U.S. Department of Justice FY 2012 PERFORMANCE BUDGET Congressional Submission

General Administration

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I. Overview of General Administration

For the General Administration (GA), the Department of Justice (DOJ) requests a total of 628 permanent positions (175 attorneys), 664 FTE¹ (includes 40 reimbursable), and \$134,225,000 for FY 2012. This request represents an increase of 67 positions, 70 FTE and \$15,737,000 from the FY 2011 Continuing Resolution. 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.justice.gov/02organizations/bpp.htm.

For 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, Associate Attorney General, Privacy and Civil Liberties, Rule of Law, and Access to Justice, 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 Tribal Justice. These offices conduct legal and policy analysis of the initiatives necessary for DOJ to meet its strategic goals, and in the many areas in which the Department has jurisdiction or responsibilities. They also 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 Offices of Legal Policy, Professional Responsibility, Information Policy and the Professional Responsibility Advisory Office. 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. 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.

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¹ The FTE listed in this budget reflect an FTE level developed using the authorized FTE level in FY 2010 and differ from the FTE listed in the FY 2012 President's Budget Appendix, which were developed using FY 2010 on-board levels

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 GA's mission supports every aspect of the Department's strategic plan as noted above. GA's budget is integrated with its own priorities as well as the Department's Strategic Goals and Objectives.

The Environmental Program staff within the Justice Management Division (JMD) decision unit is developing an Environmental Management System (EMS) for the Department and updating the Justice Property Management Order to include environmental policies and responsibilities. The Environmental Program staff has already completed the first step of the process by completing the Department's Strategic Sustainability Performance Plan on June 2, 2010.

As a matter of policy, the Department is committed to:

- Complying with all federal, state, and local environmental laws and applicable Presidential Executive Orders.
- Considering environmental impacts when making planning, purchasing, operating, and budget decisions.
- Promoting resource conservation and pollution prevention by encouraging employees and contractors to reduce energy consumption, water usage, and waste production, and promoting re-use and recycling whenever possible.
- Promoting renewable energy such as solar, wind, and biomass when applicable.
- Providing a safe and healthy work environment for our employees.
- Improving environmental performance by setting environmental goals, measuring progress, taking corrective action when necessary, and communicating the results to DOJ management and staff.
- Using a higher tier EMS as a framework for setting and reviewing environmental objectives and targets at the Department and bureau level.
- Communicating and reinforcing this policy throughout the agency.
- Preparing and submitting Greenhouse gas inventory and reporting to OMB yearly.
- Responding to Internal and external audits.
- Updating and realigning Strategic Sustainability Performance Plan annually to report agency progress in order to meet OMB approved performance targets.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
Information Policy	Funding and staffing to support its increasing workload responsibilities due to an increase in Freedom of Information Act requests and the Open Government directive.	5	3	467	18
Legal Policy	Funding and staffing to support the vetting of judicial nominees.	2	1	201	21
Privacy and Civil Liberties	Funding and staffing to support the Office of Privacy and Civil Liberties to perform their statutorily mandated duties: compliance, legal guidance, and legal and policy leadership.	1	1	180	23
Admin Efficiencies	Identified across-the-board economies of scale that result in increased efficiencies and cost savings.			-126	25
Extend Tech Refresh	Replacing desktops and laptops at a slower rate to achieve efficiencies and cost savings.			-66	27
JMD Admin Efficiencies	JMD identified cost savings opportunities in areas such as publications, contract support, and travel.	1	1	-391	29
Realign Intergov Liaison Function	Propose realignment of Departmental liaison function.	-3	-3	-495	31
Realign Management & Planning Function	Propose realignment of various strategic planning and other management functions.	-12	-12	-1,300	32

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

For expenses necessary for the administration of the Department of Justice, \$134,225,000, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended: Provided, That the Attorney General is authorized to transfer funds appropriated within the General Administration to any office in this account: Provided further, That this transfer authority is in addition to transfers authorized under section 505 of this Act.

Note.—A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared; therefore, this account is operating under a continuing resolution (P.L. 111-242, as amended). The amounts included for 2011 reflect the annualized level provided by the continuing resolution.

Analysis of Appropriations Language

No significant changes.

Note: The FY 2012 President's Budget uses the FY 2011 President's Budget language as a base so all language is presented as new.

IV. Decision Unit Justification

A. Department Leadership

Department Leadership	Perm.	FTE	Amount
	Pos.		
2010 Enacted with Rescissions	65	57	\$18,693
2010 Supplementals	0	0	0
2010 Enacted w/Rescissions and Supplementals	65	57	18,693
2011 CR	65	57	18,693
Adjustments to Base and Technical Adjustments	1	9	4,224
2012 Current Services	66	66	22,917
2012 Program Increases	1	1	180
2012 Request	67	67	23,097
Total Change 2011-2012	2	10	4,404

1. Program Description

The Department Leadership decision unit includes the Office of the Attorney General, the Office of the Deputy Attorney General, the Office of the Associate Attorney General, the Office of Privacy and Civil Liberties, the Rule of Law Office and Access to Justice. 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 decision unit 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 (AG), 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, 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, Firearms and Explosives, Bureau of Prisons, Office of Justice Programs, U.S. Attorneys, and U.S. Marshals Service.

The Deputy Attorney General (DAG) 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 second in command 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 Associate Attorney General (AAG) is appointed by the President and is subject to confirmation by the Senate. As the third-ranking official of the Department, the AAG is a principal member of the AG'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.

The Office of Privacy and Civil Liberties (OPCL) is responsible for refining the Department's policies relating 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. OPCL works with the Inspector General to ensure that all reports required by that Act regarding privacy and civil liberties are submitted.

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 80 personnel under Chief of Mission authority, coordinates these efforts with the United States Forces-Iraq to ensure a unified effort, and serves as an advisor to the Ambassador on justice-related issues.

The primary focus of the Access to Justice initiative is to improve indigent defense, enhance delivery of legal services to the poor and middles class, and identify and promote alternatives to court- and lawyer-intensive solutions. Access to Justice works with both federal and state courts to strengthen fair, impartial, and independent adjudication.

B. Intergovernmental Relations/External Affairs

Intergovernmental Relations/External Affairs	Perm.	FTE	Amount
	Pos.		
2010 Enacted with Rescissions	52	52	\$8,101
2010 Supplementals	0	0	0
2010 Enacted w/Rescissions and Supplementals	52	52	8,101
2011 CR	52	52	8,101
Adjustments to Base and Technical Adjustments	4	4	1,789
2012 Current Services	56	56	9,890
2012 Program Offsets	-3	-3	-495
2012 Request	53	53	9,395
Total Change 2011-2012	1	1	1,294

1. Program Description

The Intergovernmental Relations/External Affairs decision unit consists of the Offices of Public Affairs, Legislative Affairs and Tribal Justice. These offices support a myriad of the Department's 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.
- Maintain an efficient and responsive legislative liaison service operation.
- Provide support in advancing the Administration's overall legislative agenda.
- Assure policy consistency and coordination of Departmental initiatives, briefing materials, and policy statements.
- Disseminate timely, accurate information about the Department, the AG and the Administration's law enforcement priorities, policies and activities to the media and the general public.

- Enhance and promote the enforcement goals of the Department by distributing news releases, coordinating press conferences, telephone and video conferences to announce indictments, settlements, and statements on civil rights, environmental, criminal, antitrust, and other Department enforcement activities.
- 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 media. PAO is responsible for ensuring the public is informed about the Department's activities and the priorities and policies of the AG with regard to law enforcement and legal affairs. Its staff advises the AG and other Department officials on all aspects of media relations and general communications. 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 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 that require 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 federal judges and Department nominees, such as Assistant Attorneys General and U.S. Attorneys.

