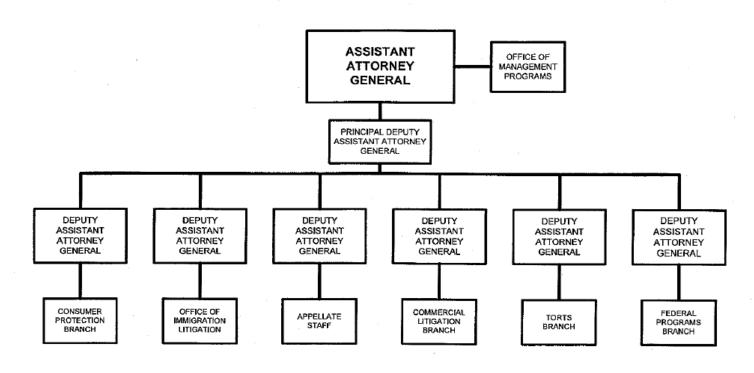
.

CIVIL DIVISION



Date:April 3, 2012 Approved by: -ERIC H. HOLDER, JR. Attorney General

## Summary of Requirements Civil Division

Salaries and Expenses (Dollars in Thousands)

		FY 2022 Request	
	Positions	Estimate FTE	Amount
2020 Enacted 1/	1,136	1,037	295,084
Total 2020 Enacted	1,136	1,037	295,084
2021 Enacted	1,136	1,136	316,438
Base Adjustments			
Pay and Benefits	0	0	6,817
Domestic Rent and Facilities	0	0	712
Foreign Expenses	0	0	-185
Total Base Adjustments	0	0	7,344
Total Technical and Base Adjustments	0	0	7,344
2022 Current Services	1,136	1,136	323,782
Program Changes			
Increases:			
COVID-related Fraud	35	18	4,755
Subtotal, Increases	35	18	4,755
Total Program Changes	35	18	4,755
2022 Total Request	1,171	1,154	328,537
2021 - 2022 Total Change	35	18	12,099

<sup>1/</sup> FY 2020 FTE is actual

#### Summary of Requirements Civil Division Salaries and Expenses (Dollars in Thousands)

Program Activity	FY 2	FY 2020 Enacted			21 Enacte	d		2 Technical ar Adjustments		FY 2022 Current Services			
	Positions	Actual FTE	Amount	Positions	Est. FTE	Amount	Positions	Est. FTE	Amount	Positions	Est. FTE	Amount	
Legal Representation	1,136	1,037	295,084	1,136	1,136	316,438	0	0	7,344	1,136	1,136	323,782	
Total Direct	1,136	1,037	295,084	1,136	1,136	316,438	0	0	7,344	1,136	1,136	323,782	
Balance Rescission			0			0			0			0	
Total Direct with Rescission			295,084			316,438			7,344			323,782	
Reimbursable FTE		47			81			0			81		
Total Direct and Reimb. FTE		1,084			1,217			0			1,217		
Other FTE:													
LEAP		0			0			0			0		
Overtime		0			0			0			0		
Grand Total, FTE		1,084			1,217			0			1,217		
Sub-Allotments and Direct Collections FTE		192			216			0			216		

Program Activity	20	22 Increas	ses	202	2 Offsets			2022 Request	
	Positions	Est. FTE	Amount	Positions	Est. FTE	Amount	Positions	Est. FTE	Amount
Legal Representation	35	18	4,755	0	0	0	1,171	1,154	328,537
Total Direct	35	18	4,755	0	0	0	1,171	1,154	328,537
Balance Rescission			0			0			0
Total Direct with Rescission			4,755			0			328,537
Reimbursable FTE		0			0			81	
Total Direct and Reimb. FTE		18			0			1,235	
Other FTE:									
LEAP		0			0			0	
Overtime		0			0			0	
Grand Total, FTE		18			0			1,235	
Sub-Allotments and Direct Collections FTE		0			0			216	

