



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

FY 2016 Budget Request At A Glance

FY 2015 Enacted:	\$347.2 million (1,793 positions; 583 attorneys)
Current Services Adjustments:	+\$10.5 million
Program Changes:	+\$124.3 million
FY 2016 Budget Request:	\$481.9 million (2,138 positions; 681 attorneys)
Change From FY 2015 Enacted:	+\$134.7 million (+38.8%) (+345 positions; +98 attorneys)

Mission:

The mission of EOIR is to adjudicate immigration cases in a thorough and timely manner, including cases involving detained aliens, criminal aliens, and aliens seeking asylum as a form of relief from removal, while ensuring standards of due process and fair treatment for all parties involved. EOIR's main strategic objective is to adjudicate all immigration cases promptly and impartially in accordance with due process.

Organization:

Under delegated authority from the Attorney General, EOIR conducts immigration court proceedings, appellate reviews, and administrative hearings. EOIR is comprised of the Office of the Director and three adjudicative components including: the Board of Immigration Appeals (BIA), which hears appeals of immigration judge decisions and certain decisions of officers of the Department of Homeland Security (DHS); the Office of the Chief Immigration Judge, which administers 58 immigration courts located nationwide; and the Office of the Chief Administrative Hearing Officer, which adjudicates cases involving illegal hiring and employment eligibility verification violations ("employer sanctions") and employment discrimination under the Immigration and Nationality Act. In addition to the adjudicative components, EOIR has other administrative, technical, and advisory offices.

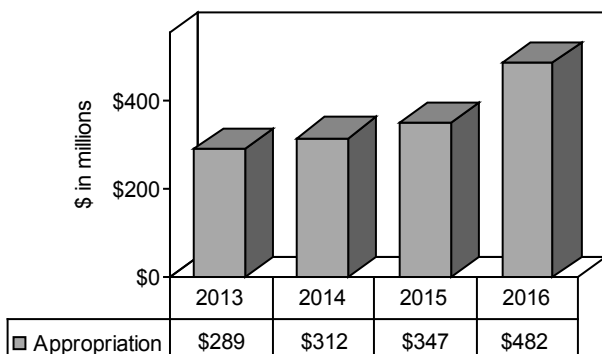
Resources:

The FY 2016 budget request for EOIR totals \$481.9 million, which is a 38.8% increase over the FY 2015 Enacted.

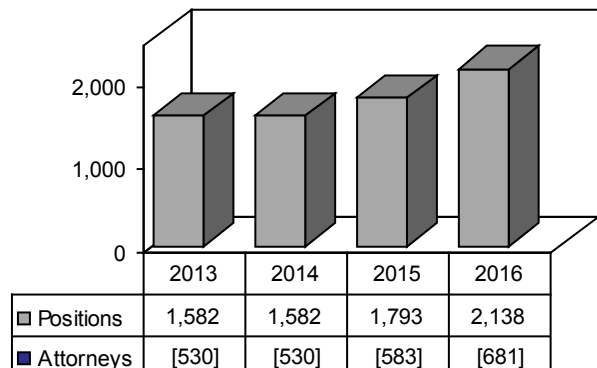
Personnel:

The EOIR's direct positions for FY 2016 total 2,138 positions. EOIR's FY 2016 request includes an increase of 345 positions over the FY 2015 Enacted of 1,793 direct positions.

Funding (FY 2013 - 2016)



Personnel (FY 2013 - 2016)



FY 2016 Strategy:

EOIR's immigration courts represent the Department's front-line presence with respect to the application of immigration law. Cases are received on-site, across the Nation, directly from DHS personnel. EOIR receives virtually all of its workload in the form of cases brought by DHS seeking the removal of undocumented aliens from the United States. It remains critically important to balance EOIR's adjudicative resources with DHS's enforcement efforts.

