

U.S. Department of Justice

Office of Legal Counsel

**FY 2010 PERFORMANCE BUDGET
Congressional Submission**

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I. Overview for the Office of Legal Counsel

1. Introduction

In FY 2010, the Office of Legal Counsel (OLC) requests a total of \$7,665,000, 37 positions (of which 25 are attorneys), and 37 FTE to meet its primary mission of assisting the Attorney General in his role as legal advisor to the President and Executive Branch agencies and providing timely, thorough, and reliable legal advice in response to requests from the Counsel to the President, general counsels of Executive Branch departments and agencies, the Office of Management and Budget (OMB), the Attorney General and other Department of Justice officials. The requested amount is \$972,000 more than what was enacted in FY 2009. This is a base adjustment and of this amount, \$835,000 is needed for OLC to fill all of its positions because prior year enacted levels have not kept pace with current services needs. OLC is not requesting any program increases in FY 2010. 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/>.

With the requested FY 2010 resources, OLC will be able to continue to provide top-quality legal advice on matters related to national security, the economic crisis, crime fighting programs, as well as a range of legal issues concerning constitutional, and regulatory statutory authority. Although specifically included only under Strategic Goal II ("Enforce Federal Laws and Represent the Rights and Interests of the American People"), OLC is involved in every aspect of the Department's Strategic Plan. OLC has issued opinions or otherwise rendered legal advice touching on virtually every aspect of the Department's overall work and mission. Most recently, OLC advised on legal issues relating to detainees being held at Guantanamo, the nation's economic crisis, major proposed legislation, and the whole range of legal issues that impact the numerous appointments that must be made at the beginning of a new Administration.

2. Issues, Outcomes and Strategies

OLC's mission remains highly critical and urgent as the Department enters into a new era of responsibility confronting national security and intelligence challenges, reinvigorating federal civil rights enforcement, and advising the myriad of agencies involved in responding to the economic crisis. OLC is also involved with proposals concerning climate change and the large number of Executive Orders and Presidential memoranda that have been issued.

The Office is operating at a particularly challenging time, when a number of major legal positions of the United States government are under review or in the process of being changed. That is particularly true of the national security context. For example, the

President's Executive Orders, signed January 22, 2009, to ensure lawful interrogations, provide for a review of the detentions of individuals being held at Guantanamo, and formulate lawful options for the Federal Government's detention policy going forward and represent a transformation of the legal basis for national security policy relating to terrorism. As a result, the execution of these orders will raise numerous legal issues, thereby placing OLC at the center of some of the most fundamental policy shifts of the new Administration. The head of the Office personally sits on two of the review panels established by these orders.

OLC's role will include answering questions about the treatment of detainees, the lawfulness of their detention, and the specific requirements of the orders themselves. In addition, the Office will be called upon, and already has been called upon, to provide advice with respect to the various reviews called for in the orders, each of which charges the Attorney General with a central or lead role in conducting them. The Office has also been playing, and will continue to play, a key role in advising the Executive Branch on litigation (and litigation risks), some of which pertain directly to the Office's own memoranda, assisting the Executive Branch in interactions with Congress, and addressing legal issues arising from the intelligence reforms following September 11.

In addition to these novel legal questions, OLC will have to deal with the many legal questions generated by measures to meet the current economic crisis, as well as the other initiatives of the new Administration in a variety of areas. Already, the Office has played an almost daily role in advising the Treasury Department on numerous legal questions it has confronted under the Emergency Economic Stabilization Act and related legislation. The Office has also been deeply involved in issues concerning requests for Executive Branch information arising out of the *Miers* litigation and the ongoing review of OLC opinions for possible release. The Office must handle these new responsibilities while carrying out its significant continuing responsibilities. For example, OLC's role in the Department's legislative comment program and its Executive Orders practice has increased dramatically. That is particularly true at present, given the volume of Executive Orders issued in the early days of the new Administration.

Because formal Attorney General Opinions are so rare, requests for opinions typically result in the preparation of legal opinions signed by OLC's Assistant Attorney General or one of his Deputies based upon the research of one or more of the Office's staff attorneys. Other requests may result in the provision of informal advice to the client agency.

