

D&CP – OFFICE OF THE LEGAL ADVISER

Resource Summary

(\$ in thousands)

Appropriations	FY 2010 Actual	FY 2011 CR	FY 2012 Request
American Positions	270	270	270
Funds	40,489	40,489	40,645

Program Description

The Office of the Legal Adviser (L) advises and represents the Department on all international and domestic legal issues arising in connection with U.S. foreign policy and the work of the Department. L provides critical support for U.S. Government foreign policies – in particular, key initiatives in Iraq and Afghanistan, as well as initiatives to achieve democratic Israeli and Palestinian states living in peace. The Office helps to ameliorate and resolve political and humanitarian crises around the globe and is a key component of efforts to fight international terrorism and other threats to U.S. security. L is instrumental in other important areas of work of the Department, including nonproliferation, human rights, the environment, law enforcement, and the rule of law. L is also an essential partner in supporting the Department's management by providing legal advice on a wide range of matters: the expenditure of assistance and operating funds; the provision of consular services; passport and visa operations and border security; buildings and acquisitions; Department authorities; U.S. diplomatic and consular operations abroad; personnel systems for employees, including the Foreign Service and Civil Service; security of personnel and information technology; privileges and immunities; regulations and directives; domestic and foreign litigation; ethics and financial disclosure; and information law. L manages the U.S. Treaty Program and is responsible for defending and representing the United States before international bodies, such as arbitrations under the North American Free Trade Agreement and cases before the International Court of Justice.

L's overarching priorities include:

- Providing timely, first-rate legal services on all legal issues, domestic and international, arising in the course of the Department's work. This includes focusing on key foreign policy objectives, as well as the pursuit of managerial and organizational excellence overall.
- Developing, conducting and managing the Treaty Program, extraditions, private international law, representing and defending the United States before international legal bodies, claims, and other programs for which L has lead responsibility so as to meet the highest standards of program management and best serve the foreign policy, security, and public interests of the United States.
- Promoting the development of international law and its institutions as a fundamental element of U.S. foreign policy and advancing the rule of law. The United States relies on international law as a means to secure a peaceful world. The rule of law will remain an essential component of U.S. foreign policy initiatives.

Specific priority areas for FY 2012 will include:

- Developing and advocating for U.S. legal and legal policy positions, and presenting them to domestic and international audiences in order to advance U.S. interests.

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- Continuing to perform a critical role in preventing and resolving humanitarian and political crises and conflicts.
- Supporting achievement of the Department’s consular and managerial goals.
- Promoting global stability through robust counterterrorism initiatives, international law enforcement, and nonproliferation of weapons of mass destruction.
- Developing and defending an effective domestic and international legal framework to promote a healthy global economy and environment.
- Advocating for U.S. interests in domestic and international legal fora.

In support of international law priorities, L engages in a variety of activities including extraditions. The number of extradition and provisional arrest requests made by the Office of the Legal Adviser directly support the Department’s Strategic Plan and in particular, the goal of Achieving Peace and Security. These extraditions materially support the development and maintenance of effective mutual legal assistance relationships with other countries and international organizations which counter transnational crime. In addition to aiding ongoing relationships with national and international criminal and law enforcement agencies, the extradition and arrests program is a sound measure of the effectiveness of legal advice and services that advance the strategic goals of the Department of State and the United States.

Justification of Request

The Department’s FY 2012 request of \$40.645 million for L, a \$156,000 increase over the FY 2010 Actual level, includes an increase for domestic inflation and a decrease for efficiency savings.

This \$304,000 efficiency savings reduction will be realized in travel of personnel and transportation of materials; printing; and supplies as a unique opportunity to capitalize on the Secretary of State’s Greening Diplomacy Initiative and thereby develop and implement policies and initiatives that will reduce the State Department’s environmental footprint and cut costs. In terms of travel, L will further promote the use of Digital Video Conferencing (DVC), telephone conferencing, web conferencing/communications, and enhanced interagency travel coordination thereby reducing unnecessary and duplicative travel. Further savings will be realized by extensive use of double sided printing and limiting unnecessary paper when suitable electronic means are available. In addition, L will continue to explore ways of leveraging the use of GSA’s Federal Strategic Sourcing Initiative (FSSI) program for office supplies and thereby realizing efficiency savings through economies of scale.

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	Positions				Pos Total	Funds (\$ in thousands)		
	American			FSN		Bureau Managed	American Salaries	Funds Total
	CS	FS Dom	Overseas					
FY 2010 Actual	269	1	0	0	270	13,871	26,618	40,489
FY 2011 CR	269	1	0	0	270	13,871	26,618	40,489
FY 2012 Built-in Changes								
Efficiency Savings	0	0	0	0	0	(304)	0	(304)
Domestic Inflation	0	0	0	0	0	460	0	460
Total Built-in Changes	0	0	0	0	0	156	0	156
FY 2012 Current Services	269	1	0	0	270	14,027	26,618	40,645
FY 2012 Request	269	1	0	0	270	14,027	26,618	40,645

Staff by Program Activity (positions)

