

The Judiciary  
FY 2017  
Congressional Budget Summary

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

## *Overview*

The Judiciary's FY 2017 discretionary budget request of \$7.0 billion is a 3.2 percent increase over the Judiciary's FY 2016 enacted discretionary appropriations level of \$6.8 billion.

## *FY 2016 Priorities*

The Judicial Conference is grateful for the continued support of Congress in this difficult and constrained fiscal environment. The FY 2016 funding levels will enable the Judiciary to maintain current services across the Judiciary, and will enable investment in important new or upgraded program initiatives needed to support judicial operations.

During FY 2016, the court units will be able to maintain on-board staffing levels and continue to fill critical vacancies needed to meet workload demands. In addition, funding will support much needed information technology (IT) initiatives that will enhance the judicial process and/or produce cost savings and avoidance. The Judiciary plans to use \$19.0 million on a multi-year effort to implement enterprise hosting and cloud computing for the courts that will improve IT security and continuity of operations capabilities, and \$7.0 million of FY 2016 funding and available FY 2015 balances will be used to replace the Judiciary's outdated email system.

The Judiciary continues to strengthen its cyber security initiatives in the wake of the Office of Personnel Management's cyber incident. This series of events brought to the forefront both the importance of cyber security and how a

lapse in IT security can expose sensitive information. The Judiciary plans to strengthen its cybersecurity efforts further in FY 2016.

The Judiciary will continue to improve its federal defendant and offender supervision practices throughout the country by spending approximately \$15.0 million on the probation and pretrial services program to expand its evidence-based efforts and Staff Training Aimed at Reducing Re-arrest (STARR). These resources will assist with reducing recidivism rates for offenders under supervision in the community.

In FY 2016, federal defender organizations (FDOs) will be able to continue backfilling staff vacancies and to hire additional staff to meet workload demands, as called for in the recently-developed staffing formula for FDOs. FY 2016 funding also allows panel attorneys to receive cost-of-living adjustments (COLA) to their hourly rate for work in capital and non-capital representations, and an above-COLA increase to the non-capital rate from \$128 to \$129 per hour effective January 1, 2016. This is the first increase above inflation to this rate since FY 2010.

Additionally, the FY 2016 enacted appropriations will allow for improved security at our courthouses. This includes funding for additional court security officers in the courts as part of the first year of a phased, multi-year implementation of new staffing standards recommended by the U.S Marshals Service. Finally, FY 2016 enacted funding will support the projected need for petit and grand jurors.

### *FY 2017 Budget Request*

The FY 2017 budget request will maintain current services across the Judiciary and sustain progress on several major initiatives initiated in FY 2016.

For the courts' Salaries and Expenses account, the Judiciary requests \$5.1 billion, an increase of \$127 million in discretionary appropriations over the FY 2016 enacted level. This request includes funding to support the court staffing levels needed to meet workload requirements, including additional staff for post-conviction supervision of 6,000 drug offenders released from prison as a result of the July 2014 decision of the U.S. Sentencing Commission to apply retroactively a sentencing guideline reduction for federal drug crimes.

For the Defender Services account, the Judiciary requests \$1.1 billion, an increase of \$51 million over the FY 2016 enacted level which includes sufficient funding to support the projected number of representations for FY 2017 and to continue hiring staff as called for in the new FDO staffing formula to meet workload requirements. The request also includes funding for panel attorneys to receive COLAs and for a \$6 per hour above-COLA increase to the non-capital panel attorney hourly rate (from \$131 per hour to \$137 per hour) to close the gap between the current rate and the statutorily authorized maximum.

The Judiciary's request also includes \$565.4 million for Court Security, an increase of \$27.2 million over the enacted FY 2016 level to protect judges, court staff, and the public at court facilities. This funding level will support security-related IT maintenance and enhancements and provides \$3.6 million for additional CSO positions as part of the second year of a

phased, multi-year implementation of the revised CSO staffing standards.

For the Fees of Jurors account, the Judiciary seeks \$43.7 million, a decrease of \$0.5 million from the FY 2016 enacted levels due to declining jury trials; however, this is sufficient to fund all projected juror requirements. The request also includes \$3.8 million for a \$10 increase to the daily juror attendance fee (from \$40 to \$50), effective January 2017, to compensate jurors more adequately for their services. The juror fee has not been increased since December 1990, even though the cost of living has increased significantly since that time.

### *Cost Containment*

The Judiciary's aggressive cost-containment efforts have achieved cost savings and cost avoidance for over a decade and will continue to do so. These efforts focus on the areas that may have the greatest impact on long-term savings, including GSA space rent, personnel expenses, information technology, and operating expenses.

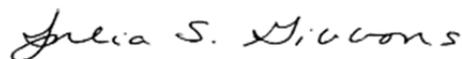
- The Judiciary continues to make strides toward its goal of reducing its space footprint by three percent by the end of FY 2018. Approximately 445,000 square feet of space has already been removed from the GSA rent bill. This represents about 50 percent of the Judiciary's space reduction target.
- The Judiciary continues to update its work measurement formulas on a regular basis to incorporate best practices, shared administrative services, improvements in information technology, and other

efficiencies. In September 2015, the Judicial Conference approved new staffing formulas for probation and pretrial services offices, and the first ever staffing formula for FDOs.

During FY 2015, the Government Accountability Office (GAO) conducted a study, at the request of Senator Charles Grassley, on sequestration and cost containment in the Judiciary. This comprehensive study examined the Judiciary's current methodology for calculating savings and cost avoidance and provided recommendations for the Judiciary to further strengthen its cost savings estimates and reporting. In November 2015, the GAO issued a final report and the Judiciary is determining how it will respond to the report's recommendations.

#### *Courthouse Construction and Capital Security Improvements*

Because the Judiciary lacks independent real property authority, the Judiciary's courthouse construction and capital security projects are funded from the General Services Administration's (GSA) budget.



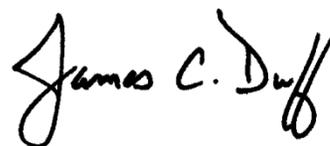
Julia S. Gibbons  
United States Circuit Judge  
for the Sixth Circuit Court of Appeals  
Chair, Budget Committee of the  
Judicial Conference of the United States

The Judiciary is extremely grateful to Congress for providing \$948 million in FY 2016 to GSA for the construction of courthouses on the Judiciary's Courthouse Project Priorities (CPP) plan. These resources will fully fund the top eight courthouse projects on the CPP.

For FY 2017, the Judiciary requests that Congress provide GSA \$26 million 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. The stable and consistent funding of these projects is crucial to addressing serious security risks that threaten the safety of the Judiciary and the public.

#### *Summary*

The Judiciary's FY 2017 discretionary budget request of \$7.0 billion is summarized in the following pages. A more detailed description of the Judiciary's FY 2017 request, as well as the requests for courthouse construction and capital security requirements can be found in The Judiciary, Budget Estimates for FY 2017, Congressional



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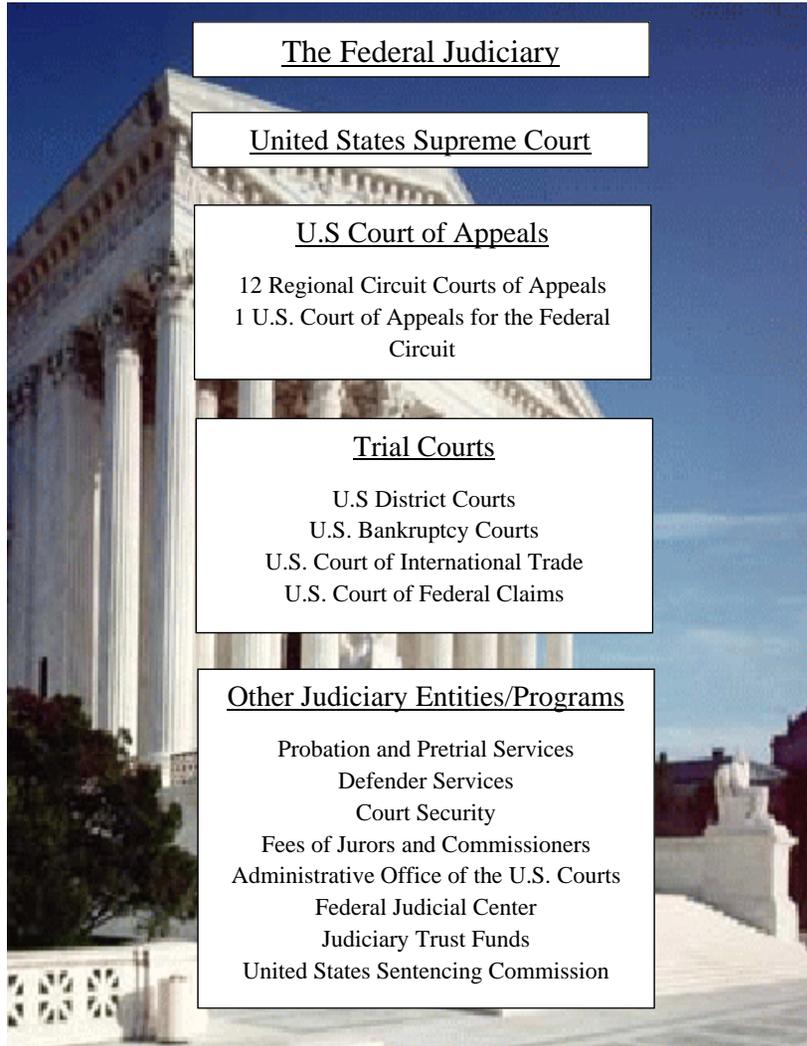


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# Overview of The Judiciary



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. The following sections provide 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 13 courts of appeals and 179 authorized appellate court judgeships nationwide. Twelve of the courts of appeals have jurisdiction over cases within a regional area or “circuit.” The twelve regional courts of appeals review cases from the United States district courts and the United States Tax Court, and orders and decisions from a number of federal administrative agencies.

## **The 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 money 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 nationwide.

## **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. This means that 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 Retirement 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 FY 2017 totals \$7,582,995,000 (includes mandatory and discretionary), an increase of \$239,222,000, or 3.3 percent over the FY 2016 enacted appropriations. Of that increase, \$25,552,000 is for mandatory appropriations (4.5 percent increase) and \$213,670,000 is for discretionary appropriations (3.2 percent increase).

### Adjustments to Base (Mandatory Appropriations)

A \$25.6 million increase is requested for mandatory judiciary appropriations, as follows:

1. An increase of \$12.9 million is required for the judiciary retirement trust funds accounts based on requirements calculated by an independent actuary.
2. An increase of \$7.2 million is for pay adjustments for Article III and bankruptcy judges for the Supreme Court, the Court of Appeals for the Federal Circuit, the Court of International Trade, and the S&E account, including the annualization of the FY 2016 pay adjustment, a proposed January 2017 pay adjustment, and changes in benefits costs.
3. An increase of \$5.5 million is associated with an additional 11 senior judges FTE, an additional 6 active Article III judges FTE, and an additional 8 bankruptcy judges FTE.

### Adjustments to Base (Discretionary Appropriations)

A total of \$179.7 million (84.1 percent) of the requested \$213.7 million discretionary increase will provide for pay adjustments, inflation and other adjustments to base necessary to maintain current services.

Base adjustments include:

4. An increase of \$87.4 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 2016 pay adjustment, a proposed January 2017 pay adjustment, changes in benefit costs, cost-of-living rate increases for panel attorneys, and a wage rate adjustment for court security officers.
5. A net increase of \$57.4 million is necessary to replace non-appropriated sources of funds used to support base requirements in FY 2016 with direct appropriations. The judiciary will keep the Appropriations Subcommittees informed of any change in this estimate.
6. A net increase of \$18.2 million is requested for annualizing new space delivered in FY 2016, the cost of new space expected to be delivered in FY 2017, space related inflation, and other space-related adjustments

7. An increase of \$14.0 million will provide for increases in contract rates and other standard inflationary increases.
8. An increase of \$11.9 million is associated with an additional 37 senior judges' staff, an additional 30 Article III judges' staff, and an additional 28 bankruptcy judges' staff.
9. An increase of \$10.7 million is associated with adjustments to security systems and equipment requirements.
10. An increase of \$8.4 million is associated with a projected increase in panel attorney capital and non-capital representations.
11. An increase of \$6.3 million will provide for annualizing 28 federal defender organization positions, 2 case budgeting positions, 4 staff at the U.S. Sentencing Commission and 69 additional court security officer positions initially funded in FY 2016.
12. An increase of \$5.0 million will provide for estimated increases in Federal Protective Service (FPS) security charges, based on rates established by FPS.
13. A net decrease of \$27.8 million is due to reduced information technology requirements in FY 2017.
14. A decrease of \$5.2 million is for a temporary reduction to the court security officer (CSO) program due to high CSO vacancy rates.
15. A decrease of \$2.2 million is associated with non-recurring costs for new judges in FY 2016.
16. A decrease of \$1.8 million is associated with non-recurring costs associated with the technology fund at the Supreme Court (-\$0.6 million) and projects funded with the Supreme Court's Care of the Building and Grounds account (-\$1.2 million).
17. A decrease of \$1.7 million is associated with non-recurring requirements associated with the review of the Criminal Justice Act (CJA) program.
18. A net decrease of \$0.6 million is associated with a projected net change in available jurors.
19. A decrease of \$0.2 million is associated with anticipated savings in panel attorney costs in the Defender Services account as a result of the addition of two new case-budgeting attorney positions in FY 2016.

