

**GAO**

Report to the Chairman, Committee on  
the Judiciary, House of Representatives

November 1990

**INFORMATION  
RESOURCES**

**Problems Persist in  
Justice's ADP  
Management and  
Operations**





United States  
General Accounting Office  
Washington, D.C. 20548

Information Management and  
Technology Division

B-238836

November 6, 1990

The Honorable Jack Brooks  
Chairman, Committee on the  
Judiciary  
House of Representatives

Dear Mr. Chairman:

In response to your January 26, 1990, request, this report discusses the Department of Justice's automated data processing (ADP) management and operations. Specifically, you asked us if Justice has adequately responded to our previous recommendations on ADP management and case management. You also asked for an assessment of Justice's technical and management capabilities in the ADP area including whether (1) Justice's central ADP management office has sufficient authority and resources to fulfill its responsibilities under two public laws, P.L. 89-306 and P.L. 96-511;<sup>1</sup> (2) Justice's central information resources management (IRM) office is structured in accordance with P.L. 96-511; and (3) Justice has sufficient resources to properly conduct large-scale ADP and telecommunications acquisitions. Additional information on our objectives, scope, and methodology is contained in appendix I.

## Results in Brief

Justice has not adequately responded to our past recommendation to develop uniform, accurate, and complete case management information. Of broader concern, however, are management problems that can affect the overall management of Justice's information technology resources. In this regard, Justice has not adequately responded to our past recommendation to develop an IRM plan. Although Justice's central IRM office is structured in accordance with the Paperwork Reduction Act, the senior IRM official does not have clear authority to require component organizations to implement Departmental IRM decisions. Moreover, Justice believes it has neither sufficient staff to conduct large-scale ADP acquisitions nor the overall technical and managerial capabilities to ensure that it is spending its IRM funds in the most efficient and effective manner. Justice's inability to develop a case management system and an IRM plan, the lack of clearly defined authority of the senior IRM official to carry out his responsibilities, and the questionable level of technical and

<sup>1</sup>P.L. 89-306 is commonly referred to as the Brooks Act, and P.L. 96-511 as the Paperwork Reduction Act of 1980.

## Justice's Litigative Caseload Information Still Unreliable and Incomplete

After a number of false starts and over a decade of effort, Justice still does not have a system that can accurately provide the total number of cases being litigated and the total number of staff in the litigating organizations working on them.<sup>2</sup> Efforts to develop such a system have been unsuccessful because (1) each litigating organization was allowed to develop a separate system to satisfy its own management needs, and (2) data submissions from the litigating organizations that fed the departmental system were incomplete and unreliable.

Since 1977, Justice has attempted to implement a departmentwide litigative case management system that would provide the Congress and the Office of Management and Budget (OMB) with summary information on its litigative caseload. The system was also to provide top Justice executives with work load information to make resource allocation and budgetary decisions. In 1979, we pointed out that the Congress and OMB had severe difficulties evaluating Justice's requests for additional resources because Justice lacked information on litigative caseloads.<sup>3</sup> We also reported that as a result, the Congress was requiring Justice to develop a comprehensive plan for managing its litigative caseloads. In response to the Congress, Justice developed a plan in April 1980 to implement a case management system. This system became operational in 1981.

In 1983, we reported that this system did not meet the information needs of either Justice or the Congress because it contained limited information on only a portion of Justice's overall work load, and that information was neither complete nor accurate.<sup>4</sup> Therefore, we recommended that the Attorney General develop a rigorous data management program to achieve uniform, accurate, and complete case management information. In response to our 1983 report, Justice assembled a group to develop a prototype, departmentwide case management system. This prototype was intended to extract common, case-related data from the case management systems of various divisions within Justice. By 1986 Justice had developed a prototype and was considering whether to implement it departmentwide.

<sup>2</sup>Justice's litigating organizations include six divisions—Antitrust, Civil, Civil Rights, Criminal, Lands and Natural Resources, Tax, and the Executive Office for U.S. Attorneys.

<sup>3</sup>Department of Justice Making Efforts to Improve Litigative Management Information Systems (GAO/GGD-79-80, Sept. 4, 1979).

<sup>4</sup>Department of Justice Case Management Information System Does Not Meet Departmental or Congressional Needs (GAO/GGD-83-50, Mar. 25, 1983).

