



U.S. Department of Justice FY 2016 Budget Request

ENFORCE IMMIGRATION LAWS

+\$125.6 million in Program Increases

FY 2016 Overview

The Department plays an integral role in the immigration system by ensuring the fair, expeditious, and uniform application of the Nation's immigration laws. The Department's Executive Office for Immigration Review (EOIR) oversees the immigration court and Board of Immigrant Appeals. In recent years, in response to the Department of Homeland Security's (DHS) increased enforcement efforts along the borders, EOIR has sought to keep pace with the rising number of immigration cases, in order to maintain the effectiveness and efficiency of immigration enforcement, adjudication, and detention programs. But EOIR's immigration court caseload continues to increase to record levels. The caseload pending adjudication grew by 87 percent, from 223,707 to 418,861, between FY 2010 and FY 2014.

To process this increasing workload and improve the efficiency of the immigration court system, the Department requests an increase of \$124.3 million to support an additional 55 Immigration Judge (IJ) Teams and 28 Board of Immigration Appeals attorneys and provide for other improvements to the immigration system. This enhancement will help IJ Teams and attorneys adjudicate rising immigration caseloads resulting from the increase in Southwest Border crossings. Also included in this program increase is \$50.0 million to expand legal representation for unaccompanied children and \$10.0 million to improve efficiencies in immigration court proceedings by expanding the Legal Orientation Program.

The Department's Civil Division, Office of Immigration Litigation (OIL), also plays a crucial role in upholding the immigration enforcement actions of DHS and EOIR. OIL defends the government in district court cases and challenges to removal orders filed in circuit courts. The Department requests an increase of \$1.4 million to address the growth in class-action immigration cases.

FY 2016 Program Increases

The Department requests a total of \$125.6 million in program increases for FY 2016, including:

Civil Division

- **Immigration Enforcement: \$1.4 million and 10 positions (8 attorneys)**
Some of the longest running and most time intensive cases that the Office of Immigration Litigation (OIL) has handled have been class action cases. Recently, this office has experienced a significant increase in the number of such cases. Given the size, scope, and length of each class action case, the OIL requires additional attorney and support staff to keep pace with workload demands. The current services for this program are \$68.7 million.

Executive Office for Immigration Review (EOIR)

- **Immigration Court Support - Coordination with DHS Enforcement Initiatives: \$1.3 million and 15 positions (15 attorneys)**
This increase will provide EOIR with 15 additional attorneys to support the Immigration Judge Corps and provide legal assistance with immigration matters before the courts. The current services for this initiative are 1,793 positions (583 attorneys) and \$357.6 million.
- **Legal Representation of Children: \$50.0 million**
This two-year funding will enable EOIR to expand its program for legal representation to unaccompanied children, which improves immigration court efficiencies by providing legal counsel to children going through immigration proceedings. The current services for this initiative are \$4.8 million.
- **IT Modernization: \$3.0 million**
This increase will provide EOIR with \$3.0 million to develop an information and data sharing system with the DHS, which will enhance information sharing between both Departments and help improve the efficiency of processing case materials. In addition, this funding will also allow EOIR to refresh its Video Teleconferencing and Digital Audio Recording equipment, which is critical to the immigration courts. The current services for this initiative are \$38.2 million.
- **Immigration Judge Teams: \$60.0 million and 330 positions (83 attorneys)**
This increase will enable EOIR to add 55 new Immigration Judge (IJ) Teams to help adjudicate the pending caseload. An IJ team consists of an Immigration Judge, Language Specialist, Legal Technician, Clerk, Law Clerk, as well as a BIA Attorney and Paralegal for every two IJ Teams, and one administrative support position. The current services for this initiative are 1,793 positions (583 attorneys) and \$357.6 million.
- **Legal Orientation Program (LOP) Expansion: \$10.0 million**
This increase will expand the successful LOP and continue to improve efficiencies in immigration court proceedings for detained aliens by increasing their awareness of their

rights and the overall immigration proceeding process. The current services for this initiative are \$11.4 million.

FY 2016 Program Increase Summary
(Amount in \$000s)

Component/Initiative	Positions	Agents/ Attorneys	Amount
Civil Division			
Immigration Enforcement	10	8	\$1,356
Subtotal, Civil Division	10	8	\$1,356
Executive Office for Immigration Review			
Immigration Court Support - Coordination with DHS Enforcement Initiatives	15	15	\$1,262
Legal Representation of Children	0	0	50,000
IT Modernization	0	0	3,000
Immigration Judge Teams	330	83	60,000
Legal Orientation Program (LOP) Expansion	0	0	10,000
Subtotal, Executive Office for Immigration Review	345	98	\$124,262
Total, Program Increases	355	106	\$125,618