

**United States Department of Justice
Executive Office for Immigration Review**



**FY 2027 Performance Budget
Congressional Justification
March 2026**

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I. Overview for Executive Office for Immigration Review

The Executive Office of Immigration Review (EOIR) requests \$899,000,000 in budget authority for Fiscal Year (FY) 2027, to support the agency's mission. This request funds 2,700 permanent positions and 2,651 full-time (FTE) employees. The FY 2027 request includes a \$10,000,000 transfer from the Department of Homeland Security's (DHS) Immigration Examination Fee Account.

The Department of Justice's (DOJ or "the Department") EOIR is responsible for adjudicating immigration cases through immigration court proceedings, appellate reviews, and administrative hearings. EOIR ensures the fair, expeditious, and uniform administration and interpretation of U.S. immigration law and serves as the Department's primary adjudicatory body for immigration matters. As a central participant in the federal immigration system, EOIR must maintain sufficient capacity to meet operational requirements and respond to evolving demands.

Immigration proceedings are initiated when DHS files a Notice to Appear (NTA), charging an individual with a violation of federal immigration law and seeking removal from the United States. Recent changes in immigration enforcement priorities and policies have resulted in increased enforcement and case processing by DHS components, including U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS). These elevated activity levels are expected to continue. Accordingly, adequate EOIR resources are necessary to support timely adjudication of cases and to maintain alignment with DHS enforcement actions.

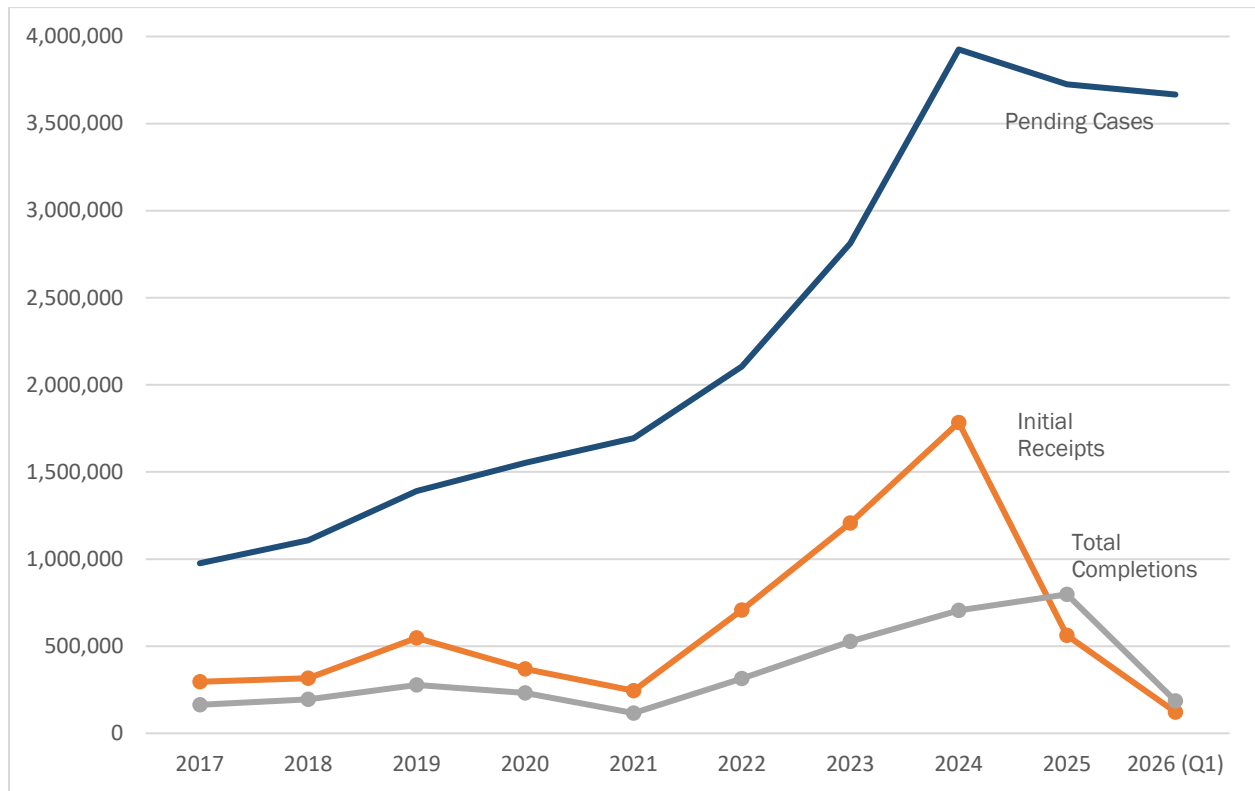
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Budget Summary

EOIR continues to manage a substantial pending caseload. The high volume in new case filings between FY 2022 through FY 2024 still represents the agency's most significant workload challenge. Although Title 42 and COVID restrictions contributed to limited case filings from March 2020 through the end of Fiscal Year 2021, the pending caseload increased 182.1 percent from the end of FY 2019 (beginning FY 2020) to the end of FY 2024. This was driven by a historically high number of new referrals to EOIR from DHS. The new referrals averaged over 1.2 million cases annually from FY 2022 to the end of FY 2024. In FY 2025 new referrals decreased significantly, dropping to approximately 560,000 (with almost half of the referrals occurring in the first quarter). The decrease in new case filings, coupled with EOIR's much more productive workforce, enabled the backlog to be reduced 5.1 percent by the end of FY 2025. This represented the first pending case decrease in recent EOIR history (since FY 2006). The pending caseload was further reduced by another 1.6 percent in the first quarter of FY 2026.