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the feasibility of developing a single case management system by meeting with representatives of the litigating divisions.

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## IRM Plan Still Needed

In a 1986 report, we recommended that the Attorney General develop a plan for managing Justice's information resources.<sup>5</sup> In our view, without such a plan Justice could not adequately assess whether the ADP and telecommunications initiatives of its components helped them achieve departmental objectives. In response to our 1986 report, Justice developed a strategic, automated information systems plan. Justice first completed this plan in September 1986, and it was signed by the Attorney General in January 1987. Justice updated the plan in 1989.

Although the plan identifies information technology issues that cut across Justice, the plan is not clear on how Justice will use its information resources to accomplish its mission. As a result, it does not fully address how Justice will use information resources to accomplish departmental goals and objectives, as we recommended in 1986.

OMB Circular A-130 requires that agencies establish a planning process that meets program and mission needs. In addition, Justice's own methodology recommends that components identify their missions in their strategic plans, since all subsequent planning for Justice is built on components' missions.

Justice expects to develop an IRM plan, by July 1991, which will replace its current strategic plan.

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## Central IRM Office Structured in Accordance With the Paperwork Reduction Act

The Paperwork Reduction Act requires senior IRM officials to report directly to the agency head. The senior IRM official at Justice, however, reports to the Attorney General through the Deputy Attorney General rather than directly to the Attorney General. Although we are not aware of a specific delegation of this responsibility from the Attorney General to the Deputy Attorney General, by statute, the Attorney General has broad authority to delegate his functions to any other Justice official.<sup>6</sup> Furthermore, under federal regulations the Deputy Attorney General is authorized to exercise the Attorney General's responsibilities unless such responsibilities are required by law to be exercised personally by

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<sup>5</sup>Justice Department: Improved Management Processes Would Enhance Justice's Operations (GAO/ GGD-86-12, Mar. 14, 1986).

<sup>6</sup>28 U.S.C. § 510.

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not certain that this lack of clear authority alone prevented the senior IRM official from developing and implementing a uniform case numbering system as discussed earlier in this report, we noted that he asked the Attorney General for "his assistance" in obtaining "cooperation" among all the litigating components in developing such a system. Also, as previously discussed, the manager of this project expressed concern over the authority of the senior IRM official to require the use of a uniform case numbering system.

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## Justice Believes Its IRM Resources, and Technical and Management Capabilities Are Limited

Justice believes it has neither sufficient staff to conduct large-scale ADP acquisitions nor the overall technical and managerial capabilities to ensure that it is spending its IRM funds in the most efficient and effective manner. As a result, Justice claims it cannot adequately monitor its ADP contracts and properly conduct its oversight responsibilities.

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## Justice Says Its Resources to Monitor Contracts Are Limited

Justice says it has limited resources at the department and component level to administer its growing ADP budget. From 1991 through 1995, Justice plans to spend about \$2.7 billion on 83 initiatives involving ADP hardware, software, and related services (see app. II). The senior IRM official has expressed concern that Justice may face problems managing its initiatives because of its lack of staff. In the Justice Management Division's tactical plan for 1989-1991, for example, the senior IRM official noted that there is a limited number of Justice Management Division staff with the technical and project managerial talent to conduct large systems design, acquisition, and implementation for five projects with total cost estimates exceeding \$29 million over that 3-year period.

Similarly, a report by the Justice Management Division's Systems Policy Staff issued in April 1989, identified an increased reliance on contractors by Justice components to meet ADP operational and mission requirements.<sup>11</sup> The report questioned whether Justice has adequate personnel to manage information technology contracts so they serve Justice's best

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<sup>11</sup>Trends in Information Technology Expenditures for In-House Personnel and Commercial Services (1982-1988), Apr. 11, 1989.

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## Conclusions and Recommendations

Because Justice (1) has not adequately responded to our past recommendations that were designed to improve its ADP management and operations, and (2) says it lacks sufficient staff with the technical and managerial capabilities to properly conduct large-scale ADP and telecommunications acquisitions, we believe it is highly unlikely that the Attorney General or Justice's senior IRM official can effectively and efficiently manage information resources at Justice.

