



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

FY 2018 Budget Request At A Glance

FY 2017 Continuing Resolution:	\$421.5 million (2,138 positions; 681 attorneys)
Current Services Adjustments:	+\$4.0 million
Program Changes:	+\$75.0 million
FY 2018 Budget Request:	\$500.4 million (2,588 positions; 831 attorneys)
Change From FY 2017 Continuing Resolution:	+\$78.9 million (+18.7%) (+450 positions; +150 attorneys)

Mission:

The primary mission of the Executive Office for Immigration Review (EOIR) is to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and administering the Nation's immigration laws. Under delegated authority from the Attorney General, EOIR conducts immigration court proceedings, appellate reviews, and administrative hearings.

Organization:

EOIR administers the nation's immigration court system. EOIR primarily decides whether foreign-born individuals who are charged with violating immigration law should be ordered removed from the United States or should be granted relief or protection and be permitted to remain in this country. EOIR's Office of the Chief Immigration Judge conducts administrative court proceedings in 58 immigration courts nationwide. EOIR's appellate component, the Board of Immigration Appeals (BIA), is the highest administrative tribunal for interpreting and applying U.S. immigration law and primarily decides appeals of immigration judge decisions. EOIR's third adjudicative component, the Office of the Chief Administrative Hearing Officer, hears cases that relate to employer sanctions for illegal hiring of unauthorized workers, document fraud, and unfair immigration-related employment practices. EOIR also has other administrative, technical, and advisory offices.

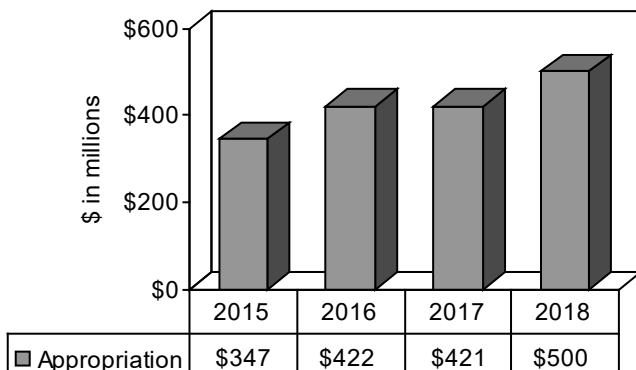
Resources:

The FY 2018 budget request for EOIR totals \$500.4 million, which is a 18.7% increase over the FY 2017 Continuing Resolution.

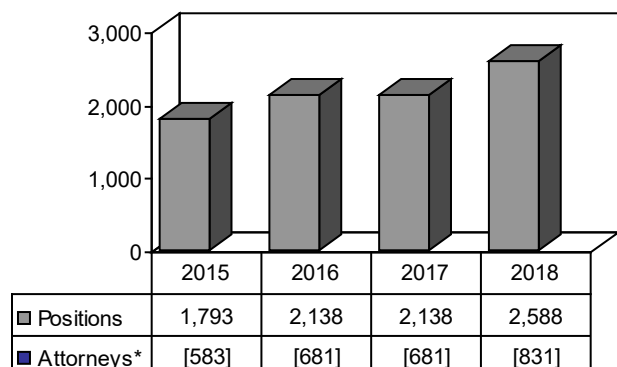
Personnel:

The EOIR's direct positions for FY 2018 total 2,588 positions. EOIR's FY 2018 request includes an increase of 450 positions over the FY 2017 Continuing Resolution of 2,138 direct positions.

Funding (FY 2015 - 2018)



Personnel (FY 2015 - 2018)



FY 2018 Strategy:

EOIR's immigration courts represent the Department's front-line presence in applying immigration law. EOIR does not initiate any immigration cases. Rather, EOIR's cases start when the Department of Homeland Security (DHS) files with the immigration courts documents charging respondents with removability from the United States for violating immigration laws.

