



General Legal Activities Office of Legal Counsel (OLC)

FY 2010 Budget Request At A Glance

FY 2009 Enacted:	\$6.7 million (37 positions; 25 attorneys)
Current Services Adjustments:	+\$1.0 million (14.5% above FY 2009 Enacted)
Program Changes:	+\$0
FY 2010 Budget Request:	\$7.7 million (37 positions; 25 attorneys)
Change from FY 2009 Enacted:	+\$1.0 million (+14.5%)

Mission:

The mission of the OLC is to assist the Attorney General (AG) in his functions as legal advisor to the President and all of the Executive Branch agencies.

Resources:

The budget request for FY 2010 totals \$7.7 million, for direct salaries and expenses, which is a 14.5 percent increase from the FY 2009 enacted level.

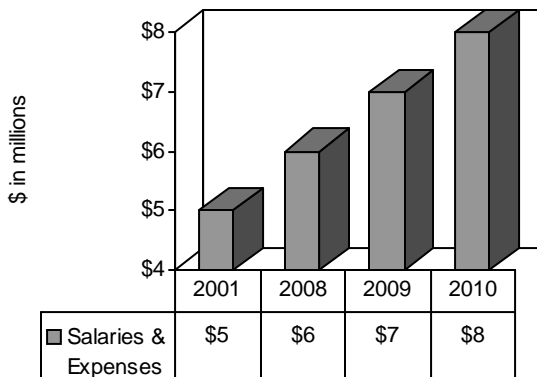
Organization:

OLC is headed by an Assistant Attorney General who is appointed by the President and confirmed by the Senate. The Office drafts legal opinions and provides written opinions and oral advice in response to requests from the Counsel to President, the various agencies of the executive branch, and offices within the Department. Such requests typically deal with legal issues about which two or more agencies are in disagreement. OLC is also responsible for providing legal advice to the executive branch on all constitutional questions and reviewing pending legislation for constitutionality.

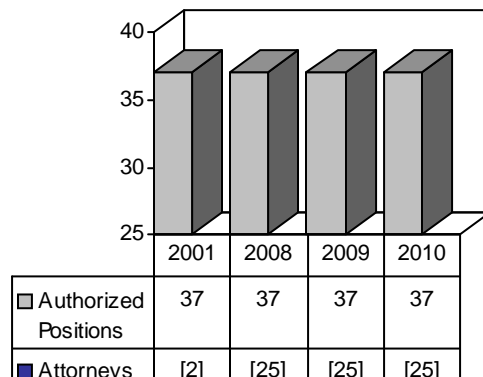
Personnel:

The OLC's direct authorized positions for FY 2010 total 37 positions, including 25 attorneys. All the authorized positions, 37 are located in Washington, D.C. While the FY 2010 request does not include an increase in the number of authorized positions, funding is provided to ensure OLC may staff up to its authorized position ceiling.

Funding (FY 2001 - 2010)



Personnel (FY 2001 - 2010)



* Includes reimbursable attorneys

FY 2010 Strategy:

OLC's mission remains highly critical and urgent as the Department enters into a new era of responsibility confronting national security and intelligence challenges, reinvigorating federal civil rights enforcement and advising the myriad of agencies involved in responding to the economic crisis.

OLC is also involved with proposals concerning climate change and the large number of Executive Orders and Presidential memoranda that has been issued. A number of major legal positions of the United States are under review or are in the process of being changed. That is particularly true of the national security context. As an example, the President's Executive Orders, signed January 22, 2009, provide for a review of the detentions of individuals being held at Guantanamo, and formulate lawful options for the Federal Government's detention policy going forward and represent a transformation of the legal basis for national security policy relating to terrorism. This will cause fundamental policy shifts of the new Administration that put OLC at the center of these changes. Therefore, the AAG sits on two of the review panels established by these orders. OLC will continue to play a key role in advising the Executive Branch on litigation (and litigation risks), some of which pertain directly to the Office's own memoranda, assisting the Executive Branch in interactions with Congress, and addressing legal issues arising from the intelligence reforms following September 11, 2001.

OLC has played a daily role in advising the Department of Treasury on numerous legal questions it has confronted under the Emergency Stabilization Act and related legislation. Since 1997, at the direction of the AG, OLC has published select formal opinions.

OLC's challenges are of an internal and external nature. OLC does not initiate its workload nor does it have control over the volume of work. The work results from requests for opinions and legal advice from the Counsel of the President, general counsels of OMB and other Executive Office of the President's components, general counsels of Executive Branch departments and agencies, the National Security Council Legal Advisor, the AG and other Department of Justice officials. Because OLC is a relatively small component, internal challenges come into play because OLC has little flexibility in responding to unexpected surges in workload, such as those created by national security matters, financial crisis, or the shift in policy and legal positions that attends the kind of transition to a new Administration now underway.

FY 2010 Program Changes:

The FY 2010 Budget does not request a program change for OLC.

Financial Snapshot 2008

Clean Opinion on Financial Statements	Yes
Timely Financial Reporting	Yes
Material Weaknesses	None

**GENERAL LEGAL ACTIVITIES
OFFICE OF LEGAL COUNSEL**

(Dollars in Thousands)

	SALARIES AND EXPENSES		
	Pos.	FTE	Amount
2008 Enacted	37	37	\$6,184
2009 Enacted	37	37	6,693
2010 Request	37	37	7,665
Change 2010 from 2009 Enacted	0	0	972
Adjustments to Base			
Increases:			
Pay and Benefits	0	0	952
Domestic Rent and Facilities	0	0	15
Other Adjustments	0	0	5
Total Adjustments to Base	0	0	972
2010 Current Services	37	37	7,665
2010 Request	37	37	7,665
Change 2010 from 2009 Enacted	0	0	972

**GENERAL LEGAL ACTIVITIES
OFFICE OF LEGAL COUNSEL
SALARIES AND EXPENSES**

(Dollars in thousands)

Comparison by activity and program	2009 Enacted			2010 Current Services		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
1. Office of Legal Counsel	37	37	\$6,693	37	37	\$7,665
Total	37	37	6,693	37	37	7,665
Reimbursable FTE	0	0	0	0	0	0
Grand Total	37	37	\$6,693	37	37	\$7,665

Comparison by activity and program	Total Program Changes			2010 Request		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
1. Office of Legal Counsel	0	0	\$0	37	37	\$7,665
Total	0	0	0	37	37	7,665
Reimbursable FTE	0	0	0	0	0	0
Grand Total	0	0	\$0	37	37	\$7,665