State Prisoners Program -Measure phased-out in FY 2019; and B. Percent of Jail and Prison Based Program Participants that Successfully Completed the RSAT Program – New Measure in FY 2020
11. SCA: Percent of participant exits from the SCA: Improving Reentry for Adults with Substance Use Disorders program that are successful completions

Performance Measure 1: The Percent of High-Risk Individuals Receiving Services and Referrals through COSSAP who do not Experience a Subsequent Overdose in Six Months

Decision Unit: Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP)

Table 1. The Percent of High-Risk Individuals Receiving Services and Referrals through COSSAP who do not Experience a Subsequent Overdose in Six Months

FY 2020 Target	FY 2020 Actual	FY 2021 Target
90%	TBD	90%

The Comprehensive Opioid Abuse Program (COAP) program started in FY 2017 to combat the number of overdose deaths from opioids. In FY 2020, the program was expanded so that grantees could use federal funds to combat the abuse of stimulants as well as opioids. The program was renamed the Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP).

⁵ Although appropriated as separate line items, OJP combines the Drug Courts and Veterans Treatment Courts Program funding together under one solicitation. Grantees may choose in their applications to serve veterans. As of September 30, 2019, Veterans Treatment Court participants accounted for approximately 17% of all individuals enrolled in treatment court programs funded by OJP.

⁶ Please note: BJA changed the name of this measure in FY 2019 but it measures the same data as previously reported under completion rate for individuals participating in Drug-related JAG programs.

According to the Centers for Disease Control and Prevention (CDC), approximately 91 Americans die every day from an opioid related overdose,⁷ which led the President of the United States to declare the epidemic a public health crisis.⁸ Individuals who have experienced at least one overdose event (i.e., high-risk users) are more likely to experience subsequent overdoses, often fatal. By targeting high risk users (as well as other users), the COSSAP may be more effective at reaching those most at risk.

The goal of the COSSAP is to reduce the misuse of opioids and stimulants and the number of overdose fatalities. Grantees can develop, implement, or expand comprehensive efforts to identify, respond to, treat, and support those impacted by illicit opioid, stimulant, and other drug abuse. As such, the performance measure for this program is the percent of high-risk individuals receiving services and referrals through COSSAP who do not experience a subsequent overdose in six months. The target for those individuals that do not experience a subsequent overdose event is set at 90 percent.

Data Validation and Verification

BJA implemented the Performance Management Tool (PMT) on January 1, 2009, to support grantees' ability to identify, collect, and report performance measurement data online for activities funded under their award. Grantees report data in the PMT and create a report, which they uploaded to OJP's Grants Management System, and reviewed by BJA program managers. Program managers obtain data from reports submitted by grantees (including the performance measures), telephone contact, and on-site monitoring of grantee performance.

The PMT has real-time data accuracy checks for out-of-range and inconsistent values. Data are validated and verified through a review by program managers, which include an additional level of validation conducted by analysts who review the data quarterly using statistical testing methods.

Performance Measure 2 A&B: Overall Graduation Rate of Healing-to-Wellness Court/Drug Court Participants

Decision Units: Tribal Victim Services Set Aside Program Purpose Area Three and Purpose Area Nine (also known as the Consolidated Tribal Assistance Solicitation or CTAS)

⁷ Center for Disease Control. "Understanding the Epidemic." Access online at: <https://www.cdc.gov/drugoverdose/epidemic/index.html>

⁸ <https://www.whitehouse.gov/the-press-office/2017/10/26/president-donald-j-trump-taking-action-drug-addiction-and-opioid-crisis>

Table 2.a. Overall Graduation Rate of Healing-to Wellness Court/Drug Court Participants - CTAS Purpose Area Three

FY 2020 Target	FY 2020 Actual	FY 2021 Target
40%	TBD	40%

The Coordinated Tribal Assistance Solicitation (CTAS) has nine separate Purpose Areas, which serve as the primary source of funding for tribal justice systems, and represent a range of issues and topics. The Bureau of Justice Assistance (BJA) supports the goal of purpose area three, which is to provide funding to tribes to develop, support, and enhance adult tribal justice courts and prevent crime, including crime related to opioid, alcohol, and other substance abuse as well as violent crime. Adult tribal healing to wellness and drug court program graduation rates provides a means to determine the extent to which tribes develop, implement, and enhance substance abuse and crime prevention, interventions, and alternatives to incarceration to address crime related to substance abuse and the opioid epidemic, for a high-risk, high -need population. Additionally, the measure provides a way to illustrate how tribes enhance the tools and resources to respond to crime and public safety.

The FY 2020 target is 40 percent, which is estimated by taking the three-year average of actual results from FY 2017-2019, and unchanged since FY 2020. The target graduation rate is lower than most targets for traditional drug courts since Tribes often have fewer resources than non-tribal populations.

Data Validation and Verification

BJA implemented the Performance Management Tool (PMT) on January 1, 2009, to support grantees’ ability to identify, collect, and report performance measurement data online for activities funded under their award. Grantees report data in the PMT and create a report, which they upload to OJP’s Grants Management System, that is reviewed by BJA program managers. Program managers obtain data from reports submitted by grantees (including the performance measures), telephone contact, and on-site monitoring of grantee performance.

The PMT has real-time data accuracy checks for out-of-range and inconsistent values. Data are validated and verified through a review by program managers, which include an additional level of validation conducted by analysts who review the data quarterly using statistical testing methods.

Table 2b. Overall Graduation Rate of Healing-to Wellness Court/Drug Court Participants – CSAT Purpose Area Nine

FY 2020 Target	FY 2020 Actual	FY 2021 Target
43%	TBD	43%

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) supports purpose area number nine, which seeks to support and enhance tribal efforts to prevent and reduce juvenile delinquency and strengthen a fair and beneficial juvenile justice system response for American Indian and Alaska Native youth. A major goal of this purpose area is to create initiatives that will enhance public safety, ensure that youth are held appropriately accountable to both victims and communities, and empower youth to live productive, law-abiding lives.

The FY 2020 and FY 2021 targets are 43 percent based on FY 2018 and FY 2019 data results.⁹ The target graduation rate is lower than most targets for traditional drug courts since Tribes often have fewer resources than non-tribal populations.

Data Validation and Verification

Similar to BJA, OJJDP implemented the Performance Management Tool (PMT) on January 1, 2009, to support grantees’ ability to identify, collect, and report performance measurement data online for activities funded under their award. Grantees report data in the PMT and create a report, which they upload to OJP’s Grants Management System, that is reviewed by OJJDP program managers. Program managers obtain data from reports submitted by grantees (including the performance measures), telephone contact, and on-site monitoring of grantee performance.

