

# Fiscal Year (FY) 2004/FY 2005 Biennial Budget Estimates

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



February 2003

**UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES**  
**U. S. Court for the Armed Forces, Defense**  
**Fiscal Year (FY) 2004/FY 2005 Biennial Budget Estimates**

(Dollars in Millions)

<b><u>Appropriation Summary:</u></b>	<u>FY 2002</u>	<u>Price</u>	<u>Program</u>	<u>FY 2003</u>	<u>Price</u>	<u>Program</u>	<u>FY 2004</u>	<u>Price</u>	<u>Program</u>	<u>FY 2005</u>
	<u>Actual</u>	<u>Change</u>	<u>Growth</u>	<u>Estimate</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	9.006	0.238	0.316	9.560	0.214	0.559	10.333	0.257	0.252	10.842

**Description of Operations Financed:** 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 House Security.

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.

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U. S. Court for the Armed Forces, Defense  
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	(Dollars in Millions)									
<u>Appropriation Summary:</u>	<u>FY 2002</u>	<u>Price</u>	<u>Program</u>	<u>FY 2003</u>	<u>Price</u>	<u>Program</u>	<u>FY 2004</u>	<u>Price</u>	<u>Program</u>	<u>FY 2005</u>
	<u>Actual</u>	<u>Change</u>	<u>Growth</u>	<u>Estimate</u>	<u>Change</u>	<u>Growth</u>	<u>Estimate</u>	<u>Change</u>	<u>Growth</u>	<u>Estimate</u>
Budget Activity 4:										
Administration and Service-										
wide Activities	9.006	0.238	0.316	9.560	0.214	0.559	10.333	0.257	0.252	10.842

**Narrative Explanation of Changes:**

FY 2003 to FY 2004

The program reflects standard price changes, with a total price growth of \$0.214 million.

The overall program growth of \$0.559 million provides for the following Sub-Activity impacts:

a. Program Increases (\$0.559 million)

- (1) Higher costs due to one day increase in number of paid days:  
Civilian Personnel Compensation (\$0.025 million)
- (2) Higher GSA Rent bills due to escalating operating and security costs:  
Rent (\$0.097 million)
- (3) Increased requirement for ADP software:  
Supplies and Materials (\$0.002 million)
- (4) Expanded costs to improve security and augment protective services,  
in response to September 11, 2001:

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Other Intra-Government Purchases (\$0.001 million)  
Other Contracts (\$0.434 million)

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Summary of Increases and Decreases  
(Dollars in Thousands)

	<u>BA 4</u>
FY 2003 President's Budget Request	9,925
1. Congressional Adjustments - Undistributed	
Section 8135 Prorate: Revised	
Economic Assumptions	-54
Legislative Proposal for CSRS Acccrual	-311
Total Adjustments	-365
2. Appropriated Amount	9,560
3. Revised FY 2003 Current Estimate	9,560
4. Price Growth	214
5. Program Increases in FY 2004	
Higher costs due to one day increase in number of paid days:	
Civilian Personnel Compensation	25
Higher GSA Rent bills due to escalating operating and security costs:	
Rent	97
Increased requirement for ADP software:	
Supplies and Materials	2

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Expanded costs to improve security and augment protective services, in response to September 11, 2001:		
Other Intra-Government Purchases		1
and Other Contracts		434
Total Increases		559
FY 2004 Budget Request		10,333
6. Price Growth		257
7. Program Increases in FY 2005		252
FY 2005 Budget Request		10,842

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

	FY 2002	FY 2003	FY 2004	FY 2005	Change FY 2003/FY 2004	Change FY 2004/FY 2005
<u>Active Military End Strength (E/S) (Total)</u>						
Officer						
Enlisted						
<u>Reserve Drill Strength (E/S) (Total)</u>						
Officer						
Enlisted						
<u>Reservists on Full Time Active Duty (E/S) (Total)</u>						
Officer						
Enlisted						
<u>Civilian End Strength (Total)</u>						
US Direct Hire	51	59	59	59	-	-
Foreign National Direct Hire	-	-	-	-	-	-
Total Direct Hire	51	59	59	59	-	-
Foreign National Indirect Hire	-	-	-	-	-	-
Additional Military Technicians Assigned to USSOCOM						
<u>Active Military Average Strength (A/S) (Total)</u>						
Officer						
Enlisted						
<u>Reserve Drill Strength (A/S) (Total)</u>						
Officer						
Enlisted						
<u>Reservists on Full Time Active Duty (A/S) (Total)</u>						
Officer						
Enlisted						
<u>Civilian FTEs (Total)</u>						
US Direct Hire	52	59	59	59	-	-
Foreign National Direct Hire	-	-	-	-	-	-
Total Direct Hire	52	59	59	59	-	-
Foreign National Indirect Hire	-	-	-	-	-	-

**UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES  
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**I. Description of Operations Financed:**

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.

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.