Office of the Legal Adviser	FY 2010 Actual	FY 2011 CR	FY 2012 Request
Conduct of Diplomatic Relations	239	239	239
Legal Affairs	239	239	239
Domestic Administrative Support	12	12	12
Domestic Administrative Management	7	7	7
Domestic Financial Services	2	2	2
Domestic Personnel Services	3	3	3
Information Resource Management	1	1	1
Office Automation	1	1	1
Policy Formulation	18	18	18
Bureau Direction	18	18	18
Total	270	270	270

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Funds by Program Activity (\$ in thousands)

Office of the Legal Adviser	FY 2010 Actual	FY 2011 CR	FY 2012 Request
Conduct of Diplomatic Relations	35,613	35,613	36,069
Legal Affairs	35,613	35,613	36,069
Domestic Administrative Support	2,828	2,828	2,528
Domestic Administrative Management	2,179	2,179	1,879
Domestic Financial Services	265	265	265
Domestic Personnel Services	384	384	384
Information Resource Management	1,374	1,374	1,374
Office Automation	1,374	1,374	1,374
Policy Formulation	674	674	674
Bureau Direction	674	674	674
Total	40,489	40,489	40,645

Program Activities

Office of the Legal Adviser (L)	Positions			Funds (\$ in thousands)			
	American Domestic	Overseas	FSN	Pos Total	Bureau Managed	American Salaries	Funds Total
Conduct of Diplomatic Relations	239	0	0	239	11,378	24,691	36,069
Legal Affairs	239	0	0	239	11,378	24,691	36,069
Domestic Administrative Support	12	0	0	12	1,080	1,448	2,528
Domestic Administrative Management	7	0	0	7	1,028	851	1,879
Domestic Financial Services	2	0	0	2	21	244	265
Domestic Personnel Services	3	0	0	3	31	353	384
Information Resource Management	1	0	0	1	1,250	124	1,374
Office Automation	1	0	0	1	1,250	124	1,374
Policy Formulation	18	0	0	18	319	355	674
Bureau Direction	18	0	0	18	319	355	674
Total	270	0	0	270	14,027	26,618	40,645

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Staff by Domestic Organization Unit (positions)

Office of the Legal Adviser	FY 2010 Actual	FY 2011 CR	FY 2012 Request
African and Near Eastern Affairs	4	4	4
Buildings and Acquisitions	7	7	7
Consular Affairs	15	15	15
Deputy Legal Advisers	14	14	14
Diplomatic Law and Litigation	9	9	9
East and South Asian Affairs	5	5	5
Economic and Business Affairs	10	10	10
Employment Law	24	24	24
European Affairs	3	3	3
Executive Director	14	14	14
Human Rights and Refugees	12	12	12
International Claims and Investment Disputes	41	41	41
Law Enforcement and Intelligence	15	15	15
Legal Adviser	4	4	4
Legislation and Foreign Assistance	6	6	6
Management	13	13	13
Non Proliferation and Verification	12	12	12
Oceans, International Environmental & Scientific Affairs	11	11	11
Political-Military Affairs	12	12	12
Private International Law	5	5	5
Public Diplomacy and Public Affairs	7	7	7
Treaty Affairs	16	16	16
United Nations Affairs	6	6	6
Western Hemisphere Affairs	5	5	5
Total	270	270	270

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Funds by Domestic Organization Unit (\$ in thousands)

Office of the Legal Adviser	FY 2010 Actual	FY 2011 CR	FY 2012 Request
African and Near Eastern Affairs	503	503	503
Buildings and Acquisitions	880	880	880
Consular Affairs	1,995	1,995	1,995
Deputy Legal Advisers	1,762	1,762	1,762
Diplomatic Law and Litigation	1,132	1,132	1,132
East and South Asian Affairs	629	629	629
Economic and Business Affairs	1,258	1,258	1,258
Employment Law	3,021	3,021	3,021
European Affairs	377	377	377
Executive Director	2,058	2,058	2,214
Human Rights and Refugees	1,510	1,510	1,510
International Claims and Investment Disputes	10,626	10,626	10,626
Law Enforcement and Intelligence	1,762	1,762	1,762
Legal Adviser	503	503	503
Legislation and Foreign Assistance	754	754	754
Management	1,743	1,743	1,743
Non Proliferation and Verification	1,510	1,510	1,510
Oceans, International Environmental & Scientific Affairs	1,025	1,025	1,025
Political-Military Affairs	2,017	2,017	2,017
Private International Law	1,133	1,133	1,133
Public Diplomacy and Public Affairs	880	880	880
Treaty Affairs	2,014	2,014	2,014
United Nations Affairs	755	755	755
Western Hemisphere Affairs	642	642	642
Total	40,489	40,489	40,645

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Funds by Object Class (\$ in thousands)

Office of the Legal Adviser	FY 2010 Actual	FY 2011 CR	FY 2012 Request
1100 Personnel Compensation	20,232	20,232	20,232
1200 Personnel Benefits	6,929	6,929	6,929
2100 Travel & Trans of Persons	337	337	200
2300 Rents, Comm & Utilities	613	613	613
2400 Printing & Reproduction	171	171	68
2500 Other Services	7,694	7,694	8,141
2600 Supplies and Materials	121	121	21
3100 Personal Property	59	59	108
4100 Grants, Subsidies & Contrb	4,333	4,333	4,333
Total	40,489	40,489	40,645