



The Judiciary

Fiscal Year 2019

Congressional Budget Summary



PREPARED BY
THE ADMINISTRATIVE OFFICE OF THE U.S. COURTS
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Foreword

Overview

The Judiciary's fiscal year 2019 discretionary budget request of \$7.22 billion is a 3.2 percent increase over the Judiciary's fiscal year 2018 assumed appropriation of \$7.0 billion. In the absence of enacted full year fiscal year 2018 appropriations, the Judiciary made funding assumptions in order to construct a fiscal year 2019 budget request. The fiscal year 2018 funding level assumes that Congress will provide a full-year discretionary appropriation for the Salaries and Expenses account that is 0.5 percent above the fiscal year 2017 enacted level, a mid-point between a hard freeze at the fiscal year 2017 enacted level and the fiscal year 2018 House mark for the Defender Services and Court Security accounts, and a current services level for the Fees of Jurors account.

The Judiciary, like most of the federal government, is currently operating under a continuing resolution. After final fiscal year 2018 appropriations are enacted, the Judiciary will update its fiscal year 2019 request and apprise the Appropriations Committees of changes to the request level.

The Judicial Conference is grateful for the support that Congress has shown the Judiciary by providing favorable funding levels since sequestration. The Conference is hopeful that Congress will continue to provide sufficient resources in fiscal years 2018 and 2019. Our constitutional system of government, with separation of powers and checks and balances, cannot function as intended if the judicial branch is insufficiently resourced. We ask that Congress take into account the nature and importance of the work of the federal courts and continue to make the Judiciary a funding priority.

Fiscal Year 2018 Priorities

The fiscal year 2018 assumed funding levels and their impact on the Judiciary are discussed below.

For the courts' Salaries and Expenses account, the fiscal year 2018 assumed funding level will allow the Judiciary to fund priority fiscal year 2018 pay and non-pay adjustments to base. In addition, the fiscal year 2018 assumed appropriation funds program increases such as additional funding for cybersecurity requirements, infrastructure costs for new courthouse construction projects, National Space Reduction Program projects, and the Thurgood Marshall Federal Judiciary Building façade repair.

For the Defender Services account, the assumed funding level will support all projected panel attorney payments, the continued implementation of the federal defender organization staffing formula, and cybersecurity enhancements.

For the Court Security account, the assumed funding level will fund priority fiscal year 2018 pay and non-pay adjustments to base. In addition, the fiscal year 2018 assumed appropriation

funds program increases such as security infrastructure for new courthouse construction projects, additional staff to support the physical access control systems program, and an information technology enhancement project to replace an obsolete system used by the U.S. Marshals Service.

Finally, for the Fees of Jurors account, the assumed funding level will support all projected costs for petit and grand jurors at the current services level.

Fiscal Year 2019 Budget Request

The fiscal year 2019 budget request will maintain current services across the Judiciary, sustain progress on several major ongoing initiatives, and fund a number of new investments in judicial operations and infrastructure.

For the courts' Salaries and Expenses account, the Judiciary requests \$5.14 billion, an increase of \$113 million (2.2 percent) in discretionary appropriations over the fiscal year 2018 assumed level. This request funds a number of critical facilities-related investments, including \$5.6 million for infrastructure and swing space requirements associated with the new courthouse construction funding Congress provided to the General Services Administration (GSA) in fiscal year 2016. In addition, it includes \$13.4 million for replacement of the Probation and Pretrial Automated Case Tracking System, a system critical to the work of probation and pretrial services officers and to public safety. The request also maintains base funding for ongoing Judiciary cybersecurity activities, the national space reduction program, and emergency repairs to the façade of the Thurgood Marshall Federal Judiciary Building in Washington, DC, which houses the Administrative Office of the U.S. Courts, the U.S. Sentencing Commission, and the Federal Judicial Center.

For the Defender Services account, the Judiciary requests \$1.14 billion, an increase of \$64.0 million (5.9 percent) over the fiscal year 2018 assumed level. This request includes sufficient funding to support the projected number of representations for fiscal year 2019 and to continue the implementation of the federal defenders staffing formula. The request also includes funding for panel attorneys to receive a \$6 per hour increase to the non-capital panel attorney hourly rate (from \$134 per hour to \$140 per hour) to narrow the gap between the current rate and the statutorily authorized maximum.

For the Court Security account, the Judiciary's request includes \$602.3 million, an increase of \$32.3 million (5.7 percent) over the assumed fiscal year 2018 level, to protect judges, court staff, and the public at court facilities. The request includes funding for the physical access control systems (PACS) upgrade and replacement strategy, which will increase PACS investments by approximately \$5 million each year from fiscal year 2019 to fiscal year 2022 to replace old and failing building access systems at court facilities nationwide. In addition, the request includes \$6.9 million for security systems and screening equipment at new federal courthouse projects planned in Toledo, Ohio; Anniston, Alabama; San Antonio, Texas; and Greenville, Mississippi. The request also includes \$2.0 million for an additional 35 court security officers (CSOs) as part of the third year of the phased, multi-year implementation of new CSO staffing standards.

For the Fees of Jurors account, the Judiciary seeks \$51.2 million, an increase of \$5.4 million (11.8 percent) over the fiscal year 2018 assumed level. The fiscal year 2019 request is sufficient to fund all projected juror requirements and includes a \$10 increase to the daily juror attendance fee (from \$40 to \$50), the first such increase since 1990.

Courthouse Construction and Capital Security Improvements

The Judiciary's courthouse construction and capital security projects are funded from GSA's budget. For fiscal year 2019, the Judiciary is focused on effectively managing the eight courthouse projects and two joint courthouse/federal building projects whose construction costs were fully funded in fiscal year 2016. In addition, the Judiciary has updated its *Courthouse Project Priorities* plan to reflect its highest construction priorities for fiscal year 2019: Harrisburg, Pennsylvania; Huntsville, Alabama; and Fort Lauderdale, Florida.

For the Capital Security Program, the Judiciary requests that Congress provide GSA \$25.4 million in fiscal year 2019 for additional capital security projects to ameliorate security deficiencies in existing courthouse buildings where physical renovations are viable in lieu of construction of a new courthouse. Stable, consistent funding for these projects is crucial to addressing serious security risks that threaten the safety and security of the Judiciary and the public.

Cost Containment

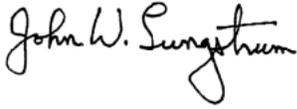
The Judiciary's aggressive cost-containment efforts have achieved cost savings and cost avoidance for over a dozen years and will continue to do so. Many initiatives have been implemented and have helped limit the growth in the Judiciary's budgetary requirements. These efforts focus on the areas that are expected to have the greatest impact on long-term savings, including GSA space rent, personnel expenses, information technology, and operating expenses.

The Judiciary continues to make strides toward its goal of reducing its space footprint by three percent by the end of fiscal year 2018. As of October 2017, approximately 803,748 net usable square feet (USF) of space has been removed from the GSA rent bill, which equates to 92.4 percent of the Judiciary's space reduction target of 870,305 USF and an annual rent avoidance of more than \$24.7 million. Projects currently underway are expected to yield additional space reduction enabling the Judiciary to meet or exceed this target.

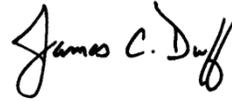
In addition, a joint Judiciary/GSA Service Validation Initiative (SVI) works in tandem with the Judiciary's space reduction program to ensure that the services GSA provides to the Judiciary are reliable, transparent, fair, and accurate. SVI has improved collaboration between the Judiciary and GSA and produced several new space pricing policies that will significantly reduce the Judiciary's space rental costs.

The Judiciary continues to use work measurement tools to update its court support staffing formulas on a regular basis to incorporate best practices, shared administrative services, improvements in information technology, and other efficiencies.

The Judiciary's fiscal year 2019 discretionary budget request of \$7.22 billion is summarized in the following pages. A more detailed description of the Judiciary's fiscal year 2019 request, as well as the requests for courthouse construction and capital security requirements, can be found in The Judiciary, Fiscal Year 2019 Congressional Budget Justification.



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Overview of the Judiciary

The organization of the judiciary, the district and circuit boundaries, the places of holding court, and the number of federal judges are established by laws passed by Congress and signed by the President. The number of federal judges in each district and in the courts of appeals is authorized by Congress on the basis of workload.

In addition to the adjudication of cases, other related functions, such as the provision of criminal defense services and the supervision of offenders, are prescribed by statute. Following is a brief overview of the work of the courts and other related activities of the Judicial Branch.

United States Supreme Court

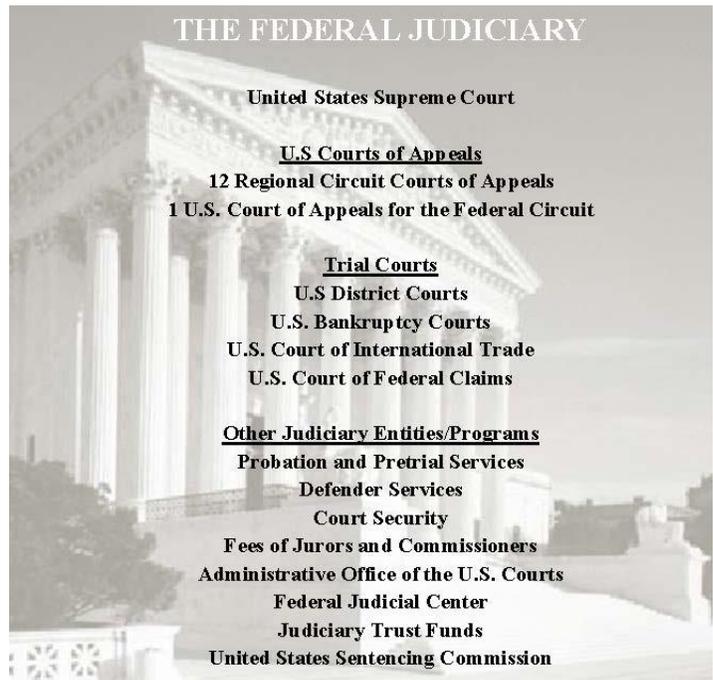
The United States Supreme Court consists of nine justices, one of whom is appointed as Chief Justice of the United States. The Supreme Court is the final arbiter in the federal court system.

United States Courts of Appeals

There are 12 regional courts of appeals and 167 authorized appellate court Article III judgeships nationwide. These 12 courts of appeals have jurisdiction over cases within a regional area or “circuit.” The 12 regional courts of appeals review cases from the United States district courts and the United States Tax Court as well as orders and decisions from a number of federal administrative agencies.

United States Court of Appeals for the Federal Circuit

The United States Court of Appeals for the Federal Circuit has exclusive national jurisdiction over a large number of diverse subject areas, including international trade, government contracts, patents, trademarks, certain monetary claims against the United States government, federal personnel, and veterans’ benefits. Appeals to the court come from all 94 federal district courts, as well as the United States Court of Federal Claims, the United States Court of International Trade, and the United States Court of Appeals for Veterans Claims. There are 12 authorized Article III circuit judgeships on the Court.



United States District Courts

There are 94 district courts in the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, and the territories of Guam, the U.S. Virgin Islands and the Northern Mariana Islands. The U.S. District Courts are the courts of general jurisdiction in the federal court system, and most federal cases are initially tried and decided in these courts. There are 677 authorized Article III district court judgeships nationwide.

The Federal Magistrates Act of 1968 created the office of magistrate judge to assist the district court judges. Magistrate judges are non-Article III judges appointed by the district judges, and they serve for a term of years rather than a lifetime appointment. Full-time magistrate judges serve a term of eight years and may be reappointed.

United States Bankruptcy Courts

The bankruptcy courts are separate units of the district courts. Federal courts have exclusive jurisdiction over bankruptcy cases; a bankruptcy case cannot be filed in a state court. United States bankruptcy judges are non-Article III judges appointed by the courts of appeals for a term of years, rather than a lifetime appointment. They serve for a term of 14 years and may be reappointed.



United States Court of International Trade

The Court of International Trade, with nine Article III judges, has exclusive nationwide jurisdiction of civil actions against the United States, its agencies and officers, and certain civil actions brought by the United States, arising out of import transactions and the administration and enforcement of the federal customs and international trade laws.

United States Court of Federal Claims

The Court of Federal Claims has nationwide jurisdiction over certain types of claims against the federal government. Its 16 judges are appointed for a term of 15 years by the President with the advice and consent of the Senate. Judges appointed to the Court of Federal Claims are authorized under Article I of the Constitution and do not have the tenure and salary protections of Article III judges.



Probation and Pretrial Services

Federal probation and pretrial services officers protect the public through the investigation and supervision of defendants and offenders within the federal criminal justice system. A pretrial services officer supervises defendants awaiting trial who are released into our communities and provides a source of information upon which the court can determine conditions of release or detention while criminal cases are pending adjudication. In support of sentencing determinations, which require both uniformity of practice and attention to individual circumstances, probation officers provide the court with reliable information concerning the offender, the victim, and the offense committed, as well as an impartial application of the sentencing guidelines. Probation officers supervise offenders sentenced to probation, as well as offenders coming out of federal prison who are required to serve a term of supervised release.

Defender Services

The federal judiciary oversees and administers the federal defender and appointed counsel program, which provides legal representation and other services to persons financially unable to obtain counsel in criminal and related matters in federal court. The Sixth Amendment to the Constitution guarantees that “[i]n all criminal prosecutions, the accused shall enjoy the right...to have the assistance of counsel for his defense.” The Criminal Justice Act provides that courts shall appoint counsel from federal public and community defender organizations or from a panel of private attorneys (“panel attorneys”) established by the court.

Court Security

The judiciary’s Court Security appropriation funds protective guard services and security systems and equipment for United States courthouses and other facilities housing federal court operations. These services are contracted for and managed by the Department of Justice’s United States Marshals Service, with additional guard services provided by the Department of Homeland Security’s Federal Protective Service.

Fees of Jurors and Commissioners

The judiciary receives funding to provide for the statutory fees and allowances of federal grand and petit jurors and for the compensation of land commissioners.

Administrative Office of the U.S. Courts

The Administrative Office of the U.S. Courts is the central support entity for the judicial branch. It has management oversight of the court security program, the probation and pretrial services program, and the defender services program. It supports the Judicial Conference of the United States in determining judiciary policies; develops new methods, systems, and programs for conducting the business of the federal courts efficiently and economically; develops and supports the application of technology; collects and analyzes statistics on the business of the federal courts for accurate planning and decisions about resource needs; provides financial management services and personnel and

payroll support; and conducts audits and reviews to ensure the continued quality and integrity of federal court operations.

Federal Judicial Center

The Federal Judicial Center is the judiciary’s research and education agency. The Center undertakes research and evaluation of judicial operations and procedures for both the committees of the Judicial Conference and the courts themselves. It provides judges, court personnel, and others orientation, continuing education and training through seminars; curriculum units for in-court use; monographs and manuals; and audio, video, and interactive media programs.

Payment to Judicial Trust Funds

This appropriation finances annuity payments to retired bankruptcy judges and magistrate judges, U.S. Court of Federal Claims judges, and spouses and dependent children of deceased judicial officers.

United States Sentencing Commission

The U.S. Sentencing Commission promulgates sentencing policies, practices, and guidelines for the federal criminal justice system. The Chair, three Vice Chairs, and three other voting commissioners are appointed by the President with the advice and consent of the Senate.