**Program Increases (Discretionary Appropriations)**

The remaining \$34.0 million (15.9 percent) of the requested increase is for program enhancements including:

20. An increase of \$11.5 million is requested for 50 FTE for the continued implementation of the new FDO staffing formula.

21. An increase of \$6.7 million will provide for 73 FTE for probation and pretrial services offices to meet projected increases in workload.
22. An increase of \$4.8 million will provide for the design and construction costs for the continuation of the exterior stone restoration project at the Supreme Court.
23. An increase of \$3.8 million is requested to increase the daily juror attendance fee by \$10 (from \$40 to \$50) for grand and petit jurors, effective January 2017.
24. An increase of \$3.6 million is requested to hire an additional 69 CSOs for the second year of the phased implementation of the new CSO staffing standards.
25. An increase of \$1.9 million will provide for a \$6 hourly rate increase above inflation, from \$131 to \$137 per hour, for non-capital cases, effective January 2017.
26. An increase of \$1.5 million will provide funding to operate and maintain the Facilities Access Card (FAC) program as it moves from the implementation phase into a sustainment phase.
27. An increase of \$1.3 million is requested for two additional magistrate judges (2 FTE), six support staff (6 FTE), and associated operating costs for Denver, CO and Wichita Falls, TX or Fort Worth, TX.
28. An increase of \$1.0 million will provide funding to define system requirements and conduct system development planning for replacing the Judicial Security Management and Reporting Tool (JSMART), which is the USMS' information technology system for USMS-supported court facilities.
29. A decrease of \$2.0 million is associated with a projected decline in caseload for circuit units and courts of appeals (-9 FTE) and district courts (-15 FTE).

**THE JUDICIARY**

<b>Judiciary Appropriation Funding (\$000)</b>									
Appropriation Account	FY 2015 Enacted			FY 2016 Enacted			FY 2017 Request		
	Mandatory <sup>1</sup>	Discretionary	Total	Mandatory <sup>1</sup>	Discretionary	Total	Mandatory	Discretionary	Total
Supreme Court									
Salaries and Expenses	2,527	74,967	77,494	2,562	75,838	78,400	2,611	76,668	79,279
Building and Grounds	-	11,640	11,640	-	9,964	9,964	-	14,868	14,868
Total, U.S. Supreme Court	2,527	86,607	89,134	2,562	85,802	88,364	2,611	91,536	94,147
Court of Appeals for the Federal Circuit	2,663	30,212	32,875	2,922	30,872	33,794	2,965	30,108	33,073
Court of International Trade	1,176	17,807	18,983	2,005	18,160	20,165	2,044	18,462	20,506
<i>Courts of Appeals, District Courts, and Other Judicial Services:</i>									
Salaries and Expenses	396,725	4,846,818	5,243,543	402,733	4,918,969	5,321,702	415,254	5,045,785	5,461,039
Vaccine Injury Trust Fund	-	5,423	5,423	-	6,050	6,050	-	6,260	6,260
Total, Salaries and Expenses	396,725	4,852,241	5,248,966	402,733	4,925,019	5,327,752	415,254	5,052,045	5,467,299
Defender Services	-	1,016,499	1,016,499	-	1,004,949	1,004,949	-	1,056,326	1,056,326
Fees of Jurors & Commissioners	-	52,191	52,191	-	44,199	44,199	-	43,723	43,723
Court Security	-	513,975	513,975	-	538,196	538,196	-	565,388	565,388
Subtotal, CADCOJS	396,725	6,434,906	6,831,631	402,733	6,512,363	6,915,096	415,254	6,717,482	7,132,736
Administrative Office of the U.S. Courts	-	84,399	84,399	-	85,665	85,665	-	87,748	87,748
Federal Judicial Center	-	26,959	26,959	-	27,719	27,719	-	28,335	28,335
Judicial Retirement Funds	143,600	-	143,600	155,400	-	155,400	168,300	-	168,300
United States Sentencing Commission	-	16,894	16,894	-	17,570	17,570	-	18,150	18,150
<b>Total Direct</b>	<b>546,691</b>	<b>6,692,361</b>	<b>7,239,052</b>	<b>565,622</b>	<b>6,772,101</b>	<b>7,337,723</b>	<b>591,174</b>	<b>6,985,561</b>	<b>7,576,735</b>
<b>Vaccine Injury Trust Fund</b>	<b>-</b>	<b>5,423</b>	<b>5,423</b>	<b>-</b>	<b>6,050</b>	<b>6,050</b>	<b>-</b>	<b>6,260</b>	<b>6,260</b>
<b>Total, Judiciary</b>	<b>546,691</b>	<b>6,697,784</b>	<b>7,244,475</b>	<b>565,622</b>	<b>6,778,151</b>	<b>7,343,773</b>	<b>591,174</b>	<b>6,991,821</b>	<b>7,582,995</b>

<sup>1</sup> FY 2015 mandatory levels reflect actuals, with the exception of Supreme Court which reflects the FY 2015 financial plan level. FY 2016 mandatory levels represent FY 2016 financial plan levels.

<b>The Judiciary Summary of FTE</b>									
Appropriation Account	FY 2015 Actual			FY 2016 Estimate			FY 2017 Request		
	Mandatory	Discretionary	Total	Mandatory	Discretionary	Total	Mandatory	Discretionary	Total
Supreme Court									
Salaries and Expenses	9	488	497	9	488	497	9	488	497
Building and Grounds	-	41	41	-	50	50	-	50	50
Total, U.S. Supreme Court	9	529	538	9	538	547	9	538	547
Court of Appeals for the Federal Circuit	12	125	137	12	139	151	12	139	151
Court of International Trade	9	47	56	9	71	80	9	71	80
<i>Courts of Appeals, District Courts, and Other Judicial Services:</i>									
Salaries and Expenses	1,786	26,093	27,879	1,793	26,319	28,112	1,818	26,471	28,289
Vaccine Injury Trust Fund	-	-	-	-	-	-	-	-	-
Total, Salaries and Expenses	1,786	26,093	27,879	1,793	26,319	28,112	1,818	26,471	28,289
Defender Services	-	2,568	2,568	-	2,784	2,784	-	2,849	2,849
Fees of Jurors & Commissioners	-	-	-	-	-	-	-	-	-
Court Security	-	57	57	-	72	72	-	72	72
Subtotal, CADCOJS	1,786	28,718	30,504	1,793	29,175	30,968	1,818	29,392	31,210
Administrative Office of the U.S. Courts	-	579	579	-	621	621	-	621	621
Federal Judicial Center	-	127	127	-	132	132	-	132	132
Judicial Retirement Funds	-	-	-	-	-	-	-	-	-
United States Sentencing Commission	-	93	93	-	95	95	-	96	96
<b>Total Direct</b>	<b>1,816</b>	<b>30,218</b>	<b>32,034</b>	<b>1,823</b>	<b>30,771</b>	<b>32,594</b>	<b>1,848</b>	<b>30,989</b>	<b>32,837</b>
<b>Reimbursables, AO</b>	<b>-</b>	<b>401</b>	<b>401</b>	<b>-</b>	<b>474</b>	<b>474</b>	<b>-</b>	<b>474</b>	<b>474</b>
<b>Total, Judiciary</b>	<b>1,816</b>	<b>30,619</b>	<b>32,435</b>	<b>1,823</b>	<b>31,245</b>	<b>33,068</b>	<b>1,848</b>	<b>31,463</b>	<b>33,311</b>