OLA will also be assuming the responsibilities of Law Enforcement Liaison, Intergovernmental and Intragovernmental work, and Public Engagement, which were formerly managed by the Office of Intergovernmental and Public Liaison (OIPL). OIPL is being realigned in FY 2012 which includes an offset of 3 positions and \$495,000, with the remaining 3 positions and \$740,000 being transferred to OLA.

There are over 54 million acres of Indian country, the majority of which is under federal jurisdiction. Hundreds of federal cases, in addition to other conflicts needing resolution are generated in this area each year. The Office of Tribal Justice (OTJ) is responsible for serving as the primary point of contact between the 563 tribal governments and the Department in these matters. OTJ coordinates these complex matters, the underlying policy, and emerging legislation between more than a dozen DOJ components active in Indian country. External coordination with the Departments of Interior, Health and Human Services, and Homeland Security, as well as the Congress is another of OTJ's duties. OTJ also provides legal expertise in Indian law to the Department in those matters that progress to the Appellate level, or issues being considered for legislation.

C. Executive Support/Professional Responsibility

Executive Support/Professional Responsibility	Perm.	FTE	Amount
	Pos.		
2010 Enacted with Rescissions	56	56	\$12,715
2010 Supplementals	0	0	0
2010 Enacted w/Rescissions and Supplementals	56	56	12,715
2011 CR	56	56	12,715
Adjustments to Base and Technical Adjustments	67	67	12,603
2012 Current Services	123	123	25,318
2012 Program Increases	7	3	668
2012 Request	130	126	25,986
Total Change 2011-2012	74	70	13,271

1. Program Description

The Executive Support/Professional Responsibility decision unit consists of the Offices of Legal Policy, Professional Responsibility, Information Policy, and the Professional Responsibility Advisory Office. These offices support various aspects of the Department's strategic plan. Specifically, the general goals and objectives of this decision unit are to:

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

In FY 2012, the Department is transferring resources (3 positions and \$878,000) from the Office of Dispute Resolution (ODR) to OLP in order to achieve efficiencies which will allow the Department to effectively manage the increasing demand for Alternative Dispute Resolution. The mission of ODR, which will now be carried out by the additional resources provided to OLP, is to promote and facilitate the broad and effective use of alternative dispute resolution processes in settling litigation handled by the Department of Justice and in resolving administrative disputes throughout the Executive Branch of the Federal Government.

The Office of Professional Responsibility (OPR), which reports directly to the AG, is responsible for investigating allegations of misconduct by DOJ attorneys in 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 they 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 Department officials. The Professional Misconduct Review Unit is responsible for all disciplinary and state bar referral actions relating to OPR findings of professional misconduct against career attorneys. OPR also oversees the Federal Bureau of Investigation's Office of Professional Responsibility and the Drug Enforcement Administration's Office of Professional Responsibility and serves as the Department's contact with state bar disciplinary organizations. The objectives of OPR are different from the Office of the Inspector General (OIG) in that OPR focuses on allegations of misconduct which affect the ability of the Department to investigate, litigate, or prosecute, while the OIG focuses on allegations of waste and abuse and other matters which do not implicate the ability of the Department to investigate, litigate or prosecute. In FY 2012, OPR is receiving a transfer of 3 positions and \$618,000 from the United States Attorneys to permanently fund positions that have been filled by detailees over the last several years.

The Office of Information Policy (OIP) was established as an independent office in 1993. It manages certain departmental responsibilities related to FOIA. These responsibilities include coordinating and implementing policy development and compliance government-wide for the FOIA, and Department-wide for the Privacy Act. OIP makes decisions on 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. In FY 2012, this formerly fully reimbursable office will be converted to appropriated via adjustment to base transfers from the contributing components.

The Professional Responsibility Advisory Office (PRAO) is dedicated to resolving professional responsibility issues faced by Department attorneys and Assistant U.S. Attorneys. PRAO provides prompt, consistent advice to Department leadership, government attorneys and Assistant U.S. 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 every state, territory and the District of Columbia as well as other reference materials, and serves as a central repository for briefs and pleadings as cases arise. It provides coordination with the litigating components of the Department to defend attorneys in any disciplinary or other hearings that allege 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. In FY 2012, this formerly fully reimbursable office will be converted to appropriated via adjustment to base transfers from the contributing components.

D. Justice Management Division

Justice Management Division	Perm.	FTE	Amount
	Pos.		
2010 Enacted with Rescissions	385	386	\$77,834
2010 Supplementals	0	0	0
2010 Enacted w/Rescissions and Supplementals	385	386	77,834
2011 CR	385	386	77,834
Adjustments to Base and Technical Adjustments	-1	-2	-1,920
2012 Current Services	384	384	75,914
2012 Program Offsets	-11	-11	-1,883
2012 Request	373	373	74,031
Total Change 2011-2012	-12	-13	-3,803

Justice Management Division-Information Technology Breakout (of Decision Unit Total)	Perm. Pos.	FTE	Amount
2010 Enacted with Rescissions	3	3	1,145
2010 Supplemental			
2010 Enacted w/Rescissions and Supplementals	3	3	1,145
2011 CR	3	3	1,145
Adjustments to Base and Technical Adjustments	2	2	571
2012 Current Services	5	5	1,716
2012 Request	5	5	1,716
Total Change 2010-2012	2	2	571

1. Program Description

The Justice Management Division (JMD), under the direction of the Assistant Attorney General for Administration, 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 other matters pertaining to organization, management and administration. JMD provides direct administrative support services such as personnel, accounting, procurement, library, budget, 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 major functions of JMD are to:

- Review and oversee management functions, programs, operating procedures, supporting systems and management practices.
- Supervise, direct, and review the preparation, justification, and execution of the Department's 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 other administrative services functions.
- Direct all Department security programs including personnel, physical, document, information processing, 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.

The Justice Management Division decision unit has identified up to \$391,332 in FY 2011/2012 efficiencies that can be used to reduce the GA FY 2012 current services requirements.

