



# The Judiciary

## Fiscal Year 2022

### Congressional Budget Summary



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

## *Overview*

The Judiciary's fiscal year (FY) 2022 discretionary budget request of \$8.1 billion is a 5.2 percent increase over the Judiciary's FY 2021 enacted appropriation of \$7.7 billion. The Judiciary's FY 2022 appropriations request also includes \$756.5 million in mandatory appropriations. The Judiciary built its FY 2022 budget request on the FY 2021 enacted appropriations. The Judicial Conference is grateful for the support that Congress continues to show the Judiciary through the annual appropriations process.

As with nearly every institution throughout the world, the ongoing COVID-19 pandemic has profoundly impacted the Judiciary and the judicial process. Responding to the pandemic continues to be a challenging and costly endeavor, affecting all areas of the Judiciary. With significant investments in information technology infrastructure and telecommunications solutions, the Judiciary has been able to continue operations during the pandemic, albeit frequently under modified conditions and at the expense of investments in other necessary capabilities. COVID-19 is expected to continue affecting the Judiciary for several more years, as the Judiciary will likely face a backlog of cases when the pandemic ends and new bankruptcy filings will almost certainly rise due to the pandemic's impact on the economy.

While the unpredictable nature of the pandemic and the uncertain timeline for the restoration of normal operations significantly complicate the effort to project future workload—and, thus, future budget requirements—the Judiciary's FY 2022 request represents the Judiciary's best estimate of its funding needs based on currently available information and the Branch's assessment of the resources necessary to adequately support its workforce and technical and physical infrastructure.

## *Fiscal Year 2021 Priorities*

The FY 2021 enacted levels will fund FY 2021 pay and non-pay adjustments to base and other Judiciary priorities. For the courts' Salaries and Expenses account, the FY 2021 enacted appropriation will fund two additional magistrate judge positions, chambers staff to support the large number of Article III judges confirmed in FY 2020 and additional projected FY 2021 confirmations, continuing cybersecurity requirements, and additional resources for ongoing courthouse construction projects.

The FY 2021 enacted level for the Defender Services account will provide necessary additional resources to handle its workload, including additional federal defender organization staff and additional projected panel attorney payments. Regarding panel attorney hourly rates, with inflationary adjustments, the capital and non-capital panel attorney rates increased to \$197

and \$155 per hour, respectively, for work performed on or after January 1, 2021. The non-capital panel attorney hourly rate is now at the current statutory maximum of \$155 per hour, a long-time goal of the Judiciary.

The FY 2021 enacted level for the Court Security account will support essential security needs, including infrastructure costs associated with ongoing courthouse construction projects; continued investments for the modernization and cyclical replacement of physical access control systems program (PACS), video management systems (VMS), and other equipment; and sustainment of the facility access card program.

The FY 2021 enacted level for the Fees of Jurors and Commissioners account was below the FY 2020 enacted level, but is sufficient to fund fully FY 2021 projected juror costs when utilizing higher carryforward balances available from FY 2020. Additional carryforward balances are available because of reduced juror activity in FY 2020 related to the impact of the COVID-19 pandemic on grand jury and jury trials.

### ***Fiscal Year 2022 Budget Request***

The Judiciary's FY 2022 budget request represents a 5.2 percent increase over the FY 2021 enacted level. Much of the requested increase is necessary just to maintain current services, including meeting government-wide obligations to fund previously enacted federal pay rate increases and required adjustments to Federal Employees Retirement System contributions. Other resources, however, are needed to meet unique demands on the Branch: the need to support the substantial increase in Article III judge confirmations that began in April 2019, the requirement to expand judicial operations and staffing to address expected increases in workload and caseload, including increases due to the Supreme Court's recent decision in *McGirt v. Oklahoma*, and the obligation to modernize or replace existing and outdated facilities and infrastructure. The Judiciary's budget request seeks the resources required to sustain operations and meet these additional demands while still honoring our ongoing commitment to efficiency and cost containment.

For the courts' Salaries and Expenses account, the Judiciary requests \$5.7 billion, an increase of \$257.9 million (4.8 percent) in discretionary appropriations over the FY 2021 enacted level. This request funds a number of critical new investments, including six additional full-time and one part-time magistrate judges, additional court support staff and probation and pretrial services program staff due to higher workload estimates, a small staff increase for the temporary bankruptcy law clerk program, and renewal of the judiciary firewall service enterprise license to support cybersecurity requirements.

For the Defender Services account, the Judiciary requests \$1.4 billion, an increase of \$93.4 million (7.1 percent) over the FY 2021 enacted level. This request includes sufficient funding to add 104 full-time equivalents in federal defender organizations (FDOs) and to support all projected panel attorney representations in FY 2022. In addition, this request supports an

FDO staffing reserve to quickly allocate resources to address significant caseload surges, a new Diversity Fellowship Program that will increase the diversity of attorneys qualified to join FDOs, additional program oversight positions, as well as funding for the establishment of a new federal defender organization in a qualifying district.

For the Court Security account, the Judiciary requests \$682.1 million, an increase of \$18.1 million (2.7 percent) over the FY 2021 enacted level. The request includes additional funding for PACS; security infrastructure and additional court security officers (CSOs) for new courthouses; the phased implementation of an equipment modernization and cyclical replacement program for VMS and associated staffing; the fifth year of the phased implementation of the CSO staffing standards; and additional United States Marshals Service (USMS) staff. The Judiciary also continues to work closely with its security providers at the USMS and Federal Protective Service (FPS) to improve judges' physical security in response to the tragic attack on U.S. District Judge Esther Salas's family in July 2020 as well as increasing threats against judges generally.

For the Fees of Jurors and Commissioners account, the Judiciary seeks \$53.7 million, an increase of \$21.2 million (65.1 percent) over the FY 2021 enacted level. The increase over the prior year level is much larger than normal due to the significant use of unobligated balances to fund base program requirements in FY 2021 as described above. Without continuing access to those one-time funds, additional appropriations are required to ensure that total obligations remain stable in the juror program. The FY 2022 request is sufficient to fund all projected petit and grand juror requirements.

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

The Judiciary's courthouse construction and capital security projects are funded from the General Services Administration (GSA) budget. The Judiciary continues to focus on effectively managing the 13 courthouse/federal building projects whose construction costs were funded in FY 2016 and FY 2018. The Judiciary is grateful that Congress provided partial funding for the top two priorities on the current *Courthouse Project Priorities* plan, Hartford, Connecticut, and Chattanooga, Tennessee, and hopes that those projects will be fully funded on a timely basis so that construction can begin in those locations. In addition, the Judicial Conference declared a judicial space emergency for the Nazario U.S. Courthouse and Degetau Federal Building in Puerto Rico due to unique circumstances that have arisen as a result of GSA's required seismic retrofit of the building and the significant detrimental impact the retrofit will have on district court components currently housed there.

The Capital Security Program (CSP) provides funding to address security deficiencies in existing courthouse buildings where physical renovations are viable in lieu of construction of a new courthouse. Stable, consistent funding for these projects is crucial to address serious deficiencies that threaten the safety and security of the Judiciary and the public. For the Capital

Security Program, the Judiciary requests that Congress provide GSA \$19.8 million in FY 2022 for the U.S. Courthouse in Augusta, Georgia. In addition, \$9.0 million of available prior year CSP funding will be reallocated from the cancelled Raleigh, North Carolina, project to begin the approved project at the Theodore Levin U.S. Courthouse in Detroit, Michigan.

### *Cost Containment*

The Judiciary seeks to contain costs whenever possible and has implemented a number of cost containment initiatives since 2004. These efforts have achieved significant cost savings and cost avoidance for over fifteen years and will continue to do so. The overwhelming majority of the Judiciary's budget relates to personnel and space costs. The Judiciary's cost-containment initiatives have similarly focused on these two areas as they should have the greatest impact on long-term savings.

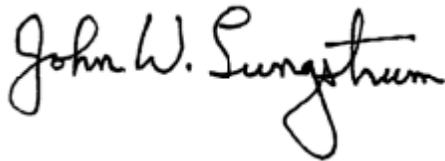
Starting in 2013, the Judiciary has had several cost containment initiatives related to space. First, the Judiciary adopted a three percent national space reduction target. That initiative resulted in approximately 1.2 million useable square feet of space being removed from the Judiciary's rent bill, exceeding the national space reduction goal by approximately 37 percent. This initiative resulted in approximately \$151 million in cumulative space rental cost avoidance since 2013, approximately \$36 million on an annual basis. The Judiciary subsequently implemented the No Net New policy, which requires that any increase in square footage within a federal judicial circuit must be offset by an equivalent reduction in square footage identified within the same fiscal year. This policy helps limit growth in the Judiciary's space footprint. The six No Net New projects that were approved in FY 2020 are expected to reduce the judiciary's space footprint by 27,000 square feet, equating to \$7 million in additional annual rent cost avoidance, once the projects are completed.

Regarding personnel costs, the Judiciary continues to use work measurement tools to update its court support staffing formulas regularly to incorporate best practices, improvements in information technology, and other efficiencies. Further, the Judiciary has undertaken significant efforts to develop alternative organizational models that may result in cost savings, including expanding shared administrative services within and among districts. At the local level, courts throughout the country have implemented a significant number of voluntary shared administrative services arrangements. These practices help to control costs without sacrificing efficiency or quality of service to judges and the public. The Judiciary also promotes these efforts by providing guidance materials and reports on court organizational models to judges and court unit executives considering consolidation or flexible service arrangements.

