

General Legal Activities

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* Refer to the General Legal Activities Components' Exhibits

I. Overview for General Legal Activities

The General Legal Activities (GLA) appropriation is requesting a total of 4,027 permanent positions, 4,024 workyears (and an additional 368 reimbursable workyears) and \$804,007,000. This resource level represents program improvements of 2 positions, 1 workyear and \$289,000. The FY 2009 request includes net adjustments-to-base (ATBs) of 83 workyears, and \$58,169,000. The ATB increases are requested to enable the appropriation to keep pace with inflation. The FY 2009 program improvement is outlined below. Specific details about individual programs are discussed in the General Legal Activities Components' Budgets.

Criminal Division

Southwest Border Enforcement Initiative - 2 positions, (2 attorneys), 1 workyear and \$289,000.

The Criminal Division requests resources to combat the growing threat of gang and violent crime along the southwest border. These additional resources are necessary to address the ever present transnational and national threats to the American people posed by violent crime. This request will help implement a comprehensive national gang strategy to address violence and crime along the southwest border through the Southwest Border Enforcement Initiative.

III. Appropriation Language and Analysis of Appropriation Language

Appropriation Language

New language proposed for FY 2009 is *italicized and underlined*, and FY 2008 language proposed for deletion is [bracketed].

General Legal Activities, Salaries and Expenses

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, [\$735,549,000] \$804,007,000, of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the total amount appropriated, not to exceed \$1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses associated with the federal observer program under section 8 of the Voting Rights Act (42 U.S.C. 1973f): Provided further, that \$3,390,000 for the federal observer program shall remain available until expended.* [For an additional amount for "Legal Activities, General Legal Activities", \$10,000,000 shall be for border security and immigration enforcement along the Southwest border: *Provided*, That the amount provided by this paragraph is designated as described in section 5 (in the matter preceding division A of this consolidated Act).]

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed [\$6,833,000] \$7,833,000 to be appropriated from the Vaccine Injury Compensation Trust Fund. (Department of Justice Appropriations Act, 2008.)

Analysis of Appropriation Language

No substantive changes proposed.

B: Summary of Requirements

Summary of Requirements

General Legal Activities
Salaries and Expenses
(Dollars in Thousands)

	FY 2009 Request		
	Perm. Pos.	FTE	Amount
2007 Enacted (with Rescissions, direct only)	3,775	3,789	\$677,154
2007 Supplementals			1,648
Total 2007 Revised Continuing Appropriations Resolution (with Rescissions)	3,775	3,789	678,802
2008 Enacted (with Rescissions, direct only)	4,025	3,940	745,549
2008 Supplementals			
Total 2008 Enacted (with Rescissions and Supplementals)	4,025	3,940	745,549
Adjustments to Base			
Transfer:			
OPM Voting Monitor Program			3,390
Increases:			
2009 pay raise (2.9%)			10,102
2008 pay raise annualization (3.5%)			3,158
Annualization of 2008 positions (FTE)		134	0
Annualization of 2008 positions (dollars)			24,201
1% Increase in FERS LE Contribution			1
Retirement			428
Health Insurance			1,312
Employees Compensation Fund			(36)
GSA Rent			5,589
Moves (Lease Expiration)			(544)
DHS Security Charge			529
Base Program Cost Adjustment		12	7,408
Postage			48
Security Investigations			45
Government Printing Office (GPO)			67
Working Capital Fund (JUTNet)			2,140
ICASS			167
Capital Security Cost Sharing (CSCS)			4,401
Government Leased Quarters (GLQ) Requirement			4
Education Allowance			61
Subtotal Increases	0	146	59,081
Decreases:			
Changes in Compensable Days	0	0	(1,765)
Non-recrural of FY 2008 Personnel Increases			(2,537)
Unfunded FTE		(42)	0
Subtotal Decreases	0	(63)	(4,302)
Net Adjustments to Base	0	83	58,169
2009 Current Services	4,025	4,023	803,718
Program Changes			
Increases (See Program Narrative in Criminal division's budget for details)	2	1	289
Subtotal Increases	2	1	289
2009 Total Request	4,027	4,024	804,007
2008 - 2009 Total Change	2	84	58,458

Summary of Requirements
General Legal Activities
Salaries and Expenses
(Dollars in Thousands)

