

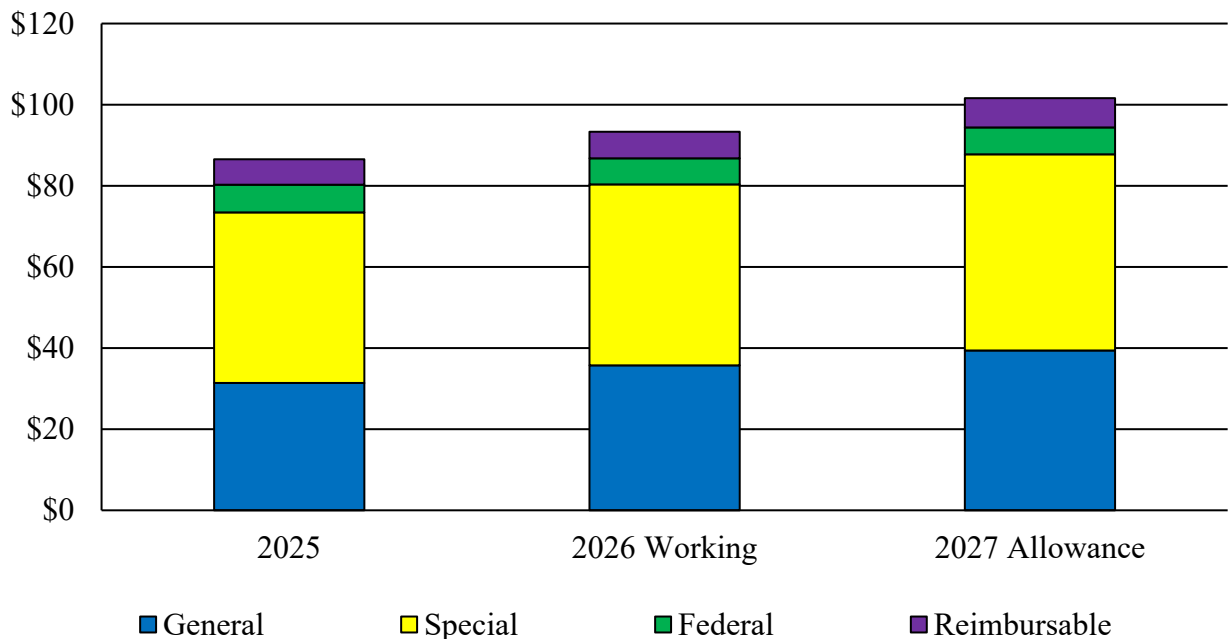
C81C Office of the Attorney General

Program Description

The Attorney General acts as legal counsel to the Governor; the General Assembly; the Judiciary; and all departments, boards, and commissions (except the Maryland Commission on Civil Rights, the Public Service Commission, and the State Ethics Commission). The Office of the Attorney General (OAG) represents the State in all matters of interest to the State, including civil litigation and criminal appeals in all State and federal courts. The office also reviews legislation passed by the General Assembly prior to consideration by the Governor and oversees the expenditures of the Mortgage Loan Servicing Practices Settlement Fund. The office is currently supported by the following divisions: Legal Counsel and Advice; Securities; Consumer Protection; Antitrust; Medicaid Fraud Control; Civil Litigation; Civil Rights; Criminal Appeals; Criminal Investigation; Educational Affairs; Correctional Litigation; Contract Litigation; People’s Insurance Counsel; and Independent Investigations.

Operating Budget Summary

Fiscal 2027 Budget Increases \$8.3 Million, or 8.9%, to \$101.6 Million (\$ in Millions)



Note: The fiscal 2027 statewide salary adjustments are centrally budgeted in the Department of Budget and Management and are not included in this agency’s budget.

For further information contact: Scott Benson

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Fiscal 2026

Status of Legislative Additions

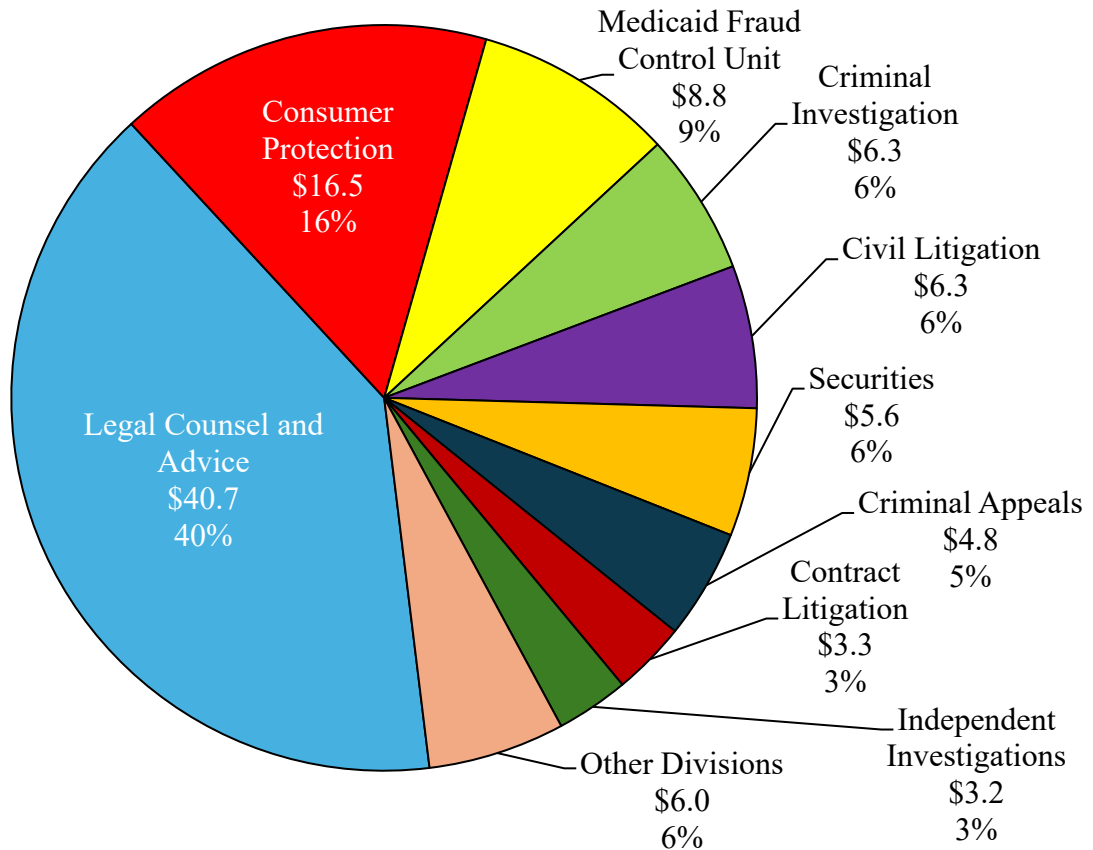
Section 21 of the fiscal 2026 Budget Bill added \$3.8 million in general funds for the following items:

