

U.S. Department of Justice
FY 2010 PERFORMANCE BUDGET
Congressional Submission

General Administration

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I. Overview for General Administration

For the General Administration (GA), the Department of Justice (DOJ) requests a total of 561 permanent positions (132 attorneys), 651 FTE (includes 97 reimbursable), and \$178,488,000 for FY 2010. This request represents an increase of 19 positions, 10 FTE and \$72,683,000 over the FY 2009 Enactment. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <http://www.usdoj.gov/jmd/2010justification/>.

For the General Administration (GA), the primary mission is to support the Attorney General and DOJ senior policy level officials in managing Department resources and developing policies for legal, law enforcement, and criminal justice activities. GA also provides administrative support services to the legal divisions and policy guidance to all Department organizations. GA's mission supports every aspect of the DOJ strategic plan. Most GA offices have significant oversight responsibilities that shape DOJ policy and influence the way the Department works toward meeting each of its strategic goals.

GA consists of four decision units: Department Leadership, Intergovernmental Relations and External Affairs, Executive Support and Professional Responsibility, and the Justice Management Division.

Department Leadership, including the Offices of the Attorney General, Deputy Attorney General, Privacy and Civil Liberties, and Associate Attorney General, develops policies regarding the administration of justice in the United States, and directs and oversees the administration and operation of the Department's bureaus, offices, and divisions, to ensure DOJ's success in meeting its strategic goals. These offices also represent the United States in civil and criminal law matters, and provide advice and opinions on legal issues to the President, members of Congress, and the heads of Executive Departments and Agencies.

Intergovernmental Relations and External Affairs includes the Offices of Public Affairs, Legislative Affairs and Intergovernmental and Public Liaison. These offices conduct legal and policy analysis in support of initiatives necessary for DOJ to meet its strategic goals, in the many areas in which the Department has jurisdiction or responsibilities, and act as liaison with Federal, State, local and international governments, law enforcement officials, the media and Congress on Department activities.

Executive Support and Professional Responsibility includes the Office of Legal Policy (OLP), Office of Professional Responsibility (OPR), Office of Information Policy and the Professional Responsibility Advisory Office (PRAO). This decision unit plans, develops, and coordinates the implementation of major policy initiatives of high priority to the Department and to the Administration; and represents the Department in the Administration's judicial process for Article III judges. In addition, this decision unit also oversees the investigation of allegations of criminal and ethical misconduct by the Department's attorneys, criminal investigators, or other law enforcement personnel.

Justice Management Division provides advice to senior DOJ officials and develops departmental policies in the areas of management and administration; ensures compliance by DOJ components

with departmental and other Federal policies and regulations; and provides a full range of management and administration support services.

For performance reporting purposes, resources for GA offices are not included under one specific goal because, as noted above, GA’s mission supports every aspect of the Department’s strategic plan. GA’s budget is integrated with its own priorities as well as the Department’s Strategic Goals and Objectives.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Rule of Law Coordinator’s Office	Funding and staffing is requested to support the Department of Justice’s Rule of Law Coordinator’s Office. This includes funding for 12 positions in Iraq and 7 positions in Washington, DC.	19	10	4,000	15
Post-GTMO Activities	These additional resources are needed as a result of the closure of detention facilities at Guantanamo Bay, and the potential transfer of some detainees to the U.S. justice system.	0	0	60,000	19

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language*

For expenses necessary for the administration of the Department of Justice, [\$105,805,000] \$178,488,000, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended: Provided, That of the funds made available under this heading, \$60,000,000 shall remain available until expended for activities and expenses related to detainees currently or formerly detained by the Department of Defense at Guantanamo Bay Naval base or elsewhere: Provided further, That the Attorney General may transfer amounts available in the preceding proviso to any Department of Justice account to be used for the same purposes: Provided further, That this transfer authority is in addition to any other transfer authority available to the Attorney General: Provided further, That the Attorney General is authorized to transfer funds appropriated within General Administration to any office in this account: Provided further, That [\$13,213,000] \$18,693,000 is for Department Leadership; [\$7,834,000] \$8,101,000 is for Intergovernmental Relations/External Affairs; [\$12,254,000] \$12,715,000 is for Executive Support/Professional Responsibility; and[\$72,405,000] \$78,979,000 is for the Justice Management Division: Provided further, That any change in amounts specified in the preceding proviso greater than 5 percent [shall be submitted for approval to the House and Senate Committees on Appropriations consistent with the terms of] shall be subject to the notice procedures set forth in section 505 of this Act[: Provided further, That this transfer authority is in addition to transfers authorized under section 505 of this Act].

*The decision unit totals vary from the FY 2010 President's Budget Appendix due to a correction to display the Rule of Law enhancement within Department Leadership. This correction will be published in the FY 2010 President's Budget errata document.

Analysis of Appropriations Language

The proposed language changes eliminate redundancy in the language and add the flexibility to transfer the funding for the Post-Guantanamo Bay Activities to other Department of Justice accounts.

IV. Decision Unit Justification

A. Department Leadership

<i>Department Leadership</i>	Perm. Pos.	FTE	Amount
2008 Enacted with Rescissions	46	47	12,221
2009 Enacted	46	47	13,213
Adjustments to Base and Technical Adjustments	0	0	1,480
2010 Current Services	46	47	14,693
2010 Program Increases	19	10	4,000
2010 Request	65	57	18,693
Total Change 2009-2010	19	10	5,480

1. Program Description

The Department Leadership Program includes the Office of the Attorney General (AG), the Office of the Deputy Attorney General (DAG), the Office of Privacy and Civil Liberties (OPCL), and the Office of the Associate Attorney General (AAG). These offices support every aspect of the DOJ Strategic Plan and, therefore, are included under Enabling/Administrative instead of a particular goal. Specifically, the general goals and objectives of the Department Leadership are:

- Advise the President on Constitutional matters and legal issues involving the execution of the laws of the United States.
- Formulate and implement policies and programs that advise the administration of justice in the United States.
- Manage the Department of Justice.
- Provide executive-level leadership in: the prevention of terrorism; the continuing war on drugs; combating violent crimes; investigating and prosecuting fraud and other white collar crimes; diminishing prison overcrowding; and, enforcing environmental and civil rights laws.
- Provide executive-level oversight and management of: international law enforcement training and assistance; financial institutions, reform, recovery, and enforcement programs; and investigative policy.
- Coordinate criminal justice matters with Federal, State, and local law enforcement and criminal justice agencies.
- Investigate, process, and make recommendations to the President on candidates for judicial and Justice Department Presidential appointments.
- Prepare and disseminate an Annual Report to the congress and the public regarding the programs and accomplishments of the Department of Justice.
- Develop, review, and oversee the Department's privacy policies and operations to ensure privacy compliance.

The Attorney General, as head of the DOJ, is the nation's chief law enforcement officer and is appointed by the President, with the advice and consent of the Senate. The AG furnishes advice and opinions on legal matters to the President and the Cabinet and to the heads of the executive departments and agencies of the government, as provided by law, and makes recommendations to the President concerning appointments within the Department, including U.S. Attorneys and U.S. Marshals. The AG appears in person to represent the Government before the U.S. Supreme

Court in cases of exceptional gravity or importance, and supervises the representation of the Government in the Supreme Court and all other courts, foreign and domestic, in which the United States is a party or has an interest as may be deemed appropriate. The AG also supervises and directs the administration and operation of the DOJ, including the Federal Bureau of Investigation; Drug Enforcement Administration; Bureau of Alcohol, Tobacco, and Firearms; Bureau of Prisons; Office of Justice Programs; U.S. Attorneys; and U.S. Marshals Service.