Finally, the Judiciary continues to explore other operational improvements that will simultaneously contain costs. One example is to encourage electronic noticing to creditors in bankruptcy proceedings, and avoid the expense of producing and mailing paper notices and ensure faster delivery. In addition, the Judiciary is evaluating potential longer-term cost savings

from operational changes brought about by the COVID-19 pandemic, including expanded telework and remote proceedings.

The Judiciary's FY 2022 discretionary budget request of \$8.1 billion and its mandatory budget request of \$756.5 million are summarized in the following pages. A more detailed description of the Judiciary's FY 2022 request, as well as the requests for courthouse construction and capital security requirements, can be found in The Judiciary, FY 2022 Congressional Budget Justification.



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# Overview of the Judiciary

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

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

## United States Supreme Court

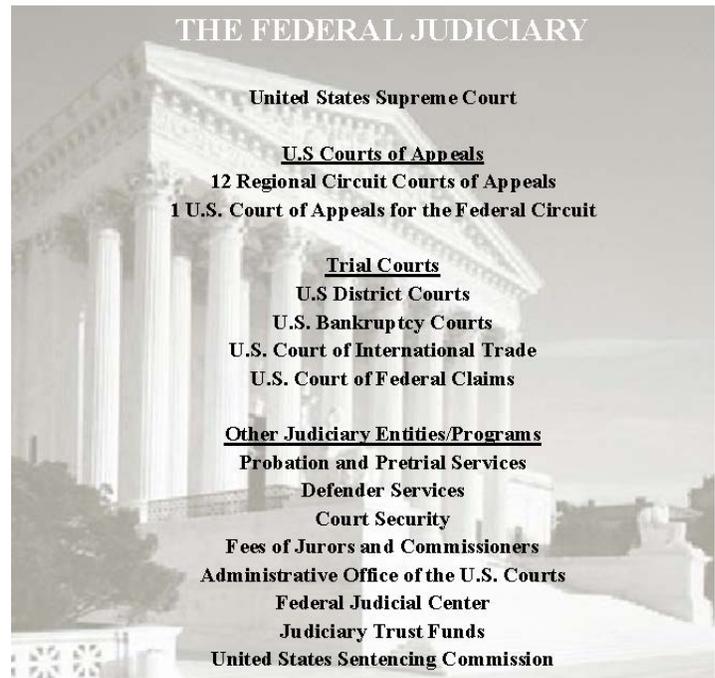
The United States Supreme Court consists of nine justices, one of whom is appointed as Chief Justice of the United States. The Supreme Court is the final arbiter in the federal court system.

## United States Courts of Appeals

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

## United States Court of Appeals for the Federal Circuit

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



## United States District Courts

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

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

## United States Bankruptcy Courts

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



## United States Court of International Trade

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

## United States Court of Federal Claims

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



## **Probation and Pretrial Services**

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

## **Defender Services**

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

## **Court Security**

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

## **Fees of Jurors and Commissioners**

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

## **Administrative Office of the U.S. Courts**

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

## **Federal Judicial Center**

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

## **Payment to Judicial Trust Funds**

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

## **United States Sentencing Commission**

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



## Budget Summary – Details of Request

The judiciary’s appropriation request for fiscal year (FY) 2022 totals \$8,879,097,000 (including \$756,534,000 in mandatory appropriations and \$8,122,563,000 in discretionary appropriations), an increase of \$425,714,000, or 5.0 percent, over the FY 2021 enacted appropriations.

<b>Summary of FY 2022 Request</b>			
<b>(\$000)</b>			
	<b>Mandatory</b>	<b>Discretionary</b>	<b>Total</b>
<b>FY 2021 Enacted Appropriation</b>	<b>733,551</b>	<b>7,719,832</b>	<b>8,453,383</b>
<b>FY 2022 Adjustments to Base</b>	<b>22,983</b>	<b>342,224</b>	<b>365,207</b>
<b>FY 2022 Program Increases</b>	<b>-</b>	<b>60,507</b>	<b>60,507</b>
<b>FY 2022 Total Increases</b>	<b>22,983</b>	<b>402,731</b>	<b>425,714</b>
<b>FY 2022 Total Request</b>	<b>756,534</b>	<b>8,122,563</b>	<b>8,879,097</b>

### Fiscal Year 2021 Appropriations

The judiciary built the FY 2022 budget request on the FY 2021 enacted appropriation level. Further, for bill language, the judiciary used the language from P.L. 116-260, Financial Services and General Government Appropriations Act, 2021.

### Adjustments to Base (Mandatory Appropriations)

A \$23.0 million increase is requested for mandatory judiciary appropriations, as follows:

1. An increase of \$10.3 million is required for the judiciary retirement trust funds accounts based on requirements calculated by an independent actuary.
2. An increase of \$6.2 million is for pay and benefit adjustments for Article III judges for the Supreme Court; the Court of Appeals for the Federal Circuit; the Court of International Trade; and active, senior, and retired Article III judges and bankruptcy judges within the courts’ Salaries and Expenses account, including the annualization of the FY 2021 pay adjustment of 1.0 percent for judges and an assumed additional 1.0 percent pay adjustment for judges effective January 2022. Of the \$6.2 million, \$0.6 million is requested for an increase in the agency contribution rate to the Federal Employees Retirement System, which is increasing from 17.3 percent to 18.4 percent for most judges.
3. For the courts’ Salaries and Expenses account, an increase of \$6.5 million is associated with an additional 10 active Article III judge FTE (based on an assumption of 45 confirmations), an additional 3 senior judge FTE, and an additional 13 bankruptcy judge FTE.

## Adjustments to Base (Discretionary Appropriations)

Of the requested \$402.7 million increase in discretionary appropriations, \$342.2 million (85 percent) will provide for pay adjustments, inflation, and other adjustments to base necessary to maintain current services. Base adjustments include:

1. An increase of \$103.5 million will provide for inflationary pay and benefit increases for magistrate and Court of Federal Claims judges, judges' staff, and other judiciary personnel. This includes an assumed 1.0 percent federal pay adjustment effective January 2022, annualizing the January 2021 pay adjustment (1.0 percent for magistrate and Court of Federal Claims court judges and staff), changes in benefit costs, and a wage rate adjustment for court security officers (CSOs).
2. A net increase of \$84.6 million is associated with changes in the judiciary's space program. Of the \$84.6 million, a net \$82.0 million is attributed to the court's Salaries and Expenses account. This includes an increase of \$7.2 million for new space expected to be delivered in FY 2022, \$38.2 million for inflationary adjustments to GSA space rental costs, and \$38.6 million in other space-related adjustments, partially offset by \$2.0 million in savings associated with the space reduction program. The remaining net \$2.6 million is associated with increases of \$2.5 million, \$0.3 million, \$0.2 million, and \$11,000 for the Defender Services, Court Security, Court of International Trade, and Supreme Court accounts, respectively, partially offset by a decrease of \$0.4 million for the Court of Appeals for the Federal Circuit account.
3. An increase of \$35.5 million is requested for a planned increase to the agency contribution rate to the Federal Employees Retirement System (FERS) plans for FY 2022. Based upon guidance from the Office of Management and Budget, the agency contribution rate will increase for most employees from 17.3 percent to 18.4 percent. Any FERS increase is in accordance with revised estimates of the cost of providing benefits by the Board of Actuaries of the Civil Service Retirement and Disability System.
4. An increase of \$32.6 million will provide for increases in contract rates and other standard inflationary increases. Of this amount, \$0.3 million is for the Vaccine Injury Compensation Trust Fund.
5. An increase of \$30.8 million is for the annualization of positions funded in FY 2021, including:
  - 4 positions (2 FTE) for the Supreme Court's security programs;
  - 48 positions (17 FTE) in district court clerks' offices and probation and pretrial services offices, related to requirements resulting from the Supreme Court's July 2020 decision in *McGirt v. Oklahoma*, in the courts' Salaries and Expenses account;

- 162 federal public defender organization (FPDO) positions (81 FTE), 44 community defender organization (CDO) positions, 10 FPDO panel management positions (5 FTE), 3 CDO panel management positions, 26 positions (13 FTE) related to the Supreme Court decision in *McGirt v. Oklahoma*, 8 reimbursable positions, and 5 national positions (3 FTE) for the Defender Services account;
  - 31 CSO and 4 USMS positions (2 FTE) for the Court Security account; and
  - 15 positions (7.5 FTE) for the Administrative Office account.
6. A net increase of \$29.0 million in information technology (IT) requirements for the courts' Salaries and Expenses account is due to:
    - an increase of \$29.5 million for the continued implementation of ongoing IT projects,
    - a decrease of \$0.5 million due to contractor insourcing savings.
  7. An increase of \$12.6 million is for chambers staff associated with the additional active and senior Article III judges and bankruptcy judges (noted above in the mandatory adjustments to base section), specifically, 60 FTE for chambers staff for active Article III judges, 13 FTE for senior judges, and 40 FTE for bankruptcy judges.
  8. An increase of \$9.9 million is associated with a change in panel attorney representations based on FY 2022 caseload projections in the Defender Services program.
  9. A net increase of \$7.6 million in financing adjustments is necessary to maintain current services due to changes in the availability of carryforward balances and/or non-appropriated resources, composed of:
    - a decrease of \$8.9 million for the courts' Salaries and Expenses account,
    - an increase of \$1.0 million for the Defender Services account,
    - an increase of \$21.0 million for the Fees of Jurors and Commissioners account,
    - a decrease of \$5.0 million for the Court Security account, and
    - a decrease of \$0.5 million for the Administrative Office account.

The judiciary will keep the Appropriations Subcommittees informed of any change in this estimate.

10. A net increase of \$1.4 million is associated with adjustments to systems and equipment requirements in the Court Security account.
11. A decrease of \$0.4 million in adjustments to base is associated with a projected net change in juror requirements based on FY 2022 projected caseload.
12. A decrease of \$0.5 million in adjustments to base is associated with reduced staffing requirements in the Supreme Court's Care of the Building and Grounds account.

