

# 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 4,123 permanent positions, 4,017 workyears and \$750,584,000. This resource level represents program improvements of 306 positions, 158 workyears and \$30,037,000. The FY 2008 request includes net adjustments-to-base (ATBs) and technical adjustments of (52) positions, 22 workyears, and \$65,628,000. The ATB increases are requested to enable the appropriation to keep pace with inflation and the technical adjustment provides funding for a viable current services level. The FY 2008 program improvements are outlined below. Specific details about individual programs are discussed in the General Legal Activities Components' Budgets.

### **Tax Division**

Operation Continued Follow-Through – 71 positions, (51 attorneys), 36 workyears and \$5,187,000.

### **Criminal Division**

Reducing Violent and Organized Crime – 2 positions, (2 attorneys), 2 workyears and \$232,000.

Protecting Citizens from Online Crime – 7 positions, (4 attorneys), 4 workyears and \$685,000.

Reducing the Flow of Illicit Drugs – 3 positions, (2 attorneys), 2 workyears and \$299,000.

### **Civil Division**

Guantanamo Bay Detainee Litigation – 29 positions, (23 attorneys), 15 workyears and \$3,263,000.

Immigration Litigation – 163 positions, (124 attorneys), 82 workyears and \$14,124,000.

### **Environment & Natural Resources Division**

Tribal Trust Initiative – 17 positions, (10 attorneys), 9 workyears and \$3,951,000.

### **United States National Central Bureau (Interpol)**

Law Enforcement Information Sharing – \$514,000.

MS-13/Transnational Violent Gangs Program – 1 position, 1 workyear and \$69,000.

### **Civil Rights Division**

Human Trafficking – 13 positions, (8 attorneys), 7 workyears and \$1,713,000.

### III. Appropriation Language and Analysis of Appropriation Language

#### Appropriation Language

New language proposed for FY 2008 is *italicized and underlined*.

#### 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, \$750,584,000, 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 105 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 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

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, to be appropriated from the Vaccine Injury Compensation Trust Fund.

#### Analysis of Appropriation Language

No substantive changes proposed.

The FY 2008 President's Budget uses the FY 2007 President's Budget language as a base so all language is presented as new.

B. Summary of Requirements

Summary of Requirements  
General Legal Activities  
Salaries & Expenses  
(Dollars in thousands)

	FY 2008 Pres. Budget		
	Perm. Pos.	FTE	Amount
<b>2006 Enacted (with Rescissions, direct only)</b>			
2005 Supplemental	3,810	3,816	\$653,505
<b>Total 2006 Appropriation Enacted (with Rescissions and Supplementals)</b>	3,810	3,816	664,505
2007 President's Budget (Information only)	3,869	3,837	684,325
2007 Continuing Resolution Level (as reflected in the 2008 President's Budget, Information Only)	3,810	3,816	653,505
<b>2007 Estimate (direct only)*</b>	3,869	3,837	654,919
<b>Technical Adjustments</b>			
Base Adjustment			13,820
Adjustments To Base			
Increases:			
2008 pay raise (3.0%)	...	...	9,822
2007 pay raise annualization (2.2%)	...	...	3,628
Annualization of 2007 positions (FTE)	...	74	0
Annualization of 2007 positions (dollars)	...	...	10,044
Annualization of 2006 positions (dollars)	...	...	272
Changes in Compensable Days	...	...	3,291
Retirement	...	...	898
Health Insurance	...	...	1,121
Employee Compensation Fund	...	...	(34)
GSA Rent	...	...	7,025
Moves (Lease Expansions)	...	...	13,994
DHS Security Charge	...	...	42
Security Investigations	...	...	175
Capital Security Cost Sharing	...	...	1,764
Government Leased Quarters (GLQ) Requirement	...	...	109
Post Allowance - Cost of Living Allowance	...	...	57
Subtotal Increases	0	74	51,808
Decreases:			
Unfunded Position and FTE Reduction	-52	-52	0
Total Adjustments to Base	-52	22	51,808
Total Adjustments to Base and Technical Adjustments	-52	22	65,628
<b>2008 Current Services</b>	3,817	3,859	720,547
Program Changes			
Increases (See Program Narrative in each component's budget for details)	306	158	30,037
Total Program Changes	306	158	30,037
<b>2008 Total Request</b>	4,123	4,017	750,584
2007 - 2008 Total Change	254	180	96,665

\* The Department of Justice 2008 budget request was built on a starting point that recognized progress in enacting the FY 2007 appropriation. The starting point used (referred to throughout this document as the "Estimate") is the average of the Senate Committee and House passed marks, less one percent, unless noted otherwise.