**FY 2017 Summary of Requested Changes**

	COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES																											
	Supreme Court		Federal Circuit		International Trade		Salaries and Expenses		Defender Services		Fees of Jurors and Commissioners		Court Security		Subtotal		Administrative Office		Fed. Judicial Center		Judicial Retirement Funds		Sentencing Commission		Total Judiciary			
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTEs	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2016 Enacted Appropriation Level - Mandatory	9	2,562	12	2,922	9	2,005	1,793	402,733	-	-	-	-	-	1,793	402,733	-	-	-	-	-	-	155,400	-	-	1,823	565,622		
FY 2016 Enacted Appropriation Level - Discretionary	538	85,802	139	30,872	71	18,160	26,319	4,918,969	2,784	1,004,949	44,199	72	538,196	29,175	6,506,313	621	85,665	132	27,719	-	-	95	17,570	30,771	6,772,101			
FY 2016 Vaccine Injury Trust Fund	-	-	-	-	-	-	-	6,050	-	-	-	-	-	-	6,050	-	-	-	-	-	-	-	-	-	-	6,050		
Reimbursable FTE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	474	-	-	-	-	-	-	-	-	474			
<b>FY 2016 Available Appropriation</b>	<b>547</b>	<b>88,364</b>	<b>151</b>	<b>33,794</b>	<b>80</b>	<b>20,165</b>	<b>28,112</b>	<b>5,327,752</b>	<b>2,784</b>	<b>1,004,949</b>	<b>44,199</b>	<b>72</b>	<b>538,196</b>	<b>30,968</b>	<b>6,915,096</b>	<b>1,095</b>	<b>85,665</b>	<b>132</b>	<b>27,719</b>	-	-	<b>155,400</b>	<b>95</b>	<b>17,570</b>	<b>33,068</b>	<b>7,343,773</b>		
<b>FY 2017 Adjustments to Base</b>																												
Judges:																												
- Pay and benefit cost adjustments	-	49	-	43	-	39	-	9,485	-	-	-	-	-	-	9,485	-	-	-	-	-	-	-	-	-	-	-	9,616	
- Additional senior judges	-	-	-	-	-	-	48	6,869	-	-	-	-	-	48	6,869	-	-	-	-	-	-	-	-	-	48	6,869		
- Increase in average number of filled Article III judges	-	-	-	-	-	-	36	5,597	-	-	-	-	-	36	5,597	-	-	-	-	-	-	-	-	-	36	5,597		
- Increase in average number of filled bankruptcy judges	-	-	-	-	-	-	36	4,924	-	-	-	-	-	36	4,924	-	-	-	-	-	-	-	-	-	36	4,924		
- Non-recurring costs of new FY 2016 judges	-	-	-	-	-	-	-	(2,239)	-	-	-	-	-	-	(2,239)	-	-	-	-	-	-	-	-	-	-	-	(2,239)	
- Payments to judiciary retirement trust funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	12,900	-	-	-	12,900		
Court Personnel																												
- Pay and benefit cost adjustments	-	1,134	-	334	-	261	-	59,127	-	13,733	-	-	(2,765)	-	70,095	-	1,892	-	468	-	-	-	-	322	-	74,506		
- Annualization of FDO positions added in FY 2016	-	-	-	-	-	-	-	-	14	3,197	-	-	-	14	3,197	-	-	-	-	-	-	-	-	-	14	3,197		
- Annualization of positions funded in fiscal year 2016	-	-	-	-	-	-	-	-	1	215	-	-	-	1	215	-	-	-	-	-	-	-	1	113	2	328		
- Change in projected panel attorney caseload	-	-	-	-	-	-	-	-	-	8,380	-	-	-	-	8,380	-	-	-	-	-	-	-	-	-	-	8,380		
Other Changes																												
- Funding necessary to maintain current services	-	-	-	-	-	-	-	50,322	-	11,078	(4,096)	-	-	-	57,304	-	103	-	-	-	-	-	-	-	-	57,407		
- Inflation (non-space-related)	-	370	-	102	-	41	-	9,843	-	2,522	406	-	126	-	12,897	-	88	-	148	-	-	-	-	145	-	13,791		
- Vaccine Injury Trust Fund adjustment	-	-	-	-	-	-	-	210	-	-	-	-	-	-	210	-	-	-	-	-	-	-	-	-	-	210		
- Space related costs (includes inflation for space rental rates)	-	-	-	-	-	(8)	-	17,321	-	778	-	-	97	-	18,196	-	-	-	-	-	-	-	-	-	-	18,188		
- Information technology requirements	-	-	-	-	-	-	-	(27,808)	-	-	-	-	-	-	(27,808)	-	-	-	-	-	-	-	-	-	-	(27,808)		
- Change in available jurors	-	-	-	-	-	-	-	-	-	-	(580)	-	-	-	(580)	-	-	-	-	-	-	-	-	-	-	(580)		
- Adjustments to base (non-recurring requirements)	-	(570)	-	(1,200)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	(1,770)		
- FPS security service charges	-	-	-	-	-	8	-	-	-	-	-	-	4,946	-	4,946	-	-	-	-	-	-	-	-	-	-	4,954		
- FY 2017 court security officer wage adjustments	-	-	-	-	-	-	-	-	-	-	-	-	10,439	-	10,439	-	-	-	-	-	-	-	-	-	-	10,439		
- Annualization of court security officer positions (69)	-	-	-	-	-	-	-	-	-	-	-	-	2,757	-	2,757	-	-	-	-	-	-	-	-	-	-	2,757		
- Temporary reduction to CSO program due to high vacancy rates	-	-	-	-	-	-	-	-	-	-	-	-	(5,209)	-	(5,209)	-	-	-	-	-	-	-	-	-	-	(5,209)		
- Adjustments to base for security systems and equipment	-	-	-	-	-	-	-	-	-	-	-	-	10,701	-	10,701	-	-	-	-	-	-	-	-	-	-	10,701		
- Savings related to case-budgeting positions	-	-	-	-	-	-	-	-	-	(215)	-	-	-	-	(215)	-	-	-	-	-	-	-	-	-	-	(215)		
- Non-recurring costs associated with the CJA Review	-	-	-	-	-	-	-	-	-	(1,700)	-	-	-	-	(1,700)	-	-	-	-	-	-	-	-	-	-	(1,700)		
<b>Subtotal, FY 2017 Adjustments to Base</b>	<b>-</b>	<b>983</b>	<b>-</b>	<b>(721)</b>	<b>-</b>	<b>341</b>	<b>120</b>	<b>133,651</b>	<b>15</b>	<b>37,988</b>	<b>(4,270)</b>	<b>-</b>	<b>21,092</b>	<b>135</b>	<b>188,461</b>	<b>-</b>	<b>2,083</b>	<b>-</b>	<b>616</b>	<b>-</b>	<b>-</b>	<b>12,900</b>	<b>1</b>	<b>580</b>	<b>136</b>	<b>205,243</b>		
Total Adjustments to Base, Mandatory	-	49	-	43	-	39	25	12,521	-	-	-	-	-	25	12,521	-	-	-	-	-	-	12,900	-	-	25	25,552		
Total Adjustments to Base, Discretionary	-	934	-	(764)	-	302	95	121,130	15	37,988	(4,270)	-	21,092	110	175,940	-	2,083	-	616	-	-	-	1	580	111	179,691		
<b>FY 2017 Adjusted Base</b>	<b>547</b>	<b>89,347</b>	<b>151</b>	<b>33,073</b>	<b>80</b>	<b>20,506</b>	<b>28,232</b>	<b>5,461,403</b>	<b>2,799</b>	<b>1,042,937</b>	<b>39,929</b>	<b>72</b>	<b>559,288</b>	<b>31,103</b>	<b>7,103,557</b>	<b>1,095</b>	<b>87,748</b>	<b>132</b>	<b>28,335</b>	<b>-</b>	<b>-</b>	<b>168,300</b>	<b>96</b>	<b>18,150</b>	<b>33,204</b>	<b>7,549,016</b>		
<b>FY 2017 Program Increases</b>																												
Judges:																												
- Magistrate judges and staff	-	-	-	-	-	-	8	1,258	-	-	-	-	-	8	1,258	-	-	-	-	-	-	-	-	-	8	1,258		
Court Personnel and Programs:																												
- Interior Courtyard Stone Cleaning and Restoration	-	4,800	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4,800		
- Change in appellate and district court support staff	-	-	-	-	-	-	(24)	(2,039)	-	-	-	-	-	(24)	(2,039)	-	-	-	-	-	-	-	-	-	(24)	(2,039)		
- Change in probation and pretrial court support staff	-	-	-	-	-	-	73	6,677	-	-	-	-	-	73	6,677	-	-	-	-	-	-	-	-	-	73	6,677		
- Implementation of the FDO staffing formula	-	-	-	-	-	-	-	-	50	11,531	-	-	-	50	11,531	-	-	-	-	-	-	-	-	-	50	11,531		
- Non-Capital panel attorney hourly rate increase (from \$131 to \$137)	-	-	-	-	-	-	-	-	-	1,858	-	-	-	-	1,858	-	-	-	-	-	-	-	-	-	-	1,858		
- Increase to juror daily rate (from \$40 to \$50)	-	-	-	-	-	-	-	-	-	-	3,794	-	-	3,794	-	-	-	-	-	-	-	-	-	-	-	3,794		
- Phased implementation (second year) of new CSO staffing standards	-	-	-	-	-	-	-	-	-	-	-	3,600	-	3,600	-	-	-	-	-	-	-	-	-	-	-	3,600		
- Judicial Security Management and Reporting Tool replacement	-	-	-	-	-	-	-	-	-	-	-	1,000	-	1,000	-	-	-	-	-	-	-	-	-	-	-	1,000		
- Facility Access Card (FAC) sustainment	-	-	-	-	-	-	-	-	-	-	-	1,500	-	1,500	-	-	-	-	-	-	-	-	-	-	-	1,500		
<b>Subtotal, FY 2017 Program Increases</b>	<b>-</b>	<b>4,800</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>57</b>	<b>5,896</b>	<b>50</b>	<b>13,389</b>	<b>3,794</b>	<b>-</b>	<b>6,100</b>	<b>107</b>	<b>29,179</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>107</b>	<b>33,979</b>		
Total Program Increases, Mandatory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Total Program Increases, Discretionary	-	4,800	-	-	-	-	57	5,896	50	13,389	3,794	-	6,100	107	29,179	-	-	-	-	-	-	-	-	-	107	33,979		
Total Mandatory Increases	-	49	-	43	-	39	25	12,521	-	-	-	-	-	25	12,521	-	-	-	-	-	-	12,900	-	-	25	25,552		
Total Discretionary Increases	-	5,734	-	(764)	-	302	152	127,026	65	51,377	(476)	-	27,192	217	205,119	-	2,083	-	616	-	-	-	1	580	218	213,670		
<b>Total Increases Requested, FY 2017</b>	<b>-</b>	<b>5,783</b>	<b>-</b>	<b>(721)</b>	<b>-</b>	<b>341</b>	<b>177</b>	<b>139,547</b>	<b>65</b>	<b>51,377</b>	<b>(476)</b>	<b>-</b>	<b>27,192</b>	<b>242</b>	<b>217,640</b>	<b>-</b>	<b>2,083</b>	<b>-</b>	<b>616</b>	<b>-</b>								

**THE JUDICIARY**

**Outlays - FY 2015 to FY 2017**

(Dollars in Thousands)

Appropriation	FY 2015	FY 2016	FY 2017	Outlay Spendout Rates		
				YR 1	YR 2	YR 3
Supreme Court						
Discretionary	72,469	75,581	76,576	80%	20%	0%
Mandatory	2,527	2,562	2,611	100%	0%	0%
<b>Total, Salaries and Expenses</b>	<b>74,996</b>	<b>78,143</b>	<b>79,187</b>			
<b>Buildings and Grounds</b>	<b>9,000</b>	<b>11,063</b>	<b>17,087</b>	68%	12%	20%
Court of Appeals for the Federal Circuit						
Discretionary	26,178	31,400	30,220	80%	20%	0%
Mandatory	2,663	2,922	2,965	100%	0%	0%
<b>Total, Court of Appeals for the Federal Circuit</b>	<b>28,841</b>	<b>34,322</b>	<b>33,185</b>			
Court of International Trade						
Discretionary	16,123	18,319	19,202	95%	5%	0%
Mandatory	1,176	2,005	2,044	100%	0%	0%
<b>Total, Court of International Trade</b>	<b>17,299</b>	<b>20,324</b>	<b>21,246</b>			
<i>Courts of Appeals, District Courts, and Other Judicial Services:</i>						
Salaries and Expenses - Discretionary	4,801,808	4,948,267	5,036,746	93%	7%	0%
Salaries and Expenses - Mandatory	396,725	402,733	415,254	100%	0%	0%
<b>Total, Salaries and Expenses</b>	<b>5,198,533</b>	<b>5,351,000</b>	<b>5,452,000</b>			
<b>Defender Services</b>	<b>986,541</b>	<b>1,034,511</b>	<b>1,054,003</b>	97%	3%	0%
<b>Fees of Jurors &amp; Commissioners</b>	<b>49,159</b>	<b>44,992</b>	<b>48,948</b>	99.5%	0.5%	0%
<b>Court Security</b>	<b>486,041</b>	<b>544,000</b>	<b>566,200</b>	80.0%	20.0%	0%
<b>Total, Courts of Appeals, District Courts, and Other Judicial Services</b>	<b>6,720,274</b>	<b>6,974,503</b>	<b>7,121,151</b>			
<b>Administrative Office of the United States Courts</b>	<b>71,993</b>	<b>76,222</b>	<b>88,148</b>	94%	6%	0%
<b>Federal Judicial Center</b>	<b>27,371</b>	<b>28,194</b>	<b>28,341</b>	95%	5%	0%
<b>Judicial Retirement Funds (MANDATORY)</b>	<b>143,600</b>	<b>155,400</b>	<b>168,300</b>	100%	0%	0%
<b>United States Sentencing Commission</b>	<b>16,252</b>	<b>17,981</b>	<b>18,448</b>	85%	15%	0%
Subtotal, Discretionary	6,562,935	6,830,530	6,983,919			
Subtotal, Mandatory	546,691	565,622	591,174			
<b>Total, Judiciary</b>	<b>7,109,626</b>	<b>7,396,152</b>	<b>7,575,093</b>			



# **FY 2017 Request**

## **Summary by Appropriation**



**U.S. Supreme Court**  
*Salaries and Expenses*

<b>FY 2017 Request</b>						
	<b>Mandatory</b>		<b>Discretionary</b>		<b>Total</b>	
	<b>FTE</b>	<b>(\$000)</b>	<b>FTE</b>	<b>(\$000)</b>	<b>FTE</b>	<b>(\$000)</b>
<b>FY 2016 Enacted Appropriation</b>	<b>9</b>	<b>2,562</b>	<b>488</b>	<b>75,838</b>	<b>497</b>	<b>78,400</b>
<b>Adjustments to Base</b>	<b>-</b>	<b>49</b>	<b>-</b>	<b>830</b>	<b>-</b>	<b>879</b>
<b>FY 2017 Appropriation Request</b>	<b>9</b>	<b>2,611</b>	<b>488</b>	<b>76,668</b>	<b>497</b>	<b>79,279</b>

**Budget Summary**

The Supreme Court requests \$79.3 million (\$2.6 million for mandatory expenses and \$76.7 million for discretionary expenses) in FY 2017.

The \$76.7 million request for discretionary appropriations represents a 1.1 percent increase over the FY 2016 enacted discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services. The Court requests no program increases in FY 2017.

**Mandatory Adjustments to Base**

The FY 2017 request includes \$49,000 for increases to standard pay and changes in benefits for the Chief Justice and the Associate Justices.

**Discretionary Adjustments to Base**

The Supreme Court requests a net \$0.8 million increase for discretionary expenses in FY 2017 for the Salaries and Expenses account. The FY 2017 request includes \$1.3 million for standard pay and other inflationary adjustments, partially offset by a \$0.5 million reduction to the technology fund.

**U.S. Supreme Court - Salaries and Expenses**  
**Comparative Summary of Obligations by Category**  
(\$000)

Category	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Requested Increase/Decrease
Compensation and Benefits	55,749	60,586	61,677	1,091
Rent, Communications and Utilities	909	1,159	1,180	21
Travel	561	508	517	9
Other	18,270	16,147	15,905	(242)
<b>Total Obligations</b>	<b>75,489</b>	<b>78,400</b>	<b>79,279</b>	<b>879</b>
Financing Adjustment	2,005	-	-	-
<b>Available Appropriation</b>	<b>77,494</b>	<b>78,400</b>	<b>79,279</b>	<b>879</b>
Mandatory Appropriation	2,527	2,562	2,611	49
Discretionary Appropriation	74,967	75,838	76,668	830

**U.S. Supreme Court**  
*Care of the Building and Grounds*

<b>FY 2017 Request</b>		
	<b>Discretionary</b>	
	<b>FTE</b>	<b>(\$000)</b>
<b>FY 2016 Enacted Appropriation</b>	<b>50</b>	<b>9,964</b>
<b>Adjustments to Base</b>	<b>-</b>	<b>104</b>
<b>Program Increases</b>	<b>-</b>	<b>4,800</b>
<b>FY 2017 Appropriation Request</b>	<b>50</b>	<b>14,868</b>

**Budget Summary**

The Supreme Court requests \$14.9 million for its Care of the Building and Grounds account in FY 2017, a 49.2 percent increase over the FY 2016 enacted appropriation.

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 an increase for ongoing exterior stone restoration.

**Discretionary Adjustments to Base**

The Supreme Court requests an increase of \$0.1 million for standard pay and other inflationary adjustments.

**Program Increases**

The FY 2017 budget request for the Building and Grounds account includes \$4.8 million for program increases.

**1. Interior Courtyard Stone Cleaning and Restoration: \$4.8 million**

The Court requests \$4.8 million for the design fees and construction costs for the maintenance and preservation of the historically significant stonework inside the courtyards. This project is a continuation of the exterior stone restoration project that includes the completion of the west façade and the ongoing restoration of the north, south, and east facades.