To strengthen the management of information resources within the Department of Justice, we recommend that the Attorney General

- require that Justice's case management systems have uniform, accurate, and complete information on cases and require that Justice develop an IRM plan;
- clarify the senior IRM official's authority in implementing departmental IRM decisions; and
- augment, where needed, Justice's central IRM office capabilities in the technical and management areas, ADP contract management, and oversight.

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We discussed the information contained in this report with Justice officials, and have incorporated their comments where appropriate. As requested by your office, we did not seek written agency comments.

As arranged with your office, unless you publicly announce the contents of this report earlier, we plan no further distribution until 30 days from the date of this letter. At that time, we will send copies to the Attorney General, the House and Senate Appropriations Committees, and other interested parties. This report was prepared under the direction of Howard G. Rhile, Director, General Government Information Systems, who can be reached at (202) 275-3455. Other major contributors to this report are listed in appendix III.

Sincerely yours,



Ralph V. Carlone  
Assistant Comptroller General

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# Justice's Planned Acquisitions of ADP Hardware, Software, and Services Through Fiscal Year 1995

Dollars in millions

Organization	Initiatives	1991	1992	1993	1994	1995	Total
<b>Department of Justice Total</b>	<b>83</b>	<b>\$449</b>	<b>\$593</b>	<b>\$624</b>	<b>\$542</b>	<b>\$526</b>	<b>\$2,734</b>
Antitrust Division	3	\$4	\$4	\$5	\$5	\$5	<b>23</b>
Bureau of Prisons	3	5	5	5	5	5	<b>25</b>
Civil Division	7	49	49	50	62	47	<b>257</b>
Civil Rights Division	1	3	2	2	2	1	<b>10</b>
Criminal Division	2	3	3	3	4	4	<b>17</b>
Drug Enforcement Agency	6	48	24	17	16	15	<b>120</b>
Executive Office for Immigration Review	1	5	5	5	5	5	<b>25</b>
Executive Office of the United States Attorneys	3	14	12	14	14	14	<b>68</b>
Executive Office of United States Trustees	1	2	3	3	3	3	<b>14</b>
Federal Bureau of Investigation	9	125	293	314	227	223	<b>1,182</b>
Federal Prison Industries	4	6	9	7	7	7	<b>36</b>
General Legislative Activities	1	18	3	2	1	1	<b>25</b>
Immigration and Naturalization Service	23	65	76	79	79	79	<b>378</b>
Justice Management Division	8	69	73	86	78	81	<b>387</b>
Lands and Natural Resources Division	3	22	22	23	24	24	<b>115</b>
Tax Division	2	4	5	5	6	8	<b>28</b>
United States Marshal Service	6	7	5	4	4	4	<b>24</b>



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# Objectives, Scope, and Methodology

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On January 26, 1990, the Chairman, House Committee on the Judiciary, requested that we assess the Department of Justice's management of its information resources. Specifically, our objectives were to determine if Justice has adequately responded to our previous recommendations on ADP management and case management. The Chairman also requested an assessment of Justice's technical and management capabilities in the ADP area, including determining whether (1) Justice's central ADP management office has sufficient authority and resources to fulfill its responsibilities under two public laws, P.L. 89-306 and P.L. 96-511; (2) Justice's central information resources management (IRM) office is structured in accordance with P.L. 96-511; and (3) Justice has sufficient resources to properly conduct large-scale ADP and telecommunications acquisitions.

To accomplish our objectives, we focused on Justice's departmental management of information resources. We reviewed Justice's primary method for planning and managing information resources, the Automated Information Systems process. We met with the designated senior official for IRM at Justice to discuss Justice's response to our previous recommendations, and the authority of the senior official to manage information resources.

To understand Justice's approach to IRM, we met with the Director of the Systems Policy Staff, which establishes policy and coordinates information resources planning at Justice. In addition, we interviewed top IRM officials at Justice component organizations to assess the coordination and oversight exercised over individual components by the central IRM office. We also obtained and analyzed documents maintained by the Systems Policy Staff on the control and oversight process, to assess this office's planning and oversight capabilities.

We conducted our review from February to September 1990 at the Justice Management Division; the Federal Bureau of Investigation; the Immigration and Naturalization Service; the Civil Division; the Executive Office of U.S. Attorneys; and the Drug Enforcement Administration.