Budget Summary – Details of Request

The judiciary's appropriation request for fiscal year 2019 totals \$7,862,979,000 (including \$638,749,000 in mandatory appropriations and \$7,224,230,000 in discretionary appropriations), an increase of \$245,549,000, or 3.2 percent, over the fiscal year 2018 assumed appropriations. Of the total increase, \$22,136,000 is for mandatory appropriations (3.6 percent increase) and \$223,413,000 is for discretionary appropriations (3.2 percent increase).

Fiscal Year 2018 Appropriations Assumption

In the absence of enacted full fiscal year 2018 appropriations, the judiciary made assumptions to construct a fiscal year 2019 budget request. The specific assumption for each account is detailed below in each section of this Congressional Budget Summary as well as in each chapter of the full Fiscal Year 2019 Congressional Budget Justification. After full-year fiscal year 2018 appropriations are enacted, the judiciary will re-estimate its fiscal year 2019 budget request and transmit to the Appropriations Committees any changes to fiscal year 2019 appropriations requirements and language.

Further, for bill language, the judiciary used the language from H.R. 3280, the House Appropriations Committee-passed fiscal year 2018 Financial Services and General Government appropriations bill, updated with the fiscal year 2018 assumed funding level, as the closest approximation of eventual enacted fiscal year 2018 appropriations language.

Adjustments to Base (Mandatory Appropriations)

A \$22.1 million increase is requested for mandatory judiciary appropriations, as follows:

1. An increase of \$16.7 million is required for the judiciary retirement trust funds accounts based on requirements calculated by an independent actuary.
2. An increase of \$2.6 million is associated with one additional senior judge FTE and an additional 10 active Article III judges FTE (based on an assumption of 40 confirmations).
3. An increase of \$2.9 million is for pay and benefit adjustments for Article III judges for the Supreme Court, the Court of Appeals for the Federal Circuit, the Court of International Trade, and Article III and bankruptcy judges within the Salaries and Expenses account, including the annualization of the fiscal year 2018 pay adjustment.

Adjustments to Base (Discretionary Appropriations)

A total of \$168.0 million (75.2 percent) of the requested \$223.4 million discretionary increase will provide for pay adjustments, inflation and other adjustments to base necessary to maintain current services.

Base adjustments include:

1. An increase of \$89.8 million will provide for inflationary pay and benefit rate increases for magistrate and claims judges, judges' staff, and supporting personnel. This includes annualizing the January 2018 pay adjustment, changes in benefit costs, one more compensable day, and a wage rate adjustment for court security officers.
2. An increase of \$83.7 million is necessary to replace non-appropriated sources of funds used in fiscal year 2018 to support base requirements with direct appropriations for the courts' Salaries and Expenses, Defender Services, and Fees of Jurors accounts. The judiciary will keep the Appropriations Subcommittees informed of any change in this estimate.
3. An increase of \$18.3 million will provide for increases in contract rates and other standard inflationary increases.
4. An increase of \$8.2 million is associated with a change in panel attorney representations for the Defender Services program.
5. A net increase of \$8.0 million is associated with adjustments to court security systems and equipment requirements.
6. An increase of \$7.7 million is associated with an additional three senior judges' staff and an additional 51 active Article III judges' staff.
7. A net increase of \$3.0 million is associated with a net increase of \$22.7 million for space rental adjustments, \$12.2 million for other space-related adjustments, and \$2.9 million for the annualization of new space expected to be delivered in fiscal year 2018 partially offset by \$34.8 million in savings due to a new GSA pricing policy and space reduction efforts.
8. An increase of \$1.6 million will provide for estimated increases in Federal Protective Service (FPS) security charges, based on rates established by FPS.
9. An increase of \$0.3 million will provide for the annualization of five positions at the United States Marshals Service funded in fiscal year 2018 dedicated to support the physical access control systems program.
10. A decrease of \$36.7 million with the courts' Salaries and Expenses account is due to a reduction in base requirements to reflect lower staffing requirements associated with fiscal year 2019 workload and lower anticipated court spending on salaries and operating expenses.
11. A decrease of \$5.3 million is due to reduced information technology requirements and contractor conversions to permanent positions.
12. A decrease of \$4.9 million is for non-recurring costs associated with the evidence-based practices training and curricula materials.

13. A decrease of \$4.8 million is associated with non-recurring project requirements associated with the Supreme Court's Care of the Building and Grounds account.
14. A decrease of \$0.5 million is associated with a projected net change in juror costs.
15. A decrease of \$0.4 million is associated with court staff reductions at the Court of International Trade.

Program Increases (Discretionary Appropriations)

The remaining \$55.4 million (24.8 percent) of the requested increase is for program enhancements including:

1. An increase of \$13.4 million is for the replacement of the Probation and Pretrial Services Automated Case Tracking System.
2. An increase of \$12.4 million will support telecommunications, swing space, and security requirements for new courthouse construction projects.
3. An increase of \$5.5 million is to implement the physical access control systems replacement strategy, which would increase funding requirements by approximately \$5.0 million each year from fiscal year 2019 to fiscal year 2022.
4. An increase of \$5.2 million will support four positions (two FTE) and maintenance and infrastructure upgrades requirements for Supreme Court facilities.
5. An increase of \$5.1 million is for an increase to the daily juror attendance rate from \$40 to \$50.
6. An increase of \$4.0 million will support 4 additional magistrate judge positions (4 FTE), 12 support staff (12 FTE), and associated operating costs for San Juan, Puerto Rico; McAllen, Texas; Rapid City, South Dakota; and Atlanta, Georgia.
7. A net increase of \$3.3 million is associated with projected defender services workload. This consists of an increase of \$6.8 million for 56 federal public defender organization (FPDO) positions/28 FTE and 14 community defender organization (CDO) positions for the continued implementation of the federal defender office (FDO) staffing formula, partially offset by a decrease of \$3.5 million associated with a change in projected panel attorney requirements as newly hired FDO staff assume some of the capital work previously handled by panel attorneys.
8. An increase of \$2.2 million will support 27 new positions (14 FTE) for security requirements for the Supreme Court.

9. An increase of \$2.0 million will support an additional 35 court security officer (CSO) positions consistent with the continued implementation of the new CSO staffing standards.
10. An increase of \$1.9 million will provide for a \$6 hourly rate increase above inflation, from \$134 to \$140 per hour, for non-capital panel attorney cases for the Defender Services account, effective January 2019.
11. An increase of \$0.3 million will support one position (one FTE) and cybersecurity requirements for the Court of Appeals for the Federal Circuit.
12. An increase of \$0.2 million will support three reimbursable positions (two FTE) consisting of an attorney advisor and two other professional staff to support training programs for federal defender staff and panel attorneys.

Summary Tables

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Judiciary Appropriation Funding (\$000)									
Appropriation Account	FY 2017 Enacted			FY 2018 Assumed Appropriation			FY 2019 Request		
	Mandatory ¹	Discretionary	Total	Mandatory ¹	Discretionary	Total	Mandatory	Discretionary	Total
Supreme Court									
Salaries and Expenses	2,611	76,668	79,279	2,651	80,669	83,320	2,663	84,359	87,022
Building and Grounds	-	14,868	14,868	-	15,328	15,328	-	15,999	15,999
Total, Supreme Court	2,611	91,536	94,147	2,651	95,997	98,648	2,663	100,358	103,021
Court of Appeals for the Federal Circuit	2,942	30,108	33,050	2,997	30,350	33,347	3,018	31,274	34,292
Court of International Trade	1,573	18,462	20,035	2,074	18,509	20,583	2,087	19,070	21,157
<i>Courts of Appeals, District Courts, and Other Judicial Services:</i>									
Salaries and Expenses	399,262	4,996,445	5,395,707	413,891	5,019,749	5,433,640	419,281	5,132,543	5,551,824
Vaccine Injury Trust Fund	-	6,510	6,510	-	8,221	8,221	-	8,475	8,475
Total, Salaries and Expenses	399,262	5,002,955	5,402,217	413,891	5,027,970	5,441,861	419,281	5,141,018	5,560,299
Defender Services	-	1,044,647	1,044,647	-	1,077,511	1,077,511	-	1,141,489	1,141,489
Fees of Jurors & Commissioners	-	39,929	39,929	-	45,829	45,829	-	51,233	51,233
Court Security	-	565,388	565,388	-	569,990	569,990	-	602,309	602,309
Subtotal, CADCOJS	399,262	6,652,919	7,052,181	413,891	6,721,300	7,135,191	419,281	6,936,049	7,355,330
Administrative Office of the U.S. Courts	-	87,500	87,500	-	87,920	87,920	-	89,867	89,867
Federal Judicial Center	-	28,335	28,335	-	28,522	28,522	-	29,064	29,064
Judicial Retirement Funds	168,300	-	168,300	195,000	-	195,000	211,700	-	211,700
Sentencing Commission	-	18,100	18,100	-	18,219	18,219	-	18,548	18,548
Total Direct	574,688	6,920,450	7,495,138	616,613	6,992,596	7,609,209	638,749	7,215,755	7,854,504
Vaccine Injury Trust Fund	-	6,510	6,510	-	8,221	8,221	-	8,475	8,475
Total, Judiciary	574,688	6,926,960	7,501,648	616,613	7,000,817	7,617,430	638,749	7,224,230	7,862,979

¹ FY 2017 mandatory levels reflect actuals, with the exception of Supreme Court which reflects the FY 2017 financial plan level. FY 2018 mandatory levels represent FY 2018 assumed financial plan levels.

THE JUDICIARY
Summary of FTE

Appropriation Account	FY 2017 Actual			FY 2018 Assumed Appropriation			FY 2019 Request		
	Mandatory	Discretionary	Total	Mandatory	Discretionary	Total	Mandatory	Discretionary	Total
Supreme Court									
Salaries and Expenses	9	488	497	9	495	504	9	509	518
Building and Grounds	-	43	43	-	50	50	-	52	52
Total, Supreme Court	9	531	540	9	545	554	9	561	570
Court of Appeals for the Federal Circuit	12	133	145	12	139	151	12	140	152
Court of International Trade	7	55	62	9	71	80	9	68	77
<i>Courts of Appeals, District Courts, and Other Judicial Services:</i>									
Salaries and Expenses	1,763	26,096	27,859	1,774	26,197	27,971	1,785	26,267	28,052
Vaccine Injury Trust Fund	-	-	-	-	-	-	-	-	-
Total, Salaries and Expenses	1,763	26,096	27,859	1,774	26,197	27,971	1,785	26,267	28,052
Defender Services	-	2,855	2,855	-	2,991	2,991	-	3,019	3,019
Fees of Jurors & Commissioners	-	-	-	-	-	-	-	-	-
Court Security	-	61	61	-	73	73	-	75	75
Subtotal, CADCOJS	1,763	29,012	30,775	1,774	29,261	31,035	1,785	29,361	31,146
Administrative Office of the U.S. Courts	-	594	594	-	621	621	-	621	621
Federal Judicial Center	-	128	128	-	128	128	-	128	128
Judicial Retirement Funds	-	-	-	-	-	-	-	-	-
Sentencing Commission	-	94	94	-	95	95	-	95	95
Total Direct	1,791	30,547	32,338	1,804	30,860	32,664	1,815	30,974	32,789
Reimbursables, AO	-	440	440	-	510	510	-	522	522
Total, Judiciary	1,791	30,987	32,778	1,804	31,370	33,174	1,815	31,496	33,311

FY 2019 Summary of Requested Changes								
	Supreme Court		Federal Circuit		International Trade		Total CADCOJS ¹	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTEs	(\$000)
FY 2018 Assumed Appropriation Level - Mandatory	9	2,651	12	2,997	9	2,074	1,774	413,891
FY 2018 Assumed Appropriation Level - Discretionary	545	95,997	139	30,350	71	18,509	29,261	6,713,079
FY 2018 Vaccine Injury Compensation Trust Fund <i>AO Reimbursable FTE</i>	-	-	-	-	-	-	-	8,221
FY 2018 Available Appropriation	554	98,648	151	33,347	80	20,583	31,035	7,135,191
FY 2019 Adjustments to Base								
Judges:								
- Pay and benefit cost adjustments	-	12	-	21	-	13	-	3,921
- Additional senior judges	-	-	-	-	-	-	4	634
- Increase in average number of filled Article III judges	-	-	-	-	-	-	61	9,648
- Payments to judiciary retirement trust funds	-	-	-	-	-	-	-	-
Court Personnel:								
- Pay and benefit cost adjustments	-	1,230	-	373	-	131	-	77,821
- Annualization of USMS positions added in FY 2018	-	-	-	-	-	-	2	280
- Court staff reduction	-	-	-	-	(3)	(364)	-	-
Other Changes:								
- Funding necessary to maintain current services	-	-	-	-	-	-	-	83,664
- Inflation (non-space-related)	-	444	-	129	-	24	-	17,175
- Vaccine Injury Compensation Trust Fund adjustment	-	-	-	-	-	-	-	254
- Space related costs (includes inflation for space rental rates)	-	-	-	123	-	759	-	2,139
- Information technology requirements	-	-	-	-	-	-	-	(5,263)
- Change in projected panel attorney workload	-	-	-	-	-	-	-	8,245
- Change in available jurors	-	-	-	-	-	-	-	(518)
- Adjustments to base (non-recurring requirements)	-	(4,800)	-	-	-	-	-	-
- Reduction in court salary and non-salary requirements	-	-	-	-	-	-	-	(36,692)
- FPS security service charges	-	-	-	-	-	11	-	1,600
- FY 2019 court security officer wage adjustments	-	-	-	-	-	-	-	6,599
- Adjustments to base for security systems and equipment	-	-	-	-	-	-	-	7,952
- Evidence-based practices (non-recurring requirements)	-	-	-	-	-	-	-	(4,943)
Subtotal, FY 2019 Adjustments to Base	-	(3,114)	-	646	(3)	574	67	172,516
<i>Total Adjustments to Base, Mandatory</i>	-	12	-	21	-	13	11	5,390
<i>Total Adjustments to Base, Discretionary</i>	-	(3,126)	-	625	(3)	561	56	167,126
<i>AO Reimbursable FTE changes</i>								
FY 2019 Adjusted Base	554	95,534	151	33,993	77	21,157	31,102	7,307,707
FY 2019 Program Increases								
Judges:								
- Magistrate judges and staff	-	-	-	-	-	-	16	3,975
Court Personnel and Programs:								
- Additional security positions for Supreme Court	14	2,240	-	-	-	-	-	-
- Four new positions for Supreme Court facilities	2	248	-	-	-	-	-	-
- Improvements to Supreme Court facilities and infrastructure	-	4,999	-	-	-	-	-	-
- Training positions	-	-	-	-	-	-	-	186
- Non-Capital panel attorney hourly rate increase (from \$134 to \$140)	-	-	-	-	-	-	-	1,862
- Continued implementation of the FDO staffing formula	-	-	-	-	-	-	28	6,755
- Offsetting reduction associated with capital workload	-	-	-	-	-	-	-	(3,500)
- Cybersecurity requirements	-	-	1	299	-	-	-	-
- Probation and pretrial automated case tracking system requirements	-	-	-	-	-	-	-	13,385
- Increase to the juror daily rate (from \$40 to \$50)	-	-	-	-	-	-	-	5,070
- Physical access control systems replacement strategy	-	-	-	-	-	-	-	5,520
- Infrastructure for new courthouse construction projects	-	-	-	-	-	-	-	12,417
- Phased implementation (3rd year) of CSO staffing standards (35 CSOs)	-	-	-	-	-	-	-	1,953
Subtotal, FY 2019 Program Increases	16	7,487	1	299	-	-	44	47,623
<i>Total Program Increases, Mandatory</i>	-	-	-	-	-	-	-	-
<i>Total Program Increases, Discretionary</i>	16	7,487	1	299	-	-	44	47,623
<i>AO Reimbursable FTE changes</i>								
<i>Total Mandatory Increases</i>	-	12	-	21	-	13	11	5,390
<i>Total Discretionary Increases</i>	16	4,361	1	924	(3)	561	100	214,749
<i>AO Reimbursable FTE changes</i>								
Total Increases Requested, FY 2019	16	4,373	1	945	(3)	574	111	220,139
Total Mandatory	9	2,663	12	3,018	9	2,087	1,785	419,281
Total Discretionary	561	100,358	140	31,274	68	19,070	29,361	6,936,049
<i>AO Reimbursable FTE</i>								
FY 2019 Appropriation Request	570	103,021	152	34,292	77	21,157	31,146	7,355,330

