

Fiscal Year (FY) 2008/FY 2009 Budget Estimates
United States Court of Appeals for the
Armed Forces



February 2007

(This page intentionally left blank.)

**UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
Operations and Maintenance, Defense Wide
Fiscal Year (FY) 2008/FY 2009 Budget Estimates**

Operation and Maintenance, Defense-Wide Summary (\$ in thousands)

Budget Activity (BA) 4: Administrative and Service-Wide Activities

	FY 2006	Price	Program	FY 2007	Price	Program	FY 2008	Price	Program	FY 2009
	<u>Actuals</u>	<u>Change</u>	<u>Change</u>	<u>Estimate</u>	<u>Change</u>	<u>Change</u>	<u>Estimate</u>	<u>Change</u>	<u>Change</u>	<u>Estimate</u>
Agency	10,854	239	580	11,673	322	-24	11,971	278	-24	12,225

*The FY 2006 Actual column includes \$0 thousand of FY 2006 Emergency Supplemental funds for Global War (PL 109-234), \$0 thousand of FY 2006 Hurricane Supplemental funds (PL 109-148 and PL 109-234), \$0 thousand of FY 2006 Title IX obligations (PL 109-148).

* The FY 2007 Estimate column excludes \$0 thousand of FY 2007 Title IX obligations (PL 109-289).

I. Description of Operations Financed: This appropriation provides for the salaries of five civilian judges and a staff of 54 other civilian positions. It finances all customary expenses required to operate a government activity, such as salaries, benefits, travel costs, rent, communications services, purchase of equipment, contractual IT support and security services, and the expense of printing opinions and decisions of the Court.

The United States Court of Appeals for the Armed Forces is an Article I Court established by the Uniform Code of Military Justice (10 USC 941). The Court serves as the Court of last resort for the vast majority of criminal appeals in the military justice system of the United States and is subject only to certiorari review by the Supreme Court of the United States in a limited number of cases. The Court's jurisdiction extends to the review of questions of law that have been approved by reviewing authorities and affirmed or set aside by a Court of Criminal Appeals. The Court also exercises its extraordinary relief authority pursuant to the All Writs Act.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
Operations and Maintenance, Defense Wide
Fiscal Year (FY) 2008/FY 2009 Budget Estimates

Narrative Explanation of Changes:

FY 2007 to FY 2008

The program reflects standard price changes, with a total price growth of \$322 thousand. The overall program growth of \$-24 thousand provides for the following Sub-Activity impacts:

Program Changes (-\$24 thousand)

- 1) Civilian Personnel Compensation increased due to two additional compensable days in FY 2008 (\$25 thousand).
- 2) Travel requirements decreased by \$-2 thousand to reflect the efforts to maintain costs and fund higher priority requirements.
- 3) Other Purchases (to include DFAS: \$-4 thousand, purchases from the Building Maintenance Fund: \$-14 thousand, rental payments to GSA: \$-8 thousand, supplies and materials: \$-3 thousand, equipment purchases: \$-1 thousand, other intra-government purchases: \$-11 thousand, and other contracts: \$-6 thousand) were decreased to maintain costs, improve efficiencies, and to realign funds to higher priority requirements.

FY 2008 to FY 2009

The program reflects standard price changes, with a total price growth of \$-278 thousand. The overall program growth of \$-24 thousand provides for the following Sub-Activity impacts:

Program Changes (-\$24 thousand)

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
Operations and Maintenance, Defense Wide
Fiscal Year (FY) 2008/FY 2009 Budget Estimates

- 1) Civilian Personnel Compensation increased due to within-grade adjustments and one less compensable day (\$87 thousand).
- 2) Travel requirements decreased by \$-3 thousand to reflect the efforts to maintain costs and fund higher priority requirements.
- 3) Other Purchases (to include DFAS: \$-5 thousand, purchases from the Building Maintenance Fund: \$-30 thousand, rental payments to GSA: \$-22 thousand, purchased communications: \$-1 thousand, supplies and materials: \$-7 thousand, equipment purchases: \$-2 thousand, other intra-government purchases: \$-30 thousand, and other contracts: \$-11 thousand) was decreased to maintain costs, improve efficiencies, and realign funds to higher priority requirements.

