

# **Fiscal Year 2025 Budget Estimates**

## **Defense Legal Services Agency**



**March 2024**

**Defense Legal Services Agency  
Operation and Maintenance, Defense-Wide  
Fiscal Year (FY) 2025 Budget Estimates**

**Operation and Maintenance, Defense-Wide Summary (\$ in thousands)  
Budget Activity (BA) 4: Administration and Service-wide Activities**

	<u>FY 2023 Actuals</u>	<u>Price Change</u>	<u>Program Change</u>	<u>FY 2024 Estimate</u>	<u>Price Change</u>	<u>Program Change</u>	<u>FY 2025 Estimate</u>
DLSA	192,855	6,217	42,707	241,779	5,668	-39,529	207,918

- FY 2023 includes \$40,836 thousand in Overseas Operations Costs (OOC) Actuals. FY 2024 includes \$76,500 thousand in OOC Estimate. FY 2025 includes \$ 56,000 thousand for the OOC Estimate. OOC were financed previously with former Overseas Contingency Operations (OCO) funding.
- This DoD component is a budget line item in the Operation and Maintenance Defense-wide account and therefore, the FY 2024 Estimate does not reflect a CR adjustment. The overall Operation and Maintenance, Defense-wide account CR adjustment for FY 2024 may be found in the O-1 document.

**I. Description of Operations Financed:**

The Defense Legal Services Agency (DLSA) provides legal advice, services, and support to the Defense Agencies, the Department of Defense (DoD) Field Activities, and, as assigned, other organizational entities within the DoD. Among other legal services, the DLSA administers the DoD Standards of Conduct Program; supports and assists the Assistant Secretary of Defense for Legislative Affairs in developing the DoD Legislative Program, including drafting legislation and comments; negotiating on behalf of the DoD clients with private entities and other Government agencies; ensuring proper use of Government funds and property; providing opinions and counseling on legal compliance issues; and participating in contractual matters.

The largest component of the DLSA, the Defense Office of Hearings and Appeals (DOHA), adjudicates personnel security clearance cases for contractor personnel performing classified work for the DOHA-serviced DoD components and 30 other Federal Agencies and Departments; conducts personal appearance hearings and issues decisions in security clearance and sensitive national security position cases for the DOHA serviced DoD civilian employees and military personnel; provides legal reviews, approves statements of reasons, conducts hearings, and issues decisions in cases under DOHA jurisdiction requiring trustworthiness decisions for contractor performance of sensitive duties; and on behalf of the DoD (the executive agent for the entire federal government's implementation of the National Industrial Security Program), the DOHA implements the administrative due process requirements of Executive Order 10865.

The Office of Military Commissions (OMC), established by the Secretary of Defense on March 21, 2002, under the DLSA, handles the trials of enemy combatants pursuant to the Military Commissions Act of 2009. There are currently twelve detainees with active charges pending before military commissions, most notably, five alleged 9-11 defendants and the alleged United States Ship (USS) Cole bomber.

Operating support funding for the DLSA includes civilian pay and allowance, contract support, interagency reimbursable agreements (e.g., U.S. Marshals Service), reimbursable costs to the DoD components providing support to detainee efforts (e.g., document declassification and information security), rent, TDY travel costs, supplies, furniture, training, Information Technology (IT) support, telecommunications, and security.

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**II. Force Structure Summary:**

N/A.

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

	<b>FY 2023</b>	<b>Budget</b>	<b>FY 2024</b>		<b>Current</b>	<b>FY 2025</b>
			<b>Actuals</b>	<b>Request</b>		
			<b>Amount</b>	<b>Percent</b>		
<b><u>A. BA Subactivities</u></b>						
Compensation and Benefits	\$61,576	\$73,187	\$0	0.00%	\$73,187	\$74,576
Defense Legal Services Agency, HQ (DLSA HQ)	\$3,558	\$2,740	\$0	0.00%	\$2,740	\$2,526
Defense Office of Hearings and Appeals (DOHA)	\$9,399	\$13,030	\$0	0.00%	\$13,030	\$12,531
HABEAS Corpus (HC)	\$31,345	\$43,348	\$0	0.00%	\$43,348	\$37,947
Office of Military Commission (OMC)	<u>\$86,977</u>	<u>\$109,474</u>	<u>\$0</u>	<u>0.00%</u>	<u>\$109,474</u>	<u>\$80,338</u>
<b>Total</b>	<b>\$192,855</b>	<b>\$241,779</b>	<b>\$0</b>	<b>0.00%</b>	<b>\$241,779</b>	<b>\$207,918</b>