- \$3.6 million under Legal Counsel and Advice to provide access to counsel. These funds were provided to the Maryland Legal Services Corporation (MLSC) as a grant in November 2025 to distribute subgrants to immigrant legal service providers; and
- \$200,000 for the Consumer Protection Division to support efforts to investigate and enforce ticket scalping. This one-time addition will support a contract to provide additional resources for the Consumer Protection Division’s investigation efforts. **OAG should comment on the planned timeline for when a contract will be procured and the funds will be expended.**

Fiscal 2027 Overview of Agency Spending

As shown in **Exhibit 1**, OAG’s fiscal 2027 allowance totals \$101.6 million. Legal Counsel and Advice is the largest program, comprising 40% of the allowance. The Consumer Protection Division is the second largest program with 16% of the allowance.

Exhibit 1
Overview of Agency Spending by Program
Fiscal 2027 Allowance
(\$ in Millions)

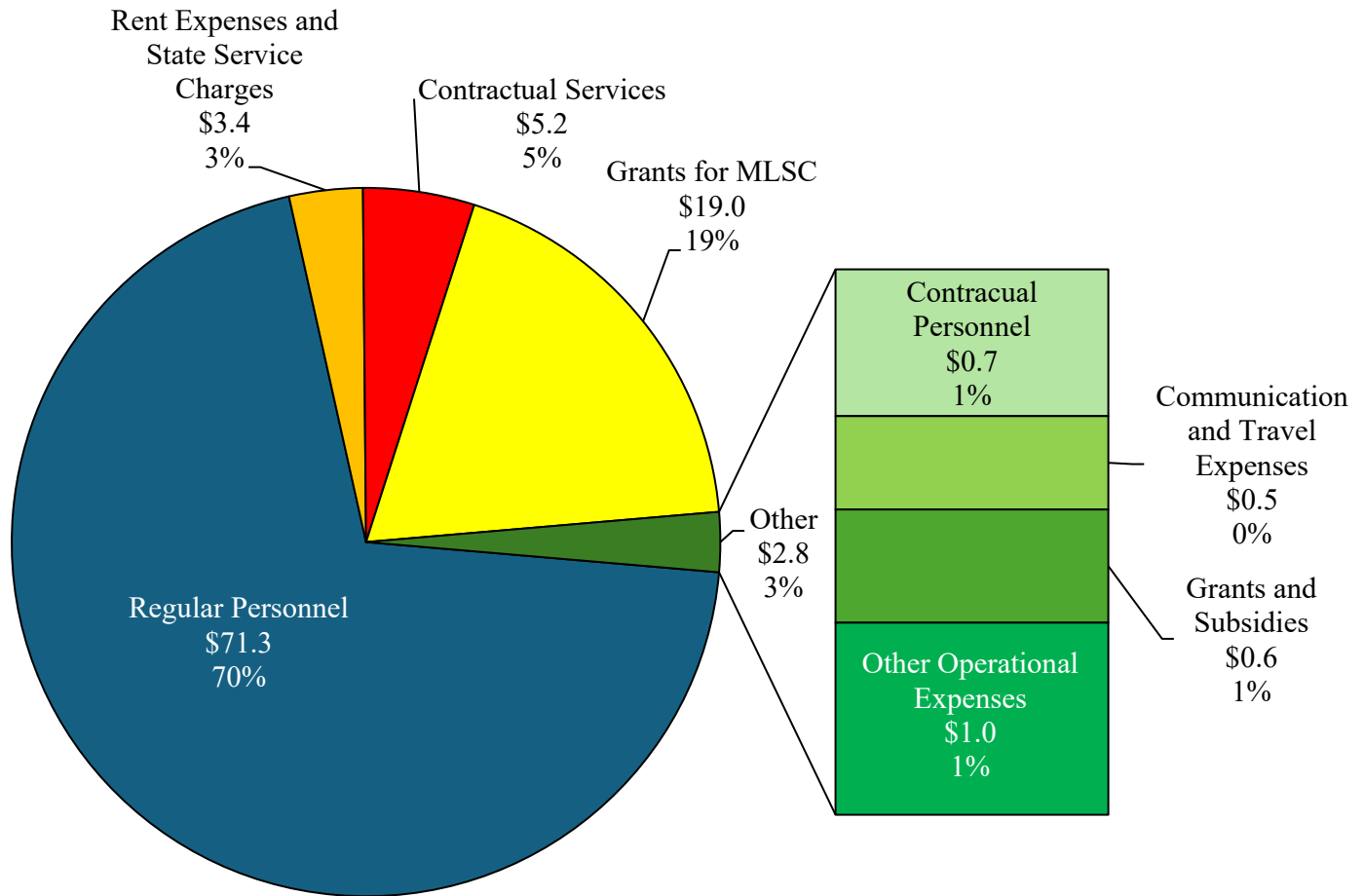


Note: The fiscal 2027 statewide salary adjustments are centrally budgeted in the Department of Budget and Management and are not included in this agency’s budget.