¹ Includes Salaries and Expenses, Defender Services, Fees of Jurors and Commissioners, and Court Security accounts

FY 2019 Summary of Requested Changes

	Administrative Office		Fed. Judicial Center		Sentencing Commission		Judicial Retirement Funds	Total Judiciary	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	(\$000)	FTE	(\$000)
FY 2018 Assumed Appropriation Level - Mandatory	-	-	-	-	-	-	195,000	1,804	616,613
FY 2018 Assumed Appropriation Level - Discretionary	621	87,920	128	28,522	95	18,219	-	30,860	6,992,596
FY 2018 Vaccine Injury Compensation Trust Fund	-	-	-	-	-	-	-	-	8,221
<i>AO Reimbursable FTE</i>	510							510	
FY 2018 Available Appropriation	1,131	87,920	128	28,522	95	18,219	195,000	33,174	7,617,430
FY 2019 Adjustments to Base									
Judges:									
- Pay and benefit cost adjustments	-	-	-	-	-	-	-	-	3,967
- Additional senior judges	-	-	-	-	-	-	-	4	634
- Increase in average number of filled Article III judges	-	-	-	-	-	-	-	61	9,648
- Payments to judiciary retirement trust funds	-	-	-	-	-	-	16,700	-	16,700
Court Personnel:									
- Pay and benefit cost adjustments	-	1,877	-	399	-	239	-	-	82,070
- Annualization of USMS positions added in FY 2018	-	-	-	-	-	-	-	2	280
- Court staff reduction	-	-	-	-	-	-	-	(3)	(364)
Other Changes:									
- Funding necessary to maintain current services	-	-	-	-	-	-	-	-	83,664
- Inflation (non-space-related)	-	70	-	143	-	90	-	-	18,075
- Vaccine Injury Compensation Trust Fund adjustment	-	-	-	-	-	-	-	-	254
- Space related costs (includes inflation for space rental rates)	-	-	-	-	-	-	-	-	3,021
- Information technology requirements	-	-	-	-	-	-	-	-	(5,263)
- Change in projected panel attorney workload	-	-	-	-	-	-	-	-	8,245
- Change in available jurors	-	-	-	-	-	-	-	-	(518)
- Adjustments to base (non-recurring requirements)	-	-	-	-	-	-	-	-	(4,800)
- Reduction in court salary and non-salary requirements	-	-	-	-	-	-	-	-	(36,692)
- FPS security service charges	-	-	-	-	-	-	-	-	1,611
- FY 2019 court security officer wage adjustments	-	-	-	-	-	-	-	-	6,599
- Adjustments to base for security systems and equipment	-	-	-	-	-	-	-	-	7,952
- Evidence-based practices (non-recurring requirements)	-	-	-	-	-	-	-	-	(4,943)
Subtotal, FY 2019 Adjustments to Base	-	1,947	-	542	-	329	16,700	64	190,140
<i>Total Adjustments to Base, Mandatory</i>	-	-	-	-	-	-	16,700	11	22,136
<i>Total Adjustments to Base, Discretionary</i>	-	1,947	-	542	-	329	-	53	168,004
<i>AO Reimbursable FTE changes</i>	10							10	
FY 2019 Adjusted Base	1,141	89,867	128	29,064	95	18,548	211,700	33,248	7,807,570
FY 2019 Program Increases									
Judges:									
- Magistrate judges and staff	-	-	-	-	-	-	-	16	3,975
Court Personnel and Programs:									
- Additional security positions for Supreme Court	-	-	-	-	-	-	-	14	2,240
- Four new positions for Supreme Court facilities	-	-	-	-	-	-	-	2	248
- Improvements to Supreme Court facilities and infrastructure	-	-	-	-	-	-	-	-	4,999
- Training positions	-	-	-	-	-	-	-	-	186
- Non-Capital panel attorney hourly rate increase (from \$134 to \$140)	-	-	-	-	-	-	-	-	1,862
- Continued implementation of the FDO staffing formula	-	-	-	-	-	-	-	28	6,755
- Offsetting reduction associated with capital workload	-	-	-	-	-	-	-	-	(3,500)
- Cybersecurity requirements	-	-	-	-	-	-	-	1	299
- Probation and pretrial automated case tracking system requirements	-	-	-	-	-	-	-	-	13,385
- Increase to the juror daily rate (from \$40 to \$50)	-	-	-	-	-	-	-	-	5,070
- Physical access control systems replacement strategy	-	-	-	-	-	-	-	-	5,520
- Infrastructure for new courthouse construction projects	-	-	-	-	-	-	-	-	12,417
- Phased implementation (3rd year) of CSO staffing standards (35 CSOs)	-	-	-	-	-	-	-	-	1,953
Subtotal, FY 2019 Program Increases	-	-	-	-	-	-	-	61	55,409
<i>Total Program Increases, Mandatory</i>	-	-	-	-	-	-	-	-	-
<i>Total Program Increases, Discretionary</i>	-	-	-	-	-	-	-	61	55,409
<i>AO Reimbursable FTE changes</i>	2							2	
<i>Total Mandatory Increases</i>	-	-	-	-	-	-	16,700	11	22,136
<i>Total Discretionary Increases</i>	-	1,947	-	542	-	329	-	114	223,413
<i>AO Reimbursable FTE changes</i>	12							12	
Total Increases Requested, FY 2019	12	1,947	-	542	-	329	16,700	125	245,549
Total Mandatory	-	-	-	-	-	-	211,700	1,815	638,749
Total Discretionary	621	89,867	128	29,064	95	18,548	-	30,974	7,224,230
<i>AO Reimbursable FTE</i>	522							522	
FY 2019 Appropriation Request	1,143	89,867	128	29,064	95	18,548	211,700	33,311	7,862,979

FY 2019 Summary of Requested Changes - Courts of Appeals, District Courts, and Other Judicial Services (CADCOJS) Details

	Salaries and Expenses		Defender Services		Fees of Jurors and Commissioners	Court Security		Total CADCOJS	
	FTE	(\$000)	FTE	(\$000)	(\$000)	FTE	(\$000)	FTEs	(\$000)
FY 2018 Assumed Appropriation Level - Mandatory	1,774	413,891	-	-	-	-	-	1,774	413,891
FY 2018 Assumed Appropriation Level - Discretionary	26,197	5,019,749	2,991	1,077,511	45,829	73	569,990	29,261	6,713,079
FY 2018 Vaccine Injury Compensation Trust Fund <i>AO Reimbursable FTE</i>	-	8,221	-	-	-	-	-	-	8,221
FY 2018 Available Appropriation	27,971	5,441,861	2,991	1,077,511	45,829	73	569,990	31,035	7,135,191
FY 2019 Adjustments to Base									
Judges:									
- Pay and benefit cost adjustments	-	3,921	-	-	-	-	-	-	3,921
- Additional senior judges	4	634	-	-	-	-	-	4	634
- Increase in average number of filled Article III judges	61	9,648	-	-	-	-	-	61	9,648
- Payments to judiciary retirement trust funds	-	-	-	-	-	-	-	-	-
Court Personnel:									
- Pay and benefit cost adjustments	-	62,078	-	13,880	-	-	1,863	-	77,821
- Annualization of USMS positions added in FY 2018	-	-	-	-	-	2	280	2	280
- Court staff reduction	-	-	-	-	-	-	-	-	-
Other Changes:									
- Funding necessary to maintain current services	-	49,917	-	33,350	397	-	-	-	83,664
- Inflation (non-space-related)	-	14,477	-	2,088	455	-	155	-	17,175
- Vaccine Injury Compensation Trust Fund adjustment	-	254	-	-	-	-	-	-	254
- Space related costs (includes inflation for space rental rates)	-	1,481	-	1,112	-	-	(454)	-	2,139
- Information technology requirements	-	(5,263)	-	-	-	-	-	-	(5,263)
- Change in projected panel attorney workload	-	-	-	8,245	-	-	-	-	8,245
- Change in available jurors	-	-	-	-	(518)	-	-	-	(518)
- Adjustments to base (non-recurring requirements)	-	-	-	-	-	-	-	-	-
- Reduction in court salary and non-salary requirements	-	(36,692)	-	-	-	-	-	-	(36,692)
- FPS security service charges	-	-	-	-	-	-	1,600	-	1,600
- FY 2019 court security officer wage adjustments	-	-	-	-	-	-	6,599	-	6,599
- Adjustments to base for security systems and equipment	-	-	-	-	-	-	7,952	-	7,952
- Evidence-based practices (non-recurring requirements)	-	(4,943)	-	-	-	-	-	-	(4,943)
Subtotal, FY 2019 Adjustments to Base	65	95,512	-	58,675	334	2	17,995	67	172,516
<i>Total Adjustments to Base, Mandatory</i>	<i>11</i>	<i>5,390</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>11</i>	<i>5,390</i>
<i>Total Adjustments to Base, Discretionary</i> <i>AO Reimbursable FTE changes</i>	<i>54</i>	<i>90,122</i>	<i>-</i>	<i>58,675</i>	<i>334</i>	<i>2</i>	<i>17,995</i>	<i>56</i>	<i>167,126</i>
FY 2019 Adjusted Base	28,036	5,537,373	2,991	1,136,186	46,163	75	587,985	31,102	7,307,707
FY 2019 Program Increases									
Judges:									
- Magistrate judges and staff	16	3,975	-	-	-	-	-	16	3,975
Court Personnel and Programs:									
- Additional security positions for Supreme Court	-	-	-	-	-	-	-	-	-
- Four new positions for Supreme Court facilities	-	-	-	-	-	-	-	-	-
- Improvements to Supreme Court facilities and infrastructure	-	-	-	-	-	-	-	-	-
- Training positions	-	-	-	186	-	-	-	-	186
- Non-Capital panel attorney hourly rate increase (from \$134 to \$140)	-	-	-	1,862	-	-	-	-	1,862
- Continued implementation of the FDO staffing formula	-	-	28	6,755	-	-	-	28	6,755
- Offsetting reduction associated with capital workload	-	-	-	(3,500)	-	-	-	-	(3,500)
- Cybersecurity requirements	-	-	-	-	-	-	-	-	-
- Probation and pretrial automated case tracking system requirements	-	13,385	-	-	-	-	-	-	13,385
- Increase to the juror daily rate (from \$40 to \$50)	-	-	-	-	5,070	-	-	-	5,070
- Physical access control systems replacement strategy	-	-	-	-	-	-	5,520	-	5,520
- Infrastructure for new courthouse construction projects	-	5,566	-	-	-	-	6,851	-	12,417
- Phased implementation (3rd year) of CSO staffing standards (35 CSOs)	-	-	-	-	-	-	1,953	-	1,953
Subtotal, FY 2019 Program Increases	16	22,926	28	5,303	5,070	-	14,324	44	47,623
<i>Total Program Increases, Mandatory</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>
<i>Total Program Increases, Discretionary</i> <i>AO Reimbursable FTE changes</i>	<i>16</i>	<i>22,926</i>	<i>28</i>	<i>5,303</i>	<i>5,070</i>	<i>-</i>	<i>14,324</i>	<i>44</i>	<i>47,623</i>
<i>Total Mandatory Increases</i>	<i>11</i>	<i>5,390</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>-</i>	<i>11</i>	<i>5,390</i>
<i>Total Discretionary Increases</i> <i>AO Reimbursable FTE changes</i>	<i>70</i>	<i>113,048</i>	<i>28</i>	<i>63,978</i>	<i>5,404</i>	<i>2</i>	<i>32,319</i>	<i>100</i>	<i>214,749</i>
Total Increases Requested, FY 2019	81	118,438	28	63,978	5,404	2	32,319	111	220,139
Total Mandatory	1,785	419,281	-	-	-	-	-	1,785	419,281
Total Discretionary <i>AO Reimbursable FTE</i>	26,267	5,141,018	3,019	1,141,489	51,233	75	602,309	29,361	6,936,049
FY 2019 Appropriation Request	28,052	5,560,299	3,019	1,141,489	51,233	75	602,309	31,146	7,355,330

THE JUDICIARY

Outlays - FY 2017 to FY 2019

Appropriation	FY 2017	FY 2018	FY 2019
Supreme Court			
Discretionary	73,964	81,147	83,748
Mandatory	2,611	2,651	2,633
Total, Salaries and Expenses	76,575	83,798	86,381
Buildings and Grounds	10,014	15,220	16,482
Court of Appeals for the Federal Circuit			
Discretionary	26,039	33,679	31,058
Mandatory	2,942	2,997	3,018
Total, Court of Appeals for the Federal Circuit	28,981	36,676	34,076
Court of International Trade			
Discretionary	14,219	23,778	19,306
Mandatory	1,573	2,074	2,087
Total, Court of International Trade	15,792	25,852	21,393
<i>Courts of Appeals, District Courts, and Other Judicial Services:</i>			
Salaries and Expenses - Discretionary	4,964,057	5,119,109	5,119,719
Salaries and Expenses - Mandatory	399,262	413,891	419,281
Total, Salaries and Expenses	5,363,319	5,533,000	5,539,000
Defender Services	1,045,050	1,054,173	1,141,327
Fees of Jurors & Commissioners	45,389	47,010	50,568
Court Security	528,138	591,000	601,000
Total, Courts of Appeals, District Courts, and Other Judicial Services	6,981,896	7,225,183	7,331,895
Administrative Office of the United States Courts	77,275	76,520	89,267
Federal Judicial Center	28,280	28,607	28,742
Judicial Retirement Funds (Mandatory)	168,300	195,000	211,700
United States Sentencing Commission	15,382	18,070	18,996
Subtotal, Discretionary	6,827,807	7,088,313	7,200,213
Subtotal, Mandatory	574,688	616,613	638,719
Total, Judiciary	7,402,495	7,704,926	7,838,932

Fiscal Year 2019 Request Summary by Appropriation

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Supreme Court of the United States
Salaries and Expenses

	FY 2019 Request					
	Mandatory		Discretionary		Total	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2018 Assumed Appropriation	9	2,651	495	80,669	504	83,320
Adjustments to Base	-	12	-	1,450	-	1,462
Program Increases	-	-	14	2,240	14	2,240
FY 2019 Appropriation Request	9	2,663	509	84,359	518	87,022

The U.S. Supreme Court requests \$87.0 million (\$2.7 million for mandatory expenses and \$84.4 million for discretionary expenses) in fiscal year 2019 for the Salaries and Expenses account.