**U.S. Supreme Court - Care of the Building and Grounds**  
**Comparative Summary of Obligations by Category**  
(\$000)

Category	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Requested Increase/Decrease
Compensation and Benefits	4,573	4,808	4,900	92
Rent, Communications and Utilities	1,825	1,850	1,900	50
Other	7,211	6,623	7,073	450
<b>Total Obligations</b>	<b>13,609</b>	<b>13,281</b>	<b>13,873</b>	<b>592</b>
Financing Adjustment	(1,969)	(3,317)	995	4,312
<b>Available Appropriation</b>	<b>11,640</b>	<b>9,964</b>	<b>14,868</b>	<b>4,904</b>

## United States Court of Appeals for the Federal Circuit

FY 2017 Request						
	Mandatory		Discretionary		Total	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
<b>FY 2016 Enacted Appropriation</b>	12	2,922	139	30,872	151	33,794
<b>Adjustments to Base</b>	-	43	-	(764)	-	(721)
<b>FY 2017 Appropriation Request</b>	12	2,965	139	30,108	151	33,073

### Budget Summary

The Court of Appeals for the Federal Circuit requests \$33.1 million (\$3.0 million for mandatory expenses and \$30.1 million for discretionary expenses) for FY 2017.

The \$30.1 million request for discretionary appropriations represents a 2.5 percent decrease below the FY 2016 enacted discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services and includes a one-time reduction in base resources. The Court requests no program increases in FY 2017.

### Mandatory Adjustments to Base

The FY 2017 request includes \$43,000 for increases to standard pay and changes in benefits for judges.

### Discretionary Adjustments to Base

The Court requests a net \$0.8 million decrease for discretionary expenses in FY 2017. The FY 2017 request includes \$0.4 million for standard pay and other inflationary adjustments offset by a one-time reduction of \$1.2 million in base resources resulting from successful cost containment practices at the Court.

**United States Court of Appeals for the Federal Circuit**  
**Comparative Summary of Obligations by Category**  
(\$000)

Category	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Requested Increase/Decrease
Compensation and Benefits	18,108	20,702	21,078	376
Rent, Communications and Utilities	7,007	6,586	6,432	(154)
Travel	54	100	80	(20)
Other	5,879	6,881	6,183	(698)
<b>Total Obligations</b>	<b>31,048</b>	<b>34,269</b>	<b>33,773</b>	<b>(496)</b>
Financing Adjustment	1,827	(475)	(700)	(225)
<b>Available Appropriation</b>	<b>32,875</b>	<b>33,794</b>	<b>33,073</b>	<b>(721)</b>
Mandatory Appropriation	2,663	2,922	2,965	43
Discretionary Appropriation	30,212	30,872	30,108	(764)

## United States Court of International Trade

FY 2017 Request						
	Mandatory		Discretionary		Total	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
<b>FY 2016 Enacted Appropriation</b>	9	2,005	71	18,160	80	20,165
<b>Adjustments to Base</b>	-	39	-	302	-	341
<b>FY 2017 Appropriation Request</b>	9	2,044	71	18,462	80	20,506

### Budget Summary

The Court of International Trade requests \$20.5 million (\$2.0 million for mandatory expenses and \$18.5 million for discretionary expenses) in FY 2017.

The \$18.5 million request for discretionary appropriations represents a 1.7 percent increase over the FY 2016 enacted discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services. The Court requests no program increases.

### Mandatory Adjustments to Base

The FY 2017 request includes \$39,000 for increases to standard pay and changes in benefits for judges.

### Discretionary Adjustments to Base

The Court's adjustments to base for FY 2017 total \$0.3 million to provide for standard pay, other inflationary adjustments, and other court operating expenses.

**United States Court of International Trade**  
**Comparative Summary of Obligations by Category**  
(\$000)

Category	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Requested Increase/Decrease
Compensation and Benefits	7,592	10,522	10,852	330
Rent, Communications and Utilities	6,874	7,072	6,910	(162)
Travel	158	183	170	(13)
Other	4,047	3,408	2,904	(504)
<b>Total Obligations</b>	<b>18,671</b>	<b>21,185</b>	<b>20,836</b>	<b>(349)</b>
Financing Adjustment	312	(1,020)	(330)	690
<b>Available Appropriation</b>	<b>18,983</b>	<b>20,165</b>	<b>20,506</b>	<b>341</b>
Mandatory Appropriation	1,176	2,005	2,044	39
Discretionary Appropriation	17,807	18,160	18,462	302

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

<b>FY 2017 Request</b>						
	<b>Mandatory</b>		<b>Discretionary</b>		<b>Total</b>	
	<b>FTE</b>	<b>(\$000)</b>	<b>FTE</b>	<b>(\$000)</b>	<b>FTE</b>	<b>(\$000)</b>
FY 2016 Salaries and Expenses Enacted Appropriation	1,793	402,733	26,319	4,918,969	28,112	5,321,702
Vaccine Injury Compensation Trust Fund Appropriation	-	-	-	6,050	-	6,050
<b>Total, FY 2016 Available Appropriation</b>	<b>1,793</b>	<b>402,733</b>	<b>26,319</b>	<b>4,925,019</b>	<b>28,112</b>	<b>5,327,752</b>
Adjustments to Base	25	12,521	95	120,920	120	133,441
Adjustments to Base - Vaccine Injury Compensation Trust Fund	-	-	-	210	-	210
<b>Total, Adjustments to Base</b>	<b>25</b>	<b>12,521</b>	<b>95</b>	<b>121,130</b>	<b>120</b>	<b>133,651</b>
Program Increases	-	-	57	5,896	57	5,896
<b>Total, Program Increases</b>	<b>-</b>	<b>-</b>	<b>57</b>	<b>5,896</b>	<b>57</b>	<b>5,896</b>
FY 2017 Salaries and Expenses Appropriation	1,818	415,254	26,471	5,045,785	28,289	5,461,039
Vaccine Injury Compensation Trust Fund Appropriation	-	-	-	6,260	-	6,260
<b>Total, FY 2017 Appropriation Request</b>	<b>1,818</b>	<b>415,254</b>	<b>26,471</b>	<b>5,052,045</b>	<b>28,289</b>	<b>5,467,299</b>

**Budget Summary**

The Judicial Conference requests \$5,467.3 million for the Salaries and Expenses account in FY 2017, including \$415.3 million for mandatory expenses, \$5,045.8 million for discretionary expenses, and \$6.2 million from the Vaccine Injury Trust Fund. The FY 2017 total discretionary request of \$5,052.0 million is a 2.6 percent increase over the FY 2016 enacted discretionary appropriation. This request includes the necessary adjustments to base to maintain current services and program increases associated with additional magistrate judges

and increasing workload in the probation and pretrial services program.

The Salaries and Expenses appropriation is approximately 72 percent of the judiciary's total appropriations request. 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 current year fee collections and prior year carryforward balances, to offset the need for appropriated funds. The judiciary currently projects that these sources of non-appropriated funds will total \$367.4 million in

FY 2017, \$70.3 million below the FY 2016 financial plan estimated level of \$437.7 million.

### **Mandatory Adjustments to Base**

The FY 2017 request includes \$12.5 million for mandatory increases for Article III and bankruptcy judges as follows:

**1. Pay and benefit cost adjustment for Article III and bankruptcy judges salaries and benefits: \$7.0 million**

An increase of \$7.0 million will provide for expected changes in pay and benefit rates for Article III and bankruptcy judges, including annualizing the January 2016 pay adjustments and an estimated 1.6 percent pay adjustment in January 2017, and changes in benefits costs.

**2. Increase in the number of senior judges: \$2.5 million FTE 11**

An increase of \$2.5 million will provide for an additional 11 senior judges anticipated in FY 2017.

**3. Increase in average number of filled Article III judgeships: \$1.4 million FTE 6**

An increase of \$1.4 million will provide for an additional 6 filled Article III judgeships anticipated in FY 2017 based on a projected 40 confirmations in FY 2017.

**4. Increase in average number of filled bankruptcy judgeships: \$1.6 million FTE 8**

An increase of \$1.6 million will provide for an additional 8 filled bankruptcy judgeships anticipated in FY 2017.

### **Discretionary Adjustments to Base**

The FY 2017 request includes a net increase of \$121.1 million for discretionary adjustments to base consisting of \$81.3 million for standard pay, and other inflationary increases; a net \$17.3 million for space-related adjustments; \$50.3 million to replace non-appropriated funds; and a net decrease of \$27.8 million for reduced ongoing information technology requirements.

**5. Pay and benefit cost adjustment for magistrate and claims court judges: \$2.5 million**

An increase of \$2.5 million will provide for expected changes in pay and benefit rates for magistrate and claims judges, including annualizing the January 2016 pay adjustments and an estimated 1.6 percent pay adjustment in January 2017.

**6. Increase in the number of senior judges' staff: \$4.3 million FTE 37**

An increase of \$4.3 million will provide for an additional 37 staff FTE to support an additional 11 senior judges anticipated in FY 2017.

**7. Increase in average number of filled Article III judgeships:  
\$4.2 million FTE 30**

An increase of \$4.2 million will provide for an additional 30 staff FTE to support an additional 6 filled Article III judgeships anticipated in FY 2017.

**8. Increase in average number of filled bankruptcy judgeships:  
\$3.3 million FTE 28**

An increase of \$3.3 million will provide for an additional 28 staff FTE to support an additional 8 filled bankruptcy judgeships anticipated in FY 2017.

**9. Non-recurring costs associated with new FY 2016 Article III judges: -\$2.2 million**

A decrease of \$2.2 million is requested for non-recurring, one-time costs associated with new judges in FY 2016.

**10. Pay and benefit adjustments for court personnel:  
\$59.1 million**

A net increase of \$59.1 million will provide for annualizing the January 2016 pay adjustment, an estimated 1.6 percent pay adjustment in January 2017, within-grade increases, changes in benefits rates, and two less compensable days.

**11. Funds necessary to maintain FY 2016 service levels due to an anticipated decline in non-appropriated funds:  
\$50.3 million**

The judiciary's FY 2016 financial plan assumes that current year fee collections and prior-year carryforward balances from FY 2015 will total \$437.7 million. The FY 2017 request estimates that these non-appropriated sources of funds used to help finance court operations will total \$367.4 million, a net decrease of \$70.3 million from FY 2016 assumed levels. Of the \$70.3 million, the judiciary requests \$50.3 million of appropriations to replace these non-appropriated funds in order to maintain current services in FY 2017. The judiciary does not request the remaining \$20.0 million, and will instead reduce base requirements in FY 2017.

**12. Non-pay inflationary and contractual increases:  
\$9.8 million**

An increase of \$9.8 million is requested for a 1.8 percent general inflationary increase and other contractual and miscellaneous increases.

**13. Vaccine Injury Compensation Trust Fund: \$0.2 million**

The FY 2017 level reflects an increase of \$0.2 million for standard pay and non-pay inflationary adjustments for the Vaccine Injury program.

**14. GSA space rental and related expenses: \$17.3 million**

The judiciary requests a net increase of \$17.3 million in FY 2017 for General Services Administration (GSA) rent and related services associated with (a) annualizing new space expected to be occupied during FY 2016 (+\$15.5 million), (b) adjustments to GSA space rental base costs (+\$15.7 million), (c) new space projected to be delivered by GSA in FY 2017 (+\$2.2 million), (d) other space-related adjustments (+\$8.9 million), and (e) a reduction associated with non-recurring costs of the Integrated Workplace Initiative (-\$25.0 million).

**15. Ongoing information technology requirements:  
-\$27.8 million**

A net decrease of \$27.8 million is requested for ongoing information technology requirements. This consists of an increase of \$2.6 million to support current operations for the judiciary's upgrades and enhancements to the integrated financial management, human resources, and rent and property management systems. This will be offset by \$30.4 million in non-recurring costs associated with project development, maintenance, and infrastructure costs (-\$23.7 million) and the implementation of a new email system (-\$6.7 million).

**Program Increases**

The FY 2017 request includes \$5.9 million for program increases. These increases include:

**16. New FY 2017 full-time magistrate judges and staff:  
\$1.3 million FTE 8**

The judiciary requests an additional \$1.3 million for two additional magistrate judges (2 FTE), six support staff (6 FTE), and associated operating costs for Denver, CO and Wichita Falls, TX or Fort Worth, TX.

**17. Change in appellate and district court support staff:  
-\$2.0 million FTE -24**

Due to a projected decline in caseload, the request includes a decrease of \$2.0 million associated with a staffing decrease for circuit units and courts of appeals (-9 FTE and -\$0.8 million) and district courts (-15 FTE and -\$1.2 million) in FY 2017. For appellate and district courts, the projected decline in caseload is primarily due to a decline in civil filings and civil appeals.