Source: Department of Budget and Management

As shown in **Exhibit 2**, \$71.3 million, or 70%, of the fiscal 2027 allowance supports salaries and fringe benefits for 408.45 regular positions. The second largest category, grants for MLSC, is 19% of the allowance, and includes \$14 million for the Access to Counsel in Evictions (ACE) Program and \$5 million for immigrant legal services. The third largest category, contractual services, comprises 5% of the allowance and funds legal services associated with the Federal Accountability Unit (FAU), Tobacco Enforcement Unit, and information technology-related services.

Exhibit 2
Overview of Agency Spending by Category
Fiscal 2027 Allowance
(\$ in Millions)



MLSC: Maryland Legal Services Corporation

Note: The fiscal 2027 statewide salary adjustments are centrally budgeted in the Department of Budget and Management and are not included in this agency's budget.

Source: Department of Budget and Management

Proposed Budget Change

As shown in **Exhibit 3**, the fiscal 2027 allowance for OAG increases by \$8.3 million, or 8.9%, compared to the fiscal 2026 working appropriation. The largest increases are associated with regular personnel costs, which are largely driven by \$3.9 million in adjustments for salaries and fringe benefits, including health insurance, for existing positions and \$2.1 million to reduce the budgeted turnover rate. Funding for contractual legal services increases by \$929,502, driven by the \$1.5 million increase in the mandated appropriation to support FAU. The largest decreases are due to the end of two one-time federal grants that collectively totaled \$143,014. Both grants were awarded for fiscal 2026 with the goal of assisting OAG in investigating racially motivated hate crimes.

Exhibit 3
Proposed Budget
Office of the Attorney General
(\$ in Thousands)

How Much It Grows:	General Fund	Special Fund	Federal Fund	Reimb. Fund	Total
Fiscal 2025 Actual	\$31,382	\$42,043	\$6,836	\$6,279	\$86,540
Fiscal 2026 Working	35,719	44,609	6,451	6,549	93,328
Fiscal 2027 Allowance	39,408	48,351	6,622	7,229	101,609
Fiscal 2026-2027 \$ Change	\$3,689	\$3,742	\$171	\$680	\$8,281
Fiscal 2026-2027 % Change	10.3%	8.4%	2.7%	10.4%	8.9%

Where It Goes:	Change
Personnel Expenses	
Turnover decreases from 8.94% to 5.59%.....	\$2,120
Employee and retiree health insurance	1,972
Salary increases and associated fringe benefits	1,947
Salaries and fringe benefits for 4.0 new positions	791
Deferred compensation match due to change in budgeting.....	130
Workers' compensation premium assessment.....	122
Other Changes	
Legal services for FAU associated with the mandate change established in Chapter 97 of 2025 (remainder of the \$1.5 million increase supports personnel).....	930
Microsoft licensing to match actual expenditures	233
Contractual personnel expenses, including a net increase of 0.5 positions and adjusting existing positions	184

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Where It Goes:	<u>Change</u>
Conferences and training	100
Legal association dues to match anticipated increases	60
Cost allocation	46
Federal Hate Crimes Grant ends	-25
Federal Emmett Till Grant ends	-118
Contractual legal services, driven by one-time legislative addition for ticket scalping	-165
Other adjustments	-44
Total	\$8,281

FAU: Federal Accountability Unit

Note: Numbers may not sum to total due to rounding. The fiscal 2027 statewide salary adjustments are centrally budgeted in the Department of Budget and Management and are not included in this agency’s budget.

Given the State’s fiscal outlook, the Department of Legislative Services (DLS) recommends reducing \$100,000 in special funds budgeted for in-State conferences and training under the Legal Counsel and Advice Division.

Personnel Data

	FY 25	FY 26	FY 27	FY 26-27
	<u>Actual</u>	<u>Working</u>	<u>Allowance</u>	<u>Change</u>
Regular Positions	369.50	396.50	400.50	4.00
Contractual FTEs	<u>28.40</u>	<u>7.45</u>	<u>7.95</u>	<u>0.50</u>
Total Personnel	397.90	403.95	408.45	4.50

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	22.39	5.59%
Positions and Percentage Vacant as of 12/31/25	25.20	6.36%
Vacancies Above Turnover	2.81	

- In October 2025, the Board of Public Works (BPW) approved the abolition of 502.7 positions statewide, including 170.7 vacant positions and 332.0 positions associated with the Voluntary Separation Program. In OAG, two vacant assistant Attorney General positions were abolished.

