



## Administrative Review and Appeals Executive Office for Immigration Review (EOIR)

### FY 2011 Budget Request At A Glance

FY 2010 Enacted:	\$298.9 million (1,558 positions; 500 attorneys)
Current Services Adjustments:	+\$7.6 million (2.5% above FY 2010 Enacted)
Program Changes:	+\$10.9 million
FY 2011 Budget Request:	\$316.4 million (1,683 positions; 531 attorneys)
Change from FY 2010 Enacted:	+\$18.5 (+6.2%) (+125 positions; +31 attorneys)

#### Mission:

The mission of the EOIR is to adjudicate immigration cases in a careful and timely manner, including cases involving detained aliens, criminal aliens, and aliens seeking asylum as a form of relief from removal, while ensuring the standards of due process and fair treatment for all.

#### Resources:

The budget request for FY 2011 totals \$316.4 million, for direct salaries and expenses, which is a 6.2 percent increase over the FY 2010 Enacted level.

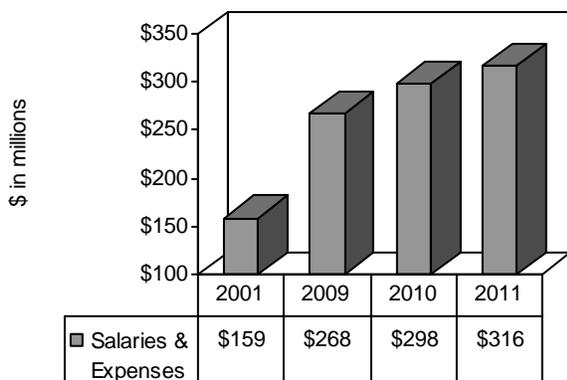
#### Organization:

The EOIR was created on January 9, 1983, through an internal Department of Justice (DOJ) reorganization that combined the Board of Immigration Appeals (BIA or Board) with the Immigration Judge function. Besides establishing EOIR as a separate agency within DOJ, this reorganization made the Immigration Courts independent of the agency charged with enforcement of federal immigration laws. The Office of the Chief Administrative Hearing Officer was added in 1987. EOIR is headed by a Director, appointed by the Attorney General, who oversees 58 Immigration Courts nationwide, as well as BIA and the headquarters organization located in Falls Church, VA.

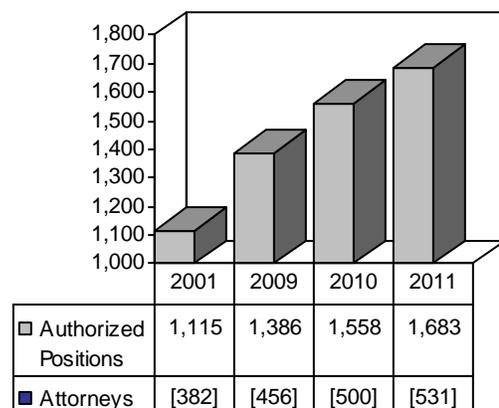
#### Personnel:

The EOIR's direct authorized positions for FY 2011 total 1,683 positions, including 531 attorneys. All the authorized positions are located in domestic offices. EOIR's FY 2011 request includes an increase of 125 positions including 31 attorneys, over the FY 2010 enacted level of 1,558 direct authorized positions.

**Funding (FY 2001 - 2011)**



**Personnel (FY 2001 - 2011)**



\* Includes reimbursable attorneys

**FY 2011 Strategy:**

EOIR represents the Department's front-line presence with respect to the application of immigration law. Cases are received on-site, across the Nation, directly from Department of Homeland Security enforcement personnel. As such, the coordination of resource allocation between DOJ/EOIR and the DHS is a critical issue.

EOIR strategies to respond to this issue are twofold. On an on-going basis, EOIR's Office of the Chief Immigration Judge monitors caseload volume, trends and geographic concentration and adjusts resource allocations accordingly. This is done by modifying local dockets, adjusting detail assignments and permanently reassigning judge and staff positions to higher volume courts. This strategy involves close national and local coordination with DHS immigration enforcement personnel.

EOIR's second strategy involves coordinating initiatives and program increases with DHS. Within DHS, Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) bring together the majority of immigration enforcement programs that generate immigration case load.

EOIR's challenges are of an internal and external nature. Externally, budget proposals generally reflect collaboration with DHS to best address workload projections or, in the case of IT projects to establish systems that facilitate interagency effectiveness. Virtually all of EOIR's workload is generated by DHS.

EOIR has to plan and coordinate with DHS as enforcement programs increase. EOIR's immigration court cases continue to increase with DHS' heightened enforcement efforts. During 2008, the courts received 351,629 matters for adjudication. For 2009, EOIR received 389,352 matters for adjudication.

The BIA's mission is to provide timely guidance and interpretation of Immigration law. BIA receives over 30,000 appeals per year which is an extremely large volume for an appellate body.

**FY 2011 Program Changes:**

**Immigration and Southwest Border Initiative:** \$11.0 million, including 125 positions (31 Attorneys) to add 21 Immigration Judge Teams and 10 Board of Immigration Appeals attorneys. This increase is necessary to effectively respond to DHS' increased implementation of the Secure Communities Initiative. Secure Communities expands and revolutionizes the existing DHS Criminal Alien Program, in which EOIR has played a key role by adjudicating cases, including those of aliens incarcerated in federal, state and local prisons and jails. Using biometric identification capabilities, Secure Communities is deployed in over 100 jurisdictions, with DHS planning 190 additional jurisdictions in 2010, and 900 additional in 2011.

The FY 2011 current services for this initiative are 1,558 positions and \$305.5 million, including the additional 28 Immigration Judge Teams and 10 Board of Immigration Appeals attorneys received in the FY 2010 enacted budget.

**Travel Management Efficiencies:** The Department is continually evaluating its programs and operations with the goal of achieving across-the-board economies of scale that result in increased efficiencies and cost savings. In FY 2011, DOJ is focusing on travel as an area in which savings can be achieved. For EOIR, travel or other management efficiencies will result in offsets of \$173,000. This offset will be applied in a manner that will allow the continuation of effective law enforcement program efforts in support of Presidential and Departmental goals, while minimizing the risk to health, welfare and safety of agency personnel.

**Financial Snapshot 2009**

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