

Fiscal Year 2022 President's Budget
United States Court of Appeals for the Armed Forces



May 2021

United States Court for the Armed Forces

Fiscal Year (FY) 2022 President's Budget

United States Court for the Armed Forces (\$ in thousands)

	<u>FY 2020 Actuals</u>	<u>Price Change</u>	<u>Program Change</u>	<u>FY 2021 Enacted</u>	<u>Price Change</u>	<u>Program Change</u>	<u>FY 2022 Request</u>
CAAF	14,595	274	342	15,211	330	48	15,589

*FY 2020 includes Division A, Title IX and X of the Consolidated Appropriations Act, 2020 (P.L. 116-93), Division F, Title IV and V from the Further Consolidated Appropriations Act, 2020 (P.L. 116-94) and the Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-136).

*FY 2021 includes Division C, Title IX and Division J, Title IV of the Consolidated Appropriations Act, 2021 (P.L. 116-260).

I. Description of Operations Financed:

The United States Court of Appeals for the Armed Forces (USCAAF), an independent tribunal established under Article I of the Constitution, regularly interprets federal statutes, executive orders, and departmental regulations. The Court also determines the applicability of constitutional provisions to members of the armed forces. Through its decisions, the Court has a significant impact on the state of discipline in the armed forces, military readiness, and the rights of service members. The Court plays an indispensable role in the military justice system.

The Court provides all customary expenses required to operate a government activity, such as salaries, benefits, travel expenses, rent, communications services, equipment purchases, contractual information technology support, security services, and the expense of printing opinions and decisions of the USCAAF. The USCAAF typically supports five civilian judges and a staff of 54 other civilian personnel. The USCAAF is an Article I Court established by the Uniform Code of Military Justice (UCMJ) (Title 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.

The Court reviews cases from all the Armed Forces, which 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 FY 2022 Direct War and Enduring Costs accounted for in the base budget are as follows:

- Direct War costs accounted for in the Base Budget: \$0.0 thousand: Direct War costs are those combat or direct combat support costs that will not continue to be expended once combat operations end at major contingency locations.
- Enduring costs accounted for in the Base Budget: \$0.0 thousand: Enduring Requirements are enduring in theater and in CONUS costs that will likely remain after combat operations cease.

II. Force Structure Summary:

N/A

United States Court for the Armed Forces

Fiscal Year (FY) 2022 President's Budget

III. Financial Summary (\$ in Thousands)

	FY 2020	Budget	FY 2021			Current	FY 2022
			Actuals	Request	Congressional Action		
A. BA Subactivities			Amount	Percent	Appropriated		
U.S. Court of Appeals for the Armed Forces	\$14,595	\$15,211	\$0	0.00%	\$15,211	\$15,211	\$15,589
Total	\$14,595	\$15,211	\$0	0.00%	\$15,211	\$15,211	\$15,589

*FY 2020 includes Division A, Title IX and X of the Consolidated Appropriations Act, 2020 (P.L. 116-93), Division F, Title IV and V from the Further Consolidated Appropriations Act, 2020 (P.L. 116-94) and the Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-136).

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United States Court for the Armed Forces

Fiscal Year (FY) 2022 President's Budget

<u>B. Reconciliation Summary</u>	<u>Change</u> <u>FY 2021/FY 2021</u>	<u>Change</u> <u>FY 2021/FY 2022</u>
BASELINE FUNDING	\$15,211	\$15,211
Congressional Adjustments (Distributed)	0	
Congressional Adjustments (Undistributed)	0	
Adjustments to Meet Congressional Intent	0	
Congressional Adjustments (General Provisions)	0	
SUBTOTAL APPROPRIATED AMOUNT	15,211	
Fact-of-Life Changes (2021 to 2021 Only)	0	
SUBTOTAL BASELINE FUNDING	15,211	
Supplemental	0	
Reprogrammings	0	
Price Changes		330
Functional Transfers		0
Program Changes		48
CURRENT ESTIMATE	15,211	15,589
Less: Wartime Supplemental	0	
NORMALIZED CURRENT ESTIMATE	\$15,211	\$15,589

United States Court for the Armed Forces

Fiscal Year (FY) 2022 President's Budget

FY 2021 President's Budget Request (Amended, if applicable)	\$15,211
1. Congressional Adjustments	\$0
a) Distributed Adjustments.....	\$0
b) Undistributed Adjustments	\$0
c) Adjustments to Meet Congressional Intent.....	\$0
d) General Provisions	\$0
FY 2021 Appropriated Amount	\$15,211
2. War-Related and Disaster Supplemental Appropriations	\$0
a) OCO Supplemental Funding	\$0
3. Fact-of-Life Changes.....	\$0
a) Functional Transfers.....	\$0
b) Technical Adjustments	\$0
c) Emergent Requirements.....	\$0
FY 2021 Baseline Funding	\$15,211
4. Reprogrammings (Requiring 1415 Actions).....	\$0
a) Increases	\$0