II. Force Structure Summary: N/A

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
Operations and Maintenance, Defense Wide
Fiscal Year (FY) 2008/FY 2009 Budget Estimates

III. Financial Summary: (Dollars in thousands)

	FY 2007							
	FY 2006 <u>Actuals</u>	Budget <u>Request</u>	<u>Congressional Action</u>		<u>Appropriated</u>	Current <u>Estimate</u>	FY 2008 <u>Estimate</u>	FY 2009 <u>Estimate</u>
			<u>Amount</u>	<u>Percent</u>				
A. <u>Subactivities</u>								
U.S. Court of Appeals for the Armed Forces	10,854	11,721	-48	0.4%	11,673	11,673	11,971	12,225
Total	10,854	11,721	-48	0.4%	11,673	11,673	11,971	12,225

* The FY 2006 Actual column includes \$0 thousand of FY 2006 Emergency Supplemental funds for Global War (PL 109-234), \$0 thousand of FY 2006 Hurricane Supplemental funds (PL 109-148 and PL 109-234), \$0 thousand of FY 2006 Title IX obligations (PL 109-148).

* The FY 2007 Estimate column excludes \$0 thousand of FY 2007 Title IX obligations (PL 109-289).

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
Operations and Maintenance, Defense Wide
Fiscal Year (FY) 2008/FY 2009 Budget Estimates

III. Financial Summary: (Dollars in thousands)

B. Reconciliation Summary

	<u>Change</u> <u>FY 2007/FY 2007</u>	<u>Change</u> <u>FY 2007/FY 2008</u>	<u>Change</u> <u>FY 2008/FY 2009</u>
Baseline Funding	11,721	11,673	11,971
Congressional Adjustments (Distributed)			
Congressional Adjustments (Undistributed)			
Adjustments to Meet Congressional Intent			
Congressional Adjustments (General Provisions)	-48	n/a	n/a
Subtotal Appropriated Amount	11,673	11,673	11,971
Fact-of-Life Changes (CY to CY Only)			
Subtotal Baseline Funding	11,673	11,673	11,971
Anticipated Supplemental Reprogrammings			
Price Changes	n/a	322	278
Functional Transfers			
Program Changes	n/a	-24	-24
Current Estimate	11,673	11,971	12,225
Less: Wartime Supplemental			
Normalized Current Estimate	11,673	11,971	12,225

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
Operations and Maintenance, Defense Wide
Fiscal Year (FY) 2008/FY 2009 Budget Estimates

III. Financial Summary: (Dollars in thousands)

<u>C. Reconciliation of Increases and Decreases</u>	<u>Amount</u>	<u>Totals</u>
FY 2007 President's Budget Request		11,721
1. Congressional Adjustments		
a. Distributed Adjustments		
b. Undistributed Adjustments		
c. Adjustments to meet Congressional Intent		
d. General Provisions - Sec 8107 Economic Assumptions	-48	
FY 2007 Requested Amount		11,673
2. War-Related and Disaster Supplemental Appropriations		
3. Fact of Life Changes		
FY 2007 Baseline Funding		11,673
4. Reprogrammings (requiring 1415 Actions)		
Revised FY 2007 Estimate		11,673
5. Less: Item 2, War-Related and Disaster Supplemental Appropriations and Item 4, Reprogrammings, Iraq Freedom Fund Transfers		
FY 2007 Normalized Current Estimate		11,673
6. Price Change		322
7. Functional Transfers		
8. Program Increases		25
a. Annualization of New FY 2007 Program		
b. One-Time FY 2008 Increases		
c. Program Growth in FY 2008		
1) Increase in Civilian Personnel Compensation to reflect a two day increase in the number of pay days.	25	
9. Program Decreases		
a. Annualization of FY 2007 Program Decreases		
b. One-Time FY 2007 Increases		

**UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
Operations and Maintenance, Defense Wide
Fiscal Year (FY) 2008/FY 2009 Budget Estimates**

C. <u>Reconciliation of Increases and Decreases</u>	<u>Amount</u>	<u>Totals</u>
c. Program Decreases in FY 2008		-49
1) Travel requirements decreased to reflect the efforts to fund higher priority requirements.	-2	
2) Other support costs (includes DFAS: \$-4 thousand, purchases from the Building Maintenance Fund: \$-14 thousand, rental payments to GSA: \$-8 thousand, supplies and materials: \$-3 thousand, equipment purchases: \$-1 thousand, other intra-government purchases: \$-11 thousand, and other contracts: \$-6 thousand) decreased to maintain costs, improve efficiencies, and to realign funds to higher priority requirements.	-47	
FY 2008 Budget Request		11,971
10. Price Change		278
11. Functional Transfers		
12. Program Increases		
a. Annualization of New FY 2008 Program		
b. One-Time FY 2009 Increases		
c. Program Growth in FY 2009		87
1) Increase in Civilian Personnel Compensation to reflect within grade adjustments and one less pay day.	87	
13. Program Decreases		
a. Annualization of FY 2008 Program Decreases		
b. One-Time FY 2008 Increases		
c. Program Decreases in FY 2009		-111
1) Travel requirements decreased to reflect the efforts to fund higher priority requirements.	-3	
2) Other support costs (includes DFAS: \$-5 thousand, purchases from the Building Maintenance Fund: \$-30 thousand, rental payments to GSA: \$-22 thousand, purchased communications: \$-1 thousand, supplies and materials: \$-7 thousand, equipment purchases: \$-2 thousand, other intra-government purchases: \$-30 thousand, and other contracts: \$-11 thousand) decreased to maintain costs, improve efficiencies, and realign funds to higher priority requirements.	-108	
FY 2009 Budget Request		12,225