The PMT has real-time data accuracy checks for out-of-range and inconsistent values. Data are validated and verified through a review by program managers, which include an additional level of validation conducted by analysts who review the data quarterly using statistical testing methods.

Performance Measure 3: Overall Graduation Rate of Drug Court Participants

Decision Unit: Drug Court Program and Veteran’s Treatment Courts

⁹ OJJDP grantees will begin collecting data on new measures for graduation rates and substance use behavior in July 2021 and will begin to report data on those measures in January 2022.

Table 3. Overall Graduation Rate of Drug Court Participants (Drug Courts)

FY 2017 Actual	FY 2018 Actual	FY 2019 Target	FY 2019 Actual	FY 2020 Target	FY 2020 Actual	FY 2021 Target
48%	52%	55%	55%	55%	TBD	55%

The Bureau of Justice Assistance (BJA) administers OJP’s Drug Court Program. The Drug Court program was established in 1995 to provide financial and technical assistance to states, state courts, local courts, units of local government, and federally recognized tribal governments in order to establish new or enhance fully operational adult drug treatment courts. Drug courts employ an integrated mix of evidence-based substance abuse treatment, random drug testing, recovery support services, judicial and community supervision, and equitable incentives and sanctions to reduce recidivism, substance abuse, and prevent overdoses. There are over 4,000 drug courts and problem-solving courts operating throughout all 50 states and U.S. territories.¹⁰

Based on the success of the drug court model, a number of problem-solving courts are also meeting the critical needs of various populations. These problem-solving courts include Family Dependency Treatment, Driving While Intoxicated/Driving Under the Influence, Reentry, Tribal Healing-to-Wellness, Co-Occurring Disorders, and Veterans Treatment among others.

BJA funds *enhancement* grants to established drug courts to enhance their operations, *implementation* grants for new drug courts, and state grants to enhance capacity and services, expand programs and enhance practice through training and assessment of practice. This includes both Drug Courts and Veterans Treatment Courts.

The goal of the Drug Court program is to implement and enhance drug court services, to include coordination, management of drug court participants, and recovery support services for a high-risk, high-need population.

BJA’s key performance metric for Drug Courts is the overall graduation rate of program participants. For drug courts, the graduation ceremony marks the completion of the program for offenders, signifying that they have met the requirement of the program, including drug treatment, and that the participants refrained from continued drug use. The graduation rate of program participants is calculated by dividing the number of graduates during the reporting period (numerator) by the total number of participants exiting the program, whether successfully or unsuccessfully, during the reporting period (denominator). The graduation rate target for FY 2021 is unchanged from previous years (55 percent).

Data Validation and Verification

BJA implemented the Performance Management Tool (PMT) on January 1, 2009, to support grantees’ ability to identify, collect, and report performance measurement data

¹⁰ *Drug Courts*. U.S. Department of Justice, Office of Justice Programs. May/June 2020. <https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/newsletter/254694a/topstory.html>

online for activities funded under their award. Grantees report data in the PMT and create a report, which they upload to OJP’s Grants Management System, that is reviewed by OJJPD program managers. Program managers obtain data from reports submitted by grantees (including the performance measures), telephone contact, and on-site monitoring of grantee performance.

The PMT has real-time data accuracy checks for out-of-range and inconsistent values. Data are validated and verified through a review by program managers, which include an additional level of validation conducted by analysts who review the data quarterly using statistical testing methods.

Performance Measures 4A&B: Overall Graduation Rate of Juvenile Drug Court Participants and Overall Graduation Rate of Family Drug Court Participants

Decision Units: Juvenile Drug and Family Treatment Courts

Table 4A. Overall Graduation Rate of Juvenile Drug Court Participants

FY 2020 Target	FY 2020 Actual	FY 2021 Target
50%	TBD	50%

Table 4B. Overall Graduation Rate of Family Drug Court Participants (OJJDP)

FY 2020 Target	FY 2020 Actual	FY 2021 Target
41%	TBD	41%

The Office of Juvenile Justice Delinquency and Prevention (OJJDP) funds Juvenile Drug Treatment Courts (JDTC). The courts are designed for youth with substance use disorders who come into contact with the juvenile justice system. Guidelines provide juvenile courts with an evidence-based, treatment-oriented approach that emphasizes family engagement, and addresses the substance use and often co-occurring mental health disorders experienced by the youth.

In addition to JDTC’s, OJJDP funds Family Drug Courts (FDCs), which are specialized courts within the justice system that handle cases of child abuse and neglect that involve substance use by the child’s parents or guardians. FDCs are one method of addressing parental substance use disorders and parenting issues within the court and child welfare systems, using a collaborative, family-centered approach. Also called family treatment courts, family treatment drug courts, or family dependency treatment courts, FDCs operate as alternatives to traditional family courts or dependency courts and work to balance the rights and needs of both parents and children.

OJJDP’s key performance metric for juvenile and family drug courts is the overall graduation rate/program completion of program participants. The graduation ceremony marks the completion of the program for offenders, signifying that they have met all of the requirement of the program, including drug treatment, and that the participants refrained from continued drug use. The graduation rate/program completion of program participants is calculated by dividing the number of graduates during the reporting period (numerator) by the total number of participants exiting the program, whether successfully or unsuccessfully, during the reporting period (denominator).

The FY 2021 targets are 50 percent (Juvenile Drug Courts) and 41 percent (Family Drug Courts).¹¹ These targets are the same as those for FY 2020 and are based on earlier data results that averages graduations rates from FY 2018 and FY 2019.

Data Validation and Verification

OJJDP implemented the Performance Management Tool (PMT) on January 1, 2009, to support grantees’ ability to identify, collect, and report performance measurement data online for activities funded under their award. Grantees report data in the PMT and create a report, which they upload to OJP’s Grants Management System, that is reviewed by OJJDP program managers. Program managers obtain data from reports submitted by grantees (including the performance measures), telephone contact, and on-site monitoring of grantee performance.

The PMT has real-time data accuracy checks for out-of-range and inconsistent values. Data are validated and verified through a review by program managers, which include an additional level of validation conducted by analysts who review the data quarterly using statistical testing methods.