As requested by your office, we did not seek written agency comments on this report, but discussed its contents with Justice officials and included their comments where appropriate. We performed our work in accordance with generally accepted government auditing standards.

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# Contents

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Letter	1
Appendix I Objectives, Scope, and Methodology	12
Appendix II Justice's Planned Acquisitions of ADP Hardware, Software, and Services Through Fiscal Year 1995	13
Appendix III Major Contributors to This Report	14

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## Abbreviations

ADP	automated data processing
GAO	General Accounting Office
IMTEC	Information Management and Technology Division
IRM	information resources management
OMB	Office of Management and Budget

interests. The senior IRM official expressed similar concerns in a February 15, 1990, memo to all Justice components, in which he stated Justice may face problems managing its information technology contracts effectively. In addition, the Associate Commissioner for the Immigration and Naturalization Service supported this point by saying that she did not have enough qualified personnel to manage contracts.

### Justice's Central IRM Office Says It Has Limited Resources and Cannot Fulfill Its Oversight Responsibilities

Justice's central IRM office says limited resources have prevented it from fulfilling its oversight responsibilities. According to an April 1990 Justice planning document titled "Justification for Program and Performance," a major objective of the central IRM office is to "certify that Department components effectively and efficiently manage information resources." Although the central IRM office reviews information systems plans and acquisition lists from Justice component organizations, central IRM officials said staff shortages at that office have prohibited independent audit and evaluation of computer systems. For example, our July 1990 report on computer security pointed out that staff shortages resulted in the lack of oversight by the central IRM office, which contributed to many disturbing security weaknesses in Justice's sensitive computer systems.<sup>12</sup> Similarly, in our September 1990 report on information management at the Department's Immigration and Naturalization Service, we reported that the Service risks admitting illegal aliens and granting benefits to ineligible aliens, and has millions of dollars in uncollectible debts because of unreliable ADP systems.<sup>13</sup> According to Justice, limited resources prevented it from conducting comprehensive oversight of the Service's information management program.

In addition, in July 1988, the Justice Management Division's internal audit staff found that the oversight process conducted by Justice's central IRM office did not include post-implementation reviews.<sup>14</sup> Post-implementation reviews verify that information systems are operated in accordance with Justice policy, and are performing as expected. According to Justice officials, there are still not enough resources to conduct this oversight function.

<sup>12</sup>Justice Automation: Tighter Computer Security Needed (GAO/IMTEC-90-69, July 30, 1990).

<sup>13</sup>Information Management: Immigration and Naturalization Service Lacks Ready Access to Essential Data (GAO/IMTEC-90-75, Sept. 27, 1990).

<sup>14</sup>Audit Report on the Management of Department of Justice Microcomputer Policy, July 1988.

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the Attorney General.<sup>7</sup> Since the Paperwork Reduction Act does not require the Attorney General to personally receive reports from the senior IRM official, we think this responsibility can properly be performed by the Deputy Attorney General. Therefore, in our view, Justice's central IRM office is structured in accordance with the Paperwork Reduction Act.

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## Senior IRM Official Does Not Have Clear Authority

Under the Paperwork Reduction Act, federal agencies are assigned various information management responsibilities. These responsibilities include implementing applicable governmentwide and agency information policies, principles, standards, and guidelines. By departmental order, these functions have been assigned to the Justice Department's senior IRM official, the Assistant Attorney General for Administration.<sup>8</sup>

Under federal regulations, Justice's senior IRM official also has broad responsibilities that include IRM functions such as (1) formulating department policies, standards, and procedures for information systems; and (2) providing the final review and approval of systems, procedures, and standards for the use of data elements and codes.<sup>9</sup>

Although the senior IRM official has been given these broad responsibilities, neither Justice's departmental orders nor regulations give the senior official clear authority to direct component organizations to implement departmental IRM decisions. In this regard, we recommended in our 1986 report that the senior IRM official should clearly possess the authority to direct component actions to ensure successful departmentwide planning and implementation.<sup>10</sup> In response to this report, Justice said that the senior IRM official has tacit and regulatory authority to accomplish this task. Notwithstanding Justice's position on our 1986 recommendation, we still believe that Justice needs to clarify the senior IRM official's authority in implementing departmental IRM decisions.