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- As of December 31, 2025, OAG had 25.2 vacant regular positions. These positions include 6 administrative officers, 5 administrators, 3.2 assistant Attorneys General, 3 administrative aides, 2 program managers, an executive associate, an HR administrator, a management associate, a principal counsel, a division director, and an administrative manager.
- There are 4.0 new regular positions included in the fiscal 2027 allowance. These positions include the following:
 - a program manager for the People’s Insurance Counsel to perform reviews of insurance company filings for rate increases. This duty is currently carried out by a contractor that has a greater cost than a new position;
 - an assistant Attorney General for the Consumer Protection Division for the Home Builder Registration Unit to assist efforts in reducing the unit’s backlog;
 - a paralegal for the Correctional Litigation Division to support attorneys with day-to-day litigation responsibilities; and
 - an assistant Attorney General for the Correctional Litigation Division to assist with the division’s litigation efforts.

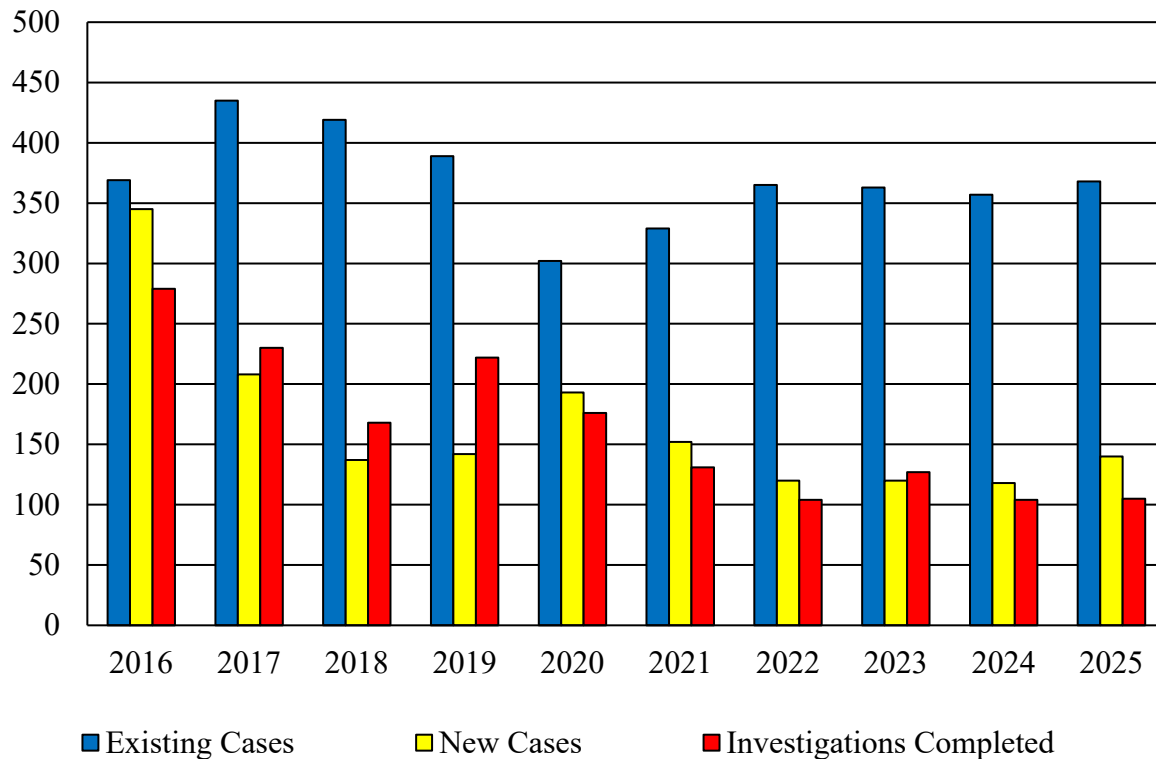
DLS recommends deleting the 2 new positions for the People’s Insurance Counsel and the Consumer Protection Division and instead filling the roles by reclassifying vacant positions.

Key Observations

1. Medicaid Fraud Control Unit Recoveries Slightly Decrease

The Medicaid Fraud Control Unit (MFCU) is a federally required unit within OAG that investigates and prosecutes fraud involving the Medicaid system by either providers or Medicaid administrators. MFCU also investigates and prosecutes crimes involving the ongoing opioid epidemic and the abuse or neglect of vulnerable adults, as it relates to health care. This unit is funded mostly with federal funds and prosecutes civil and criminal cases. As shown in **Exhibit 4**, MFCU completed 105 total investigations in fiscal 2025, essentially flat when compared to fiscal 2024. The total number of existing cases increased by 11, or 3.1%, between fiscal 2024 and 2025, while new cases in fiscal 2025 increased by 22 (18.6%) compared to fiscal 2024.

