

**STATEMENT OF PAUL R. MICHEL  
CHIEF JUDGE, UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT  
BEFORE THE SUBCOMMITTEE ON TRANSPORTATION,  
TREASURY, HOUSING AND URBAN DEVELOPMENT,  
THE JUDICIARY, DISTRICT OF COLUMBIA  
OF THE COMMITTEE ON APPROPRIATIONS  
OF THE UNITED STATES HOUSE OF REPRESENTATIVES**

**April 5, 2006**

Mr. Chairman, thank you for allowing me to submit my statement supporting the United States Court of Appeals for the Federal Circuit's fiscal year 2007 budget request.

Our request totals **\$26,300,000**, an increase of **\$2,517,000** over the fiscal year 2006 approved appropriation of **\$23,783,000**, after a one percent across-the-board rescission. Although this represents an overall increase of 10.6 percent, 63 percent of that increase, **\$1,591,000**, is for necessary adjustments to the base appropriation. The remaining **\$926,000** (37 percent of the requested increase) is for funding for information technology security upgrades, development and maintenance of a disaster recovery plan for electronic information, and courtroom technology implementation.

Along with the mandatory adjustments, we have included in our base request **\$496,000** for off-site leased space for senior judges and their staffs. The court has one judge who took senior status in February 2006 and four other judges who currently are eligible for senior status. The court has no additional space in the courthouse for chambers for these judges when they take senior status as they are expected to do. Keeping these judges working is essential in order to keep up with the caseload handled by the judges of this court which nearly has doubled since its creation in 1982. In the last month the Administrative Office of the United States Courts has directed GSA to begin to negotiate a lease for off-site space for the senior judges.

The **\$926,000** requested for program increases includes the following three items previously requested:

(1) **Information technology upgrades** account for **\$87,000** of that amount to provide the computer security software and hardware

required for the detection and prevention of electronic computer attacks and intrusions into the court's network computers and data. This equipment is necessary to provide a secure computer environment which we now lack. For example, court data stolen from unsecured equipment could greatly affect stock market prices of corporate securities if obtained before the court's decisions are made public.

(2) **Disaster recovery of information** accounts for **\$255,000** of the requested increase to cover the cost of establishing a telecommunications infrastructure and client computer equipment to connect to appropriate services to overcome destruction of the court's electronic communications systems. This would include remote dial-in access; file backup and restoration; and electronic database support, among other emergency access services that would be needed in the event of a disaster at the courthouse.

(3) The remaining **\$584,000** requested covers the large,

nonrecurring start-up cost of providing for modern video conferencing **technology in two of our three courtrooms.** As you know, the Judiciary has adopted information technology initiatives for reducing the reliance on paper, achieving economy in its business processes, and providing better service to citizens at locations around the country. This is especially critical to our court because of its nationwide jurisdiction. The court requests this funding to implement this program. The amount requested is based on recommendations from the Administrative Office of the United States Courts to provide two-way video and audio transmission between the court and remote sites. We have begun this process in one of our courtrooms by reprogramming money from last year's appropriation as the Subcommittee suggested. Further such reprogramming would, however, compromise core court functions. This funding will enable us to proceed with the upgrades in the remaining two courtrooms.

I would be pleased, Mr. Chairman, to answer any questions the Committee may have or to meet with the Committee members or staff about our budget request.

Thank you.