The Deputy Attorney General advises and assists the AG in formulating and implementing Department policies and programs and in providing overall supervision and direction to all organizational units of the Department. The DAG is appointed by the President and confirmed by the Senate and is the second-ranking official of the Department. The DAG exercises all the power and authority of the AG unless any such power of authority is required by law to be exercised by the AG personally or has been specifically delegated exclusively to another Department official. The DAG exercises the power and authority vested in the AG to take final action in matters specifically pertaining to: (1) the employment, separation, and general administration of personnel in the Senior Executive Service (SES) and of attorneys and law students regardless of grade or pay (2) the appointment of special attorneys and special assistants to the AG; (3) the appointment of Assistant U.S. Trustees and fixing of their compensation; and, (4) the approval of the appointment by U.S. Trustees of standing trustees and the fixing of their maximum annual compensation and percentage fees as provided in 28 U.S.C. 586 (e). The DAG also coordinates departmental liaison with White House staff and the Executive Office of the President; and coordinates and controls the Department's reaction to terrorism and civil disturbances.

The Office of Privacy and Civil Liberties (OPCL) is responsible for refining the Department's policies related to the protection of individual civil rights, specifically in the context of the Department's counterterrorism and law enforcement efforts, and coordinating the work of the Department related to the protection of privacy and civil liberties. The OPCL also ensures that the appropriate Department personnel receive training on the additional privacy and civil liberties protections provided in the Patriot Improvement and Reauthorization Act and will work with the Inspector General to ensure that all reports required by that Act regarding privacy and civil liberties are submitted.

The Associate Attorney General is appointed by the President and is subject to confirmation by the Senate. As the third-ranking official at the Department of Justice, the AAG is a principal member of the Attorney General's senior management team, and advises and assists the AG and DAG on the formulation and implementation of DOJ policies and programs. The AAG coordinates departmental liaison with the White House Staff and prepares recommendations for the consideration of the AG for judicial appointments and Presidential appointments within the Department. In addition to these duties, the AAG oversees the work of the Civil, Civil Rights, Antitrust, Tax, and Environment and Natural Resources Divisions. This office also has oversight responsibility for the Office of Justice Programs, the Office of Community Oriented Policing Services, the Office of Dispute Resolution, the Office of Information Policy, the Community Relations Service, the Executive Office for U.S. Trustees, and the General Administration.

B. Intergovernmental Relations/External Affairs

<i>Intergovernmental Relations/External Affairs</i>	Perm. Pos.	FTE	Amount
2008 Enacted with Rescissions	52	52	7,383
2009 Enacted	52	52	7,834
Adjustments to Base and Technical Adjustments	0	0	267
2010 Current Services	52	52	8,101
2010 Program Increases	0	0	0
2010 Request	52	52	8,101
Total Change 2009-2010	0	0	267

1. Program Description

The Intergovernmental Relations/External Affairs program consists of the Offices of Public Affairs (PAO), Legislative Affairs (OLA) and Intergovernmental and Public Liaison (OIPL). These offices support a myriad of the Department of Justice strategic plan initiatives. Specifically, the general goals and objectives of the Intergovernmental Relations/External Affairs program are:

- To improve the process of reviewing and clearing through the Department legislative proposals initiated by other agencies within the Administration.
- To maintain an efficient and responsive legislative liaison service operation.
- To provide support in advancing the Administration's overall legislative agenda.
- To assure policy consistency and coordination of Departmental initiatives, briefing materials, and policy statements.
- To disseminate timely, accurate information about the Department, the AG and the Administration's law enforcement priorities, policies and activities to the news media and the general public.
- To enhance and promote the enforcement goals of the Department through distribution of news releases, coordinating press conferences and telephone and video conferences announcing indictments, settlements, and statements on civil rights, environment, criminal, antitrust, and other Department enforcement activities.
- To ensure that all applicable laws, regulations and policies involving the release of information to the public are followed so that material is not made public that might jeopardize investigations and prosecutions, violate rights of defendants or potential defendants or compromise national security interests.

The Office of Public Affairs (PAO) is the principle point of contact for DOJ with the public and the news media. PAO is responsible for ensuring the public is informed about the Department's activities and about the priorities and policies of the AG with regard to law enforcement and legal affairs. Its staff advises the AG and other Departmental officials on all aspects of media relations and communications issues. The Office also coordinates the public affairs units for Departmental components. PAO also prepares and issues Department news releases and frequently reviews and approves those issued by components. It serves reporters assigned to the Department by responding to queries, issuing news releases and statements, arranging interviews, and conducting news conferences. PAO ensures that information provided to the news media by the Department is current, complete, and accurate. It also ensures that all applicable laws, regulations, and policies involving the release of information to the public are

followed so that the maximum disclosure is made without jeopardizing investigations and prosecutions, violating rights of individuals, or compromising national security interests.

The Office of Legislative Affairs (OLA) has responsibility for devising and implementing the legislative strategy to carry out the AG’s initiatives requiring Congressional action. Similarly, OLA articulates the views of the Department, including the components, on Congressional legislative initiatives. OLA responds for the Department to requests and inquiries from Congressional committees, individual congressional members, and their staffs. It coordinates Congressional oversight activities involving the Department, as well as the appearances of Department witnesses and the interagency clearance of all Congressional testimony. OLA participates in the Senate confirmation process for the federal judges and Department nominees, such as Assistant Attorney General and U.S. Attorneys.

The Office of Intergovernmental and Public Liaison (OIPL) coordinates the AG’s and other leadership officials’ relationships with state and local governments and the interest groups which represent them; provides advice on strategic planning of the AG’s public appearances; performs speech writing duties for the AG and the DAG; provides event planning and consulting services to the AG and the DAG; and advises and assists the White House, as required, on these same issues. The Office is headed by a Director who is appointed by the AG.

C. Executive Support/Professional Responsibility

<i>Executive Support/Professional Responsibility</i>	Perm. Pos.	FTE	Amount
2008 Enacted with Rescissions	56	56	11,402
2009 Enacted	56	56	12,254
Adjustments to Base and Technical Adjustments	0	0	461
2010 Current Services	56	56	12,715
2010 Program Increases	0	0	0
2010 Request	56	56	12,715
Total Change 2009-2010	0	0	461

1. Program Description

The Executive Support/Professional Responsibility decision unit consists of the Offices of Legal Policy (OLP) and Professional Responsibility (OPR), as well as two offices which are currently fully reimbursable, the Office of Information Policy (OIP) and the Professional Responsibility Advisory Office (PRAO). These offices support various aspects of the Department of Justice strategic plan. Specifically, the general goals and objectives of this decision unit are:

- To improve the Department's effectiveness in providing substantive and timely input on the Administration's law enforcement initiatives as well as other legislative proposals affecting Department responsibilities.
- To handle the processing of judicial and other nominations efficiently and responsively.
- To oversee the investigation of allegations of criminal and ethical misconduct by the Department’s attorneys, criminal investigators, or other law enforcement personnel.

- To assist Department components in processing Freedom of Information Act (FOIA) requests from the public, as well as promote effective FOIA operations across the Executive Branch.

The Office of Legal Policy (OLP) plans, develops, and coordinates the implementation of major policy initiatives of high priority to the Department and to the Administration; and represents the Department in the Administration's judicial process for Article III judges. OLP is headed by an Assistant Attorney General who is appointed by the President with the advice and consent of the Senate.

The Office of Professional Responsibility (OPR), which reports directly to the Attorney General, is responsible for investigating allegations that DOJ attorneys have engaged in misconduct in connection with their duties to investigate, represent the government in litigation, or provide legal advice. In addition, OPR has jurisdiction to investigate allegations of misconduct by law enforcement personnel when such allegations are related to allegations of attorney misconduct within the jurisdiction of OPR. OPR's primary objective is to ensure that DOJ attorneys continue to perform their duties in accordance with the high professional standards expected of the nation's principal law enforcement agency. OPR is headed by the Counsel for Professional Responsibility, who is a career government official. Under the Counsel's direction, OPR reviews allegations of attorney misconduct involving violation of any standard imposed by law, applicable rules of professional conduct, or departmental policy. When warranted, OPR conducts full investigations of such allegations, and reports its findings and conclusions to the Attorney General and other appropriate departmental officials. OPR also oversees the Federal Bureau of Investigation Office of Professional Responsibility and the Drug Enforcement Administration Office of Professional Responsibility, and serves as the Department's contact with state bar disciplinary organizations. The objectives of the Office of Professional Responsibility are different from the Office of the Inspector General in that OPR focuses on investigations concerning allegations of misconduct which affect the ability of the Department to investigate, litigate, or prosecute, while the OIG focuses its investigations on allegations of waste and abuse, and other matters which do not implicate the ability of the Department to investigate, litigate or prosecute.

