

# **Fiscal Year 2010 Budget Estimates United States Court of Appeals for the Armed Forces**



May 2009

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UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES  
Fiscal Year (FY) 2010 Budget Estimates

U.S. Court of Appeals for the Armed Forces, Defense Summary (\$ in thousands)

| FY 2008<br><u>Actuals</u> | Price<br><u>Change</u> | Program<br><u>Change</u> | FY 2009<br><u>Estimate</u> | Price<br><u>Change</u> | Program<br><u>Change</u> | FY 2010<br><u>Estimate</u> |
|---------------------------|------------------------|--------------------------|----------------------------|------------------------|--------------------------|----------------------------|
| 12,704                    | 388                    | 135                      | 13,227                     | 271                    | 434                      | 13,932                     |

**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, 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 exercises appellate jurisdiction over cases arising under the Uniform Code of Military Justice, on a broad range of legal issues. Decisions by the Court are subject to direct review by the Supreme Court of the United States.

**II. Force Structure Summary: N/A**

**III Financial Summary:**  
(\$ in Thousands)

|                         | FY 2008<br><u>Actuals</u> | Budget<br><u>Request</u> | FY 2009                     |                |                     | Current<br><u>Estimate</u> | FY 2010<br><u>Estimate</u> |
|-------------------------|---------------------------|--------------------------|-----------------------------|----------------|---------------------|----------------------------|----------------------------|
|                         |                           |                          | <u>Congressional Action</u> |                |                     |                            |                            |
| A. <u>Subactivities</u> |                           |                          | <u>Amount</u>               | <u>Percent</u> | <u>Appropriated</u> |                            |                            |
|                         | 12,704                    | 13,254                   | -27                         | 0.2            | 13,227              | 13,227                     | 13,932                     |
| <b>Total</b>            | <b>12,704</b>             | <b>13,254</b>            | <b>-27</b>                  | <b>0.2</b>     | <b>13,227</b>       | <b>13,227</b>              | <b>13,932</b>              |

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES  
Fiscal Year (FY) 2010 President's Budget

III. Financial Summary (\$ in thousands)

| <u>B. Reconciliation Summary</u>               | <u>Change</u><br><u>FY 2009/FY 2009</u> | <u>Change</u><br><u>FY 2009/FY 2010</u> |
|--|---|---|
| <b>Baseline Funding</b>                        | 13,254                                  | 13,227                                  |
| Congressional Adjustments (Distributed)        |   |   |
| Congressional Adjustments (Undistributed)      | -27                                     |   |
| Adjustments to Meet Congressional Intent       |   |   |
| Congressional Adjustments (General Provisions) |   |   |
| <b>Subtotal Appropriated Amount</b>            | <b>13,227</b>                           |   |
| Fact-of-Life Changes (CY to CY Only)           |   |   |
| <b>Subtotal Baseline Funding</b>               |   |   |
| Anticipated Supplemental                       |   |   |
| Reprogrammings                                 |   |   |
| Price Changes                                  |   | 271                                     |
| Functional Transfers                           |   |   |
| Program Changes                                |   | 434                                     |
| <b>Current Estimate</b>                        | <b>13,227</b>                           | <b>13,932</b>                           |
| Less: Wartime Supplemental                     |   |   |
| <b>Normalized Current Estimate</b>             | <b>13,227</b>                           |   |

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III. Financial Summary (\$ in thousands)

