

**Federal Prison System
Federal Prison Industries, Inc.
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I. Overview for Federal Prison Industries, Incorporated

A. General Overview

1. Introduction

It is the mission of Federal Prison Industries, Inc. (FPI) to employ and provide job skills training to the greatest practical number of inmates confined within the Federal Bureau of Prisons; contribute to the safety and security of our Nation's Federal correctional facilities by keeping inmates constructively occupied; provide market-quality products and services; operate in a self-sustaining manner; and minimize FPI's impact on private business and labor. Electronic copies of the Department of Justice's Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: http://www.usdoj.gov/jmd/2011_justification/.

FPI was created by Congress in 1934, and is a wholly owned Government corporation that operates at no cost to the U.S. taxpayer. The Corporation is authorized to operate industries in Federal penal and correctional institutions and disciplinary barracks (18 U.S.C. 4121-4129). UNICOR is the trade name for FPI. The Director of the Federal Prison System (FPS), who has jurisdiction over all Federal penal and correctional institutions, is the Chief Executive Officer. FPI reduces inmate idleness by providing a full-time work program and continually strives to attain the goal of employing approximately 25 percent of the eligible inmate population. Many inmates enter prison with no marketable job skills. FPI provides a program of constructive industrial work and services wherein job skills can be developed and work habits acquired. Earnings from the Corporation's industrial activities are used for all operating costs of the Corporation, including purchase of raw materials and equipment, staff salaries and benefits, compensation to inmates performing in industrial work details, and compensation to former inmates for injuries they received while in Federal prisons.

A board of six Directors, appointed by the President, reviews and approves the policies of the Corporation, long-range Corporate plans, establishment of new industries, and bylaws and capital investments in excess of \$500,000. The Board also makes annual reports to Congress on the conduct of the business of the Corporation and the condition of its funds. General management of the Corporation is vested in an Assistant Director of the FPS, who serves as Chief Operating Officer, and is carried out by a staff of 11 Corporate Management employees located in Washington, DC. Expenses for this administrative function are subject to congressional limitation.

As of September 30, 2009, there were 18,972 inmates employed in 109 FPI factories. Inmates manufacture items such as furniture, clothing, electronics, and metal products, and provide such services as printing, data processing and laundry. Products and services of the Corporation are sold primarily to Federal Agencies. The Departments of Defense (DOD), Department of Homeland Security (DHS), Department of Justice (DOJ), General Services Administration (GSA), and the Social Security Administration (SSA) are FPI's largest customers. The growth of the BOP inmate population and the corresponding need to increase inmate employment while minimizing FPI's effect on private labor and business continue to be FPI's major challenge.

For FY 2011, a total of 1,950 positions and 1,806 workyears are requested for FPI. Further, \$2,700,000 is included as the Administrative Expenses limitation.

2. Issues, Outcomes, and Strategies

Strategic Goal 3: FPI's performance goals are part of DOJ's strategic goal to ensure the fair and efficient administration of justice. Inmate population management is FPI's primary goal to proactively manage the offender population through meaningful work programs.

Strategic Objective 3.4: Provide services and programs to facilitate inmates' successful reintegration into society consistent with community expectations and standards.

FPI meets this objective by reducing undesirable inmate idleness through full time work programs that provide constructive industrial work wherein job skills can be developed and work habits acquired. Inmate idleness is one of the primary causes of inmate unrest and violence in prison, and FPI employs almost 19,000 inmates and provides skills training to help ensure the safe and secure operation of BOP institutions. FPI plays a vital role in the management of inmates, and also improves the likelihood that inmates will remain crime-free upon their release from BOP custody. A 2005 study, to establish a baseline was conducted of 15,406 FPI participants and an equal number of comparison subjects released between 1994 through 1998. Results indicate that inmates who participate in FPI are significantly less likely to recidivate.