B. Summary of Requirements (con't.)

**Summary of Requirements**  
 General Legal Activities  
 Salaries & Expenses  
 (Dollars in thousands)

Estimates by Program	2006 Enacted w/ Rescissions & Supplementals			2007 Estimate			2008 Adjustments to Base and Technical Adjustments			2008 Current Services			2008 Increases			2008 Offsets			2008 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
1. Conduct of Supreme Court proceedings and review of appellate matters.....	48	49	8,292	48	49	9,237	0	0	848	48	49	10,085	0	0	0	0	0	0	48	49	10,085
2. General tax matters.....	566	518	80,506	595	531	82,621	0	16	6,870	595	547	89,491	71	36	5,187	0	0	0	666	583	94,678
3. Criminal matters.....	818	817	144,481	746	751	131,398	0	1	19,412	746	752	150,808	12	8	1,216	0	0	0	758	760	152,024
4. Claims, customs and general civil matters.....	1,100	1,096	202,489	1,208	1,176	204,612	(32)	25	23,024	1,176	1,201	227,636	192	97	17,387	0	0	0	1,368	1,298	245,023
5. Land, natural resources and Indian matters.....	439	493	92,774	436	490	91,408	0	0	6,037	436	490	97,445	17	9	3,951	0	0	0	453	499	101,396
6. Legal opinions.....	37	37	5,861	37	37	5,972	0	0	338	37	37	6,310	0	0	0	0	0	0	37	37	6,310
7. Civil rights matters.....	737	739	109,036	733	735	108,777	(20)	(20)	6,299	713	715	115,076	13	7	1,713	0	0	0	726	722	116,789
8. INTERPOL - U.S. National Central Bureau.....	62	64	20,586	63	65	20,354	0	0	2,790	63	65	23,144	1	1	583	0	0	0	64	66	23,727
9. Legal activities office automation.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10. Dispute Resolution.....	3	3	480	3	3	542	0	0	10	3	3	552	0	0	0	0	0	0	3	3	552
11. Automated Litigation Support.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total.....</b>	<b>3,810</b>	<b>3,816</b>	<b>664,505</b>	<b>3,869</b>	<b>3,837</b>	<b>654,919</b>	<b>(52)</b>	<b>22</b>	<b>65,628</b>	<b>3,817</b>	<b>3,859</b>	<b>720,547</b>	<b>306</b>	<b>158</b>	<b>30,037</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,123</b>	<b>4,017</b>	<b>750,584</b>
Reimbursable FTE.....		351			351			5			356			1						357	
Total FTE.....		4,167			4,188			27			4,215			159						4,374	
Other FTE.....																					
Overtime.....		25			25			0			25			0						25	
Total Compensable FTE.....		4,192			4,213			27			4,240			159						4,399	

F. Crosswalk of 2006 Availability

Crosswalk of 2006 Availability

General Legal Activities  
Salaries & Expenses

(Dollars in Thousands)