Performance Measure 5: Overall Graduation/Completion Rate of JAG-Funded Drug Court Program Participants

Decision Unit: Edward Byrne Memorial Justice Assistance Grant Program (JAG)

Table 5. Overall Graduation/Completion Rate of JAG-Funded Drug Court Programs

FY 2017 Actual	FY 2018 Actual	FY 2019 Target	FY 2019 Actual	FY 2020 Target	FY2020 Actual	FY 2021 Target
63%	47% ¹²	59%	46% ¹³	59%	TBD	59%

¹¹ OJJDP has revised performance measures to update measures for graduation rate and substance use behavior. Grantees will begin collecting data on the updated measures in July 2021 and will begin to report data on those measures in January 2022. Copies of the updated performance measures are available upon request from OJJDP’s Performance Measure Coordinator (currently under review).

¹² In FY 2018, the actual completion rate was 47% based on data from 26 JAG grantees. This completion rate was due to one grantee who had an extremely low completion rate of 8%. For this one grantee 180 participants unsuccessfully completed the program, while only 16 participants successfully completed. When removing this one outlier from the analysis and reducing the number of grantees data to 25, the completion rate would be 54%, which is more in-line with the target and findings from years past.

¹³ In 2019, the actual completion rate was 45% data based on data provided by 22 JAG grantees. The completion rate

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) program, administered by BJA, is the leading source of Federal justice funding to state and local jurisdictions. The JAG program focuses on criminal justice related needs of states, tribes, and local governments by providing these entities with critical funding necessary to support a range of program areas, including law enforcement; prosecution and courts; crime prevention and education; corrections and community corrections; drug treatment and enforcement; program planning, evaluation, and technology improvement; crime victim and witness initiatives; and mental health program and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.

The activities conducted under each program area are broad and include such allowances as hiring and maintaining staff and contractual support; paying for overtime training, and technical assistance for staff; and purchasing equipment, supplies, and information systems. More specifically, the drug treatment and enforcement program activities include treatment (inpatient or outpatient) as well as clinical assessment, detoxification, counseling, and aftercare.

The goal, as noted, is for states and local jurisdiction to use JAG funds on priorities that best meet their needs. Some states and local jurisdictions opt to use JAG funds for treatment courts to provide court supervised substance use treatment and services.

The overall graduation rate of JAG-funded drug court program participants measure captures the percentage of total participants who are able to complete all drug treatment program requirements. This measure supports the mission of the National Drug Control Strategy because these programs provide care and treatment for those who are addicted. The FY 2021 target is unchanged from FY 2020 at 59 percent graduation rate.

Data Validation and Verification

BJA implemented the PMT to support grantees' ability to identify, collect, and report performance measurement data online for activities funded under their award. Grantees report data in the PMT and create a report, which they upload to OJP's Grants Management System. Program managers review the reports. Program managers obtain data from reports submitted by grantees (including the performance measures), telephone contact, and through desk and on-site monitoring of grantee performance.

The PMT has real-time data accuracy checks for out-of-range and inconsistent values. Data are validated and verified through a review by research associates, which include an additional level of validation conducted by analysts who review the data quarterly using statistical testing methods.

was below the target because one grantee had an extremely low completion rate of 11%. For this one grantee: 16 participants did not graduate and only 2 participants successfully completed the program. When removing this one outlier from the analysis and reducing the number of grantees to 21, the completion rate would be 62%, which is more in-line with the target and findings from years past.

Performance Measure 6A.1& 6A.2: Number of PDMP Interstate Solicited and Unsolicited Reports Produced - Phased-out in FY 2019

Decision Unit: Harold Rogers Prescription Drug Monitoring Program

Table 6A.1. Total number of interstate solicited reports produced

CY 2017 Actual	CY 2018 Actual	CY 2019 Target	CY 2019 Actual
132,430,898	130,086,361	8,600,000	175,327,434

Table 6A.2. Total number of interstate unsolicited reports produced

CY 2017 Actual	CY 2018 Actual	CY 2019 Target	CY 2019 Actual
903,010	2,037,807	16,208	3,853,846

Performance Measure 6B: Percent of Grantees with a Registered Prescriber Rate Above 65% in their PDMPs -New Measures in FY 2020

Table 6B. Percent of Grantees with a Registered Prescriber Rate Above 65% in their PDMPs.

FY 2020 Target	FY 2020 Actual	FY 2021 Target
70%	TBD	70%

The Harold Rogers Prescription Drug Monitoring Program (PDMP), administered by BJA, enhances the capacity of state PDMPs to collect controlled substance prescription data through a centralized database so that doctors can make more informed prescribing decisions, and regulatory and law enforcement agencies may proactively investigate suspect subscriber practices and “doctor shopping” activity. The objectives of the PDMP are to build a data collection and analysis system at the state level; enhance existing programs’ ability to analyze and use collected data; facilitate the exchange of collected prescription data among states; and assess the efficiency and effectiveness of the programs funded under this initiative. Funds may be used for planning activities, system improvements, or PDMP data analysis and data sharing projects.

The goal of the PDMP is to enhance the capacity of regulatory and law enforcement agencies and public health officials to collect and analyze controlled substance prescription data and other scheduled chemical products through a centralized database administered by an authorized agency.

Through 2019, this was measured using 2 similar measures (see tables 6A.1 & 6A.2). BJA exceeded both targets in CY 2019: the target for the number of *solicited* was 8,600,000 and the target for *unsolicited* reports queried from PDMPs was 16,208. A few factors influenced the data. First, there is broadening awareness on the part of prescribers and

pharmacists about the need to check to their states PDMP before prescribing opioids. Second, many states have passed laws in the last few years requiring prescribers to query the PDMP before dispensing specific drugs and most have mandates to the usage of the PDMPs for prescribers. For both solicited and unsolicited reports, it should be noted that these targets are difficult to predict due to a great deal of variance in the data. As such, this measure is being phased out, in place of a measure that better reflects the growing utility of PDMPs.

Starting with FY 2020, BJA will begin reporting performance data on the new measure: “Percent of grantees with a Registered Prescriber Rate Above 65 percent in Their PDMPs.” BJA set the FY 2020 and 2021 targets at 70 percent of grantees.

Data Validation and Verification

BJA implemented the Performance Management Tool (PMT) on January 1, 2009, to support grantees’ ability to identify, collect, and report performance measurement data online for activities funded under their award. Grantees report data in the PMT and create a report, which they upload to OJP’s Grants Management System, that is reviewed by BJA program managers. Program managers obtain data from reports submitted by grantees (including the performance measures), telephone contact, and on-site monitoring of grantee performance.