The Office of Information Policy (OIP) was established as an independent office in 1993. It manages certain departmental responsibilities related to the Freedom of Information Act (FOIA). These responsibilities include coordinating and implementing policy development and compliance government wide for the FOIA, and Department wide for the Privacy Act. The Office decides all appeals from denials by any Department component of access to information under these two Acts. Additionally, OIP promotes effective FOIA operations across government by issuing guidance and providing training to agency FOIA officers.

The Professional Responsibility Advisory Office (PRAO) is dedicated to resolving professional responsibility issues faced by Department attorneys and Assistant United States Attorneys. PRAO ensures prompt, consistent advice to Department leadership, government attorneys and Assistant United States Attorneys with respect to areas of professional responsibility and choice-of-law issues. It assembles and maintains the codes of ethics, including all relevant interpretative decisions and bar opinions of the District of Columbia and every state and territory, and other reference materials and serves as a central repository for briefs and pleadings as cases arise; provides coordination with the litigating components of the Department to defend attorneys in

any disciplinary or other hearings where it is alleged that they failed to meet their ethical obligations; and serves as liaison with the state and federal bar associations in matters related to the implementation and interpretation of the Ethical Standards for Prosecutors Act and any amendments and revisions to the various state ethics codes. PRAO is headed by a Director who is a career government executive.

D. Justice Management Division

<i>Justice Management Division</i>	Perm. Pos.	FTE	Amount
2008 Enacted with Rescissions	388	389	66,826
2009 Enacted	388	389	72,504
Adjustments to Base and Technical Adjustments	0	0	6,475
2010 Current Services	388	389	78,979
2010 Program Increases	0	0	0
2010 Request	388	389	78,979
Total Change 2009-2010	0	0	6,475

1. Program Description

The Justice Management Division (JMD), under the direction of the Assistant Attorney General for Administration (AAG/A), provides advice and assistance to senior management officials relating to basic Department policy for budget and financial management, personnel management and training, facilities, procurement, equal employment opportunity, information processing, records management, security, and all matters pertaining to organization, management and administration. The Division provides direct administrative support services such as personnel, accounting, procurement, library, budget, and facilities and property management to offices, boards and divisions of the Department; and operates several central services, such as automated data processing and payroll on a reimbursable basis through the Working Capital Fund. The Division collects, organizes, and disseminates records information that is necessary for the Department to carry out its statutory mandate and provides general research and reference assistance regarding information to Department staff, other government attorneys, and members of the public.

The mission of JMD is to provide advice to senior management officials relating to basic Department policy for budget and financial management, personnel management and training, procurement, equal employment opportunity, information processing, telecommunications, security, and all matters pertaining to organization, management, and administration.

The major functions of JMD are to:

- Conduct, direct, review, and evaluate management studies and surveys of the Department's organizational structure, functions, programs, operating procedures, supporting systems, and management practices.
- Supervise, direct, and review the preparation, justification, and execution of the Department budget, including the coordination and control of the programming and reprogramming of funds.

- Review, analyze, and coordinate the Department's programs and activities to ensure that the Department's use of resources and estimates of future requirements are consistent with the policies, plans, and mission priorities of the Attorney General.
- Plan, direct, and coordinate department wide personnel management programs, and develop and issue department wide policy in all personnel program areas.
- Direct department wide financial management policies, internal controls, programs, procedures, and systems including financial accounting, planning, analysis, and reporting.
- Formulate and administer the General Administration Appropriation of the Department's budget.
- Plan, direct, administer, and monitor compliance with department wide policies, procedures, and regulations concerning records, reports, procurement, printing, graphics, audiovisual activities, forms management, supply management, motor vehicles, real and personal property, space assignment and utilization, employee health and safety programs, and all other administrative services functions.
- Direct all Department security programs including personnel, physical, document, information processing and telecommunications, and special intelligence, and formulate and implement Department defense mobilization and contingency planning.
- Review legislation for potential impact on the Department's resources.
- Establish policy and procedures related to debt collection and asset forfeiture.
- Develop, direct, coordinate, and monitor compliance with department wide policies and programs for implementing an effective and viable equal employment opportunity program that includes affirmative employment initiatives and procedures for the timely and equitable processing of discrimination complaints.
- Direct the Department's ethics program by administering the ethics laws and regulations and coordinating the work of the deputy ethics officials throughout the Department. This includes issuing advice, providing ethics briefings, and reviewing financial disclosure reports.

PERFORMANCE AND RESOURCES TABLE

Decision Unit: Justice Management Division

DOJ Strategic Goal/Objective: Enabling and Administration

WORKLOAD/ RESOURCES		Final Target		Actual		Projected		Changes		Requested (Total)	
		FY 2008		FY 2008		FY 2009 Enacted		Current Services Adjustments and FY 2010 Program Changes		FY 2010 Request	
Total Costs and FTE [reimb]		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		432	68,646,515 [6,479,000]	432	68,198,313 [9,265,674]	420	72,504,000 [9,988,188]	0	6,475,000 [0]	420	78,979,000 [10,487,000]
TYPE/ STRATEGIC OBJECTIVE	PERFORMANCE	FY 2008		FY 2008		FY 2009 Enacted		Current Services Adjustments and FY 2010 Program Changes		FY 2010 Request	
<u>Program Activity: Human Capital</u>		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		74	12,375,524	64	12,221,711	64	12,579,000	0	195,000	64	12,774,000
Number of Personnel Actions		278,925		317,313		280,725		0		280,725	
Number of Whistleblower Case Issuances		60		109		35		0		40	
Ensure GS vacancies are filled within 45 days		N/A		N/A		45		0		45	
<u>Budget and Performance Integration</u>		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		41	6,740,396	42	6,255,019	41	6,436,000	0	126,000	41	6,562,000
Monitor Budget & Performance Goals Quarterly for all Accouts		N/A		N/A		100%		0		100%	
<u>Secure and Consolidated Facilities</u>		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		124	18,548,777	112	18,437,457	112	20,501,000	0	1,759,000	112	22,260,000
Number of Security Compliance Reviews/Follow Ups Completed		40		52		40		0		40	
Number of Component COOP plans Reviewed		20		20		30		0		30	
Number of Employee/Contractor Adjudications Completed		10,013		12,937		10,050		0		10,552	

Data Definition, Validation, Verification, and Limitations: Use this section to discuss data terms, data sources, how the information is collected, how the information is verified, and data limitations to include how well the indicator measures performance.

PERFORMANCE MEASURE TABLE

Decision Unit: JMD

Performance Report and Performance Plan Targets		FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008		FY 2009	FY 2010
		Actual	Actual	Actual	Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Performance Measure	Number of Personnel Actions						220,381	390,608	278,925	317,313	280,725	280,725
Performance Measure	Number of Whistleblower Case Issuances						120	60	60	109	35	40
Performance Measure	Monitor Budget & Performance Goals Quarterly for all Accouts										100%	100%
Performance Measure	Number of Component COOP Plans Reviewed							77	20	20	30	30
OUTCOME Measure												

3. Performance, Resources, and Strategies

The mission of JMD is “Serving Justice by Securing Results with Strategic Counsel.” JMD’s performance measures are centered around our mission and organized in the following performance areas:

- Human Capital - to recruit, hire, train, appraise, reward, and retain a highly qualified and diverse workforce to achieve DOJ’s mission objectives.
- Budget and Performance - to manage DOJ resources using integrated budget and performance criteria.
- Secure and Consolidated Facilities - to maximize space utilization and ensure safe and secure facilities.

Program Increases

Item Name: Rule of Law Coordinator's Office

Budget Decision Unit(s): Department Leadership

Strategic Goal(s) & Objective(s): Goal 1: Prevent Terrorism and Promote the Nation's Security

Organizational Program: Rule of Law Coordinator's Office

Program Increase: Positions 19 Atty 11 FTE 10 Dollars \$4,000,000

Description of Item

Funding and staffing is requested to support the Department of Justice's (DOJ) Rule of Law Coordinator's Office. This includes funding for 12 positions in Iraq and 7 positions in Washington, DC.