The \$84.4 million request for discretionary appropriations represents a 4.6 percent increase over the fiscal year 2018 assumed discretionary appropriation. For this account, the fiscal year 2018 discretionary appropriations assumption is \$80.7 million, which is the fiscal year 2018 Senate mark. This request reflects the necessary adjustments to base to maintain current services and a program increase for additional security upgrades.

I. Mandatory Adjustments to Base

The fiscal year 2019 request includes \$12,000 for standard pay increases and changes in benefits for the Chief Justice and the Associate Justices.

II. Discretionary Adjustments to Base

The Supreme Court requests a \$1.5 million increase for discretionary expenses in fiscal year 2019 for standard pay and other inflationary adjustments.

III. Program Increases

The fiscal year 2019 request includes \$2.2 million for 27 new positions for security requirements.

IV. Appropriations Language

Supreme Court of the United States
Salaries and Expenses

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by

31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, [\$80,669,000]\$84,359,000, of which \$1,500,000 shall remain available until expended. In addition, there are appropriated such sums as may be necessary under current law for salaries of the chief justice and associate justices of the court.

(H.R. 3280 - Financial Services and General Government Appropriations Act, 2018, updated to reflect the judiciary's fiscal year 2018 assumed appropriation)

V. Summary of Obligations

U.S. Supreme Court - Salaries and Expenses				
Comparative Summary of Obligations by Category				
(\$000)				
Category	FY 2017 Actual	FY 2018 Assumed Obligations/ Appropriation	FY 2019 Request	Requested Increase/ Decrease
Compensation and Benefits	60,191	64,712	67,081	2,369
Rent, Communications and Utilities	737	1,202	1,223	21
Travel	667	977	1,094	117
Other	16,319	16,429	17,624	1,195
Total Obligations	77,914	83,320	87,022	3,702
Financing Adjustment	1,365	-	-	-
Available Appropriation	79,279	83,320	87,022	3,702
Mandatory Appropriation	2,611	2,651	2,663	12
Discretionary Appropriation	76,668	80,669	84,359	3,690



Supreme Court of the United States
Care of the Building and Grounds

FY 2019 Request		
	Discretionary	
	FTE	(\$000)
FY 2018 Assumed Appropriation	50	15,328
Adjustments to Base	-	(4,576)
Program Increases	2	5,247
FY 2019 Appropriation Request	52	15,999

The U.S. Supreme Court requests \$16.0 million for its Care of the Building and Grounds account in fiscal year 2019, a 4.4 percent increase over the fiscal year 2018 assumed appropriation. For this account, the fiscal year 2018 appropriations assumption is \$15.3 million, which is the current services level.

The Architect of the Capitol provides for the structural and mechanical care of the United States Supreme Court Building and Grounds, including maintenance and operation of mechanical, electrical, and electronic equipment. This request includes the necessary adjustments to base to maintain current services and program increases for four additional positions (2 FTE), parts and maintenance for the new Building Automation System (BAS), replacement of steam convector valves, small-scale construction and renovation, and an initiative to upgrade the Court’s electrical systems and critical infrastructure.

I. Discretionary Adjustments to Base

The Supreme Court requests a net decrease of \$4.6 million consisting of an increase of \$0.2 million for standard pay and other inflationary adjustments, offset by a decrease of \$4.8 million for non-recurring costs associated with the Interior Courtyard Stone Cleaning and Restoration project.

II. Program Increases

The fiscal year 2019 budget request for the Building and Grounds account includes \$5.3 million for program increases.

1. Engineering Technician (re-request from fiscal year 2018): \$74,000 and 0.5 FTE

The Court requests \$74,000 and one position (0.5 FTE) for the implementation, maintenance, and oversight of a building performance monitoring system that uses increased technology through the BAS, Direct Digital Controls (DDC), and Utility Metering. Increased technology in the BAS, DDC, and Utility Metering necessitates additional and unique skills. The BAS monitors building performance across all systems (heating, ventilation, and air

conditioning (HVAC), electrical, and utility metering) to maintain building operational set points (temperature and relative humidity). The proposed position will have the necessary computer programming, trending, and analytical evaluation expertise.

2. *Direct digital controls specialist (re-request from fiscal year 2018): \$49,000 and 0.5 FTE*

The Court requests \$49,000 and one position (0.5 FTE) for a preventive maintenance program to perform troubleshooting and repair for the DDC equipment and software installed during the modernization. The proposed position will have the technical expertise to troubleshoot or restore and repair electronic sensing and control equipment in support of HVAC operations.

3. *Supervisory general engineer: \$84,000 and 0.5 FTE*

The Court requests \$84,000 and one position (0.5 FTE) for the supervision and management of engineers and contract specialists responsible for engineering and analysis of facility construction matters supporting the repair, restoration, and modernization of the Supreme Court Buildings and Grounds. Project and construction staff requiring supervision have increased from only a few people to a staff of 20-25.

4. *Junior engineer: \$41,000 and 0.5 FTE*

The Court requests \$41,000 and one position (0.5 FTE) for an entry/developmental level position.

5. *Web control technology system (re-request from fiscal year 2018): \$0.1 million*

The Court requests \$0.1 million for replacement parts, preventive maintenance, and system integrity oversight for the new BAS. This will also fund the connection of additional equipment to the network that is not currently monitored.

6. *Replace steam convector valves (re-request from fiscal year 2018): \$0.1 million*

The Court requests \$0.1 million for the replacement of the original 400 steam convectors, which are past their service life. This funding will replace 50 convectors per year on a cyclical basis and provide for annual maintenance and repair of components (gland seals, steam trap repair kits, control heads). The convectors, steam pipes, and condensate lines are original building design/components and have not been modernized, overhauled, or had any capital investments to the system.

7. *Electrical resiliency: \$4.2 million*

The Court requests \$4.2 million for a project to upgrade the Court's electrical systems and other critical infrastructure. This project was necessitated by a series of recent unplanned electrical outages to the Court's primary data center and telecommunications systems.

8. Minor construction funding: \$0.5 million

The Court requests \$0.5 million for a dedicated funding source for small-scale construction and renovation projects that arise during the course of a year. Due to unforeseen events, requests are often received for construction, renovation, and improvement projects that are urgent in nature, and having a source of dedicated funding will provide the flexibility to handle the requests.

III. Appropriations Language

**Supreme Court of the United States
Care of the Building and Grounds**

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, [\$15,328,000]~~\$15,999,000~~, to remain available until expended.

H.R. 3280 - Financial Services and General Government Appropriations Act, 2018, updated to reflect the judiciary's fiscal year 2018 assumed appropriation)

IV. Summary of Obligations

U.S. Supreme Court - Care of the Building and Grounds Comparative Summary of Obligations by Category (\$000)				
Category	FY 2017 Actual	FY 2018 Assumed Obligations/ Appropriation	FY 2019 Request	Requested Increase/ Decrease
Compensation and Benefits	4,971	5,104	5,609	505
Rent, Communications and Utilities	2,164	2,180	2,183	3
Other	2,913	9,116	10,275	1,159
Total Obligations	10,048	16,400	18,067	1,667
Financing Adjustment	4,820	(1,072)	(2,068)	(996)
Available Appropriation	14,868	15,328	15,999	671

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United States Court of Appeals for the Federal Circuit
Salaries and Expenses

	FY 2019 Request					
	Mandatory		Discretionary		Total	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2018 Assumed Appropriation	12	2,997	139	30,350	151	33,347
Adjustments to Base	-	21	-	625	-	646
Program Increases	-	-	1	299	1	299
FY 2019 Appropriation Request	12	3,018	140	31,274	152	34,292

The Court of Appeals for the Federal Circuit requests \$34.3 million (\$3.0 million for mandatory expenses and \$31.3 million for discretionary expenses) for fiscal year 2019.

The \$31.3 million request for discretionary appropriations represents a 3.0 percent increase over the fiscal year 2018 assumed discretionary appropriation. For this account, the fiscal year 2018 discretionary appropriations assumption is \$30.4 million, which is the midpoint between the fiscal year 2017 enacted appropriation and the fiscal year 2018 House mark. This request includes the necessary adjustments to base to maintain current services and a program increase for cybersecurity requirements.

I. Mandatory Adjustments to Base

The fiscal year 2019 request includes \$21,000 for standard pay and benefits increases for judges.

II. Discretionary Adjustments to Base

The Court requests an increase of \$0.6 million for standard pay and other inflationary adjustments.

III. Program Increases

The fiscal year 2019 request includes \$0.3 million and one FTE for cybersecurity requirements. This is a re-request from fiscal year 2018. The new cybersecurity position would be a cybersecurity/information security officer expert to support application and system security and to enhance the court's IT security posture.

IV. Appropriations Language

United States Court of Appeals for the Federal Circuit
Salaries and Expenses

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, [\$30,350,000]\$31,274,000.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

(H.R. 3280 - Financial Services and General Government Appropriations Act, 2018, updated to reflect the judiciary's fiscal year 2018 assumed appropriation)

V. Summary of Obligations

United States Court of Appeals for the Federal Circuit Comparative Summary of Obligations by Category (\$000)				
Category	FY 2017 Actual	FY 2018 Assumed Obligations/ Appropriation	FY 2019 Request	Requested Increase/ Decrease
Compensation and Benefits	20,089	21,785	22,273	488
Rent, Communications and Utilities	6,361	6,459	6,589	130
Travel	87	90	92	2
Other	6,987	6,828	6,143	(685)
Total Obligations	33,524	35,162	35,097	(65)
Financing Adjustment	(474)	(1,815)	(805)	1,010
Available Appropriation	33,050	33,347	34,292	945
Mandatory Appropriation	2,942	2,997	3,018	21
Discretionary Appropriation	30,108	30,350	31,274	924



United States Court of International Trade
Salaries and Expenses

	FY 2019 Request				Total	
	Mandatory		Discretionary			
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2018 Assumed Appropriation	9	2,074	71	18,509	80	20,583
Adjustments to Base	-	13	(3)	561	(3)	574
FY 2019 Appropriation Request	9	2,087	68	19,070	77	21,157

The Court of International Trade requests \$21.2 million (\$2.1 million for mandatory expenses and \$19.1 million for discretionary expenses) in fiscal year 2019.

The \$19.1 million request for discretionary appropriations represents a 3.0 percent increase over the fiscal year 2018 assumed discretionary appropriation. For this account, the fiscal year 2018 discretionary appropriations assumption is \$18.5 million, which is the midpoint between the fiscal year 2017 enacted appropriation and the fiscal year 2018 House mark. This request reflects the necessary adjustments to base to maintain current services. The Court requests no program increases.

I. Mandatory Adjustments to Base

The fiscal year 2019 request includes \$13,000 for standard pay and benefits increases for judges.

II. Discretionary Adjustments to Base

The fiscal year 2019 request includes a net increase of \$0.6 million for discretionary adjustments to base. This consists of \$0.9 million for standard pay, other inflationary, and other court operating expense increases, partially offset by a decrease of \$0.4 million associated with staffing reductions.

III. Appropriations Language

United States Court of International Trade
Salaries and Expenses

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, [~~\$18,509,000~~]*\$19,070,000*.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief judge and judges of the court.

(H.R. 3280 - Financial Services and General Government Appropriations Act, 2018, updated to reflect the judiciary's fiscal year 2018 assumed appropriation)

IV. Summary of Obligations

United States Court of International Trade Comparative Summary of Obligations by Category (\$000)				
Category	FY2017 Actual	FY 2018 Assumed Obligations/ Appropriation	FY 2019 Request	Requested Increase/ Decrease
Compensation and Benefits	8,697	10,894	10,673	(221)
Rent, Communications and Utilities	1,725	8,114	8,694	580
Travel	93	174	157	(17)
Other	8,966	2,199	1,898	(301)
Total Obligations	19,481	21,381	21,422	41
Financing Adjustment	554	(798)	(265)	533
Available Appropriation	20,035	20,583	21,157	574
Mandatory Appropriation	1,573	2,074	2,087	13
Discretionary Appropriation	18,462	18,509	19,070	561



**Courts of Appeals, District Courts, and
Other Judicial Services
*Salaries and Expenses***

FY 2019 Request						
	Mandatory		Discretionary		Total	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2018 Salaries and Expenses Assumed Appropriation	1,774	413,891	26,197	5,019,749	27,971	5,433,640
Vaccine Injury Compensation Trust Fund Assumed Appropriation	-	-	-	8,221	-	8,221
Total, FY 2018 Assumed Appropriation	1,774	413,891	26,197	5,027,970	27,971	5,441,861
Adjustments to Base	11	5,390	54	89,868	65	95,258
Adjustments to Base - Vaccine Injury Compensation Trust Fund	-	-	-	254	-	254
Total, Adjustments to Base	11	5,390	54	90,122	65	95,512
Program Increases	-	-	16	22,926	16	22,926
Total, Program Increases	-	-	16	22,926	16	22,926
FY 2019 Salaries and Expenses Appropriation	1,785	419,281	26,267	5,132,543	28,052	5,551,824
Vaccine Injury Compensation Trust Fund Appropriation	-	-	-	8,475	-	8,475
Total, FY 2019 Appropriation Request	1,785	419,281	26,267	5,141,018	28,052	5,560,299

The judiciary requests \$5,560.3 million for the Salaries and Expenses account in fiscal year 2019, including \$419.3 million for mandatory expenses; \$5,132.5 million for discretionary expenses; and \$8.5 million from the Vaccine Injury Compensation Trust Fund. For this account, the fiscal year 2018 discretionary appropriations assumption is \$5,028.0 million which is a 0.5 percent increase above the fiscal year 2017 enacted level of \$5,003.0 million. The fiscal year 2019 total discretionary request of \$5,141.0 million is a 2.2 percent increase over the fiscal year 2018 assumed discretionary appropriation. This request includes the necessary adjustments to base to maintain current services and continues progress on several major initiatives started in previous fiscal years, including the judiciary’s cybersecurity and space reduction initiatives. Additionally, the request includes program increases associated with four new magistrate judgeships, information technology costs associated with replacing the Probation and Pretrial Automated Case Tracking System (PACTS), and infrastructure costs associated with new courthouse construction projects funded by Congress in fiscal year 2016.

This account provides for the operating expenses of the 12 regional circuit courts of appeals, district courts, bankruptcy courts, and probation and pretrial services offices. This account utilizes other funding sources, including fee collections and prior year carryforward balances, to offset appropriated funds. The judiciary currently projects that these sources of non-appropriated funds will total \$360.7 million in fiscal year 2019, \$49.9 million below the fiscal year 2018 estimated level of \$410.6 million.

I. Mandatory Adjustments to Base

The fiscal year 2019 request includes \$5.4 million for mandatory increases for Article III and bankruptcy judges as follows:

1. *Pay and benefit cost adjustment for Article III and bankruptcy judges: \$2.8 million*

An increase of \$2.8 million will provide for expected changes in pay and benefits for Article III and bankruptcy judges, including the annualization of the January 2018 pay adjustment.