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
Operations and Maintenance, Defense Wide
Fiscal Year (FY) 2008/FY 2009 Budget Estimates

IV. Performance Criteria and Evaluation Summary

The Court reviews cases from all of the Armed Forces which, for the most part, are derived from various Courts of Criminal Appeals. These cases involve the most serious court martial felony convictions and sentences that present legal issues of serious constitutional magnitude, such as death penalty cases, search and seizure issues, the interpretation of international treaty and status of forces agreements, and more recently, the sensitive issues of law relating to the prosecution of individuals for drug abuse on the basis of urinalysis test results, and the prosecution of child sex abuse cases. The Court continually meets its goal of deciding each case accepted by reviewing authorities, thereby serving its function as defined in the Uniform Code of Military Justice (10 USC 941).

V. Personnel Summary

	<u>FY 2006</u>	<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2009</u>	<u>FY 2006/ FY 2007</u>	<u>Change FY 2007/ FY 2008</u>	<u>FY 2008/ FY 2009</u>
<u>Civilian End Strength (Total)</u>							
U.S. Direct Hire	55	59	59	59	2	-	-
<u>Civilian FTEs (Total)</u>							
U.S. Direct Hire	57	59	59	59	2	-	-
Average Annual Civilian Salary (\$)	117,561	129,695	133,983	138,525	12,134	4,288	4,542

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
Operations and Maintenance, Defense Wide
Fiscal Year (FY) 2008/FY 2009 Budget Estimates

VI. OP 32 Line Items as Applicable (Dollars in thousands):

OP 32 Line	FY 2006 Actuals	Change FY 2006/FY 2007		FY 2007 Estimate	Change FY 2007/FY 2008		FY 2008 Estimate	Change FY 2008/FY 2009		FY 2009 Estimate
		Price	Program		Price	Program		Price	Program	
101 Exec, Gen'l & Spec Sched	6,564	144	904	7,612	228	25	7,865	181	87	8,133
106 Bene to Former	57	-	-57	-	-	-	-	-	-	-
107 VSIP	80	-	-40	40	-	-	40	-	-	40
199 Tot Civ Pers Comp	6,701	144	807	7,652	228	25	7,905	181	87	8,173
308 Tvl of Persons	67	2	41	110	3	-2	111	2	-3	111
673 DFAS	41	-4	11	48	5	-4	49	5	-5	49
680 Bldg Maint Fund	996	24	49	1,069	26	-14	1,081	26	-30	1,077
912 Rent Pay to GSA	772	19	-35	756	16	-8	764	19	-22	761
913 Purch Util	105	3	-58	50	1	-	51	1	-	51
914 Purch Comm	49	1	-4	46	1	-	47	1	-1	47
917 Postal Serv (USPS)	3	-	-3	-	-	-	-	-	-	-
920 Supp & Materials	298	7	-26	279	6	-3	282	6	-7	281
921 Print/Repro	0	-	5	5	-	-	5	-	-	5
923 Facil Maint	61	1	-50	12	-	-	12	-	-	12
925 Equip Purchases	16	-	65	81	2	-1	82	2	-2	82
987 Oth Intra-gov Pur	146	4	984	1,134	24	-11	1,147	25	-30	1,142
989 Oth Contracts	1,594	38	-1,204	428	10	-6	432	10	-11	431
998 Oth Costs	5	-	-2	3	-	-	3	-	-	3
999 Tot Oth Purch	3,049	73	-328	2,794	60	-29	2,825	64	-73	2,815
Total	10,854	239	580	11,673	322	-24	11,971	278	-24	12,225

*The FY 2006 Actual column includes \$0 thousand of FY 2006 Emergency Supplemental funds for Global War (PL 109-234), \$0 thousand of FY 2006 Hurricane Supplemental funds (PL 109-148 and PL 109-234), \$0 thousand of FY 2006 Title IX obligations (PL 109-148).
*The FY 2007 Estimate column excludes \$0 thousand of FY 2007 Title IX obligations (PL 109-289).

(This page intentionally left blank.)