For FY 2011, a total of 1,950 positions and 1,806 workyears are requested for FPI. This request represents a program decrease of 125 positions and workyears below the FY 2010 Enacted. The reductions are being requested as part of the actions necessary to reduce excess production capacity and staffing to a level consistent with the current and forecasted business activity.

Impact on performance: The planned program decrease will help to achieve FPI's goal of reversing the negative earnings trend.

3. Full Program Costs

FPI operates as a revolving fund and does not receive an annual appropriation. This budget reflects the full value of anticipated orders received (Revenue) less the associated costs to produce the products ordered and maintain the facilities for manufacturing. FPI maintains a proprietary, full accrual accounting system. The revenue and costs presented in the budget are based upon historical data, market trends of FPI's sales of products and services. FPI monitors the following program's activities, Sales Volume, Number of Factories and Inmate Employment. These activities directly relate to FPI's goals of population management and inmate reentry success.

FPI sales have been negatively impacted by the passage of Sections 811 and 819 of the National Defense Authorization Acts of 2002 and 2003, and Section 637 of the FY 2004 and FY 2005 Omnibus Appropriations Bills, which changed the nature of FPI's mandatory source status, as well as several administrative initiatives by the FPI program's Board of Directors. More recently, Section 827 of the National Defense Authorization Act of 2008 further eroded FPI's procurement preference.

The following chart shown below illustrates FPI's Sales, Earnings, and Net Income for the period of FY 2006 through FY 2009:

	FY 2006	FY 2007	FY 2008	FY 2009
Sales	717,544,000	852,724,000	854,279,000	885,265,000
Earnings	71,256,000	96,787,000	60,347,000	37,614,000
Net Income	\$17,237,000	\$45,789,000	\$3,119,000	(\$35,869,000)

During FY 2009, total Revenue increased by \$6.3 million while gross cost increased by \$46.6 million. The higher cost to revenue ratio is due primarily to an ongoing shift in the source of revenues from the Electronics business segment to other less profitable business segments.

In comparison to FY 2008, FY 2009 sales revenue for the Electronics business segment decreased by \$57.3 million. A significant portion of this decrease is relative to a decline in military orders for Single Channel Ground-Air Radio System kits and helmets. Contributing to the increased cost to revenue ratio is excess capacity in the Electronics factories. FPI initiated deactivation of one Electronics factory which is scheduled to cease operations in the first quarter of FY 2010. In addition, a new product line (Solar Panels) began production in one factory during 2009 and is expected to record sales revenue in FY 2010.

During FY 2009, the Textiles and Fleet Management and Vehicular Component business segments had a strong year for revenues. In comparison to FY 2008, FY 2009 sales revenue for the Textiles business segment increased by \$59.0 million. While the Textiles business segment was FPI's most significant source of earnings during FY 2009, its earnings rate of 13.8 percent was typically lower than the earnings rate for the Electronics business segment during peak war time production (FYs 2004 through 2007). The Fleet Management and Vehicular Component business segment increased sales revenue in FY 2009 by \$32.1 million in comparison to FY 2008 and was \$104.9 million more than FY 2007. Growth in this segment is attributable to the retrofitted vehicles products sold to the DHS. While this segment continues to grow, the earnings rate is low (4.4 percent in 2009) due to the high cost of the raw materials – primarily vehicles.

Due to declining interest rates, FPI earned \$10.7 million less on cash investments in FY 2009 compared to FY 2008. Additionally, during FY 2009 FPI incurred approximately \$7.7 million in losses on the disposition of assets as a result of factory closures.

4. Performance Challenges

External Challenges

FPI does not receive appropriated funding for operations and maintains itself through the results of operations. Historically, FPI operates on a very low margin. The margins are much below that which would be seen by a non-government corporation of similar size and longevity. FPI has been able to sustain itself despite unprecedented growth in the number of inmates. The inmate growth demands of the BOP are expected to continue for the foreseeable future.