Justification

In March 2007, pursuant to his responsibilities under 22 U.S.C. 3927 and 2656, the U.S. Ambassador in Iraq reorganized all civilian and law enforcement efforts supporting Rule of Law in Iraq under a single authority, and named a senior Justice Department official as the Rule of Law (ROL) coordinator at the Embassy. The ROL Coordinator oversees the work of more than 300 personnel under Chief of Mission authority, coordinates these efforts with the Multi-National Forces Iraq to ensure a unified effort, and serves as an advisor to the Ambassador on justice-related issues.

The December 2008 Strategic Framework Agreement (SFA), approved by the Iraqi Government, created joint coordinating committees (JCCs) to monitor the agreement. DOJ was tasked by the interagency community to be the U.S. lead in Baghdad for the Law Enforcement and Judicial Cooperation JCC, while sharing the role with the State Department in Washington, DC. This new structure will build upon DOJ's existing Rule of Law structure in Baghdad and in Washington, DC, as well as placing additional responsibilities upon the Department.

Baghdad Staffing

The Iraq Rule of Law Mission includes the oversight and operations of a diverse scope of offices, units, branches and divisions of civilian and military agencies, each with a discrete set of skills and assignments. The goal is to achieve a focused effort involving all ROL-related entities under a single coordinator working on behalf of the Chief of Mission. To more effectively manage these varied programs and promote a common vision, the Rule of Law Coordinator position serves in many leadership capacities for all Rule of Law issues.

DOJ plays a crucial role in supporting the Rule of Law Coordinator as success relies on expertise in legal and policy matters. In addition to the Rule of Law Coordinator position, the Department has assigned a Justice Attaché to the Embassy to coordinate all DOJ activities in Iraq. Because DOJ's presence in Iraq is the largest that DOJ has in any embassy in the world, a small group of advisory and specialist positions is also needed in Baghdad to adequately support the Rule of

Law Coordinator, the Justice Attaché, and the Rule of Law mission overall. While programmatic support of capacity-building is largely funded through State Department foreign operations appropriations, DOJ has the core responsibility of oversight and coordination of activities by DOJ personnel, as well as ensuring that programs are consistent with U.S. law enforcement policy and that operational law enforcement and prosecutorial equities are respected.

At the time the Rule of Law Coordinator structure was established (March 2007), no dedicated source of funding was identified to support the costs and requirements for deployment of DOJ personnel to key posts and advisory positions within the Rule of Law Mission in Baghdad. Because for the most part funding for these positions is not available from the State Department or other agencies, the costs of most of these positions have been funded from base resources of DOJ components.

In March, 2009, President Obama announced his decision to end combat operations in Iraq by August, 2010 and continue the drawdown of our military forces in Iraq. The State Department has requested that the Department of Justice continue supporting the Rule of Law Mission in Iraq at the present level of staffing for at least the next two years. As our military forces withdraw from Iraq, the military Rule of Law attorneys will leave with their units and DOJ attorneys will assume increasingly larger roles in Rule of Law.

The funding requested is for staffing costs associated with the deployment of 12 personnel, including 7 attorneys, to support the Rule of Law mission and programs currently underway in Iraq. Because of the complexity of the programs, including policy-setting in a fluid political landscape, continuity is important; therefore, the length of deployment is often considerably longer – one year – than traditional rotations for other law enforcement missions. Funding helps ensure that senior attorney advisors and professional support are appropriately compensated and equipped for their tours of duty, including: base salaries and expenses, post differential and hazard pay; travel to and from Baghdad; communications equipment; and pre-deployment training.

Washington, DC Staffing

In addition to staffing in Baghdad, DOJ also requires a structure in Washington, DC that can sustain and provide continuity to the Iraq Rule of Law mission, as well as elsewhere in the world as contingencies arise, such as Afghanistan and Bosnia. A modest, Washington DC- based secretariat to support the mission in Iraq was envisioned when DOJ and the U.S. Embassy established the existing Rule of Law structure in Baghdad in March 2007. However, the current four-person staff (Rule of Law Counselor, Administrative Officer, Financial Analyst and Administrative Assistant) does not have a dedicated source of funding for either personnel costs or operations. Nor is the current staffing level sufficient given the many functions required of the existing staff, many of which have been performed only on a limited basis due to staffing and resource constraints. Some of these functions include: oversight of recruiting, staffing, and processing of personnel for Iraq; coordination of issues, information, legal and policy matters in support of the Iraq Rule of Law Coordinator's Office; policy development for Rule of Law operations in Iraq and in Washington, DC; interagency coordination and relations with the State and Defense Departments and the National Security Council; administrative oversight and policy coordination on pay, travel, benefits, and human resource issues for staff, both deployed and

returning; training on Iraq-specific legal processes and issues; budget formulation and execution; strategic communications and public affairs, including reporting requirements of Congress; and strategic planning.

As with the staffing requested for Baghdad, the lack of dedicated resources, with no viable source currently pending, is a hindrance in the Department’s efforts to support its responsibilities under the Rule of Law Mission and JCC structure.

Impact on Performance (Relationship of Increase to Strategic Goals)

The request supports several strategies of Objective 2 of Department of Justice Strategic Goal 1, “Strengthen partnerships to prevent, deter, and respond to terrorist incidents.” The request also falls under Objective 2 of Department of Justice Strategic Goal 2, “Reduce the threat, incidence and prevalence of violent crime,” under the strategy of “Prevent violent crime in the US by reducing international crime.” Finally, the request will support the Rule of Law Strategic Action Plan (ROLSAP), an interagency document which acts as an unclassified framework providing long-term planning guidance for all participants in Rule of Law programs, policies and activities in Iraq.

Funding

Base Funding

FY 2008 Enacted (w/resc./supps)				FY 2009 Enacted				FY 2010 Current Services			
Pos	atty	FTE	\$(000)	Pos	agt/atty	FTE	\$(000)	Pos	agt/atty	FTE	\$(000)
0	0	0	0	0	0	0	0	0	0	0	0

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2010 Request (\$000)	FY 2011 Net Annualization (change from 2010) (\$000)
Baghdad				
ROL Coordinator – SES	467,646	1	237,012	230,634
Justice Attaché- SES	467,646	1	237,012	230,634
Attorney – GS 15	440,230	5	1,118,645	1,082,505
Office Manager – GS 12	319,478	1	165,314	154,164
Special Assistant – GS 13	370,939	1	190,238	180,701
Administrative Officer- GS 15	419,431	1	213,754	205,677
Public Affairs Officer – GS 13	370,939	1	190,238	180,701
Paralegal – GS 11	292,521	1	152,240	140,281
Washington, DC				
ROL Counselor - SES	239,969	1	140,388	99,581
Executive Officer – GS 15	188,523	1	112,836	75,687

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2010 Request (\$000)	FY 2011 Net Annualization (change from 2010) (\$000)
Attorney – GS 15	221,861	3	394,845	270,738
Program Analyst – GS 11	106,681	1	73,167	33,514
Administrative Assistant – GS 9	92,245	1	66,188	26,057
Total Personnel		19	3,291,877	2,910,874

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2010 Request (\$000)	FY 2011 Net Annualization (Change from 2010) (\$000)
Baghdad Contractor Support	418,241	N/A	418,241	8,365
Washington, DC Contractor Support	532,557	N/A	289,882	253,326
Total Non-Personnel	950,798		708,123	242,675

Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)
Current Services	0	0	0	0	0	0
Increases	19	11	10	3,291,877	708,123	4,000,000
Grand Total	19	11	10	3,291,877	708,123	4,000,000

Item Name: Post-GTMO Activities

Budget Decision Unit(s): Post-GTMO Activities

Strategic Goal(s) & Objective(s): Goal 1: Prevent Terrorism and Promote the Nation's Security

Organizational Program: Post-GTMO Activities

Program Increase: Positions 0 Atty 0 FTE 0 Dollars \$60,000,000

Description of Item

\$60.0 million for activities related to detainees currently housed in Guantanamo Bay (GTMO). These additional resources are needed to ensure detention facilities at GTMO are closed on time, consistent with the President's Executive Order. Resources also support the potential transfer of detainees to the U.S. justice system.