# FY 2022 Program Increases/Offsets by Decision Unit

Program Increases	Location of		Legal Re	presentat	ion	Total Increases				
	Description by	Positions	Agt./Atty.	Est. FTE	Amount	Positions	Agt./Atty.	Est. FTE	Amount	
	<b>Program Activity</b>									
COVID-19 Litigation	Page 25	35	30	18	4,755	35	30	18	4,755	
Total Program Increases		35	30	18	4,755	35	30	18	4,755	

Program Offsets	Location of		Legal Re	presentati	ion	Total Offsets				
	Description by	Positions	Agt./Atty.	Est. FTE	Amount	Positions	Agt./Atty.	Est. FTE	Amount	
	<b>Program Activity</b>									
No Program Offsets										
Total Program Offsets										

Strategic Goal and Strategic Objective	F	Y 2020 Er	nacted	F	FY 2021 Enacted			
	Direct & Reimb FTE	SubAllot /Dir Coll FTE	Direct Amount	Direct & Reimb FTE	SubAllot /Dir Coll FTE	Direct Amount		
Goal 2 Secure the Borders and Enhance Immigration Enforcement and Adjudication								
2.1 Prioritize criminal immigration enforcement	179	0	37,186	181	0	37,601		
2.2 Ensure an immigration system that respects the rule of law, protects the safety of U.S. Citizens and serves the national interest	188	0	39,198	191	0	39,823		
Subtotal, Goal 2	367	0	76,384	372	0	77,424		
Goal 4 Promote Rule of Law, Integrity, and Good Government								
4.1 Uphold the rule of law and integrity in the proper administration of justice	615	192	197,296	743	216	216,378		
4.2 Defend first amendments rights to exercise religion and free speech	6	0	1,021	6	0	1,078		
4.4 Achieve management excellence	96	0	20,383	96	0	21,558		
Subtotal, Goal 4	717	192	218,700	845	216	239,014		
TOTAL	1,084	192	295,084	1,217	216	316,438		

## Justifications for Technical and Base Adjustments

Civil Division Salaries and Expenses (Dollars in Thousands)

	Positions	Estimate	Amount
		FTE	
Pay and Benefits			
1 <u>2022 Pay Raise - 2.7%</u> This request provides for a proposed 2.7 percent pay raise to be effective in January of 2022. The amount requested, \$4,250,000, represents the pay amounts for 3/4 of the fiscal year plus appropriate benefits (\$3,172,625	0	0	4,250
<ul> <li>for pay and \$1,077,375 for benefits.)</li> <li>2 <u>Annualization of 2021 Pay Raise</u> This pay annualization represents first quarter amounts (October through December) of the 2021 pay increase of 1.0%. The amount requested, \$514,000, represents the pay amounts for 1/4 of the fiscal year plus appropriate benefits (\$383,000 for pay and \$131,000 for benefits.)</li> </ul>	0	0	514
3 <u>FERS Rate Increase</u> Effective October 1, 2021 (FY 2022), the new agency contribution rates of 18.4% (an increase of the prior rate of 17.3%) and 37.6% for law enforcement personnel (an increase of the prior rate of 35.8%), The amount requested, \$1,737,000 represents the funds needed to cover this increase.	0	0	1,737
4 <u>Health Insurance</u> Effective January 2022, the component's contribution to Federal employees' health insurance increases by 2.9 percent. Applied against the 2021 estimate of \$10,379,000 the additional amount required is \$301,000.	0	0	301
5 <u>Retirement - CSRS to FERS Conversion</u> Agency retirement contributions increase as employees under CSRS retire and are replaced by FERS employees. Based on U.S. Department of Justice Agency estimates, we project that the DOJ workforce will convert from CSRS to FERS at a rate of 0.8 percent per year, for both LEO and Non-LEO, based on the past 5 years of DOJ retirement data. The requested increase of \$15,000 is necessary to meet our increased retirement obligations as a result of this conversion.	0	0	15
Subtotal, Pay and Benefits	0	0	6,817
Domestic Rent and Facilities	0	0	712
1 GSA Rent GSA will continue to charge rental rates that approximate those charged to commercial tenants for equivalent space and related services. The requested increase of \$712,000 is required to meet our commitment to GSA. The costs associated with GSA rent were derived through the use of an automated system, which uses the latest inventory data, including rate increases to be effective FY 2021 for each building currently occupied by Department of Justice components, as well as the costs of new space to be occupied.			
Subtotal, Domestic Rent and Facilities	0	0	712