| <b>C. <u>Reconciliation of Increases and Decreases</u></b>   | <b><u>Amount</u></b> | <b><u>Totals</u></b> |
|--|----------------------|----------------------|
| <b>FY 2009 President's Budget Request (Amended, if applicable)</b>   |                      | 13,254               |
| 1. Congressional Adjustments   |                      | -27                  |
| a. Distributed Adjustments   |                      |                      |
| b. Undistributed Adjustments   |                      |                      |
| c. Adjustments to meet Congressional Intent  |                      |                      |
| d. General Provisions  |                      |                      |
| 1) Sec 8101 - Economic Assumptions   | -27                  |                      |
| <b>FY 2009 Appropriated Amount</b>   |                      | <b>13,227</b>        |
| 2. War-Related and Disaster Supplemental Appropriations  |                      |                      |
| 3. Fact of Life Changes  |                      |                      |
| <b>FY 2009 Baseline Funding</b>  |                      | <b>13,227</b>        |
| 4. Reprogrammings (requiring 1415 Actions)   |                      |                      |
| <b>Revised FY 2009 Estimate</b>  |                      | <b>13,227</b>        |
| 5. Less: Item 2, War-Related and Disaster Supplemental Appropriations and<br>Item 4, Reprogrammings, Iraq Freedom Fund Transfers |                      |                      |
| <b>FY 2009 Normalized Current Estimate</b>   |                      | <b>13,227</b>        |
| 6. Price Change  |                      | 271                  |
| 7. Functional Transfers  |                      |                      |
| 8. Program Increases   |                      |                      |
| a. Annualization of New FY 2009 Program  |                      |                      |
| b. One-Time FY 2010 Increases  |                      |                      |
| c. Program Growth in FY 2010   |                      | 434                  |
| 1) Travel requirements increase (FY 2009 Baseline: \$81)   | 16                   |                      |

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES  
Fiscal Year (FY) 2010 President's Budget

III. Financial Summary (\$ in thousands)

| <u>C. Reconciliation of Increases and Decreases</u>   | <u>Amount</u> | <u>Totals</u> |
|---|---------------|---------------|
| 2) Building Maintenance Fund: USCAAF shares a parking garage with the DC Courts. In FY 2010, USCAAF becomes responsible for a share of maintenance for the garage, as well as a tunnel to the loading dock. These are first-time costs that will continue into subsequent years, because of final acceptance of the garage by the DC Courts, and completion of the tunnel and loading dock this spring. (FY 2009 Baseline: \$793) | 285           |               |
| 3) Other support costs includes: Rental Payments to GSA (FY 2009 Baseline: \$785), Purchased Utilities (FY 2009 Baseline: \$81), Purchased Communications (FY 2009 Baseline: \$65), Postal Services (FY 2009 Baseline: \$5), Supplies and Materials (FY 2009 Baseline: \$293), and Equipment Purchases (FY 2009 Baseline: \$25).  | 133           |               |
| 9. Program Decreases  |               |               |
| a. Annualization of FY 2009 Program Decreases   |               |               |
| b. One-Time FY 2009 Increases   |               |               |
| c. Program Decreases in FY 2010   |               |               |
| <b>FY 2010 Budget Request</b>   |               | <b>13,932</b> |

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES  
United States Court of Appeals, Defense  
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**IV. Performance Criteria and Evaluation Summary**

The Court reviews cases from all of the Armed Forces that primarily come from the Uniformed Services Courts of Criminal Appeals. The Court addresses cases involving a broad range of legal issues, including constitutional law, criminal law, evidence, administrative law, and national security law. 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).

Costs in FY 2010 will increase due to greater security requirements including the use of the Pentagon Force Protection personnel and other security services; increased cost of information technology support services; and the Court's share of maintenance and security costs for the parking garage it shares with the D.C. Courts.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES  
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| <u>V. Personnel Summary</u>  | <u>FY 2008</u> | <u>FY 2009</u> | <u>FY 2010</u> | <u>Change<br/>FY 2008/<br/>FY 2009</u> | <u>Change<br/>FY 2009/<br/>FY 2010</u> |
|--|----------------|----------------|----------------|--|--|
| <u>Active Military End Strength (E/S)</u><br><u>(Total)</u>        |                |                |                |  |  |
| <u>Reserve Drill Strength (E/S) (Total)</u>                        |                |                |                |  |  |
| <u>Reservists on Full Time Active Duty (E/S)</u>                   |                |                |                |  |  |
| <u>Civilian End Strength (Total)</u>                               |                |                |                |  |  |
| U.S. Direct Hire   | 59             | 59             | 59             | 0                                      | 0                                      |
| Foreign National Direct Hire                                       |                |                |                |  |  |
| Total Direct Hire  |                |                |                |  |  |
| Foreign National Indirect Hire                                     |                |                |                |  |  |
| Memo: Reimbursable Civilians Included                              |                |                |                |  |  |
| <u>Active Military Avg Strength (A/S) (Total)</u>                  |                |                |                |  |  |
| <u>Reserve Drill Strength (A/S) (Total)</u>                        |                |                |                |  |  |
| <u>Reservists on Full Time Active Duty (A/S)</u><br><u>(Total)</u> |                |                |                |  |  |
| <br><u>Civilian FTEs (Total)</u>                                   |                |                |                |  |  |
| U.S. Direct Hire   | 59             | 59             | 59             | 0                                      | 0                                      |
| Foreign National Direct Hire                                       |                |                |                |  |  |
| Total Direct Hire  |                |                |                |  |  |
| Foreign National Indirect Hire                                     |                |                |                |  |  |
| Memo: Reimbursable Civilians Included                              |                |                |                |  |  |
| Average Annual Civilian Salary (\$ in<br>thousands)                | 126            | 129            | 129            |  |  |