PERFORMANCE AND RESOURCES TABLE

Decision Unit: Justice Management Division

DOJ Strategic Goal/Objective: Enabling and Administration

DOJ Strategic Go	bai/Objective: Enabling and	Aummstr	ation									
		Final	Target	Est	imate	Projected		Changes		Reques	ted (Total)	
WORKLOAD/ RESOURCES		FY 2010		FY 2010		FY 2011 Continuing Resolution (CR)		Current Services Adjustments and FY 2012 Program Changes		FY 2012 Request		
Total Costs and F	TE	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
[reimb]		420	78,979,000 [10,487,000]	420	78,979,000 [10,487,000]	420	78,979,000 [10,487,000]	-11	-3,232,000	409	75,747,000 [10,487,000]	
TYPE/ STRATEGIC OBJECTIVE	PERFORMANCE	FY	2010	FY	2010	FY 2011 Continuing Resolution (CR)		Adjustmei 2012 P	Services nts and FY rogram nges	FY 2012 Request		
		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
Program Ad	ctivity: Human Capital	64	12,774,000	64	12,774,000	64	12,774,000	0	0	64	12,774,000	
Number o	of Personnel Actions	280,725		280,725		280,725		0		28	0,725	
Number of Whis	stleblower Case Issuances	40		40		40		0			40	
Ensure GS vacan	cies are filled within 45 days		45	45		45		0		45		
Budget and F	Performance Integration	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
	<u> </u>	41	6,562,000	41	6,562,000	41	6,562,000	0	0	41	6,562,000	
_	Performance Goals Quarterly or all Accouts	1	00%	100%		100%		0		100%		
Secure and	Consolidated Facilities	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	
occure and	Consolidated Facilities	112	22,260,000	112	22,260,000	112	22,260,000	0	0	113	22,260,000	
	Number of Security Compliance Reviews/Follw Ups Completed		40		40		40		0		40	
Number of Compo	Number of Component COOP plans Reviewed		30		30		30		0		30	
	Number of Employee/Contractor Adjudications Completed),552	1(10,552		10,552		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 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY	2010	FY 2011	FY 2012
	·			Actual	Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Performance Measure	Number of Personnel Actions				220,381	390,608	317,313	280,725	280,725		280,725	280,725
Performance Measure	Number of Whistleblower Case Issuances				120	60	109	35	40		40	40
Performance Measure	Monitor Budget & Performance Goals Quarterly for all Accounts							100%	100%		100%	100%
Performance Measure	Number of Component COOP Plans Reviewed					77	20	30	30		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 on our mission and organized in the following performance areas:

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

V. Program Increases

Item Name: Office of Information Policy

Budget Decision Unit(s): <u>Executive Support/Professional Responsibility</u>

Strategic Goal(s) & Objective(s): <u>Enabling/Administrative</u>
Organizational Program: <u>Office of Information Policy</u>

Program Increase: Positions <u>5</u> Atty <u>3</u> FTE <u>3</u> Dollars <u>\$467,000</u>

Description of Item

Funding and staffing is requested to support the DOJ's Office of Information Policy.

Justification

The Office of Information Policy (OIP) has experienced an unprecedented increase in its workload as a result of both President Obama's and Attorney General Holder's directives to all agencies to increase government transparency, and as a result of the Open Government Directive, which required the Department to create an Open Government Plan which includes a directive to reduce FOIA backlogs by ten percent and which mandates creation of a "FOIA Dashboard" to be run by OIP. Given OIP's lead role in implementing the President's and Attorney General's transparency initiatives across the government, coupled with OIP's department-wide FOIA responsibilities, which are now greatly expanded as a result of those initiatives and the obligations under the Department's Open Government Plan, OIP has a critical need for additional staff.

OIP is also responsible by statute for promoting agency compliance with the FOIA across the federal government. In carrying out this government-wide policy role, OIP develops and provides guidance to agencies on questions relating to application of the FOIA; conducts extensive training of government personnel through our comprehensive training programs, as well as by participation in specialized training seminars; provides direct one-on-one counseling with agency representatives and members of the public who have questions about the proper implementation of the FOIA; and conducts extensive reviews, before and after they are filed, of both agency Annual FOIA Reports and the newly required agency Chief FOIA Officer Reports. Moreover, OIP prepares the United States Department of Justice Guide to the Freedom of Information Act, which is a comprehensive legal treatise addressing all aspects of the FOIA, and is widely relied upon by personnel within DOJ and at other agencies, as well as the public as a vital reference book on the FOIA.

Currently, OIP is struggling to fulfill all of the increased demands being placed on them to perform their policy mission, while at the same time, striving to keep up with existing responsibilities to process initial requests and adjudicate administrative appeals for the Department. OIP is facing an historic increase in the number of incoming requests for records of the Senior Management Offices and that greatly compounds the challenge of reducing already existing backlogs. In FY 2009 there was a twenty-two percent increase in number of incoming initial requests received for the Senior Management Offices. There was also an increase of twenty-six percent in FY 2010. At the same time with the same staffing levels, OIP has managed to increase the number of requests processed by three percent in FY 2009 and by over thirty percent in FY 2010.

At present, the Initial Request Staff of OIP is comprised of 17 FOIA Specialists and the Administrative Appeals Staff is comprised of 17 Attorneys. The Initial Request Staff has seen increases in the number of incoming requests it received which are in excess of 1,000 requests per year. The Administrative Appeals Staff received over 3,000 appeals in FY 2010 and averaged over 2,900 for the past five years. The Open Government Directive requires agencies to reduce their FOIA backlogs by ten percent and, as mentioned above, given the increase of initial requests, the ability to meet that goal will be exceedingly difficult without additional personnel resources. Most importantly, OIP has seen a tremendous increase in its responsibilities related to its government-wide policy and leadership role in the FOIA. OIP's current staffing levels are not reflective of this revised mission; accordingly, this shortage is impacting OIP's ability to consistently meet all required objectives.

Upon review of the current resource allocation and staffing utilization, OIP requests an additional 5 positions comprised of 3 Attorneys and 2 FOIA Specialists. This increase will enable OIP to continue to deliver on its objectives and core mission-critical functions. The impact of additional personnel resources will allow OIP, as the office charged with encouraging government-wide compliance with FOIA, to demonstrate success in meeting its core functions and present itself as a model to all other federal departments and agencies while ensuring government-wide compliance and implementation of the President's and Attorney General's directives on the FOIA.

Impact on Performance (Relationship of Increase to Strategic Goals and Priority Goals – (PGs)) The request is enabling/administrative and supports all strategic goals and objectives.

Funding

Base Funding

FY:	FY 2010 Enacted (w/resc./supps) FY 2011 CR						FY 20	12 Curre	nt Services		
Pos	agt/	FTE	\$(000)	Pos	agt/	FTE	\$(000)	Pos	agt/	FTE	\$(000)
	atty				atty				atty		
0	0	0	0	0	0	0	0	43	21	43	6,188

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2012 Request (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Attorneys – GS 13	179	3	302	330	
FOIA Specialists – GS 12	145	2	165	176	
Total Personnel		5	467	506	

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2013 Net Annualization (Change from 2012) (\$000)	FY 2014 Net Annualization (Change from 2013) (\$000)
Current Services	43	21	43	6,188		6,188		
Increases	5	3	3	467		467		
Grand Total	48	24	48	6,655		6,655		

Item Name: Office of Legal Policy

Budget Decision Unit(s): <u>Executive Support/Professional Responsibility</u>

Strategic Goal(s) & Objective(s): Enabling/Administrative
Organizational Program: Office of Legal Policy

Program Increase: Positions 2 Atty 2 FTE 1 Dollars \$201,000

Description of Item

Funding and staffing is requested to support DOJ's Office of Legal Policy in advising and assisting the President and the Attorney General in the selection and confirmation of federal judges.

Justification

The Office of Legal Policy (OLP) advises and assists the President and the Attorney General in the selection and confirmation of federal judges. It oversees the Department's process for vetting, interviewing, evaluating and seeking confirmation of the nation's judiciary, in close consultation with the White House Counsel. OLP is the only office in the Department with primary responsibility for this work. For judicial nominees, the White House relies on OLP to do an exhaustive review of each judicial candidate's background, which includes an extensive independent record search and review as well as numerous interviews of individuals within the relevant legal community to assess a candidate's reputation and qualifications. The vetting process takes approximately 3-4 weeks of nearly full-time attorney work at a minimum.

In addition to nominations work, OLP devotes attorney time to the office's policy and regulatory obligations. Therefore, in order to fulfill OLP's mission with respect to judicial nominations, OLP must rely on a cadre of attorneys in other components to assist with vetting and other work attendant to a nomination. OLP's reliance on a volunteer force of attorneys has been problematic at times, in large part due to a view that vetting is "extracurricular" work that may be put aside when an attorney's usual work needs to get done.