	2007 Appropriation Enacted w/Rescissions and Supplementals			2008 Enacted			2009 Adjustments to Base and Technical Adjustments			2009 Current Services			2009 Increases			2009 Offsets			2009 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Estimates by budget activity																					
Conduct of Supreme Court proceedings/review of appellate matters	48	49	\$9,983	48	49	\$9,883	0	0	\$557	48	49	\$10,440	0	0	\$0	0	0	\$0	48	49	\$10,440
General tax matters	563	515	85,729	634	573	92,781	0	0	8,235	634	573	101,016	0	0	0	0	0	0	634	573	101,016
Criminal matters	744	750	138,477	744	750	148,979	0	0	14,793	744	750	163,772	2	1	289	0	0	0	746	751	164,061
Claims, customs and general civil matters	1,149	1,146	208,311	1,338	1,253	250,114	0	79	20,317	1,338	1,332	270,431	0	0	0	0	0	0	1,338	1,332	270,431
Land, natural resources and Indian matters	436	490	95,093	445	495	99,365	0	4	3,728	445	499	103,093	0	0	0	0	0	0	445	499	103,093
Legal opinions	37	37	6,278	37	37	6,184	0	0	509	37	37	6,693	0	0	0	0	0	0	37	37	6,693
Civil rights matters	733	735	113,597	713	715	114,450	0	0	8,701	713	715	123,151	0	0	0	0	0	0	713	715	123,151
INTERPOL - U.S.National Central Bureau	62	64	20,748	63	65	23,252	0	0	1,296	63	65	24,548	0	0	0	0	0	0	63	65	24,548
Dispute Resolution	3	3	586	3	3	541	0	0	33	3	3	574	0	0	0	0	0	0	3	3	574
Total	3,775	3,789	678,802	4,025	3,940	745,549	0	83	58,169	4,025	4,023	803,718	2	1	289	0	0	0	4,027	4,024	804,007
Reimbursable FTE		353			354			(1)			353			15						368	
Total FTE		4,142			4,294			82			4,376			16			0			4,392	
Other FTE:																					
LEAP								0						0			0				
Overtime								0						0			0				
Total Comp. FTE		4,142			4,294			82			4,376			16			0			4,392	

Note: FTE levels include the following changes from figures shown in the 2009 President's Budget Appendix.

- Reimbursable 2009 FTE is 5 less because Civil division's reimbursable partners decreased reimbursable FTE after the MAX database was finalized.
- Direct 2008 and 2009 FTE is 1 higher due to a change in levels for the U.S. National Central Bureau (USNCB). This change is due to an adjustment made in 2008 to reflect the USNCB's ability to fund 1 additional FTE within existing resources.

F: Crosswalk of 2007 Availability

Crosswalk of 2007 Availability

General Legal Activities

Salaries and Expenses

(Dollars in Thousands)

Decision Unit	FY 2007 Enacted			Supplementals			Reprogrammings / Transfers			Reallocations			Carryover/ Recoveries			2007 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Conduct of Supreme Court proceedings and review of appellate matters	48	49	\$9,983	0	0	\$0	0	0	\$0	0	0	\$0	0	0	\$0	48	49	\$9,983
General tax matters	563	515	85,729	0	0	0	0	0	0	0	0	3,500	0	0	927	563	515	90,156
Criminal matters	744	750	136,829	0	0	1,648	0	0	0	0	0	0	0	0	1,108	744	750	139,585
Claims, customs and general civil matters	1,149	1,146	208,311	0	0	0	0	0	0	0	0	7,000	0	0	5,703	1,149	1,146	221,014
Land, natural resources and Indian matters	436	490	95,093	0	0	0	0	0	0	0	0	2,800	0	0	0	436	490	97,893
Legal opinions	37	37	6,278	0	0	0	0	0	0	0	0	0	0	0	0	37	37	6,278
Civil rights matters	733	735	113,597	0	0	0	0	0	0	0	0	50	0	0	0	733	735	113,647
INTERPOL - U.S. National Central Bureau	62	64	20,748	0	0	0	0	0	(4,000)	0	0	0	0	0	0	62	64	16,748
Dispute Resolution	3	3	586	0	0	0	0	0	0	0	0	0	0	0	0	3	3	586
Legal activities office automation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	60	0	0	60
Automated Litigation Support	0	0	0	0	0	0	0	0	9,556	0	0	(13,350)	0	0	5,811	0	0	2,017
TOTAL	3,775	3,789	\$677,154	0	0	\$1,648	0	0	\$5,556	0	0	\$0	0	0	\$13,609	3,775	3,789	\$697,967
Reimbursable FTE		353																353
Total FTE		4,142			0			0			0			0				4,142
Other FTE																		
LEAP																		0
Overtime																		0
Total Compensable FTE		4,142			0			0			0			0				4,142

Reprogrammings.

Transfers.

The \$4M transfer from IPOL reflects an unobligated balance transferred to GLA's Automated Litigation Support (ALS) account as authorized by P.L. 110-5.

The remaining increase of \$9.556M in GLA's ALS account reflects transfers of unobligated balances from GLA prior years' accounts.