Exhibit E. Justifications for Technical and Base Adjustments

Foreign Expenses			
1 <u>Capital Security Cost Sharing</u> Per P.L. 108-447 and subsequent acts, all agencies with personnel overseas subject to chief of mission authorityshall participate and provide funding in advance for their share of costs of providing new, safe, secure U.S. diplomatic facilities, without offsets, on the basis of the total overseas presence of each agency as determined by the Secretary of State. Originally authorized for FY 2000-2004, the program has been extended annually by OMB and Congress and has also been expanded beyond new embassy construction to include maintenance and renovation costs of the new facilities. For the purpose of this program, State's personnel totals for DOJ include current and projected staffing. The estimated cost to the Department, as provided by State, for FY 2022 is \$113,002,827. Civil currently has 2 positions overseas, and funding of -\$195,000 is requested for this	0	0	-195
<ul> <li>account.</li> <li>2 <u>ICASS</u> The Department of State charges agencies for administrative support provided to staff based overseas. Charges are determined by a cost distribution system. The FY 2022 request is based on the projected FY 2020 bill for post invoices and other ICASS costs. \$10,000 reflects the change in cost to support existing staffing levels. Subtotal, Foreign Expenses</li> </ul>	0	0	10 - <b>185</b>
	Ū	•	100
TOTAL DIRECT TECHNICAL and BASE ADJUSTMENTS	0	0	7,344

### Crosswalk of 2020 Availability

Civil Division Salaries and Expenses (Dollars in Thousands)

Program Activity	F	Y 2020 En	acted	Repro	gramming	/Transfers	Carryover	Recoveries/	FY	2020 Avai	lability
							Refunds				
	Positions	Actual	Amount	Positions	Actual	Amount	Amount	Amount	Positions	Actual	Amount
		FTE			FTE					FTE	
Legal Representation	1,136	1,037	295,084	0	0	6,010	10,030	21,246	1,136	1,037	332,370
Total Direct	1,136	1,037	295,084	0	0	6,010	10,030	21,246	1,136	1,037	332,370
Balance Rescission			0			0	0	0			0
Total Direct with Rescission			295,084			6,010	10,030	21,246			332,370
Reimbursable FTE		47			0					47	
Total Direct and Reimb. FTE		1,084			0					1,084	
Other FTE:											
LEAP FTE		0			0					0	
Overtime		0			0					0	
Grand Total, FTE		1,084			0					1,084	
Sub-Allotments and Direct Collections FTE		192								192	

#### Reprogramming/Transfers:

The Civil Division received \$6,075,000 in No-Year ALS funding. The Civil Division transferred \$64,800 for a departmental reprogramming from travel savings.

#### Carryover:

Funds were carried forward into FY 2020 from GLA's FY 2019 no year account and from the GLA FY 2019/2020 multi-year Health Care Fraud Account.

#### **Recoveries/Refunds:**

Funds were recovered from the Health Care Fraud Account.

