



U.S. Department of Justice FY 2014 Budget Request

ENFORCE IMMIGRATION LAWS

+\$25.0 million in Program Increases

FY 2014 Overview

The Department maintains substantial responsibilities with respect to immigration, including enforcement, detention, judicial functions, administrative hearings, and litigation. The Department's Executive Office for Immigration Review (EOIR) maintains a nationwide presence overseeing the immigration court and appeals process. EOIR receives cases directly from the Department of Homeland Security (DHS) enforcement personnel. In recent years, however, the Department's resource enhancements have not kept pace with those received by the various immigration components of DHS, thereby undermining the effectiveness and efficiency of immigration enforcement, adjudication, and detention programs. EOIR's immigration court caseload continues to increase to unsustainable levels. The caseload pending adjudication grew by 42 percent, from 229,000 to 326,000, between FY 2009 and FY 2012.

In order for EOIR to process this increasing workload and to improve the efficiency of the immigration program overall, the Department is requesting a \$25 million program increase, including 211 positions (53 attorneys) for EOIR to support an additional 30 Immigration Judge Teams and 15 Board of Immigration Appeals attorneys. This will allow EOIR to address caseload increases emanating from DHS programs, including the Secure Communities Initiative and the Criminal Alien Program. Also included in this program increase is \$4 million to expand EOIR's Legal Orientation Program (LOP), which improves immigration court proceedings for detained aliens by increasing their awareness of their rights and the overall process. Another \$4 million in additional funding is included to enable EOIR to create a pilot program that provides counsel to vulnerable populations, such as unaccompanied alien children.

Similarly, the Civil Division's Office of Immigration Litigation (OIL) also plays a crucial role in upholding the enforcement actions of DHS and EOIR. OIL provides the government with the best possible defense in district court cases and challenges to removal orders filed in circuit courts by illegal aliens. The FY 2014 Budget maintains the current staffing levels for OIL.

Program Increases

Executive Office for Immigration Review (EOIR)

- **Immigration Judge Teams - Coordination with DHS Enforcement Initiatives: \$17.0 million and 211 positions (53 attorneys)**
The requested funding increase will enable EOIR to add 30 new Immigration Judge (IJ) Teams to help adjudicate approximately 39,000 additional immigration cases resulting from increased DHS enforcement efforts, most notably DHS's high priority Secure Communities Initiative. 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 254 IJ Teams. The addition of 30 new IJ Teams will bring EOIR's total number to 284. FY 2014 current services for this program are 1,582 positions (506 attorneys) and \$311.7 million.
- **Legal Orientation Program: \$4.0 million and 0 positions**
The requested 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 an average of 13 days faster than detainees who do not participate in an LOP. The requested program increase will respond to elevated demand at existing sites and enable LOP to add 12 additional sites to the 26 already operating, 24 of which are in detention centers. The FY 2013 President's Budget included this request; the FY 2014 President's Budget includes the same request but in a different amount. The current request is higher because the programmatic need has been re-examined and the amount requested adjusted accordingly. FY 2014 current services for this initiative are \$6 million.
- **Pilot - Innovation Ideas: \$4.0 million and 0 positions**
This additional funding will enable EOIR to develop, implement, and evaluate a pilot program to provide counsel to vulnerable populations, such as unaccompanied alien children, thus increasing efficiencies within the immigration courts. There are no current services for this initiative.

FY 2014 Program Increases Summary
 (Amount in 000's)

Component/Initiative	Positions	Attorneys	FTEs	Amount
Executive Office for Immigration Review (EOIR)	211	53	105	\$25,000
Immigration Judge Teams	211	53	105	17,000
Legal Orientation Program	0	0	0	4,000
Pilot – Innovation Ideas	0	0	0	4,000
Grand Total, Program Increases	211	53	105	\$25,000