2. *Increase in the number of senior judges: \$0.2 million and 1 FTE*

An increase of \$0.2 million will provide for one additional senior judge anticipated in fiscal year 2019.

3. *Increase in average number of filled Article III judgeships: \$2.3 million and 10 FTE*

An increase of \$2.3 million will provide for an additional 10 filled Article III judgeships anticipated in fiscal year 2019, based on a projected 40 confirmations in fiscal year 2019.

II. Discretionary Adjustments to Base

The fiscal year 2019 request includes a net increase of \$90.1 million for discretionary adjustments to base. This consists of \$85.6 million for standard pay, and other inflationary increases; a net increase of \$1.5 million for space-related adjustments; and \$49.9 million to replace non-appropriated funds. This is partially offset by a decrease of \$36.7 million due to a decrease in overall workload and anticipated court spending for salaries and operating expenses; a decrease of \$4.9 million for non-recurring evidence-based practices requirements in the probation and pretrial services program; and a decrease of \$5.3 million for ongoing information technology requirements.

1. *Pay and benefit cost adjustment for magistrate and claims court judges: \$1.1 million*

An increase of \$1.1 million will provide for expected changes in pay and benefits for magistrate and claims judges.

2. *Increase in the number of senior judges' staff: \$0.4 million and 3 FTE*

An increase of \$0.4 million will provide for an additional three staff FTE to support one additional senior judge anticipated in fiscal year 2019.

3. *Increase in average number of filled Article III judgeships: \$7.3 million and 51 FTE*

An increase of \$7.3 million will provide for an additional 51 staff FTE to support an additional 10 filled Article III judgeships anticipated in fiscal year 2019.

4. *Pay and benefit adjustments for court personnel: \$62.1 million*

An increase of \$62.1 million will provide for the annualization of the January 2018 pay adjustment, within-grade increases, changes in benefits rates, and one more compensable day.

5. *Funding necessary to maintain fiscal year 2018 current service levels due to an anticipated decline in non-appropriated funds: \$49.9 million*

In fiscal year 2018, \$410.6 million in non-appropriated funds were available to finance fiscal year 2018 requirements. In fiscal year 2019, the judiciary expects \$360.7 million in non-appropriated funds to be available, which is a decrease of \$49.9 million from fiscal year 2018. Therefore, the judiciary requests \$49.9 million in appropriations to replace this funding.

6. *Decrease to fiscal year 2019 base due to court salary and non-salary requirements: -\$36.7 million*

A decrease of \$36.7 million is due to a reduction in base requirements to reflect lower staffing requirements associated with fiscal year 2019 workload and lower anticipated court spending on salaries and operating expenses.

7. *Non-pay inflationary and contractual increases: \$14.5 million*

An increase of \$14.5 million is requested for a 1.7 percent general inflationary increase and other contractual and miscellaneous increases.

8. *Vaccine Injury Compensation Trust Fund: \$0.3 million*

The fiscal year 2019 level reflects an increase of \$0.3 million for standard pay and non-pay inflationary adjustments for the Vaccine Injury program.

9. *GSA space rental and related expenses: \$1.5 million*

The fiscal year 2019 request includes a net increase of \$1.5 million for General Services Administration (GSA) space rental and related expenses consisting of:

- a) adjustments to GSA space rental base costs (+\$21.1 million),
- b) other space-related adjustments (+\$12.2 million),
- c) the annualization of new space delivered in fiscal year 2018 (+\$2.9 million), and
- d) a reduction due to a new GSA pricing policy for return on investment facilities and space reduction program savings (-\$34.8 million).

10. *Evidence-based practices non-recurring requirements: -\$4.9 million*

A decrease of \$4.9 million is associated with non-recurring costs for evidence-based practices training and curricula materials.

11. Information technology requirements: -\$5.3 million

The fiscal year 2019 request includes a decrease of \$5.3 million consisting of a reduction of \$4.5 million to the Information Technology (IT) program for current operations and system maintenance and a reduction of \$0.7 million for cost savings associated with IT contractor conversions to permanent positions.

III. Program Increases

The fiscal year 2019 request includes \$22.9 million for program increases. These increases include:

1. New fiscal year 2019 full-time magistrate judge and staff: \$4.0 million and 16 FTE

The judiciary requests an additional \$4.0 million for four additional magistrate judge positions (four FTE), 12 support staff (12 FTE), and associated operating costs for San Juan, Puerto Rico; McAllen, Texas; Rapid City, South Dakota; and Atlanta, Georgia.

2. Probation and Pretrial Services Automated Case Tracking Systems replacement: \$13.4 million

The judiciary requests an increase of \$13.4 million to replace the Probation and Pretrial Services Automated Case Tracking System.

3. Infrastructure costs for new courthouse construction projects: \$5.6 million

This request includes an increase of \$2.7 million for local area networks and communications infrastructure associated with new courthouse construction projects and \$2.9 million to procure temporary swing space.

IV. Appropriations Language

Courts of Appeals, District Courts, and Other Judicial Services Salaries and Expenses

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms for Probation and Pretrial Services Office staff, as authorized by law, [\$5,019,749,000] \$5,132,543,000 (including the purchase of firearms and ammunition); of which not to exceed \$27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of circuit and district judges (including judges of the territorial courts of the United States), bankruptcy judges, and justices and judges retired from office or from regular active service.

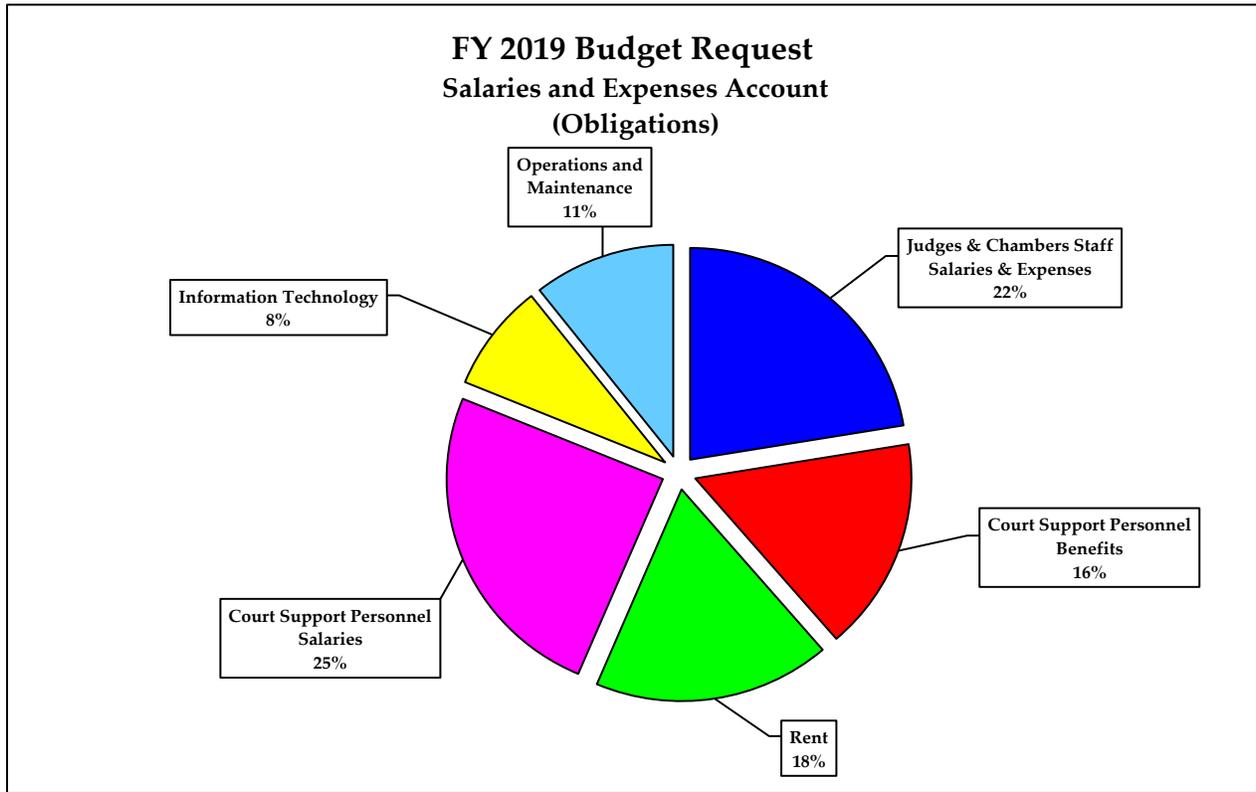
In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99-660), not to exceed [\$8,221,000]\$8,475,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

(H.R. 3280 - Financial Services and General Government Appropriations Act, 2018, updated to reflect the judiciary's fiscal year 2018 assumed appropriation)

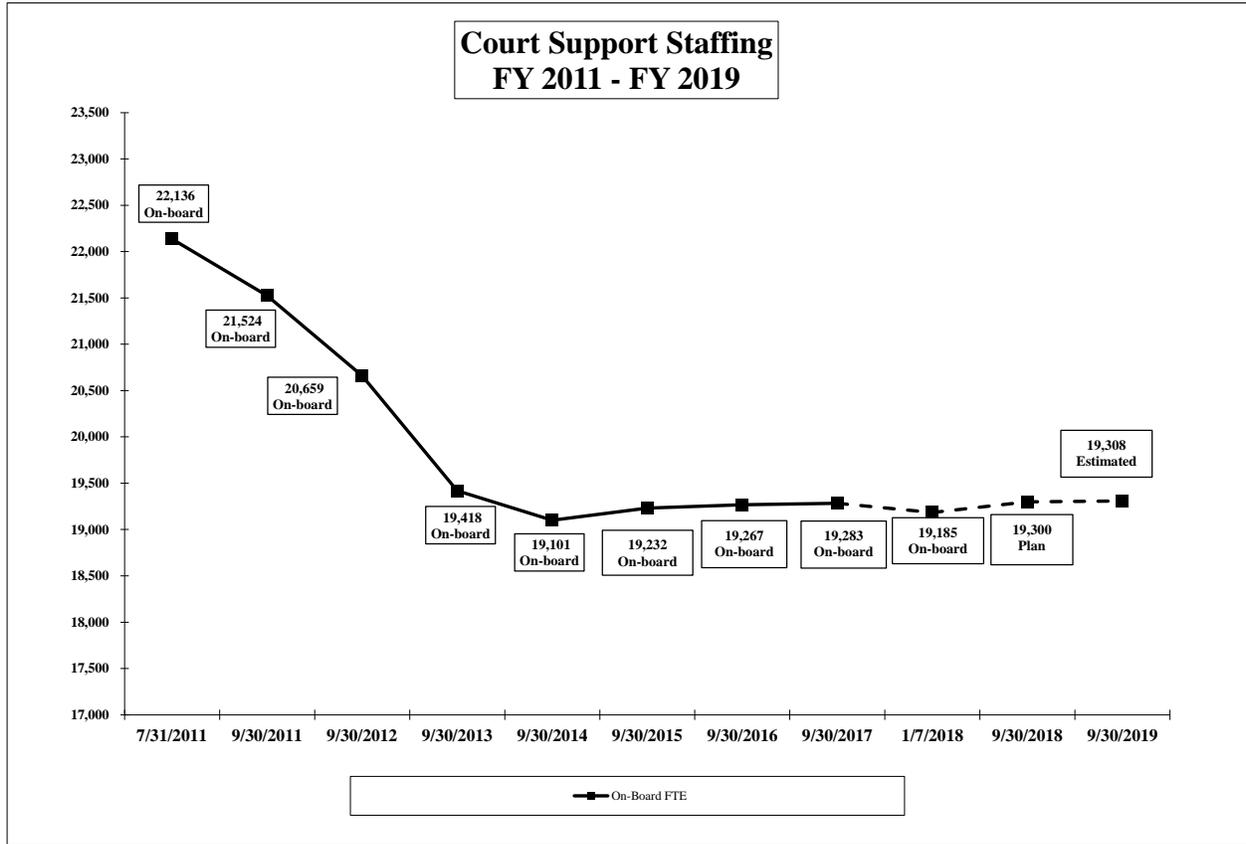
V. Summary of Obligations

Courts of Appeals, District Courts and Other Judicial Services				
Salaries and Expenses				
Comparative Summary of Obligations by Category				
(\$000)				
Category	FY 2017 Actual	FY 2018 Assumed Obligations/ Appropriation	FY 2019 Request	Requested Increase/ Decrease
Compensation and Benefits	3,550,919	3,718,987	3,767,806	48,819
Rent, Communications and Utilities	1,181,236	1,210,581	1,203,695	(6,886)
Travel	66,302	69,509	70,876	1,367
Other	822,546	854,389	878,635	24,246
Total Obligations	5,621,003	5,853,466	5,921,012	67,546
Financing Adjustment	(225,296)	(419,826)	(369,188)	50,638
Available Appropriation (Direct)	5,395,707	5,433,640	5,551,824	118,184
Vaccine Injury Compensation Trust Fund	6,510	8,221	8,475	254
Total Available Appropriation	5,402,217	5,441,861	5,560,299	118,438
Mandatory Appropriation	399,262	413,891	419,281	5,390
Discretionary Appropriation - Salaries and Expenses Direct	4,996,445	5,019,749	5,132,543	112,794
Discretionary Appropriation - Vaccine Injury Compensation Trust Fund	6,510	8,221	8,475	254

VI. Budget Request by Category



VII. Court Support Staffing



VIII. Judiciary Workload Factors

WORKLOAD FACTOR	12 months ending June 30, 2012 Actual	12 months ending June 30, 2013 Actual	12 months ending June 30, 2014 Actual	12 months ending June 30, 2015 Actual	12 months ending June 30, 2016 Actual	12 months ending June 30, 2017 Actual	12 months ending June 30, 2018 Projected
Criminal Filings	73,455	69,642	64,027	60,866	61,021	58,121	60,500
Year-to-Year Change:	-6.7%	-5.2%	-8.1%	-4.9%	0.3%	-4.8%	4.1%
Criminal Defendants Filed	96,915	91,812	84,017	79,154	79,968	75,235	77,200
Year-to-Year Change:	-5.5%	-5.3%	-8.5%	-5.8%	1.0%	-5.9%	2.6%
Probation: Persons Under Supervision	132,785	132,362	132,597	133,428	137,882	135,947	134,300
Year-to-Year Change:	2.7%	-0.3%	0.2%	0.6%	3.3%	-1.4%	-1.2%
Pretrial Services: Cases Activated	105,852	102,457	98,122	90,588	88,140	82,265	81,900
Year-to-Year Change:	-1.3%	-3.2%	-4.2%	-7.7%	-2.7%	-6.7%	-0.4%
Bankruptcy Filings	1,311,602	1,137,978	1,000,083	879,736	819,159	796,037	793,700
Year-to-Year Change:	-14.2%	-13.2%	-12.1%	-12.0%	-6.9%	-2.8%	-0.3%
Appellate Filings	57,699	56,360	55,260	53,032	60,099	52,028	49,600
Year-to-Year Change:	4.2%	-2.3%	-2.0%	-4.0%	13.3%	-13.4%	-4.7%
Civil Filings	286,232	283,087	298,713	280,037	290,430	271,721	266,500
Year-to-Year Change:	-1.2%	-1.1%	5.5%	-6.3%	3.7%	-6.4%	-1.9%

IX. Other Sources of Funding for the Judiciary

Explanation of Other Funding Sources

In addition to appropriated funds, each year the judiciary uses other non-appropriated funds to offset its appropriation requirements. Fee collections, primarily from court filing fees, comprise the majority of these sources of funds. These funds are used to offset expenses within the Salaries and Expenses account.