The delicate balancing act between self sufficiency and growth create a sizable challenge for FPI. Additionally, FPI is faced with challenges that may impact this balance. These challenges

include changes to FPI's position as a supplier to the Federal Government (preference provided to FPI) and increases in costs not directly controlled by FPI (Federal staff pay schedule and benefits costs).

Internal Challenges

FPI faces challenges similar to that of a non-government corporation. These challenges include: control of costs, collection of accounts receivable, control of raw materials inventory levels, and stability of sales.

Throughout FY 2009, a number of cost containment initiatives were implemented to offset the ongoing losses FPI was experiencing. In fiscal year 2009, the corporation incurred a net loss of \$35.9 million, and had negative earnings for the last ten months. While the cost reduction initiatives were helpful, they were not sufficient to reverse the negative earnings trend.

FPI initiated the closing of 8 factories. These actions were necessary to reduce excess production capacity and staffing to a level consistent with the current and forecasted business activity.

5. Environmental Accountability

The BOP has implemented an Environmental Management System (EMS) policy. UNICOR is also covered by this EMS policy. UNICOR integrates environmental accountability in its day-to-day decisions locally through membership and representation from each UNICOR factory on BOP's institution EMS Committees, which consist of staff responsible for environmental concerns for that institution. Each institution has now self certified that an EMS has been implemented -- this includes UNICOR factories within those facilities. A UNICOR factory representative also participates on the Central Office Environmental Concerns Task Force, which oversees EMS policy and agency-wide environmental concerns. In addition, an all-UNICOR Central Office Environmental Discussion Group, which discusses all environmental issues facing UNICOR, also contributes to environmental accountability in decision making.

The BOP developed a three-year audit cycle schedule to second party certify each BOP institution's EMS. The three-year audit cycle recently commenced and all initial audits are planned to be completed by mid-year 2011.

In addition, UNICOR continues to be proactive in its environmental accountability and towards that goal is taking measures such as plans to manufacture and sell solar panels to the Federal government in furtherance of its greening initiatives.

II. Summary of Program Changes

Item Name	Description				Page
		Pos.	FTE	Dollars (\$000)	
FPI	Position and FTE reductions for cost containment.	(125)	(125)	\$0	13

III. Appropriations Language and Analysis of Appropriations Language

Appropriation Language

Federal Prison Industries, Incorporated

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles

Limitation on Administrative Expenses Federal Prison Industries, Incorporated

Not to exceed \$2,700,000 of the funds of the Federal Prison Industries, Incorporated shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest. (Department of Justice Appropriation Act, 2010)

Analysis of Appropriation Language

No substantive language changes proposed.

IV. Decision Unit Justification

A. Federal Prison Industries

FPI	Perm. Pos.	FTE	Amount (\$000)
2009 Enacted with Rescissions	2,075	1,931	941,039
2009 Supplementals	0	0	0
2009 Enacted w/Rescissions and Supp.	2,075	1,931	941,039
2010 Enacted	2,075	1,931	1,076,083
Adjustments to Base and Technical Adjustments	0	0	2,416
2011 Current Services	2,075	1,931	1,078,499
2011 Program Increases	0	0	0
2011 Program Offsets	(125)	(125)	0
2011 Request	1,950	1,806	1,078,499
Total Change 2010-2011	(125)	(125)	\$2,416

Information Technology Breakout (of Decision Unit Total)	Perm. Pos.	FTE	Amount (\$000)
2009 Enacted with Rescissions	103	95	17,519
2009 Supplementals	0	0	0
2009 Enacted w/Rescissions and Supp.	103	95	17,519
2010 President's Budget	109	101	17,694
Adjustments to Base and Technical Adjustments	0	0	0
2011 Current Services	109	101	17,694
2011 Program Increases	0	0	177
2011 Request	109	101	17,871
Total Change 2010-2011	0	0	\$177

1. Program Description

Federal Prison Industries, Inc. (FPI) reduces inmate idleness by providing full-time work programs, and continually strives to attain the goal of employing approximately 25 percent of the eligible inmate population. Health, security level and other factors determine eligibility for work in FPI. Many inmates do not have marketable skills when they enter prison. FPI provides a program of constructive industrial work wherein job skills can be developed and work habits acquired.