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<b><u>B. Reconciliation Summary</u></b>	<b><u>Change</u></b>	<b><u>Change</u></b>
<b>BASELINE FUNDING</b>	<b><u>FY 2024/FY 2024</u></b>	<b><u>FY 2024/FY 2025</u></b>
	<b>\$241,779</b>	<b>\$241,779</b>
Congressional Adjustments (Distributed)	0	
Congressional Adjustments (Undistributed)	0	
Adjustments to Meet Congressional Intent	0	
Congressional Adjustments (General Provisions)	0	
Fact-of-Life Changes (2024 to 2024 Only)	0	
<b>SUBTOTAL BASELINE FUNDING</b>	<b>241,779</b>	
Supplemental	0	
Reprogrammings	0	
Price Changes		5,668
Functional Transfers		-660
Program Changes		-38,869
<b>CURRENT ESTIMATE</b>	<b>241,779</b>	<b>207,918</b>
Less: Supplemental	0	
<b>NORMALIZED CURRENT ESTIMATE</b>	<b>\$241,779</b>	<b>\$207,918</b>

**Overseas Operations Costs**

<b>Summary of Operation</b>	<b><u>FY 2023</u></b>	<b><u>FY 2024</u></b>	<b><u>FY 2025</u></b>
	<b><u>Actuals</u></b>	<b><u>Estimate</u></b>	<b><u>Estimate</u></b>
Operation ENDURING SENTINEL (OES)	\$0	\$0	\$0
Operation INHERENT RESOLVE (OIR)	\$40,836	\$76,500	\$56,000
European Deterrence Initiative (EDI)	\$0	\$0	\$0
Other Theater Requirements and Related Missions	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>Overseas Operations Costs Total</b>	<b>\$40,836</b>	<b>\$76,500</b>	<b>\$56,000</b>

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<b>FY 2024 President's Budget Request (Amended, if applicable)</b> .....	<b>\$241,779</b>
1. Congressional Adjustments .....	\$0
a) Distributed Adjustments.....	\$0
b) Undistributed Adjustments .....	\$0
c) Adjustments to Meet Congressional Intent.....	\$0
d) General Provisions .....	\$0
2. Supplemental Appropriations .....	\$0
a) Supplemental Funding.....	\$0
3. Fact-of-Life Changes.....	\$0
a) Functional Transfers.....	\$0
b) Technical Adjustments .....	\$0
c) Emergent Requirements.....	\$0
<b>FY 2024 Baseline Funding</b> .....	<b>\$241,779</b>
4. Reprogrammings (Requiring 1415 Actions).....	\$0
a) Increases .....	\$0
b) Decreases .....	\$0

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<b>Revised FY 2024 Estimate</b> .....	<b>\$241,779</b>
5. Less: Item 2, Supplemental Appropriation and Item 4, Reprogrammings .....	\$0
a) Less: Supplemental Funding.....	\$0
<b>FY 2024 Normalized Current Estimate</b> .....	<b>\$241,779</b>
6. Price Change .....	\$5,668
7. Functional Transfers .....	\$-660
a) Transfers In .....	\$0
b) Transfers Out.....	\$-660
1) Compensation and Benefits: Transfer of OMC Support to USSSOUTHCOM.....	\$-660
This transfer reflects an earlier Deputy Secretary of Defense action that designated the Commander, USOUTHCOM as the Military Trial Logistics Coordinator where agencies in the National Capital Region were provided resources but not USSOUTHCOM. (FY 2024 Baseline: \$73,187,000 thousand; 320 FTEs; -4 FTEs)	
8. Program Increases.....	\$0
a) Annualization of New FY 2024 Program .....	\$0
b) One-Time FY 2025 Increases .....	\$0
c) Program Growth in FY 2025.....	\$0
9. Program Decreases .....	\$-38,869
a) Annualization of FY 2024 Program Decreases .....	\$0