Justification

On January 22, 2009, the President issued three separate Executive Orders and one Presidential Memorandum that place a number of responsibilities on the Department of Justice, in general, and the Attorney General, in particular. The responsibilities for the Department contemplated by these Orders and the Memorandum are substantial in scope and of vital importance to the mission of the Department.

The Guantanamo Detainee Review Task Force will consider whether it is possible to transfer or release detained individuals consistent with the national security and foreign policy interests of the United States; evaluate whether the government should seek to prosecute detained individuals for crimes they may have committed; and, if none of those options are possible, the Task Force will recommend other lawful means for disposition of the detained individuals.

The Task Force on Detention Policy is charged with conducting a review of the lawful options available to the federal government for the apprehension, detention, trial, transfer, release or other disposition of individuals captured or apprehended in connection with armed conflicts and counterterrorism operations.

The Task Force on Interrogation and Transfer Policies is responsible for examining the transfer of individuals to other nations in order to ensure that such practices comply with all domestic and international legal obligations and are sufficient to ensure that such individuals do not face torture or inhumane treatment.

Upon completion of the work of the task forces, which are operating under very tight deadlines, the post-GTMO activities will commence with additional resource requirements. Resources will be needed for the United States Attorneys and the National Security Division for prosecution activities, as each detainee case must be disposed before GTMO detention facilities are closed. The U.S. Marshals Service and the Office of the Federal Detention Trustee will need funds to safely house and transport the detainees as well as to ensure safety of courthouses, and the Bureau of Prisons (BOP) must be prepared in the event that detainees currently held at GTMO are convicted and incarcerated in the BOP facilities. Funds will be transferred from the GA appropriation to the agencies as required.

Impact on Performance (Relationship of Increase to Strategic Goals)

The request supports Objective 1.1 “Prevent, disrupt, and defeat terrorist operations before they occur” and Objective 1.3 “Prosecute those who have committed, or intend to commit, terrorist acts in the United States” of Strategic Goal 1.

Funding

Base Funding

FY 2008 Enacted (w/resc./supps)				FY 2009 Enacted*				FY 2010 Current Services			
Pos	atty	FTE	\$(000)	Pos	agt/ atty	FTE	\$(000)	Pos	agt/ atty	FTE	\$(000)
0	0	0	0	0	0	0	0	0	0	0	0

*\$30.0 million has been requested for GTMO in the FY 2009 Supplemental Request.

Non-Personnel Increase Cost Summary

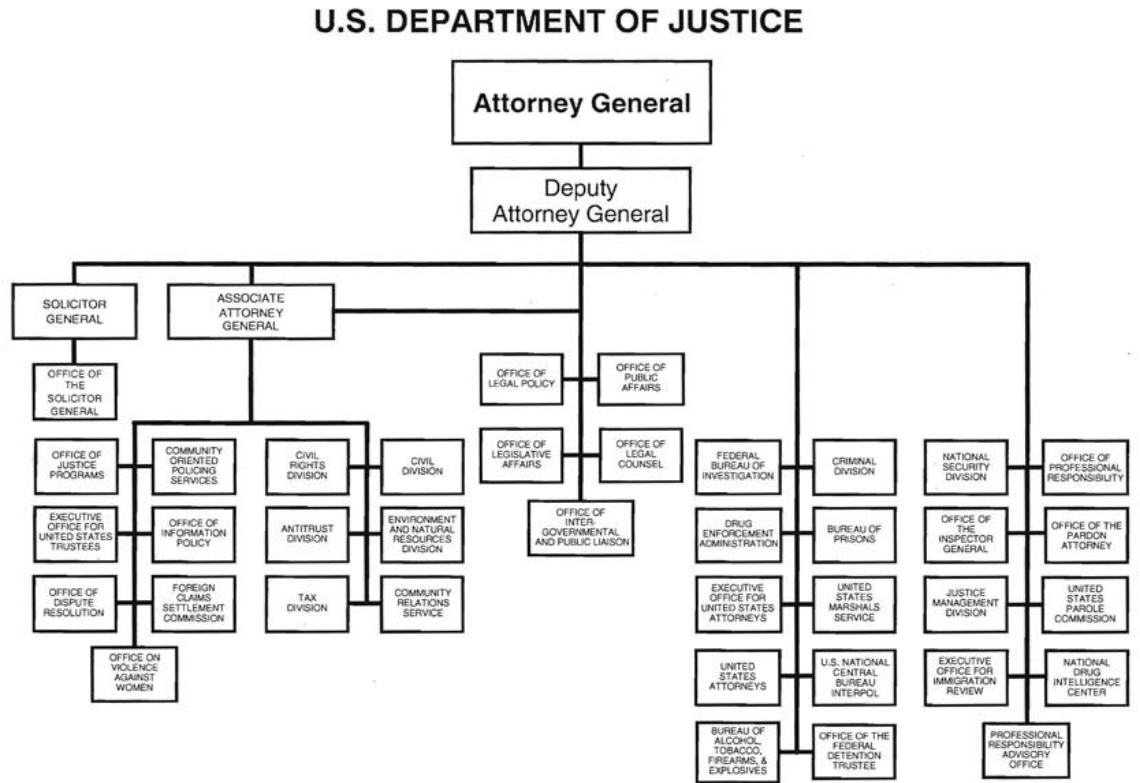
Non-Personnel Item	Unit Cost	Quantity	FY 2010 Request (\$000)	FY 2011 Net Annualization (Change from 2010) (\$000)
Post-GTMO Activities	60,000	N/A	60,000	0
Total Non-Personnel	60,000	N/A	60,000	0


Total Request for this Item

	Pos	Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)
Current Services	0	0	0	0	0	0
Increases	0	0	0	0	60,000	60,000
Grand Total	0	0	0	0	60,000	60,000

V. EXHIBITS

A: Organizational Chart



Approved by:  Date: Mar. 2, 2009

ERIC H. HOLDER, JR.
Attorney General

B: Summary of Requirements

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

	2010 Request		
	Perm. Pos.	FTE	Amount
2008 Enacted	542	544	97,832
2009 Enacted	542	544	105,805
Adjustments to Base			
Increases:			
2010 pay raise (2.0%)			1,082
2009 pay raise annualization (3.9%)			621
Restoration of base			1,438
Employees compensation fund			(11)
Retirement			53
Moves (lease expirations)			4,511
GSA rent			899
DHS security charge			21
Postage			3
Government Printing Office (GPO)			1
WCF rate increase			65
Subtotal Increases	0	0	8,683
Total Adjustments to Base	0	0	8,683
2010 Current Services	542	544	114,488
Program Changes			
Increases:			
Rule of Law Coordinator's Office	19	10	4,000
Post-GTMO Activities	0	0	60,000
Subtotal Increases	19	10	64,000
Total Program Changes	19	10	64,000
2010 Total Request	561	554	\$178,488
2009 - 2010 Total Change	19	10	72,683

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

	2008 Appropriation Enacted w/Rescissions and Supplementals			2009 Enacted			2010 Adjustments to Base and Technical Adjustments			2010 Current Services			2010 Increases			2010 Offsets			2010 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																					
Department Leadership	46	47	12,221	46	47	13,213			1,480	46	47	14,693	19	10	4,000				65	57	18,693
Intergov Relations/External Affairs	52	52	7,383	52	52	7,834			267	52	52	8,101							52	52	8,101
Exec Support/Prof Resp	56	56	11,402	56	56	12,254			461	56	56	12,715							56	56	12,715
Justice Management Division	388	389	66,826	388	389	72,504			6,475	388	389	78,979							388	389	78,979
Post-GTMO Activities													0	0	60,000				0	0	60,000
Total	542	544	\$97,832	542	544	\$105,805	0	0	\$8,683	542	544	\$114,488	19	10	\$64,000	0	0	\$0	561	554	\$178,488
Reimbursable FTE		97			97						97									97	
Total FTE		641			641				0		641			10				0		651	
Total Comp. FTE		641			641				0		641			10				0		651	