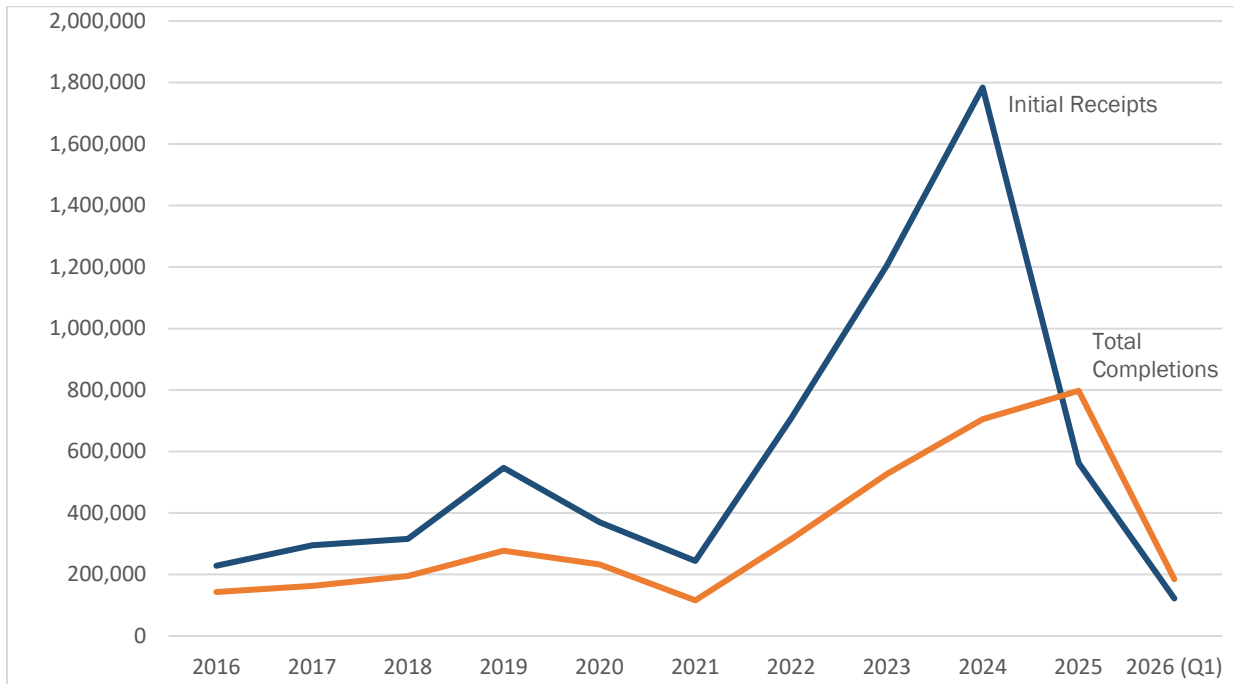
As productive as EOIR may be, with IJs completing an average of 31.27% more cases per adjudicator in FY 2025, the pending caseload is driven by the volume of DHS referrals, which are directly influenced by current immigration policies. It is necessary EOIR receive sufficient resources to grow its workforce to meet potential demand and reduce the pending caseload.

Office of the Chief Immigration Judge
Historical Caseload for FYs 2017 through 2026 Q1



Fiscal Year	Pending Cases at end of Fiscal Year
2017	975,952
2018	1,108,275
2019	1,391,335
2020	1,551,954
2021	1,694,212
2022	2,105,291
2023	2,811,683
2024	3,925,499
2025	3,724,547
2026 (Q1)	3,666,795

Office of the Chief Immigration Judge
New Cases and Total Completions FY 2016 through 2026 Q1



Fiscal Year	Initial Receipts	Average Initial Receipts Per Month	Total Completions	Average Total Completions Per Month
2016	228,450	19,038	143,479	11,957
2017	295,259	24,605	163,073	13,589
2018	316,134	26,345	195,145	16,262
2019	547,236	45,603	277,076	23,090
2020	369,594	30,800	232,314	19,360
2021	244,264	20,355	115,964	9,664
2022	707,526	58,961	314,809	26,234
2023	1,206,108	100,509	526,714	43,893
2024	1,783,911	148,659	704,829	58,736
2025	562,370	46,864	797,496	66,458
2026 (Q1)	122,073	40,691	185,075	61,692

Program Overview

Organization of EOIR

EOIR's primary mission is to adjudicate immigration cases by fairly and uniformly interpreting and administering the Nation's immigration laws. This is accomplished through immigration hearings (Office of the Chief Immigration Judge, OCIJ), appellate review of decisions in immigration matters (Board of Immigration Appeals, BIA), and administrative hearings (Office of the Chief Administrative Hearing Officer, OCAHO). These proceedings provide a process through which individuals and entities can respond to government immigration charges, complaints, or denial of benefits, and seek relief from removal. EOIR operates 75 immigration courts and adjudication centers throughout the Nation.

EOIR is led by a Director and a Deputy Director, as well as a professional staff who make up the Office of the Director (OOD). EOIR consists of four non-adjudicating components; the Office of Administration (OA) who provides administrative and operational support, the Office of the General Counsel (OGC) who provides legal advice involving EOIR and its employees, the Office of Information Technology (OIT) who oversees EOIR's information technology (IT) infrastructure, and the Office of Policy (OP) who handles policy development, communications, training, regulations, and legal updates.

EOIR's FY 2027 Budget Strategy

EOIR's request includes \$36,800,000 in IT funding to enhance programmatic efficiency in immigration proceedings, mitigate increasing enterprise risk associated with aging and obsolete technology, and ensure that EOIR systems remain secure, resilient, and responsive to current and future operational requirements. This investment supports the modernization of critical IT infrastructure and applications necessary to sustain EOIR's adjudicatory mission.

As part of this effort, EOIR intends to strategically leverage emerging technologies, including artificial intelligence (AI), to automate select business processes, reduce long-term program costs, and improve overall mission performance. Priority modernization initiatives include AI-enabled transcription of immigration court proceedings, modernization of EOIR's Case Management System (CMS), enhancements to EOIR applications, and the continued digitization of EOIR records.

Additionally, EOIR will be prioritizing a workforce realignment strategy to restore dedicated personnel necessary to support Immigration Judges (IJs), who continue to manage substantial caseloads. Based on federal laws and regulations, EOIR works to complete as many cases as possible in a timely, but fair, manner. Without adequate resources, the immigration enforcement continuum runs into a bottleneck with the processing of aliens in immigration courts as well as their removal if ordered. Delays in removal proceedings incentivize unscrupulous individuals to enter the United States illegally, exploit the system, and clog the immigration courts, worsening the backlog. A large backlog works to the advantage of aliens without meritorious claims and encourages further illegal migration by aliens who pose a threat to life and property as described by President Trump. [See Executive Order 14194](#) of February 1, 2025 (Imposing Duties to Address the Situation at our Southern Border).

Addressing this workload requires adequate investment in support staffing resources. Targeted support staffing investments provide immediate operational relief, as underinvestment exacerbates the backlog and increases both the cost and complexity of future resolution efforts. For example, legal and administrative support is key to the timely processing of legal motions and evidentiary submissions, timely issuance of orders, and the provision of critical technical and administrative assistance to ensure that IJs are able to maximize overall adjudicatory capacity.

Immigration Judge (IJ) Hiring¹ FY 2016 through FY 2026 (Q1)

Fiscal Year	Total IJs Hired	Total IJs On-Board
2016	56	289
2017	64	338
2018	81	395
2019	92	442
2020	99	517
2021	65	559
2022	104	634
2023	133	734
2024	46	735
2025	14	634
2026 (Q1)	11	557

Investments in both IT modernization and adjudicatory and administrative support personnel are essential to achieving efficiency gains, reducing operational risk, and improving the timely and effective administration of immigration proceedings.

