



# GENERAL LEGAL ACTIVITIES Office of Legal Counsel (OLC)

FY 2024 Budget Request At A Glance	
FY 2023 Enacted:	\$11.0 million (36 positions; 30 attorneys)
Current Services Adjustments:	+\$460,000
Program Changes:	+\$752,000
FY 2024 Budget Request:	\$12.2 million (38 positions; 32 attorneys)
Change From FY 2023 Enacted:	+\$1.2 million (+11.0%) (+2 positions; +2 attorneys)

### Mission:

The mission of the Office of Legal Counsel (OLC) is to assist the Attorney General in his role as legal adviser to the President and Executive Branch departments and agencies. The OLC also serves as arbiter of legal disputes within the Executive Branch; provides general legal assistance to other components of the Department, including where litigation or proposed legislation raises constitutional issues or general issues of executive authority; and reviews for form and legality all Executive Orders and substantive Proclamations and many presidential Memoranda, as well as all proposed Orders of the Attorney General and all regulations requiring Attorney General approval.

### Resources:

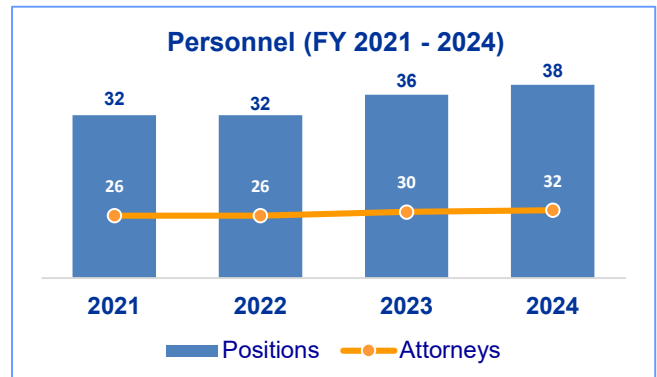
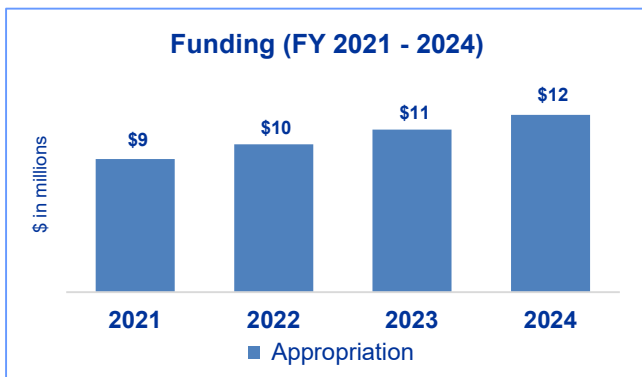
The FY 2024 budget request for OLC totals \$12.2 million, which is an 11 percent increase over the FY 2023 Enacted.

### Organization:

The OLC is headed by an Assistant Attorney General (AAG) who is appointed by the President with the advice and consent of the Senate. The AAG is supported by a Principal Deputy Assistant Attorney General, four career and political Deputies, and staff attorneys and paraprofessionals, all located in Washington, DC. Its administrative functions have been provided by the Executive Office of the Office of the Solicitor General since FY 2012.

### Personnel:

The OLC's direct authorized positions for FY 2024 total 38 positions, including an increase of two positions over the FY 2023 Enacted of 36 direct authorized positions.



## **FY 2024 Strategy:**

The OLC's mission remains critical as the Department confronts national security and intelligence challenges and advises various Executive Branch departments and agencies about priorities of the Administration, including responding to the pandemic and its economic consequences, confronting racial injustice, and addressing problems in the immigration system.

The OLC's attorneys are involved in reviewing hundreds of pieces of pending legislation annually for constitutionality and is the principal office providing legal advice to the White House and Executive Branch departments and agencies concerning their responses to congressional oversight inquiries.

The OLC's challenges are of both an internal and external nature. The OLC generally does not initiate any programs, nor does it have control over the volume of its work. The work results from requests for opinions and legal advice from the Counsel to the President; general counsels of Executive Branch departments and agencies; and the Attorney General and other Department of Justice officials.

Because it is a relatively small component, the OLC has little flexibility in responding to unexpected surges in workload, such as those created by national security matters that require legal advice to the President, the Attorney General, other components in the Department of Justice, and other executive departments and agencies. In addition, it is critical that the OLC be adequately funded to ensure human and technological resources are available to meet workload challenges related to its core mission.

## **FY 2024 Program Changes:**

**Attorney Advisors:** \$452,000 and 2 positions (2 attorneys)  
In light of its increasing workload in key areas, the OLC is requesting an increase of two attorney adviser positions in furtherance of its mission. The additional resources will support the office in 1) advising the Attorney General, the White House Counsel, all executive departments and agencies, and the various components of the Department of Justice on constitutional and statutory matters; 2) reviewing regulations for legal issues; 3) resolving legal disputes within the Executive Branch through the issuance of authoritative legal opinions; 4) reviewing for form and legality of all executive orders and substantive proclamations and memoranda proposed to be issued by the President as well as all Attorney General Orders and regulations; and 5) reviewing for constitutionality proposed legislation. Current services are \$11.4 million and 36 positions (30 attorneys).

**DAMS Classified Database:** \$300,000 and 0 positions  
The OLC is requesting funding in support of enhancing its Document Archival Management System (DAMS) to add a searchable database to house classified work product related to its overall mission and responsibility to the Department and to develop and implement enhancements to an existing database for unclassified documents. Funding will allow the OLC to systematically maintain formal and informal classified advice and opinions in a secure, electronic repository that can be easily navigated. Currently, these documents are not centrally located in electronic form, nor can they be easily searched. There are no current services for this initiative.

**Office of Legal Counsel**  
(Dollars in Thousands)

	Office of Legal Counsel		
	Pos	FTE	Amount
<b>2022 Appropriation</b>	<b>32</b>	<b>28</b>	<b>9,872</b>
<b>2023 Enacted</b>	<b>36</b>	<b>36</b>	<b>10,986</b>
<b>2024 Request</b>	<b>38</b>	<b>38</b>	<b>12,198</b>
<b>Change 2024 from 2023 Enacted</b>	<b>2</b>	<b>2</b>	<b>1,212</b>
<b>Technical Adjustments</b>			
<b>Total Technical Adjustments</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Base Adjustments</b>			
Pay & Benefits	0	0	410
Other Adjustments	0	0	50
<b>Total Base Adjustments</b>	<b>0</b>	<b>0</b>	<b>460</b>
<b>2024 Current Services</b>	<b>36</b>	<b>36</b>	<b>11,446</b>
<b>Program Changes</b>			
<b>Increases:</b>			
Attorney Advisors	2	2	452
DAMS Classified Database	0	0	300
<b>Subtotal, Program Increases</b>	<b>2</b>	<b>2</b>	<b>752</b>
<b>Decreases:</b>			
<b>Subtotal, Program Decreases</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Program Changes</b>	<b>2</b>	<b>2</b>	<b>752</b>
<b>2024 Request</b>	<b>38</b>	<b>38</b>	<b>12,198</b>

**Office of Legal Counsel**  
(Dollars in Thousands)

Comparison by activity and program	2023 Enacted			2024 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Office of Legal Counsel	36	36	10,986	36	36	11,446
<b>Total</b>	36	36	10,986	36	36	11,446

Comparison by activity and program	2024 Total Program Changes			2024 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Office of Legal Counsel	2	2	752	38	38	12,198
<b>Total</b>	2	2	752	38	38	12,198