Reallocations.

Funds were distributed from GLA's ALS account to the components' ALS accounts.

Unobligated Balances.

Funds were carried over from FY 2006 from the GLA's no-year account (\$6,783K) and GLA's VCRP no-year account (\$219K). A total of \$5,550K was also brought forward from GLA's 6/7 account which included funding provided in the 2006 Supplemental. This carryover funding includes \$5,295K for CIV's Border Security and \$255K for CRM's Hurricane funding. An additional \$594K was brought forward from GLA's 6/7 account from Criminal division's ICITAP program.

Recoveries.

In 2007, GLA's no-year account included recoveries of \$462K of which \$455K is included in TAX's ALS account and \$7K is in CRM's FARA account.

G: Crosswalk of 2008 Availability

Crosswalk of 2008 Availability

General Legal Activities

Salaries and Expenses

(Dollars in Thousands)

Decision Unit	FY 2008 Enacted			Supplementals			Reprogrammings / Transfers			Reallocations			Carryover/ Recoveries			2008 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Conduct of Supreme Court proceedings and review of appellate matters	48	49	\$9,883	0	0	\$0	0	0	\$0	0	0	\$0	0	0	\$0	48	49	\$9,883
General tax matters	634	573	92,781	0	0	0	0	0	0	0	0	0	0	0	3,203	634	573	95,984
Criminal matters	744	750	148,979	0	0	0	0	0	0	0	0	0	0	0	102	744	750	149,081
Claims, customs and general civil matters	1,338	1,253	250,114	0	0	0	0	0	0	0	0	0	0	0	2,379	1,338	1,253	252,493
Land, natural resources and Indian matters	445	495	99,365	0	0	0	0	0	0	0	0	0	0	0	0	445	495	99,365
Legal opinions	37	37	6,184	0	0	0	0	0	0	0	0	0	0	0	0	37	37	6,184
Civil rights matters	713	715	114,450	0	0	0	0	0	0	0	0	0	0	0	0	713	715	114,450
INTERPOL - U.S. National Central Bureau	63	65	23,252	0	0	0	0	0	0	0	0	0	0	0	0	63	65	23,252
Dispute Resolution	3	3	541	0	0	0	0	0	0	0	0	0	0	0	0	3	3	541
Legal activities office automation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	60	0	0	60
Automated Litigation Support	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2,019	0	0	2,019
TOTAL	4,025	3,940	\$745,549	0	0	\$0	0	0	\$0	0	0	\$0	0	0	\$7,763	4,025	3,940	\$753,312
Reimbursable FTE		354																354
Total FTE		4,294			0			0			0			0				4,294
Other FTE																		
LEAP																		0
Overtime																		0
Total Compensable FTE		4,294			0			0			0			0				4,294

Unobligated Balances.

Funds were carried over into FY 2008 from the GLA's 2007 no-year account (\$7,550K) and GLA's VCRP no-year account (\$213K).

I: Detail of Permanent Positions by Category

Detail of Permanent Positions by Category
 General Legal Activities
 Salaries and Expenses

Category	2007 Enacted w/ Supplementals		2008 Enacted		ATBs	2009 Request				
	Total Authorized	Total Reimbursable	Total Authorized	Total Reimbursable		Program Increases	Program Decreases	Total Pr. Changes	Total Authorized	Total Reimbursable
Social Sciences, Econ and Kindred (100-199)	34	0	34	0	0	0	0	0	34	0
Personnel Management (200-299)	41	1	41	1	0	0	0	0	41	1
Clerical and Office Services (300-399)	918	92	924	93	0	0	0	0	924	98
Accounting and Budget (500-599)	30	10	32	10	0	0	0	0	32	10
Attorneys (905)	2,248	164	2,473	163	0	2	0	2	2,475	174
Paralegals / Other Law (900-998)	407	43	426	43	0	0	0	0	426	43
Information & Arts (1000-1099)	8	1	8	1	0	0	0	0	8	1
Business & Industry (1100-1199)	6	0	8	0	0	0	0	0	8	0
Library (1400-1499)	4	0	4	0	0	0	0	0	4	0
Equipment/Facilities Services (1600-1699)	0	0	0	0	0	0	0	0	0	0
Miscellaneous Inspectors Series (1802)	0	0	0	0	0	0	0	0	0	0
Criminal Investigative Series (1811)	1	0	1	0	0	0	0	0	1	0
Supply Services (2000-2099)	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Operations (5703)	0	0	0	0	0	0	0	0	0	0
Information Technology Mgmt (2210)	51	1	47	1	0	0	0	0	47	1
Security Specialists (080)	18	0	18	0	0	0	0	0	18	0
Miscellaneous Operations (010-099)	9	2	9	2	0	0	0	0	9	2
Total	3,775	314	4,025	314	0	2	0	2	4,027	330
Headquarters (Washington, D.C.)	3,643	242	3,891	238	0	2	0	2	3,893	249
U.S. Field	118	17	120	21	0	0	0	0	120	17
Foreign Field	14	55	14	55	0	0	0	0	14	66
Total	3,775	314	4,025	314	0	2	0	2	4,027	332