13. A net decrease of \$4.3 million is associated with Federal Protective Service (FPS) security charges.

### **Program Changes (Discretionary Appropriations)**

The remaining \$60.5 million (15 percent) of the requested increase is for program enhancements including:

1. An increase of \$12.4 million for the Defender Services account is for the continued implementation of the federal defender organization (FDO) staffing formula. These funds will provide for 118 additional staff (94 FPDO positions/47 FTE and 24 CDO positions), the equivalent of 98 percent of full staffing requirements.
2. An increase of \$9.1 million for the courts' Salaries and Expenses account is for a 3-year enterprise license renewal of the judiciary internet firewall service.
3. An increase of \$7.2 million is associated with an increase of 148 positions (74 FTE) in court support staffing in the courts' Salaries and Expenses account due to changes in projected caseload.
4. An increase of \$6.0 million and 28.5 FTE for the Defender Services account is for a staffing reserve to provide temporary staffing increases in FDOs to address significant caseload surges such as the substantial increases in capital workload in the District of Arizona pursuant to a federal process known as "Opt-In."
5. An increase of \$5.8 million is to support the Court Security equipment modernization and cyclical replacement strategy, including an additional \$5.2 million for video management systems (VMS) and \$0.6 million and 4 positions (2 FTE) at the U.S. Marshals Service (USMS) to support the strategy.
6. An increase of \$5.0 million for the Court Security program is for the continued implementation of the physical access control systems (PACS) replacement strategy resulting in a total of \$42.0 million in PACS funding for FY 2022.
7. An increase of \$3.4 million in the Defender Services account is for 32 positions (16 FTE) for requirements resulting from the Supreme Court decision in *McGirt v. Oklahoma*.
8. An increase of \$3.0 million in the courts' Salaries and Expenses account will fund 6 additional full-time and 1 part-time magistrate judge positions (5.5 FTE), 21 support staff (17.5 FTE), and associated operating costs.
9. An increase of \$2.1 million for the Federal Judicial Center (FJC) is to resume in-person programs for judges and judiciary staff. The FJC anticipates no in-person programs can be

safely delivered in the first two quarters in FY 2021 and reduced its FY 2021 funding requirements accordingly.

10. An increase of \$1.5 million for the Defender Services account is to establish a Diversity Fellowship program with FDOs consisting of 2 capital fellows and 12 non-capital fellows.
11. An increase of \$1.3 million in the Court Security account will support an additional 20.5 CSO positions to continue implementation of the CSO staffing standards, as well as 2.5 CSO positions for a special needs post in Hato Rey, Puerto Rico.
12. An increase of \$1.1 million in the Defender Services account is for national positions, including 7 national positions (3.5 FTE) to support Defender IT systems, and 3 national positions (1.5 FTE) to support the Capital Resource Counsel Project.
13. An increase of \$0.7 million will fund 8 reimbursable positions within the Defender Services account to support data management, financial analysis, legal and policy support, program operations, training, and implementation of CJA-related policies approved by the Judicial Conference.
14. An increase of \$0.6 million for the AO account will fund 6 positions (3 FTE) to strengthen procurement and contract management processes.
15. An increase of \$0.5 million in the Court Security account will support 8 additional CSO positions at new courthouses projected to be open in FY 2022 or early FY 2023.
16. An increase of \$0.5 million for the Court of Appeals for the Federal Circuit account will fund an upgrade in courthouse security equipment at the Howard T. Markey National Courts Building.
17. An increase of \$0.5 million for the courts' Salaries and Expenses account will allow certain bankruptcy courts to hire additional temporary law clerks to assist with the anticipated increase in bankruptcy filings over the next 6 to 18 months as a result of the economic impact of the COVID-19 pandemic and to supplement resources available to districts facing specialized, complex cases or other workload challenges.
18. An increase of \$0.3 million for the Defender Services account will support non-recurring start-up costs, including tenant alterations, furniture, equipment, and law books, for one anticipated new FDO.
19. An increase of \$0.3 million for the Court Security account will fund 5 new USMS positions (3 FTE) at the CSO Applications and Qualifications branch, which would allow the USMS to better identify and mitigate security risks, conduct more robust compliance reviews, and increase the efficiency of the CSO onboarding process.

20. An increase of \$0.1 million for the AO account will fund 1 position (0.5 FTE) to support the Office of Compliance and Risk. This position will focus on risk management functions through establishment of an enterprise risk management program based on GAO standards and industry best practices.
21. A decrease of \$0.8 million for the Court Security account is associated with non-recurring security requirements.

# Summary Tables

THE JUDICIARY									
Judiciary Appropriation Funding (\$000)									
Appropriation Account	FY 2020 Enacted			FY 2021 Enacted			FY 2022 Request		
	Mandatory <sup>1</sup>	Discretionary	Total	Mandatory <sup>1</sup>	Discretionary	Total	Mandatory	Discretionary	Total
Supreme Court									
Salaries and Expenses	2,680	87,699	90,379	2,729	94,690	97,419	2,763	97,501	100,265
CARES Act Supplemental <sup>2</sup>	-	500	500	-	-	-	-	-	-
Building and Grounds	-	15,590	15,590	-	10,618	10,618	-	10,309	10,309
<i>Total, Supreme Court</i>	<i>2,680</i>	<i>103,789</i>	<i>106,469</i>	<i>2,729</i>	<i>105,308</i>	<i>108,037</i>	<i>2,763</i>	<i>107,810</i>	<i>110,574</i>
Court of Appeals for the Federal Circuit	3,117	32,700	35,817	3,168	33,500	36,668	3,216	34,280	37,496
Court of International Trade	1,614	19,564	21,178	2,083	20,000	22,083	2,172	20,675	22,847
<i>Courts of Appeals, District Courts, and Other Judicial Services:</i>									
Salaries and Expenses	437,816	5,250,234	5,688,050	463,271	5,393,701	5,856,972	475,783	5,651,379	6,127,162
CARES Act Supplemental <sup>2</sup>	-	6,000	6,000	-	-	-	-	-	-
Vaccine Injury Trust Fund	-	9,070	9,070	-	9,900	9,900	-	10,165	10,165
<i>Total, Salaries and Expenses</i>	<i>437,816</i>	<i>5,265,304</i>	<i>5,703,120</i>	<i>463,271</i>	<i>5,403,601</i>	<i>5,866,872</i>	<i>475,783</i>	<i>5,661,544</i>	<i>6,137,327</i>
Defender Services	-	1,234,574	1,234,574	-	1,316,240	1,316,240	-	1,409,591	1,409,591
CARES Act Supplemental <sup>2</sup>	-	1,000	1,000	-	-	-	-	-	-
<i>Total, Defender Services</i>	<i>-</i>	<i>1,235,574</i>	<i>1,235,574</i>	<i>-</i>	<i>1,316,240</i>	<i>1,316,240</i>	<i>-</i>	<i>1,409,591</i>	<i>1,409,591</i>
Fees of Jurors & Commissioners	-	53,545	53,545	-	32,517	32,517	-	53,690	53,690
Court Security	-	639,165	639,165	-	664,011	664,011	-	682,140	682,140
<i>Total, CADCOJS</i>	<i>437,816</i>	<i>7,193,588</i>	<i>7,631,404</i>	<i>463,271</i>	<i>7,416,369</i>	<i>7,879,640</i>	<i>475,783</i>	<i>7,806,965</i>	<i>8,282,748</i>
Administrative Office of the U.S. Courts	-	94,261	94,261	-	95,675	95,675	-	100,342	100,342
Federal Judicial Center	-	30,436	30,436	-	29,015	29,015	-	31,864	31,864
Judicial Retirement Funds	240,100	-	240,100	262,300	-	262,300	272,600	-	272,600
Sentencing Commission	-	19,670	19,670	-	19,965	19,965	-	20,626	20,626
<b>Total Direct</b>	<b>685,327</b>	<b>7,477,438</b>	<b>8,162,765</b>	<b>733,551</b>	<b>7,709,932</b>	<b>8,443,483</b>	<b>756,534</b>	<b>8,112,398</b>	<b>8,868,932</b>
CARES Act Supplemental <sup>2</sup>	-	7,500	7,500	-	-	-	-	-	-
Vaccine Injury Trust Fund	-	9,070	9,070	-	9,900	9,900	-	10,165	10,165
<b>Total, Judiciary</b>	<b>685,327</b>	<b>7,494,008</b>	<b>8,179,335</b>	<b>733,551</b>	<b>7,719,832</b>	<b>8,453,383</b>	<b>756,534</b>	<b>8,122,563</b>	<b>8,879,097</b>

<sup>1</sup> FY 2020 mandatory levels reflect actuals, with the exception of Supreme Court which reflects the FY 2020 financial plan level.

FY 2021 mandatory levels represent FY 2021 assumed financial plan levels.

<sup>2</sup> In FY 2020, the judiciary received \$7.5 million in supplemental funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act, including \$6.0 for Salaries and Expenses, \$1.0 million for Defender Services, and \$0.5 million for the Supreme Court.