Summary of Requirements

Department Leadership
Salaries and Expenses
(Dollars in Thousands)

	2010 Request		
	Perm. Pos.	FTE	Amount
2008 Enacted	46	47	12,221
2009 Enacted	46	47	13,213
Adjustments to Base			
Increases:			
2010 pay raise (2.0%)			147
2009 pay raise annualization (3.9%)			84
Restoration of base			1,000
Employees compensation fund			(2)
Retirement			7
Moves (lease expirations)			0
GSA rent			232
DHS security charge			4
Postage			0
Government Printing Office (GPO)			0
WCF rate increase			8
Subtotal Increases	0	0	1,480
Total Adjustments to Base	0	0	1,480
2010 Current Services	46	47	14,693
Program Changes			
Increases [list all]			
Rule of Law Coordinator's Office	19	10	4,000
Subtotal Increases	19	10	4,000
Total Program Changes	19	10	4,000
2010 Total Request	65	57	\$18,693
2009 - 2010 Total Change	19	10	5,480

Summary of Requirements
 Department Leadership
 Salaries and Expenses
 (Dollars in Thousands)

Estimates by budget activity	2008 Appropriation Enacted w/Rescissions and Supplementals			2009 Enacted			2010 Adjustments to Base and Technical Adjustments			2010 Current Services			2010 Increases			2010 Offsets			2010 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Attorney General	18	19	5,260	18	19	5,685			121	18	19	5,806							18	19	5,806
Deputy Attorney General	20	20	4,814	20	20	5,205			186	20	20	5,391	19	10	4,000				39	30	9,391
Office of Privacy and Civil Liberties	2	2	380	2	2	411			1,082	2	2	1,493							2	2	1,493
Associate Attorney General	6	6	1,767	6	6	1,912			91	6	6	2,003							6	6	2,003
Total	46	47	\$12,221	46	47	\$13,213	0	0	\$1,480	46	47	\$14,693	19	10	\$4,000	0	0	\$0	65	57	\$18,693
Reimbursable FTE		4			4						4									4	
Total FTE		51			51			0		51			10		0					61	
Total Comp. FTE		51			51			0		51			10		0					61	

Summary of Requirements
Intergovernmental Relations/External Affairs
Salaries and Expenses
(Dollars in Thousands)

	2010 Request		
	Perm. Pos.	FTE	Amount
2008 Enacted	52	52	7,383
2009 Enacted	52	52	7,834
Adjustments to Base			
Increases:			
2010 pay raise (2.0%)			80
2009 pay raise annualization (3.9%)			46
Employees compensation fund			(1)
Retirement			4
Moves (lease expirations)			0
GSA rent			131
DHS security charge			2
Postage			0
Government Printing Office (GPO)			0
WCF rate increase			5
Subtotal Increases	0	0	267
Total Adjustments to Base	0	0	267
2010 Current Services	52	52	8,101
2010 Total Request	52	52	\$8,101
2009 - 2010 Total Change	0	0	267

Summary of Requirements
Intergovernmental Relations/External Affairs
Salaries and Expenses
(Dollars in Thousands)

Estimates by budget activity	2008 Appropriation Enacted w/Rescissions and Supplementals			2009 Enacted			2010 Adjustments to Base and Technical Adjustments			2010 Current Services			2010 Increases			2010 Offsets			2010 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Public Affairs	22	22	2,858	22	22	3,011			65	22	22	3,076							22	22	3,076
Legislative Affairs	24	24	3,598	24	24	3,833			131	24	24	3,964							24	24	3,964
Intergovernmental and Public Liaison	6	6	927	6	6	990			71	6	6	1,061							6	6	1,061
Total	52	52	\$7,383	52	52	\$7,834	0	0	\$267	52	52	\$8,101	0	0	\$0	0	0	\$0	52	52	\$8,101
Reimbursable FTE		3			3						3									3	
Total FTE		55			55			0		55				0			0			55	
Total Comp. FTE		55			55			0		55				0			0			55	

Summary of Requirements
 Executive Support/Professional Responsibility
 Salaries and Expenses
 (Dollars in Thousands)

	2010 Request		
	Perm. Pos.	FTE	Amount
2008 Enacted	56	56	11,402
2009 Enacted	56	56	12,254
Adjustments to Base			
Increases:			
2010 pay raise (2.0%)			125
2009 pay raise annualization (3.9%)			72
Employees compensation fund			(1)
Retirement			6
Moves (lease expirations)			0
GSA rent			249
DHS security charge			2
Postage			0
Government Printing Office (GPO)			0
WCF rate increase			8
Subtotal Increases	0	0	461
Total Adjustments to Base	0	0	461
2010 Current Services	56	56	12,715
2010 Total Request	56	56	\$12,715
2009 - 2010 Total Change	0	0	461

Summary of Requirements
 Executive Support/Professional Responsibility
 Salaries and Expenses
 (Dollars in Thousands)

Estimates by budget activity	2008 Appropriation Enacted w/Rescissions and Supplementals			2009 Enacted			2010 Adjustments to Base and Technical Adjustments			2010 Current Services			2010 Increases			2010 Offsets			2010 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Office of Legal Policy	27	27	5,601	27	27	6,002			178	27	27	6,180							27	27	6,180
Office of Professional Responsibility	29	29	5,801	29	29	6,252			283	29	29	6,535							29	29	6,535
Total	56	56	\$11,402	56	56	\$12,254	0	0	\$461	56	56	\$12,715	0	0	\$0	0	0	\$0	56	56	\$12,715
Reimbursable FTE		62			62						62									62	
Total FTE		118			118			0			118			0			0			118	
Total Comp. FTE		118			118			0			118			0			0			118	

Summary of Requirements
Justice Management Division
Salaries and Expenses
(Dollars in Thousands)

	2010 Request		
	Perm. Pos.	FTE	Amount
2008 Enacted	388	389	66,826
2009 Enacted	388	389	72,504
Adjustments to Base			
Increases:			
2010 pay raise (2.0%)			730
2009 pay raise annualization (3.9%)			419
Restoration of Base			438
Employees compensation fund			(7)
Retirement			36
Moves (lease expirations)			4,511
GSA rent			286
DHS security charge			14
Postage			3
Government Printing Office (GPO)			1
WCF rate increase			44
Subtotal Increases	0	0	6,475
Total Adjustments to Base	0	0	6,475
2010 Current Services	388	389	78,979
2010 Total Request	388	389	\$78,979
2009 - 2010 Total Change	0	0	6,475

Summary of Requirements
Justice Management Division
Salaries and Expenses
(Dollars in Thousands)

Estimates by budget activity	2008 Appropriation Enacted w/Rescissions and Supplementals			2009 Enacted			2010 Adjustments to Base and Technical Adjustments			2010 Current Services			2010 Increases			2010 Offsets			2010 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Justice Management Division	388	389	66,826	388	389	72,504			6,475	388	389	78,979							388	389	78,979
Total	388	389	\$66,826	388	389	\$72,504	0	0	\$6,475	388	389	\$78,979	0	0	\$0	0	0	\$0	388	389	\$78,979
Reimbursable FTE		28			28						28										28
Total FTE		417			417			0		417			0				0				417
Total Comp. FTE		417			417			0		417			0				0				417

C: Program Increases/Offsets By Decision Unit

2010 Program Increases/Offsets By Decision Unit

General Administration

(Dollars in Thousands)

Program Increases	Location of Description by Decision Unit	Department Leadership				Post-GTMO Activities				Total Increases
		Pos.	Agt./Atty.	FTE	Amount	Pos.	Agt./Atty.	FTE	Amount	
Rule of Law Coordinator	Positions for Baghdad and Wash, DC	19	11	10	4,000	0	0	0	0	4,000
Post-GTMO Activities	Post-GTMO Activities	0	0	0	0	0	0	0	60,000	60,000
Total Program Increases		19	11	10	\$4,000	0	0	0	\$60,000	\$64,000

D: Resources by DOJ Strategic Goal and Strategic Objective

**Resources by Department of Justice Strategic Goal/Objective
General Administration**

(Dollars in Thousands)