### Crosswalk of 2021 Availability

Civil Division Salaries and Expenses (Dollars in Thousands)

Program Activity	F	Y 2021 En	acted	Repro	gramming	/Transfers	Carryover	Recoveries/	FY	FY 2021 Availability		
							Refunds					
	Positions	Est. FTE	Amount	Positions	Est. FTE	Amount	Amount	Amount	Positions	Est. FTE	Amount	
Legal Representation	1,136	1,136	316,438	0	0	0	8,038	39,775	1,136	1,136	364,251	
Total Direct	1,136	1,136	316,438	0	0	0	8,038	39,775	1,136	1,136	364,251	
Balance Rescission			0			0	0	0			0	
Total Direct with Rescission			316,438			0	8,038	39,775			364,251	
Reimbursable FTE		81			0					81		
Total Direct and Reimb. FTE		1,217			0					1,217		
Other FTE:												
LEAP FTE		0			0					0		
Overtime		0			0					0		
Grand Total, FTE		1,217			0					1,217		
Sub-Allotments and Direct Collections FTE		216								216		

#### Carryover:

Funds were carried forward into FY 2021 from GLA's FY 2020 no year account and from the GLA FY 2020/2021 multi-year Health Care Fraud Account.

#### **Recoveries/Refunds:**

The FY 2021/2022 multi-year Health Care Fraud Account received \$22.8 million in direct collections funding.

As of FY 2021, Civil Division's Vaccine Injury Compensation Fund is now funded via direct collections from HHS as no-year funds, per bill language (\$17.0 million in FY 2021).

### Summary of Reimbursable Resources

Collections by Source		2020 Act	tual		2021 Esti	mate		2022 Req	uest	Inc	crease/De	crease
	Reimb.	Reimb.	Amount	Reimb.	Reimb.	Amount	Reimb.	Reimb.	Amount	Reimb.	Reimb.	Amount
	Pos.	FTE		Pos.	FTE		Pos.	FTE		Pos.	FTE	
Commodity Futures Trading Commission	0	0	336	0	0	0	0	0	0	0	0	0
Consumer Financial Protection Bureau	0	0	1,480	0	0	950	0	0	950	0	0	0
Department of the Army	0	0	118	0	0	120	0	0	120	0	0	0
Defense Logistics Agency	0	0	8	0	0	0	0	0	0	0	0	0
Department of Education	0	0	180	0	0	100	0	0	100	0	0	0
Department of Justice	0	0	10,626	0	0	800	0	0	800	0	0	0
Department of Treasury	0	0	250	0	0	300	0	0	300	0	0	0
Department of Health and Human	61	43	12,689	77	77	17,000	90	90	21,738	13	13	4,738
Services, Vaccine Injury Compensation												
District of Columbia Government	0	0	2,205	0	0	2,205	0	0	2,205	0	0	0
EOUSA	0	0	2,132	0	0	1,500	0	0	1,500	0	0	0
Executive Office for U.S. Trustees	0	0	255	0	0	255	0	0	255	0	0	0
Federal Bureau of Investigation	0	0	750	0	0	750	0	0	750	0	0	0
Federal Communications Commission	0	0	79	0	0	0	0	0	0	0	0	0
Federal Prison System	0	0	180	0	0	100	0	0	100	0	0	0
Other Anticipated Agreements	4	4	4,842	4	4	35,920	4	4	35,920	0	0	0
National Labor Relations Board	0	0	20	0	0	0	0	0	0	0	0	0
Budgetary Resources	65	47	36,150	81	81	60,000	94	94	64,738	13	13	4,738

Obligations by Program Activity	2020Actual			2021 Estimate				2022 Req	uest	Increase/Decrease		
	Reimb.	Reimb.	Amount	Reimb.	Reimb.	Amount	Reimb.	Reimb.	Amount	Reimb.	Reimb.	Amount
	Pos.	FTE		Pos.	FTE		Pos.	FTE		Pos.	FTE	
Legal Representation	65	47	36,150	81	81	60,000	94	94	64,738	13	13	4,738
Budgetary Resources	65	47	36,150	81	81	60,000	94	94	64,738	13	13	4,738

#### Summary of Sub-Allotments and Direct Collections Resources

Civil Division Salaries and Expenses (Dollars in Thousands)