DLSA

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b) One-Time FY 2024 Increases .....\$0

c) Program Decreases in FY 2025 ..... \$-38,869

1) Compensation and Benefits - Civilian Average Annual Compensation ..... \$-79

Each year, civilian compensation rates are developed based on detailed execution and cost factor analysis. These rates are created and implemented with paramount purpose of accurately forecasting cost estimates for the civilian workforce. The average annual rate (AAR) change is the result of these rate changes combined with the fluctuations in composition of civilian pay types.  
(FY 2024 Baseline: \$73,187 thousand; 320 FTEs; +0 FTEs)

2) Mission Support - OOC Funding Reduction..... \$-20,500

Decrease reflects the reduction in overall OOC requested funds as compared to FY 2024 requested amounts. This reduction is in response to reprogrammings and under-execution of prior year OOC funds as a result of delays in the DLSA trials.  
(FY 2024 Baseline: \$168,592 thousand)

3) Mission Support - Operational Requirements ..... \$-4,290

Decrease reflects reduced requirements and realignment of operational costs such as travel, subscription services, utilities, rents, postal services, and IT service contracts across DLSA operations.  
(FY 2024 Baseline: \$168,592 thousand)

4) Mission Support: Historical Actuals Alignment..... \$-14,000

Decrease reflects reduced support requirements and funding alignment with historical actuals in order to mitigate unobligated balanced and under-execution.  
(FY 2024 Baseline: \$241,779 thousand)

**FY 2025 Budget Request..... \$207,918**



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**IV. Performance Criteria and Evaluation Summary:**

The DLSA is evaluated on the basis of the quality of its many services; adherence to appropriate standards of professional conduct and the DoD ethical and adjudicative standards; the professional independence, impartiality and competence exhibited by its attorneys; and its overall responsiveness to the needs of its clients.

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**V. Personnel Summary:**

	<u>FY 2023</u>	<u>FY 2024</u>	<u>FY 2025</u>	<u>Change FY 2023/ FY 2024</u>	<u>Change FY 2024/ FY 2025</u>
<b>Active Military End Strength (E/S) (Total)</b>	<b>205</b>	<b>205</b>	<b>205</b>	<b>0</b>	<b>0</b>
Officer	114	114	114	0	0
Enlisted	91	91	91	0	0
<b>Civilian End Strength (Total)</b>	<b>287</b>	<b>320</b>	<b>316</b>	<b>33</b>	<b>-4</b>
U.S. Direct Hire	276	320	316	44	-4
<b>Total Direct Hire</b>	<b>276</b>	<b>320</b>	<b>316</b>	<b>44</b>	<b>-4</b>
Reimbursable Civilians	11	0	0	-11	0
<b>Active Military Average Strength (A/S) (Total)</b>	<b>205</b>	<b>205</b>	<b>205</b>	<b>0</b>	<b>0</b>
Officer	114	114	114	0	0
Enlisted	91	91	91	0	0
<b>Civilian FTEs (Total)</b>	<b>285</b>	<b>320</b>	<b>316</b>	<b>35</b>	<b>-4</b>
U.S. Direct Hire	274	320	316	46	-4
<b>Total Direct Hire</b>	<b>274</b>	<b>320</b>	<b>316</b>	<b>46</b>	<b>-4</b>
Reimbursable Civilians	11	0	0	-11	0
<b>Average Annual Civilian Salary (\$ in thousands)</b>	<b>223.9</b>	<b>228.7</b>	<b>236.0</b>	<b>4.8</b>	<b>7.3</b>
<b>Contractor FTEs (Total)</b>	<b>158</b>	<b>219</b>	<b>219</b>	<b>61</b>	<b>0</b>