Since 1977, at the direction of the Attorney General, OLC has published selected formal opinions. Volumes covering the years 1977 through 2000 have already been issued in hardback and production of the volumes for 2001 and 2002 is in progress. As an interim step, preliminary to publication in hardback, OLC has on its website <http://www.usdoj.gov/olc/opinions.htm> published opinions from 1992 to 2009. OLC has

accelerated the speed with which it publishes opinions on its website. The rate of publication has increased, and the time between opinion signing and publication has decreased. Work on this effort will continue into FY 2010.

3. Full Program Costs

OLC's budget is fully integrated with its own priorities as well as the full range of the Department's Strategic Goals and Objectives, most especially Strategic Goal II: ("Enforce Federal Laws and Represent the Rights and Interests of the American People").

4. Performance Challenges

OLC's ability to accomplish its mission centers primarily on its ability to maximize resources to meet the demands of an externally-driven workload.

External Challenges: 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 OMB and other Executive Office of the President components; general counsels of Executive Branch departments and agencies; the Attorney General and other Department of Justice officials. The lack of control over this externally-driven workload has been and is likely to remain a feature of work on national security, and is inherent in all aspects of the Office's work in reviewing legislation, testimony, and Presidential documents.

Internal Challenges: Because it is a relatively small component, representing only a single decision unit, OLC has little flexibility in responding to unexpected surges in workload, such as those created by national security matters, the financial crisis, or the shift in policy and legal positions that attends the kind of transition to a new Administration now underway.

II. Appropriations Language and Analysis of Appropriations Language

Appropriations Language

Please refer to the General Legal Activities consolidated exhibit and related analysis.

III. Decision Unit Justification

A. Office of Legal Counsel

<i>Office of Legal Counsel</i> TOTAL	Perm. Pos.	FTE	Amount
2008 Enacted with Rescissions	37	37	6,184
2009 Enacted	37	37	6,693
Adjustments to Base and Technical Adjustments			972
2010 Current Services	37	37	7,665
2010 Program Increases			0
2010 Request	37	37	7,665
Total Change 2009-2010			972

1. Program Description

Playing a major role in intelligence and national security reforms following September 11, OLC continues to devote a significant portion of its resources to providing legal advice for the White House, the Attorney General, OMB, and other Executive Branch agencies. The overall workload in these areas has consistently represented a very large time commitment by the Office, and we do not expect that to change. Recent issues have included, among other things, providing extensive guidance on complex issues related to surveillance, cyber security, detention authority, and the impact of recent executive orders concerning detention and interrogation. This focus has, unfortunately, come at the expense of some of the rest of the Office's workload. But the Office is also now taxed by the demands placed upon it from the legal issues that have arisen in relation to the economic crisis. The Office is involved in providing almost daily advice to the Treasury Department on a broad range of novel legal questions concerning the exercise of authority under newly enacted statutes.

OLC will continue its principal duty of assisting the Attorney General in his role as legal advisor to the President and Executive Branch agencies. OLC will also continue in FY 2010 to serve as arbiter of legal disputes within the Executive Branch, to provide general legal assistance to other components of the Department, especially where litigation or proposed legislation raises constitutional issues or general issues of executive authority, and to review for form and legality all Executive Orders and Proclamations proposed by the President, as well as all proposed Orders of the Attorney General and all regulations requiring Attorney General approval.

OLC's role in the Department's legislative program has increased dramatically in recent years, and includes drafting comments on pending legislation and testimony. OLC regularly receives legislation for review from both OMB and the Department's Office of Legislative Affairs, in addition to specific requests from other agencies; the volume is high and the

deadlines usually tight. OLC has taken a major role in preparing testimony in connection with pending legislation of interest to the Department and the Executive Branch, and has assisted in the drafting of legislation.

In addition, because of its expertise in certain areas, OLC has assumed an on-going advisory role to other Department components, including the Office of the Solicitor General, the National Security Division, and the litigating divisions, on issues relating to, among other things, constitutional rights, national security, and immigration matters.