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

A. <u>Activity Group:</u>	FY 2002 <u>Actuals</u>	FY 2003			FY 2004 <u>Estimate</u>	FY 2005 <u>Estimate</u>
		<u>Budget Request</u>	<u>Appropriation</u>	<u>Current Estimate</u>		
U.S. Court of Appeals for the Armed Forces	9,006	9,925	9,560	9,560	10,333	10,842



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II. Financial Summary (O&M: Dollars in Thousands) (Con't.):

B. Reconciliation Summary:

	Change <u>FY 2003/FY 2003</u>	Change <u>FY 2003/FY 2004</u>	Change <u>FY 2004/FY 2005</u>
Baseline Funding	9,925	9,560	10,333
Cong. Adjustments - Undistributed	-365	-	-
Subtotal	9,560	9,560	10,333
Price Changes	-	214	257
Program Changes	-	559	252
Current Estimate	9,560	10,333	10,842

C. Reconciliation of Increases and Decreases:

FY 2003 President's Budget Request	9,925
1. Congressional Adjustments - Undistributed	
Section 8135 Prorate: Revised	
Economic Assumptions	-54
Legislative Proposal for CSRS Acccrual	-311
Total Adjustments	-365
2. Appropriated Amount	9,560
3. Functional Transfers	-
4. Other Transfers-Out	-
5. Price Change	-

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II. Financial Summary (O&M: Dollars in Thousands) (Con't.):

6. Program Increase		
7. Revised FY 2003 Current Estimate		9,560
8. Price Growth		214
9. Transfers		-
10. Program Increases in FY 2004		
Higher costs due to one day increase in number of paid days:		
Civilian Personnel Compensation	25	
Higher GSA Rent bills due to escalating operating and security costs:		
Rent	97	
Increased requirement for ADP software:		
Supplies and Materials	2	
Expanded costs to improve security and augment protective services, in response to September 11, 2001:		
Other Intra-Government Purchases and Other Contracts	1 434	
Total Increases		559

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**II. Financial Summary (O&M: Dollars in Thousands) (Con't.):**

11. FY 2004 Budget Request	10,333
12. Price Growth	257
13. Transfers	-
14. Program Increases in FY 2005	252
15. FY 2005 Budget Request	10,842

**III. 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. As a result, the amount of work involved in the average case has been escalating. It is anticipated that the complexity of the average case will continue to increase, thereby increasing workload to the Court during FY 2004 and FY 2005.

In addition, costs will rise due to increased security requirements resulting from the terrorist attacks that occurred on September 11, 2001. This includes the use of more contracted security personnel and other security services.

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**IV. Personnel Summary:**

	<u>FY 2002</u>	<u>FY 2003</u>	<u>FY 2004</u>	<u>Change</u> <u>FY 2003/FY 2004</u>	<u>FY 2005</u>	<u>Change</u> <u>FY 2004/FY 2005</u>
<u>Civilian End Strength (Total)</u>						
U.S. Direct Hire	51	59	59	-	59	-
<u>Civilian FTEs (Total)</u>						
U.S. Direct Hire	52	59	59	-	59	-

**V. OP-32 Line Items:**

	<u>FY 2002</u>	<u>Change</u> <u>FY 2002/FY 2003</u>		<u>FY 2003</u>	<u>Change</u> <u>FY 2003/FY 2004</u>		<u>FY 2004</u>	<u>Change</u> <u>FY 2004/FY 2005</u>		<u>FY 2005</u>
	<u>Actual</u>	<u>Price</u>	<u>Program</u>	<u>Estimate</u>	<u>Price</u>	<u>Program</u>	<u>Estimate</u>	<u>Price</u>	<u>Program</u>	<u>Estimate</u>
		<u>Growth</u>	<u>Growth</u>		<u>Growth</u>	<u>Growth</u>		<u>Growth</u>	<u>Growth</u>	
101 Exec, Gen & Spec Schedules	5,400	190	753	6,343	163	25	6,531	197	-26	6,702
106 Ben to Former Emp.	-	-	26	26	1	-	27	1	-	28
308 Travel of Persons	62	1	-	63	1	-	64	1	-	65
912 SLUC (GSA Leases)	855	18	-1	872	15	97	984	15	322	1,321
913 Purchased Util.	45	-	1	46	1	-	47	1	-	48
914 Purchased Comm.	57	1	-	58	1	-	59	1	-	60
920 Supplies & Materials	470	5	2	477	7	2	486	8	1	495
921 Printing & Reprod.	10	-	-	10	-	-	10	-	-	10
922 Equipment Maintenance	106	1	1	108	2	-	110	2	-	112
923 Facility Maintenance	20	-	-	20	-	-	20	-	-	20
925 Equipment Purchases	79	1	-	80	1	-	81	1	-	82
987 Other Intra-Gov. Purchases	148	2	-	150	2	1	153	2	1	156
989 Other Contracts	1,751	19	-466	1,304	20	434	1,758	28	-46	1,740
998 Other Costs	3	-	-	3	-	-	3	-	-	3
9999 TOTAL	9,006	238	316	9,560	214	559	10,333	257	252	10,842