K: Summary of Requirements by Grade

Summary of Requirements by Grade

General Legal Activities

Salaries and Expenses

Grades and Salary Ranges	2007 Enacted w/ Supplementals		2008 Enacted		2009 Request		Increase/Decrease	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
SES, \$111,676 - \$168,000	148		148		148		0	
GS-15, \$110,363 - 143,471	1,834		1,832		1,832		0	
GS-14, \$93,822 - 121,967	331		562		564		2	
GS-13, \$79,397 - 103,220	275		274		274		0	
GS-12, \$66,767 - 86,801	191		190		190		0	
GS-11, \$55,706 - 72,421	297		293		293		0	
GS-10, 50,703 - 65,912	26		25		25		0	
GS-9, \$46,041 - 59,852	221		236		236		0	
GS-8, 41,686 - 54,194	157		154		154		0	
GS-7, \$37,640 - 48,933	218		241		241		0	
GS-6, \$33,872 - 44,032	29		27		27		0	
GS-5, \$30,386 - 39,501	26		21		21		0	
GS-4, \$27,159 - 35,303	17		17		17		0	
GS-3, \$24,194 - 31,451	5		5		5		0	
GS-2, \$22,174 - 27,901	0		0		0		0	
GS-1, \$19,722 - 24,664	0		0		0		0	
Total, appropriated positions	3,775		4,025		4,027		2	
Average SES Salary		\$153,408		\$158,164		\$161,643		
Average GS Salary		\$99,302		\$102,380		\$104,633		
Average GS Grade		12.37		11.60		11.60		

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class

General Legal Activities

Salaries and Expenses

(Dollars in Thousands)

Object Classes	2007 Actuals		2008 Enacted		2009 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Direct FTE & personnel compensation	3,077	312,937	3,531	344,466	3,615	378,745	84	34,279
11.3 Other than full-time permanent	487	38,257	409	29,731	409	30,650	0	919
11.5 Total, Other personnel compensation	0	6,033	0	6,301	0	6,603	0	302
11.8 Special personal services payments	0	3,232	0	650	0	669	0	19
Total	3,564	360,459	3,940	381,148	4,024	416,667	84	35,519
Other Object Classes:								
12.0 Personnel benefits		87,517		94,259		103,643		9,384
13.0 Benefits to former personnel		509		521		535		14
21.0 Travel and transportation of persons		19,386		19,666		20,206		540
22.0 Transportation of things		3,639		3,955		4,088		133
23.1 GSA rent		85,121		97,398		101,478		4,080
23.2 Moving/Lease Expirations/Contract Parking		1,901		3,439		3,454		15
23.3 Comm., util., & other misc. charges		5,951		10,039		11,307		1,268
24.0 Printing and reproduction		2,405		2,744		2,998		254
25.1 Advisory and assistance services		12,073		12,426		12,531		105
25.2 Other services		61,356		70,365		62,289		(8,076)
25.3 Purchases of goods & services from Government accounts (Antennas, DHS Sec. Etc..)		20,079		29,062		36,748		7,686
25.4 Operation and maintenance of facilities		296		147		148		1
25.6 Medical Care		287		222		222		0
25.7 Operation and maintenance of equipment		3,759		3,716		3,762		46
26.0 Supplies and materials		4,765		4,628		4,822		194
31.0 Equipment		7,667		7,260		6,317		(943)
41.0 Grants, Subsidies & Contributions		7,233		12,317		12,792		475
42.0 Insurance Claims and Indemnities		112		0		0		0
Total obligations		\$684,515		\$753,312		\$804,007		\$50,695
Unobligated balance, start of year		(13,148)		(7,763)				
Transfers from other accounts		(5,556)						
Unobligated balance expiring		5,690						
Unobligated balance, end of year		7,763						
Recoveries of prior year obligations		(462)						
Total DIRECT requirements		678,802		745,549		804,007		50,695
Reimbursable FTE:								
Full-time permanent								
23.1 GSA rent (Reimbursable)		7,412		7,877		8,272		395
25.3 DHS Security (Reimbursable)		95		113		120		7

The increase/decrease column is \$7,763K less than the total 2009 increase of \$58,458K due to carryover funding being obligated in FY 2008.