2. Performance Table

PERFORMANCE AND RESOURCES TABLE										
Decision Unit: Office of Legal Counsel										
DOJ Strategic Goal/Objective: Enforce Federal Laws and Represent the Rights and Interests of the American People										
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	
Provision of Legal Opinions	1700		1700		1700		1700		1700	
Review of Executive Orders and Proclamations	190		190		190		190		190	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
	37	6,184 [457]	31	6,017 [449]	37	6,693	37	972	37	7,665

3. Performance, Resources, and Strategies

The Office of Legal Counsel represents a single decision unit. Given its primary mission (“assisting the Attorney General in his role as legal advisor to the President and Executive Branch agencies”), OLC is involved in every aspect of the Department’s Strategic Plan. OLC has issued opinions or otherwise rendered legal advice touching on virtually every aspect of the Department’s overall work and mission.

a. Performance Plan and Report for Outcomes

Given the legal advisory nature of its mission and workload, OLC is not included for review in the Department’s Performance and Accountability Report (PAR). This budget submission is part of the Department’s Performance Plan since we are reporting targets through FY10. However, OLC does not have measures in the PAR.

b. Strategies to Accomplish Outcomes

Since September 11, 2001, OLC has had to realign its priorities in terms of workload and assignments in order to meet the variety of new challenges brought on by the new focus on counterterrorism and homeland security, while still endeavoring to meet its ongoing workload demands to the greatest extent possible with existing resources.

OLC’s general goals for FY 2010 are as follows:

- Provide critical legal advice to the White House, the Attorney General, and other Executive Branch agencies
- Resolve intra-Executive Branch disputes over legal questions
- Advise other components of the Department of Justice where litigation or proposed legislation raises constitutional issues or other legal issues of general concern to the Executive Branch
- Approve for form and legality all Executive Orders and Orders of the Attorney General

IV. E-Government Initiatives

The E-Gov initiatives serve citizens, business, and federal employees by delivering high quality services more efficiently at a lower price. The Department is in varying stages of implementing E-Gov solutions and services including initiatives focused on integrating government wide transactions, processes, standards adoption, and consolidation of administrative systems that are necessary tools for agency administration, but are not core to DOJ’s mission. To ensure that DOJ obtains value from the various initiatives, the Department actively participates in the governance bodies that direct the initiatives and we communicate regularly with the other federal agencies that are serving as the “Managing Partners” to ensure that initiatives meet the needs of the Department and its customers. The Department believes that working with other agencies to implement common or consolidated

solutions will help DOJ reduce the funding requirements for administrative and public-facing systems, thereby allowing DOJ to focus more of its scarce resources on higher priority, mission related needs. DOJ's modest contributions to the Administration's E-Gov projects will facilitate achievement of this objective.

A. Funding and Costs

The Department of Justice participates in the following E-Gov initiatives and Lines of Business:

Business Gateway	E-Travel	Integrated Acquisition Environment	Case Management LoB
Disaster Assistance Improvement Plan	Federal Asset Sales	IAE - Loans & Grants - Dunn & Bradstreet	Geospatial LoB
Disaster Assist. Improvement Plan - Capacity Surge	Geospatial One-Stop	Financial Mgmt. Consolidated LoB	Budget Formulation and Execution LoB
E-Authentication	GovBenefits.gov	Human Resources LoB	IT Infrastructure LoB
E-Rulemaking	Grants.gov	Grants Management LoB	

The Department of Justice E-Gov expenses – i.e. DOJ's share of E-Gov initiatives managed by other federal agencies – are paid for from the Department's Working Capital Fund. These costs, along with other internal E-Gov related expenses (oversight and administrative expenses such as salaries, rent, etc.) are reimbursed by the components to the WCF. The OLC reimbursement amount is based on anticipated or realized benefits from an E-Gov initiative. OLC's actual or planned reimbursement to the Department's Working Capital Fund is \$1.7M for FY 2009 and \$1.7M for FY 2010.