Exhibit 4
Medicaid Fraud Control Unit Cases
Fiscal 2016-2025

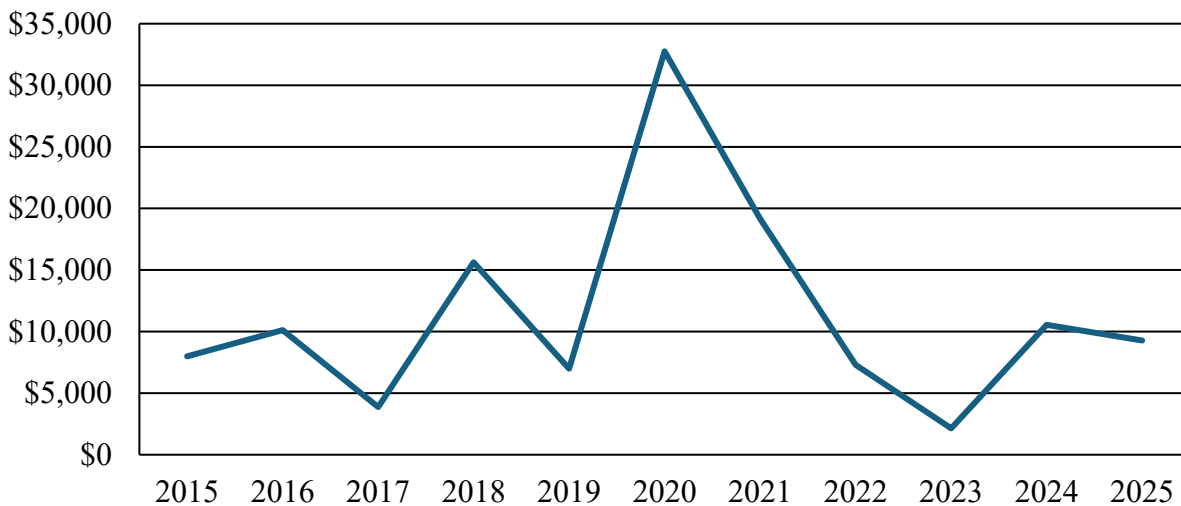


Source: Department of Budget and Management

Language in the fiscal 2026 Budget Bill restricted funds until OAG submitted a report on MFCU total concluded cases by fiscal year, recoveries, and explanations for the recent decrease in activity. In its report, OAG indicated that the decrease in activity after fiscal 2019 was primarily due to a change in the intake process for referrals. Previously, referrals were opened as full investigations regardless of how much evidence was provided, meaning many cases had a low likelihood of success. The revised intake model now has referrals reviewed by staff to make sure there are clear indications of fraud, abuse, or neglect that warrant a full investigation. While this has resulted in a lower total caseload for MFCU, it has improved the efficiency of the unit as more time and resources are able to be spent on cases of higher value.

As shown in **Exhibit 5**, the recoveries obtained by MFCU in fiscal 2025 totaled \$9.3 million, a decrease of \$1.2 million from the prior year. MFCU recoveries include fines, settlements, and overpayments. These recoveries were collected through 19 separate recovery actions, with a single case being responsible for \$5.7 million of the fiscal 2025 total. Predicting recoveries per fiscal year has proven to be challenging as the amount recovered is usually a result of when a case ends or the extent of fraud, factors that are outside of OAG’s control. The significant increase in fiscal 2020 was due to a single \$28 million settlement and is the type of recovery that does not happen frequently. Additionally, OAG is reliant on referrals and the timing is ultimately determined by the whistleblower making the referral.

Exhibit 5
MFCU Identified Fines, Settlements, and Overpayments
Fiscal 2015-2025
(\$ in Thousands)



MFCU: Medicaid Fraud Control Unit

Source: Department of Budget and Management

Despite the decrease in total cases closed, OAG reports that the current intake model has been successful and should be continued as it has resulted in more positive outcomes. As part of the report, OAG recommended that expanding data analytics capacity, improving data sharing with other agencies, and enhancing training efforts to improve referral screening will continue to increase unit efficiency. **OAG should discuss current efforts and estimated resources needed to implement the recommendations made in the report to improve MFCU efficiency. DLS determined the report to be in compliance with the language and recommends the release of \$100,000 in withheld general funds. DLS will process a letter to this effect if no objections are raised by the committees.**

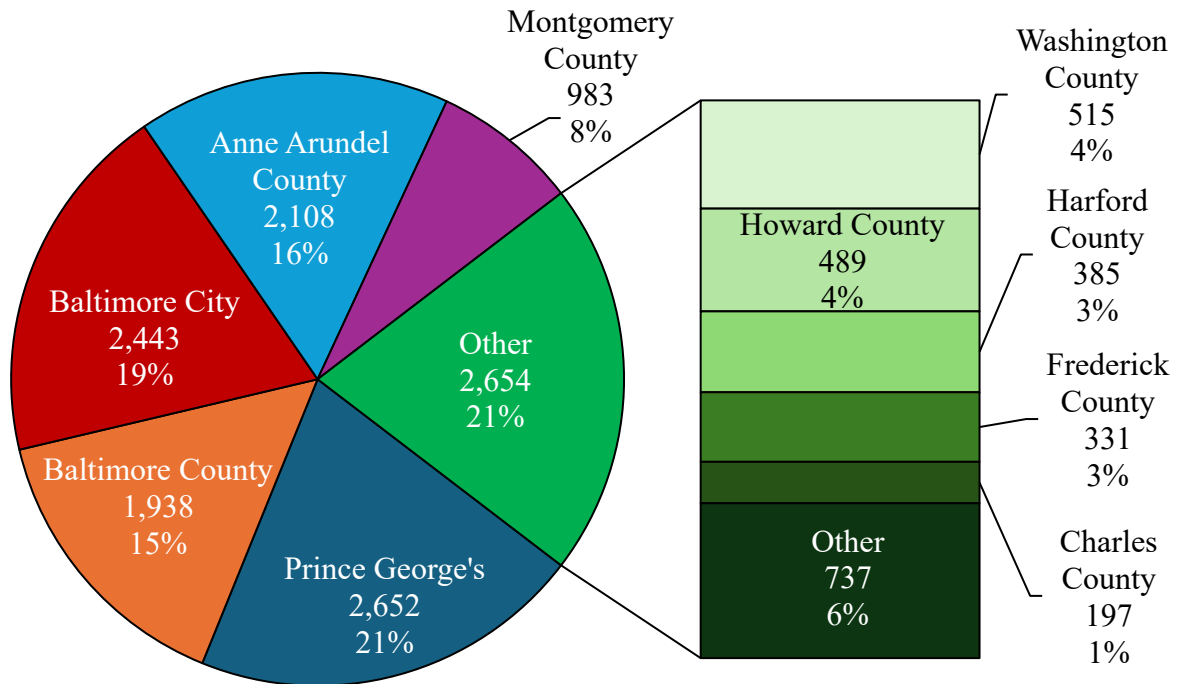
2. Access to Counsel in Evictions Program Enters First Full Year of Operations