FPI's operations are self-supporting. Revenues are derived from the sale of products and services to other Federal departments, agencies, and government institutions which purchase products listed on FPI's Schedule of Products. FPI provides services on a non-mandatory, preferred source basis. Operating expenses such as the costs of raw materials and supplies, inmate wages, staff salaries, and capital expenditures are applied against these revenues,

resulting in operating income or loss, which is reapplied toward operating costs for future production.

Institution factories and shops are operated by civilian supervisors and managers responsible for training and overseeing the work of inmates. The factories utilize raw materials and component parts purchased from the private sector to produce finished goods. FPI's major Government customers include the Departments of Defense (DOD), Department of Homeland Security (DHS), Department of Justice (DOJ), General Services Administration (GSA), and the Social Security Administration (SSA). Institution factories manufacture such items as furniture, clothing, electronics, and metal products, and provide such services as printing, data processing, laundry and recycling activities. Orders for goods and services are obtained through marketing and sales efforts by civilian staff. A portion of the earnings realized by these operations is reinvested to improve and build new facilities and purchase equipment, maintain the existing equipment base, and provide working capital.

Extensive testing and product development procedures are required to operate modern factories that produce products which meet Government specifications. Inmate training is also extensive because most of the inmates have no previous training, experience or skills. Most training is on-the-job, with the civilian supervisors and experienced inmates explaining and demonstrating the work to newly assigned inmates. Where skills require more formal training, such as soldering, classroom instruction is provided by UNICOR staff.

FPI makes capital investments in buildings and improvements, machinery and equipment as necessary in the conduct of its industrial operations. Other expenses charged to the industrial manufacturing program include inmate accident compensation.

In 1988, Congress amended FPI's statute regarding the production of new products and significant product expansion (18 U.S.C. 4122). Before any significant product expansion or new products are manufactured, a review process is conducted, which includes full notice to and input from the public and interested parties. Implementing guidelines were first promulgated in 1990 and updated in 1997, with input from the private sector.

As required under the Federal rules, commonly referred to as the Guidelines process, when FPI proposes to produce a new product or expand its market share of an existing product, they first must conduct a market impact study. This study must identify and consider the number of vendors currently meeting the requirements of the Federal government; the proportion of the Federal market for the product currently served by small business, small disadvantaged businesses, or businesses operating in labor surplus areas; the size of the Federal/non-Federal markets for the product; the projected growth in the Federal government's demand for the product; and the projected ability of the Federal market to sustain both FPI and private vendors. FPI then must announce in the Federal Business Opportunities (Fed Biz Opps) its proposal and invite comments from private industry. FPI must also directly notify those trade associations affected and allow them to provide comment.

FPI's Board of Directors is appointed by the President, and by statute is composed of six members representing Industry, Labor, Retailers and Consumers, Agriculture, the Secretary of

Defense, and Attorney General. The Board is provided copies of the market impact study, the comments received, and FPI's recommendations. The Board also holds hearings which the public can attend and provide testimony.

At the conclusion of the above process, the Board renders its decision, which is also published in the Federal Business Opportunities (Fed Biz Opps). Parties can appeal to the Board if and when market conditions change or new facts could impact the decision.