B. Benefits

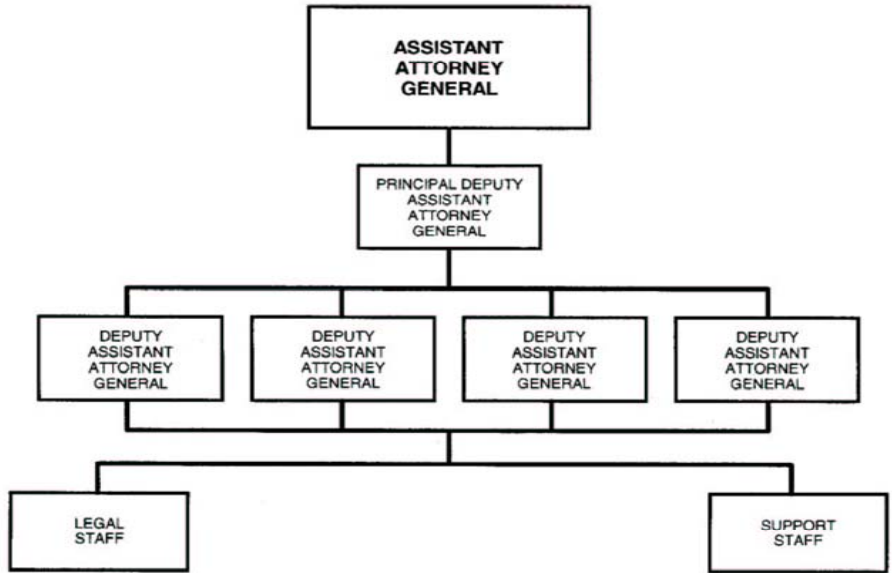
OLC has reimbursable agreements in place with various offices within the Justice Management Division that provide information technology, financial management, and human resource support. E-Gov activities are ongoing or planned in each of these areas and as the Department completes migrations to common solutions provided by an E-Gov or Line of Business initiative, OLC expects to benefit as the Department retires legacy systems and provides additional information and services which can be used to better manage OLC operations.

The E-Gov Initiatives and Lines of Businesses where OLC ultimately expects to realize benefits are the Financial Management Consolidated Line of Business, the Human Resource Line of Business, and the Information Technology Infrastructure Line of Business. All three are currently under development and there are as yet no operational capabilities for which benefits can be quantified.

V. EXHIBITS

A: Organizational Chart

OFFICE OF LEGAL COUNSEL




Approved: _____ Date: 10/22/01
JOHN D. ASHCROFT
Attorney General

Exhibit A - Organizational Chart

B: Summary of Requirements

Summary of Requirements
 Office of Legal Counsel
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2010 Request		
	Perm. Pos.	FTE	Amount
2008 Enacted (with Rescissions, direct only)	37	37	6,184
2008 Supplementals			
Total 2008 Revised Continuing Appropriations Resolution (with Rescissions)	37	37	6,184
2009 Enacted (with Rescissions, direct only)	37	37	6,693
2009 Supplementals			
Total 2009 Enacted (with Rescissions and Supplementals)	37	37	6,693
Technical Adjustments			
Restoration of 2009 Prior Year Unobligated Balance Rescission			
Adjustments to Base			
Increases:			
2010 pay raise (2.0%)			71
2009 pay raise annualization (3.9%)			878
Retirement			3
GSA Rent			14
DHS Security Charge			1
Security Investigations			1
Government Printing Office (GPO)			1
WCF Rate Increase			3
Subtotal Increases	0	0	972
Decreases:			
Subtotal Decreases	0	0	0
Total Adjustments to Base	0	0	972
Total Adjustments to Base and Technical Adjustments	0	0	972
2010 Current Services	37	37	7,665
2010 Total Request	37	37	\$7,665
2009 - 2010 Total Change	0	0	972

Summary of Requirements
Office of Legal Counsel
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 Counsel	37	37	6,184	37	37	6,693	0	0	972	37	37	7,665							37	37	7,665
Total	37	37	\$6,184	37	37	\$6,693	0	0	\$972	37	37	\$7,665	0	0	\$0	0	0	\$0	37	37	\$7,665
Reimbursable FTE											0										0
Total FTE		37			37			0			37			0							37
Other FTE:																					
LEAP																					
Overtime																					
Total Comp. FTE		37			37			0			37			0							37