In addition to vetting judicial nominees, OLP processes all of the paperwork to initiate an FBI background investigation and the peer review by the American Bar Association. Significantly, OLP is responsible for preparing each nominee's Senate Judiciary Committee questionnaire, which seeks information about all aspects of a nominee's professional life. Because the Senate Judiciary Committee questionnaire requires nominees to provide information about nearly everything they have ever written or said, OLP must engage in continual, ongoing, extensive public records searches on multiple candidates at any given time so that questionnaires are complete and accurate when it is time to submit them to the Senate. OLP also must collect all documents responsive to the Committee's questionnaire and provide multiple copies to the Committee immediately following nomination. OLP also oversees the confirmation hearing preparation for judicial nominees, as well as post-hearing work, such as questions for the record.

In addition to judicial nominations, OLP is responsible for overseeing all of the paperwork for FBI background investigations of all U.S. Attorney and U.S. Marshal candidates, as well as nomination paperwork for these positions.

Presently, OLP's Nominations Unit is staffed full-time with a Deputy Assistant Attorney General, one Nominations Counsel, one Program Specialist, and a Senior Counsel. All of these positions are fully allocated to working on all of the non-vetting aspects of the nominations process. The attorneys who presently hold the attorney positions often work at least 60-hours per week. For vetting assignments, OLP assigns senior counsels within the office and, as noted above, must rely on volunteer vetters from other components.

OLP requests a program increase that will enable OLP to have two counsel positions in the Nominations Unit. The two counsel positions will be devoted full-time to vetting judicial nominations. This increase will ensure that the work product generated would be more expeditious and consistent because the vetting attorneys' jobs will solely be nominations and they will be directly supervised by OLP rather than by other components which is currently the case.

<u>Impact on Performance (Relationship of Increase to Strategic Goals and Priority Goals – (PGs))</u> The request is enabling/administrative and supports all strategic goals and objectives.

Funding

Base Funding

FY	FY 2010 Enacted (w/resc./supps)				FY 2011 CR				FY 2012 Current Services			
Pos	agt/	FTE	\$(000)	Pos agt/ FTE \$(000)			Pos	agt/	FTE	\$(000)		
	atty				atty				atty			
27	16	27	6,180	27	16	27	6,180	30	19	30	7,255	

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2012 Request (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Attorney Advisor - GS 13	179	2	201	220	
Total Personnel		2	201	220	

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2013 Net Annualization (Change from 2012) (\$000)	FY 2014 Net Annualization (Change from 2013) (\$000)
Current Services	30	19	30	7,255		7,255		
Increases	2	2	1	201		201	220	
Grand Total	32	21	31	7,456		7,456	220	

Item Name: Privacy and Civil Liberties

Budget Decision Unit(s): Department Leadership
Strategic Goal(s) & Objective(s): Enabling/Administrative

Organizational Program: Office of Privacy and Civil Liberties

Program Increase: Positions <u>1</u> Atty <u>0</u> FTE <u>1</u> Dollars <u>\$180,000</u>

Description of Item

Funding and support staff is requested to support DOJ's Office of Privacy and Civil Liberties to perform their statutorily mandated duties: compliance, legal guidance, and legal and policy leadership.

Justification

The Office of Privacy and Civil Liberties (OPCL) was created to support the Chief Privacy and Civil Liberties Officer (CPCLO) in the Office of the Deputy Attorney General and to consolidate all of the disparate privacy functions that were managed throughout different DOJ offices. While OPCL was created in 2006, additional staffing is needed to support the myriad of responsibilities that have been created by statute and by the transfer of duties from existing Department offices. OPCL is in need of administrative support to fulfill the daily operations of the office. Therefore, OPCL requests 1 additional support position to assist in the daily administrative operations of the office.

Because the CPCLO supports work on international privacy issues, the CPCLO participates in meetings that require her to travel abroad. Based on past CPCLO travel expenditures, OPCL requests additional funding for the CPCLO's travel so that her work is not hampered and the travel expenditures do not interfere with OPCL's other priorities.

Additionally, the industry standard for training and certification of privacy professionals in both federal and private sectors is through an organization called the International Association for Privacy Professionals (IAPP). Because many privacy issues are not unique to the federal sector, the certification and training conducted by IAPP is strongly recognized among federal agencies as the cross-sector resource to provide federal privacy professionals with the proper education and perspective to carry out a comprehensive federal privacy program. As such, OPCL requests that training and certification costs be a fixed part of its budget.

Finally, it is necessary that OPCL's budget include the printing and publication costs of the Overview of the Privacy Act of 1974 (Overview) through the Government Printing Office. The Overview is a comprehensive legal treatise addressing all aspects of the Privacy Act, and is relied upon by privacy officials in DOJ and all Federal agencies to effectively implement the Privacy Act. Because OPCL is committed to publishing the Overview on a biennial basis, OPCL expects that the next publication will occur in FY 2012.

<u>Impact on Performance (Relationship of Increase to Strategic Goals and Priority Goals – (PGs))</u> The request is enabling/administrative and supports all strategic goals and objectives.

Funding

Base Funding

FY	FY 2010 Enacted (w/resc./supps)			FY 2011 CR				FY 2012 Current Services			
Pos	agt/	FTE	\$(000)	Pos	agt/	FTE	\$(000)	Pos	agt/	FTE	\$(000)
	atty				atty				atty		
2	1	2	1,493	2	1	2	1,493	2	1	2	1,493

Personnel Increase Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Requested	FY 2012 Request (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Admin Support – GS 12	145	1	84	88	
Total Personnel		1	84	88	

Non-Personnel Increase Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2012 Request (\$000)	FY 2013 Net Annualization (Change from 2012) (\$000)	FY 2014 Net Annualization (Change from 2013) (\$000)
Travel, Training, Publications	96	1	96		
Total Non- Personnel			96		

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2013 Net Annualization (Change from 2012) (\$000)	FY 2014 Net Annualization (Change from 2013) (\$000)
Current Services	2	1	2	1,493	0	1,493		
Increases	1	0	1	84	96	180	88	
Grand Total	3	1	3	1,577	96	1,673	88	

VI. Program Offsets

Item Name: <u>Administrative Efficiencies</u>

Budget Decision Unit(s):
Strategic Goal(s) & Objective(s):
Organizational Program:

Justice Management Division
Enabling/Administrative
Justice Management Division

Program Offset: Positions <u>0</u> Atty <u>0</u> FTE <u>0</u> Dollars <u>-\$126,000</u>

Description of Item

Department-wide administrative efficiencies.

Summary Justification

The Department is continually evaluating its programs and operations with the goal of achieving across-the-board economies of scale that result in increased efficiencies and cost savings. In FY 2012, the Department is focusing on areas in which savings can be achieved, which includes: printing, publications, travel, conferences, supplies, and general equipment. For GA, these administrative efficiencies will result in an offset of \$126,000.

<u>Impact on Performance (Relationship of Increase to Strategic Goals and Priority Goals – (PGs))</u> No known effect on the Priority Goals.