<b>THE JUDICIARY</b>									
<b>Summary of FTE</b>									
Appropriation Account	FY 2020 Actual			FY 2021 Assumed			FY 2022 Request		
	Mandatory	Discretionary	Total	Mandatory	Discretionary	Total	Mandatory	Discretionary	Total
Supreme Court									
Salaries and Expenses	9.0	499	508	9	515	524	9	517	526
Building and Grounds	-	40	40	-	54	54	-	50	50
<i>Total, Supreme Court</i>	<i>9.0</i>	<i>539</i>	<i>548</i>	<i>9</i>	<i>569</i>	<i>578</i>	<i>9</i>	<i>567</i>	<i>576</i>
Court of Appeals for the Federal Circuit	12.0	129	141	12	140	152	12	140	152
Court of International Trade	9.0	53	62	9	68	77	9	68	77
<i>Courts of Appeals, District Courts, and Other Judicial Services:</i>									
Salaries and Expenses	1,817	26,064	27,881	1,851	26,157	28,008	1,877	26,389	28,266
Vaccine Injury Trust Fund	-	-	-	-	-	-	-	-	-
<i>Total, Salaries and Expenses</i>	<i>1,817</i>	<i>26,064</i>	<i>27,881</i>	<i>1,851</i>	<i>26,157</i>	<i>28,008</i>	<i>1,877</i>	<i>26,389</i>	<i>28,266</i>
Defender Services	-	3,066	3,066	-	3,194	3,194	-	3,399	3,399
Fees of Jurors & Commissioners	-	-	-	-	-	-	-	-	-
Court Security	-	62	62	-	77	77	-	84	84
<i>Total, CADCOJS</i>	<i>1,817</i>	<i>29,191</i>	<i>31,008</i>	<i>1,851</i>	<i>29,428</i>	<i>31,279</i>	<i>1,877</i>	<i>29,872</i>	<i>31,749</i>
Administrative Office of the U.S. Courts	-	617	617	-	632	632	-	643	643
Federal Judicial Center	-	127	127	-	128	128	-	128	128
Judicial Retirement Funds	-	-	-	-	-	-	-	-	-
Sentencing Commission	-	92	92	-	95	95	-	95	95
<b>Total Direct</b>	<b>1,847</b>	<b>30,748</b>	<b>32,595</b>	<b>1,881</b>	<b>31,060</b>	<b>32,941</b>	<b>1,907</b>	<b>31,513</b>	<b>33,420</b>
<b>Reimbursables, AO</b>	<b>-</b>	<b>574</b>	<b>574</b>	<b>-</b>	<b>674</b>	<b>674</b>	<b>-</b>	<b>730</b>	<b>730</b>
<b>Total, Judiciary</b>	<b>1,847</b>	<b>31,322</b>	<b>33,169</b>	<b>1,881</b>	<b>31,734</b>	<b>33,615</b>	<b>1,907</b>	<b>32,243</b>	<b>34,150</b>

**FY 2022 Summary of Requested Mandatory & Discretionary Changes**

	Supreme Court		Federal Circuit		International Trade		Total CADCOJS <sup>1</sup>	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	FTEs	(\$000)
FY 2021 Enacted Appropriation Level - Mandatory	9	2,729	12	3,168	9	2,083	1,851	463,271
FY 2021 Enacted Appropriation Level - Discretionary	569	105,308	140	33,500	68	20,000	29,428	7,416,369
<i>AO Reimbursable FTE</i>	-	-	-	-	-	-	-	-
<b>FY 2021 Enacted Appropriation</b>	<b>578</b>	<b>108,037</b>	<b>152</b>	<b>36,668</b>	<b>77</b>	<b>22,083</b>	<b>31,279</b>	<b>7,879,640</b>
<b>FY 2022 Adjustments to Base</b>								
Judges:								
- Annualization of 2021 pay adjustment (1.0% for three months)	-	7	-	10	-	24	-	1,497
- Pay and benefits adjustments	-	27	-	38	-	65	-	5,869
- FERS adjustments	-	-	-	-	-	-	-	1,777
- Increase in average number of filled Article III judgeships	-	-	-	-	-	-	70	9,330
- Increase in average number of senior judges	-	-	-	-	-	-	16	2,105
- Increase in average number of filled bankruptcy judgeships	-	-	-	-	-	-	53	7,691
- Payments to judiciary retirement trust funds	-	-	-	-	-	-	-	-
Court Personnel and Other Programs:								
- Annualization of 2021 pay adjustment (1.0% for three months)	-	184	-	43	-	18	-	9,611
- Pay and benefits adjustments	-	1,186	-	361	-	176	-	68,837
- FERS adjustments	-	671	-	100	-	54	-	32,298
- Annualization of 2021 panel attorney capital rate	-	-	-	-	-	-	-	215
- Annualization of 2021 panel attorney non-capital rate	-	-	-	-	-	-	-	5,992
- Annualization of FY 2021 increase in positions (including McGirt)	2	383	-	-	-	-	119	27,617
- Annualization of FY 2021 increase of court security officer (CSO) positions	-	-	-	-	-	-	-	1,171
- Annualization of FY 2021 increase of USMS positions	-	-	-	-	-	-	2	300
- FY 2022 CSO contract and wage rate adjustments (3%)	-	-	-	-	-	-	-	11,953
- Funding necessary to maintain current services (financing adjustment)	-	-	-	-	-	-	-	8,045
- Inflation (including law books and computer assisted legal research)	-	612	-	156	-	40	-	31,120
- Space related costs (includes inflation for space rental rates)	-	11	-	(380)	-	205	-	84,745
- Vaccine Injury Compensation Trust Fund adjustment	-	-	-	-	-	-	-	265
- Reduced staffing requirements at Supreme Court	(4)	(544)	-	-	-	-	-	-
- Information technology requirements	-	-	-	-	-	-	-	29,034
- Change in projected panel attorney workload	-	-	-	-	-	-	-	9,910
- Change in available jurors	-	-	-	-	-	-	-	(432)
- FPS security service charges	-	-	-	-	-	182	-	(4,468)
- Adjustments to base for security systems and equipment	-	-	-	-	-	-	-	1,422
<b>Subtotal, FY 2022 Adjustments to Base</b>	<b>(2)</b>	<b>2,537</b>	<b>-</b>	<b>328</b>	<b>-</b>	<b>764</b>	<b>260</b>	<b>345,904</b>
<i>Total Adjustments to Base, Mandatory</i>	-	34	-	48	-	89	26	12,512
<i>Total Adjustments to Base, Discretionary</i>	(2)	2,503	-	280	-	675	234	333,392
<i>AO Reimbursable FTE changes</i>	-	-	-	-	-	-	-	-
<b>FY 2022 Adjusted Base</b>	<b>576</b>	<b>110,574</b>	<b>152</b>	<b>36,996</b>	<b>77</b>	<b>22,847</b>	<b>31,538</b>	<b>8,225,544</b>
<b>FY 2022 Program Changes</b>								
Judges:								
- Magistrate judges and staff	-	-	-	-	-	-	23	2,992
Court Personnel and Other Programs:								
- Upgrade of courthouse security equipment	-	-	-	500	-	-	-	-
- Infrastructure costs for new courthouse construction projects	-	-	-	-	-	-	-	(750)
- FY 2022 court support staffing due to workload changes	-	-	-	-	-	-	74	7,175
- Temporary Bankruptcy Law Clerk Program	-	-	-	-	-	-	5	474
- Judiciary Internet Firewall Service	-	-	-	-	-	-	-	9,100
- Continued implementation of the FDO staffing formula	-	-	-	-	-	-	47	12,449
- Defender Services national positions	-	-	-	-	-	-	5	1,055
- Defender Services McGirt positions	-	-	-	-	-	-	16	3,376
- Defenders Services diversity fellowship program positions	-	-	-	-	-	-	7	1,477
- Defenders Services reimbursable positions	-	-	-	-	-	-	-	691
- FDO Staffing Reserve	-	-	-	-	-	-	29	6,013
- Defenders Services new federal defender organization	-	-	-	-	-	-	-	300
- Physical access control systems replacement	-	-	-	-	-	-	-	4,977
- CSOs for new courthouse construction projects	-	-	-	-	-	-	-	528
- Video management systems replacement	-	-	-	-	-	-	-	5,200
- Staffing positions at USMS	-	-	-	-	-	-	5	882
- Phased implementation of CSO staffing standards	-	-	-	-	-	-	-	1,265
- Office of Compliance and Risk at AO	-	-	-	-	-	-	-	-
- Procurement and contract management improvements at AO	-	-	-	-	-	-	-	-
- In-person program offerings for judges and judiciary employees	-	-	-	-	-	-	-	-
<b>Subtotal, FY 2022 Program Changes</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>500</b>	<b>-</b>	<b>-</b>	<b>211</b>	<b>57,204</b>
<i>Total Program Changes, Mandatory</i>	-	-	-	-	-	-	-	-
<i>Total Program Changes, Discretionary</i>	-	-	-	500	-	-	211	57,204
<i>AO Reimbursable FTE changes</i>	-	-	-	-	-	-	-	-
<i>Total Mandatory Increases</i>	-	34	-	48	-	89	26	12,512
<i>Total Discretionary Increases</i>	(2)	2,503	-	780	-	675	444	390,596
<i>AO Reimbursable FTE changes</i>	-	-	-	-	-	-	-	-
<b>Subtotal, FY 2022 Total Increases</b>	<b>(2)</b>	<b>2,537</b>	<b>-</b>	<b>828</b>	<b>-</b>	<b>764</b>	<b>470</b>	<b>403,108</b>
<b>FY 2022, Total Mandatory Appropriation</b>	<b>9</b>	<b>2,763</b>	<b>12</b>	<b>3,216</b>	<b>9</b>	<b>2,172</b>	<b>1,877</b>	<b>475,783</b>
<b>FY 2022, Total Discretionary Appropriation</b>	<b>567</b>	<b>107,811</b>	<b>140</b>	<b>34,280</b>	<b>68</b>	<b>20,675</b>	<b>29,872</b>	<b>7,806,965</b>
<i>AO Reimbursable FTE</i>	-	-	-	-	-	-	-	-
<b>FY 2022, Total Judiciary</b>	<b>576</b>	<b>110,574</b>	<b>152</b>	<b>37,496</b>	<b>77</b>	<b>22,847</b>	<b>31,749</b>	<b>8,282,748</b>

<sup>1</sup> Includes Salaries and Expenses, Defender Services, Fees of Jurors and Commissioners, and Court Security accounts.