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

| <u>OP 32 Line</u>                 | FY 2008        | Change       |                | FY 2009         | Change       |                | FY 2010         |
|-----------------------------------|----------------|--------------|----------------|-----------------|--------------|----------------|-----------------|
|                                   | <u>Actuals</u> | <u>Price</u> | <u>Program</u> | <u>Estimate</u> | <u>Price</u> | <u>Program</u> | <u>Estimate</u> |
| 101 Exec, Gen'l & Spec Scheds     | 7,412          | 282          | -107           | 7,587           | 188          | 0              | 7,775           |
| 107 Voluntary Sep Incentives      | 0              | 0            | 0              | 0               | 0            | 57             | 57              |
| <b>199 Total Civ Compensation</b> | <b>7,412</b>   | <b>282</b>   | <b>-107</b>    | <b>7,587</b>    | <b>188</b>   | <b>57</b>      | <b>7,832</b>    |
| 308 Travel of Persons             | 60             | 1            | 20             | 81              | 1            | 16             | 98              |
| <b>399 Total Travel</b>           | <b>60</b>      | <b>1</b>     | <b>20</b>      | <b>81</b>       | <b>1</b>     | <b>16</b>      | <b>98</b>       |
| 673 Def Fin & Accounting Svc      | 57             | -3           | 0              | 54              | 0            | -0             | 54              |
| 680 Building Maint Fund Purch     | 775            | 38           | -20            | 793             | 15           | 285            | 1,093           |
| <b>699 Total Purchases</b>        | <b>832</b>     | <b>35</b>    | <b>-20</b>     | <b>847</b>      | <b>15</b>    | <b>285</b>     | <b>1,147</b>    |
| 912 GSA Leases                    | 745            | 19           | 21             | 785             | 20           | 2              | 807             |
| 913 Purch Util (non fund)         | 119            | 2            | -40            | 81              | 1            | 55             | 137             |
| 914 Purch Communications          | 62             | 1            | 2              | 65              | 1            | 19             | 85              |
| 917 Postal Svc (USPS)             | 5              | 0            | 0              | 5               | 0            | 1              | 6               |
| 920 Supplies/Matl (non fund)      | 287            | 4            | 2              | 293             | 4            | 54             | 351             |
| 921 Print & Reproduction          | 0              | 0            | 15             | 15              | 0            | 0              | 15              |
| 925 Eqt Purch (non fund)          | 4              | 3            | 18             | 25              | 0            | 2              | 27              |
| 989 Other Contracts               | 3,173          | 41           | 224            | 3,438           | 41           | -57            | 3,422           |
| 998 Other Costs                   | 5              | 0            | 0              | 5               | 0            | 0              | 5               |
| <b>999 Total Other Purchases</b>  | <b>4,400</b>   | <b>70</b>    | <b>242</b>     | <b>4,712</b>    | <b>67</b>    | <b>76</b>      | <b>4,855</b>    |
| <b>Total</b>                      | <b>12,704</b>  | <b>388</b>   | <b>135</b>     | <b>13,227</b>   | <b>271</b>   | <b>434</b>     | <b>13,932</b>   |

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