2. PERFORMANCE AND RESOURCES TABLE											
Appropriation: 15X4500											
Decision Unit: Federal Prison Industries											
DOJ Strategic Goal/Objective: 3.4											
Workload/Resources		Final Target		Actual		Projected		Changes		Requested (Total)	
		FY 2009		FY 2009		2010 Enacted		Current Services Adjustments and FY2011 Program Changes		FY 2011 Request	
Workload											
Base number of factories		109		109		101		(1)		100	
Number of Inmate Jobs added		0		0		(1,744)		0		0	
Inmates employed at year-end		21,782		18,972		20,038		0		20,038	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		1,931	941,039	1,931	1,000,119	1,931	1,076,083	(125)	2,415	1,806	1,078,498
TYPE/ STRATEGIC OBJECTIVE	Performance	FY 2009		FY 2009		FY 2010 Enacted		Current Services Adjustments and FY2011Program Changes		FY 2011 Request	
Program Activity		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
	Sales Volume	1,931	941,039	1,931	1,000,119	1,931	1,076,083	(125)	2,415	1,806	1,078,498
Performance Measure	Comparative Recidivism for FPI inmates vs. non-FPI inmates (3 yrs.)	15%		22%		15%		0		15%	
	Comparative Recidivism for FPI inmates vs. non-FPI inmates (6 yrs.)	10%		12%		10%		0		10%	
Efficiency Measure	Number of Inmates Employed	21,782		18,972		20,038		0		20,038	
OUTCOME	Number of inmates employed as a percentage of inmates housed in low, medium, and high security institutions.	25%		25%		25%		0		25%	
Data Definition, Validation, Verification, and Limitations: Base number of factories equal the number of factories at the beginning of the year and previous year's base number of factories adjusted to agree with previous year-end results. Sales volume is equal to gross revenues for the fiscal year. Decreases are the result of reduction of cost and delayed activations. In FY2005, a Baseline was established for comparative recidivism rates for FPI inmates vs. non-FPI inmates who are less likely to recidivate 3 years after release and less likely to recidivate 6 years after release. In addition, FY 2010 – FY 2011 targets have been developed.											

PERFORMANCE MEASURE TABLE (cont'd)											
Appropriation: 15X4500											
Decision Unit: Federal Prison Industries											
Department of Justice Strategic Goals/Objectives											
Performance Report and Performance Plan Targets		FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009		FY 2010	FY 2011
		Actual	Actual	Actual	Actual	Actual	Actual	Target	Actual	Target	Target
Performance Measure	* Comparative Recidivism for FPI inmates vs non-FPI inmates (3 yrs.).	N/A	N/A	Baseline Established	23%	39%	34%	15%	22%	15%	15%
Performance Measure	* Comparative Recidivism for FPI inmates vs non-FPI inmates (6 yrs.).	N/A	N/A	Baseline Established	10%	23%	42%	10%	12%	10%	10%
Performance Measure											
Efficiency Measure											
	Number of Inmates Employed	20,274	19,337	19,720	21,205	23,152	21,836	21,782	18,972	20,038	20,038
OUTCOME Measure											

* Denotes inclusion in the DOJ Annual Performance Plan.

3. Performance, Resources and Strategies

a. Performance Plan and Report for Outcomes

Inmate Employment: The Federal Prison Industries (FPI) actual inmate employment for FY 2009 was 18,972. The FPI anticipates closing 8 factories and projects the inmate employment to be 20,038 in FY 2011. The projected number of inmates employed increases and decreases consistently, correlating with projected sales and the activation of new institutions.

Baseline data for the recidivism measure was established in FY 2005. A study, to establish a baseline was conducted of 15,406 FPI participants and an equal number of comparison subjects released between 1994 through 1998. Results indicate that inmates who participate in FPI training and employment are significantly less likely to recidivate. Now that baseline information is available, FPI has begun targeting and collecting data to report in outyears against a long-term and annual Program Assessment. FY 2009 actual recidivism rates for FPI inmates vs. non-FPI inmates less likely to recidivate three years after release was 22 percent and less likely to recidivate six years after release was 12 percent. The FY 2010 and FY 2011 targets will remain at 15 percent less likely to recidivate 3 years after release and 10 percent less likely to recidivate six years after release.

b. Strategies to Accomplish Outcomes

FPI's performance goals support the DOJ strategic goals. FPI's primary goal for population management is to proactively manage the offender population through meaningful work programs.