The largest challenge facing the immigration courts is the growing pending caseload. At the end of FY 2016, there were over half a million cases pending in immigration courts around the country. EOIR's FY 2018 strategy is a sustained focus on providing the capacity to meet its mission to adjudicate immigration cases by administering the Nation's immigration laws.

EOIR's strategy is three-fold. First, EOIR will continue to examine and update, as necessary, its adjudicative priorities in order to best use its resources. On January 31, 2017, EOIR released a memorandum outlining the agency's new priorities, which reflect the present state of the immigration system. The agency will continue to prioritize the cases of children in the Government's long-term care and of those respondents released under the Ninth Circuit's decision in *Rodriguez v. Robbins*. Despite changes to the agency's case processing priorities, EOIR has consistently maintained that detained cases are priority cases. EOIR is scheduling these cases on the shortest timelines possible consistent with due process.

Second, EOIR will continue discussions with DHS to gauge the impact of enforcement activities upon the immigration courts and to adjust dockets and resource allocations accordingly. EOIR has begun implementing in-person immigration judge details to several DHS immigration detention facilities at or near the border.

Finally, given the size of the current pending caseload, EOIR will recruit to fill existing immigration judge and other positions that provide support to the immigration courts in order to achieve more timely adjudication of cases and systemically reduce the backlog of pending cases.

FY 2018 Program Changes:

Immigration Judge Teams (75 Additional Teams): \$75.0 million and 450 positions (150 attorneys)

This funding will enable EOIR to add 75 new immigration judge (IJ) teams to help adjudicate the pending caseload. A team consists of one IJ and five full-time positions to support the adjudicatory mission of EOIR. The support positions include one attorney (designated as .5 FTE for a Board of Immigration Appeals attorney and .5 FTE for either a Judicial Law Clerk or other mission support attorney), one legal assistant, and three other positions made up of a combination of the following on an as-needed basis: additional legal assistant, interpreter, and/or other mission-support staff. Additionally, EOIR has now completely filled all usable courtroom and office space for immigration judges and support staff with currently-authorized staff. In order to provide courtrooms and office space for the new adjudicators and support staff in the teams, this request includes the cost of construction of new space for these additional positions.

Executive Office for Immigration Review

(Dollars in Thousands)

	Executive Office for Immigration Review		
	Pos	FTE	Amount
2016 Appropriation	2,138	1,392	422,295
2017 Continuing Resolution	2,138	1,667	422,295
2017 Rescission - 0.1901%	0	0	-803
2017 Continuing Resolution	2,138	1,667	421,492
2018 Request	2,588	1,892	500,407
Change 2018 from 2017 Continuing Resolution	450	225	78,915
Technical Adjustments			
DHS Immigration Examination Fees - EOIR	0	0	-3,992
Total Technical Adjustments	0	0	-3,992
Base Adjustments			
ATB Transfers	0	0	4,000
Pay & Benefits	0	0	6,242
Domestic Rent & Facilities	0	0	-2,285
Total Base Adjustments	0	0	7,957
2018 Current Services	2,138	1,667	425,457
Program Changes			
Increases:			
Immigration Judge Teams (75 Additional Teams)	450	225	74,950
Subtotal, Program Increases	450	225	74,950
Decreases:			
Subtotal, Program Decreases	0	0	0
Total Program Changes	450	225	74,950
2018 Request	2,588	1,892	500,407

Executive Office for Immigration Review
(Dollars in Thousands)

Comparison by activity and program	2017 Continuing Resolution			2018 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Executive Office for Immigration Review	2,138	1,667	422,295	2,138	1,667	425,457
Total	2,138	1,667	422,295	2,138	1,667	425,457
Reimbursable FTE	0	0	0	0	0	0
Grand Total	2,138	1,667	422,295	2,138	1,667	425,457

Comparison by activity and program	2018 Total Program Changes			2018 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Executive Office for Immigration Review	450	225	74,950	2,588	1,892	500,407
Total	450	225	74,950	2,588	1,892	500,407
Reimbursable FTE	0	0	0	0	0	0
Grand Total	450	225	74,950	2,588	1,892	500,407