Funding

Base Funding

FY	FY 2010 Enacted (w/resc./supps)				FY 2011 CR				FY 2012 Current Services			
Pos	agt/	FTE	\$(000)	Pos	Pos agt/ FTE \$(000)			Pos	agt/	FTE	\$(000)	
	atty				atty				atty			
388	0	389	78,979	388	0	389	78,979	389	0	389	77,630	

Non-Personnel Reduction Cost Summary

Non-Personnel Item	Unit	Quantity	FY 2012 Request (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Total Non- Personnel	0	0	-126	0	0

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Current Services	389	0	389	50,692	26,938	77,630		
Decreases	0	0	0		-126	-126		
Grand Total	390	0	390	50,692	26,812	77,504		

Item Name: <u>Extend Technology Refresh</u>

Budget Decision Unit(s):
Strategic Goal(s) & Objective(s):
Organizational Program:

Justice Management Division
Enabling/Administrative
Justice Management Division

Program Offset: Positions <u>0</u> Atty <u>0</u> FTE <u>0</u> Dollars <u>-\$66,000</u>

Description of Item

Extend the period of technology refresh by one year.

Summary Justification

As desktops and laptops are used primarily for basic office automation applications (e.g., spreadsheets and word processing), replacing this inventory at a slower rate is expected to have minimal impact on Department operations. In FY 2012, the Department is proposing to extend the refresh rate of all desktops and laptops by one year, resulting in an offset of \$66,000 for GA.

<u>Impact on Performance (Relationship of Increase to Strategic Goals and Priority Goals – (PGs))</u> No known effect on the Priority Goals.

Funding

Base Funding

FY	FY 2010 Enacted (w/resc./supps)			FY 2011 CR				FY 2012 Current Services			
Pos	agt/	FTE	\$(000)	Pos	Pos agt/ FTE \$(000)			Pos	agt/	FTE	\$(000)
	atty				atty				atty		
388	0	389	78,979	388	0	389	78,979	389	0	389	77,630

Non-Personnel Reduction Cost Summary

Non-Personnel Item	Unit	Quantity	FY 2012 Request (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Total Non- Personnel	0	0	-66	0	0

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Current Services	389	0	389	50,692	26,938	77,630		
Decreases	0	0	0		-66	-66		
Grand Total	390	0	390	50,692	26,872	77,564		

Item Name: JMD Administrative Efficiencies

Budget Decision Unit(s):

Strategic Goal(s) & Objective(s):

Organizational Program:

Justice Management Division

Enabling/Administrative

Justice Management Division

Program Offset: Positions <u>1</u> Atty <u>0</u> FTE <u>1</u> Dollars <u>-\$391,000</u>

Description of Item

JMD identified cost savings opportunities in areas such as publications, contract support, and travel.

Summary Justification

The JMD staffs identified a number of cost savings items that can be implemented in order to achieve efficiencies in FY 2012. These items include: reducing subscriptions for various publications, reducing contract support or converting to government FTE, reducing travel, and other administrative measures to achieve savings.

<u>Impact on Performance (Relationship of Increase to Strategic Goals and Priority Goals – (PGs))</u> No known effect on the Priority Goals.

Funding

Base Funding

FY	FY 2010 Enacted (w/resc./supps)			FY 2011 CR				FY 2012 Current Services			
Pos	agt/	FTE	\$(000)	Pos	agt/	FTE	\$(000)	Pos	agt/	FTE	\$(000)
	atty				atty				atty		
388	0	389	78,979	388	0	389	78,979	389	0	389	77,630

Personnel Reduction Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Reduced	FY 2012 Request (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Total Personnel		+1			

Non-Personnel Reduction Cost Summary

Non-Personnel Item	Unit	Quantity	FY 2012 Request (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Total Non- Personnel	0	0	-391	0	0

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Current Services	389	0	389	50,692	26,938	77,630		
Decreases	1	0	1		-391	-391		
Grand Total	390	0	390	50,692	26,547	77,239		

Item Name: Realign Intergovernmental Liaison Function

Budget Decision Unit(s): <u>Intergovernmental Relations/External Affairs</u>

Strategic Goal(s) & Objective(s): <u>Enabling/Administrative</u>

Organizational Program: Office of Intergovernmental and Public Liaison

Program Offset: Positions -3 Atty -1 FTE -3 Dollars -\$495,000

Description of Item

Propose realignment of Departmental liaison function.

Summary Justification

It was determined that Intergovernmental liaison functions within the General Administration were being performed with some overlapping of duties. This proposal suggests realignment of the Department's liaison functions with the Office of Legislative Affairs (OLA) to experience efficiencies. This proposal reduces the staff from 6 to 3 positions, which will be moved to OLA.

<u>Impact on Performance (Relationship of Increase to Strategic Goals and Priority Goals – (PGs))</u> The request is enabling/administrative and supports all strategic goals and objectives.

Funding

Base Funding

FY 2	2010 Eı	nacted ((w/resc./supps)	FY 2011 CR				FY 2012 Current Services			
Pos	agt/	FTE	\$(000)	Pos	agt/	FTE	\$(000)	Pos	agt/	FTE	\$(000)
	atty				atty				atty		
6	1	6	1,235	6	1	6	1,235	6	1	6	1,235

Personnel Reduction Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Reduced	FY 2012 Request (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Total Personnel		-3	-495		

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Current Services	6	1	6	1,235		1,235		
Decreases	-3	-1	-3	-495		-495		
Grand Total	3	0	3	740		740		

Item Name: Realign Management and Planning Function

Budget Decision Unit(s):

Strategic Goal(s) & Objective(s):

Organizational Program:

Justice Management Division

Enabling/Administrative

Justice Management Division

Program Offset: Positions <u>-12</u> Atty <u>0</u> FTE <u>-12</u> Dollars <u>-\$1,300,000</u>

Description of Item

Propose realignment of JMD management and planning function.

Summary Justification

In order to experience the synergies of grouping like responsibilities in close proximity as well as decreasing the likelihood of duplication of duties, it is proposed that management and planning resources within the Justice Management Division (JMD) be realigned. This offset eliminates a separate Management and Planning Staff and merges the functions into several other JMD staffs. Redistributing these functions among JMD staffs would ultimately result in a savings in FY 2012 of 12 positions. The approximate savings in salaries and benefits from reducing the staffing would be \$1,300,000 in FY 2012.

<u>Impact on Performance (Relationship of Increase to Strategic Goals and Priority Goals – (PGs))</u> The request is enabling/administrative and supports all strategic goals and objectives.

Funding

Base Funding

FY 2010 Enacted (w/resc./supps)				FY 2011 CR				FY 2012 Current Services			
Pos	agt/	FTE	\$(000)	Pos	Pos agt/ FTE \$(000)			Pos	agt/	FTE	\$(000)
	atty				atty				atty		
34	0	34	5,194	34	0	34	5,194	34	0	34	5,194

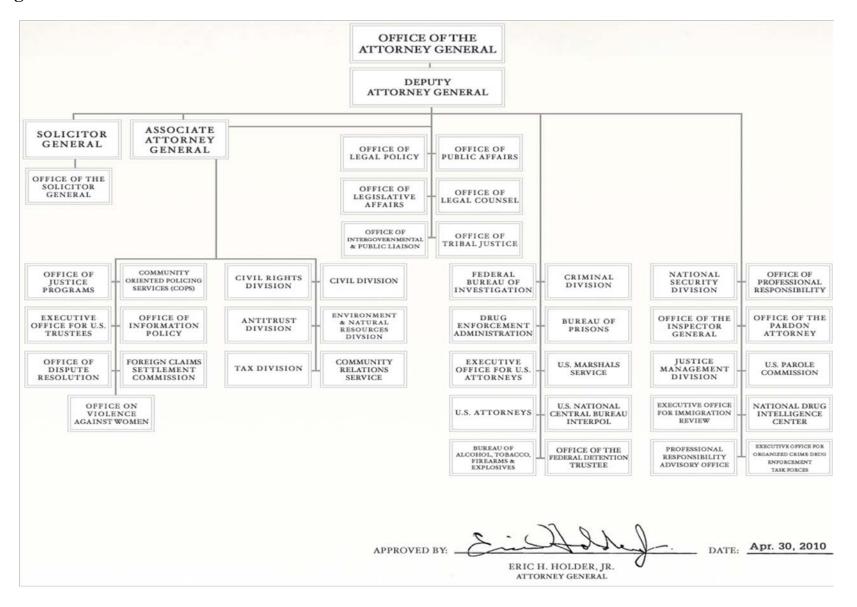
Personnel Reduction Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Reduced	FY 2012 Request (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Total Personnel		-12	-1,300		