Strategic Goal and Strategic Objective	2008 Appropriation Enacted w/Rescissions and Supplementals		2009 Enacted		2010 Current Services		2010				2010 Request	
	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Direct, Reimb. Other FTE	Direct Amount \$000s	Increases		Offsets		Direct, Reimb. Other FTE	Direct Amount \$000s
							Direct FTE	Amount \$000s	Direct FTE	Amount \$000s		
Goal 1: Prevent Terrorism and Promote the Nation's Security Subtotal, Goal 1							10 10	64,000 64,000			10 10	64,000 64,000
Goal: Enabling/Administrative Subtotal, Enabling	641 641	97,832 97,832	641 641	105,805 105,805	641 641	114,488 114,488	0 0	0 0	0 0	0 0	641 641	114,488 114,488
GRAND TOTAL	641	\$97,832	641	\$105,805	641	\$114,488	10	\$64,000	0	\$0	651	\$178,488

E. Justification for Base Adjustments

Justification for Base Adjustments General Administration

Increases

2010 pay raise. This request provides for a proposed 2.0 percent pay raise to be effective in January of 2010. This increase includes locality pay adjustments as well as the general pay raise. The amount requested, \$1,082,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$893,083 for pay and \$188,917 for benefits).

Annualization of 2009 pay raise. This pay annualization represents first quarter amounts (October through December) of the 2008 pay increase of 3.5 percent included in the 2008 President's Budget. The amount requested \$621,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$512,449 for pay and \$108,551 for benefits).

Restoration of base. This adjustment provides for base program costs of \$1,438,000 to enable the General Administration to maintain mission critical operations at anticipated FY 2010 levels. It will fund items such as personnel costs for previously authorized positions, operational travel and supplies, and information technology maintenance costs. These costs cannot be deferred without severe negative impact on mission-critical base operations.

Retirement. Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 1.3 percent per year. The requested increase of \$53,000 is necessary to meet our increased retirement obligations as a result of this conversion.

Employees Compensation Fund. The (\$11,000) decrease reflects payments to the Department of Labor for injury benefits paid in the past year under the Federal Employee Compensation Act. This estimate is based on the first quarter of prior year billing and current year estimates.

General Services Administration (GSA) Rent. GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$899,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective in FY 2009 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. Rate increases have been formulated based on GSA rent billing data.

DHS Security Charges. The Department of Homeland Security (DHS) will continue to charge Basic Security and Building Specific Security. The requested increase of \$21,000 is required to meet our commitment to DHS. The costs associated with DHS security were derived through the use of an automated system, which uses the latest space inventory data. Rate increases expected in FY 2010 for Building Specific Security have been formulated based on DHS billing data. The increased rate for Basic Security costs for use in the FY 2010 budget process was provided by DHS.

Moves (Lease Expirations). GSA requires all agencies to pay relocation costs associated with lease expirations. This request provides for the costs associated with new office relocations caused by the expiration of leases in FY 2010. Funding of \$4,511,000 is requested for lease expirations.

Postage. Effective May 14, 2007, the Postage Service implemented a rate increase of 5.1 percent. This percentage was applied to the 2009 estimate to arrive at an increase of \$3,000.

Government Printing Office (GPO): GPO provides an estimated rate increase of 4%. This percentage was applied to the FY 2009 estimate of \$35,000 to arrive at an increase of \$1,000.

WCF Rate Increases. Components in the DC metropolitan area use and rely on the Department's Working Capital Fund (WCF) for support services including telecommunications services, computer services, finance services, as well as internet services. The WCF continues to invest in the infrastructure supporting the telecommunications services, computer services, internet services. Concurrently, several security initiatives are being implemented and additional resources are being directed to financial management in an effort to maintain a clean audit status. Funding of \$65,000 is required for this account.

F: Crosswalk of 2008 Availability

Crosswalk of 2008 Availability
 General Administration
 Salaries and Expenses
 (Dollars in Thousands)

Decision Unit	2008 Enacted Without Rescissions			Rescissions			Supplementals			Reprogrammings / Transfers			Carryover/ Recoveries			2008 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Department Leadership	46	47	12,221													46	47	12,221
Intergov Rel/Ext Affairs	52	52	7,383													52	52	7,383
Exec Support/Prof Resp	56	56	11,402													56	56	11,402
Justice Management Division	388	389	66,826										4,593			388	389	71,419
NDIC									239	39,000			1,270			0	239	40,270
TOTAL	542	544	\$97,832	0	0	\$0	0	0	\$0	0	239	\$39,000	0	0	\$5,863	542	783	\$142,695
Reimbursable FTE		97															97	
Total FTE		641			0			0			239			0			880	
Other FTE																		
Overtime		9															9	
Total Compensable FTE		650			0			0			239			0			889	

Transfers. The amount reflects the transfer of funds from the Department of Defense Appropriation to the Department of Justice to support The National Drug Intelligence Center.

Carryover and recoveries. Funds were carried over from the No-year and Multi-year accounts.

G: Crosswalk of 2009 Availability

Crosswalk of 2009 Availability

General Administration
Salaries and Expenses
(Dollars in Thousands)

Decision Unit	FY 2009 Enacted			Rescissions			Supplementals			Reprogrammings / Transfers			Carryover/ Recoveries			2009 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Department Leadership	46	47	13,213													46	47	13,213
Intergov Rel/Ext Affairs	52	52	7,834													52	52	7,834
Exec Support/Prof Resp	56	56	12,254													56	56	12,254
Justice Management Division	388	389	72,504										2,299			388	389	74,803
NDIC									0	239	44,000		2,775			0	239	46,775
TOTAL	542	544	105,805	0	0	0	0	0	0	239	44,000	0	0	5,074	542	783	\$154,879	
Reimbursable FTE		97																97
Total FTE		641			0			0		239			0					880
Other FTE																		
Overtime		9																9
Total Compensable FTE		650			0			0		239			0					889

Transfers. The amount reflects the transfer of funds from the Department of Defense Appropriation to the Department of Justice to support the National Drug Intelligence Center.

Carryover and recoveries. Funds were carried over from the No-year and Multi-year accounts.

H: Summary of Reimbursable Resources

Summary of Reimbursable Resources

General Administration

Salaries and Expenses

(Dollars in Thousands)

Collections by Source	2008 Enacted			2009 Planned			2010 Request			Increase/Decrease		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Executive Office for Immigration Review	0	0	708	0	0	708	0	0	743	0	0	35
Asset Forfeiture Fund	0	0	7	0	0	7	0	0	7	0	0	0
General Legal Activities	0	0	1,842	0	0	1,842	0	0	1,934	0	0	92
U.S. Attorneys	0	0	4,709	0	0	4,914	0	0	5,160	0	0	246
U.S. Trustees	0	0	217	0	0	217	0	0	228	0	0	11
U.S. Marshals Service	0	0	495	0	0	495	0	0	520	0	0	25
Antitrust	0	0	627	0	0	627	0	0	658	0	0	31
Bureau of Prisons/FPS	0	0	2,731	0	0	2,936	0	0	3,083	0	0	147
Federal Bureau of Investigation	0	0	5,192	0	0	5,397	0	0	5,667	0	0	270
Drug Enforcement Administration	0	0	1,438	0	0	1,643	0	0	1,725	0	0	82
Alcohol Tobacco Firearms & Explosives	0	0	1,244	0	0	1,449	0	0	1,521	0	0	72
Office of Justice Programs	0	0	60	0	0	64	0	0	67	0	0	3
Office of Inspector General	0	0	84	0	0	84	0	0	88	0	0	4
National Drug Intelligence Center	0	0	18	0	0	18	0	0	19	0	0	1
National Security Division	0	0	10	0	0	10	0	0	11	0	0	1
Community Relations Service	0	0	11	0	0	11	0	0	12	0	0	1
Regime Crimes Liaison Office	0	0	75	0	0	75	0	0	79	0	0	4
Office of Violence Against Women	0	0	140	0	0	140	0	0	147	0	0	7
Budgetary Resources:	0	97	\$19,608	0	97	\$20,637	0	97	\$21,669	0	0	\$1,032

