

D&CP – OFFICE OF THE LEGAL ADVISER

Resource Summary

(\$ in thousands)

Appropriations	FY 2011 Actual	FY 2012 Estimate	FY 2013 Request	Increase / Decrease
American Positions	273	273	273	0
Funds	43,658	43,047	43,323	276

Program Description

The Office of the Legal Adviser (L) advises and represents the Department on all international and domestic legal policy 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 Bureau 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.
- 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.

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Specific priority areas for FY 2013 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.
- Continuing to perform a critical role in preventing and resolving humanitarian and political crises and conflicts.
- Supporting achievement of the Department's consular and management 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 2013 request of \$43.323 million for the Office of the Legal Adviser (L), a \$276,000 increase above the FY 2012 estimate, includes an increase for domestic wages and price inflation and spending decreases due to administrative savings. L plans to meet these funding levels with reductions from various target areas including equipment, printing, office supplies, travel and advisory contracts. The request includes an increase of \$14,000 for Office Automation (\$1.3 million) which supports IT-related costs associated with Legal Records Management (content research) and maintenance of the Ethics and Financial Disclosure database, as well as telephone and IT services -technical and administrative- provided by the Office of Information Resources Management (IRM).

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	Positions					Funds (\$ in thousands)		
	American				Pos	Bureau	American	Funds
	CS	FS Dom	Overseas	FSN	Total	Managed	Salaries	Total
FY 2011 Actual	272	1	0	0	273	13,984	29,674	43,658
FY 2012 Estimate	272	1	0	0	273	13,373	29,674	43,047
FY 2013 Built-in Changes								
Administrative Savings	0	0	0	0	0	(76)	0	(76)
American COLA	0	0	0	0	0	3	133	136
Domestic Inflation	0	0	0	0	0	216	0	216
Total Built-in Changes	0	0	0	0	0	143	133	276
FY 2013 Current Services	272	1	0	0	273	13,516	29,807	43,323
FY 2013 Request	272	1	0	0	273	13,516	29,807	43,323

Staff by Program Activity

(positions)

Office of the Legal Adviser	FY 2011 Actual	FY 2012 Estimate	FY 2013 Request	Increase / Decrease
Conduct of Diplomatic Relations	242	242	242	0
Legal Affairs	242	242	242	0
Domestic Administrative Support	12	12	12	0
Domestic Administrative Management	7	7	7	0
Domestic Financial Services	2	2	2	0
Domestic Personnel Services	3	3	3	0
Information Resource Management	1	1	1	0
Office Automation	1	1	1	0
Policy Formulation	18	18	18	0
Bureau Direction	18	18	18	0
Total	273	273	273	0

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Funds by Program Activity

(\$ in thousands)

Office of the Legal Adviser	FY 2011 Actual	FY 2012 Estimate	FY 2013 Request	Increase / Decrease
Conduct of Diplomatic Relations	39,090	38,594	38,834	240
Legal Affairs	39,090	38,594	38,834	240
Domestic Administrative Support	2,525	2,478	2,495	17
Domestic Administrative Management	1,876	1,831	1,845	14
Domestic Financial Services	265	264	265	1
Domestic Personnel Services	384	383	385	2
Information Resource Management	1,370	1,316	1,330	14
Office Automation	1,370	1,316	1,330	14
Policy Formulation	673	659	664	5
Bureau Direction	673	659	664	5
Total	43,658	43,047	43,323	276

Program Activities

Office of the Legal Adviser (L)	Positions			Funds (\$ in thousands)			
	American		FSN	Pos Total	Bureau Managed	American Salaries	Funds Total
	Domestic	Overseas					
Conduct of Diplomatic Relations	242	0	0	242	10,963	27,871	38,834
Legal Affairs	242	0	0	242	10,963	27,871	38,834
Domestic Administrative Support	12	0	0	12	1,041	1,454	2,495
Domestic Administrative Management	7	0	0	7	991	854	1,845
Domestic Financial Services	2	0	0	2	20	245	265
Domestic Personnel Services	3	0	0	3	30	355	385
Information Resource Management	1	0	0	1	1,205	125	1,330
Office Automation	1	0	0	1	1,205	125	1,330
Policy Formulation	18	0	0	18	307	357	664
Bureau Direction	18	0	0	18	307	357	664
Total	273	0	0	273	13,516	29,807	43,323