EOIR's strategy is three-fold. First, in accordance with the President's directives, immigration courts prioritize individuals who are threats to national security and public safety or who are apprehended at or near the border. In addition, EOIR is prioritizing cases involving migrants who have recently crossed the southwest border and whom DHS has placed into removal proceedings -- so that these cases are processed both quickly and fairly to enable prompt removal in appropriate cases, while ensuring the protection of asylum seekers and others. EOIR's top priority is the adjudication of cases that fall into the following four groups: unaccompanied children; families in detention; families released on "alternatives to detention"; and all other detained cases. This use of resources allows EOIR to prioritize the adjudication of the cases of those individuals involved in the evolving situation at the southwest border.

EOIR is coordinating with DHS on the pending caseload before the immigration courts and the BIA. To help preserve limited immigration court resources, EOIR will also work with DHS as it examines ways to make streamlined decisions about whom to place into removal proceedings in accordance with its prosecutorial discretion guidance. The cases of individuals that do not fall into priority categories will take longer to resolve. In addition, many of those cases are currently off calendar, and will need to be rescheduled. EOIR is currently evaluating options for addressing non-priority cases.

Second, EOIR will continue discussions with the DHS to gauge the impact of enforcement activities upon the immigration courts and to adjust dockets and resource allocations accordingly. EOIR anticipates that these discussions combined with an increase in resources will allow EOIR to more effectively manage its caseload.

Finally, EOIR will continue to fill immigration judge positions and other positions that provide support to the immigration courts. The pending caseload remains the key challenge for EOIR as courts continue to receive hundreds of thousands of cases for adjudication each year. The number of cases pending adjudication rose from 229,000 at the end of FY 2009 to 418,861 at the end of FY 2014, an increase of more than 185,000 cases. This represents an 83 percent increase in cases pending adjudication in five years. The surge of border crossing cases in the summer of 2014 greatly impacted EOIR's pending caseload. Additionally, BIA's sustained level of over 30,000 appeals per year is an extremely large volume for any appellate body.

To implement EOIR's strategy, additional resources are requested to address the large volume of pending cases, provide sufficient support to the Immigration Judge Corps, improve information and data sharing with DHS, and continue to improve efficiencies in immigration court proceedings.

FY 2016 Program Changes:

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 and 0 positions

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 and 0 positions

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 Conferencing 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 and 0 positions

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.

Executive Office for Immigration Review
(Dollars in Thousands)

	Executive Office for Immigration Review		
	Pos	FTE	Amount
2014 Appropriation	1,582	1,313	312,200
2015 Enacted	1,793	1,460	347,154
2016 Request	2,138	1,739	481,873
Change 2016 from 2015 Enacted	345	279	134,719
Technical Adjustments			
EOIR - DHS Exam Fee	0	0	-4,000
Total Technical Adjustments	0	0	-4,000
Base Adjustments			
ATB Transfers	0	0	4,000
Pay & Benefits	0	106	15,598
Domestic Rent & Facilities	0	0	-5,223
Other Adjustments	0	0	82
Total Base Adjustments	0	106	14,457
2016 Current Services	1,793	1,566	357,611
Program Changes			
Increases:			
Immigration Court Support - Coordination with DHS Enforcement Initiatives	15	8	1,262
Legal Representation of Children	0	0	50,000
IT Modernization	0	0	3,000
Immigration Judge Teams	330	165	60,000
Legal Orientation Program (LOP) Expansion	0	0	10,000
Subtotal, Program Increases	345	173	124,262
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	345	173	124,262
2016 Request	2,138	1,739	481,873

Executive Office for Immigration Review

(Dollars in Thousands)

Comparison by activity and program	2015 Enacted			2016 Current Services		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
Executive Office for Immigration Review	1,793	1,460	347,154	1,793	1,566	357,611
Total	1,793	1,460	347,154	1,793	1,566	357,611
Reimbursable FTE	0	0	0	0	0	0
Grand Total	1,793	1,460	347,154	1,793	1,566	357,611

Comparison by activity and program	2016 Total Program Changes			2016 Request		
	Perm Pos.	FTE	Amount	Perm Pos.	FTE	Amount
Executive Office for Immigration Review	345	173	124,262	2,138	1,739	481,873
Total	345	173	124,262	2,138	1,739	481,873
Reimbursable FTE	0	0	0	0	0	0
Grand Total	345	173	124,262	2,138	1,739	481,873