FPI meets this objective by reducing undesirable inmate idleness through full time work programs that provide constructive industrial work wherein job skills can be developed and work habits acquired. Inmate idleness is the number one cause of inmate unrest and violence in prison; at the end of FY 2009, FPI employed nearly 19,000 inmates and provides skills training to help ensure the safe and secure operation of BOP institutions. FPI plays a vital role in the management of inmates, and also improves the likelihood that inmates will remain crime-free upon their release from BOP custody.

For FY 2011, a total of 1,950 positions and 1,806 workyears are requested for FPI. Further, \$2,700,000 is established as the Administrative Expenses limitation.

VI. Program Offsets by Item

Item Name: FPI

Budget Decision Unit: Federal Prison Industries, Inc.

Strategic Goal 3: Ensure the fair and efficient administration of justice

Strategic Objective 3.4: Provide services and programs to facilitate inmates' successful reintegration into society consistent with community expectations and standards.

Organizational Program: Inmate Work Programs

Program Reductions:

	<u>Positions</u>	<u>FTE</u>	<u>(Non-Appropriated) Dollars (\$000)</u>
Position and FTE reductions for cost containment	(125)	(125)	0
Total, decrease	(125)	(125)	\$0

Description of Item

For FY 2011, a total of 1,950 positions and 1,806 workyears are requested for FPI. This request represents a reduction of 125 positions and workyears below the FY 2010 Enacted.

Justification

The reductions are being requested as part of the actions necessary to reduce excess production capacity and staffing to a level consistent with the current and forecasted business activity.

Throughout Fiscal Year 2009, a number of cost containment initiatives were implemented to offset the ongoing losses FPI was experiencing. In FY 2009, the corporation incurred a net loss of \$35.9 million, and had negative earnings for the last ten months. While the cost reduction initiatives were helpful, they were not sufficient to reverse the negative earnings trend.

FPI initiated the closing of 8 factories. These actions were necessary to reduce excess production capacity and staffing to a level consistent with the current and forecasted business activity.

Impact on Performance (Relationship of Increase to Strategic Goals)

The planned program decrease will contribute greatly to FPI's goal of reversing the negative earnings trend. FPI employment of inmates reduces inmate idleness at BOP facilities and provides job skills and work habits that assist an inmate's reintegration into society. This request supports the DOJ Strategic Plan, Goal 3, ensure the fair and efficient administration of justice and provide services and programs to facilitate inmates' successful reintegration into society, consistent with community expectations and standards. FPI's performance goals are part of the Department of Justice (DOJ). FPI's primary goal for population management is to proactively manage the offender population through meaningful work programs.

Base Funding

FY 2009 Enacted				FY 2010 President's Budget				FY 2011 Current Services			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
0	0	0	\$0	0	0	0	\$0	0	0	0	\$0

Personnel Reduction Cost Summary

Type of Position	Modular Cost per Position (\$000)	Number of Positions Reduced	FY 2011 Request (\$000)	FY 2012 Net Annualization (change from 2011) (\$000)
AW, I&E	0	(7)	0	0
Factory, Bus & Sys Manager	0	(21)	0	0
Assistant Factory Manager	0	(7)	0	0
QA Mgr, Contract Spec, & Accountant	0	(21)	0	0
Ungraded Positions	0	(69)	0	0
Total Personnel	0	(125)	0	\$0

Non-Personnel Reduction Cost Summary

Non-Personnel Item	Unit Cost	Quantity	FY 2011 Request (\$000)	FY 2012 Net Annualization (Change from 2011) (\$000)
N/A	N/A	N/A	0	0
Total Non- Personnel			0	\$0

Grand Total

	Pos	Agt/Atty	FTE	Personnel (\$000)	Non-Personnel (\$000)	Total (\$000)
Current Services	0	0	0	0	0	0
Decreases	(125)	0	(125)	0	0	0
Grand Total	(125)	0	(125)	\$0	\$0	\$0