Budget Activity/Program	FY 2006 Enacted Without Rescissions			Rescissions			Supplementals Amt.	Reprogrammings/ Transfers			Reallocations			Carryover/ Recoveries			2006 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amt.		Pos.	FTE	Amt.	Pos.	FTE	Amt.	Pos.	FTE	Amt.	Pos.	FTE	Amt.
1. Conduct of Supreme Court proceedings and review of appellate matters.....	48	49	8,399	0	0	(107)	0	0	0	725	0	0	0	0	0	0	48	49	9,017
2. General tax matters.....	566	518	81,548	0	0	(1,042)	0	0	0	(332)	0	0	1,265	0	0	674	566	518	82,113
3. Criminal matters.....	818	823	144,957	0	(6)	(1,851)	1,375	0	0	1,794	0	0	0	0	0	128	818	817	146,403
4. Claims, customs and general civil matters.....	1,118	1,114	195,359	(18)	(18)	(2,495)	9,625	0	0	(665)	0	0	15,640	0	0	388	1,100	1,096	217,852
5. Land, natural resources and Indian matters.....	439	493	93,974	0	0	(1,200)	0	0	0	(333)	0	0	1,500	0	0	0	439	493	93,941
6. Legal opinions.....	37	37	5,937	0	0	(76)	0	0	0	0	0	0	0	0	0	0	37	37	5,861
7. Civil rights matters.....	737	739	110,447	0	0	(1,411)	0	0	0	(443)	0	0	0	0	0	0	737	739	108,593
8. INTERPOL - U.S. National Central Bureau.....	62	64	20,852	0	0	(266)	0	0	0	(4,425)	0	0	0	0	0	0	62	64	16,161
9. Legal activities office automation.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	661	0	0	661
10. Dispute Resolution.....	3	3	486	0	0	(6)	0	0	0	0	0	0	0	0	0	0	3	3	480
11. Automated Litigation Support.....	0	0	0	0	0	0	0	0	0	23,601	0	0	(18,405)	0	0	104	0	0	5,300
<b>Total.....</b>	<b>3,828</b>	<b>3,840</b>	<b>661,959</b>	<b>(18)</b>	<b>(24)</b>	<b>(8,454)</b>	<b>11,000</b>	<b>0</b>	<b>0</b>	<b>19,922</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,955</b>	<b>3,810</b>	<b>3,816</b>	<b>696,382</b>
Reimbursable FTE.....		351			0				0						0			351	
Total FTE.....		4,191			(24)				0						0			4,167	
Other FTE: Overtime.....		25			0				0						0			25	
Total Compensable: FTE.....		4,216			(24)				0						0			4,192	

Enacted Rescission

Funds rescinded as required by P.L. 109-108.

Reprogrammings / Transfers

The reprogramming of \$1,772,972 reflects the annualization of the 2005 attorney transfer to the U.S. Attorneys appropriation approved by the House on 2/16/05 and the Senate on 5/5/05.  
The reprogramming of \$725,000 from IPOL to OSG covered OSG's shortfall in funding.  
The additional reduction of \$3.7M from IPOL reflects unobligated balances transferred to GLA's ALS account as authorized by P.L. 109-108.  
The remaining increase of \$19.901M in GLA's ALS account reflects transfers of unobligated balances from GLA prior years' accounts.  
The transfers to CRM include ICITAP funding from USAID of \$1.2 M (5/6 funding) and \$.594M (6/7 funding).

Reallocations

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

Carryover/Recoveries

In GLA's no-year account, funds were carried over from FY 2005 (\$1,686K) and there were recoveries (\$49K).  
In GLA's VCRP no-year account, funds were carried over from FY 2005 (\$220K).

G. Crosswalk of 2007 Availability

Crosswalk of 2007 Availability

General Legal Activities  
Salaries & Expenses

(Dollars in Thousands)