Chapter 746 of 2021 established the ACE program, along with the ACE Special Fund, to provide legal representation in cases of eviction for qualifying individuals. The ACE program and the ACE Special Fund are administered by MLSC. While MLSC manages the program and the special fund, the ACE Task Force, also established by Chapter 746, was managed by OAG as the appointments for the task force were made by the agency. Chapter 457 of 2025 transfers the staffing and appointment authority of the ACE Task Force from OAG to the Department of Housing and Community Development. The task force is responsible for studying potential funding sources, making recommendations to improve the implementation of the ACE program, and evaluating the provision of services under the program.

The implementation of the ACE program was phased in over a three-year process, with final implementation occurring on October 1, 2025. Narrative in the 2025 *Joint Chairmen's Report* (JCR) requested that MLSC submit a report on the status of the program at final implementation, data on caseload results, and funding for the program. During fiscal 2024, the ACE program began offering statewide service, and in fiscal 2025, MLSC began working to identify areas of potential improvement before the program was fully implemented. In fiscal 2026, MLSC identified appeals as an area for improvement as many cases are eligible for appeals, but many clients are unable to afford the required appeal bonds. To address this issue, MLSC established a grant that allows select cases to have dedicated funding to cover appeal bond costs. MLSC intends to continue to look for ways to improve the ACE program, but efforts still need to be made to advertise the program within communities facing high eviction rates.

Due to the implementation of statewide services and the focus on increasing service in high demand areas, in fiscal 2025, there was an increase of 4,033 tenants, or 46.1%, compared to fiscal 2024 to a total of 12,778 tenants provided with counsel through the program. As shown in **Exhibit 6**, Anne Arundel, Baltimore, and Prince George's counties and Baltimore City accounted for 72% of the total number of cases served by ACE in fiscal 2025.

Exhibit 6
Eviction Cases Closed with Assistance from the ACE Program by County
Fiscal 2025

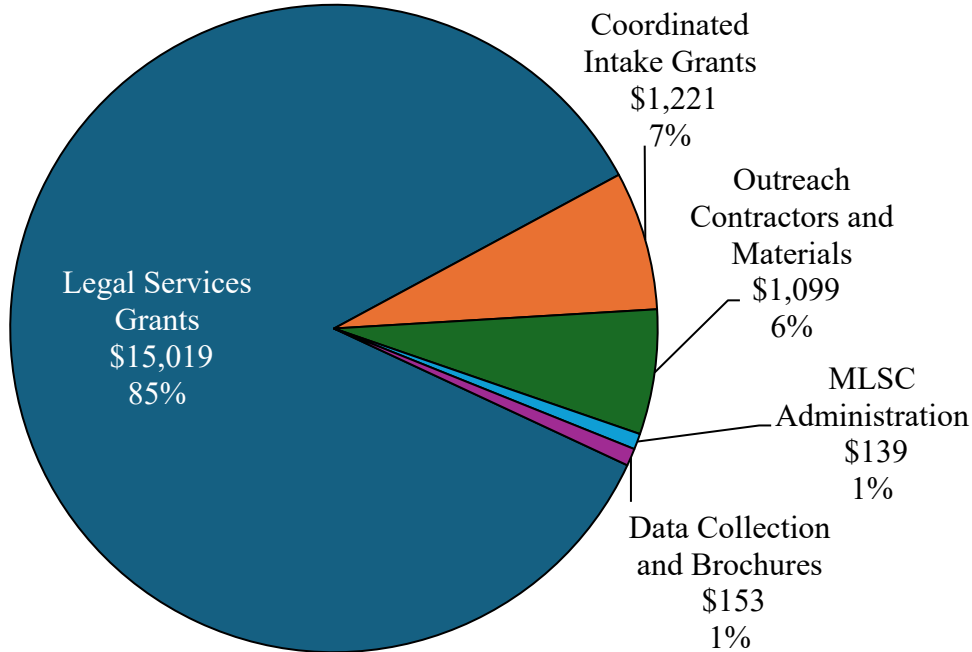


ACE: Access to Counsel in Evictions

Source: Maryland Legal Services Corporation

Chapter 40 of 2022, as amended by Chapter 641 of 2023, requires that (1) \$14.0 million be distributed annually from the Abandoned Property Fund to the ACE Special Fund and (2) the Governor include in the annual budget bill an appropriation of \$14.0 million from the ACE Special Fund to MLSC. These requirements were set to expire after fiscal 2027; however, Chapter 457 extends the annual distribution and mandated appropriation through fiscal 2028. Approximately \$2.3 million in federal funds was provided through the pandemic era Emergency Rental Assistance Program, but these funds were exhausted in September 2025. Chapter 124 of 2024 increased the surcharge imposed by the District Court for summary ejectment cases and required 45% of the surcharge revenues to be deposited into the MLSC Fund, which provides an additional \$2.5 million annually for the program. The funding provided to the ACE program is used primarily to fund legal services grants to providers participating in the program. Funds are also used for administrative costs and tenant outreach and education. As shown in **Exhibit 7**, ACE costs totaled \$17.6 million in fiscal 2025, with legal services grants comprising 85% of the total expenditures.