“Unencumbered” Funds

In addition to fee collections, in certain instances the judiciary may carryforward funds from one year to the next. These carryforward funds are considered “unencumbered” when they are generated by savings in the financial plan in base areas or where budgeted costs did not materialize, such as variations in Article III judge confirmations or space delivery dates. These savings are usually unforeseen and uncontrollable by the judiciary.

Recognizing that savings in the financial plan tend to occur each year, but at unpredictable levels, the judiciary has tried to estimate the level of unencumbered funds that will be available to offset fiscal year 2019 requirements. As the table below indicates, the judiciary has estimated that unencumbered funds will total \$360.7 million in fiscal year 2019, including \$210.7 million in fee collections and \$150.0 million in other unencumbered carryforward. This level of unencumbered funds represents a decrease of \$49.9 million from the \$410.6 million estimated in fiscal year 2018 to help finance court operations. The judiciary requests \$49.9 million to replace these non-appropriated funds in order to maintain current services in fiscal year 2019.

The judiciary’s estimates for non-appropriated funds typically fluctuate during the fiscal year. Administrative Office staff will update the Appropriations Subcommittee staffs on changes in non-appropriated funding levels during fiscal year 2018.

**Sources of Non-Appropriated Unencumbered Funds
in Salaries and Expenses
(\$000)**

Dollars in Thousands	FY 2018 Estimated	FY 2019 Request	Difference
Fee Collections	214,517	210,713	(3,804)
Other Carryforward	196,113	150,000	(46,113)
Total, Non-Appropriated Sources of Funding, Excluding Slippage	410,630	360,713	(49,917)

“Encumbered” Funds

Carryforward funds are considered “encumbered” when both the funds and the associated need for the funds shift to the next year. The judiciary has no-year authority for specific purposes for multi-year IT investments and new space-related requirements. In some cases, as was described above, this authority is used to carry forward savings where planned expenses did not occur. This authority is also used when planned expenses are delayed, or slipped, from one year to the next. In fiscal year 2018, \$149.0 million was slipped from fiscal year 2017.

“Encumbered” funds, while adding to the judiciary’s projected obligations in a given fiscal year, do not impact the judiciary’s appropriation requirements. Even if the total amount fluctuates from year to year, the funds associated with the specific project are brought forward from the prior year to fund the project, resulting in no additional appropriation requirements.

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**Courts of Appeals, District Courts, and
Other Judicial Services
*Defender Services***

FY 2019 Request		
	Discretionary	
	FTE	(\$000)
FY 2018 Assumed Appropriation	2,991	1,077,511
Adjustments to Base	-	58,675
Program Increases	28	5,303
FY 2019 Appropriation Request	3,019	1,141,489

The judiciary requests \$1,141.5 million for Defender Services in fiscal year 2019, a 5.9 percent increase over the fiscal year 2018 assumed discretionary appropriation. For this account, the fiscal year 2018 appropriations assumption is \$1,077.5 million, which is the midpoint between the fiscal year 2017 enacted appropriation and the fiscal year 2018 House mark. This request reflects the necessary adjustments to base to maintain current services, as well as program increases for new training positions, a \$6 per hour increase above inflation to the non-capital panel attorney hourly rate, and continued implementation of the federal defender office (FDO) staffing formula.

This funding supports the provision of constitutionally-mandated legal representation and other services to persons financially unable to obtain counsel in criminal and related matters in federal court. The Criminal Justice Act provides that courts shall appoint counsel from federal public and community defender organizations or from a panel of private attorneys established by the court.

I. Discretionary Adjustments to Base

An increase of \$58.7 million is requested for adjustments to base for pay and inflationary increases as well as for adjustments that will allow the judiciary to meet its constitutional obligation to provide defense counsel to all eligible persons in fiscal year 2019. These increases include:

1. *Pay and benefit adjustments, federal defender organizations, and program administration: \$13.9 million*

An increase of \$13.9 million will provide for the annualization of the January 2018 pay adjustment, within-grade increases, changes in benefits rates, and one more compensable day.

2. *Other inflationary increases: \$3.2 million*

An increase of \$3.2 million is required for inflationary adjustments for non-pay categories, including space rental costs.

3. *Change in projected panel attorney workload: \$8.2 million*

The requested increase represents the costs associated with a change in panel attorney caseload. Panel attorney representations are projected to increase from 68,700 in fiscal year 2018, to 71,200 in fiscal year 2019, an increase of 2,500 representations.

4. *Increase in appropriations needed to fund current services: \$33.4 million*

In fiscal year 2018, \$63.4 million in balances from fiscal year 2017 were available to finance fiscal year 2018 requirements. In fiscal year 2019, the judiciary expects \$30.0 million in non-appropriated funds to be available, a decrease of \$33.4 million from fiscal year 2018. Therefore, the judiciary requests \$33.4 million in appropriations to replace this funding.

II. Program Increases

The fiscal year 2019 request includes \$5.3 million for program increases. These increases include:

1. *Non-capital panel attorney hourly rate increase: \$1.9 million*

The requested funding supports a \$6 hourly rate increase above the cost-of-living adjustment (COLA), from \$134 to \$140 per hour, for non-capital panel attorney cases in fiscal year 2019 (the maximum rate authorized in statute is \$147 per hour). The current non-capital panel attorney rate is \$132 per hour. For fiscal year 2018, the judiciary assumed a \$2 COLA, which would raise the non-capital rate to \$134 per hour, and assumes no COLA in fiscal year 2019. The \$6 above-COLA rate increase is needed to ensure that courts retain and recruit qualified and experienced criminal defense practitioners for their CJA panels. The annualization of the \$6 increase is \$14.9 million in fiscal year 2020.

2. *Net change in projected workload: \$3.3 million and 28 FTE*

The fiscal year 2019 request includes a net increase of \$3.3 million and 28 FTE. The request includes \$6.8 million for 70 additional FDO staff (56 FPDO positions/28 FTE and 14 CDO positions) for the continued implementation of the FDO staffing formula. The additional staff would increase authorized staffing levels to 98 percent of formula requirements.

In addition, the request includes a decrease of \$3.5 million associated with a change in projected panel attorney payment requirements as newly hired FDO staff assume some of the capital work previously handled by panel attorneys.

3. Training positions: \$0.2 million

The requested increase provides for three reimbursable positions (two FTE) consisting of an attorney advisor and two other professional staff to support training programs for federal defender staff and panel attorneys, so that they can better represent their clients.

III. Appropriations Language

**Courts of Appeals, District Courts, and Other Judicial Services
Defender Services**

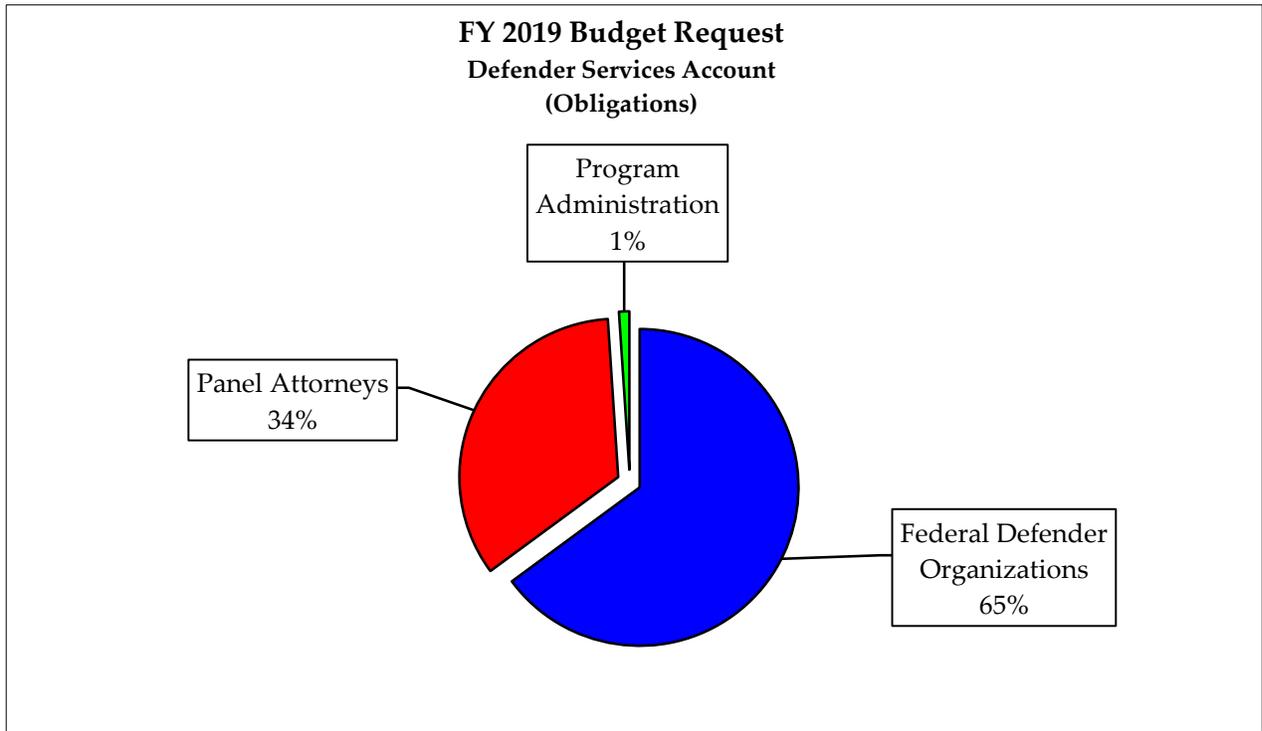
For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, [\$1,077,511,000]\$1,141,489,000, to remain available until expended.

(H.R. 3280 - Financial Services and General Government Appropriations Act, 2018, updated to reflect the judiciary's fiscal year 2018 assumed appropriation)

IV. Summary of Obligations

Courts of Appeals, District Courts and Other Judicial Services Defender Services Comparative Summary of Obligations by Category (\$000)				
Category	FY 2017 Actual	FY 2018 Assumed Obligations/ Appropriation	FY 2019 Request	Requested Increase/ Decrease
Compensation and Benefits	423,589	457,378	464,700	7,322
Rent, Communications and Utilities	47,196	49,805	51,450	1,645
Travel	11,853	12,900	13,600	700
Contractual Services (includes panel attorney payments)	408,042	435,800	450,206	14,406
Other (includes grants to Community Defender Organizations)	169,429	184,978	191,533	6,555
Total Obligations	1,060,109	1,140,861	1,171,489	30,628
Financing Adjustment	(15,462)	(63,350)	(30,000)	33,350
Available Appropriation	1,044,647	1,077,511	1,141,489	63,978

V. Budget Request by Category





**Courts of Appeals, District Courts, and
Other Judicial Services**
Fees of Jurors and Commissioners

FY 2019 Request	
	Discretionary FTE (\$000)
FY 2018 Assumed Appropriation	- 45,829
Adjustments to Base	- 334
Program Increases	- 5,070
FY 2019 Appropriation Request	- 51,233

The judiciary requests \$51.2 million for Fees of Jurors and Commissioners in fiscal year 2019, an 11.8 percent increase over the fiscal year 2018 assumed discretionary appropriation. For this account, the fiscal year 2018 appropriations assumption is \$45.8 million, which is the fiscal year 2018 Senate mark. This request reflects the necessary adjustments to base to maintain current services as well as an increase to the daily juror attendance fee.

Costs associated with this account may be unpredictable and are driven by the number of jury trials, the length of those trials, and statutory rates for reimbursement paid to jurors.

I. Discretionary Adjustments to Base

The fiscal year 2019 request includes a net increase of \$0.3 million in adjustments to base associated with inflationary adjustments, projected changes in juror days, and an anticipated decrease in available non-appropriated funds. This will allow the account to continue to pay for the statutory fees and expenses of grand and petit jurors and compensation of land commissioners in fiscal year 2019. These adjustments include:

1. Inflationary adjustments: \$0.5 million

In addition to attendance fees, jurors also are reimbursed for certain expenses, including meals and lodging for sequestered jurors and transportation of juries to view evidence or crime scenes. Inflationary increases associated with these expenses are expected to total \$0.2 million for grand jurors and \$0.3 million for petit jurors in fiscal year 2019.

2. Projected change in juror days: -\$0.5 million

Overall expenses for grand and petit jurors are expected to decrease by \$0.5 million in fiscal year 2019 based on the projected number of available grand and petit jurors.

3. Increase in appropriations needed to fund current services: \$0.4 million

The fiscal year 2018 interim financial plan for this account was financed in part by \$1.4 million in carryforward balances from fiscal year 2017 and prior years. The judiciary has estimated that only \$1.0 million in carryforward balances from fiscal year 2018 will be available to finance fiscal year 2019 requirements, a decrease of \$0.4 million. Therefore, the fiscal year 2019 request includes \$0.4 million in appropriated funds to replace this funding.

II. Program Increases

Increase to the daily juror attendance fee from \$40 to \$50: \$5.1 million

An increase of \$5.1 million is requested to increase the daily juror attendance fee by \$10 (from \$40 to \$50) for grand and petit jurors, effective January 2019, to compensate jurors more adequately for their service. Although inflation and the cost of living have increased each year, the juror fee has not been increased since December 1990.

III. Appropriations Language

**Courts of Appeals, District Courts, and Other Judicial Services
Fees of Jurors and Commissioners**

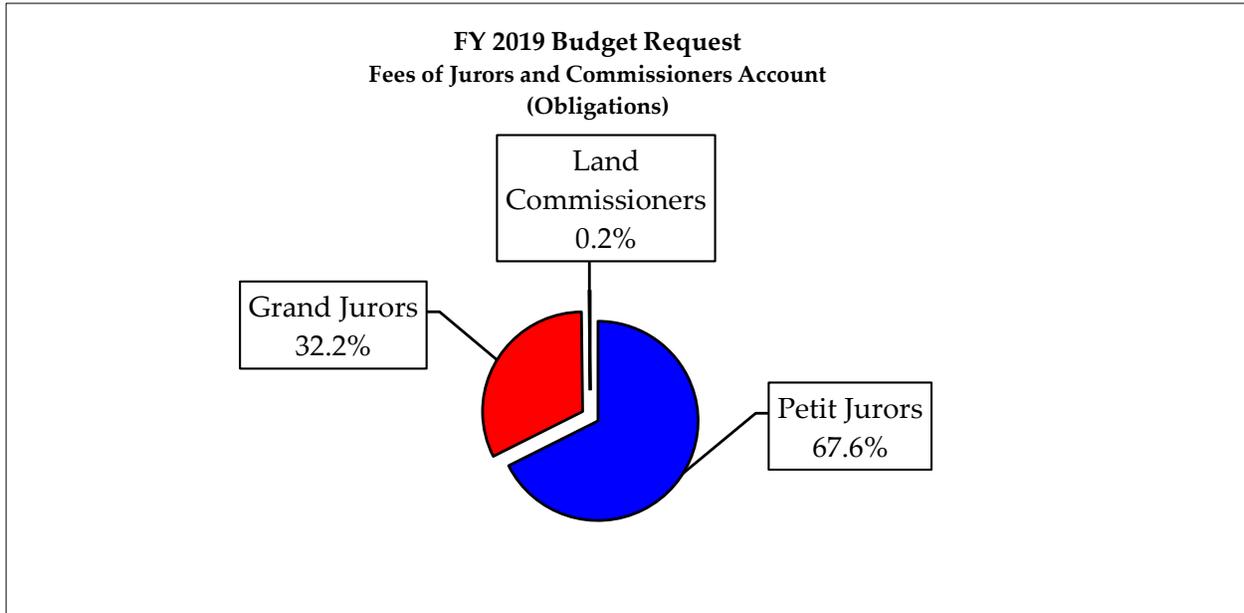
For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), [\$45,829,000]\$51,233,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under 5 U.S.C. 5332.