Budget Activity/Program	2007 Estimate			Rescissions			Reprogrammings/ Transfers			Unobligated Balances Carried Forward /Recoveries			2007 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amt.	Pos.	FTE	Amt.	Pos.	FTE	Amt.	Pos.	FTE	Amt.
1. Conduct of Supreme Court proceedings and review of appellate matters.....	48	49	9,237	0	0	0	0	0	0	0	0	0	48	49	9,237
2. General tax matters.....	595	531	82,621	0	0	0	0	0	0	0	0	472	595	531	83,093
3. Criminal matters.....	746	751	131,396	0	0	0	0	0	0	0	0	1,101	746	751	132,497
4. Claims, customs and general civil matters.....	1,208	1,176	204,612	0	0	0	0	0	0	0	0	5,703	1,208	1,176	210,315
5. Land, natural resources and Indian matters.....	436	490	91,408	0	0	0	0	0	0	0	0	0	436	490	91,408
6. Legal opinions.....	37	37	5,972	0	0	0	0	0	0	0	0	0	37	37	5,972
7. Civil rights matters.....	733	735	108,777	0	0	0	0	0	0	0	0	0	733	735	108,777
8. INTERPOL - U.S. National Central Bureau.....	63	65	20,354	0	0	0	0	0	0	0	0	0	63	65	20,354
9. Legal activities office automation.....	0	0	0	0	0	0	0	0	0	0	0	60	0	0	60
10. Dispute Resolution.....	3	3	542	0	0	0	0	0	0	0	0	0	3	3	542
11. Automated Litigation Support.....	0	0	0	0	0	0	0	0	0	0	0	5,811	0	0	5,811
<b>Total.....</b>	<b>3,869</b>	<b>3,837</b>	<b>654,919</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>13,147</b>	<b>3,869</b>	<b>3,837</b>	<b>668,066</b>
Reimbursable FTE.....		<u>351</u>		<u>0</u>			<u>0</u>			<u>0</u>				<u>351</u>	
Total FTE.....		4,188		0			0			0				4,188	
Other FTE:															
Overtime.....		<u>25</u>		<u>0</u>			<u>0</u>			<u>0</u>				<u>25</u>	
Total Compensable:															
FTE.....		4,213		0			0			0				4,213	

Unobligated Balances

Funds were carried over from FY 2006 from GLA's no-year accounts and two-year account.

I. Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

General Legal Activities  
Salaries & Expenses

Category	2006 Enacted w/ Rescissions and Supplementals		2007 Estimate		2008 Request			
	Total Authorized	Total Reimbursable	Total Authorized	Total Reimbursable	Total ATB	Total Program Increases	Total Authorized	Total Reimbursable
Attorneys (905).....	2,274	163	2,316	163	(22)	225	2,519	168
Paralegals / Other Law (900 - 998).....	393	42	393	42	0	23	416	42
Social Sciences, Economics (100 - 199).....	36	0	35	0	0	0	35	0
Clerical and Office Services (300 - 399).....	951	92	970	92	(30)	55	995	93
Accounting and Budget (500 - 599).....	32	10	31	10	0	0	31	10
Business and Industry (1100 - 1199).....	3	0	3	0	0	0	3	0
Information and Arts (1000 - 1099).....	9	1	9	1	0	0	9	1
Information Technology Mgmt (2210).....	46	1	46	1	0	3	49	1
General Investigating (1801 - 1810).....	1	0	1	0	0	0	1	0
Other.....	65	3	65	3	0	0	65	3
<b>Total</b>	<b>3,810</b>	<b>312</b>	<b>3,869</b>	<b>312</b>	<b>(52)</b>	<b>306</b>	<b>4,123</b>	<b>318</b>
Washington, D.C.....	3,678	240	3,737	240	(52)	306	3,991	246
U.S. Field.....	118	17	118	17	0	0	118	17
Foreign Field.....	14	55	14	55	0	0	14	55
<b>Total</b>	<b>3,810</b>	<b>312</b>	<b>3,869</b>	<b>312</b>	<b>(52)</b>	<b>306</b>	<b>4,123</b>	<b>318</b>