United States Court for the Armed Forces

Fiscal Year (FY) 2022 President's Budget

b) Decreases	\$0
Revised FY 2021 Estimate.....	\$15,211
5. Less: Item 2, War-Related and Disaster Supplemental Appropriation and Item 4, Reprogrammings	\$0
a) Less: OCO Supplemental Funding.....	\$0
FY 2021 Normalized Current Estimate	\$15,211
6. Price Change	\$330
7. Functional Transfers	\$0
a) Transfers In	\$0
b) Transfers Out.....	\$0
8. Program Increases.....	\$144
a) Annualization of New FY 2021 Program	\$0
b) One-Time FY 2022 Increases	\$0
c) Program Growth in FY 2022.....	\$144
1) Compensation and Benefits - Federal Employee Retirement System (FERS) Agency Contribution Rate Assumption	\$80
Increase reflects an adjustment to the regular employee rate from 17.3 percent in FY 2021 to 18.4 percent. The basis for the adjustment is due to provisional rate calculation changes as directed by the Office of Management and Budget (OMB). (FY 2021 Baseline: \$9,479 thousand; 59 FTEs; +0 FTEs)	
2) Compensation and Benefits - FY 2022 Performance Awards Increase.....	\$64

United States Court for the Armed Forces

Fiscal Year (FY) 2022 President's Budget

Increase reflects an adjustment for performance awards spending, which was revised from 1.5 percent to 2.5 percent. This increase is in accordance with guidance issued in the OMB Circular No. A-11, Section 32.1 on Personnel, Compensation, Benefits and Related Costs.
(FY 2021 Baseline: \$9,479 thousand; 59 FTEs; +0 FTEs)

9. Program Decreases	\$-96
a) Annualization of FY 2021 Program Decreases	\$0
b) One-Time FY 2021 Increases	\$0
c) Program Decreases in FY 2022	\$-96
1) Compensation and Benefits - Repricing	\$-29
Decrease reflects the repricing of the CAAF civilian personnel program which accounts for the recalculated Average Annual Rate (AAR) based on actual execution. (FY 2021 Baseline: \$9,479 thousand; 59 FTEs)	
2) Defense Finance and Accounting Service (DFAS) Bill	\$-6
Decrease reflects efficiency of operations and cost cutting measures, resulting in an unexpected lower DFAS bill. (FY 2021 Baseline: \$74 thousand)	
3) Maintenance Support and Services	\$-61
Decrease reflects cost savings in rental payments to GSA, utilities, communications as well as maintenance support contracts. (FY 2021 Baseline: \$5,575 thousand)	
FY 2022 Budget Request	\$15,589

United States Court for the Armed Forces

Fiscal Year (FY) 2022 President's Budget

IV. Performance Criteria and Evaluation Summary:

The Court reviews cases from all of the Armed Forces, which 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 UCMJ (Title 10 USC 941).

United States Court for the Armed Forces

Fiscal Year (FY) 2022 President's Budget

V. Personnel Summary:

	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>Change FY 2020/ FY 2021</u>	<u>Change FY 2021/ FY 2022</u>
Civilian End Strength (Total)	55	59	59	4	0
U.S. Direct Hire	55	59	59	4	0
Total Direct Hire	55	59	59	4	0
Civilian FTEs (Total)	55	59	59	4	0
U.S. Direct Hire	55	59	59	4	0
Total Direct Hire	55	59	59	4	0
Average Annual Civilian Salary (\$ in thousands)	157.7	160.7	166.3	3.0	5.6

United States Court for the Armed Forces

Fiscal Year (FY) 2022 President's Budget

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

	FY 2020 Program	Change from FY 2020 to FY 2021		FY 2021 Program	Change from FY 2021 to FY 2022		FY 2022 Program
		Price Growth	Program Growth		Price Growth	Program Growth	
101 EXEC, GEN'L & SPEC SCHEDULES	8,667	133	679	9,479	215	115	9,809
121 PCS BENEFITS	4	0	-4	0	0	0	0
0199 TOTAL CIVILIAN PERSONNEL COMPENSATION	8,671	133	675	9,479	215	115	9,809
308 TRAVEL OF PERSONS	57	1	-30	28	1	1	30
0399 TOTAL TRAVEL	57	1	-30	28	1	1	30
677 DISA TELECOMM SVCS - REIMBURSABLE	0	0	6	6	0		6
696 DFAS FINANCIAL OPERATION (OTHER DEFENSE AGENCIES)	93	25	-43	75	8	-7	76
0699 TOTAL OTHER FUND PURCHASES	93	25	-37	81	8	-7	82
912 RENTAL PAYMENTS TO GSA (SLUC)	1,441	29	-387	1,083	21	-10	1,094
913 PURCHASED UTILITIES (NON-FUND)	78	2	247	327	6	-2	331
914 PURCHASED COMMUNICATIONS (NON-FUND)	389	8	68	465	9	-4	470
917 POSTAL SERVICES (U.S.P.S)	69	1	-1	69	1		70
920 SUPPLIES & MATERIALS (NON-FUND)	65	1	9	75	1		76
921 PRINTING & REPRODUCTION	2	0	3	5	0		5
933 STUDIES, ANALYSIS & EVAL	2,764	55	-125	2,694	51	-40	2,705
934 ENGINEERING & TECH SVCS	84	2	-46	40	1	0	41
987 OTHER INTRA-GOVT PURCH	65	1	-3	63	1	-1	63
989 OTHER SERVICES	13	0	-2	11	0	1	12
990 IT CONTRACT SUPPORT SERVICES	804	16	-29	791	15	-5	801
0999 TOTAL OTHER PURCHASES	5,774	115	-266	5,623	106	-61	5,668
9999 GRAND TOTAL	14,595	274	342	15,211	330	48	15,589

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