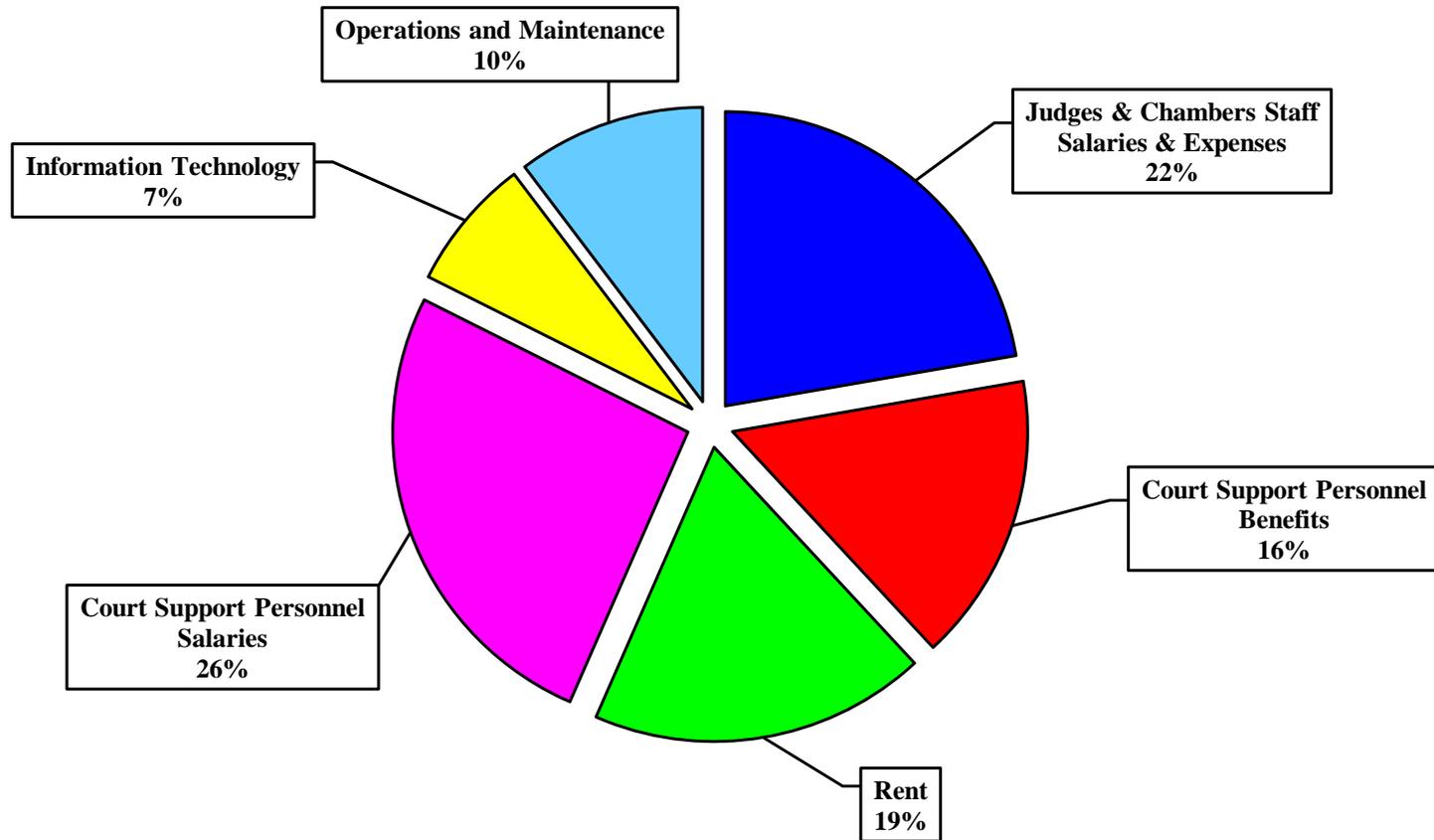
**18. Change in probation and pretrial court support staff:  
\$6.7 million FTE 73**

An increase of \$6.7 million is requested for 73 FTE for probation and pretrial services offices in FY 2017 to meet projected increases in workload. The increase in caseload is largely attributable to the recent decision of the U.S. Sentencing Commission to apply retroactively a reduction in sentences for many drug offenders, which has already resulted in the early release of over 6,000 inmates on November 1, 2015.

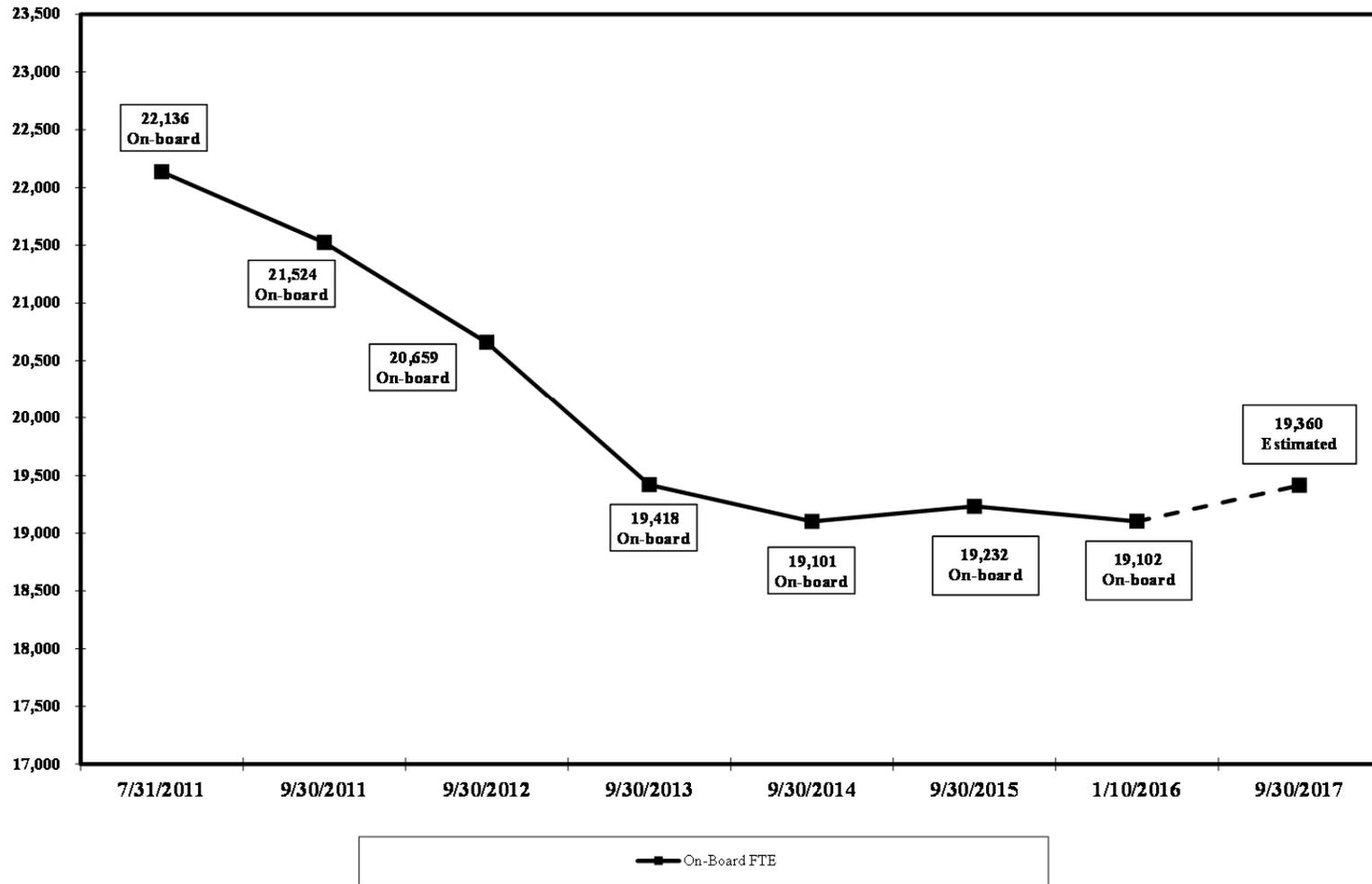
**United States Court of Appeals, District Courts and Other Judicial Services**  
**Salaries and Expenses**  
**Comparative Summary of Obligations by Category**  
**(\$000)**

Category	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Requested Increase/Decrease
Compensation and Benefits	3,421,157	3,694,612	3,758,874	64,262
Rent, Communications and Utilities	1,232,531	1,265,858	1,300,778	34,920
Travel	52,482	55,967	59,205	3,238
Other	703,226	749,006	715,811	(33,195)
<b>Total Obligations</b>	<b>5,409,396</b>	<b>5,765,443</b>	<b>5,834,668</b>	<b>69,225</b>
Financing Adjustment	(165,853)	(443,741)	(373,629)	70,112
<b>Available Appropriation (Direct)</b>	<b>5,243,543</b>	<b>5,321,702</b>	<b>5,461,039</b>	<b>139,337</b>
<b>Vaccine Injury Trust Fund</b>	<b>5,423</b>	<b>6,050</b>	<b>6,260</b>	<b>210</b>
<b>Total Available Appropriation</b>	<b>5,248,966</b>	<b>5,327,752</b>	<b>5,467,299</b>	<b>139,547</b>
Mandatory Appropriation	396,725	402,733	415,254	12,521
Discretionary Appropriation	4,852,241	4,925,019	5,052,045	127,026

**FY 2017 Budget Request  
Salaries and Expenses Account by Category  
(Obligations)**



### Court Support Staffing FY 2011 - FY 2017



### Judiciary Workload Factors

WORKLOAD FACTOR	12 months ending June 30, 2010 Actual	12 months ending June 30, 2011 Actual	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 Projected
Criminal Filings	78,213	78,764	73,455	69,642	64,027	60,866	62,600
Year-to-Year Change:	4%	1%	-7%	-5%	-8%	-5%	3%
Criminal Defendants Filed	100,031	102,605	96,915	91,812	84,017	79,154	80,800
Year-to-Year Change:	3%	3%	-6%	-5%	-8%	-6%	2%
Probation: Persons Under Supervision	126,642	129,319	132,785	132,362	132,597	133,428	135,900
Year-to-Year Change:	0.2%	2%	3%	-0.3%	0.2%	0.6%	2%
Pretrial Services: Cases Activated	110,671	107,197	105,852	102,457	98,122	90,588	89,100
Year-to-Year Change:	7%	-3%	-1%	-3%	-4%	-8%	-2%
Bankruptcy Filings	1,572,597	1,529,560	1,311,602	1,137,978	1,000,083	879,736	835,900
Year-to-Year Change:	20%	-3%	-14%	-13%	-12%	-12%	-5%
Appellate Filings	56,097	55,353	57,699	56,360	55,260	53,032	53,200
Year-to-Year Change:	-6%	-1%	4%	-2%	-2%	-4%	0.3%
Civil Filings	285,215	289,630	286,232	283,087	298,713	280,037	277,700
Year-to-Year Change:	11%	2%	-1%	-1%	6%	-6%	-1%

## **Explanation of Other Funding Sources**

In addition to appropriated funds, each year the judiciary uses other non-appropriated funds to offset its appropriation requirement. 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. These savings are usually unforeseen and uncontrollable by the judiciary. For example, the judiciary does not control the confirmation rate of Article III judges. The judiciary makes its best estimate, based on historical confirmation rates of how many judges will be confirmed in the upcoming year. When confirmations fall below historical estimates, the funds budgeted for these judgeships are not obligated. New space delivery is another area that can produce savings. The judiciary budgets for rent costs based on projected delivery dates provided by the General Services Administration. If delivery of the space by GSA is delayed, the previously budgeted rent costs become unencumbered.

A similar situation exists within the Judiciary Information Technology Fund. The courts must, by statute, procure their information technology needs, including hardware, software, and system development requirements, from this fund. The

fund is financed by deposits from the courts’ Salaries and Expenses account, and once deposited the funds remain available without fiscal year limitation. It is common for savings in the Judiciary Information Technology Fund financial plan to occur. Information technology costs often are difficult to predict with precision, and when costs come in below projections, savings are realized. Savings in the plan are carried forward in the fund and offset the following year’s appropriation requirements.

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 FY 2017 requirements. As the table on the next page indicates, the judiciary has estimated that unencumbered funds will be \$367.4 million in FY 2017, a net decrease of \$70.3 million from the \$437.7 million in the FY 2016 financial plan to help finance court operations. Of the \$70.3 million, the judiciary requests \$50.3 million of appropriations to replace these non-appropriated funds in order to maintain current services in FY 2017. The judiciary does not request the remaining \$20.0 million, and will instead reduce base requirements in FY 2017.

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 FY 2016.