**FY 2022 Summary of Requested Mandatory & Discretionary Changes**

	Administrative Office		Fed. Judicial Center		Sentencing Commission		Judicial Retirement Funds	Total Judiciary	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)	(\$000)	FTE	(\$000)
FY 2021 Enacted Appropriation Level - Mandatory	-	-	-	-	-	-	262,300	1,881	733,551
FY 2021 Enacted Appropriation Level - Discretionary	632	95,675	128	29,015	95	19,965	-	31,060	7,719,832
<i>AO Reimbursable FTE</i>	674	-	-	-	-	-	-	674	-
<b>FY 2021 Enacted Appropriation</b>	<b>1,306</b>	<b>95,675</b>	<b>128</b>	<b>29,015</b>	<b>95</b>	<b>19,965</b>	<b>262,300</b>	<b>33,615</b>	<b>8,453,383</b>
<b>FY 2022 Adjustments to Base</b>									
Judges:									
- Annualization of 2021 pay adjustment (1.0% for three months)	-	-	-	-	-	-	-	-	1,538
- Pay and benefits adjustments	-	-	-	-	-	-	-	-	5,999
- FERS adjustments	-	-	-	-	-	-	-	-	1,777
- Increase in average number of filled Article III judgeships	-	-	-	-	-	-	-	70	9,330
- Increase in average number of senior judges	-	-	-	-	-	-	-	16	2,105
- Increase in average number of filled bankruptcy judgeships	-	-	-	-	-	-	-	53	7,691
- Payments to judiciary retirement trust funds	-	-	-	-	-	-	10,300	-	10,300
Court Personnel and Other Programs:									
- Annualization of 2021 pay adjustment (1.0% for three months)	-	206	-	55	-	47	-	-	10,164
- Pay and benefits adjustments	-	1,834	-	390	-	382	-	-	73,166
- FERS adjustments	-	926	-	170	-	145	-	-	34,364
- Annualization of 2021 panel attorney capital rate	-	-	-	-	-	-	-	-	215
- Annualization of 2021 panel attorney non-capital rate	-	-	-	-	-	-	-	-	5,992
- Annualization of FY 2021 increase in positions (including McGirt)	8	1,300	-	-	-	-	-	128	29,300
- Annualization of FY 2021 increase of court security officer (CSO) positions	-	-	-	-	-	-	-	-	1,171
- Annualization of FY 2021 increase of USMS positions	-	-	-	-	-	-	-	2	300
- FY 2022 CSO contract and wage rate adjustments (3%)	-	-	-	-	-	-	-	-	11,953
- Funding necessary to maintain current services (financing adjustment)	-	(469)	-	-	-	-	-	-	7,576
- Inflation (including law books and computer assisted legal research)	-	167	-	134	-	87	-	-	32,316
- Space related costs (includes inflation for space rental rates)	-	-	-	-	-	-	-	-	84,581
- Vaccine Injury Compensation Trust Fund adjustment	-	-	-	-	-	-	-	-	265
- Reduced staffing requirements at Supreme Court	-	-	-	-	-	-	-	(4)	(544)
- Information technology requirements	-	-	-	-	-	-	-	-	29,034
- Change in projected panel attorney workload	-	-	-	-	-	-	-	-	9,910
- Change in available jurors	-	-	-	-	-	-	-	-	(432)
- FPS security service charges	-	-	-	-	-	-	-	-	(4,286)
- Adjustments to base for security systems and equipment	-	-	-	-	-	-	-	-	1,422
<b>Subtotal, FY 2022 Adjustments to Base</b>	<b>8</b>	<b>3,964</b>	<b>-</b>	<b>749</b>	<b>-</b>	<b>661</b>	<b>10,300</b>	<b>265</b>	<b>365,207</b>
<i>Total Adjustments to Base, Mandatory</i>	-	-	-	-	-	-	10,300	26	22,983
<i>Total Adjustments to Base, Discretionary</i>	8	3,964	-	749	-	661	-	239	342,224
<i>AO Reimbursable FTE changes</i>	40	-	-	-	-	-	-	40	-
<b>FY 2022 Adjusted Base</b>	<b>1,354</b>	<b>99,639</b>	<b>128</b>	<b>29,764</b>	<b>95</b>	<b>20,626</b>	<b>272,600</b>	<b>33,920</b>	<b>8,818,590</b>
<b>FY 2022 Program Changes</b>									
Judges:									
- Magistrate judges and staff	-	-	-	-	-	-	-	23	2,992
Court Personnel and Other Programs:									
- Upgrade of courthouse security equipment	-	-	-	-	-	-	-	-	500
- Infrastructure costs for new courthouse construction projects	-	-	-	-	-	-	-	-	(750)
- FY 2022 court support staffing due to workload changes	-	-	-	-	-	-	-	74	7,175
- Temporary Bankruptcy Law Clerk Program	-	-	-	-	-	-	-	5	474
- Judiciary Internet Firewall Service	-	-	-	-	-	-	-	-	9,100
- Continued implementation of the FDO staffing formula	-	-	-	-	-	-	-	47	12,449
- Defender Services national positions	-	-	-	-	-	-	-	5	1,055
- Defender Services McGirt positions	-	-	-	-	-	-	-	16	3,376
- Defenders Services diversity fellowship program positions	-	-	-	-	-	-	-	7	1,477
- Defenders Services reimbursable positions	-	-	-	-	-	-	-	-	691
- FDO Staffing Reserve	-	-	-	-	-	-	-	29	6,013
- Defenders Services new federal defender organization	-	-	-	-	-	-	-	-	300
- Physical access control systems replacement	-	-	-	-	-	-	-	-	4,977
- CSOs for new courthouse construction projects	-	-	-	-	-	-	-	-	528
- Video management systems replacement	-	-	-	-	-	-	-	-	5,200
- Staffing positions at USMS	-	-	-	-	-	-	-	5	882
- Phased implementation of CSO staffing standards	-	-	-	-	-	-	-	-	1,265
- Office of Compliance and Risk at AO	1	100	-	-	-	-	-	1	100
- Procurement and contract management improvements at AO	3	603	-	-	-	-	-	3	603
- In-program program offerings for judges and judiciary employees	-	-	-	2,100	-	-	-	-	2,100
<b>Subtotal, FY 2022 Program Changes</b>	<b>4</b>	<b>703</b>	<b>-</b>	<b>2,100</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>214</b>	<b>60,507</b>
<i>Total Program Changes, Mandatory</i>	-	-	-	-	-	-	-	-	-
<i>Total Program Changes, Discretionary</i>	4	703	-	2,100	-	-	-	214	60,507
<i>AO Reimbursable FTE changes</i>	16	-	-	-	-	-	-	16	-
<i>Total Mandatory Increases</i>	-	-	-	-	-	-	10,300	26	22,983
<i>Total Discretionary Increases</i>	11	4,667	-	2,849	-	661	-	453	402,731
<i>AO Reimbursable FTE changes</i>	56	-	-	-	-	-	-	56	-
<b>Subtotal, FY 2022 Total Increases</b>	<b>67</b>	<b>4,667</b>	<b>-</b>	<b>2,849</b>	<b>-</b>	<b>661</b>	<b>10,300</b>	<b>535</b>	<b>425,714</b>
<b>FY 2022, Total Mandatory Appropriation</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>272,600</b>	<b>1,907</b>	<b>756,534</b>
<b>FY 2022, Total Discretionary Appropriation</b>	<b>643</b>	<b>100,342</b>	<b>128</b>	<b>31,864</b>	<b>95</b>	<b>20,626</b>	<b>-</b>	<b>31,513</b>	<b>8,122,563</b>
<i>AO Reimbursable FTE</i>	730	-	-	-	-	-	-	730	-
<b>FY 2022, Total Judiciary</b>	<b>1,373</b>	<b>100,342</b>	<b>128</b>	<b>31,864</b>	<b>95</b>	<b>20,626</b>	<b>272,600</b>	<b>34,150</b>	<b>8,879,097</b>