This lack of clear authority may have impeded the senior IRM official from fully carrying out his assigned responsibilities. In our judgement clear authority is important because of the varying degrees of independence of Justice's component organizations. For example, while we are

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<sup>7</sup>28 C.F.R. § 0.15.

<sup>8</sup>Department of Justice Order 2880.1, "Information Resources Management Program," June 26, 1987.

<sup>9</sup>28 C.F.R. § 0.75.

<sup>10</sup>GAO/GGD-86-12, Mar. 14, 1986.

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Although our 1983 report pointed out that Justice needed to address fundamental data-integrity problems with its components' case management systems, Justice, without doing so, adopted the prototype as a departmentwide system. It became operational in 1986. Now, according to the senior IRM official, no one in Justice uses the system because of continuing data-integrity problems. According to the senior official, the main problem with the current system is the lack of a uniform case numbering system among the litigating divisions and U.S. Attorneys Offices. This problem results in multiple counting of cases, which are shared or transferred among the litigating divisions and U.S. Attorneys Offices. As a result, the departmentwide case management system cannot provide Justice, the Congress, or OMB with accurate caseload information.

In June 1989, Justice convened a new group to develop a uniform case numbering system and to discuss the possibility of having a standard case management system for all litigating organizations. However, the group met only once in 1989, and neither objective was fulfilled. The group's chairperson, who is also the project manager for the departmental case management system, stated that the senior IRM official could not dictate mission-related policy to the litigating organizations, and therefore could not dictate a uniform case numbering system. The same Justice official told us that to resolve the problems of case management, the senior IRM official would need the support of the Attorney General.

On May 21, 1990, we brought the lack of progress in developing a departmentwide case management system to the attention of Justice's senior IRM official. As a result, the senior IRM official wrote to the Attorney General on June 14, 1990, pointing out that Justice still does not have a system capable of providing accurate, aggregate caseload information. To solve this problem, the senior IRM official recommended to the Attorney General that Justice (1) conduct a consolidated requirements analysis of its case management information needs, and (2) explore the feasibility of developing a single case management system for all of its litigating organizations. The senior IRM official pointed out that these solutions will require cooperation from all of the litigating organizations and, therefore, asked the Attorney General for his support. The senior IRM official stated that he believes this effort will enable Justice to finally accomplish its goal of developing and implementing a single comprehensive case management system. On July 11, 1990, the Attorney General approved the senior IRM official's recommendations. On August 24, 1990, Justice entered into an agreement with the General Service Administration's Federal Systems Integration and Management Center to perform a consolidated requirements analysis, and is exploring



managerial resources raise serious doubts as to Justice's ability to effectively manage its information technology resources.

Justice must take decisive steps to strengthen the management of its information technology resources. This report contains recommendations to the Attorney General to ensure that (1) our past recommendations are successfully addressed, (2) the senior IRM official has clear authority to implement Justice-wide information resources management decisions, and (3) Justice evaluates its central IRM office resource needs regarding technical and management capabilities, ADP contract management, and oversight, and augment them if they are inadequate.

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## Background

Justice has spent approximately \$2.5 billion for information technology since fiscal year 1985. For fiscal year 1990, Justice's information technology budget is almost \$579 million. Justice has estimated obligations of over \$621 million for fiscal year 1991 for ADP and telecommunications technology. This amount represents approximately 10 percent of its total fiscal year 1991 budget request.

The Assistant Attorney General for Administration is in charge of the Justice Management Division, and is Justice's designated senior IRM official. The management division is assigned the responsibility of developing and administering IRM policy. These responsibilities include annually reviewing plans submitted by Justice organizations in conjunction with Justice's budget process, and overseeing the use and performance of information systems in accordance with Justice objectives, plans, policies, and procedures. The management division also reviews and approves the acquisition of ADP systems.

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## Justice Has Not Adequately Responded to Past GAO Recommendations

Since 1979 we have issued a number of reports addressing Justice's ADP management and operations. Two of these reports contained recommendations to the Attorney General to (1) improve Justice's ability to provide complete and reliable litigative caseload information, and (2) develop and implement an IRM plan. Justice has not fully responded to these recommendations. Therefore, most of the problems which prompted these recommendations continue today.