In addition, the Department has provided resources to support hiring immigration judges and necessary support staff from funding provided in Public Law 119-21, Title X, Subtitle A, Part II section 100054(1). The new law also provided fee collection authority to EOIR as reflected in the chart below. EOIR's collection portal went live in September 2025. Prior year collections and future year projections will be provided once EOIR has one full year of data for analysis.

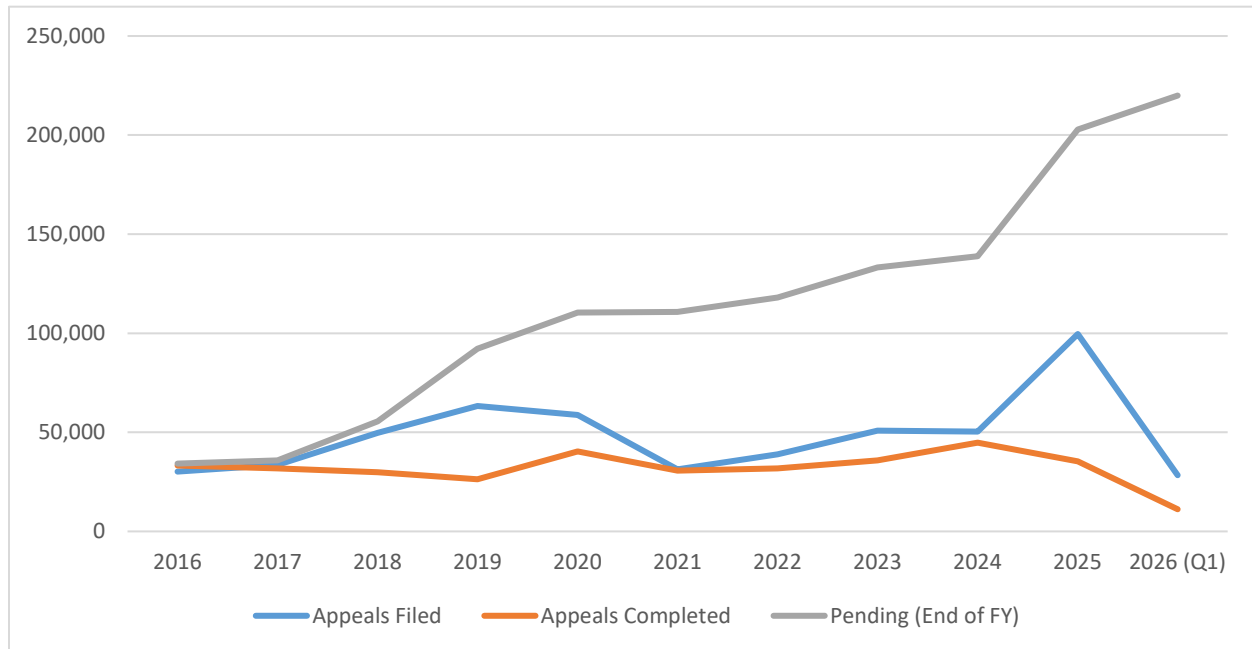
Executive Office for Immigration Review EOIR Fees established by the Public Law 119-21, Title X, Subtitle A

¹ This does not include Temporary Immigration Judges or Reemployed Annuitant Immigration Judges.

OCIJ and BIA Fees Established by the OBBBA to Help Offset EOIRs Adjudication Costs - Fees Presented Reflect the Updated February 1, 2026 Fees to Collect by Application/Motion -				
EOIR Forms	EOIR Form Description	Current Fee Amount (as of Feb 1, 2026) (\$)	Proportion of Each Fee for EOIR (%)	Amount of Each Fee for EOIR (\$)
1-485	Application to Register Permanent Residence or Adjust Status	\$2,980	25%	\$745
I-589 - Initial Asylum Fee	Application for Asylum and for Withholding of Removal—Initial Application	\$100	50%	\$50
I-589 - Annual Asylum Fee	Application for Asylum and for Withholding of Removal—Annual Asylum Fee	\$102	0%	\$0
42A	Application for Cancellation of Removal for Certain Permanent Residents	\$710	25%	\$178
42B	Application for Cancellation of Removal and Adjustment of Status for Certain Nonpermanent Residents	\$1,640	25%	\$410
40	Application for Suspension of Deportation	\$710	25%	\$178
I-821	Application for Temporary Protected Status	\$510	25%	\$128
I-601	Application for Waiver of Grounds of Inadmissibility	\$2,120	25%	\$530
26	Notice of Appeal from a Decision of an Immigration Judge	\$1,030	25%	\$258
29	Notice of Appeal to the Board of Immigration Appeals from a Decision of a DHS Officer	\$1,030	25%	\$258
45	Notice of Appeal from a Decision of an Adjudicating Official in a Practitioner Disciplinary Case	\$2,030	25%	\$508
OCIJ Motion	Motion to reopen or reconsider a decision of an Immigration Judge	\$1,065	25%	\$266
BIA Motion	Motions to reopen or reconsider a decision of the Board of Immigration Appeals filed by an alien	\$1,030	25%	\$258

The large pending caseload also has downstream effects (see chart below regarding BIA appeals). For instance, in FY 2025, approximately 100,000 appeals were filed, which is a 97.5 percent increase from FY 2024; in that same year, just over 35,000 appeals were completed. Currently, the BIA’s pending caseload has grown to a peak of nearly 220,000, a rise of over 542.6 percent in the past decade.

Board of Immigration Appeals
FY 2016 through FY 2026 (Q1)



FY	Appeals Filed	Appeals Completed	Pending (End of FY)
2016	30,227	33,241	34,226
2017	33,564	31,820	35,820
2018	49,646	29,790	55,467
2019	63,234	26,271	92,244
2020	58,838	40,393	110,479
2021	31,241	30,727	110,836
2022	38,901	31,763	118,103
2023	50,864	35,883	133,143
2024	50,426	44,785	138,791
2025	99,603	35,362	202,803
2026 (Q1)	28,359	11,171	219,945

Internal Challenges

EOIR is working to reshape its workforce to meet both current and future needs. EOIR has grown substantially in recent years and incorporated a much more IT-dependent business process. It is critical that EOIR further evaluate its workforce planning to ensure the right mix of a talented, engaged, and goal-driven workforce. From FY 2021 to FY 2024 EOIR made significant investments in new IJs across its nationwide courts, however, EOIR was unable to hire sufficient support staff to improve efficiency and to adequately handle incoming annual filings. EOIR plans to strengthen support staff capacity in its workforce prioritization strategy.