The PMT has real-time data accuracy checks for out-of-range and inconsistent values. Data are validated and verified through a review by program managers, which include an additional level of validation conducted by analysts who review the data quarterly using statistical testing methods.

Performance Measure 7: Percent of Participants Who Were Tested That Did Not Test Positive for the Presence of Alcohol or Illicit Substance during the Reporting Period

Decision Unit: Justice and Mental Health Collaboration Program (JMHCPC)

Table 7. Percent of Participants Who Were Tested That Did Not Test Positive for the Presence of Alcohol or Illicit Substance during the Reporting Period

FY 2020 Target	FY 2020 Actual	FY 2021 Target
76%	TBD	76%

BJA administers JMHCPC, which aims to increase public safety by aiding collaboration between the criminal justice system and its behavioral health care service partners. The program seeks to improve responses to and outcomes for people with mental illnesses (MI) or co-occurring mental illness and substance abuse (CMISA) who come in contact with the justice system. JMHCPC promotes officer and public safety through coordination of system resources for those accessing multiple services, including hospitals, jails, and mental health crisis services.

The goal of JMHCP is to provide funding to criminal justice agencies to partner with mental health agencies and to promote cross-system collaborations, to provide best practice training to officers and their behavioral health partners, to strengthen connections for people with MI and CMISA with health care service providers, and to promote universal screening and assessment for mental illness and substance abuse. A key means to measuring the success of CMISA programs that focus on those who come in contact with the justice system is whether program participants test positive for the presence of alcohol or illicit substances. As such, the measure for JMHCP is the percent of participants who were tested that did not test positive for the presence of alcohol or illicit substance. The FY 2020 and FY 2021 targets are set at 76 percent.

Data Validation and Verification

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Performance Measure 8: Percent of Program Youth Who Exhibited a Reduction in Substance Use Behavior

Decision Units: 1) Mentoring for Youth Affected by the Opioid Crisis and 2) Opioid-Affected Youth Initiative

Table 8: Percent of Program Youth Who Exhibited a Reduction in Substance Use Behavior

FY 2020 Target	FY 2020 Actual	FY 2021 Target
23%	TBD	23%

Established in 2018 as a component of OJJDP’s larger Youth Mentoring program, the Mentoring for Youth Affected by the Opioid Crisis program focuses specifically on providing mentoring services to youth impacted by the opioid crisis. The purpose of OJJDP’s Youth Mentoring program is to reduce juvenile delinquency, gang involvement, academic failure, victimization, and school dropout rates through one-on-one, group, and peer mentoring.

A goal of the program is to improve outcomes (such as improved academic performance and reduced school dropout rates) for youth at-risk or involved with the juvenile justice or tribal justice systems, and reduce negative outcomes (including delinquency, substance use, and gang participation) through mentoring. The program also looks to support innovative research and evaluation-based efforts that respond to gaps and needs of the mentoring field and examine strategies to improve and increase mentor recruitment.

Awards are made through the comprehensive Mentoring Opportunities for Youth program solicitation which includes two opioid-focused categories: (a) Mentoring Strategies for Youth Impacted by Opioids/Project Sites, which makes awards to local and regional organizations including nonprofit and for-profit organizations, and tribal nonprofit and for-profit organizations, and (b) Statewide and Regional Mentoring Initiative for Youth Impacted by Opioids which makes awards to national organizations, states and territories, and federally recognized tribal governments.

Established in FY 2018, the purpose of the Opioid Affected Youth program is to assist states, local units of government, and federally recognized tribal governments develop a data-driven, coordinated response to opioid abuse-related challenges that impact youth and community safety. The program support efforts that will address public safety concerns, intervention, prevention, and diversion services for children, youth, and families directly impacted by opioid abuse.

Funded sites work in partnership with representatives from law enforcement, education, probation and community supervision, juvenile court, mental health service providers, medical physicians/examiners, prosecutors, community-based organizations that address substance abuse, child welfare agencies, child protective services, first responders, and other community health agencies.

Goals of the program are to (1) Support comprehensive cross-system planning and collaboration among officials who work in law enforcement, pretrial services, the courts, probation and parole, child welfare, and reentry. Other stakeholders include emergency medical services and health care providers, public health partners, and agencies that provide substance abuse treatment and recovery support services; (2) Expand law enforcement and court diversion programs to intervene with youth and family opioid abuse.; (3) Develop and enhance public safety, behavioral health, and public health information-sharing that leverage key public health and safety data sets. Develop interventions based on this information.; and (4) Implement wraparound services that facilitate meaningful coordination between the justice system and family support agencies, especially child welfare, to safeguard the wellbeing of affected children and families and address public safety concerns by improving coordination of services such as training, intervention, prevention, and diversion programs for affected populations.

The FY 2020 and FY 2021 targets are set at 23 percent¹⁴. The targets are the same and

¹⁴ OJJDP is currently going through a performance measure review and has updated the performance measures for graduation rate and substance use behavior. Grantees will begin collecting data on the updated measures in July 2021 and will begin to report data on those measures in January 2022. Copies of the updated performance measures are available upon request from OJJDP's Performance Measure Coordinator.

are based on the data results reported by FY 2019 awards. The data reflects the percentage of youth who received services during FY 2019 that reduced their substance use and may include a duplicate count if an award reported a youth’s behavior change for both FY 2019 reporting periods. Data results for FY 2020 are still pending.

Data Validation and Verification

OJJDP implemented the Performance Management Tool (PMT) on January 1, 2009, to support grantees’ ability to identify, collect, and report performance measurement data online for activities funded under their award. Grantees report data in the PMT and create a report, which they upload to OJP’s Grants Management System, that is reviewed by OJJDP program managers. Program managers obtain data from reports submitted by grantees (including the performance measures), telephone contact, and on-site monitoring of grantee performance.

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Performance Measure 9: Percent Increase in Regional Information Sharing Systems (RISS) Inquiries for the RISS Program

Decision Unit: Regional Information Sharing Systems (RISS)

Table 9: Percent of deconfliction system conflicts identified by RISS through RISSafe

FY 2020 Target	FY 2020 Actual	FY 2021 Target
10%	TBD	10%

The Regional Information Sharing Systems (RISS) Program, administered by BJA, provides secure information and intelligence sharing capabilities and investigative support services that directly affect law enforcement’s ability to successfully resolve criminal investigations and prosecute offenders, while providing the critical officer safety event deconfliction necessary to keep our law enforcement community safe.