FY 2022 Summary of Requested Mandatory & Discretionary Changes - Courts of Appeals, District Courts, and Other Judicial Services (CADCOJS) Details									
	Salaries and Expenses		Defender Services		Fees of Jurors and Commissioners	Court Security		Total CADCOJS	
	FTE	(\$000)	FTE	(\$000)	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2021 Enacted Appropriation Level - Mandatory	1,851	463,271	-	-	-	-	-	1,851	463,271
FY 2021 Enacted Appropriation Level - Discretionary	26,157	5,403,601	3,194	1,316,240	32,517	77	664,011	29,428	7,416,369
AO Reimbursable FTE	-	-	-	-	-	-	-	-	-
<b>FY 2021 Enacted Appropriation</b>	<b>28,008</b>	<b>5,866,872</b>	<b>3,194</b>	<b>1,316,240</b>	<b>32,517</b>	<b>77</b>	<b>664,011</b>	<b>31,279</b>	<b>7,879,640</b>
<b>FY 2022 Adjustments to Base</b>									
Judges:									
- Annualization of 2021 pay adjustment (1.0% for three months)	-	1,497	-	-	-	-	-	-	1,497
- Pay and benefits adjustments	-	5,869	-	-	-	-	-	-	5,869
- FERS adjustments	-	1,777	-	-	-	-	-	-	1,777
- Increase in average number of filled Article III judgeships	70	9,330	-	-	-	-	-	70	9,330
- Increase in average number of senior judges	16	2,105	-	-	-	-	-	16	2,105
- Increase in average number of filled bankruptcy judgeships	53	7,691	-	-	-	-	-	53	7,691
- Payments to judiciary retirement trust funds	-	-	-	-	-	-	-	-	-
Court Personnel and Other Programs:									
- Annualization of 2021 pay adjustment (1.0% for three months)	-	8,209	-	1,329	-	-	73	-	9,611
- Pay and benefits adjustments	-	58,124	-	10,544	-	-	169	-	68,837
- FERS adjustments	-	26,797	-	5,408	-	-	93	-	32,298
- Annualization of 2021 panel attorney capital rate	-	-	-	215	-	-	-	-	215
- Annualization of 2021 panel attorney non-capital rate	-	-	-	5,992	-	-	-	-	5,992
- Annualization of FY 2021 increase in positions (including McGirt)	17	1,829	102	25,788	-	-	-	119	27,617
- Annualization of FY 2021 increase of court security officer (CSO) positions	-	-	-	-	-	-	1,171	-	1,171
- Annualization of FY 2021 increase of USMS positions	-	-	-	-	-	2	300	2	300
- FY 2022 CSO contract and wage rate adjustments (3%)	-	-	-	-	-	-	11,953	-	11,953
- Funding necessary to maintain current services (financing adjustment)	-	(8,919)	-	1,003	20,961	-	(5,000)	-	8,045
- Inflation (including law books and computer assisted legal research)	-	25,099	-	5,351	644	-	26	-	31,120
- Space related costs (includes inflation for space rental rates)	-	82,007	-	2,450	-	-	288	-	84,745
- Vaccine Injury Compensation Trust Fund adjustment	-	265	-	-	-	-	-	-	265
- Reduced staffing requirements at Supreme Court	-	-	-	-	-	-	-	-	-
- Information technology requirements	-	29,034	-	-	-	-	-	-	29,034
- Change in projected panel attorney workload	-	-	-	9,910	-	-	-	-	9,910
- Change in available jurors	-	-	-	-	(432)	-	-	-	(432)
- FPS security service charges	-	-	-	-	-	-	(4,468)	-	(4,468)
- Adjustments to base for security systems and equipment	-	-	-	-	-	-	1,422	-	1,422
<b>Subtotal, FY 2022 Adjustments to Base</b>	<b>156</b>	<b>250,714</b>	<b>102</b>	<b>67,990</b>	<b>21,173</b>	<b>2</b>	<b>6,027</b>	<b>260</b>	<b>345,904</b>
Total Adjustments to Base, Mandatory	26	12,512	-	-	-	-	-	26	12,512
Total Adjustments to Base, Discretionary	130	238,202	102	67,990	21,173	2	6,027	234	333,392
AO Reimbursable FTE	-	-	-	-	-	-	-	-	-
<b>FY 2022 Adjusted Base</b>	<b>28,164</b>	<b>6,117,586</b>	<b>3,295</b>	<b>1,384,230</b>	<b>53,690</b>	<b>79</b>	<b>670,038</b>	<b>31,538</b>	<b>8,225,544</b>
<b>FY 2022 Program Changes</b>									
Judges:									
- Magistrate judges and staff	23	2,992	-	-	-	-	-	23	2,992
Court Personnel and Other Programs:									
- Upgrade of courthouse security equipment	-	-	-	-	-	-	-	-	-
- Infrastructure costs for new courthouse construction projects	-	-	-	-	-	-	(750)	-	(750)
- FY 2022 court support staffing due to workload changes	74	7,175	-	-	-	-	-	74	7,175
- Temporary Bankruptcy Law Clerk Program	5	474	-	-	-	-	-	5	474
- Judiciary Internet Firewall Service	-	9,100	-	-	-	-	-	-	9,100
- Continued implementation of the FDO staffing formula	-	-	47	12,449	-	-	-	47	12,449
- Defender Services national positions	-	-	5	1,055	-	-	-	5	1,055
- Defender Services McGirt positions	-	-	16	3,376	-	-	-	16	3,376
- Defenders Services diversity fellowship program positions	-	-	7	1,477	-	-	-	7	1,477
- Defenders Services reimbursable positions	-	-	-	691	-	-	-	-	691
- FDO Staffing Reserve	-	-	29	6,013	-	-	-	29	6,013
- Defenders Services new federal defender organization	-	-	-	300	-	-	-	-	300
- Physical access control systems replacement	-	-	-	-	-	-	4,977	-	4,977
- CSOs for new courthouse construction projects	-	-	-	-	-	-	528	-	528
- Video management systems replacement	-	-	-	-	-	-	5,200	-	5,200
- Staffing positions at USMS	-	-	-	-	-	5	882	5	882
- Phased implementation of CSO staffing standards	-	-	-	-	-	-	1,265	-	1,265
- Office of Compliance and Risk at AO	-	-	-	-	-	-	-	-	-
- Procurement and contract management improvements at AO	-	-	-	-	-	-	-	-	-
- In-person program offerings for judges and judiciary employees	-	-	-	-	-	-	-	-	-
<b>Subtotal, FY 2022 Program Changes</b>	<b>102</b>	<b>19,741</b>	<b>104</b>	<b>25,361</b>	<b>-</b>	<b>5</b>	<b>12,102</b>	<b>211</b>	<b>57,204</b>
Total Program Changes, Mandatory	-	-	-	-	-	-	-	-	-
Total Program Changes, Discretionary	102	19,741	104	25,361	-	5	12,102	211	57,204
AO Reimbursable FTE	-	-	-	-	-	-	-	-	-
Total Mandatory	26	12,512	-	-	-	-	-	26	12,512
Total Discretionary	232	257,943	205	93,351	21,173	7	18,129	444	390,596
AO Reimbursable FTE	-	-	-	-	-	-	-	-	-
<b>Subtotal, FY 2022 Total Increases</b>	<b>258</b>	<b>270,455</b>	<b>205</b>	<b>93,351</b>	<b>21,173</b>	<b>7</b>	<b>18,129</b>	<b>470</b>	<b>403,108</b>
<b>FY 2022, Total Mandatory Appropriation</b>	<b>1,877</b>	<b>475,783</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,877</b>	<b>475,783</b>
<b>FY 2022, Total Discretionary Appropriation</b>	<b>26,389</b>	<b>5,661,544</b>	<b>3,399</b>	<b>1,409,591</b>	<b>53,690</b>	<b>84</b>	<b>682,140</b>	<b>29,872</b>	<b>7,806,965</b>
AO Reimbursable FTE	-	-	-	-	-	-	-	-	-
<b>FY 2022, Total Judiciary</b>	<b>28,266</b>	<b>6,137,327</b>	<b>3,399</b>	<b>1,409,591</b>	<b>53,690</b>	<b>84</b>	<b>682,140</b>	<b>31,749</b>	<b>8,282,748</b>

**Outlays - FY 2020 to FY 2022**

Appropriation	FY 2020	FY 2021	FY 2022
Supreme Court			
Discretionary	83,492	95,325	96,763
Mandatory	2,680	2,729	2,763
<b>Total, Salaries and Expenses</b>	<b>86,172</b>	<b>98,054</b>	<b>99,526</b>
<b>Buildings and Grounds</b>	<b>15,320</b>	<b>13,489</b>	<b>19,529</b>
Court of Appeals for the Federal Circuit			
Discretionary	34,028	33,016	32,910
Mandatory	3,117	3,168	3,216
<b>Total, Court of Appeals for the Federal Circuit</b>	<b>37,145</b>	<b>36,184</b>	<b>36,126</b>
Court of International Trade			
Discretionary	24,261	20,415	21,167
Mandatory	1,614	2,083	2,172
<b>Total, Court of International Trade</b>	<b>25,875</b>	<b>22,498</b>	<b>23,339</b>
<i>Courts of Appeals, District Courts, and Other Judicial Services:</i>			
Salaries and Expenses - Discretionary	5,217,725	5,658,862	5,865,432
Salaries and Expenses - Mandatory	437,816	463,271	475,783
<b>Total, Salaries and Expenses</b>	<b>5,655,541</b>	<b>6,122,133</b>	<b>6,341,215</b>
<b>Defender Services</b>	<b>1,245,363</b>	<b>1,315,105</b>	<b>1,445,326</b>
<b>Fees of Jurors &amp; Commissioners</b>	<b>32,828</b>	<b>51,938</b>	<b>55,085</b>
<b>Court Security</b>	<b>560,603</b>	<b>646,480</b>	<b>657,864</b>
<b>Total, Courts of Appeals, District Courts, and Other Judicial Services</b>	<b>7,494,335</b>	<b>8,135,656</b>	<b>8,499,490</b>
<b>Administrative Office of the United States Courts</b>	<b>97,365</b>	<b>97,275</b>	<b>101,420</b>
<b>Federal Judicial Center</b>	<b>27,550</b>	<b>31,074</b>	<b>32,049</b>
<b>Judicial Retirement Funds (Mandatory)</b>	<b>240,100</b>	<b>262,300</b>	<b>272,600</b>
<b>Sentencing Commission</b>	<b>19,276</b>	<b>20,338</b>	<b>21,114</b>
Subtotal, Discretionary	7,357,811	7,983,318	8,348,660
Subtotal, Mandatory	685,327	733,551	756,534
<b>Total</b>	<b>8,043,138</b>	<b>8,716,869</b>	<b>9,105,194</b>

# Fiscal Year 2022 Request Summary by Appropriation

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**Supreme Court of the United States**  
*Salaries and Expenses*

	FY 2022 Request					
	Mandatory		Discretionary		Total	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
<b>FY 2021 Enacted Appropriation</b>	9	2,729	515	94,690	524	97,419
<b>Adjustments to Base</b>	-	34	2	2,811	2	2,845
<b>Program Increases</b>	-	-	-	-	-	-
<b>FY 2022 Appropriation Request</b>	9	2,763	517	97,501	526	100,265

The U.S. Supreme Court requests \$100.3 million (\$2.8 million for mandatory expenses and \$97.5 million for discretionary expenses) in FY 2022 for the Salaries and Expenses account.