Collections by Source	2008 Enacted			2009 Planned			2010 Request			Increase/Decrease		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Department Leadership	0	4	710	0	4	781	0	4	820	0	0	39
Intergovernment Relations/External Affairs	0	3	397	0	3	496	0	3	521	0	0	25
Executive Support/Professional Responsibility	0	62	9,295	0	62	9,372	0	62	9,841	0	0	469
Justice Management Division	0	28	9,206	0	28	9,988	0	28	10,487	0	0	499
Budgetary Resources:	0	97	\$19,608	0	97	\$20,637	0	97	\$21,669	0	0	\$1,032

I: Detail of Permanent Positions by Category

Detail of Permanent Positions by Category
 General Administration
 Salaries and Expenses

Category	2008 Enacted w/Rescissions and Supplementals		2009 Enacted		2010 Request					
	Total Authorized	Total Reimbursable	Total Authorized	Total Reimbursable	ATBs	Program Increases	Program Decreases	Total Pr. Changes	Total Authorized	Total Reimbursable
Intelligence Series (132)								0	0	
Personnel Management (200-299)	25	1	25	1				0	25	1
Clerical and Office Services (300-399)	217	18	217	18		6		6	223	18
Accounting and Budget (500-599)	39	1	39	1				0	39	1
Attorneys (905)	121	30	121	30		11		11	132	30
Paralegals / Other Law (900-998)	15	20	15	20		1		1	16	20
Information & Arts (1000-1099)	11	8	11	8		1		1	12	8
Business & Industry (1100-1199)	26		26					0	26	
Library (1400-1499)	43	9	43	9				0	43	9
Equipment/Facilities Services (1600-1699)	1	4	1	4				0	1	4
Miscellaneous Inspectors Series (1802)								0	0	
Criminal Investigative Series (1811)								0	0	
Supply Services (2000-2099)	3	0	3					0	3	
Motor Vehicle Operations (5703)								0	0	
Information Technology Mgmt (2210)								0	0	
Security Specialists (080)								0	0	
Miscellaneous Operations (010-099)	41	6	41	6				0	41	6
Total	542	97	542	97	0	19	0	19	561	97
Headquarters (Washington, D.C.)	542	97	542	97		7		7	549	97
U.S. Field								0	0	
Foreign Field						12		12	12	
Total	542	97	542	97	0	19		19	561	97

J: Financial Analysis of Program Changes

Financial Analysis of Program Changes

General Administration

Salaries and Expenses

(Dollars in Thousands)

Grades:	Department Leadership		Post-GTMO Activities		Program Changes	
	Rule of Law Coordinator's Office		Pos.	Amount	Pos.	Amount
	Pos.	Amount				
SES	3	1,275			3	1,275
GS-15	10	3,675			10	3,675
GS-14					0	0
GS-13	2	782			2	782
GS-12	1	349			1	349
GS-11	2	411			2	411
GS-10						0
GS-9	1	92			1	92
GS-8					0	0
GS-7					0	0
GS-5					0	0
Total positions & annual amount	19	6,584	0	0	19	6,584
Lapse (-)	(10)	(3,292)	0	0	(10)	(3,292)
Other personnel compensation						
Total FTE & personnel compensation	10	3,292	0	0	10	3,292
Personnel benefits					0	0
Travel and transportation of persons					0	0
Transportation of things					0	0
GSA rent					0	0
Communication, rents, and utilities					0	0
Printing					0	0
Advisory and assistance services					0	0
Other services		708			0	708
Purchases of goods & services from Government accounts				60,000	0	60,000
Research and development contracts					0	0
Operation and maintenance of equipment					0	0
Supplies and materials					0	0
Equipment					0	0
Total, 2010 program changes requested			0	\$60,000	10	\$64,000

Exhibit J - Financial Analysis of Program Changes

K: Summary of Requirements by Grade

Summary of Requirements by Grade
 General Administration
 Salaries and Expenses

Grades and Salary Ranges	2008 Enacted w/Rescissions and		2009 Enacted		2010 Request		Increase/Decrease	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
Executive Level I, \$161,200	5		5		5		
SES, \$111,676 - \$168,000	40		40		43		3	
GS-15, \$110,363 - 143,471	99		99		109		10	
GS-14, \$93,822 - 121,967	87		87		87		0	
GS-13, \$79,397 - 103,220	88		88		90		2	
GS-12, \$66,767 - 86,801	57		57		58		1	
GS-11, \$55,706 - 72,421	36		36		38		2	
GS-10, 50,703 - 65,912	7		7		7		0	
GS-9, \$46,041 - 59,852	29		29		30		1	
GS-8, 41,686 - 54,194	35		35		35		0	
GS-7, \$37,640 - 48,933	25		25		25		0	
GS-6, \$33,872 - 44,032	6		6		6		0	
GS-5, \$30,386 - 39,501	14		14		14		0	
GS-4, \$27,159 - 35,303	11		11		11		0	
GS-3, \$24,194 - 31,451	2		2		2		0	
GS-2, \$22,174 - 27,901	1		1		1		0	
GS-1, \$19,722 - 24,664	0		0		0		0	
Total, appropriated positions	542		542		561		19	
Average SES Salary		\$157,658		\$161,204		\$164,750		
Average GS Salary		\$78,419		\$80,850		\$82,629		
Average GS Grade								

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class

General Administration

Salaries and Expenses

(Dollars in Thousands)

Object Classes	2008 Actuals		2009 Enacted		2010 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Direct FTE & personnel compensation	544	53,948	544	60,033	554	65,053	10	5,020
11.3 Other than full-time permanent		2,978		3,038	0	3,650	0	612
11.5 Total, Other personnel compensation	0	1,864	0	1,901	0	2,149	0	248
<i>Overtime</i>							0	0
<i>Other Compensation</i>							0	0
11.8 Special personal services payments		0					0	0
Total	544	58,790	544	64,972	554	70,852	10	5,880
Other Object Classes:								
12.0 Personnel benefits		14,622		14,845		16,369		1,524
21.0 Travel and transportation of persons		1,473		1,310		1,313		3
22.0 Transportation of things		2,242		2,278		2,279		1
23.1 GSA rent		15,635		17,790		18,721		931
23.2 Moving/Lease Expirations/Contract Parking		703		542		5,053		4,511
23.3 Comm., util., & other misc. charges		1,654		3,069		3,093		24
24.0 Printing and reproduction		428		121		122		1
25.1 Advisory and assistance services		1,546		1,577		1,609		32
25.2 Other services		5,277		8,580		8,938		358
25.3 Purchases of goods & services from Government accounts (Antennas, DHS Sec. Etc..)		5,987		7,600		67,600		60,000
25.4 Operation and maintenance of facilities		48		0		0		0
25.6 Medical Care		14		0		0		0
25.7 Operation and maintenance of equipment		497		0		0		0
26.0 Supplies and materials		2,523		2,339		2,689		350
31.0 Equipment		1,367		1,419		1,519		100
Total obligations		\$112,806		\$126,442		\$200,157		\$73,715
Unobligated balance, start of year				0		0		
Unobligated balance, end of year								
Recoveries of prior year obligations								
Total DIRECT requirements		112,806		126,442		200,157		
Reimbursable FTE:								
Full-time permanent	97		97		97		0	0
23.1 GSA rent (Reimbursable)		1,357		1,371		1,385		14
25.3 DHS Security (Reimbursable)		0						0

*Does not include information on NDIC.

**Includes reimbursable obligations.

M. Status of Congressionally Requested Studies, Reports, and Evaluations

General Administration

Salaries and Expenses

(Dollars in Thousands)

Status of Congressionally Requested Studies, Reports, and Evaluations

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1. The Joint Explanatory Statement accompanying the Omnibus Appropriations Act of FY 2009, Division B - Commerce, Justice, Science, and Related Agencies (H.R. 1105), page 23, directs the Department to contract with the National Academy of Sciences to develop, test and select a budget model that accurately captures fiscal linkages and leverages them into an estimate of DOJ's immigration-related costs. The resulting conclusions should be submitted to the House and Senate Committees on Appropriations upon completion, but not later than 20 months after the enactment of the Act.