RISS consists of six regional centers and the RISS Technology Support Center (RTSC). RISS supports an all-crimes approach; not all inquiries to RISS resources are related to narcotics investigations; however, RISS’s resources and services support narcotics investigations based on requests for services and inquiries from the field. Narcotics investigators from across the country benefit from the RISS Criminal Intelligence Database (RISSIntel), investigative resources, the RISS Officer Safety Event Deconfliction System (RISSafe), and analytical and research services. RISS has strong relationships with the National Narcotics Officers’ Associations’ Coalition (NNOAC), Bureau of Alcohol, Tobacco, Firearms and Explosives’ (ATF), and the High Intensity Drug Trafficking Areas (HIDTA). RISS continues to partner with the HIDTAs and the Drug Enforcement

Administration in the areas of event and target deconfliction.

RISSafe is an officer safety event deconfliction system that identifies possible investigative conflicts between agencies and officers. Authorized users enter law enforcement events into the RISSafe system, and notification of potential conflicts is immediately provided to the affected parties. In May 2015, RISSafe was integrated with the two High Intensity Drug Trafficking Area (HIDTA) event deconfliction systems: Case Explorer and SAFETNet. Since its inception, more than 2,000,000 operations have been entered into RISSafe, resulting in more than 483,000 identified conflicts. Without the identification of these conflicts, officers may have inadvertently interfered with another agency’s investigation, placing officers or citizens at risk of being hurt or killed.

The deconfliction partners are diligently working to educate agencies and officers of the importance of deconfliction ultimately to increase usage. Deconfliction maximizes and safeguards resources, improves communications and collaboration among the law enforcement community, and helps to save lives and solve cases. The FY 2020 and FY 2021 targets for this measure (Percent of deconflict system conflicts identified by RISS through RISSafe) are 10 percent.

Data Validation and Verification

Data for the RISS Program are not reported in the PMT. The six RISS Centers and the RISS Technology Support Center (RTSC) report their performance information via the RISS Quarterly Database housed at the Institute for Intergovernmental Research (IIR), the technical assistance provider grantee for the RISS Program. IIR reviews and aggregates the data to develop a RISS-wide quarterly report as well as generating RISS Center reports (as part of IIR’s reporting requirement for its grant requirements). The RISS Centers submit their individual reports to BJA through OJP’s Grants Management System. At the end of the fiscal year, performance data for RISS is provided in quarterly reports and a FY-end report via IIR for the RISS program.

Program managers obtain data from these reports, telephone contact, and grantee meetings as a method to monitor IIR, the six RISS Centers, and the RTSC for grantee performance. Data are validated and verified through a review of grantee support documentation obtained by program managers.

Performance Measure 10A: Number of participants in the RSAT for State Prisoners Program - Phased out in FY 2019

Decision Unit: Residential Substance Abuse Treatment Program

Table 10A. Number of Participants in the RSAT Program

CY 2017 Actual	CY 2018 Actual	CY 2019 Target	CY 2019 Actual
19,628	22,684	22,000	31,454

Performance Measure 10b: Percent of Jail and Prison Based Program Participants That Successfully Completed the RSAT Program -New Measure in FY 2020

Table 10B. Percent of Jail and Prison Based Program Participants that Successfully Completed the RSAT Program

FY 2020 Target	FY 2020 Actual	FY 2021 Target
70%	TBD	70%

The RSAT Program, administered by BJA and created by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322), assists state and local governments in developing and implementing residential substance abuse treatment programs (individual and group treatment activities) in correctional and detention facilities. The RSAT program must be provided in residential treatment facilities, set apart from the general correctional population, focused on the substance abuse problems of the inmate, and develop the inmate's cognitive, behavioral, social, vocational, and other skills to solve the substance abuse and related problems.

The RSAT program formula grant funds may be used for three types of programs; jail-based, residential (e.g., prison-based), or aftercare/programs services. For all programs, at least 10 percent of the total state allocation is made available to local correctional and detention facilities, provided such facilities exist, for either residential substance abuse treatment programs or jail-based substance abuse treatment programs as defined below.

- 1) Residential substance abuse treatment programs provide individual and group treatment activities for offenders in facilities that are operated by state correctional agencies;
- 2) Jail-based substance abuse programs provide individual and group treatment activities for offenders in jails and local facilities; and
- 3) Aftercare services must involve coordination between the correctional treatment program and other human service and rehabilitation programs, such as education and job training, parole supervision, halfway houses, self-help, and peer group programs that may aid in rehabilitation.

The goal of the RSAT program is to break the cycle of drug addiction and violence by reducing demand, use, and trafficking of illegal drugs. Through 2019, this was measured by looking at the total number of participants served in RSAT programs. The target for CY 2019 was 22,000 participants; which was exceeded by 9,454 participants. This is likely because the FY 2018 and FY 2019 appropriations were significantly higher than previous years which resulted in larger subawards to local jails and prison which were able to increase the number of participants served in RSAT programs. Additionally, the ongoing opioid epidemic resulted in an increasing need for RSAT programs.

Beginning in FY 2020, BJA is reporting on a new metric that is less sensitive to year-

to-year funding fluctuations. A larger portion of RSAT grant funding is used for jail-based and residential programs. A requirement of the RSAT program is for participants to receive programming for at least 3-months (jail programs) to 6-months (residential programs). Consequently, a measure of program retention is more appropriate: percent of jail- and prison-based program participants that successfully completed the RSAT Program. This measures program retention and fidelity to substance use treatment models while ensuring a minimum level of dosage/retention, which when combined with certain evidence-based practices show improved outcomes among participants.¹⁵ The FY 2020 and FY 2021 targets are 70 percent.

Data Validation and Verification

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Performance Measure 11A: Number of participants in SCA-funded programs and 11B: Percent of participant exits from Improving Reentry for Adults with Substance Use Disorders program that are successful completions

Decision Unit: Second Chance Act Program

Table 11A. Number of participants in SCA-funded programs (Phased out in FY 2019)

FY 2017 Actual	FY 2018 Actual	FY 2019 Target	FY 2019 Actual
5,352	5,042	4,356	2,538

¹⁵ Advocates for Human Potential. (2017) *Promising Practices Guidelines for Residential Substance Abuse Treatment*. Advocates for Human Potential. Sudbury, MA.