(H.R. 3280 - Financial Services and General Government Appropriations Act, 2018, updated to reflect the judiciary's fiscal year 2018 assumed appropriation)

IV. Summary of Obligations

Courts of Appeals, District Courts and Other Judicial Services Fees of Jurors and Commissioners Comparative Summary of Obligations by Category (\$000)				
Category	FY 2017 Actual	FY 2018 Assumed Obligations/ Appropriation	FY 2019 Request	Requested Increase/ Decrease
Compensation and Benefits	20,284	21,003	25,874	4,871
Rent, Communications and Utilities	1,882	1,731	1,535	(196)
Travel	21,863	21,329	22,721	1,392
Other	2,068	2,766	2,103	(663)
Total Obligations	46,097	46,829	52,233	5,404
Financing Adjustment	(6,168)	(1,000)	(1,000)	-
Available Appropriation	39,929	45,829	51,233	5,404

V. Budget Request by Category



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**Courts of Appeals, District Courts, and
Other Judicial Services
Court Security**

FY 2019 Request		
	Discretionary	
	FTE	(\$000)
FY 2018 Assumed Appropriation	73	569,990
Adjustments to Base	2	17,995
Program Increases	-	14,324
FY 2019 Appropriation Request	75	602,309

The judiciary requests \$602.3 million for Court Security in fiscal year 2019, a 5.7 percent increase over the fiscal year 2018 assumed discretionary appropriation. For this account, the fiscal year 2018 appropriations assumption is \$570.0 million, which is the midpoint between the fiscal year 2017 enacted appropriation and the fiscal year 2018 House mark. This request reflects the necessary adjustments to base to maintain current services. The request includes program increases for the implementation of a new physical access control systems (PACS) replacement strategy, security infrastructure for new courthouses, and the phased implementation of the revised court security officer (CSO) staffing standards.

The majority of the funding in this account is transferred to the U.S. Marshals Service (USMS), which is responsible for administering the Judicial Facility Security Program.

I. Discretionary Adjustments to Base

The Court Security account requests a net \$18.0 million for adjustments to base for pay and benefits, inflationary increases, and other adjustments to maintain current services in fiscal year 2019. These adjustments include:

1. Pay and benefits increases: \$1.9 million

The increase accounts for the annualization of the January 2018 pay adjustment, within-grade increases, changes in benefits rates, and one more compensable day.

2. Annualization of new fiscal year 2018 USMS positions: \$0.3 million and 2 FTE

Funding is required to annualize costs for five new positions (3 FTE) expected to be added in fiscal year 2018 at the USMS to support the PACS program, which is a critical component of the PACS replacement strategy.

3. Fiscal year 2019 CSO contract and wage rate adjustments: \$6.6 million

This increase provides for an average 3.0 percent wage adjustment for contract court security officers, as established by the U.S. Department of Labor and based on collective bargaining agreements.

4. Non-pay inflationary increase: \$0.2 million

An increase of \$0.2 million is requested for a 1.7 percent general inflationary increase for travel, supplies, equipment, and other contractual services (exclusive of CSO contracts).

5. GSA space rental decrease: -\$0.5 million

The judiciary-funded USMS personnel moved to a new facility with less space, lowering projected GSA space rental costs by \$0.5 million.

6. Changes in Federal Protective Service security charges: \$1.6 million

The requested increase of \$1.6 million will fund basic and building-specific security expenses based on anticipated billings from the Department of Homeland Security Federal Protective Service (FPS). The total request for FPS charges is \$85.8 million in fiscal year 2019, which is a 1.9 percent increase over the \$84.2 million projected for fiscal year 2018.

(\$000)	FY 2018	FY 2019	Difference
Basic	32,967	33,000	33
Building-Specific	51,246	52,813	1,567
Total FPS	84,213	85,813	1,600

7. Adjustments to base for security systems and equipment: net \$8.0 million

The requested amount reflects a net increase of \$8.0 million in the court security systems and equipment acquisition plan (excluding proposed program increases). The net increase of \$8.0 million consists of: (1) a decrease of \$7.0 million for non-recurring requirements associated with new courthouse construction projects in fiscal year 2018; (2) a decrease of \$3.6 million for maintenance contracts for existing security systems; and (3) an increase of \$18.6 million in adjustments to base requirements for perimeter security improvements; additional and replacement equipment; cyclical replacement of x-ray screening equipment and walk-through metal detectors; CSO radios, accessories, repairs, and over-the-air re-key; and miscellaneous systems and equipment.

II. Program Increases

The fiscal year 2019 request includes \$14.3 million for program increases. These increases include:

1. *Physical access control systems replacement strategy: \$5.5 million*

The fiscal year 2019 request includes an additional \$5.5 million to implement the PACS replacement strategy, for a total of \$27.0 million to replace PACS at significant risk of failure. The judiciary's strategy is to seek increases in PACS funding by approximately \$5 million each year from fiscal year 2019 to fiscal year 2022 to replace old and failing building access systems at court facilities nationwide.

2. *Infrastructure for new courthouses: \$6.9 million*

The fiscal year 2019 request includes \$6.3 million for new security systems and \$0.6 million for screening equipment at the new courthouses planned for Toledo, Ohio; Anniston, Alabama; San Antonio, Texas; and Greenville, Mississippi.

3. *Phased implementation of the new CSO staffing standards: \$2.0 million*

The fiscal year 2019 request includes \$2.0 million for an additional 35 CSO positions. With this request, the phased implementation of the new staffing standards will be 50 percent complete.

III. Appropriations Language

**Courts of Appeals, District Courts, and Other Judicial Services
Court Security
(Including Transfers of Funds)**

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702), [~~\$569,990,000~~]~~\$602,309,000~~, of which not to exceed \$20,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

(H.R. 3280 - Financial Services and General Government Appropriations Act, 2018, updated to reflect the judiciary's fiscal year 2018 assumed appropriation)

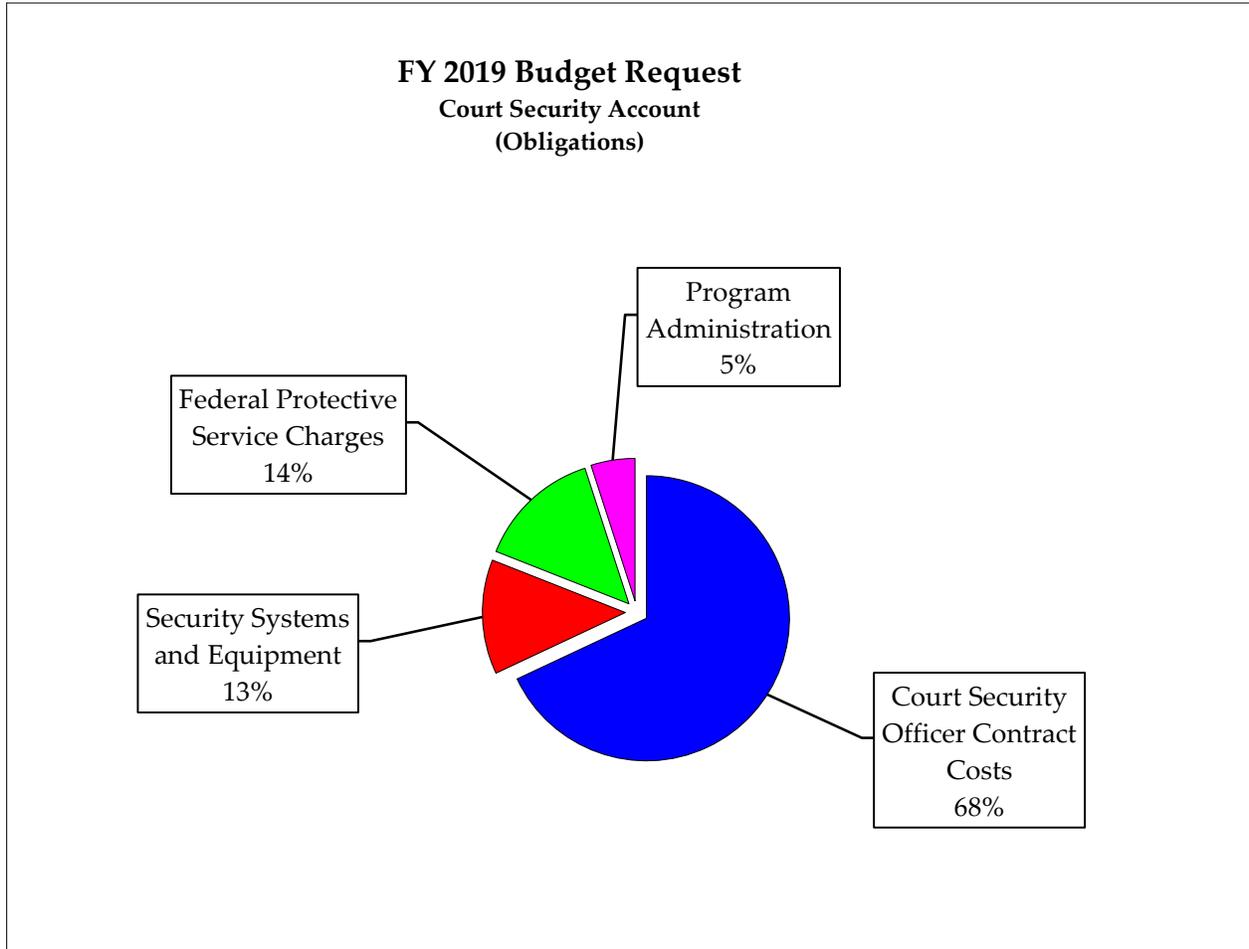
IV. Summary of Obligations

Courts of Appeals, District Courts and Other Judicial Services Court Security Comparative Summary of Obligations by Category (\$000)				
Category	FY 2017 Actual	FY 2018 Assumed Obligations/ Appropriation	FY 2019 Request	Requested Increase/ Decrease
Compensation and Benefits	8,950	10,842	11,305	463
Rent, Communications and Utilities	7,155	8,023	7,569	(454)
Travel	1,628	425	425	-
Court Security Officers Contract	384,542	406,456	416,434	9,978
Federal Protective Service Charges	79,065	84,213	85,813	1,600
Other	83,412	70,216	90,763	20,547
Total Obligations	564,752	580,175	612,309	32,134
Financing Adjustment	636	(10,185)	(10,000)	185
Available Appropriation	565,388	569,990	602,309	32,319

V. Summary of Requirements and Financing

Court Security - Summary of Requirements and Financing								
	Court Security Officers (CSOs)		Security Systems/Equip.	FPS Provided Security	Program Administration		Total	
	CSOs	(\$000)	(\$000)	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2018 Assumed Financial Obligations	4,376	406,456	65,382	84,213	73	31,262	73	587,313
Less: Encumbered Carryforward from FY 2017	-	-	(6,219)	-	-	(919)	-	(7,138)
FY 2018 Assumed Financial Obligations less Encumbered Carryforward	4,376	406,456	59,163	84,213	73	30,343	73	580,175
Less: Judiciary Information Technology Fund (JITF)	-	-	-	-	-	(185)	-	(185)
Less: Unencumbered Carryforward from FY 2017	-	-	(10,000)	-	-	-	-	(10,000)
Total FY 2018 Assumed Appropriation	4,376	406,456	49,163	84,213	73	30,158	73	569,990
FY 2019 Appropriations Increases/Decreases	35	9,978	20,383	1,600	2	358	2	32,319
Total FY 2019 Request	4,411	416,434	69,546	85,813	75	30,516	75	602,309

VI. Budget Request by Category



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Administrative Office of the U.S. Courts
Salaries and Expenses

FY 2019 Request		
	Discretionary	
	FTE	(\$000)
FY 2018 Assumed Appropriation	621	87,920
Adjustments to Base	-	1,947
FY 2019 Appropriation Request	621	89,867

The Administrative Office of the U.S. Courts (AO) requests \$89.9 million in fiscal year 2019, a 2.2 percent increase over the fiscal year 2018 assumed discretionary appropriation. For this account, the fiscal year 2018 appropriations assumption is \$87.9 million, which is the fiscal year 2018 House mark. This request reflects the necessary adjustments to base to maintain current services. The AO requests no program increases.

In addition to the appropriation provided by Congress, the AO receives non-appropriated funds from sources such as fee collections and carryover balances to offset its appropriation requirements. The AO also receives reimbursements from other judiciary accounts for information technology development and services that are in direct support of the courts, the court security program, and defender services.

I. Discretionary Adjustments to Base

The AO requests \$1.9 million in adjustments to base in fiscal year 2019 for standard pay, benefit, and other inflationary adjustments.

II. Appropriations Language

Administrative Office of the United States Courts
Salaries and Expenses

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, [\$87,920,000]\$89,867,000, of which not to exceed \$8,500 is authorized for official reception and representation expenses.

(H.R. 3280 - Financial Services and General Government Appropriations Act, 2018, updated to reflect the judiciary's fiscal year 2018 assumed appropriation)

III. Summary of Obligations

Administrative Office of the U.S. Courts Comparative Summary of Obligations by Category (\$000)				
Category	FY 2017 Actual	FY 2018 Assumed Obligations/ Appropriation	FY 2019 Request	Requested Increase/ Decrease
Compensation and Benefits	170,055	191,766	194,716	2,950
Rent, Communications and Utilities	626	582	594	12
Travel	1,721	1,478	1,532	54
Other	15,111	10,345	7,540	(2,805)
Total Obligations	187,513	204,171	204,382	211
Financing Adjustment	(21,742)	(23,999)	(19,579)	4,420
Reimbursable Program	(78,271)	(92,252)	(94,936)	(2,684)
Available Appropriation	87,500	87,920	89,867	1,947



Federal Judicial Center
Salaries and Expenses

FY 2019 Request		
	Discretionary	
	FTE	(\$000)
FY 2018 Assumed Appropriation	128	28,522
Adjustments to Base	-	542
FY 2019 Appropriation Request	128	29,064

The Federal Judicial Center (FJC) requests \$29.1 million in fiscal year 2019, a 1.9 percent increase over the fiscal year 2018 assumed discretionary appropriation. For this account, the fiscal year 2018 appropriations assumption is \$28.5 million, which is the midpoint between the fiscal year 2017 enacted appropriation and the fiscal year 2018 House mark. This request reflects the necessary adjustments to base to maintain current services. The FJC requests no program increases.