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non- Personnel (\$000)	Total (\$000)	FY 2013 Net Annualization (change from 2012) (\$000)	FY 2014 Net Annualization (change from 2013) (\$000)
Current Services	34	0	34	5,194		5,194		
Decreases	-12	0	-12	-1,300		-1,300		
Grand Total	22	0	22	3,894		3,894		

VII. EXHIBITS

A: Organizational Chart



B: Summary of Requirements

Summary of Requirements

]	FY 2012 Requ	est
	Perm. Pos.	FTE*	Amount
2010 Enacted (with Rescissions, direct only)	561	554	\$118,488
2010 Supplementals			
Total 2010 Enacted (with Rescissions and Supplementals)	561	554	118,488
2011 Continuing Resolution (with Rescissions, direct only)	561	554	118,488
2011 Supplementals			
Total 2011 CR (with Rescissions and Supplementals)	561	554	118,488
Adjustments to Base			
Transfers:			
Transfer of funding from various components for OIP	43	43	6,188
Transfer of funding from various components for PRAO	18	18	4,364
Transfer of funding from ODR to OLP	3	3	878
Transfer of funding from EOUSA to OPR	3	3	618
Transfer of funding to OTJ	4	4	1,086
Increases (Direct Only):			
Pay and Benefits		9	3,395
Domestic Rent and Facilities			738
Other Adjustments	2		0
Subtotal Increases	2	9	4,133
Total Adjustments to Base	73	80	17,267
Total Adjustments to Base and Technical Adjustments	73	80	17,267
2012 Current Services	634	634	135,755
Program Changes			
Increases [list all]			
Information Policy	5	2	467
Legal Policy	2	1	201
Privacy and Civil Liberties	1	1	180
Subtotal Increases	8	4	848
Offsets [list all]			
Administrative Efficiencies			(126)
Extend Tech Refresh			(66)
JMD Administrative Efficiencies	1	1	(391)
Realign Intergovernmental Liaison Function	(3)	(3)	(495)
Realign Management & Planning Function	(12)	(12)	(1,300)
Subtotal Decreases	(14)	(14)	(2,378)
Total Program Changes	(6)	(10)	(1,530)
2012 Total Request	628	624	134,225
2010 - 2012 Total Change	67	70	15,737

^{*}The FTE listed in this budget reflect an FTE level developed using the authorized FTE level in FY 2010 and differ from the FTE listed in the FY 2012 President's Budget Appendix, which were developed using FY 2010 on-board levels.

Summary of Requirements

	w	Appropriat /Rescissio Suppleme		2011 Con	tinuing Re	solution (CR)	N .	3	nts to Base djustments	2012	Current	Services	2	2012 Incre	eases	20	012 Offs	sets		2012 Requ	nest
Estimates by budget activity	Pos.	FTE	Amount	Pos	. FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	. FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Department Leadership	65	57	18,693	65	57	18,693	1	9	4,224	66	66	22,917	1	1	180				67	67	23,097
Intergov Relations/External Aff	52	52	\$8,101	52	52	8,101	4	4	1,789	56	56	9,890				(3)	(3)	-495	53	53	9,395
Exec Support/Prof Resp	56	56	12,715	56	56	12,715	67	67	12,603	123	123	25,318	7	3	668				130	126	25,986
Justice Management Division	388	389	78,979	388	389	78,979	1		-1,349	389	389	77,630				(11)	(11)	-1,883	378	378	75,747
Total	561	554	\$118,488	561	554	\$118,488	73	80	\$17,267	634	634	\$135,755	8	4	\$848	(14)	(14)	-\$2,378	628	624	\$134,225
Reimbursable FTE		97			101			(61)			40									40	
Total FTE		651			655			19			674			4			(14)			664	
Other FTE: LEAP Overtime																				0	
Total Comp. FTE		651			655			19			674			4			(14)			664	

C: Program Increases/Offsets By Decision Unit

FY 2012 Program Increases/Offsets By Decision Unit

General Administration (Dollars in Thousands)

	Location of		Departmen	t Leadei	rship	Inte	ergov Relations	/External A	fairs		Exec Suppo	ort/Prof	Resp	Ju	stice Manag	ement l	Division	
Program Increases	Description by Decision Unit	Pos.	Agt./Atty.	FTE	Amount	Pos.	Agt./Atty.	FTE	Amount	Pos.	Agt./Atty.	FTE	Amount	Pos.	Agt./Atty.	FTE	Amount	Total Increases
		ļ .																0
Privacy and Civil Liberties	DL	1		1	180													180
Legal Policy	ES/PR									2	2	1	201					201
Information Policy	ES/PR									5	3	2	467					467
Total Program Increases		1	0	1	\$180	0	0	0	\$0	7	5	3	\$668	0	0	0	\$0	\$848
	Location of Description by		Departmen	t Leadei	rship	Inte	ergov Relations	/External A	fairs		Exec Suppo	ort/Prof	Resp	Ju	stice Manag	ement l	Division	
Program Offsets	Decision Unit	Pos.	Agt./Atty.	FTE	Amount	Pos.	Agt./Atty.	FTE	Amount	Pos.	Agt./Atty.	FTE	Amount	Pos.	Agt./Atty.	FTE	Amount	Total Offsets
																		0
Realign Intergov Liaison Function	IR/EA					(3) (1)	(3)	(495)									(495)
Realign Mgt & Planning Function	JMD													(12)		(12)	(1,300)	(1,300)
JMD Administrative Efficiencies	JMD													1		1	(391)	(391)
Administrative Efficiencies	JMD																(126)	(126)
Extend Tech Refresh	JMD																(66)	(66)
_																		0
Total Offsets		0	0	0	\$0	(3	(1)	(3)	(\$495)	0	0	0	\$0	(11)	0	(11)	(\$1,883)	(\$2,378)

D: Resources by DOJ Strategic Goal and Strategic Objective

Resources by Department of Justice Strategic Goal/Objective General Administration

(Dollars in Thousands)

		ation Enacted w/	2011 Continuing	Resolution (CR)	2012 C	urrent Services		20)12		2012	Request
								reases		sets		
					Direct	. Direct	Direct, Reimb.	Direct	Direct, Reimb.	Direct	Direct, Reimb.	Direct
	Direct, Reimb.	Direct Amount	Direct, Reimb.	Direct Amount	Reimb	,	Other	Amount	Other	Amount	Other	Amount
Strategic Goal and Strategic Objective	Other FTE	\$000s	Other FTE	\$000s	Other F	TE \$000s	FTE	\$000s	FTE	\$000s	FTE	\$000s
Goal 1: Prevent Terrorism and Promote the Nation's Security												
Subtotal, Goal 1	0	0	0	0		0 0	0	0	0	0	0	0
Goal 2: Prevent Crime, Enforce Federal Laws and Represent the Rights and Interests of the American People 2.1 Strengthen partnerships for safer communities and enhance the Nation's capacity to prevent, solve, and control crime Subtotal, Goal 2	0	0	0	0		4 1,238 4 1,238	0	0	0	0	4 4	1,238 1,238
Goal 3: Ensure the Fair and Efficient Administration of Justice						,						
Subtotal, Goal 3											0	0
Goal 4: Enabling/Administrative											0	0
Subtotal, Goal 4	651 651	118,488 118,488	655 655	118,488 118,488	6' 6 '	70 134,517 70 134,517	4 4	848 848	(14) (14)	(2,378) (2,378)		132,987 132,987
CP AND TOTAL	651	\$118 <i>1</i> 88	655	\$118.488	6	74 \$135.755	1	\$848	(14)	(\$2 378)	664	\$134 225
GRAND TOTAL	651	\$118,488	655	\$118,488	6'	74 \$135,755	4	\$848	(14)	(\$2,378)	664	\$134,225