Table 11B. Percent of participant exits from Improving Reentry for Adults with Substance Use Disorders program that are successful completions – New Measures in FY 2020

FY 2020 Target	FY 2020 Actual	FY 2021 Target
60%	TBD	60%

The Second Chance Act of 2007 (Public Law 110-199) reformed the Omnibus Crime Control and Safe Streets Act of 1968. Subsequently, the First Step Act of 2018 included the reauthorization of the Second Chance Act (SCA) of 2007. The SCA is an investment in programs proven to reduce recidivism and the financial burden of corrections on state and local governments, while increasing public safety. The bill authorizes grants to units of state, local, or tribal government, and non-profit community organizations to provide employment and housing assistance, substance use treatment, and other services that help people returning from prison and jail to safely and successfully reintegrate into the community. The legislation provides support to eligible applicants for the development and implementation of comprehensive and collaborative strategies that address the challenges posed by reentry to increase public safety and reduce recidivism.

While BJA funds several separate SCA grant programs, to ensure the program has a drug nexus, only data from the Improving Reentry for Adults with Substance Use Disorders Program has been reported since FY 2017.¹⁶ This SCA grant program provides funding to units of state, local, or tribal government, and non-profit community organizations to implement or expand treatment in both pre- and post-release programs for individuals with substance use disorders. The goal of the SCA program is to help those previously incarcerated successfully reenter the community following criminal justice system involvement, by addressing their substance use and related challenges. The FY 2020 and FY 2021 targets are 60 percent.

Data Validation and Verification

BJA implemented the Performance Management Tool (PMT) on January 1, 2009, to support grantees’ ability to identify, collect, and report performance measurement data online for activities funded under their award. Grantees report data in the PMT and create a report, which they upload to OJP’s Grants Management System, that is reviewed by BJA program managers. Program managers obtain data from reports submitted by grantees (including the performance measures), telephone contact, and on-site monitoring of grantee performance.

The PMT has real-time data accuracy checks for out-of-range and inconsistent values. Data are validated and verified through a review by program managers, which include an additional level of validation conducted by analysts who review the data quarterly using statistical testing methods.

¹⁶ The Improving Reentry for Adults with Substance Use Disorders program was previously known as the SCA Improving Reentry for Adults with Co-Occurring Substance Abuse and Mental Illness. BJA planned to report on a new measure in FY 2020 aimed at the co-occurring population, but the goals of this program were changed and no longer have a co-occurring focus.



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**Performance Summary Report
Management’s Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the United States Attorneys management control program, and in accordance with the guidance of the Office of National Drug Control Policy’s (ONDCP) Circular, National Drug Control Program Agency Compliance Reviews, dated October 22, 2019, we assert that the United States Attorneys system of performance reporting provides reasonable assurance that:

1. The United States Attorneys use the United States Attorneys’ CaseView management system, to capture performance information accurately and was properly applied to generate the performance data.
2. The United States Attorneys do not set drug related targets, but report out actual statistics on two drug related performance measures.
3. The methodology described to report performance measures for the current year is reasonable given past performance and available resources.
4. The United States Attorneys have established at least one acceptable performance measure for each decision unit, as agreed to by ONDCP, for which a significant amount of obligations (\$1 million or 50 percent of the agency drug budget, whichever is less) were incurred in the previous fiscal year. Each performance measure considers the intended purpose of the National Drug Control Program activity.

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Jonathan Pelletier
Chief Financial Officer

1/26/2021

Date

**U.S. Department of Justice
United States Attorneys
Performance Summary Report
Related Performance Information
For Fiscal Year Ended September 30, 2020**

Performance Measures: Conviction Rate for Drug Related Offenses & Percentage of Defendants Sentenced to Prison

The United States Attorneys’ Offices (USAOs) investigate and prosecute the vast majority of criminal cases brought by the federal government including drug related cases. USAOs receive most of their criminal referrals, or “matters,” from federal investigative agencies, including the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), the United States Immigration and Customs Enforcement (ICE), the United States Secret Service, and the United States Postal Inspection Service. The FY 2020 performance of the drug control mission of the USAOs within the Department of Justice is based on agency Government Performance and Results Act documents and other agency information.

The USAOs work in conjunction with law enforcement agencies to disrupt domestic and international drug trafficking and narcotics production through comprehensive investigations and prosecutions of criminal organizations. A core mission of each of the USAOs is to prosecute violations of federal drug trafficking, controlled substances, money laundering, and related federal laws to deter continued illicit drug distribution and use in the United States. USAOs also work to dismantle criminal drug organizations through asset forfeiture, thereby depriving drug traffickers of the proceeds from their illegal activities. In recent years, USAOs have intensified their efforts to prosecute cases involving opioids, and in particular, fentanyl and fentanyl analogues, which have driven skyrocketing overdose rates during the past several years.

The USAOs do not set conviction rate targets. The USAOs report actual conviction rates to EOUSA through a case management system, known as United States Attorneys CaseView system. EOUSA categorizes narcotics cases prosecuted by the USAOs into two different types: Organized Crime Drug Enforcement Task Force (OCDETF) cases and non-OCDETF narcotics cases. In light of the attestation by the OCDETF Executive Office, EOUSA provides a summary report for only non-OCDETF narcotic cases in FY 2020:

U.S. Attorneys							
Selected Measures of Performance	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target*	FY 2020 Actual	FY 2021 Target*	
» Conviction Rate for drug related defendants	93%	93%	93%	NA	92%	NA	
» Percentage of defendants sentenced to prison	88%	90%	89%	NA	88%	NA	

* The USAOs do not set conviction rate targets. Therefore targets for FY 2021 are not available. Actual conviction rate for FY 2021 will be presented in the FY 2021 submission.

Data Validation and Verification

The Department of Justice views data reliability and validity as critically important in the planning and assessment of its performance. EOUSA makes every effort to constantly improve the completeness and 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 relies on to make day-to-day management decisions are as accurate and reliable as possible and targets are ambitious enough given the resources provided.

The Director, EOUSA, with the concurrence of the Attorney General's Advisory Committee, issued a Continuous Case Management Data Quality Improvement Plan on May 1, 1996. This program enhances the accuracy and reliability of data in CaseView, which is used for a wide variety of internal management awareness and accountability, and provides guidance for all personnel involved in the process (docket personnel, system managers, line attorneys and their secretaries, and supervisory attorney personnel), to meet current information gathering needs.

Established in 1995, the Data Integrity and Analysis Staff is the primary source of statistical information and analysis for EOUSA. Beginning in June 1996, all United States Attorneys must personally certify the accuracy of their data as of April 1 and October 1 of each year.