**K: Summary of Requirements by Grade**

**Summary of Requirements by Grade  
General Legal Activities  
(Dollars in thousands)**

Grades and Salary Ranges	2006 Actual		2007 Estimate		2008 Request		Increase/Decrease	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
SES, \$109,808 - \$152,000	148		145		145		....	
GS-15, \$107,521 - 139,774	1,832		1,789		1,788		(1)	
GS-14, \$91,407 - 118,828	322		410		618		208	
GS-13, \$77,353 - 100,554	286		282		281		(1)	
GS-12, \$65,048 - 84,559	193		191		193		2	
GS-11, \$54,272 - 70,558	297		288		285		(3)	
GS-10, 49,397 - 64,213	23		24		22		(2)	
GS-9, \$44,856 - 58,318	227		230		250		20	
GS-8, 40,612 - 52,794	166		163		160		(3)	
GS-7, \$36,671 - 47,669	240		273		312		39	
GS-6, \$33,000 - 42,898	27		26		24		(2)	
GS-5, \$29,604 - 38,487	27		26		23		(3)	
GS-4, \$26,460 - 34,402	17		17		17		....	
GS-3, \$23,571 - 30,645	5		5		5		....	
<b>Total, appropriated positions</b>	<b>3,810</b>		<b>3,869</b>		<b>4,123</b>		<b>254</b>	
Average SES Salary		\$ 151,550		\$ 156,248		\$ 159,686		
Average GS Salary		\$ 96,197		\$ 97,845		\$ 98,075		
Average GS Grade		12.32		12.13		11.39		

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class  
 General Legal Activities  
 (Dollars in thousands)

Object Classes	2006 Actual		2007 Estimate		2008 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Direct FTE & personnel compensation	2,990	306,022	3,467	322,248	3,690	360,538	223	38,290
11.3 Other than full-time permanent	474	29,964	363	31,279	320	29,524	(43)	(1,755)
11.5 Total, Other personnel compensation	....	5,172	7	5,674	7	6,047	....	373
<i>Overtime</i>	....	....	....	....	....	....	....	....
<i>Other Compensation</i>	....	....	....	....	....	....	....	....
11.8 Special personal services payments	....	4,231	....	3,292	....	3,297	....	5
<b>Total</b>	<b>3,464</b>	<b>345,389</b>	<b>3,837</b>	<b>362,493</b>	<b>4,017</b>	<b>399,406</b>	<b>180</b>	<b>36,913</b>
Reimbursable FTE:								
Full-time permanent								
Other Object Classes:								
12.0 Personnel benefits		82,917		87,236		97,997		10,761
13.0 Benefits to former personnel		67		68		68		....
21.0 Travel and transportation of persons		19,135		18,792		19,966		1,174
22.0 Transportation of things		3,523		3,722		3,941		219
23.2 Rental Payments to Others		83,100		93,704		100,692		6,988
23.3 Comm., util., & other misc. charges		6,718		9,866		12,438		2,572
24.0 Printing and reproduction		2,390		2,505		2,807		302
25.1 Advisory and assistance services		9,647		6,344		7,374		1,030
25.2 Other services		78,893		45,447		54,088		8,641
25.3 Purchases of goods & services from Government accounts		16,974		17,623		20,771		3,148
25.4 Operation and maintenance of facilities		262		226		9,189		8,963
25.6 Medical Care		311		263		270		7
25.7 Operation and maintenance of equipment		4,085		1,501		1,562		61
26.0 Supplies and materials		5,042		4,188		4,463		275
31.0 Equipment		3,997		1,736		2,634		898
32.0 Land and Structures		....		....		106		106
41.0 Grants, subsidies & contributions		7,878		12,334		12,792		458
42.0 Insurance claims and indemnities		136		18		20		2
<b>Total obligations</b>		<b>670,464</b>		<b>668,066</b>		<b>750,584</b>		<b>82,518</b>
Unobligated balance, start of year [-]		(1,955)		(13,147)		....		
Transfers to other accounts		1,773						
Transfers from other accounts		(21,695)						
Unobligated balance expiring		2,771						
Unobligated balance, end of year [+]		13,147						
<b>Total requirements</b>		<b>664,505</b>		<b>654,919</b>		<b>750,584</b>		
Relation of Obligation to Outlays:								
Total obligations		670,464		668,066		750,584		
Obligated balance, start of year [+]		43,000		73,093		87,570		
Obligated balance, end of year [-]		(73,093)		(87,570)		(98,227)		
Adjustments in expired accounts		6,951		....		....		
<b>Outlays</b>		<b>647,322</b>		<b>653,589</b>		<b>739,927</b>		

The Increase/Decrease column is \$13,147K less than the total increase of \$95,665K due to carryover funding being obligated in FY 2007.