E. Justification for Base Adjustments

Justification for Base Adjustments General Administration

	<u>POS</u>	<u>FTE</u>	<u>Amount</u>
<u>Transfers</u>			
Transfers from various contributing components for the establishment of the Professional Responsibility Advisory Office (PRAO) as an appropriated account within the General Administration Appropriation.	18	18	4,364,000
Transfers from various contributing components for the establishment of the Office of Information Policy (OIP) as an appropriated account within the General Administration Appropriation.	43	43	6,188,000
Transfer of 3 positions from the Office of Dispute Resolution to the Office of Legal Policy within the General Administration Appropriation in order to achieve efficiencies which will allow the Department to effectively manage the increasing demand for Alternative Dispute Resolution.	3	3	878,000
Transfer of 3 positions from the Executive Office of United States Attorneys to the Office of Professional Responsibility within the General Administration Appropriation to permanently fund positions that have been filled by detailees over the last several years.	3	3	618,000
Office of Tribal Justice. The Department is requesting that \$1,238,235 and four positions/FTE be transferred from the following appropriations to the General Administration appropriation to fund OTJ: \$489,144 and two positions/FTE from the Executive Office for U.S. Attorneys appropriation, \$597,083 and two positions/FTE from General Legal Activities (\$336,425 and one pos/FTE from the Criminal Division and \$260,658 and 1 pos/FTE from the Civil Rights Division), and \$152,008 from the Justice Management Division within the General Administration appropriation.	4	4	1,086,000
<u>Increases</u>			
Annualization of 2010 pay raise. This pay annualization represents first quarter amounts (October through December) of the 2010 pay increase of 1.4 percent included in the 2011 President's Budget. The amount requested \$497,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$362,810 for pay and \$134,190 for benefits).			
\$154,170 for beliefits).			497,000
Annualization of additional positions approved in 2010. This provides for the annualization of 19 additional positions appropriated in 2010. Annualization of new positions extends to 3 years to provide for entry level funding in the first year with a 2-year progression to the journeyman level. For 2010 increases, this request includes an increase of \$2,911,000 for full-year payroll costs associated with these additional positions.		9	2,911,000

E. Justification for Base Adjustments

2011 estimate of \$2,743,563, the additional amount required is \$243,000.

Justification for Base Adjustments General Administration

POS

FTE

Amount

E. Justification for Base Adjustments

Justification for Base Adjustments General Administration

Changes in Compensable Days. The decreased cost for one compensable day in FY 2012 compared to FY 2011 is calculated by dividing the FY 2011 estimated personnel compensation \$233,600 and applicable benefits \$86,400 by 261 compensable days.	POS	<u>FTE</u>	<u>Amount</u> -320,000
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 \$730,000 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 2012 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied. GSA provided data on the rate increases.			730,000
<u>DHS Security Charges</u> . The Department of Homeland Security (DHS) will continue to charge Basic Security and Building Specific Security. The requested increase of \$8,000 is required to meet our commitment to DHS, and cost estimates were developed by DHS.			8,000
<u>CR Position Adjustment.</u> An addition of 2 positions is necessary to correct the position imbalances within the Department Leadership and Justice Management Division decision units.	2		
Total ATB:	73	80	\$17,267,000

F: Crosswalk of 2010 Availability

Crosswalk of 2010 Availability

		Enacted Rescission	Without ns	R	Rescissio	ons	_	ogramı Fransfe	_	201	0 Availal	bility
Decision Unit	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Department Leadership	65	57	18,693							65	57	18,693
Intergov Relations/External Aff	52	52	8,101							52	52	8,101
Exec Support/Prof Resp	56	56	12,715							56	56	12,715
Justice Management Division	388	389	78,979							388	389	78,979
TOTAL	561	554	\$118,488	0	0	\$0	0	0	\$0	561	554	\$118,488
Reimbursable FTE		97									97	
Total FTE		651			0			0			651	
Other FTE												
LEAP											0	
Overtime											0	
Total Compensable FTE		651			0			0			651	

G: Crosswalk of 2011 Availability

Crosswalk of 2011 Availability

	FY 2011 Cor (CR) With	_		Reprogram	mings / T	ransfers	2011	Availabil	ity
Decision Unit	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Department Leadership	65	57	18,693				65	57	18,693
Intergov Relations/External Aff	52	52	8,101				52	52	8,101
Exec Support/Prof Resp	56	56	12,715				56	56	12,715
Justice Management Division	388	389	78,979				388	389	78,979
TOTAL	561	554	\$118,488	0	0	\$0	561	554	\$118,488
Reimbursable FTE		101						101	
Total FTE		655			0			655	
Other FTE									
LEAP								0	
Overtime								0	
Total Compensable FTE		655			0			655	

H: Summary of Reimbursable Resources

Summary of Reimbursable Resources

		2010 Ac	tual		2011 Pl	anned		2012 Req	uest	Incr	ease/De	ecrease
Collections by Source	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Alcohol, Tobacco, Firearms and Explosives			742			811			457	0	0	(285)
Antitrust			474			519			293	0	0	(181)
Asset Forfeiture Fund			9			9			5	0	0	(3)
Bureau of Prisons			2,853			3,104			1,751	0	0	(1,102)
Community Relations Service			12			15			9	0	0	(4)
Community Oriented Policing Services (COPS)			22			26			15	0	0	(8)
Court Services and Offender Supervision										0	0	0
Department of State			356			356			356	0	0	0
Drug Enforcement Administration			922			1,006			568	0	0	(355)
Executive Office for Immigration Review			724			791			446	0	0	(278)
Federal Bureau of Investigation			4,959			5,392			3,041	0	0	(1,918)
General Legal Activities			2,152			2,341			1,320	0	0	(831)
National Security Division			761			827			466	0	0	(295)
Office of the Inspector General			119			130			73	0	0	(46)
Office of Justice Programs			1,624			1,765			995	0	0	(629)
Office of Legal Counsel			25			27			15	0	0	(10)
Office of the Pardon Attorney			26			28			16	0	0	(10)
Office of Violence Against Women			12			13			8	0	0	(5)
Organized Crime and Drug Enforcement Task Force			63			69			39	0	0	(25)
U.S. Attorneys			5,571			6,053			3,414	0	0	(2,157)
U.S. Marshals Service			577			627			354	0	0	(224)
U.S. Parole Commission			14			15			8	0	0	(5)
U.S. Trustees			252	-	-	274			154	0	0	(98)
Budgetary Resources:	0	97	\$22,271	0	101	\$24,200	0	40	\$13,803	0	(61)	(\$8,468)