**Performance Summary Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the Organized Crime Drug Enforcement Task Forces (OCDETF) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the OCDETF system of performance reporting provides reasonable assurance that:

1. OCDETF has a system to capture performance information accurately and that system was properly applied to generate the performance data.
2. OCDETF failed to meet the reported performance targets for FY 2020. OCDETF was not able to meet its FY2020 targets as a result of the COVID-19 pandemic. This is due in large part to nationwide court closures and travel restrictions for more than half the year. Although OCDETF investigations have remained active throughout COVID-19, to effectively disrupt or dismantle a CPOT-linked organization requires a fully operational court system that has not existed during the COVID-19 pandemic. OCDETF calculates performance targets using a percentage of prior year actuals, therefore, the lasting effects of the COVID-19 pandemic will be factored into the FY2021 target.
3. The methodology described to establish performance targets for the current year is reasonable given past performance and available resources.
4. OCDETF has established at least one acceptable performance measure for each budget decision unit, as agreed to by ONDCP, for which a significant amount of obligations (\$1 million or 50 percent of the agency drug budget, whichever is less) were incurred in the previous fiscal year. Each performance measure considers the intended purpose of the National Drug Control Program activity.

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Simshindo Msola, Principal Associate
Director

Date

**U.S. Department of Justice
Organized Crime Drug Enforcement Task Forces
Performance Summary Report
Related Performance Information
For Fiscal Year Ended September 30, 2020**

Performance Measure 1: Consolidated Priority Organization Target (CPOT)–Linked Drug Trafficking Organizations Disrupted and Dismantled

The disruption and dismantlement of a drug organization is a very complex operation that begins with investigative and intelligence activities by federal agents and culminates in federal prosecution of the parties involved. Therefore, the Office of National Drug Control Policy (ONDCP) agreed to the OCDETF Program reporting only one measure for both of the OCDETF Decision Units (Investigations and Prosecutions) as the efforts of both are needed to achieve the results tracked by the measure.

The goal of the OCDETF Program is to identify, investigate, and prosecute the most significant drug trafficking and money laundering organizations and their related enterprises, and to disrupt and dismantle the operations of those organizations in order to reduce the illicit drug supply in the United States. By disrupting and dismantling trafficking organizations that are CPOT-linked, OCDETF is focusing enforcement efforts against organizations that include heads of narcotic and/or money laundering organizations, poly-drug traffickers, clandestine manufacturers and producers, and major drug transporters, all of whom are believed to be primarily responsible for the domestic illicit drug supply. Additionally, the financial investigations conducted by OCDETF are focused on eliminating the entire infrastructure of CPOT-linked organizations and permanently removing the profits enjoyed by these most significant drug traffickers. Reducing the nation’s illicit drug supply and permanently destroying the infrastructure of significant drug trafficking organizations are critical pieces of the Attorney General’s Drug Strategy as well as the National Drug Control Strategy. By reporting on the number of CPOT-linked organizations being disrupted or dismantled, OCDETF clearly indicates the number of significant drug organizations that have been impacted by law enforcement efforts.

Table:

	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Actual	FY 2021 Target
Dismantlements	*	75**	***	***	***	***
Disruptions	*	142	***	***	***	***
Total	*	217	245	213	165	172

* Due to changes in DEA’s reporting protocols and systems, the entire number for the Performance Measure is not available in FY 2017.

**The breakdown by agency is DEA with 56 and FBI with 20; there is an overlap of one case which reduces OCDETF’s total

***The Department now lists targets as a single, combined total of dismantlements and disruptions

Due to court closures and travel restrictions resulting from the Fiscal Year 2020 COVID-19 pandemic, OCDETF struggled to meet its targets disrupting and dismantling CPOT-linked drug trafficking organizations. OCDETF disrupted and dismantled 165 CPOT-linked organizations in FY 2020, roughly 22% below the target amount, which is a direct result of the lengthy nationwide shutdowns due to COVID-19. Although OCDETF investigations have remained active throughout COVID-19, to effectively disrupt or dismantle a CPOT-linked organization requires a fully operational court system that has not existed during the COVID-19 pandemic. Assuming the court system returns fully operational in FY21, OCDETF anticipates an increase in disruptions and dismantlements over our FY20 performance metrics.

The annual targets for the OCDETF Program's performance measures are determined by examining current year and prior year actuals. In addition to the historical factors, resources (including funding and personnel) are also taken into account when formulating a respective target. The FY 2021 OCDETF Disruptions and Dismantlements (D&D) target is based on the percentage of FY 2020 OCDETF D&Ds to FY 2020 Department D&Ds, and the Department's FY 2021 target. In FY 2020, OCDETF D&Ds accounted for 57.24% of the Department's disruptions and dismantlements. The Department's targets for FY 2021 is 300 disruptions and dismantlements. Therefore, the OCDETF D&D target for FY 2021 is 172 disruptions and dismantlements.

Data Validation and Verification

The CPOT List is updated semi-annually. Each OCDETF agency has an opportunity to nominate targets for addition to/deletion from the List. Nominations are considered by the CPOT Working Group (made up of mid-level managers from the participating agencies). Based upon the Working Group's recommendations, the OCDETF Operations Chiefs decide which organizations will be added to/deleted from the CPOT List. Once a CPOT is added to the List, OCDETF investigations can be linked to that organization. The links are reviewed and confirmed by OCDETF field managers 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.



U.S. Department of Justice

United States Marshals Service

Financial Services Division

Washington, D.C. 20530-1000

**Performance Summary Report
Management's Assertion Statement
For Fiscal Year Ended September 30, 2020**

On the basis of the United States Marshals Service (USMS) management control program, and in accordance with the guidance of the Office of National Drug Control Policy's (ONDCP) Circular, *National Drug Control Program Agency Compliance Reviews*, dated October 22, 2019, we assert that the USMS system of performance reporting provides reasonable assurance that:

1. The USMS uses the Justice Detainee Information System (JDIS) to capture performance information accurately and this system was properly applied to generate the performance data.
2. Explanations offered for failing to meet a performance target and for any recommendations concerning plans and schedules for meeting future targets or for revising or eliminating performance targets is reasonable.
3. The methodology described to establish performance targets for the current year is reasonable given past performance and available resources.
4. The USMS has established at least one acceptable performance measure for each budget decision unit, as agreed to by ONDCP, for which a significant amount of obligations (\$1 million or 50 percent of the agency drug budget, whichever is less) were incurred in the previous fiscal year. Each performance measure considers the intended purpose of the National Drug Control Program activity.