EOIR is also coordinating with the General Services Administration (GSA) to develop a real estate strategy that ensures the most effective space utilization of its real estate footprint and incorporates cost savings opportunities to the maximum extent possible. This strategy includes transitioning its existing footprint to a hybrid model that incorporates more virtual hearing rooms and reduces the number of courtrooms per court location. At present, EOIR's OCIJ field staff are based at particular immigration court locations where they work. The majority of EOIR's offices are public facing; thus, EOIR's real estate footprint has been largely controlled by the location of the aliens who appear before the immigration courts, which require courtrooms, space for members of the public attending or observing immigration proceedings to gather, and specialized security requirements and hardware and network technology.

Finally, EOIR is seeking to align resources to incorporate technological solutions, including artificial intelligence, to increase automation and virtual hearing capacity across the agency.

External Challenges

DHS agencies such as ICE, CBP, and USCIS have significantly increased their enforcement and processing and will likely continue to do so in the coming years. From FY 2023 to FY 2024, approximately 3 million illegal aliens were referred to EOIR. This has resulted in EOIR's pending caseload increasing from approximately 1.5 million in FY 2020 to approximately 3.7 million today. Presently, even with the border more secure, EOIR is tracking over 560,000 receipts received in FY 2025 and is on track to receive approximately 600,000 in FY 2026. EOIR hearings are currently scheduled out through FY 2030.

As a result, it remains critically important that EOIR has sufficient resources to keep pace with DHS enforcement efforts.

II. Summary of Program Changes

Item Name	Description	Pos.	FTE	Dollars (\$000)	Page
IT Modernization	Investment into critical IT infrastructure and applications. This is in support of E.O. 14179 , " <i>Removing Barriers to American Leadership in AI</i> " and in accordance with OMB Memorandum M-25-21 , " <i>Accelerating Federal Use of AI through Innovation, Governance, and Public Trust</i> ", agencies are encouraged to drive AI innovation and use such technology to provide improved services to the public.	0	0	\$36,800,000	20

III. Appropriations Language and Analysis of Appropriations Language

Appropriations Language:

Executive Office for Immigration Review
(Including Transfer of Funds)

For expenses necessary for the administration of immigration-related activities of the Executive Office for Immigration Review, \$899,000,000, of which \$10,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the “Immigration Examinations Fee” account Provided, That not to exceed \$50,000,000 of the total amount made available under this heading shall remain available until September 30, 2031, for build-out and modifications of courtroom space.

Analysis of Appropriations Language

EOIR is requesting removal of the statutory language that currently requires spending of \$27.5 million on the Legal Orientation Program (LOP). The LOP provides various inefficient and wasteful services to aliens and is directly contrary to the President’s policies. [Previous studies](#), provide evidence that the LOP program duplicated the efforts of the IJs during the initial master hearings and generally led to increased processing times and no increase in representation when compared to non-LOP participants. The LOP program costs taxpayers tens of millions of dollars each year with no return on investment. Removing the required LOP funding levels allows EOIR to better manage its limited resources and increase capacity to help address the backlog.

IV. Program Activity Justification

<i>Executive Office for Immigration Review</i>	Direct Positions	Estimated FTE	Amount (\$000)
2025 Enacted ^{1/}	2,700	2,595	\$844,000
2026 Enacted	2,200	2,095	\$800,000
Adjustments to Base and Technical Adjustments	500	556	\$62,200
2027 Current Services	2,700	2,651	\$862,200
2027 Program Increases	0	0	\$36,800
2027 Request	2,700	2,651	\$899,000
Total Change 2026-2027	500	556	\$99,000
<i>Executive Office for Immigration Review- Information Technology Breakout (of Decision Unit Total)</i>	Direct Positions	Estimated FTE	Amount (\$000)
2025 Enacted	40	39	\$88,478
2026 Enacted	40	34	\$88,691
Adjustments to Base and Technical Adjustments	0	0	\$1,459
2027 Current Services	40	34	\$90,150
2027 Program Increases	0	0	\$36,800
2027 Request	40	34	\$126,950
Total Change 2026-2027	0	0	\$38,259

^{1/} FTE is actual

1. Program Description

Under the direction of the EOIR Director and Deputy Director, the following components conduct adjudicative proceedings:

Adjudicative Components

- Office of the Chief Immigration Judge (OCIJ) – OCIJ oversees the administration of 75 immigration courts and adjudication centers located throughout the United States. It exercises administrative supervision over OCIJ employees, including immigration judges, assigned to those courts. OCIJ develops policies and procedures for immigration proceedings throughout the immigration court system. The IJs in OCIJ preside over administrative hearings and conduct removal proceedings to determine whether foreign-born individuals, who are charged by DHS with violating immigration law, should be ordered removed from the United States or should be granted relief or protection from removal and be permitted to remain in this country. Generally, IJs determine removability and adjudicate applications for relief from removal such as cancellation of removal, adjustment of status, asylum, and/or waivers of removability. Custody redetermination hearings are held when an alien in DHS custody seeks a reduction in the bond amount set by DHS, or a release on their own recognizance.

With respect to criminal alien adjudications, the Institutional Hearing Program (IHP)² provides the framework for hearings to determine the immigration status of aliens convicted of offenses who are incarcerated in federal, state, and local prisons across the United States. EOIR's IHP is designed to expedite the removal of criminal aliens and involves close coordination with DHS, the Bureau of Prisons, and State and local corrections authorities.

The Chief Immigration Judge provides overall program direction, articulates policy, and establishes priorities for the immigration judges located in courts throughout the United States. The Chief Immigration Judge carries out these responsibilities with the assistance of Deputy and Assistant Chief Immigration Judges; and offices such as the Chief Clerk's Office and Language Services Unit that assist with coordinating management and operation of the immigration courts.

- Board of Immigration Appeals (BIA) – The BIA hears appeals of decisions of immigration judges (IJs) and certain decisions of officers of DHS in a wide variety of proceedings in which the Government of the United States is one party and the other party is an alien, a citizen, permanent resident, or a transportation carrier. The BIA exercises independent judgment in hearing appeals for the Attorney General and provides a nationally uniform application of the immigration laws. The majority of cases before the BIA involve appeals from orders of EOIR's immigration judges entered in immigration proceedings.

Appeals of decisions of DHS officers, reviewed by the BIA, principally involve appeals from familial visa petition denials and decisions involving administrative fines on

² DHS refers to this same program as the "Institutional Hearing and Removal Program."

transportation carriers. The BIA also issues decisions relating to the EOIR Attorney Discipline Program.