Exhibit 7
Overview of Access to Counsel in Evictions Program Expenses
Fiscal 2025
(\$ in Thousands)



MLSC: Maryland Legal Services Corporation

Source: Maryland Legal Services Corporation

MLSC included the projected expenditures for the ACE program in its 2025 JCR response, projecting the program will spend \$22.1 million in fiscal 2026. MLSC revised this projection in February 2026 and indicated that the program will spend \$23.7 million for fiscal 2026. However, the fiscal 2026 working appropriation includes only \$16.5 million for the program. MLSC determines its projections by looking at areas for expansion or methods to further the program’s outreach, which ultimately increases the program’s demand. At the fiscal 2025 level of funding, \$17.6 million, the program was able to serve 12,778 cases, even with \$1.1 million supporting efforts to increase outreach. The fiscal 2027 allowance includes the mandated appropriation of \$14 million in OAG, bringing the total for the program to \$16.5 million. As this amount is similar to the program’s fiscal 2025 expenditures, this means that similar levels of service in fiscal 2025 should be provided in fiscal 2027.

DLS recommends the adoption of committee narrative requesting a report on the operations of the ACE program, the estimated costs of the program in fiscal 2028, and future costs.

3. Federal Accountability Unit Challenges Federal Actions

Chapter 26 of 2017 (the Maryland Defense Act) authorizes OAG to defend any civil or criminal suit or action based on the federal government's actions that threaten the public interest and welfare of the State's residents. The Act also established a minimum mandated appropriation of \$1.0 million for OAG beginning in fiscal 2019. To fulfill the responsibilities established under Chapter 26, in February 2025, 6 positions were created by BPW to staff FAU within OAG. FAU was created to coordinate and participate in federal and multistate litigation efforts to counter federal actions or inaction deemed to be against the interests of the State. Beginning in March 2025, FAU was fully staffed with 5 attorneys and 1 paralegal. To assist FAU in its responsibilities, the unit has taken advantage of a partnership between OAG and the New York University School of Law. This partnership has allowed FAU to bring in 4 attorney fellows. In fiscal 2027, FAU has no plans for further expansion as the unit has adequate resources to continue its current operations.

The mandated appropriation established by Chapter 26 was later altered by Chapter 97 of 2025 to increase the appropriation from \$1.0 million to \$2.5 million. Initially, the mandated funds in fiscal 2019 were allowed to be used for the hiring of no more than 5 attorneys under legal counsel and advice, but Chapter 97 also removed that restriction and allowed for funds to be used on any positions deemed necessary. In the fiscal 2027 allowance, the \$1.0 million in special funds comes from the Consumer Protection Recoveries Fund, while the remaining \$1.5 million consists of general funds.

As shown in **Exhibit 8**, as of January 30, 2026, the State is engaged in 51 lawsuits against federal actions across over seven action types. Of these current lawsuits, Maryland is the lead plaintiff in 5, of which 3 are related to federal workers and agencies and the remaining 2 cases focus on education and the environment. Other states, including Arizona, California, Colorado, Illinois, Massachusetts, Michigan, New Jersey, New Mexico, New York, Oregon, Rhode Island, and Washington, are leading the remaining lawsuits that Maryland has joined. On January 1, 2026, OAG published its 2025 Annual Report in which FAU was credited with preserving more than \$100 million in education funding and more for other programs. **OAG should discuss the federal funds that were preserved and which agencies and programs were impacted. DLS recommends adopting committee narrative requesting a report on the FAU's actions and expenditures in fiscal 2026 and 2027 year to date.**

Exhibit 8
Current Lawsuits Against Federal Actions
As of January 30, 2026

<u>Related Federal Action</u>	<u>Current Lawsuits</u>
Education	9
Environment	9
Federal Funding Freezes	7
Federal Workers/Agencies	7
Health Care/Human Services	7
Immigration	5
LGTBQIA+ Issues	2
Other	5

Source: Office of the Attorney General

4. Litigation under the Child Victims Act Continues

Chapters 5 and 6 of 2023, the Child Victims Act (CVA), repealed the statute of limitations on child sexual abuse lawsuits. Chapter 104 of 2025 altered the CVA by limiting the potential liability to a claimant from \$890,000 to \$400,000 if filed on or after June 1, 2025. As of August 19, 2025, OAG reported there to be about 11,000 plaintiffs who have filed cases against the Department of Juvenile Services (DJS), the Department of Human Services, and the Maryland Department of Health, with the majority being filed before June 1, 2025.

Negotiations are ongoing between OAG, outside counsel hired by the State, and representatives of parties that have filed suit against the State. As of December 21, 2025, payments to claimants have not begun while cases continue. However, DJS has begun making payments to assistant counsels to cover bills associated with litigation and mediation. **OAG should comment on the number of plaintiffs who have filed cases under the CVA, the potential financial costs to the State, and the estimated timeline for current litigation and for payouts to begin.**

Operating Budget Recommended Actions

		<u>Amount Change</u>	<u>Position Change</u>
1.	Reduce 2.0 new positions (N2720034 and N2719986). The Office of the Attorney General has 25.2 vacant positions as of December 31, 2025. The functions of the new positions can be filled by reclassifying existing vacant positions.	-\$377,276 SF	-2.0
2.	Reduce \$100,000 in special funds for the purpose of in-State conferences and training in the Legal Counsel and Advice Division.	-\$100,000 SF	
3.	Access to Counsel in Evictions (ACE) Operations and Future Costs Report: With final implementation of the ACE program complete, the committees request a report on the status of the program at the end of fiscal 2026, including the total cost of the operation of the program, the total number of participating legal services providers, the total funding granted to each provider in fiscal 2026 and 2027, the program’s procedures for ensuring adequate coverage in each jurisdiction, the total number of cases in fiscal 2026, the results of all cases in fiscal 2026, and the number of rejected tenants and the reasons for rejection in fiscal 2026. The report should also include a breakdown of all available funding in fiscal 2027 and the estimated cost to operate the program in fiscal 2027 and 2028.		