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Holley O'Brien
Chief Financial Officer

Date

**U.S. Department of Justice
United States Marshals Service
Performance Summary Report
Related Performance Information
For Fiscal Year Ended September 30, 2020**

Performance Measure 1: Percent of Warrants Cleared for Drug-Related Charges

One primary function of the USMS is to execute court orders and apprehend fugitives. The Fugitive Apprehension decision unit undertakes these activities; the portions of which that are respondent to drug-related warrants support the National Drug Control Strategy. Through the development of programs such as the Major Case Fugitive Program, Regional Fugitive Task Forces, and International Fugitive Investigations, the USMS partners with state and local law enforcement and other law enforcement organizations to apprehend wanted individuals. Within the USMS organization, Deputy U.S. Marshals in the 94 federal judicial districts perform the majority of the apprehension work, while receiving support from headquarters divisions and partner organizations. Fugitives cleared / arrested include felony offense classifications for federal, and state and local warrants. The cleared percentage is calculated by dividing Drug-Related Fugitives Cleared by the number of Total Fugitives Cleared / Arrested.

Fiscal Year	% Drug-Related Fugitives Cleared	Total Fugitives Cleared / Arrested	Drug-Related Fugitives Cleared
2017 Actual	28.9%	112,760	32,589
2018 Actual	28.9%	112,077	32,337
2019 Actual	28.0%	115,734	32,390
2020 Target	29.5%	115,546	34,064
2020 Actual	25.0%	100,117	24,978
2021 Estimate	27.8%		

For FY 2021, the USMS estimates 27.8% of Total Fugitives Cleared / Arrested will be drug-related. Since the USMS does not control the warrant workload it receives in any given year, this estimate is calculated as an average of the past four years. It should not be viewed as a target or measure of the effectiveness of resource allocation or effort.

Data Validation and Verification

This data is queried from the Justice Detainee Information System (JDIS). System administrators perform a variety of checks and updates to ensure that accurate information is contained. The information on offenses and warrants is live, so information queried for year-end reporting is a snapshot-in-time. Due to continuous user activity in JDIS, the statistics in this report cannot be exactly replicated. The data in JDIS is dynamic, and the statistics are only current as of the date and time the report was compiled.¹

¹ JDIS data reports were generated October, 2020.

Performance Measure 2: Percent of Offenses in Custody for Drug-Related Charges

Another primary function of the USMS is to secure courthouses and detain prisoners during the judicial process. This is accomplished through the Judicial & Courthouse Security decision unit, and the portion of these activities respondent to drug-related offenders supports the National Drug Control Strategy. The Prisoner Security & Transportation decision unit carries out the detention-related work, the portion of which that relates to drug-related offenses supports the National Drug Control Strategy. Deputy U.S. Marshals throughout the 94 federal judicial districts perform the majority of the judicial security and detention work, while receiving support from headquarters divisions and coordinating with the Federal Bureau of Prisons for custody transfers. The Drug-Related Offenses in Custody percentage is calculated by dividing primary Drug-Related Offenses in Custody by the number of Total Offenses in Custody. This measure focuses on primary offenses.

Fiscal Year	% Drug-Related Offenses in Custody	Total Offenses in Custody	Drug-Related Offenses in Custody
2017 Actual	21.4%	91,133	19,509
2018 Actual	16.3%	118,488	19,367
2019 Actual	16.5%	127,546	21,076
2020 Target	18.2%	109,915	20,054
2020 Actual	21.3%	98,464	20,943
2021 Estimate	18.6%		

For FY 2021, the USMS estimates 18.6% of Total Offenses in Custody will be for drug-related charges. Because the USMS does not control the nature of prisoner offenses in any given year, this estimate is calculated as an average of the past four years. It should not be viewed as a target or measure of the effectiveness of resource allocation or effort.

Data Validation and Verification

This data is queried from JDIS. System administrators perform a variety of checks and updates to ensure that accurate information is contained. The information on offenses and warrants is live, so information queried for year-end reporting is a snapshot-in-time. Due to continuous user activity in JDIS, the statistics in this report cannot be exactly replicated. The data in JDIS is dynamic, and the statistics are only current as of the date and time the report was compiled.²

Performance Measure 3: Per Day Jail Cost (non-federal facilities)

The USMS is responsible for the costs associated with the care of federal detainees in its custody. The Federal Prisoner Detention appropriation, and Detention Services decision unit, provide for the care of federal detainees in private, state, and local facilities, which includes housing, subsistence, transportation, medical care, and medical guard service. The USMS does not have performance measures for costs associated exclusively with housing the drug prisoner

² JDIS data reports were generated October, 2020.

population. The USMS has no control over the prisoner population count. While the USMS can report data on the specific number of detainees and corresponding offense, it cannot set a performance measure based on the size and make-up of the detainee population.

The Per Day Jail Cost is an overall performance measure that reflects the average daily costs for the total detainee population housed in non-federal facilities. Non-federal facilities refer to detention space acquired through Intergovernmental Agreements (IGA) with state and local jurisdictions and contracts with private jail facilities. The USMS established the Per Day Jail Cost performance measure to ensure efficient use of detention space and to minimize price increases. The average price paid is weighted by actual jail day usage at individual detention facilities. The FY 2020 per day jail cost was \$90.91, or \$4.62 above the target level. The difference between the 2020 Target and Actual can be attributed to lower than expected detention population, particularly in the Southwest Border area. Because of the lower than expected detention population, the USMS was unable to fully leverage low-cost detention space in the private detention facilities. Additionally, due to the decrease in the detention population in lower cost areas, there was a disproportionately higher population in higher cost areas. To regulate the average daily rate, the USMS negotiates rates with private facilities; limits the frequency of IGA adjustments; and utilizes federal bed space where available.

Fiscal Year	\$ Per Day
FY 2017 Actual	\$83.54
FY 2018 Actual	\$84.51
FY 2019 Actual	\$85.23
FY 2020 Target	\$86.29
FY 2020 Actual	\$90.91
FY 2021 Target	\$91.59

The FY 2021 target is based on the projected average price weighted by the projected prisoner population usage at individual detention facilities.

Data Validation and Verification

Data reported are validated and verified against monthly reports describing district-level jail utilization and housing costs prepared by the USMS. This data is queried from JDIS. System administrators perform a variety of checks and updates to ensure that accurate information is contained. The information on prisoner population is live, so information queried for year-end reporting is a snapshot-in-time. Due to continuous user activity in JDIS, the statistics in this report cannot be exactly replicated. The data in JDIS is dynamic, and the statistics are only current as of the date and time the report was compiled.³

³ JDIS data reports were generated in October, 2020.