

Fiscal Year (FY) 2005

Budget Estimates

U.S. Court of Appeals for the Armed Forces Appropriation



February 2004

APPROPRIATION HIGHLIGHTS
UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
Fiscal Year (FY) 2005 Budget Estimates
(\$ in Millions)

<u>Appropriation Summary:</u>	FY 2003	Price	Program	FY 2004	Price	Program	FY 2005
	<u>Actual</u>	<u>Change</u>	<u>Growth</u>	<u>Estimate</u>	<u>Change</u>	<u>Growth</u>	<u>Estimate</u>
U.S. Court of Appeals for the Armed Forces, Defense Budget Activity 4: Administration and Servicewide Activities	9.349	0.286	0.649	10.284	0.201	0.340	10.825

Description of Operations Financed: 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.

This appropriation provides for the salaries of five civilian judges and a staff of 54 other civilian positions. Funding covers the costs of personnel compensation, travel, rent to GSA, equipment maintenance, protection services, communications, supplies & materials, printing and other services, including reimbursable U.S. Federal Marshals responsible for Court security.

Narrative Explanation of Changes:

FY 2004 to FY 2005

The program reflects standard price changes, with a total price growth of \$0.201 million.

The overall program growth of \$0.340 million provides for the following Sub-Activity impacts:

- a. Program Changes (\$0.340 million)

APPROPRIATION HIGHLIGHTS
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(\$ in Millions)

- (1) Civilian Personnel Compensation raised to provide for increased full-time permanent personnel. (\$0.036 million)
- (2) Rental Payments to GSA increased due to escalating operating and security costs. (\$0.317 million)
- (3) Purchased Communications: minor adjustments to program requirements. (\$-0.001 million)
- (4) Supplies and Materials: minor adjustments to program requirements. (\$-0.001 million)
- (5) Other Intra-Government Purchases: minor adjustments to program requirements. (\$-0.001 million)
- (6) Other Contracts decreased to provide funding to lines with greater need. (\$-0.010 million)

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE
SUMMARY OF INCREASES AND DECREASES
(Dollars in Thousands)

	<u>BA 4</u>
FY 2004 President's Budget Request	10,333
1. Congressional Adjustment	-49
General Provisions - Section 8126(a): Management Efficiencies	-49
FY 2004 Appropriated Amount	10,284
2. Program Changes	-
FY 2004 Baseline Funding	10,284
3. Reprogrammings/Supplemental	-
Revised FY 2004 Estimate	10,284
4. Price Change	201
5. Functional Transfers	-
6. Program Increases	353
a) Civilian Personnel Compensation	36
Increase in full-time permanent personnel	
b) Rental Payments to GSA	317
Higher bills due to escalating operating and security costs	

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE
SUMMARY OF INCREASES AND DECREASES
(Dollars in Thousands)

	<u>BA 4</u>
7. Program Decreases	-13
a) Purchased Communications	-1
Minor adjustments to program requirements	
b) Supplies and Materials	-1
Minor adjustments to program requirements	
c) Other Intra-Government Purchases	-1
Minor adjustments to program requirements	
d) Other Contracts	-10
Decreased to provide funding to lines with greater need	
 FY 2005 Budget Request	 10,825

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE
PERSONNEL SUMMARY

	<u>FY 2003</u>	<u>FY 2004</u>	<u>FY 2005</u>	<u>Change</u> <u>FY 2004/FY 2005</u>
<u>Active Military End Strength (E/S) (Total)</u>				
Officer	-	-	-	-
Enlisted	-	-	-	-
<u>Civilian End Strength (Total)</u>				
US Direct Hire	53	59	59	-
Foreign National Direct Hire	-	-	-	-
Total Direct Hire	53	59	59	-
Foreign National Indirect Hire	-	-	-	-
<u>Active Military Average Strength (A/S) (Total)</u>				
Officer	-	-	-	-
Enlisted	-	-	-	-
<u>Civilian FTEs (Total)</u>				
US Direct Hire	53	59	59	-
Foreign National Direct Hire	-	-	-	-
Total Direct Hire	53	59	59	-
Foreign National Indirect Hire	-	-	-	-

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
U. S. Court of Appeals for the Armed Forces, Defense
Fiscal Year (FY) 2005 Budget Estimates

I. Description of Operations Financed:

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.

This appropriation provides for the salaries of five civilian judges and a staff of 54 other civilian positions. All customary expenses required to operate a government activity are financed, such as salaries, benefits, travel costs, rent, communications services, supplies and materials, purchase of equipment, maintenance, contractual services, and the expense of printing opinions and decisions of the Court.

