



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

FY 2017 Budget Request At A Glance	
FY 2016 Enacted:	\$420.3 million (2,138 positions; 666 attorneys)
Current Services Adjustments:	+\$435,000
Program Changes:	+\$7.4 million
FY 2017 Budget Request:	\$428.2 million (2,138 positions; 666 attorneys)
Change From FY 2016 Enacted:	+\$7.9 million (+1.9%)

### 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 by the Department of Homeland Security (DHS) with violating immigration law, should be ordered removed from the United States or should be granted relief or protection from removal and be permitted to remain in this country. To make these critical determinations, EOIR's Office of the Chief Immigration Judge conducts administrative court proceedings, called removal proceedings, in 57 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. In addition to the adjudicative components, EOIR has other administrative, technical, and advisory offices.

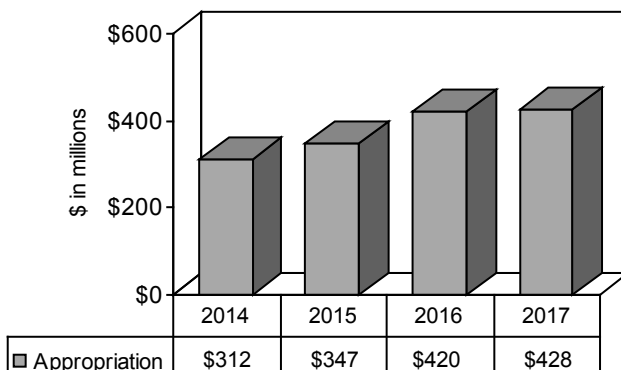
### Resources:

The FY 2017 budget request for EOIR totals \$428.2 million, which is a 1.9% increase over the FY 2016 Enacted.

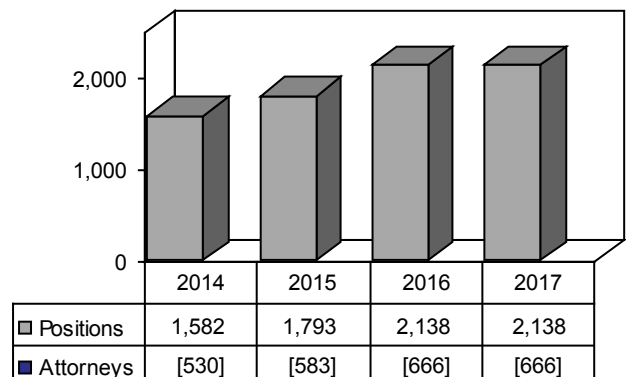
### Personnel:

EOIR's direct positions for FY 2017 total 2,138 positions and are the same as FY 2016 Enacted.

**Funding (FY 2014 - 2017)**



**Personnel (FY 2014 - 2017)**



## **FY 2017 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. It remains critically important that EOIR have sufficient adjudicative resources to keep pace with DHS's enforcement efforts.

The largest challenge facing the immigration courts is the growing pending caseload. At the end of FY 2015, there were over 457,000 cases pending in immigration courts around the country. EOIR's FY 2017 strategy is a sustained focus on its capacity to meet its mission to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and 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. In accordance with the President's directives, in FY 2014 EOIR set the adjudication of cases of recent border crossers that fall into the following DHS-identified groups as its top priority: unaccompanied children; adults with children in detention; and adults with children released on "alternatives to detention." Hearings for individuals in detention continue to be processed expeditiously, as they were prior to the announcement of the newly-defined priority groups. EOIR is scheduling these cases on the shortest timelines possible consistent with due process. The focus of EOIR's resources on the priority case groups has had a significant impact on the non-detained, non-priority cases awaiting adjudication. Thousands of those cases have had to be scheduled far into the future to make room for the higher priority cases.

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 anticipates that these discussions combined with appropriate allocation of resources and improved information sharing will allow EOIR to manage its caseload more effectively.

Finally, given the size of the current pending caseload, EOIR will continue to fill 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 2017 Program Changes:**

**Modernization of Mission Critical Systems:** \$1.7 million and 0 positions

This increase will enable EOIR to modernize mission critical case management and related systems and reduce maintenance costs through the phased elimination of paper filings and processing, and retention of all records and documents in electronic form. EOIR will work to build a next-generation Web-based system that tracks, displays and manages immigration-related records. Current services for this item are \$800,000 and no positions.

**Infrastructure Improvements:** \$5.7 million and 0 positions

This increase will provide EOIR with the necessary funds to complete infrastructure improvements and associated building costs to prepare immigration court space for immigration judges and supporting staff entering on duty in FY 2017. An increase in courtroom space will allow EOIR to place immigration judges where they are most needed. There are no current services for this item.

**Executive Office for Immigration Review**  
(Dollars in Thousands)

	Executive Office for Immigration Review		
	Pos.	FTE	Amount
<b>2015 Appropriation</b>	<b>1,793</b>	<b>1,349</b>	<b>347,154</b>
<b>2016 Enacted</b>	<b>2,138</b>	<b>1,667</b>	<b>420,283</b>
<b>2017 Request</b>	<b>2,138</b>	<b>1,832</b>	<b>428,151</b>
<b>Change 2017 from 2016 Enacted</b>	<b>0</b>	<b>165</b>	<b>7,868</b>
<b>Technical Adjustments</b>			
EOIR - DHS Exam Fee	0	0	-4,000
<b>Total Technical Adjustments</b>	<b>0</b>	<b>0</b>	<b>-4,000</b>
<b>Base Adjustments</b>			
ATB Transfers	0	0	4,000
Pay & Benefits	0	165	-3,229
Domestic Rent & Facilities	0	0	3,664
<b>Total Base Adjustments</b>	<b>0</b>	<b>165</b>	<b>4,435</b>
<b>2017 Current Services</b>	<b>2,138</b>	<b>1,832</b>	<b>420,718</b>
<b>Program Changes</b>			
<b>Increases:</b>			
Modernization of Mission Critical Systems	0	0	1,706
Infrastructure Improvements	0	0	5,727
<b>Subtotal, Program Increases</b>	<b>0</b>	<b>0</b>	<b>7,433</b>
<b>Decreases:</b>			
<b>Subtotal, Program Decreases</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Program Changes</b>	<b>0</b>	<b>0</b>	<b>7,433</b>
<b>2017 Request</b>	<b>2,138</b>	<b>1,832</b>	<b>428,151</b>

**Executive Office for Immigration Review**

(Dollars in Thousands)

Comparison by activity and program	2016 Enacted			2017 Current Services		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Executive Office for Immigration Review	2,138	1,667	420,283	2,138	1,832	420,718
<b>Total</b>	2,138	1,667	420,283	2,138	1,832	420,718
Reimbursable FTE	0	0	0	0	0	0
<b>Grand Total</b>	2,138	1,667	420,283	2,138	1,832	420,718

Comparison by activity and program	2017 Total Program Changes			2017 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount
Executive Office for Immigration Review	0	0	7,433	2,138	1,832	428,151
<b>Total</b>	0	0	7,433	2,138	1,832	428,151
Reimbursable FTE	0	0	0	0	0	0
<b>Grand Total</b>	0	0	7,433	2,138	1,832	428,151