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Staff by Domestic Organization Unit (positions)

Office of the Legal Adviser	FY 2011 Actual	FY 2012 Estimate	FY 2013 Request	Increase / Decrease
African and Near Eastern Affairs	4	4	4	0
Buildings and Acquisitions	7	7	7	0
Consular Affairs	15	15	15	0
Deputy Legal Advisers	14	14	14	0
Diplomatic Law and Litigation	9	9	9	0
East and South Asian Affairs	5	5	5	0
Economic and Business Affairs	10	10	10	0
Employment Law	24	24	24	0
European Affairs	3	3	3	0
Executive Director	14	14	14	0
Human Rights and Refugees	12	12	12	0
International Claims and Investment Disputes	41	41	41	0
Law Enforcement and Intelligence	16	16	16	0
Legal Adviser	4	4	4	0
Legislation and Foreign Assistance	6	6	6	0
Management	13	13	13	0
Non Proliferation and Verification	12	12	12	0
Oceans, International Environmental & Scientific Affairs	12	12	12	0
Political-Military Affairs	13	13	13	0
Private International Law	5	5	5	0
Public Diplomacy and Public Affairs	7	7	7	0
Treaty Affairs	16	16	16	0
United Nations Affairs	6	6	6	0
Western Hemisphere Affairs	5	5	5	0
Total	273	273	273	0

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Funds by Domestic Organization Unit

(\$ in thousands)

Office of the Legal Adviser	FY 2011 Actual	FY 2012 Estimate	FY 2013 Request	Increase / Decrease
African and Near Eastern Affairs	503	498	501	3
Buildings and Acquisitions	879	870	875	5
Consular Affairs	1,994	1,976	1,987	11
Deputy Legal Advisers	1,761	1,743	1,753	10
Diplomatic Law and Litigation	1,131	1,120	1,127	7
East and South Asian Affairs	629	623	626	3
Economic and Business Affairs	1,257	1,244	1,251	7
Employment Law	3,019	2,989	3,006	17
European Affairs	377	373	375	2
Executive Director	2,211	2,169	2,185	16
Human Rights and Refugees	1,509	1,494	1,503	9
International Claims and Investment Disputes	13,662	13,399	13,494	95
Law Enforcement and Intelligence	1,761	1,743	1,753	10
Legal Adviser	503	498	501	3
Legislation and Foreign Assistance	753	745	750	5
Management	1,742	1,727	1,737	10
Non Proliferation and Verification	1,509	1,494	1,503	9
Oceans, International Environmental & Scientific Affairs	1,024	1,011	1,017	6
Political-Military Affairs	2,015	1,984	1,997	13
Private International Law	1,131	1,103	1,112	9
Public Diplomacy and Public Affairs	879	870	875	5
Treaty Affairs	2,013	1,993	2,005	12
United Nations Affairs	754	746	751	5
Western Hemisphere Affairs	642	635	639	4
Total	43,658	43,047	43,323	276

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Funds by Object Class

(\$ in thousands)

Office of the Legal Adviser	FY 2011 Actual	FY 2012 Estimate	FY 2013 Request	Increase / Decrease
1100 Personnel Compensation	23,286	23,264	23,371	107
1200 Personnel Benefits	6,929	6,928	6,959	31
2100 Travel & Trans of Persons	336	321	300	(21)
2300 Rents, Comm & Utilities	611	584	560	(24)
2400 Printing & Reproduction	170	163	150	(13)
2500 Other Services	7,826	7,484	7,654	170
2600 Supplies and Materials	121	116	100	(16)
3100 Personal Property	59	56	54	(2)
4100 Grants, Subsidies & Contributions	4,320	4,131	4,175	44
Total	43,658	43,047	43,323	276