



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

FY 2015 Budget Request At A Glance

FY 2014 Enacted:	\$312.2 million (1,582 positions; 530 attorneys)
Current Services Adjustments:	+\$14.0 million
Program Changes:	+\$20.9 million
FY 2015 Budget Request:	\$347.2 million (1,793 positions; 583 attorneys)
Change From FY 2014 Enacted:	+\$35.0 million (+11.2%) (+211 positions; +53 attorneys)

Mission:

The mission of 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. The Board of Immigration Appeals' mission is to provide timely guidance and interpretation of immigration law.

Organization:

EOIR was created on January 9, 1983, through an internal Department of Justice (DOJ) reorganization that combined the Board of Immigration Appeals (BIA) with the Immigration Judge function. Besides establishing EOIR as a separate component 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 59 Immigration Courts nationwide, as well as BIA and the headquarters organization located in Falls Church, VA.

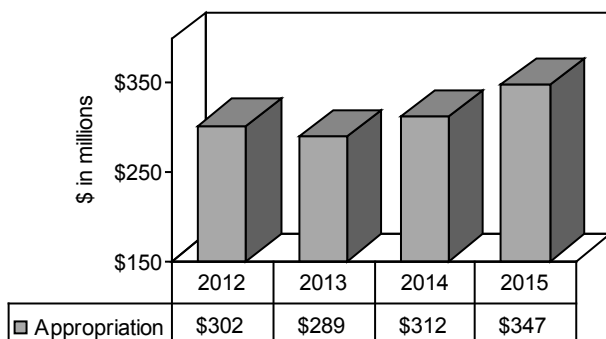
Resources:

The FY 2015 budget request for EOIR totals \$347.2 million, which is an 11.2% increase over the FY 2014 Enacted. The FY 2015 request includes an annual \$4 million transfer from the DHS Immigration Fee Account to EOIR.

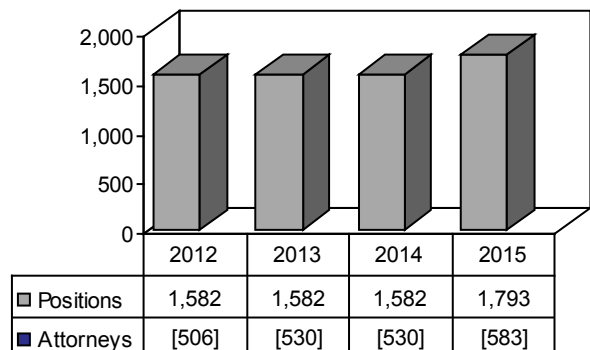
Personnel:

EOIR's direct positions for FY 2015 total 1,793 positions. EOIR's FY 2015 request includes an increase of 211 positions over the FY 2014 Enacted of 1,582 positions. However, between January 2011 and December 2013, the number of EOIR's onboard staff declined by 166 (16 attorneys).

Funding (FY 2012 - 2015)



Personnel (FY 2012 - 2015)



FY 2015 Strategy:

EOIR represents the Department's front-line presence in the application of immigration law. Cases are received on-site, across the Nation, directly from Department of Homeland Security (DHS) enforcement personnel. As such, the coordination of resource allocation between EOIR and DHS is critical.

EOIR strategies are two-fold. First, on a continuing basis, EOIR's Office of the Chief Immigration Judge monitors caseload volume, trends, and geographic concentration and adjusts resource allocations accordingly (modifying local dockets, adjusting detail assignments, and permanently reassigning judge and staff positions from lower to higher volume courts). This also includes the expansion of the use of video teleconferencing to hear cases from remote locations. 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 and Customs and Border Protection bring the majority of immigration enforcement programs that generate immigration caseload.

EOIR has to plan and coordinate with DHS. The number of cases pending adjudication has continued to increase, from approximately 229,000 at the end of FY 2009 to nearly 358,000 by the end of the first quarter of FY 2014. This represents a 56% increase in matters pending adjudication. Additionally, BIA received over 33,000 appeals in FY 2013 (having exceeded 30,000 receipts a year for the past five years), which is an extremely large volume for an appellate body.

DHS enforcement efforts will likely generate a high level of immigration court case receipts well into the future. As a result, the FY 2015 request includes a program increase of \$17 million for EOIR to add 35 new Immigration Judge teams, allowing it to better coordinate with DHS enforcement efforts and adjudicate more cases annually.