D: Resources by DOJ Strategic Goal and Strategic Objective

**Resources by Department of Justice Strategic Goal/Objective
Office of Legal Counsel
(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													
1.1 Prevent, disrupt, and defeat terrorist operations before they occur												0	0
1.2 Strengthen partnerships to prevent, deter, and respond to terrorist incidents												0	0
1.3 Prosecute those who have committed, or intend to commit, terrorist acts in the United States												0	0
1.4 Combat espionage against the United States												0	0
Subtotal, Goal 1	0	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												0	0
2.2 Reduce the threat, incidence, and prevalence of violent crime												0	0
2.3 Prevent, suppress, and intervene in crimes against children												0	0
2.4 Reduce the threat, trafficking, use, and related violence of illegal drugs												0	0
2.5 Combat public and corporate corruption, fraud, economic crime, and cybercrime												0	0
2.6 Uphold the civil and Constitutional rights of all Americans												0	0
2.7 Vigorously enforce and represent the interests of the United States in all matters over which the Department has jurisdiction	37	6,184	37	6,693	37	7,665	0	0	0	0	37	7,665	
2.8 Protect the integrity and ensure the effective operation of the Nation's bankruptcy system												0	0
Subtotal, Goal 2	37	6,184	37	6,693	37	7,665	0	0	0	0	37	7,665	
Goal 3: Ensure the Fair and Efficient Administration of Justice													
3.1 Protect judges, witnesses, and other participants in federal proceedings, and ensure the appearance of criminal defendants for judicial proceedings or confinement												0	0
3.2 Ensure the apprehension of fugitives from justice												0	0
3.3 Provide for the safe, secure, and humane confinement of detained persons awaiting trial and/or sentencing, and those in the custody of the Federal Prison System												0	0
3.4 Provide services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards												0	0
3.5 Adjudicate all immigration cases promptly and impartially in accordance with due process												0	0
3.6 Promote and strengthen innovative strategies in the administration of State and local justice systems												0	0
3.7 Uphold the rights and improve services to America's crime victims												0	0
Subtotal, Goal 3	0	0	0	0	0	0	0	0	0	0	0	0	0
GRAND TOTAL	37	\$6,184	37	\$6,693	37	\$7,665	0	\$0	0	\$0	37	\$7,665	

E. Justification for Base Adjustments

Justification for Base Adjustments Office of Legal Counsel

Increases

2010 pay raise. This request provides for a proposed 2.0 percent pay raise to be effective in January of 2010 (This percentage is likely to change as the budget formulation process progresses.) This increase includes locality pay adjustments as well as the general pay raise. The amount requested, \$71,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$53,251 for pay and \$17,749 for benefits).

Annualization of 2009 pay raise. This pay annualization represents first quarter amounts (October through December) of the 2009 pay increase of 3.9 percent included in the 2009 President's Budget. The amount requested \$878,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$661,000 for pay and \$217,000 for benefits).

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 3 percent per year. The requested increase of \$3,000 is necessary to meet our increased retirement obligations as a result of this conversion.

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 \$14,000 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 2010 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.

DHS Security Charges. The Department of Homeland Security (DHS) will continue to charge Basic Security and Building Specific Security. The requested increase of \$1,000 is required to meet our commitment to DHS, and cost estimates were developed by DHS.

Security Investigations: The \$1,000 increase reflects payments to the Office of Personnel Management for security reinvestigations for employees requiring security clearances.

Government Printing Office (GPO): GOP provides an estimated rate increase of 4%. This percentage was applied to the FY 2009 estimate of \$25,000 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 \$3,000 is required for this account.

F: Crosswalk of 2008 Availability

Crosswalk of 2008 Availability

Office of Legal Counsel

Salaries and Expenses

(Dollars in Thousands)

Decision Unit	FY 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
Office of Legal Counsel	37	37	6,184	0	0	0	0	0	0	0	0	0	0	0	0	37	37	6,184
TOTAL	37	37	\$6,184	0	0	\$0	0	0	\$0	0	0	\$0	0	0	\$0	37	37	\$6,184
Reimbursable FTE																		0
Total FTE		37			0			0			0			0				37
Other FTE																		0
LEAP																		0
Overtime																		0
Total Compensable FTE		37			0			0			0			0				37

G: Crosswalk of 2009 Availability

Crosswalk of 2009 Availability

Office of Legal Counsel
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
Office of Legal Counsel	37	37	6,693	0	0	0	0	0	0	0	0	0	0	0	0	37	37	6,693
TOTAL	37	37	6,693	0	0	0	0	0	0	0	0	0	0	0	0	37	37	\$6,693
Reimbursable FTE																		0
Total FTE		37			0			0			0			0				37
Other FTE																		0
LEAP																		0
Overtime																		0
Total Compensable FTE		37			0			0			0			0				37

H: Summary of Reimbursable Resources

Summary of Reimbursable Resources

Office of Legal Counsel

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
Office of Legal Counsel			449			0			0	0	0	0
Budgetary Resources:	0	0	\$449	0	0	\$0	0	0	\$0	0	0	\$0