The FJC, which is the research and education arm of the Third Branch, provides judges and other judiciary personnel with education and training on legal developments and efficient litigation management and court administration. As such, its workload is derived in large part by the population of the courts.

I. Discretionary Adjustments to Base

The Federal Judicial Center requests \$0.5 million in adjustments to base for increases to standard pay, benefit, and other inflationary adjustments.

II. Appropriations Language

Federal Judicial Center
Salaries and Expenses

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, [\$28,522,000]\$29,064,000; of which \$1,800,000 shall remain available until September 30, [2019]2020, to provide education and training to Federal court personnel; and of which not to exceed \$1,500 is authorized for official reception and representation expenses.

(H.R. 3280 - Financial Services and General Government Appropriations Act, 2018, updated to reflect the judiciary’s fiscal year 2018 assumed appropriation)

III. Summary of Obligations

Federal Judicial Center Comparative Summary of Obligations by Category (\$000)				
Category	FY 2017 Actual	FY 2018 Assumed Obligations/ Appropriation	FY 2019 Request	Requested Increase/ Decrease
Compensation and Benefits	19,690	20,271	20,669	398
Rent, Communications and Utilities	379	569	558	(11)
Travel	5,357	5,875	5,916	41
Other	3,643	2,699	2,411	(288)
Total Obligations	29,069	29,414	29,554	140
Financing Adjustment	(734)	(892)	(490)	402
Available Appropriation	28,335	28,522	29,064	542



United States Sentencing Commission
Salaries and Expenses

FY 2019 Request		
	Discretionary	
	FTE	(\$000)
FY 2018 Assumed Appropriation	95	18,219
Adjustments to Base	-	329
FY 2019 Appropriation Request	95	18,548

The United States Sentencing Commission (the Commission) requests \$18.5 million in fiscal year 2019, a 1.8 percent increase over the fiscal year 2018 assumed discretionary appropriation. For this account, the fiscal year 2018 appropriations assumption is \$18.2 million, which is the midpoint between the fiscal year 2017 enacted appropriation and the fiscal year 2018 House mark. This request reflects the necessary adjustments to base to maintain current services. The Commission requests no program increases.

The Commission’s duties are to review and revise the sentencing guidelines regularly, collect data from federal sentencing courts, analyze these data to provide meaningful information on federal sentencing practices, and provide extensive training to guideline users.

I. Discretionary Adjustments to Base

The Commission requests \$0.3 million in adjustments to base in fiscal year 2019. This includes \$0.3 million for standard pay, benefit, and other inflationary adjustments.

II. Appropriations Language

United States Sentencing Commission
Salaries and Expenses

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, [\$18,219,000]\$18,548,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

(H.R. 3280 - Financial Services and General Government Appropriations Act, 2018, updated to reflect the judiciary’s fiscal year 2018 assumed appropriation)

III. Summary of Obligations

United States Sentencing Commission Comparative Summary of Obligations by Category (\$000)				
Category	FY 2017 Actual	FY 2018 Assumed Obligations/ Appropriation	FY 2019 Request	Requested Increase/ Decrease
Compensation and Benefits	13,081	13,700	13,995	295
Rent, Communications and Utilities	27	27	30	3
Travel	461	458	565	107
Other	4,306	5,533	3,958	(1,575)
Total Obligations	17,875	19,718	18,548	(1,170)
Financing Adjustment	-	(1,499)	-	1,499
Available Appropriation	17,875	18,219	18,548	329

Title III Administrative Provisions – The Judiciary

Note: In the absence of enacted fiscal year 2018 full year appropriations, the judiciary built its fiscal year 2019 language requests using the House Appropriations Committee-passed version of the fiscal year 2018 Financial Services and General Government (FSGG) bill. Therefore, the bracketed and italicized changes reflected below are being made to fiscal year 2018 language as it appears in H.R. 3280.

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except “Courts of Appeals, District Courts, and Other Judicial Services, Defender Services” and “Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners”, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for “Courts of Appeals, District Courts, and Other Judicial Services” shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed \$11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Section 3315(a) of title 40, United States Code, shall be applied by substituting “Federal” for “executive” each place it appears.

SEC. 305. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended in the second sentence (relating to the District of Kansas) following paragraph (12), by striking “[26]27 years and 6 months” and inserting “[27]28 years and 6 months”.

(b) Section 406 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28 U.S.C. 133 note) is amended in the second sentence (relating

to the eastern District of Missouri) by striking “[24]25 years and 6 months” and inserting “[25]26 years and 6 months”.

(c) Section 312(c)(2) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 28 U.S.C. 133 note), is amended—

[(1) in the first sentence by inserting after “except in the case of” the following: “the northern district of Alabama,”;

(2) in the first sentence by inserting after “the central district of California” the following: “;”];

[(3)] in the first sentence by striking “[15]16 years” and inserting “[16]17 years”;

[(4) by adding at the end of the first sentence the following: “The first vacancy in the office of district judge in the district of Alabama occurring 15 years or more after the confirmation of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled.”];

[(5)] in the third sentence (relating to the central District of California), by striking “[14]15 years and 6 months” and inserting “[15]16 years and 6 months”; and

[(6)] in the fourth sentence (relating to the western district of North Carolina), by striking “[13]14 years” and inserting “[14]15 years”.

[Sec. 307. (a) Section 2(a)(2)(C)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121 as amended) is amended by striking “6 years” and inserting “7 years”.

b) Section 2(a)(2)(D)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121 as amended) is amended by striking “6 years” and inserting “7 years”.

(c) Section 2(a)(2)(F)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121 as amended) is amended by striking “6 years” and inserting “7 years”.

(d) Section 2(a)(2)(G)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121 as amended) is amended by striking “6 years” and inserting “7 years”.

(e) Section 2(a)(2)(H)(i) of the Temporary Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C. 152 note; Public Law 112–121 as amended) is amended by striking “6 years” and inserting “7 years”.]

SEC. 307. (a) Section 1871(b) of title 28, United States Code, is amended in paragraph (1) by striking “\$40” and inserting “\$50”. (b) EFFECTIVE DATE.—The amendment made in subsection (a) shall take effect 45 days after the date of enactment of this Act.

This title may be cited as the “Judiciary Appropriations Act, [2018]2019”.

Explanation of Changes

Revised Section 306: This language extends for 12 months the authorizations of eight temporary district judgeships that are assumed to be extended in fiscal year 2018 and whose authorizations will then expire on a rolling basis between April and September of fiscal year 2019. The

language assumes the extension of only those temporary district judgeships reflected in the most recent judgeship recommendations of the Judicial Conference.

Deleted Section 307: This language is proposed for deletion because these judgeships were extended for five years by the enactment of the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115-72).

New Section 307: This proposed new section increases the daily juror attendance fee by \$10 (from \$40 to \$50) to compensate jurors more adequately for their services. Although inflation and the cost of living have increased each year, the juror fee has not been increased since December 1990. If inflationary increases had been applied since 1990, the daily rate would be \$74 in 2017, \$34 above the current rate of \$40. A higher attendance fee that more closely tracks to inflation will help to offset some of the financial burden imposed by jury service, particularly on the approximately 40 percent of private sector workers who receive no pay from their employers while on jury duty. In addition, social science data suggest that higher juror compensation produces fewer jurors seeking and receiving excuses from service, which in turn increases the efficiency of juror utilization and results in the empanelment of more representative juries.

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Judicial Retirement Funds
Payment to Judiciary Trust Funds

FY 2019 Request	
	Mandatory
	FTE (\$000)
FY 2018 Assumed Appropriation	- 195,000
Adjustments to Base	- 16,700
FY 2019 Appropriation Request	- 211,700

The judiciary requests \$211.7 million for the Judicial Retirement Funds in fiscal year 2019, an 8.6 percent increase over the fiscal year 2018 assumed appropriation.

The Payment to the Judiciary Trust Funds is a mandatory account and is divided among three trust funds that finance payments to (1) retired bankruptcy and magistrate judges, (2) retired Court of Federal Claims judges, and (3) spouses and dependent children of deceased judicial officers. The appropriation requirements are calculated annually by an enrolled actuary pursuant to 31 U.S.C. 9503.

I. Mandatory Adjustments to Base

Based on independent actuarial calculations, a net increase of \$16.7 million is required for this account for fiscal year 2019.

II. Appropriations Language

Sec. [619]____. (a) There are appropriated for the following activities the amounts required under current law:

(1) Compensation of the President (3 U.S.C. 102).

(2) Payments to--

(A) the Judicial Officers' Retirement Fund (28 U.S.C. 377(o));

(B) the Judicial Survivors' Annuities Fund (28 U.S.C. 376(c)); and

(C) the United States Court of Federal Claims Judges' Retirement Fund (28 U.S.C. 178(l)).

(3) Payment of Government contributions--

(A) with respect to the health benefits of retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849); and

(B) with respect to the life insurance benefits for employees retiring after December 31, 1989 (5 U.S.C. ch. 87).

(4) Payment to finance the unfunded liability of new and increased annuity benefits under the Civil Service Retirement and Disability Fund (5 U.S.C. 8348).

(5) Payment of annuities authorized to be paid from the Civil Service Retirement and Disability Fund by statutory provisions other than subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

(b) Nothing in this section may be construed to exempt any amount appropriated by this section from any otherwise applicable limitation on the use of funds contained in this Act.

(H.R. 3280 - Financial Services and General Government Appropriations Act, 2018)

III. Summary of Obligations

Judicial Retirement Funds				
Comparative Summary of Obligations by Category				
(\$000)				
Category	FY 2017 Actual	FY 2018 Assumed Obligations/ Appropriations	FY 2019 Request	Requested Increase/ Decrease
Other - Judicial Officers' Retirement Fund	140,100	160,700	181,300	20,600
Other - Judicial Survivors' Annuities Fund	22,400	28,600	26,000	(2,600)
Other - United States Court of Federal Claims Judges' Retirement Fund	5,800	5,700	4,400	(1,300)
Total Obligations/Appropriations	168,300	195,000	211,700	16,700

Judiciary Space Priorities
for the
Fiscal Year 2019 Budget Request

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Courthouse Construction

The federal courthouse construction program is jointly administered by the judiciary and General Services Administration (GSA). The judiciary establishes priorities for courthouse construction projects and sets the housing requirements for each project to ensure that completed facilities meet the needs of the courts. GSA, as the holder of real property authority, secures the funding for courthouse construction and completes design and construction work on the facilities themselves.

The judiciary sets forth its priorities for courthouse construction funding on its Federal Judiciary Courthouse Project Priorities (*CPP*) list. The *CPP* is divided into two parts. Part I consists of the judiciary's highest courthouse construction funding priorities for the budget year. Part II identifies outyear courthouse construction priorities.

Management of Fiscal Year 2016 Funding

In fiscal year 2016, Congress provided \$948 million to GSA for the construction of courthouses on the judiciary's *CPP* list, as approved by the Judicial Conference in September 2015. Consistent with congressional intent, fiscal year 2016 courthouse construction funding will be used to fully fund eight projects: Nashville, Tennessee; Toledo, Ohio; Charlotte, North Carolina; Des Moines, Iowa; Greenville, South Carolina; Anniston, Alabama; Savannah, Georgia; and San Antonio, Texas. Partial funding was also provided for Harrisburg, Pennsylvania. Congress also provided \$53 million for GSA for new construction and acquisition of federal buildings that jointly house U.S. courthouses and other federal agencies in Greenville, Mississippi, and Rutland, Vermont. Joint courthouse/federal building projects are prioritized by GSA and do not appear on the judiciary's *CPP*.

On April 17, 2016, GSA transmitted a spending plan to the House and Senate Appropriations Committees detailing the allocation of funds and providing summaries of each funded project. As of December 2017, all of the courthouse projects on that plan have been authorized by both the House Committee on Transportation and Infrastructure and the Senate Committee on the Environment and Public Works, except for the Rutland, Vermont project, which is still pending.

Each of these projects is in a different stage of development; some will begin construction in the coming months while others still require significant design work or acquisition of a building site. The AO continues to engage with GSA, USMS, and other Executive Branch stakeholders to ensure that additional milestones are reached and projects remain on track. These activities include regular coordination and project status meetings; the development of a communications and program management plan; establishment of a National Courthouse Change Management Board to provide key oversight of the changes impacting scope, schedule, and budget; and the deployment of a program management dashboard to track progress.

Update to the *CPP*

On September 12, 2017, the Judicial Conference of the United States approved an updated *CPP* list for fiscal year 2019 and beyond. The *CPP* list approved in September 2017 reflects the addition of one new location – McAllen, Texas – to Part II based on the city’s Asset Management Planning process Urgency Evaluation score and the recommendations contained in the project’s completed GSA feasibility study. For fiscal year 2019, Part I of the *CPP* includes three project requests:

- \$138.9 million in additional construction funding for the project in Harrisburg, Pennsylvania, that was partially funded in fiscal year 2016;
- \$110.0 million for site acquisition, design, and construction for a new courthouse in Huntsville, Alabama; and
- \$190.1 million for site acquisition, design, and construction funding for a new courthouse in Fort Lauderdale, Florida.

Judiciary Capital Security Program

FY 2019 Request	
Courthouse Project	(\$000)
Theodore Levin U.S. Courthouse, Detroit, Michigan	11,150
U.S Courthouse, Augusta, Georgia	14,250
FY 2019 Request	25,400

The Capital Security Program (CSP) is funded as a Special Emphasis Program within the General Services Administration’s (GSA) Federal Buildings Fund. The CSP provides funding to address serious security deficiencies in existing courthouse buildings where physical renovations are viable in lieu of constructing a new courthouse.

Fiscal Year 2019 Projects

The Judiciary requests \$25.4 million in fiscal year 2019 for GSA to address security deficiencies at existing courthouses through the CSP. Funds are requested for the following projects¹:

1. Theodore Levin U.S. Courthouse, Detroit, Michigan: \$11.15 million

The Levin Courthouse was constructed in 1934 and is listed on the National Register of Historic Places. The 402,935 useable square feet, ten-story plus basement structure houses 24 courtrooms, one hearing room, and 32 chambers. Security deficiencies at this courthouse will be partially addressed by constructing an enclosed USMS sally port, adding a visitor access enclosure, providing courtroom holding cells on two floors, and incorporating a detention grade elevator cab in the existing shared freight elevator shaft to provide improved prisoner movement.

2. U.S. Courthouse, Augusta, Georgia: \$14.25 million

The U.S. Courthouse in Augusta was constructed in 1916 and expanded in 1930. It is listed on the National Register of Historic Places. The 28,321 useable square feet, three-story plus basement structure houses two courtrooms, one hearing room, and three chambers. Security deficiencies at this courthouse will be addressed by replacing an existing open air carport with an enclosed USMS sally port and separate judges’ parking area, enlarging/reconfiguring the existing security screening queuing area, providing a dedicated judges’ elevator and a dedicated prisoner elevator, reconfiguring the first floor to provide secure and restricted circulation paths for prisoners and judges, and

¹ All project cost estimates are subject to verification by GSA. In addition, the actual projects funded and the dollar amounts associated with each project may change depending on the amount appropriated for CSP and the most recent cost estimates available at the time of appropriation.

constructing a new prisoner movement circulation corridor over the first-floor roof to provide secure circulation on the second floor.