**Sources of Non-Appropriated Funds  
in Salaries and Expenses**

<b>Dollars in Thousands</b>	<b>FY 2016 Financial Plan</b>	<b>FY 2017 Request</b>	<b>Difference</b>
Fee Collections	212,691	217,369	4,678
Other Carryforward	225,000	150,000	(75,000)
<b>Total, Non- Appropriated Sources of Funding, Excluding Slippage</b>	<b>437,691</b>	<b>367,369</b>	<b>(70,322)</b>
FY 2017 Usage	-		50,322
<b>Reduction to FY 2017 Base</b>			20,000

***“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. 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 FY 2016, \$151.5 million will be slipped from FY 2015. These “slippages” occur primarily in two areas: information technology investments and costs associated with new space delivery. In the Judiciary Information Technology Fund, one of the principle reasons for the creation of this fund was the recognition that the development of major information technology systems occurs over a period of years and is not efficiently driven by fiscal

year limitations. Even so, the judiciary only budgets for information technology costs that it reasonably expects to complete in a given year. Because funds assigned to information technology investments can carry forward to the following year, funds remain available to complete a phase even if not obligated by the end of the fiscal year. This flexibility allows projects to stay on or under budget by avoiding the need to make costly contractual changes or other obligations based on the calendar rather than project readiness.

Similarly, the judiciary also receives a limited amount of no-year authority in its regular appropriation for space alterations and furniture associated with new space delivery. Because space alteration and building projects are also subject to unpredictable delays, the ability of the judiciary to carry forward funds associated with specific projects allows the judiciary to budget for major space renovation costs and other non-rental costs associated with the delivery of a new courthouse and then carry forward these project specific funds if the project is delayed.

These “encumbered” funds, while adding to the judiciary’s projected obligations in a given fiscal year, do not impact the judiciary’s appropriations requirement. 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.

**Salaries and Expenses Obligations – Judiciary Information Technology Fund Program Requirements**

(\$000)	A	B	C		Change: FY 2016 Base Requirements to FY 2017 Requirements
IT Program Component	FY 2016 Projected Obligations	FY 2015 Slipped Requirements	FY 2016 Base Requirements (col a - col b)	FY 2017 Total Requirements	
Judicial Statistical & Reporting Systems	12,017	198	11,819	12,029	210
Administrative & Management Systems	68,777	7,516	61,261	72,856	11,595
Telecommunications Program	66,502	1,229	65,273	66,433	1,161
Infrastructure & Collaboration Tools	190,375	39,556	150,819	118,720	(32,099)
Court IT Allotments	89,339	672	88,667	84,509	(4,158)
Court Administration & Case Management	21,725	2,645	19,080	19,741	661
Court Support Reimbursable Program	48,109	0	48,109	50,909	2,800
<b>TOTAL, SALARIES AND EXPENSES</b>	<b>496,844</b>	<b>51,816</b>	<b>445,028</b>	<b>425,196</b>	<b>(19,830)</b>



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

<b>FY 2017 Request</b>		
	<b>Discretionary</b>	
	<b>FTE</b>	<b>(\$000)</b>
<b>FY 2016 Enacted Appropriation</b>	<b>2,784</b>	<b>1,004,949</b>
<b>Adjustments to Base</b>	<b>15</b>	<b>37,988</b>
<b>Program Increases</b>	<b>50</b>	<b>13,389</b>
<b>FY 2017 Appropriation Request</b>	<b>2,849</b>	<b>1,056,326</b>

**Budget Summary**

The judiciary requests \$1,056.3 million for Defender Services in FY 2017, a 5.1 percent increase over the FY 2016 enacted discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services as well as program increases for the continued implementation of the new FDO staffing formula and an increase to the non-capital panel attorney hourly rate.

This appropriation is approximately 14 percent of the judiciary’s total FY 2017 budget request. 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 (CJA) provides that courts shall appoint counsel from federal public and community defender organizations or from a panel of private attorneys established by the court.

**Discretionary Adjustments to Base**

An increase of \$38.0 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 FY 2017. In broad categories, these increases include:

- 1. Pay and benefit adjustments, federal defender organizations, and program administration: \$13.7 million**

An increase of \$13.7 million will provide for annualizing the January 2016 pay adjustment, an estimated 1.6 percent pay adjustment in January 2017, within-grade increases, changes in benefits rates, cost-of-living rate increases for panel attorneys, and two less compensable days.

**2. Other inflationary increases: \$3.3 million**

An increase of \$3.3 million is required for inflationary adjustments for all non-pay categories, as well as for space rental costs.

**3. Annualization of new FDO positions added in FY 2016:  
\$3.2 million FTE 14**

The requested increase will annualize costs for 28 additional federal defender organization (FDO) positions (14 FTE) that are expected to be added in FY 2016 and annualize the 8 staff expected to be added by community defender organizations (CDOs) in FY 2016. The FDO staffing formulas were developed and approved by the Judicial Conference in FY 2015 and first used in the FY 2016 financial plan.

**4. Annualization of two new circuit case-budgeting attorney  
positions: \$0.2 million FTE 1**

The requested increase would annualize costs for two additional CJA case budgeting attorney positions (1 FTE) that are expected to be added in FY 2016. The costs of those positions will be offset by savings in panel attorney representation expenditures.

**5. Savings from two new circuit CJA case-budgeting  
attorney positions: -\$0.2 million**

The addition of the requested two new case budgeting attorney positions will create an offsetting savings of \$0.2 million in panel attorney requirements.

**6. Change in panel attorney caseload: \$8.4 million**

The requested increase represents the costs associated with a change in panel attorney capital and non-capital caseload projections, which increases by 2,000 representations from 81,900 in FY 2016 to 83,900 in FY 2017.

**7. Non-recurring costs associated with the CJA Review:  
-\$1.7 million**

The CJA review is a comprehensive review of the CJA program. It is funded with resources from FY 2015 and FY 2016. Funds will not be needed in FY 2017, which reduces the base requirements.

**8. Increase in appropriations needed to fund current  
services: \$11.1 million**

In FY 2016, \$71.5 million in balances from FY 2015 were available to finance FY 2016 requirements. In FY 2017, the judiciary expects \$60.4 million in non-appropriated funds to be available, a decrease of \$11.1 million from FY 2016. Therefore, the judiciary requests \$11.1 million in appropriations to replace this funding.

**Program Increases**

**9. Continued implementation of the staffing formula:  
\$11.5 million FTE 50**

The requested increase provides for FDO staff costs to continue the implementation of the new FDO staffing formulas in FY 2017. Given the inability of the FDOs to hire all of the

positions required in one fiscal year, the judiciary intends to implement the staffing formula from FY 2016 through FY 2018. The requested funding will support an additional 50 FTE at FDOs and 30 staff at CDOs in FY 2017.

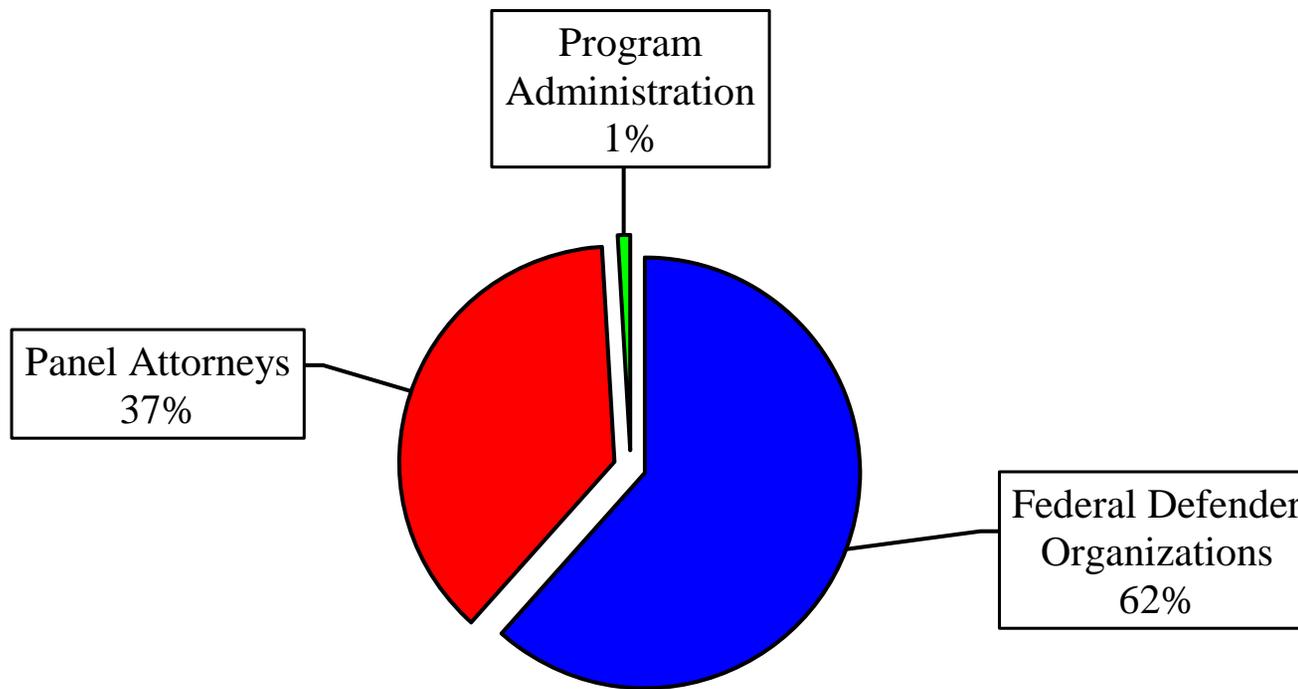
***10. Non-capital rate increase: \$1.9 million***

The requested funding supports a \$6 hourly rate increase above inflation from \$131 to \$137 per hour for non-capital cases in FY 2017 (the maximum rate authorized in statute is \$146 per hour). The judiciary assumes that there will be a \$2 cost-of-living adjustment in FY 2017, raising the CJA base rate from \$129 per hour to \$131 per hour for FY 2017. The \$6 rate increase is needed to ensure that courts retain and recruit qualified and experienced criminal defense practitioners for their CJA panels. The annualized cost of this increase is \$15.1 million.

**United States Court of Appeals, District Courts and Other Judicial Services**  
**Defender Services**  
**Comparative Summary of Obligations by Category**  
**(\$000)**

Category	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Requested Increase/Decrease
Compensation and Benefits	369,271	407,241	421,635	14,394
Rent, Communications and Utilities	46,168	49,575	52,066	2,491
Travel	9,914	11,381	12,086	705
Contractual Services (includes panel attorney payments)	429,545	443,465	459,046	15,581
Other (includes grants to Community Defender Organizations)	155,181	164,715	171,843	7,128
<b>Total Obligations</b>	<b>1,010,079</b>	<b>1,076,377</b>	<b>1,116,676</b>	<b>40,299</b>
Financing Adjustment	6,420	(71,428)	(60,350)	11,078
<b>Available Appropriation</b>	<b>1,016,499</b>	<b>1,004,949</b>	<b>1,056,326</b>	<b>51,377</b>

**FY 2017 Budget Request  
Defender Services Account by Category  
(Obligations)**





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

<b>FY 2017 Request</b>		
	<b>Discretionary</b>	
	<b>FTE</b>	<b>(\$000)</b>
<b>FY 2016 Enacted Appropriation</b>	-	<b>44,199</b>
<b>Adjustments to Base</b>	-	<b>(4,270)</b>
<b>Program Increases</b>	-	<b>3,794</b>
<b>FY 2017 Appropriation Request</b>	-	<b>43,723</b>

**Budget Summary**

The judiciary requests \$43.7 million for Fees of Jurors and Commissioners in FY 2017, a 1.1 percent decrease below the FY 2016 enacted discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services as well as an increase to the daily juror attendance fee.

This appropriation is less than one percent of the judiciary’s total budget. 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.

**Discretionary Adjustments to Base**

The FY 2017 request includes a net decrease of \$4.3 million in adjustments to base associated with inflationary adjustments, projected changes in juror days, and an anticipated increase in non-appropriated funds. This will allow the account to continue to pay for the statutory fees and expenses to grand and

petit jurors and compensation of land commissioners in FY 2017. These adjustments include:

**1. Inflationary adjustments: \$0.4 million**

In addition to the 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 \$0.1 million for grand jurors and \$0.3 million for petit jurors in FY 2017.

**2. Projected change in juror days: -\$0.6 million**

Overall expenses for grand and petit jurors are expected to decrease by \$0.6 million in FY 2017 based on projected decreases in the number of available grand and petit jurors.

**3. *Decrease in appropriations needed to fund current services: -\$4.1 million***

The FY 2016 financial plan for this account was financed in part by \$1.3 million in carry forward balances from FY 2015. A total of \$5.4 million in carry forward balances is available to finance FY 2017 requirements. Therefore, the FY 2017 request reflects a reduction of \$4.1 million in appropriated funds to cover requirements.