BIA decisions are binding on immigration judges and all DHS officers unless modified or overruled by the Attorney General or a Federal Court. Certain BIA decisions that the BIA designates as precedent decisions apply to immigration cases nationwide. Through precedent decisions, the BIA provides guidance to immigration judges, DHS, and the general public on the proper interpretation and administration of the immigration laws and regulations. The BIA is the highest administrative tribunal for interpreting and applying U.S. immigration law.

The BIA plays the major role in interpreting the immigration laws of the country in an area of law the courts have characterized as uniquely complex. A challenge for the BIA is to maintain a high-volume administrative caseload while addressing the differing issues associated with the law of eleven different circuits and the Supreme Court.

- Office of the Chief Administrative Hearing Officer (OCAHO) – The OCAHO adjudicates cases involving illegal hiring and employment eligibility verification violations (“employer sanctions”), document fraud, and employment discrimination under the Immigration and Nationality Act (INA). The OCAHO is headed by a Chief Administrative Hearing Officer (CAHO) who provides overall program direction and management, articulates and develops policies and procedures, establishes priorities, assigns cases, and administers the hearing process presided over by Administrative Law Judges (ALJs). The CAHO also reviews decisions and orders issued by OCAHO ALJs in employer sanctions and document fraud cases, and may modify, vacate, or remand those decisions and orders.

OCAHO employs ALJs appointed pursuant to 5 U.S.C. § 3105 to adjudicate cases arising under Sections 274A, 274B, and 274C of the INA. Section 274A provides for sanctions (civil penalties and injunctive relief) against employers or entities who: (1) knowingly hire, recruit, or refer for a fee, or continue to employ, unauthorized aliens; (2) fail to comply with employment eligibility verification requirements; or (3) require the execution of an indemnity bond by employees to protect the employer or entity from potential liability for unlawful employment practices. Section 274B prohibits employment discrimination based on national origin or citizenship status and provides for civil penalties and various equitable remedies. Section 274C provides civil penalties for immigration-related document fraud. Adjudicative proceedings are initiated by complaints filed with OCAHO by DHS (in Section 274A and Section 274C cases), or the Immigrant and Employee Rights (IER) section in the Civil Rights Division, and/or aggrieved private parties and entities (in section 274B cases).

Parties may seek administrative reviews of ALJ decisions in INA Sections 274A and 274C cases, or the CAHO may review such decisions on his or her own initiative, and may affirm, modify, vacate, and/or remand such decisions. Unless the case is certified to the Attorney General, the CAHO’s decision on review constitutes the final agency action with respect to these cases. Appeals from final OCAHO decisions are brought before the U.S. circuit courts of appeal.

Non-Adjudicative Components

A number of other Headquarters offices also provide EOIR-wide mission support:

- **Office of the Director (OOD)** – In addition to the Director, Deputy Director, Chief of Staff, and senior advisors, the Office of the Director includes the Equal Employment Opportunity Office, and the Planning, Analysis, and Statistics Division. These offices provide counsel, management and mission support to the Office of the Director.
- **Office of the General Counsel (OGC)** – Provides legal advice on a wide variety of matters involving EOIR and its employees in the performance of their official duties. OGC serves as the principal point of contact and agency counsel for EOIR with other DOJ offices and government agencies on all EOIR-related legal matters. The Employee/Labor Relations Unit advises agency managers on labor and employment matters and defends EOIR in all phases of employment-related litigation. OGC also responds to all Freedom of Information Act (FOIA) and Privacy Act requests and is the designated point of contact regarding Standards of Conduct and other ethics guidance for all EOIR employees. Additionally, OGC administers the Records Management, Reasonable Accommodations, Attorney Discipline Program, and the Fraud and Abuse Prevention programs. OGC is led by the General Counsel.
- **Office of Policy (OP)** – Centralizes coordination among the components on a number of policy projects and issues, including policy development, communications, training, regulations, and legal updates. OP develops and communicates agency priorities and policies; oversees, facilitates, and standardizes the EOIR regulatory process; coordinates agency legal training and related resources; and manages other related programs. The Office of Policy includes the divisions of Communications and Legislative Affairs, Immigration Law, Legal Education and Research Services, and the Public Resources Program.
- **Office of Administration (OA)** – Provides administrative and managerial support in several areas concerning financial management and special emphasis and compliance programs. Specifically, OA supports the following areas: budget and financial management, contracts and procurement, human resources, space and facilities management, and security.
- **Office of Information Technology (OIT)** – Responsible for the design, development, operations, and maintenance of the complete range of information technology systems supporting EOIR's day-to-day operations. OIT manages programs such as EOIR's current multi-year effort to modernize the case management and related electronic systems that support EOIR's mission.

Map of the Immigration Courts and Adjudication Centers



Adjudication of Immigration Cases

Immigration Court Proceedings Overview: DHS initiates cases before the immigration courts by charging an individual with potential grounds of removability and issuing an NTA in Immigration Court under § 240 of the INA (8 U.S.C. 1229a). Other types of proceedings before the immigration courts include bond hearings or credible fear reviews, which do not begin with an NTA but are adjudicated by IJs.

IJs are responsible for conducting formal immigration court proceedings. In removal proceedings, IJs determine whether an individual from a foreign country (an alien) should be allowed to enter or remain in the United States or should be removed. IJs also have jurisdiction to consider various forms of relief or protection from removal. If the IJ finds the individual to be removable as charged, the individual can then request several different forms of relief or protection from removal such as asylum and withholding of removal (including protection under the Convention Against Torture), cancellation of removal, voluntary departure, or other forms of relief or protection from removal. IJ decisions are administratively final unless appealed or certified to the BIA.

Some removal proceedings are conducted in prisons and jails as part of the Institutional Hearing Program. In coordination with DHS and correctional authorities across the country, IJs conduct hearings to adjudicate the immigration status of alien inmates while they are serving sentences for criminal convictions.

Appellate Review: In most appeals to the BIA, the process begins with filing a notice of appeal challenging an IJ decision. The appeal can be filed either by the alien or the Government (represented by DHS's ICE).