II. Financial Summary (O&M: Dollars in Thousands):

	FY 2003	Budget	FY 2004	Current	FY 2005
A. <u>Activity Group:</u>	<u>Actuals</u>	<u>Request</u>	<u>Appropriation</u>	<u>Estimate</u>	<u>Estimate</u>
U.S. Court of Appeals for the Armed Forces	9,349	10,333	10,284	10,284	10,825

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
U. S. Court of Appeals for the Armed Forces, Defense
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II. Financial Summary (O&M: Dollars in Thousands) (continued):

B. Reconciliation Summary:

	<u>Change</u> <u>FY 2004/FY 2004</u>	<u>Change</u> <u>FY 2004/FY 2005</u>
Baseline Funding	10,333	10,284
Cong. Adjustments - General Provisions	-49	-
Subtotal	10,284	10,284
Price Changes	-	201
Program Changes	-	340
Current Estimate	10,284	10,825

C. Reconciliation of Increases and Decreases:

	<u>(\$ in Thousands)</u>
FY 2004 President's Budget Request	10,333
1. Congressional Adjustments	-49
a. Undistributed Adjustments	-
b. Undistributed Adjustments	-
c. Adjustments to Meet Congressional Intent	-
d. General Provisions	
1) Section 8126(a): Management Efficiencies	-49
FY 2004 Appropriated Amount	10,284
2. Emergency Supplemental	-

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
U. S. Court of Appeals for the Armed Forces, Defense
Fiscal Year (FY) 2005 Budget Estimates

II. Financial Summary (O&M: Dollars in Thousands) (continued):

C. Reconciliation of Increases and Decreases (continued):

	<u>(\$ in Thousands)</u>
3. Fact-of-Life Changes	-
Baseline Funding	10,284
4. Reprogrammings(Requiring 1415 Actions)	-
Revised FY 2004 Estimate	10,284
5. Less: Emergency Supplemental Funding	-
Normalized Current Estimate for FY 2004	10,284
6. Price Change	201
7. Functional Transfers	-
8. Program Increases	353
a. Annualization of New FY 2004 Program	-
b. One-Time FY 2005 Costs	-
c. Program Growth in FY 2005	353
1) Civilian Personnel Compensation:	36
increase in permanent personnel	

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
U. S. Court of Appeals for the Armed Forces, Defense
Fiscal Year (FY) 2005 Budget Estimates

II. Financial Summary (O&M: Dollars in Thousands) (continued):

C. Reconciliation of Increases and Decreases (continued):

(\$ in Thousands)

2) Rental Payments to GSA: higher bills due to escalating operating and security costs	317		
9. Program Decreases			-13
a. One-Time FY 2005 Costs		-	
b. Program Decreases in FY 2005		-13	
1) Purchased Communications: minor adjustments to program requirements	-1		
2) Supplies and Materials: minor adjust- ments to program requirements	-1		
3) Other Intra-Gov't Purchases: minor adjustments to program requirements	-1		
4) Other Contracts decreased to provide funding to lines with greater need	-10		
FY 2005 Budget Request			10,825

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
U. S. Court of Appeals for the Armed Forces, Defense
Fiscal Year (FY) 2005 Budget Estimates

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.

While the complexity of the average case will continue to increase, costs in FY 2005 will also rise due to greater security requirements resulting from the terrorist attacks of September 11, 2001. This includes the use of more contracted security personnel and other security services. Finally, rent paid to the General Services Administration (GSA) will increase due to escalating operating and security costs.

IV. Personnel Summary:

	<u>FY 2003</u>	<u>FY 2004</u>	<u>FY 2005</u>	Change <u>FY 2004/FY 2005</u>
<u>Civilian End Strength (Total)</u>				
U.S. Direct Hire	53	59	59	-
<u>Civilian FTEs (Total)</u>				
U.S. Direct Hire	53	59	59	-

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
U. S. Court of Appeals for the Armed Forces, Defense
Fiscal Year (FY) 2005 Budget Estimates

V. OP-32 Line Items:

	FY 2003 <u>Actual</u>	Change FY 2003/FY 2004		FY 2004 <u>Estimate</u>	Change FY 2004/FY 2005		FY 2005 <u>Estimate</u>
		<u>Price Growth</u>	<u>Program Growth</u>		<u>Price Growth</u>	<u>Program Growth</u>	
101 Exec, Gen & Spec Schedules	5,737	235	683	6,655	148	36	6,839
106 Ben to Former Emp.	-	-	-	-	-	-	-
308 Travel of Persons	69	1	-	70	1	-	71
912 SLUC (GSA Leases)	871	15	98	984	15	317	1,316
913 Purchased Util.	47	1	-	48	1	-	49
914 Purchased Comm.	55	1	-1	55	1	-1	55
920 Supplies& Materials	327	4	-	331	5	-1	335
921 Printing & Reprod.	7	-	-	7	-	-	7
922 Equipment Maintenance	-	-	110	110	2	-	112
923 Facility Maintenance	20	-	-	20	-	-	20
925 Equipment Purchases	74	1	-	75	1	-	76
987 Other Intra-Gov. Purchases	1,141	15	-	1,156	16	-1	1,171
989 Other Contracts	998	13	-241	770	11	-10	771
998 Other Costs	3	-	-	3	-	-	3
9999 TOTAL	9,349	286	649	10,284	201	340	10,825