**Program Increases**

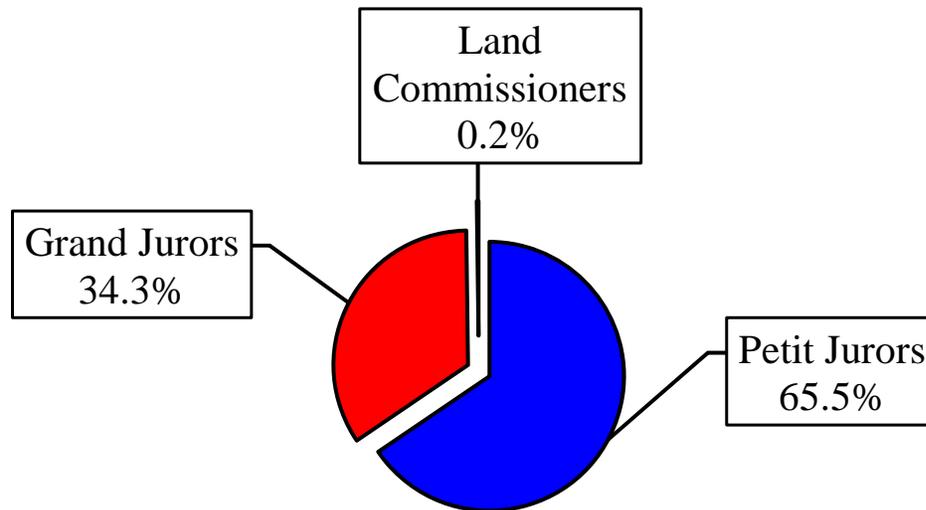
**4. *Increase to the daily juror attendance fee from \$40 to \$50: \$3.8 million***

An increase of \$3.8 million is requested to increase the daily juror attendance fee by \$10 (from \$40 to \$50) for grand and petit jurors effective January 2017, 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 current daily rate would be \$73 in 2015, \$33 above the current \$40 rate. 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.

**United States Court of Appeals, District Courts and Other Judicial Services**  
**Fees of Jurors and Commissioners**  
**Comparative Summary of Obligations by Category**  
**(\$000)**

Category	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Requested Increase/Decrease
Compensation and Benefits	22,106	21,939	25,733	3,794
Rent, Communications and Utilities	1,734	1,520	1,535	15
Travel	23,199	20,409	20,208	(201)
Other	1,737	1,651	1,663	12
<b>Total Obligations</b>	<b>48,776</b>	<b>45,519</b>	<b>49,139</b>	<b>3,620</b>
Financing Adjustment	3,415	(1,320)	(5,416)	(4,096)
<b>Available Appropriation</b>	<b>52,191</b>	<b>44,199</b>	<b>43,723</b>	<b>(476)</b>

**FY 2017 Budget Request  
Fees of Jurors and Commissioners Account by Category  
(Obligations)**



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

	Discretionary	
	FTE	(\$000)
<b>FY 2016 Enacted Appropriation</b>	72	538,196
<b>Adjustments to Base</b>	-	21,092
<b>Program Increases:</b>	-	6,100
<b>FY 2017 Appropriation Request</b>	72	565,388

**Budget Summary**

The Judicial Conference requests \$565.4 million for Court Security in FY 2017, a 5.1 percent increase over the FY 2016 enacted discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services as well as increases for the continued implementation of new CSO staffing standards, planning for a new security-related IT tool and the sustainment of the Facility Access Card project.

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. The Court Security appropriation is approximately seven percent of the judiciary’s total budget.

**Discretionary Adjustments to Base**

The Court Security account requests \$21.1 million for adjustments to base for pay, inflationary increases, and other adjustments to maintain FY 2016 current services. In broad categories, these adjustments include:

**1. Pay and benefit decrease: -\$2.8 million**

The net decrease accounts for annualizing the January 2016 pay adjustment, an estimated 1.6 percent pay adjustment in January 2017, within-grade increases, changes in benefits rates, and two less compensable days.

**2. Annualization of new court security officer positions (69) in FY 2016: \$2.8 million**

Funding is required to annualize costs for 69 additional CSOs expected to be brought on-board in FY 2016, representing the first year of a multi-year implementation of the new CSO staffing standards.

**3. FY 2017 CSO contract and wage rate adjustments: \$10.4 million**

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

**4. Non-pay inflationary increases: \$0.1 million**

The funding requested will provide for a general inflationary increase of 1.8 percent for travel, supplies, equipment, and other contractual services (exclusive of Court Security Officers contracts).

**5. Inflationary increase in GSA space rental costs: \$0.1 million**

This request represents an inflationary increase and adjustments in the cost of GSA space rental charges for FY 2017.

**6. Changes in Federal Protective Service security charges: \$4.9 million**

The requested increase of \$4.9 million will fund basic and building-specific security expenses based on anticipated billings from the Federal Protective Service (FPS). This brings the total request for FPS charges to \$82.6 million in FY 2017, which is a 6.4 percent increase over the \$77.7 million projected in FY 2016.

(\$000)	FY 2016	FY 2017	Difference
Basic	31,461	33,161	1,700
Building-Specific	46,210	49,456	3,246
<b>Total FPS</b>	<b>77,671</b>	<b>82,617</b>	<b>4,946</b>

**7. Temporary reduction to CSO program due to high vacancy rates: -\$5.2 million**

The CSO burn rate (the percentage of CSO work-hours funded and allocated to districts that are actually worked) has been lower than the judiciary and the USMS find acceptable. The low burn rate is due to high CSO attrition and vacancy rates, compounded by the lengthy hiring process for new CSOs. The USMS has begun implementing steps to address these issues and meet the judiciary’s goal of a 98 percent burn rate. The request includes a temporary reduction to the CSO program funding until the steps implemented by the USMS to address these issues take full effect.

**8. Adjustments to base for security systems and equipment: \$10.7 million**

The requested amount reflects a net increase of \$10.7 million in the court security systems and equipment acquisition plan. This includes \$10.9 million in increases for physical access control systems (PACS); perimeter security improvements; security systems for new and renovated facilities; GSA installation and alterations; additional and replacement equipment; cyclical replacement of screening equipment; maintenance contracts for existing security systems; and CSO radios, accessories, repairs and over-the-air re-key. An offsetting decrease of \$0.2 million is for screening equipment for new buildings; nationwide contracts for vehicle barrier maintenance; and equipment for probation and pretrial services offices and federal public defender organizations.

## **Program Increases**

### ***9. Phased implementation (second year) of the new CSO staffing standards (69 CSOs): \$3.6 million***

The USMS estimates that 346 additional CSOs are necessary to fully staff to the new standard. The revised standards include a crucial exterior/forward watch CSO position at the perimeter. The USMS recommended a phased, multi-year implementation of the new CSO staffing standards over five years. This multi-year effort includes 69 CSO positions per year in FYs 2016 through 2019, and an additional 70 CSO positions in FY 2020.

The FY 2017 budget request includes \$3.6 million to hire an additional 69 CSOs for the second year of the phased implementation of the new CSO staffing standards. Of this amount, \$3.2 million is for the CSO positions and \$0.4 million is for one-time charges for program administration-related costs for hiring the CSOs.

### ***10. Judicial Security Management and Reporting Tool (JSMART) replacement: \$1.0 million***

JSMART is the USMS' information technology (IT) system that stores and analyzes CSO and security systems and equipment data on every USMS-supported court facility nationwide. JSMART currently exists as a module within the Justice Detainee Information System (JDIS) database, along with additional modules that support other USMS core functions. The USMS is currently engaged in an agency-wide information technology enhancement exercise that will replace JDIS with a new system. The USMS will no longer make any

modifications or enhancements to JDIS, or by extension JSMART, due to the planned transition to a new system.

The FY 2017 budget request includes an initial \$1.0 million to define system requirements and conduct system development planning.

### ***11. Facility Access Card (FAC) sustainment: \$1.5 million***

The FAC project is the judiciary's version of Homeland Security Presidential Directive (HSPD)-12, which developed standards for a secure and reliable form of identification (also known as "smart cards") for federal government employees and contractors.

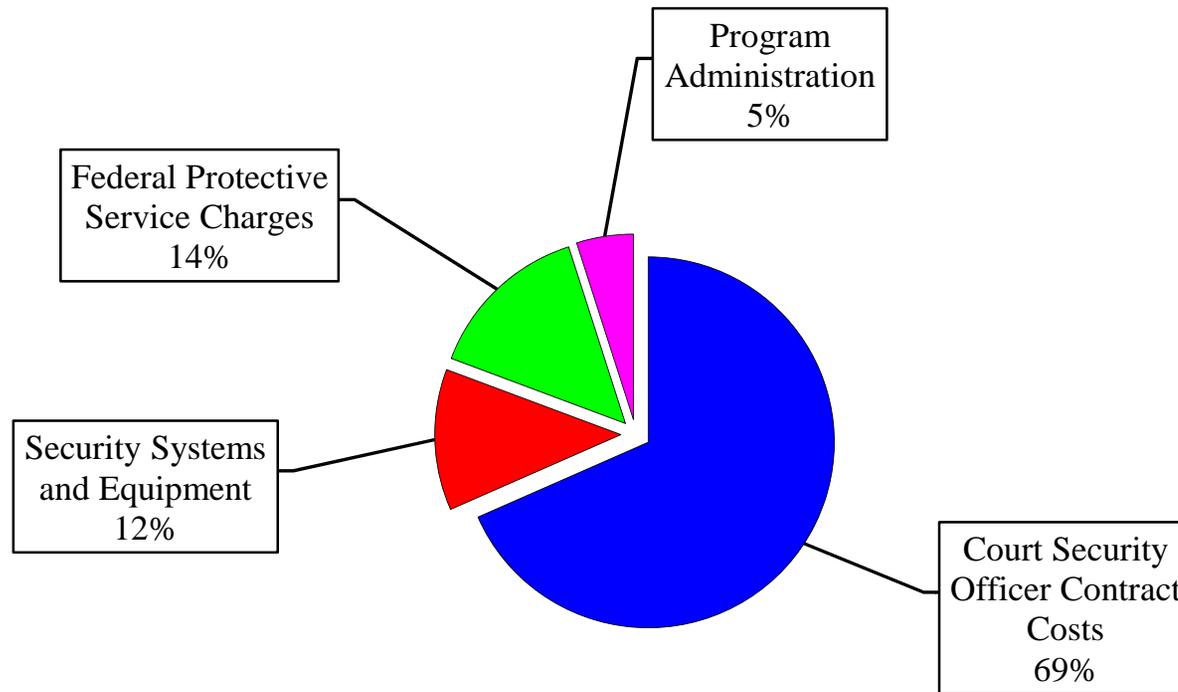
The FAC project is expected to move from the implementation phase into a sustainment phase in FY 2017, and the judiciary requests \$1.5 million in annual funding to operate and maintain the program. The funds will be used for contract labor costs necessary to manage the FAC systems, annual enterprise licensing fees for the cards, system maintenance, help desk support, and project management support.

**United States Court of Appeals, District Courts and Other Judicial Services**  
**Court Security**  
**Comparative Summary of Obligations by Category**  
**(\$000)**

Category	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Requested Increase/Decrease
Compensation and Benefits	8,400	10,083	10,265	182
Rent, Communications and Utilities	7,636	7,680	7,799	119
Travel	310	315	321	6
Court Security Officers Contract	363,386	384,923	393,518	8,595
Federal Protective Service Charges	76,477	77,671	82,617	4,946
Other	79,681	71,924	82,729	10,805
<b>Total Obligations</b>	<b>535,890</b>	<b>552,596</b>	<b>577,249</b>	<b>24,653</b>
Financing Adjustment	(21,915)	(14,400)	(11,861)	2,539
<b>Available Appropriation</b>	<b>513,975</b>	<b>538,196</b>	<b>565,388</b>	<b>27,192</b>

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 2016 Financial Obligations	4,295	384,923	62,731	77,671	72	30,776	72	556,101
Less: Encumbered Carryforward from FY 2015	-	-	(2,597)	-	-	(908)	-	(3,505)
<b>FY 2016 Financial Obligations less Encumbered Carryforward</b>	<b>4,295</b>	<b>384,923</b>	<b>60,134</b>	<b>77,671</b>	<b>72</b>	<b>29,868</b>	<b>72</b>	<b>552,596</b>
Less: Judiciary Information Technology Fund (JITF)	-	-	-	-	-	(4,400)	-	(4,400)
Less: Unencumbered Carryforward from FY 2015	-	-	(10,000)	-	-	-	-	(10,000)
<b>Total FY 2016 Enacted Appropriation</b>	<b>4,295</b>	<b>384,923</b>	<b>50,134</b>	<b>77,671</b>	<b>72</b>	<b>25,468</b>	<b>72</b>	<b>538,196</b>
FY 2017 Appropriations Increases/Decreases	69	8,595	10,701	4,946	-	2,950	-	27,192
<b>Total FY 2017 Request</b>	<b>4,364</b>	<b>393,518</b>	<b>60,835</b>	<b>82,617</b>	<b>72</b>	<b>28,418</b>	<b>72</b>	<b>565,388</b>

**FY 2017  
Budget Request  
Court Security Account by Category  
(Obligations)**



## Administrative Office of the U.S. Courts

FY 2017 Request		
	Discretionary	
	FTE	(\$000)
<b>FY 2016 Enacted Appropriation</b>	<b>621</b>	<b>85,665</b>
<b>Adjustments to Base</b>	<b>-</b>	<b>2,083</b>
<b>FY 2017 Appropriation Request</b>	<b>621</b>	<b>87,748</b>

### Budget Summary

The Administrative Office (AO) requests \$87.7 million in FY 2017, a 2.4 percent increase over the FY 2016 enacted discretionary appropriation. 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.