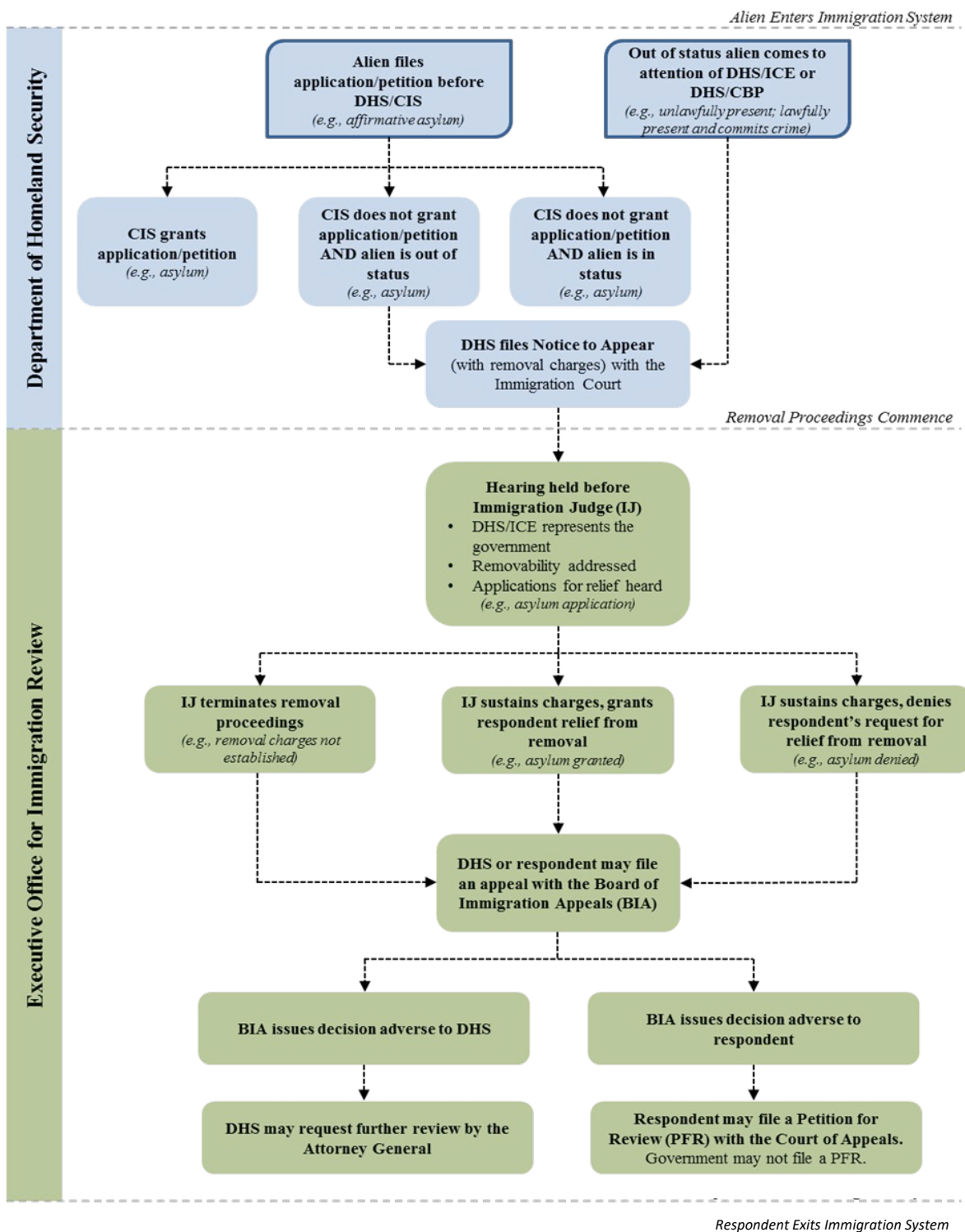
When an appeal is filed by either party, the BIA acknowledges receipt of the appeal, transcribes the proceedings (where appropriate), and sets a briefing schedule to allow both parties to present their arguments. Once briefing concludes, the appeal is adjudicated by a panel of one, three, or all Board Members.

As stated earlier, if the decision is not published, the decision is binding only on the parties. If the BIA elects to publish the decision, it becomes legal precedent and is binding nationwide. The BIA's decision will stand unless and until modified or overruled by the Attorney General, a Federal Court, or the BIA itself.

In addition to appeals, parties to proceedings before the Board, or their representatives, may also file motions to remand, reopen and/or reconsider, among other motions, as appropriate to the relevant facts and applicable law of each case.

The following flow chart details examples of paths to and through removal proceedings.