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES
U. S. Court of Appeals for the Armed Forces, Defense
Fiscal Year (FY) 2005 Budget Estimates

SUMMARY OF PRICE AND PROGRAM CHANGES - FY 2004
(Dollars in Thousands)

	FY 2003	<u>Price Change</u>		Program	FY 2004	
	<u>Program</u>	<u>Percent</u>	<u>Amount</u>	<u>Growth</u>	<u>Program</u>	
<u>CIVILIAN PERSONNEL COMPENSATION</u>						
101	Exec., General & Special Schedules	5,737	4.1	235	683	6,655
106	Benefits to Former Employees	-	-	-	-	-
199	Total Civilian Personnel Compensation	<u>5,737</u>	<u>4.1</u>	<u>235</u>	<u>683</u>	<u>6,655</u>
 <u>TRAVEL</u>						
308	Travel of Persons	<u>69</u>	<u>1.3</u>	<u>1</u>	<u>-</u>	<u>70</u>
399	Total Travel	69	1.3	1	-	70
 <u>OTHER PURCHASES</u>						
912	Rental Payments to GSA (SLUC)	871	1.7	15	98	984
913	Purchased Utilities (Non-DBOF)	47	1.3	1	-	48
914	Purchased Communications (Non-DBOF)	55	1.3	1	-1	55
920	Supplies & Materials (Non-DBOF)	327	1.3	4	-	331
921	Printing/Reproduction	7	1.3	-	-	7
922	Equipment Maintenance by Contract	-	1.3	-	110	110
923	Facility Maintenance by Contract	20	1.3	-	-	20
925	Equipment Purchases (Non-DBOF)	74	1.3	1	-	75
987	Other Intra-Government Purchases	1,141	1.3	15	-	1,156
989	Other Contracts	998	1.3	13	-241	770
998	Other Costs	3	-	-	-	3
999	Total Other Purchases	<u>3,543</u>	<u>-</u>	<u>50</u>	<u>-34</u>	<u>3,559</u>
9999	TOTAL	9,349	-	286	649	10,284

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SUMMARY OF PRICE AND PROGRAM CHANGES - FY 2005
(Dollars in Thousands)

	FY 2004	<u>Price Change</u>		Program	FY 2005	
	<u>Program</u>	<u>Percent</u>	<u>Amount</u>	<u>Growth</u>	<u>Program</u>	
<u>CIVILIAN PERSONNEL COMPENSATION</u>						
101	Exec., General & Special Schedules	6,655	2.2	148	36	6,839
106	Benefits to Former Employees	-	-	-	-	-
199	Total Civilian Personnel Compensation	<u>6,655</u>	<u>2.2</u>	<u>148</u>	<u>36</u>	<u>6,839</u>
 <u>TRAVEL</u>						
308	Travel of Persons	<u>70</u>	<u>1.4</u>	<u>1</u>	<u>-</u>	<u>71</u>
399	Total Travel	<u>70</u>	<u>1.4</u>	<u>1</u>	<u>-</u>	<u>71</u>
 <u>OTHER PURCHASES</u>						
912	Rental Payments to GSA (SLUC)	984	1.5	15	317	1,316
913	Purchased Utilities (Non-DBOF)	48	1.4	1	-	49
914	Purchased Communications (Non-DBOF)	55	1.4	1	-1	55
920	Supplies & Materials (Non-DBOF)	331	1.4	5	-1	335
921	Printing/Reproduction	7	1.4	-	-	7
922	Equipment Maintenance by Contract	110	1.4	2	-	112
923	Facility Maintenance by Contract	20	1.4	-	-	20
925	Equipment Purchases (Non-DBOF)	75	1.4	1	-	76
987	Other Intra-Government Purchases	1,156	1.4	16	-1	1,171
989	Other Contracts	770	1.4	11	-10	771
998	Other Costs	<u>3</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>3</u>
999	Total Other Purchases	<u>3,559</u>	<u>-</u>	<u>52</u>	<u>304</u>	<u>3,915</u>
9999	TOTAL	10,284	-	201	340	10,825