The FY 2015 budget proposes substantive changes to the FY 2014 enacted appropriation language for EOIR. Additional detail is provided about substantive and technical language changes in Section III and EOIR's Congressional Justification.

FY 2015 Program Changes:

Legal Orientation Program: \$2.8 million and 0 positions
This increase will expand the successful Legal Orientation Program and improve efficiencies in immigration court proceedings for detained aliens by increasing their awareness of their rights and the overall process. Evaluation reports have shown that LOP participants complete their immigration court cases in detention on an average of 12 days faster than detainees who do not participate in an LOP. The requested increase will respond to elevated demand at existing sites and add 12 additional sites to the 31 sites expected to be operating by the end of FY 2014, 29 of which are in detention settings. The FY 2015 current services for this program are \$7.2 million.

Immigration Judge Teams - Coordination with DHS Enforcement Initiatives: \$17.0 million and 211 positions (53 attorneys)

This increase will enable EOIR to add 35 new Immigration Judge Teams to help adjudicate rising caseloads resulting from DHS enforcement efforts. An IJ team consists of an Immigration Judge, Language Specialist, Legal Technician, Clerk and Law Clerk, as well as a BIA Attorney and Paralegal for every other team. EOIR currently has 249 IJ teams on-board. The addition of 35 new IJ teams in FY 2015 will bring the IJ total to 284. FY 2015 current services for this program are 1,582 positions (530 attorneys) and \$326.2 million.

Pilot - Innovation Ideas: \$2.8 million and 0 positions
This additional funding will enable EOIR to continue the development and expansion of its pilot program to provide counsel to vulnerable populations, such as unaccompanied alien children, thus increasing efficiencies within the immigration courts. FY 2015 current services for this program are \$3 million.

Program Offset - Miscellaneous Program and Administrative Reductions: -\$1.7 million and 0 positions
Reductions to existing operations and services necessary to pay for increases in existing costs, including pay raises, FERS contributions, and GSA rent, among others. Program and administrative reductions to be identified once funds are appropriated.

Executive Office for Immigration Review
(Dollars in Thousands)

	Executive Office for Immigration Review		
	Pos	Est. FTE	Amount
2013 Appropriation	1,582	1,355	310,643
2013 Rescissions (1.877 % & 0.2%)	0	0	-6,358
2013 Sequester Cut	0	0	-15,206
2013 Enacted with Rescissions and Sequester	1,582	1,355	289,079
2014 Enacted	1,582	1,355	312,200
2015 Request	1,793	1,460	347,154
Change 2015 from 2014 Enacted	211	105	34,954
Technical Adjustments			
DHS Immigration Fee Account	0	0	-4,000
Total Technical Adjustments	0	0	-4,000
Base Adjustments			
ATB Transfers	0	0	4,000
Pay & Benefits	0	0	4,021
Domestic Rent & Facilities	0	0	9,995
Total Base Adjustments	0	0	18,016
2015 Current Services	1,582	1,355	326,216
Program Changes			
Increases:			
Immigration Judge Teams - Coordination with DHS Enforcement Initiatives	211	105	17,000
Legal Orientation Program	0	0	2,824
Pilot - Innovation Ideas	0	0	2,824
Subtotal, Program Increases	211	105	22,648
Decreases:			
Program Offset - Miscellaneous Program and Administrative Reductions	0	0	-1,710
Subtotal, Program Decreases	0	0	-1,710
Total Program Changes	211	105	20,938
2015 Request	1,793	1,460	347,154

Executive Office for Immigration Review

(Dollars in Thousands)

Comparison by activity and program	2014 Enacted			2015 Current Services		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Executive Office for Immigration Review	1,582	1,355	312,200	1,582	1,355	326,216
Total	1,582	1,355	312,200	1,582	1,355	326,216
Reimbursable FTE	0	0	0	0	0	0
Grand Total	1,582	1,355	312,200	1,582	1,355	326,216

Comparison by activity and program	2015 Total Program Changes			2015 Request		
	Perm Pos.	Est. FTE	Amount	Perm Pos.	Est. FTE	Amount
Executive Office for Immigration Review	211	105	20,938	1,793	1,460	347,154
Total	211	105	20,938	1,793	1,460	347,154
Reimbursable FTE	0	0	0	0	0	0
Grand Total	211	105	20,938	1,793	1,460	347,154