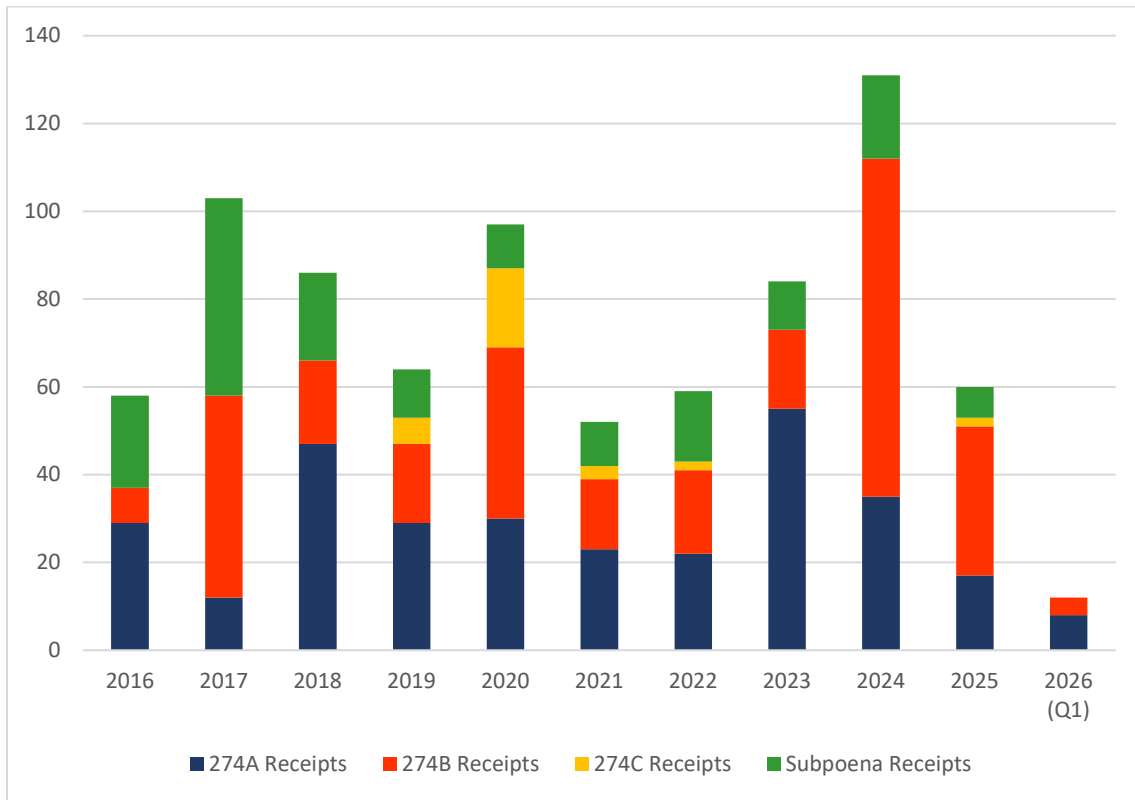
EXAMPLE PATHS TO AND THROUGH REMOVAL PROCEEDINGS



OCAHO Administrative Hearings: OCAHO cases begin with the filing of a complaint, either by the DHS/ICE, in employer sanctions and document fraud cases under INA §§ 274A and 274C, respectively, or by private individuals or entities and/or the Civil Rights Division's IER Section in immigration-related employment discrimination cases under INA § 274B. After the complaint is filed, the respondent is given an opportunity to file an answer. Following the answer, the parties typically file prehearing statements, undertake discovery, and participate in one or more telephonic prehearing conferences with the ALJ. Parties may also engage in settlement negotiations and file dispositive motions with the ALJ. Cases that are not resolved by settlement or dismissed proceed to a formal evidentiary hearing, typically held near where the parties reside or where the alleged violation(s) occurred. Final decisions and orders issued by the ALJ in employer sanctions and document fraud cases are reviewable by the CAHO. All final decisions and orders issued by the ALJ are reviewable by the Attorney General. Once a final agency decision has been issued, a party may file an appeal with the appropriate federal circuit court of appeals. OCAHO also receives requests for the issuance of subpoenas from IER. These subpoena requests are reviewed and (if appropriate) granted by OCAHO ALJs.

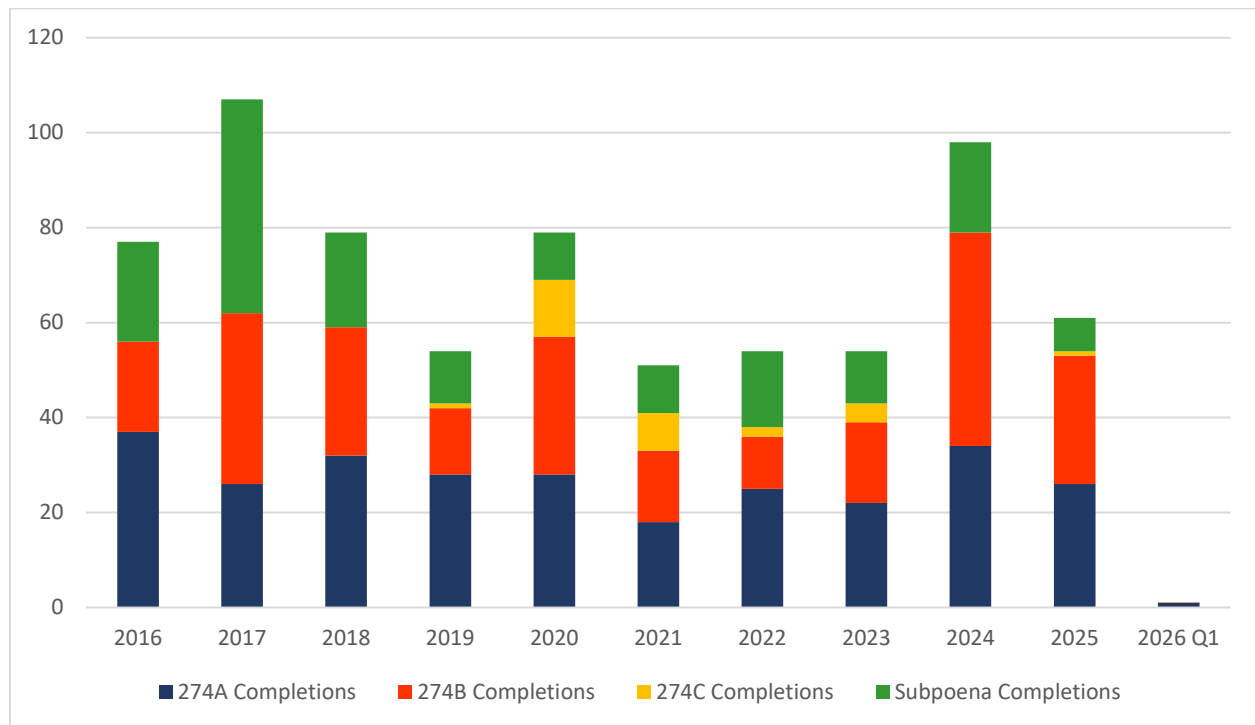
The following charts reflect the number of cases received and completed for each distinct OCAHO case type from Fiscal Year 2016 through the first quarter of Fiscal Year 2026: (1) Section 274A receipts and completions reflect the number of employer sanctions cases received and completed in each fiscal year; (2) Section 274B receipts and completions reflect the number of immigration-related employment discrimination cases received and completed in each fiscal year; (3) Section 274C receipts and completions reflect the number of immigration-related document fraud cases received and completed in each fiscal year; and (4) subpoena receipts and completions reflect the number of requested subpoenas received and issued in each fiscal year. As the charts reflect, OCAHO's caseload can fluctuate significantly depending on external factors, such as enforcement priorities of DHS and trends in employment discrimination cases filed by private individuals.

Office of the Chief Administrative Hearing Officer
Adjudication Statistics (Receipts) for FYs 2016 through 2026 (Q1)



Fiscal Year	274A Receipts	274B Receipts	274C Receipts	Subpoena Receipts	Total Receipts
2016	29	8	0	21	58
2017	12	46	0	45	103
2018	47	19	0	20	86
2019	29	18	6	11	64
2020	30	39	18	10	97
2021	23	16	3	10	52
2022	22	19	2	16	59
2023	55	18	0	11	84
2024	35	77	0	19	131
2025	17	34	2	7	60
2026 (Q1)	8	4	0	0	12

Office of the Chief Administrative Hearing Officer
Adjudication Statistics (Completions) for FYs 2016 through 2026 (Q1)



Fiscal Year	274A Completions	274B Completions	274C Completions	Subpoena Completions	Total Completions
2016	37	19	0	21	77
2017	26	36	0	45	107
2018	32	27	0	20	79
2019	28	14	1	11	54
2020	28	29	12	10	79
2021	18	15	8	10	51
2022	25	11	2	16	54
2023	22	17	4	11	54
2024	34	45	0	19	98
2025	26	27	1	7	61
2026 (Q1)	1	0	0	0	1

Program Increases by Item

Item Name: **IT Modernization**

Budget Decision Unit: EOIR

Organizational Program: Immigration Adjudications

Program Increase: Positions **0** Agt/Atty **0** FTE **0** Dollars **\$36,800,000**

Description of Item

This program enhancement request is in support of [E.O. 14179](#), "*Removing Barriers to American Leadership in AI*" and in accordance with [OMB Memorandum M-25-21](#), "*Accelerating Federal Use of AI through Innovation, Governance, and Public Trust*", in which agencies are encouraged to drive AI innovation and use such technology to provide improved services to the public.