I: Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

General Administration Salaries and Expenses

		v/Rescissions and ementals	2011 Continuing	g Resolution (CR)			2012	Request		
Category	Total Authorized	Total Reimbursable	Total Authorized	Total Reimbursable	ATBs	Program Increases	Program Decreases	Total Pr. Changes	Total Authorized	Total Reimbursable
Intelligence Series (132)										
Personnel Management (200-299)	25	1	25	1	1			0	26	1
Clerical and Office Services (300-399)	223	18	223	18	24	3	(13)	(10)	237	8
Accounting and Budget (500-599)	39	1	39	1	1			0	40	1
Attorneys (905)	132	30	132	34	39	5	(1)	4	175	10
Paralegals / Other Law (900-998)	16	20	16	20	8			0	24	8
Information & Arts (1000-1099)	12	8	12	8				0	12	2
Business & Industry (1100-1199)	26		26					0	26	
Library (1400-1499)	43	9	43	9				0	43	5
Equipment/Facilities Services (1600-1699)	1	4	1	4				0	1	3
Miscellaneous Inspectors Series (1802)								0	0	
Criminal Investigative Series (1811)								0	0	
Supply Services (2000-2099)	3		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	2
Total	561	97	561	101	73	8	(14)	(6)	628	40
Headquarters (Washington, D.C.)	549	97	549	101	73	8	(14)	(6)	616	40
U.S. Field										
Foreign Field	12		12					0	12	
Total	561	97	561	101	73	8	(14)	(6)	628	40

J: Financial Analysis of Program Changes

Financial Analysis of Program Changes

General Administration Salaries and Expenses (Dollars in Thousands)

		rtment ership	Relat	ergov ions/Ex fairs	Exe	ec Suppor Respor	t/Profess nsibility	ional			Justi	ce Manag	gement D	ivision				
		& Civil		Intergov Function	Legal	l Policy		mation licy	Pla	n Mgt & nning action	_	Admin iencies		min iencies		nology fresh	Program	1 Changes
Grades:	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos	. Amount
SES																	0	0
GS-15																	0	0
GS-14			(1)	(126)													(1)	(126)
GS-13					2	207	3	311	(4)	(392)							1	126
GS-12	1	87					2	174	(5)	(375)							(2)	(114)
GS-11									(1)	(62)							(1)) (62)
GS-10																	0	0
GS-9			(2)	(102)					(1)	(57)	1	57					(2)	(102)
GS-8																	0	0
GS-7																	0	0
GS-5									(1)	(27)							(1)) (27)
Total positions & annual amount	1	87	(3)	(228)	2	207	5	485	(12)	(913)	1	57	0	0	0	0	(6)	(305)
Lapse (-)	0	(44)	0	0	0	(104)	0	(243)	0	0	0	(29)	0	0	0	0	0	(390)
Other personnel compensation																	0	0
Total FTE & personnel compensation	1	44	(3)	(228)	2	104	5	243	(12)	(913)	1	29	0	0	0	0	(6)	(723)
Personnel benefits		12		(84)		28		63		(219)		15					0	(185)
Travel and transportation of persons		25		(15)		7		15				(17)		(126)			0	(111)
Transportation of things		1		(10)		1		5									0	(3)
GSA rent				(112)						(168)							0	(280)
Communication, rents, and utilities		4		(5)		8		14									0	21
Printing		40				1		1				(79)					0	(37)
Advisory and assistance services																	0	0
Other services		33		(35)		19		60				(323)					0	(246)
Purchases of goods & services from Government accounts												(15)					0	(15)
Research and development contracts																	0	0
Operation and maintenance of equipment																	0	
Supplies and materials		3	1	(6)		7		31									0	
Equipment		18	1	` '		26		35								(66)	0	
Total, 2012 program changes requested	1	\$180	(3)	(\$495)	2	\$201	5	\$467	(12)	(\$1,300)	1	(\$391)	0	(\$126)	0	(\$66)	(6)	

Exhibit J - Financial Analysis of Program Changes

K: Summary of Requirements by Grade

Summary of Requirements by Grade

General Administration Salaries and Expenses

	2010 Enacted	2011 Continuing	2012 P		
	w/Rescissions and Supplementals	Resolution (CR)	2012 Request	Increase/Decrease	
Grades and Salary Ranges	Pos. Amour	` ′	Pos. Amount	Pos.	Amount
Executive Level V-I, \$145,700-\$199,700	5	5	5	0	
SES, \$119,554 - 179,700	43	43	47	4	
GS-15, \$123,758 - 155,500	109	109	132	23	
GS-14, \$105,211 - 136,771	87	87	100	13	
GS-13, \$89,033 - 115,742	90	90	101	11	
GS-12, \$74,872 - 97,333	58	58	63	5	
GS-11, \$62,467 - 81,204	38	38	42	4	
GS-10, \$56,857 - 73,917	7	7	7	0	
GS-9, \$51,630 - 67,114	30	30	31	1	
GS-8, \$46,745 - 60,765	35	35	35	0	
GS-7, \$42,209 - 54,875	25	25	30	5	
GS-6, \$37,983 - 49,375	6	6	8	2	
GS-5, \$34,075 - 44,293	14	14	15	1	
GS-4, \$30,456 - 39,590	11	11	9	(2)	
GS-3, \$27,130 - 35,269	2	2	2	0	
GS-2, \$24,865 - 31,292	1	1	1	0	
GS-1, \$22,115 - 27,663	0	0	0	0	
Total, appropriated positions	561	561	628	67	
Average SES Salary	\$163,54	6 \$163,546	\$163,546		
Average GS Salary	\$97,18	2 \$97,182	\$97,182		
Average GS Grade	1	2 12	12		

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class

	2010 Actuals		2011 Availability		2012 Request		Increase/Decrease	
Object Classes	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Direct FTE & personnel compensation	521	\$59,006	554	\$59,013	624	\$65,884	70	\$6,871
11.3 Other than full-time permanent		1,320		1,698		1,698	0	0
11.5 Total, Other personnel compensation	0	2,240	0	2,068	0	2,068	0	0
Overtime		2,240		2,068		2,068	0	0
Other Compensation							0	0
11.8 Special personal services payments							0	0
Total	521	62,566	554	62,779	624	69,650	70	6,871
Other Object Classes:								
12.0 Personnel benefits		15,604		15,679		18,998		3,319
21.0 Travel and transportation of persons		1,288		1,123		1,386		263
22.0 Transportation of things		2,488		2,620		2,720		100
23.1 GSA rent		15,459		16,428		19,166		2,738
23.2 Moving/Lease Expirations/Contract Parking								0
23.3 Comm., util., & other misc. charges		2,261		2,150		2,400		250
24.0 Printing and reproduction		102		100		100		0
25.1 Advisory and assistance services		3,509		3,301		3,916		615
25.2 Other services		6,663		6,269		6,834		565
25.3 Purchases of goods & services from Government accounts (Antennas, DHS Sec. Etc)		5,923		5,573		6,089		516
25.4 Operation and maintenance of facilities								0
25.5 Research and development contracts								0
25.7 Operation and maintenance of equipment								0
26.0 Supplies and materials		2,556		2,403		2,903		500
31.0 Equipment		69		63		63		0
Total obligations		\$118,488		\$118,488		\$134,225		\$15,737
Reimbursable FTE:								
Full-time permanent	97		101		40		(61)	
23.1 GSA rent (Reimbursable)	91	\$1,398	101	\$1,455	40	\$576	(01)	(\$879)
25.3 DHS Security (Reimbursable)		\$1,396		\$1,433		\$9		(\$7)