	2020 Actual			2021 Estimate 1/			2022 Request 1/			Increase/Decrease		
Sub-Allotments and Direct Collections	SubAllot-	SubAllot-	Amount	SubAllot-	SubAllot-	Amount	SubAllot-	SubAllot-	Amount	SubAllot-	SubAllot-	Amount
Sub-Anothents and Direct Conections	Dir Coll	Dir Coll		Dir Coll	Dir Coll		Dir Coll	Dir Coll		Dir Coll	Dir Coll	
	Pos	FTE		Pos	FTE		Pos	FTE		Pos	FTE	
DEBT COLLECTION MANAGEMENT - 3%	105	89	55,023	105	105	56,731	105	105	56,731	0	0	0
HCFAC	111	103	44,532	111	111	37,775	111	111	37,775	0	0	0
Budgetary Resources	216	192	99,555	216	216	94,506	216	216	94,506	0	0	0
Obligations by Program Activity	2020Actual			2021 Estimate			2022 Request			Increase/Decrease		
	SubAllot-	SubAllot-	Amount	SubAllot-	SubAllot-	Amount	SubAllot-	SubAllot-	Amount	SubAllot-	SubAllot-	Amount
	Dir Coll	Dir Coll		Dir Coll	Dir Coll		Dir Coll	Dir Coll		Dir Coll	Dir Coll	
	Pos	FTE		Pos	FTE		Pos	FTE		Pos	FTE	
Legal Representation	216	192	99,555	216	216	94,506	216	216	94,506	0	0	0
Budgetary Resources	216	192	99,555	216	216	94,506	216	216	94,506	0	0	0

1/ Change in Methodology: The amounts reported are for new authority in the year of appropriation and now tie to MAX.

#### Detail of Permanent Positions by Category Civil Division

Category	F	FY 2020 Enacted FY 2021 Enacted					FY 2022 Request						
	Direct Pos.	Reimb. Pos.	SubAllot-Dir	Direct Pos.	Reimb. Pos.	SubAllot-Dir	ATBs	Program	Program	Total Direct	Total Reimb.	Total SubAllot-	
			Coll Pos.			Coll Pos.		Increases	Offsets	Pos.	Pos.	Dir Coll Pos	
Clerical and Office Services (0300-0399)	0	0	0	0	0	22	0	0	0	0	0	22	
Attorneys (905)	832	55	177	866	71	185	0	30	0	896	84	185	
Paralegal Specialist (0950)	102	6	9	113	6	9	0	5	0	118	6	9	
Others	202	4	30	157	4	0	0	0	0	157	4	0	
Total	1,136	65	216	1,136	81	216	0	35	0	1,171	94	216	
Headquarters Washington D.C.	1,108	65	216	1,107	81	216	0	35	0	1,142	94	216	
US Fields	26	0	0	26	0	0	0	0	0	26	0	0	
Foreign Field	2	0	0	3	0	0	0	0	0	3	0	0	
Total	1.136	65	216	1.136	81	216	0	35	0	1.171	94	216	

## Financial Analysis of Program Changes Civil Division

Grades		Legal Repr	Total Program Changes				
	Program I	ncreases	Program D	ecreases			
	Positions	Amount	Positions	Amount	Positions	Amount	
GS-14	30	4,296	0	0	30	4,296	
GS-11	5	459	0	0	5	459	
Total Positions and Annual Amount	35	4,755	0	0	35	4,755	
Lapse (-)	-17	-2490	0	0	-17	-2490	
11.5 - Other personnel compensation		0		0		-	
Total FTEs and Personnel Compensation	18	2,265	0	0	18	2,265	
12.1 - Civilian personnel benefits		717		0		717	
21.0 - Travel and transportation of persons		71		0		71	
22.0 - Transportation of things		4		0		4	
23.3 - Communications, utilities, and miscellaneous charges		65		0		65	
24.0 - Printing and reproduction		7		0		7	
25.1 - Advisory and assistance services		159		0		159	
25.2 - Other services from non-federal sources		114		0		114	
25.3 - Other goods and services from federal sources		293		0		293	
25.6 - Medical care		3		0		3	
26.0 - Supplies and materials		15		0		15	
31.0 - Equipment		1,042		0		1,042	
Total Program Change Requests	18	4,755	0	0	18	4,755	