EOIR IT Modernization is necessary to improve overall programmatic efficiency in immigration proceedings, mitigate growing enterprise risks due to aging technology, and ensure that EOIR systems remain resilient and responsive to current and future business needs, taskings, and opportunities. Furthermore, EOIR sees significant opportunity to leverage and incorporate Artificial Intelligence (AI) as part of this modernization effort to automate certain business processes, reduce program costs, and ultimately achieve higher levels of overall mission attainment. In particular, EOIR seeks to focus modernization efforts in the following four areas:

1. AI Transcription of Immigration Proceedings

Immigration Court proceedings are currently recorded in audio format. Where a written transcript is necessary, such as during an appeal, transcription is outsourced to outside contractors at significant cost. EOIR seeks to obtain and deploy an appropriate AI solution to render recorded speech accurately into text format, and anticipates that significant efficiencies can be obtained if such a solution can be realized, including:

- Monetary savings on current human transcription contract costs
- Decreased labor-hours required for legal staff (including both judges and attorneys) to review prior hearings in audio format
- Potentially decreased agency records-request servicing costs
- Potentially decreased costs for all parties to immigration proceedings (including government prosecutors and private defense counsel) who are able to easily obtain and utilize written transcripts instead of audio recordings in preparing for and litigating cases

2. Modernized EOIR's Case Management System (CMS)

The EOIR CASE application serves as a lynchpin system in the agency's greater Case Management Ecosystem used to manage immigration proceedings. The application was developed using decades old Cold Fusion technology and is becoming increasingly expensive to maintain as more and more experts in Cold Fusion retire from the field. Furthermore, the age and development history of the system has led to increasing outages for regular business operations when system components are unavailable. Thus, significant investment is needed to plan, develop, and deploy a modernized case management system.

As part of this planning effort, EOIR intends to explore possible AI use and efficiencies in at least two core areas:

- i. AI use in systems development and maintenance – as already seen in certain private sector applications, the use of AI to support human software developers to reduce technical system development and maintenance costs and improve product outcomes must be evaluated as part of the modernization effort.
- ii. AI use to automate certain business processes – the case management system is deeply integrated into daily agency operations and is part and parcel of the immigration proceeding case flow process. As part of overall modernization efforts, EOIR intends to examine the use of AI to augment human staff in performing certain mundane clerical taskings, subject to appropriate quality assurance, potentially saving the agency significant labor-hours now devoted to administrative tasks.

Examples of administrative tasks include automated extraction and entry of structured data from case filings (e.g., Notices to Appear, motions, briefs, supporting documentation) into the case management system. Tools could assist adjudicators by generating draft decision templates that incorporate standardized statutory and regulatory language, citations, and procedural summaries based on case type. Human adjudicators would retain full authority over legal analysis, credibility findings, and final decision content. This approach could enhance consistency in formatting and citation usage, reduce drafting time for routine elements, and improve overall operational efficiency while maintaining judicial independence and quality control safeguards.

3. Improving EOIR's Applications: Electronic Record of Proceedings (eROP), eFiling, Judicial Tools, EOIR Data Connector (EDC), Digital Audio Recording (DAR)

The eROP and eFiling applications provide management of electronic records, including the submission of electronic court related documents. The Judicial Tools application suite provides management of day-to-day court operations as well as providing immigration judges with multiple tools such as calendar management, PDF document annotation, and electronic signature capabilities. The EDC provides a single point of reference for all EOIR business unit data sets. The EDC also provides a common framework for accessing internal application data. The DAR system captures audio from immigration proceedings and stores it electronically.

As part of IT modernization efforts, EOIR intends to continue making necessary systems improvements to current EOIR applications. For example, EDC updates are needed to ensure that applications can continue to share and consume data appropriately as changes are made or new functions are introduced. EOIR is also continuing to examine document scanning and upload times for court-focused applications, and to create additional efficiencies for users in the existing business process. As part of the CASE application modernization, redesigns and consolidations of these programs may also be considered in concert with potential AI assistance with routine tasks to realize a more robust and efficient agency Case Management Ecosystem.

4. Digitizing EOIR Records

Previous efforts related to digitizing court records have been focused on the digitization of newly created records. EOIR courts currently experience space and facilities related issues and costs due to the amount of current paper records that are required to be maintained at the court location until they are permitted to be moved into the federal records center. To maximize the efficiencies generated by new applications, reduce storage costs, and comply with relevant mandates, current records must be evaluated and economically digitized.

Justification

This funding is required to assist in the improvement of the current immigration and appeals court business process. Improving IT solutions supporting these business processes will minimize system risks, improve efficiencies, and ultimately result in the ability to process additional cases, thus reducing the current immigration case backlog.

Additionally, the support required to maintain the current solutions is cumbersome and relies on a mix of specialized resources, such as Cold Fusion and Net. Investment into modernizing these old applications will allow EOIR to simplify the support requirements, which would provide a more resilient, efficient and cost-effective support model.

Funding

1. Base Funding

FY 2025 Enacted				FY 2026 Enacted				FY 2027 Current Services			
Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)	Pos	Agt/Atty	FTE	Amount (\$000)
<u>40</u>	<u>0</u>	<u>39</u>	<u>\$88,478</u>	<u>40</u>	<u>0</u>	<u>34</u>	<u>\$88,691</u>	<u>40</u>	<u>0</u>	<u>40</u>	<u>\$90,150</u>

2. Personnel Increase Cost Summary

Not applicable

3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item – IT Modernization	FY 2027 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2028 (net change from 2027)	FY 2029 (net change from 2028)
IT Modernization Contractual Services	\$28,800	\$28,800	1	\$0	\$0
Software (SaaS Preferred)	\$5,000	\$5,000	1	\$0	\$0
IT Equipment	\$3,000	\$15	200	-\$1,000	-\$1,000
Total Non-Personnel	\$36,800			-\$1,000	-\$1,000

4. Total Request for this Item

Category – IT Modernization	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2028 (net change from 2027)	FY 2029 (net change from 2028)
Current Services	40	0	40	\$9,150	\$81,000	\$90,150		
Increases	0	0	0	\$0	\$36,800	\$36,800	-\$1,000	-\$1,000
Grand Total	40	0	40	\$9,150	\$117,800	\$126,950	-\$1,000	-\$1,000

5. Affected Crosscuts

Immigration

V. Program Offsets by Item (N/A)

VI. Exhibits