**Personnel Summary Explanations:**

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

	FY 2023 Program	Change from FY 2023 to FY 2024		FY 2024 Program	Change from FY 2024 to FY 2025		FY 2025 Program
		Price Growth	Program Growth		Price Growth	Program Growth	
101 EXEC, GEN'L & SPEC SCHEDS	61,338	3,084	8,765	73,187	2,128	-739	74,576
121 PCS BENEFITS	15	1	-16	0	0	0	0
<b>0199 TOTAL CIVILIAN PERSONNEL COMPENSATION</b>	<b>61,353</b>	<b>3,085</b>	<b>8,749</b>	<b>73,187</b>	<b>2,128</b>	<b>-739</b>	<b>74,576</b>
308 TRAVEL OF PERSONS	2,710	60	-617	2,153	45	-33	2,165
<b>0399 TOTAL TRAVEL</b>	<b>2,710</b>	<b>60</b>	<b>-617</b>	<b>2,153</b>	<b>45</b>	<b>-33</b>	<b>2,165</b>
671 DISA DISN SUBSCRIPTION SERVICES (DSS)	5,567	360	-5,925	2	0	0	2
<b>0699 TOTAL OTHER FUND PURCHASES</b>	<b>5,567</b>	<b>360</b>	<b>-5,925</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>
771 COMMERCIAL TRANSPORT	139	3	-72	70	1	-4	67
<b>0799 TOTAL TRANSPORTATION</b>	<b>139</b>	<b>3</b>	<b>-72</b>	<b>70</b>	<b>1</b>	<b>-4</b>	<b>67</b>
912 RENTAL PAYMENTS TO GSA (SLUC)	0	0	167	167	4	-9	162
913 PURCHASED UTILITIES (NON-FUND)	3,720	82	-3,605	197	4	-4	197
914 PURCHASED COMMUNICATIONS (NON-FUND)	1,050	23	406	1,479	31	-35	1,475
915 RENTS (NON-GSA)	8,617	190	4,361	13,168	277	-345	13,100
917 POSTAL SERVICES (U.S.P.S)	44	1	33	78	2	-5	75
920 SUPPLIES & MATERIALS (NON-FUND)	1,244	27	330	1,601	34	-58	1,577
922 EQUIPMENT MAINTENANCE BY CONTRACT	116	3	5,095	5,214	109	-125	5,198
923 FACILITIES SUST, REST, & MOD BY CONTRACT	269	6	2,837	3,112	65	3	3,180
925 EQUIPMENT PURCHASES (NON-FUND)	450	10	-460	0	0	0	0
932 MGT PROF SUPPORT SVCS	41,508	913	76,064	118,485	2,488	-37,850	83,123
934 ENGINEERING & TECH SVCS	6,493	143	1,803	8,439	177	-8	8,608
957 OTHER COSTS (LAND AND STRUCTURES)	76	2	-78	0	0	0	0
959 OTHER COSTS (INSURANCE CLAIMS/INDMNTIES)	0	0	22	22	0	-1	21
960 OTHER COSTS (INTEREST AND DIVIDENDS)	0	0	61	61	1	-4	58
986 MEDICAL CARE CONTRACTS	11	0	-11	0	0	0	0
987 OTHER INTRA-GOVT PURCH	11	0	2,588	2,599	55	-76	2,578

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

	FY 2023 <u>Program</u>	<u>Change from FY 2023 to FY 2024</u>		FY 2024 <u>Program</u>	<u>Change from FY 2024 to FY 2025</u>		FY 2025 <u>Program</u>
		<u>Price Growth</u>	<u>Program Growth</u>		<u>Price Growth</u>	<u>Program Growth</u>	
989 OTHER SERVICES	43,309	953	-36,259	8,003	168	-3	8,168
990 IT CONTRACT SUPPORT SERVICES	16,168	356	-12,782	3,742	79	-233	3,588
<b>0999 TOTAL OTHER PURCHASES</b>	<b>123,086</b>	<b>2,709</b>	<b>40,572</b>	<b>166,367</b>	<b>3,494</b>	<b>-38,753</b>	<b>131,108</b>
<b>9999 GRAND TOTAL</b>	<b>192,855</b>	<b>6,217</b>	<b>42,707</b>	<b>241,779</b>	<b>5,668</b>	<b>-39,529</b>	<b>207,918</b>