### Summary of Requirements by Object Class

Object Class		FY 2020 Actual		FY 2021 Enacted		FY 2022 Request		Increase/Decrease	
	Act. FTE	Amount	Direct	Amount	Direct	Amount	Direct	Amount	
			FTE		FTE		FTE		
11.1 - Full-time permanent	1,037	145,344	1,136	161,076	1,154	154,902	18	-6,174	
11.3 - Other than full-time permanent	0	12,177	0	18,849	0	18,123	0	-726	
11.5 - Other personnel compensation	0	3,402	0	4,699	0	5,416	0	717	
Overtime	0	0	0	0	0	0	0	0	
Other Compensation	0	0	0	0	0	0	0	0	
11.8 - Special personal services payments	0	0	0	0	0	200	0	200	
Total	1,037	160,923	1,136	184,624	1,154	178,641	18	-5,983	
Other Object Classes									
12.1 - Civilian personnel benefits		52,236		61,384		64,232	0	2,848	
13.0 - Benefits for former personnel		32		32		31	0	-1	
21.0 - Travel and transportation of persons		1,864		941		3,896	0	2,955	
22.0 - Transportation of things		232		79		265	0	186	
23.1 - Rental payments to GSA		26,841		33,340		27,463	0	-5,877	
23.2 - Rental payments to others		317		706		727	0	21	
23.3 - Communications, utilities, and miscellaneous charges		3,245		3,699		3,543	0	-156	
24.0 - Printing and reproduction		252		232		442	0	210	
25.1 - Advisory and assistance services		52,549		39,110		36,120	0	-2,990	
25.2 - Other services from non-federal sources		1,346		1,486		3,472	0	1,986	
25.3 - Other goods and services from federal sources		7,525		9,379		8,131	0	-1,248	
25.4 - Operation and maintenance of facilities		4,076		14,054		14,126	0	72	
25.6 - Medical care		0		0		12	0	12	
25.7 - Operation and maintenance of equipment		5,386		7,836		3,014	0	-4,822	
26.0 - Supplies and materials		683		508		845	0	337	
31.0 - Equipment		4,971		6,744		4,846	0	-1,898	
42.0 - Insurance claims and indemnities		53		97		17	0	-80	
Total Obligations		322,531		364,251		349,823	0	-14,428	
Net of:		,		•				, -	
Unobligated Balance, Start-of-Year		-10,030		-8,038		0	0	8,038	
Transfers/Reprogramming		-6.010		0		0	0	_,000	
Recoveries/Refunds		-21,246		-39,775		-21,286	0	18,489	
Balance Rescission				0		0	0	0	
Unobligated End-of-Year, Available		8,038		0 0		0	0	0	
Unobligated End-of-Year, Expiring		1,801		ů 0		0	0	0	
Total Direct Requirements		295,084		316,438		328,537		12,099	
Reimbursable FTE				,				,000	
Full-Time Permanent	47		81		81		0	0	
Sub-Allotments and Direct Collections FTE	192		216		216		0	0	

1/ Non-SES/SL/ST Salary	140,493	142,720	146,573
2/ Non-SES/SL/ST Award	2,519	3,995	4,104

## Status of Congressionally Requested Studies, Reports, and Evaluations

## **Civil Division**

1. The House Report associated with the FY 2021 appropriations act directs the Civil Division to submit a report within 90 days of enactment of this Act on the details of this reorganization, including the rationale for establishment of a new section; historical denaturalization caseload statistics, including for fiscal years 2016 through 2020; the grounds on which denaturalization cases are brought; and the funding and staffing of denaturalization activity by the Civil Division for fiscal years 2016 through 2020.