### Discretionary Adjustments to Base

The AO requests \$2.1 million in adjustments to base in FY 2017. This includes \$2.0 million for increases to standard pay and other inflationary adjustments, and \$0.1 million to replace non-appropriated funds in order to maintain the same level of service as provided in FY 2016.

**Administrative Office of the U.S. Courts**  
**Comparative Summary of Obligations by Category**  
(\$000)

Category	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Requested Increase/Decrease
Compensation and Benefits	155,866	180,464	182,957	2,493
Rent, Communications and Utilities	676	801	782	(19)
Travel	1,253	1,944	1,644	(300)
Other	18,546	12,502	8,742	(3,760)
<b>Total Obligations</b>	<b>176,341</b>	<b>195,711</b>	<b>194,125</b>	<b>(1,586)</b>
Financing Adjustment	(19,547)	(22,734)	(19,335)	3,399
Reimbursable Program	(72,395)	(87,312)	(87,042)	270
<b>Available Appropriation</b>	<b>84,399</b>	<b>85,665</b>	<b>87,748</b>	<b>2,083</b>

## Federal Judicial Center

FY 2017 Request		
	Discretionary	
	FTE	(\$000)
<b>FY 2016 Enacted Appropriation</b>	<b>132</b>	<b>27,719</b>
<b>Adjustments to Base</b>	<b>-</b>	<b>616</b>
<b>FY 2017 Appropriation Request</b>	<b>132</b>	<b>28,335</b>

### Budget Summary

The Federal Judicial Center (FJC) requests \$28.3 million in FY 2017, a 2.2 percent increase over the FY 2016 enacted discretionary appropriation. 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.

### Discretionary Adjustments to Base

The Federal Judicial Center requests \$0.6 million in adjustments to base for increases to standard pay and other inflationary adjustments.

**Federal Judicial Center**  
**Comparative Summary of Obligations by Category**  
(\$000)

Category	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Requested Increase/Decrease
Compensation and Benefits	18,228	19,652	20,120	468
Rent, Communications and Utilities	458	504	474	(30)
Travel	5,682	5,566	5,663	97
Other	3,396	2,632	2,651	19
<b>Total Obligations</b>	<b>27,764</b>	<b>28,354</b>	<b>28,908</b>	<b>554</b>
Financing Adjustment	(805)	(635)	(573)	62
<b>Available Appropriation</b>	<b>26,959</b>	<b>27,719</b>	<b>28,335</b>	<b>616</b>

## Judicial Retirement Funds

FY 2017 Request		
	Mandatory	
	FTE	(\$000)
<b>FY 2016 Enacted Appropriation</b>	-	155,400
<b>Adjustments to Base</b>	-	12,900
<b>FY 2017 Appropriation Request</b>	-	168,300

### Budget Summary

The Judicial Conference requests \$168.3 million for the Judicial Retirement Funds in FY 2017, an 8.3 percent increase over the FY 2016 enacted appropriation.

The Payments to the Judicial Retirement Funds is a congressionally-scored 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.

### Mandatory Adjustments to Base

Based on independent actuarial calculations, an increase of \$12.9 million is required for this account for FY 2017.

**Judicial Retirement Funds**  
**Comparative Summary of Obligations by Category**  
(\$000)

Category	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Requested Increase/Decrease
Other - Judicial Officers' Retirement Fund	115,800	127,300	140,100	12,800
Other - Judicial Survivors' Annuities Fund	21,800	22,200	22,400	200
Other - United States Court of Federal Claims Judges' Retirement Fund	6,000	5,900	5,800	(100)
<b>Total Obligations/Appropriations</b>	<b>143,600</b>	<b>155,400</b>	<b>168,300</b>	<b>12,900</b>

## United States Sentencing Commission

FY 2017 Request		
	Discretionary	
	FTE	(\$000)
<b>FY 2016 Enacted Appropriation</b>	<b>95</b>	<b>17,570</b>
<b>Adjustments to Base</b>	<b>1</b>	<b>580</b>
<b>FY 2017 Appropriation Request</b>	<b>96</b>	<b>18,150</b>

### Budget Summary

The U.S. Sentencing Commission requests \$18.2 million in FY 2017, a 3.3 percent increase over the FY 2016 enacted discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services. The Commission requests no program increases.

The fulfillment of the Commission’s duties 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 can be satisfied only with full funding of its FY 2017 request. Full funding will allow the Commission to continue its efforts to review and revise the guidelines; provide specialized training on federal sentencing issues, including application of the guidelines;

modernize its data collection, analysis, and reporting systems; and continue its review of alternatives to incarceration.

The Commission has begun a comprehensive assessment of federal sentencing. As part of the assessment, the Commission held regional hearings across the country and the input received will help to shape the Commission’s policy priorities for the year.

### Discretionary Adjustments to Base

The Commission requests \$0.6 million in adjustments to base in FY 2017. This includes \$0.5 million for increases to standard pay and other inflationary adjustments, and an increase of \$0.1 million for annualizing 4 staff (1 FTE) initially funded in FY 2016.

**United States Sentencing Commission**  
**Comparative Summary of Obligations by Category**  
(\$000)

Category	FY 2015 Actual	FY 2016 Estimate	FY 2017 Request	Requested Increase/Decrease
Compensation and Benefits	12,249	13,924	14,359	435
Rent, Communications and Utilities	22	30	32	2
Travel	472	553	560	7
Other	3,947	4,162	3,199	(963)
<b>Total Obligations</b>	<b>16,690</b>	<b>18,669</b>	<b>18,150</b>	<b>(519)</b>
Financing Adjustment	204	(1,099)	-	1,099
<b>Available Appropriation</b>	<b>16,894</b>	<b>17,570</b>	<b>18,150</b>	<b>580</b>

## Judiciary 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, [\$75,838,000]\$76,668,000, of which [\$2,000,000]\$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.

### **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, [\$9,964,000]\$14,868,000, to remain available until expended.

### **United States Court of Appeals for the Federal Circuit**

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, [\$30,872,000]\$30,108,000.

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.

### **United States Court of International Trade**

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, [\$18,160,000]\$18,462,000.

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.

### **Court 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, [\$4,918,969,000]\$5,045,785,000 (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 [\$6,050,000]\$6,260,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

#### **Court 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, [\$1,004,949,000] \$1,056,326,000, to remain available until expended.

#### **Court 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)), [\$44,199,000]\$43,723,000, 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.

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

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), [\$538,196,000]\$565,388,000, of which not to exceed [\$15,000,000]\$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.

#### Explanation of Change

The judiciary requests an increase in the amount of funds that shall remain available until expended each year from \$15 million to \$20 million. This requested change provides the judiciary with additional flexibility to carry forward savings to offset appropriations requirements in the annual account. The additional no-year authority will facilitate the financing of slipped security systems and equipment requirements due to potential delays in courthouse construction, or other exigencies beyond the judiciary's control.

#### **Administrative Office of the United States Courts**

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, [\$85,665,000]\$87,748,000, of which not to exceed \$8,500 is authorized for official reception and representation expenses.

#### **Federal Judicial Center**

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, [\$27,719,000]\$28,335,000; of which \$1,800,000 shall remain available until September 30, [2017]2018, 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.

#### **United States Sentencing Commission**

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, [\$17,570,000]\$18,150,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.



### **Title III Administrative Provisions – The Judiciary**

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 3314(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 “[24]25 years and 6 months” and inserting “[25]26 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 “[22]23 years and 6 months” and inserting “[23]24 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 striking “[13]14 years” and inserting “[14]15 years”;

(2) in the second sentence (relating to the central District of California), by striking “[12]13 years and 6 months” and inserting “[13]14 years and 6 months”; and

(3) in the third sentence (relating to the western district of North Carolina), by striking “[11]12 years” and inserting “[12]13 years”.

#### Explanation of Change

This updates language to extend for 12 months the authorizations of nine temporary district judges that expire in FY 2016.

[Sec. 307. Section 3602(a) of title 18, United States Code, is amended—

(1) by inserting after the first sentence: “A person appointed as a probation officer in one district may serve in another district with the consent of the appointing court and the court in the other district.”; and

(2) by inserting in the last sentence “appointing” before “court may, for cause”.]

#### Explanation of Change

It is proposed for deletion because that language is now permanent.

*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.*

#### Explanation of Change

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 current daily rate would be \$73 in 2015, \$33 above the current \$40 rate. 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.

*Sec. 308. Section 3154(1) of title 18, United States Code, is amended by inserting before the end of the sentence “, individuals described in section 3142(d)(1)(B) of this title, or individuals who are already in federal, state, or local custody in connection with a previous conviction”.*

#### Explanation of Change

This proposed new section is a cost savings provision that would amend section 3154(1) of title 18 to give the courts discretion to waive the preparation of a pretrial services report – and thereby conserve resources in probation and pretrial services offices – in cases where a defendant has little to no chance of being granted pretrial release into the community because they are already serving a sentence in connection with a previous conviction, or in cases where a defendant is in the country illegally and subject to an immigration detainer for deportation upon disposition of their court case or period of incarceration.

This title may be cited as the “Judiciary Appropriations Act, [2016]2017”.

## Title VI General Provision

### Judicial Retirement Funds

Sec. [619]617. (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.

### Explanation

The highlighted section provides appropriations for payments to the Judicial Officers' Retirement Fund, the Judicial Survivors' Annuities Fund, and the United States Court of Federal Claims Judges' Retirement Fund. The judiciary proposes to retain this language in Title VI of the Financial Services and General Government appropriations bill.



## **Courthouse Construction**

### **Overview**

The federal courthouse construction program is jointly administered by the judiciary and 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.

### **FY 2016/2017 Funding**

In FY 2016, Congress provided \$948 million to GSA for the construction of courthouses on the judiciary's Courthouse Project Priorities (CPP) list, as approved by the Judicial Conference in September 2015. Consistent with congressional intent, FY 2016 courthouse construction funding will be used to fully fund eight projects: Nashville, TN; Toledo, OH; Charlotte, NC; Des Moines, IA; Greenville, SC; Anniston, AL; Savannah, GA; and San Antonio, TX. Partial funding will also be provided for Harrisburg, PA. The judiciary is coordinating with GSA on the preparation of a required spending plan, due to Congress in April 2016, which will provide the specific allocation of resources among projects.

Each of these projects is in a different stage of development; some are ready for construction while others still require significant design work or acquisition of a building site. In addition, all eight fully funded projects require congressional authorization before they can begin construction. The judiciary and GSA are in the process of refreshing cost estimates for each project and developing detailed project management plans, including schedules for design and construction. Projects will advance from one stage to another as they are ready, which means that the order in which funded projects are constructed may not be the order in which they are listed in the CPP. The judiciary and GSA will keep Congress apprised of progress on the management and execution of this funding.

At this time, the judiciary is focused on creating and executing an effective project management strategy for the FY 2016 construction funding and preparing for an update of the CPP that will reflect new priorities in light of the funding provided for many of the projects on the current CPP. Any courthouse construction resources provided to GSA for FY 2017 will be applied to the top priority project(s) on the new CPP, which will be considered by the Judicial Conference in September 2016. The updated CPP will be transmitted to the Congress after its approval in September 2016.



## Capital Security Program

### Overview

This presents the judiciary's requirements and priorities for the Capital Security Program (CSP), which 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.

FY 2017 Request	
<b>Courthouse Project</b>	<b>(\$000)</b>
<b>U.S. Post Office and Courthouse, Alexandria, Louisiana</b>	<b>8,000</b>
<b>U.S. Courthouse, Paducah, Kentucky</b>	<b>18,000</b>
<b>FY 2017 Appropriation Request</b>	<b>26,000</b>

### FY 2017 Projects

The Judiciary requests \$26 million in FY 2017 for GSA to address security deficiencies at two existing courthouses through the CSP. This request is consistent with the funding requested for the CSP in the GSA portion of the FY 2017 President's Budget. Funds are requested for the following locations<sup>1</sup>:

#### *1. U.S. Post Office and Courthouse, Alexandria, Louisiana: \$8 million*

Security deficiencies at this courthouse could be addressed by constructing secured judges parking, a judges' elevator, and reconfigured corridors to facilitate secure circulation for all judges. The United States Marshals Service (USMS) would have new space that includes an enclosed sally port, holding cells, a prisoner elevator, and reconfigured corridors to facilitate secure prisoner transport. Funding for this project was requested in FY 2016. Due to increased cost estimates for other projects, however, FY 2016 appropriations were only sufficient to complete the Alexandria project's design (\$1.93 million). The FY 2017 request of \$8 million will fund the associated construction costs.

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<sup>1</sup> 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.

**2. U.S. Courthouse, Paducah, Kentucky: \$18 million**

Security deficiencies at this courthouse could be addressed by providing secure circulation throughout the building. This would be done by reconfiguring existing space to provide separate secure corridors, a dedicated judges' elevator, secured judges' parking, a vehicle sally port for prisoner transport vehicles and a dedicated prisoner elevator. The FY 2017 request of \$18 million will fund the associated design and construction costs.