The \$97.5 million request for discretionary appropriations represents a \$2.8 million increase over the FY 2021 enacted discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services. The Court requests no program increases for FY 2022.

**I. Mandatory Adjustments to Base**

The FY 2022 request includes \$34,000 for standard pay increases and changes in benefits for the Chief Justice and the Associate Justices.

**II. Discretionary Adjustments to Base**

The Supreme Court requests a \$2.8 million increase for discretionary expenses for standard pay and other inflationary adjustments to maintain current services in FY 2022.

**III. 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, [~~\$94,690,000~~]*\$97,501,000*, of which \$1,500,000 shall remain available until expended.

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

(P.L. 116-260 - Financial Services and General Government Appropriations Act, 2021)

#### IV. Summary of Obligations

<b>U.S. Supreme Court - Salaries and Expenses</b>			
<b>Comparative Summary of Obligations by Category</b>			
<b>(\$000)</b>			
<b>Category</b>	<b>FY 2020 Actual</b>	<b>FY 2021 Assumed</b>	<b>FY 2022 Request</b>
Compensation and Benefits	68,554	73,866	76,179
Rent, Communications and Utilities	1,214	1,282	1,313
Travel	579	1,392	1,420
Other	18,333	20,879	21,353
<b>Total Obligations</b>	<b>88,680</b>	<b>97,419</b>	<b>100,265</b>
Other Adjustments	2,199	-	-
<b>Available Appropriation</b>	<b>90,879</b>	<b>97,419</b>	<b>100,265</b>
Mandatory Appropriation	2,680	2,729	2,763
Discretionary Appropriation	87,699	94,690	97,501
CARES Act Supplemental Appropriation	500	-	-



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

<b>FY 2022 Request</b>		
	<b>Discretionary</b>	
	<b>FTE</b>	<b>(\$000)</b>
<b>FY 2021 Enacted Appropriation</b>	<b>54</b>	<b>10,618</b>
<b>Adjustments to Base</b>	<b>(4)</b>	<b>(309)</b>
<b>Program Increases</b>	<b>-</b>	<b>-</b>
<b>FY 2022 Appropriation Request</b>	<b>50</b>	<b>10,309</b>

The U.S. Supreme Court requests \$10.3 million for its Care of the Building and Grounds account in FY 2022, a decrease of 2.9 percent from the FY 2021 enacted appropriation.

The Architect of the Capitol provides for the structural and mechanical care of the U.S. 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. The Court requests no program increases for FY 2022.

**I. Discretionary Adjustments to Base**

The Supreme Court requests a net decrease of \$0.3 million. The request consists of a net increase of \$0.2 million for standard pay and other inflationary adjustments as well as a decrease of \$0.5 million associated with reduced staffing requirements.

**II. Appropriations Language**

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

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, [\$10,618,000]*\$10,309,000*, to remain available until expended.

(P.L. 116-260 - Financial Services and General Government Appropriations Act, 2021)

### III. Summary of Obligations

<b>U.S. Supreme Court - Care of the Building and Grounds</b>			
<b>Comparative Summary of Obligations by Category</b>			
<b>(\$000)</b>			
<b>Category</b>	<b>FY 2020 Actual</b>	<b>FY 2021 Assumed</b>	<b>FY 2022 Request</b>
Compensation and Benefits	5,685	5,825	6,193
Rent, Communications and Utilities	1,574	2,650	2,650
Travel	4	4	4
Other	6,281	7,730	8,962
<b>Total Direct Obligations</b>	<b>13,544</b>	<b>16,209</b>	<b>17,809</b>
Other Adjustments	2,046	(5,591)	(7,500)
<b>Available Appropriation</b>	<b>15,590</b>	<b>10,618</b>	<b>10,309</b>



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

	FY 2022 Request					
	Mandatory		Discretionary		Total	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
<b>FY 2021 Enacted Appropriation</b>	12	3,168	140	33,500	152	36,668
<b>Adjustments to Base</b>	-	48	-	280	-	328
<b>Program Increases</b>	-	-	-	500	-	500
<b>FY 2022 Appropriation Request</b>	12	3,216	140	34,280	152	37,496

The Court of Appeals for the Federal Circuit requests \$37.5 million (\$3.2 million for mandatory expenses and \$34.3 million for discretionary expenses) for FY 2022.

The \$34.3 million request for discretionary appropriations represents a 2.3 percent increase over the FY 2021 enacted discretionary appropriation. This request includes the necessary adjustments to base to maintain current services and a program increase required for an essential upgrade of court security equipment.

**I. Mandatory Adjustments to Base**

The FY 2022 request includes \$48,000 for standard pay and benefits increases for judges.

**II. Discretionary Adjustments to Base**

The Court requests an increase of \$1.1 million for standard pay and other inflationary adjustments as well as a decrease of \$0.8 million associated with a GSA rent credit adjustment for a commercial off-site space lease.

**III. Program Changes**

The Court requests an increase of \$0.5 million to upgrade courthouse security equipment at the Howard T. Markey National Courts Building.

#### IV. Appropriations Language

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

For salaries of officers and employees, and for necessary expenses of the court, as authorized by law, [~~\$33,500,000~~]*\$34,280,000*.

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.

(P.L. 116-260 - Financial Services and General Government Appropriations Act, 2021)

#### V. Summary of Obligations

<b>United States Court of Appeals for the Federal Circuit Comparative Summary of Obligations by Category (\$000)</b>			
<b>Category</b>	<b>FY 2020 Actual</b>	<b>FY 2021 Assumed</b>	<b>FY 2022 Request</b>
Compensation and Benefits	21,560	23,815	24,312
Rent, Communications and Utilities	6,580	6,644	6,836
Travel	24	75	100
Other	6,740	6,134	6,248
<b>Total Obligations</b>	<b>34,904</b>	<b>36,668</b>	<b>37,496</b>
Other Adjustments	913	-	-
<b>Available Appropriation</b>	<b>35,817</b>	<b>36,668</b>	<b>37,496</b>
Mandatory Appropriation	3,117	3,168	3,216
Discretionary Appropriation	32,700	33,500	34,280



**United States Court of International Trade**  
*Salaries and Expenses*

	<b>FY 2022 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 2021 Enacted Appropriation</b>	<b>9</b>	<b>2,083</b>	<b>68</b>	<b>20,000</b>	<b>77</b>	<b>22,083</b>
<b>Adjustments to Base</b>	-	<b>89</b>	-	<b>675</b>	-	<b>764</b>
<b>Program Increases</b>	-	-	-	-	-	-
<b>FY 2022 Appropriation Request</b>	<b>9</b>	<b>2,172</b>	<b>68</b>	<b>20,675</b>	<b>77</b>	<b>22,847</b>

The Court of International Trade requests \$22.8 million (\$2.2 million for mandatory expenses and \$20.7 million for discretionary expenses) in FY 2022.

The \$20.7 million request for discretionary appropriations represents a 3.4 percent increase over the FY 2021 enacted discretionary appropriation. This request reflects the necessary adjustments to base to maintain current services. The Court requests no program increases for FY 2022.

**I. Mandatory Adjustments to Base**

The FY 2022 request includes \$89,000 for standard pay and benefits increases for judges.

**II. Discretionary Adjustments to Base**

The FY 2022 request includes an increase of \$0.7 million for standard pay, other inflationary, and other court operating expense increases.

**III. Appropriations Language**

**United States Court of International Trade**  
**Salaries and Expenses**

For salaries of officers and employees of the court, services, and necessary expenses of the court, as authorized by law, [\$20,000,000]\$20,675,000.

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.

(P.L. 116-260 - Financial Services and General Government Appropriations Act, 2021)

#### IV. Summary of Obligations

<b>United States Court of International Trade</b> <b>Comparative Summary of Obligations by Category</b> <b>(\$000)</b>			
<b>Category</b>	<b>FY 2020 Actual</b>	<b>FY 2021 Assumed</b>	<b>FY 2022 Request</b>
Compensation and Benefits	9,554	11,413	11,750
Rent, Communications and Utilities	8,177	8,908	9,114
Travel	94	126	129
Other	3,199	1,636	1,854
<b>Total Obligations</b>	<b>21,024</b>	<b>22,083</b>	<b>22,847</b>
Other Adjustments	154	-	-
<b>Available Appropriation</b>	<b>21,178</b>	<b>22,083</b>	<b>22,847</b>
Mandatory Appropriation	1,614	2,083	2,172
Discretionary Appropriation	19,564	20,000	20,675



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

FY 2022 Request						
	Mandatory		Discretionary		Total	
	FTE	(\$000)	FTE	(\$000)	FTE	(\$000)
FY 2021 Salaries and Expenses Enacted Appropriation	1,851	463,271	26,157	5,393,701	28,008	5,856,972
Vaccine Injury Compensation Trust Fund Enacted Appropriation	-	-	-	9,900	-	9,900
<b>Total, FY 2021 Enacted Appropriation</b>	<b>1,851</b>	<b>463,271</b>	<b>26,157</b>	<b>5,403,601</b>	<b>28,008</b>	<b>5,866,872</b>
Adjustments to Base	26	12,512	130	237,937	156	250,449
Adjustments to Base - Vaccine Injury Compensation Trust Fund	-	-	-	265	-	265
<b>Total, Adjustments to Base</b>	<b>26</b>	<b>12,512</b>	<b>130</b>	<b>238,202</b>	<b>156</b>	<b>250,714</b>
Program Changes	-	-	102	19,741	102	19,741
<b>Total, Program Changes</b>	<b>-</b>	<b>-</b>	<b>102</b>	<b>19,741</b>	<b>102</b>	<b>19,741</b>
FY 2022 Salaries and Expenses Appropriation	1,877	475,783	26,389	5,651,379	28,266	6,127,162
Vaccine Injury Compensation Trust Fund Appropriation	-	-	-	10,165	-	10,165
<b>Total, FY 2022 Appropriation Request</b>	<b>1,877</b>	<b>475,783</b>	<b>26,389</b>	<b>5,661,544</b>	<b>28,266</b>	<b>6,137,327</b>

The judiciary requests \$6,137.3 million for the Salaries and Expenses account in FY 2022, including \$475.8 million for mandatory expenses; \$5,651.4 million for discretionary expenses; and \$10.2 million for the Vaccine Injury Compensation Trust Fund. The FY 2022 total discretionary request of \$5,661.5 million is a 4.8 percent increase over the FY 2021 enacted discretionary appropriation.