Information Request	Author	Due Date
ACE operations and future costs report	Maryland Legal Services Corporation	November 15, 2026

4. **Federal Accountability Unit (FAU) Actions Report:** The committees request a report from the Office of the Attorney General (OAG) on FAU activities to counter federal actions negatively impacting the State. The report should contain, for fiscal 2026 and fiscal 2027 year to date, a list of new and ongoing litigation the State entered against the federal government, information on restored federal funds, and a breakdown of total FAU costs and personnel. This report should also discuss any potential recommendations to improve the unit’s efficiency and operations.

C81C – Office of the Attorney General

Information Request	Author	Due Date	
FAU actions report	OAG	October 15, 2026	
Total Net Change to Fiscal 2027 Allowance		-\$477,276	-2.0

Updates

- ***Francis Scott Key Bridge Litigation Ongoing:*** OAG remains engaged in litigation regarding the Francis Scott Key Bridge collapse. Currently, litigation against the Dali is being managed by outside counsel on a contingency basis. Expenses such as travel, experts, and depositions are paid for by the Department of Budget and Management from \$10 million set aside in calendar 2024. A trial is scheduled to begin on June 1, 2026, in the U.S. District Court in Baltimore. This trial will determine whether the Dali’s owner and manager are entitled to limit their liability to the value of the ship, approximately \$50 million. OAG expects litigation will be ongoing over the next several years. For defensive litigation against the State, outside counsel fees and expenses are paid by the Maryland Transportation Authority.

Appendix 1
2025 Joint Chairmen’s Report Responses from Agency

The 2025 JCR requested that OAG prepare 3 reports. Electronic copies of the full JCR responses can be found on the DLS Library website.

- ***ACE Final Implementation and Future Costs Report:*** MLSC submitted the report on November 15, 2025. The report contains the status of the program as of its final phased in implementation, total program costs, the status of the coordinated intake system, a list of legal service providers, case statistics, and a recommendation for permanent funding. Additional information on this report can be found in Key Observation 2.

- ***Comprehensive Privacy Legislation Enforcement:*** Chapters 454 and 455 of 2024, the Maryland Online Data Privacy Act (MODPA), went into effect on October 1, 2025. The goal of the MODPA is to establish consumer protections for personal data, granting people greater access and control over their digital information. The committees requested a report on efforts to enforce the MODPA, and OAG submitted the report on September 1, 2025. As the passage of the MODPA did not increase funding for OAG, current staff within the General Enforcement Unit will investigate violations of the MODPA. OAG will, with available resources, prioritize educating the business community and consumers of MODPA’s requirements.

- ***Report on Decreased MFCU Activity:*** MFCU has reported reductions in closed cases since fiscal 2015. Language in the fiscal 2026 Budget Bill restricted \$100,000 in general funds pending the submission of a report by OAG on MFCU activities. The report submitted on October 31, 2025, contained case statistics, explanations behind the decrease in total caseload, and recommendations for the unit to improve operations. Additional information on this report can be found in Key Observation 1.

Appendix 2
Object/Fund Difference Report
Office of the Attorney General

<u>Object/Fund</u>	<u>FY 25 Actual</u>	<u>FY 26 Work Approp.</u>	<u>FY 27 Allowance</u>	<u>FY 26 – 27 \$ Change</u>	<u>% Change</u>
Positions					
01 Regular	369.50	396.50	400.50	4.00	1.0%
02 Contractual	28.40	7.45	7.95	0.50	6.7%
Total Positions	397.90	403.95	408.45	4.50	1.1%
Objects					
01 Salaries, Wages, and Fringe Benefits	\$61,757,362	\$64,191,860	\$71,273,657	\$7,081,797	11.0%
02 Technical and Special Fees	2,392,631	752,508	928,735	176,227	23.4%
03 Communications	149,816	277,714	279,414	1,700	0.6%
04 Travel	279,337	94,240	194,273	100,033	106.1%
07 Motor Vehicle Operation and Maintenance	218,437	156,785	158,046	1,261	0.8%
08 Contractual Services	3,196,607	4,625,710	5,487,721	862,011	18.6%
09 Supplies and Materials	340,254	311,692	311,692	0	0.0%
11 Equipment – Additional	127,010	122,201	122,201	0	0.0%
12 Grants, Subsidies, and Contributions	14,696,907	19,574,112	19,574,112	0	0.0%
13 Fixed Charges	3,381,486	3,220,899	3,279,288	58,389	1.8%
Total Objects	\$86,539,847	\$93,327,721	\$101,609,139	\$8,281,418	8.9%
Funds					
01 General Funds	\$31,382,322	\$35,719,171	\$39,407,846	\$3,688,675	10.3%
03 Special Funds	42,042,508	44,608,601	48,350,915	3,742,314	8.4%
05 Federal Funds	6,835,962	6,450,877	6,621,726	170,849	2.6%
09 Reimbursable Funds	6,279,055	6,549,072	7,228,652	679,580	10.4%
Total Funds	\$86,539,847	\$93,327,721	\$101,609,139	\$8,281,418	8.9%

Note: The fiscal 2027 allowance does not include statewide salary adjustments budgeted within the Department of Budget and Management.