I: Detail of Permanent Positions by Category

Detail of Permanent Positions by Category
Office of Legal Counsel
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)								0	0	
Clerical and Office Services (300-399)	8		8					0	8	
Accounting and Budget (500-599)								0	0	
Attorneys (905)	25		25					0	25	
Paralegals / Other Law (900-998)	4		4					0	4	
Information & Arts (1000-1099)								0	0	
Business & Industry (1100-1199)								0	0	
Library (1400-1499)								0	0	
Equipment/Facilities Services (1600-1699)								0	0	
Miscellaneous Inspectors Series (1802)								0	0	
Criminal Investigative Series (1811)								0	0	
Supply Services (2000-2099)								0	0	
Motor Vehicle Operations (5703)								0	0	
Information Technology Mgmt (2210)								0	0	
Security Specialists (080)								0	0	
Miscellaneous Operations (010-099)								0	0	
Total	37	0	37	0	0	0	0	0	37	0
Headquarters (Washington, D.C.)								0	0	
U.S. Field								0	0	
Foreign Field								0	0	
Total	0	0	0	0	0	0	0	0	0	0

K: Summary of Requirements by Grade

Summary of Requirements by Grade
Office of Legal Counsel
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
SES Agencies w/ a certified SES Performance Appraisal System, \$117,787 -	9		9		9		0	
SES Agencies w/ out a certified SES Performance Appraisal System, \$117,787 -	0		0		0		0	
GS-15, \$120,830- 153,200	10		10		9		(1)	
GS-14, \$102,721- 133,543	4		5		4		(1)	
GS-13, \$86,927- 113,007	5		2		3		1	
GS-12, \$73,100- 95,026	1		2		4		2	
GS-11, \$60,989- 79,280	6		6		6		0	
GS-10, \$55,512- 72,164	0		0		0		0	
GS-9, \$50,408- 65,531	2		3		2		(1)	
GS-8, \$45,639- 59,333	0		0		0		0	
GS-7, \$41,210- 53,574	0		0		0		0	
GS-6, \$37,084- 48,207	0		0		0		0	
GS-5, \$33,269- 43,251	0		0		0		0	
GS-4, \$29,736- 38,655	0		0		0		0	
GS-3, \$26,487- 34,431	0		0		0		0	
GS-2, \$24,277- 30,547	0		0		0		0	
GS-1, \$21,592- 27,013	0		0		0		0	
Total, appropriated positions	37		37		37		0	
Average SES Salary		\$168,528		\$174,400		\$178,237		
Average GS Salary		\$105,871		\$106,459		\$125,513		
Average GS Grade		14		14		14		

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class

Office of Legal Counsel

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	26	2,759	30	3,189	31	3,886	1	697
11.3 Other than full-time permanent	5	523	7	750	6	758	(1)	8
11.5 Total, Other personnel compensation	0	181	0	180	0	190	0	10
<i>Overtime</i>							0	0
<i>Other Compensation</i>		181					0	0
11.8 Special personal services payments							0	0
Total	31	3,463	37	4,119	37	4,834	0	715
Other Object Classes:								
12.0 Personnel benefits		898		948		1,186		238
21.0 Travel and transportation of persons		7		5		5		0
22.0 Transportation of things		25		27		27		0
23.1 GSA rent		1,164		1,053		1,067		14
23.2 Moving/Lease Expirations/Contract Parking		40		43		43		0
23.3 Comm., util., & other misc. charges		149		150		150		0
24.0 Printing and reproduction		3		10		11		1
25.1 Advisory and assistance services		0		0		0		0
25.2 Other services		39		40		40		0
25.3 Purchases of goods & services from Government accounts (Antennas, DHS Sec. Etc..)		161		230		234		4
25.4 Operation and maintenance of facilities		0		0		0		0
25.5 Research and development contracts		0		0		0		0
25.6 Medical Care		2		3		3		0
25.7 Operation and maintenance of equipment		0		0		0		0
26.0 Supplies and materials		66		65		65		0
31.0 Equipment		0		0		0		0
Total obligations		\$6,017		\$6,693		\$7,665		\$972
Total DIRECT requirements		6,017		6,693		7,665		
Reimbursable FTE:								
Full-time permanent								
23.1 GSA rent (Reimbursable)								
25.3 DHS Security (Reimbursable)								