The request maintains base funding for operations of the courts and related offices at a current services level, as well as program changes for six new full-time and one part-time magistrate judges and associated support staff, changes in court support staff due to workload estimates, additional temporary bankruptcy law clerks, and the enterprise license renewal for the judiciary internet firewall service.

This account provides for the operating expenses of the 12 regional circuit courts of appeals, district courts, bankruptcy courts, and probation and pretrial services offices. This account utilizes other funding sources, including fee collections and prior year carryforward balances, to offset appropriated funds. The judiciary currently projects that these sources of non-appropriated funds will total \$374.7 million in FY 2022, \$8.9 million more than the FY 2021 estimated level of \$365.7 million.

## **I. Mandatory Adjustments to Base**

The FY 2022 request includes \$12.5 million for mandatory increases for Article III, senior, and bankruptcy judges as follows:

**1. Pay and benefit cost adjustment for Article III, senior, and bankruptcy judges: \$6.0 million**

An increase of \$6.0 million will provide for expected changes in pay and benefits for Article III, senior, and bankruptcy judges, including the annualization of the January 2021 pay adjustment and an assumed January 2022 pay adjustment. Of the \$6.0 million, \$0.6 million is requested for the increase to the agency contribution rate for bankruptcy judges to the Federal Employees Retirement System, which will increase from 17.3 percent to 18.4 percent for most judges.

**2. Increase in average number of filled Article III judgeships: \$2.6 million and 10 FTE**

An increase of \$2.6 million will provide for an additional 10 filled Article III judgeship FTEs anticipated in FY 2022, based on a projected 45 confirmations in FY 2022, partially offset by active judges projected to take senior status or retire.

**3. Increase in average number of senior judges: \$0.8 million and 3 FTE**

An increase of \$0.8 million will provide for an additional 3 senior judges anticipated in FY 2022.

**4. Increase in average number of bankruptcy judgeships: \$3.1 million and 13 FTE**

An increase of \$3.1 million will provide for an additional 13 filled bankruptcy judgeship anticipated in FY 2022.

## **II. Discretionary Adjustments to Base**

The FY 2022 request includes a net increase of \$238.2 million for discretionary adjustments to base. This consists of \$136.1 million for standard pay and other inflationary increases; a net increase of \$82.0 million for space-related adjustments; and a net increase of \$29.0 million for information technology requirements. This is partially offset by a decrease of \$8.9 million due to an anticipated increase in non-appropriated funds.

**1. Pay and benefit cost adjustment for magistrate and claims court judges: \$3.1 million**

An increase of \$3.1 million will provide for expected changes in pay and benefits for magistrate and claims judges including the annualization of the January 2021 pay adjustment and an assumed January 2022 pay adjustment. Of this amount, \$1.2 million is

requested for the increase in the agency contribution rate to the Federal Employees Retirement System.

**2. *Increase in the number of filled Article III judges' staff: \$6.7 million and 60 FTE***

An increase of \$6.7 million will provide for an additional 60 staff FTE to support the additional 10 filled Article III judgeships anticipated in FY 2022 (noted above in the mandatory adjustments to base section).

**3. *Increase in the number of senior judges' staff: \$1.3 million and 13 FTE***

An increase of \$1.3 million will provide for an additional 13 staff FTE to support the 3 additional senior judges anticipated in FY 2022 (noted above in the mandatory adjustments to base section).

**4. *Increase in average number of filled bankruptcy judgeships: \$4.6 million and 40 FTE***

An increase of \$4.6 million will provide for an additional 40 staff FTE to support the 13 additional filled bankruptcy judgeships anticipated in FY 2022 (noted above in the mandatory adjustments to base section).

**5. *Pay and benefit adjustments for court personnel: \$93.1 million***

An increase of \$93.1 million will provide for the annualization of the January 2021 pay adjustment, assumed January 2022 pay adjustment, within-grade increases, and changes in benefits rates. Of this amount, \$26.8 million is requested for the increase in the agency contribution rate to the Federal Employees Retirement System, which will increase from 17.3 percent to 18.4 percent for most employees.

**6. *Funding necessary to maintain FY 2021 current service levels due to an anticipated increase in non-appropriated funds: (\$8.9 million)***

In FY 2021, \$365.7 million in estimated non-appropriated funds were available to finance FY 2021 requirements. In FY 2022, the judiciary expects \$374.7 million in non-appropriated funds to be available, which is a net increase of \$8.9 million from FY 2021. Therefore, the judiciary requests a decrease of \$8.9 million in appropriations due to a higher amount of anticipated non-appropriated funds.

**7. *Non-pay inflationary and contractual increases: \$25.1 million***

An increase of \$25.1 million is requested for a 2.0 percent general inflationary increase and other contractual and miscellaneous increases.

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

The FY 2022 level reflects an increase of \$0.3 million for standard pay and non-pay inflationary adjustments for the Vaccine Injury program.

**9. GSA space rental and related expenses: net \$82.0 million**

The FY 2022 request includes a net increase of \$82.0 million for General Services Administration (GSA) space rental and related expenses consisting of:

- new space to be delivered in FY 2022 (+\$7.3 million),
- adjustments (4.0 percent) to the GSA space rental base costs, based on inflationary increases to GSA rent estimates and higher costs associated with enhanced cleaning services GSA is providing federal tenants due to the COVID-19 pandemic (+\$38.2 million),
- other space-related adjustments (+\$38.6 million), including annualization of new space delivered in FY 2021 and an increase for chambers and courtrooms for new judges; and
- savings associated with the space reduction program (-\$2.0 million).

**10. Information technology (IT) requirements: net \$29.0 million**

The FY 2022 request includes a net increase of \$29.0 million consisting of:

- funding to restore FY 2021 reductions to base operations and maintenance requirements and support the continued implementation of ongoing IT projects (+\$29.5 million) and
- contractor insourcing savings (-\$0.5 million).

**11. Annualization of staff funded in FY 2021 related to *McGirt* decision: \$1.8 million and 17 FTE**

The FY 2022 request includes an increase of \$1.8 million and 17 FTE to address workload associated with the Supreme Court's decision in *McGirt v. Oklahoma*, including staffing for district court clerks' offices and probation and pretrial services offices in the three Oklahoma judicial districts.

### III. Program Changes

The FY 2022 request includes an increase of \$19.7 million for program changes. These changes include:

**1. New FY 2022 full-time magistrate judges and staff: \$3.0 million and 23 FTE**

The judiciary requests an additional \$3.0 million for 6 additional full-time and 1 part-time magistrate judge positions (5.5 FTE), 21 support staff (17.5 FTE), and associated operating costs for the following locations:

- District of New Jersey at Camden
- Southern District of Texas at Corpus Christi
- Southern District of Indiana at Indianapolis
- District of South Dakota (conversion of the part-time position at Pierre to full-time)
- Western District of Texas at Waco
- District of Utah (conversion of the part-time position at St. George to full-time)
- District of Columbia (part-time)

**2. FY 2022 court support staffing due to workload changes: \$7.2 million and 74 FTE**

The judiciary requests an increase of \$7.2 million for 148 new court support staff (74 FTE) in appellate, bankruptcy, district, and probation and pretrial services offices in FY 2022 based on projected changes in workload.

Court Support Staffing		
Program	Fiscal Year 2022 FTE	Dollars in Thousands
Appellate	6	\$702
Bankruptcy	(8)	(678)
District	44	3,793
Probation/Pretrial	32	3,358
<b>Total</b>	<b>74</b>	<b>\$7,175</b>

**3. Temporary bankruptcy law clerk program: \$0.5 million and 5 FTE**

The request reflects an increase of \$0.5 million for the temporary bankruptcy law clerk program in FY 2022. This increase will allow certain bankruptcy courts to hire temporary law clerks to assist with the anticipated increase in bankruptcy filings over the next 6 to 18 months as a result of the economic impact of the COVID-19 pandemic and

to supplement resources available to districts facing specialized, complex cases or other workload challenges.

**4. Judiciary internet firewall service: \$9.1 million**

The request reflects an increase of \$9.1 million for a 3-year enterprise license renewal of the judiciary internet firewall service.

**IV. Appropriations Language**

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

For the salaries of judges of the United States Court of Federal Claims, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, necessary expenses of the courts, and the purchase, rental, repair, and cleaning of uniforms for Probation and Pretrial Services Office staff, as authorized by law, [\$5,393,701,000] \$5,651,379,000 (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.

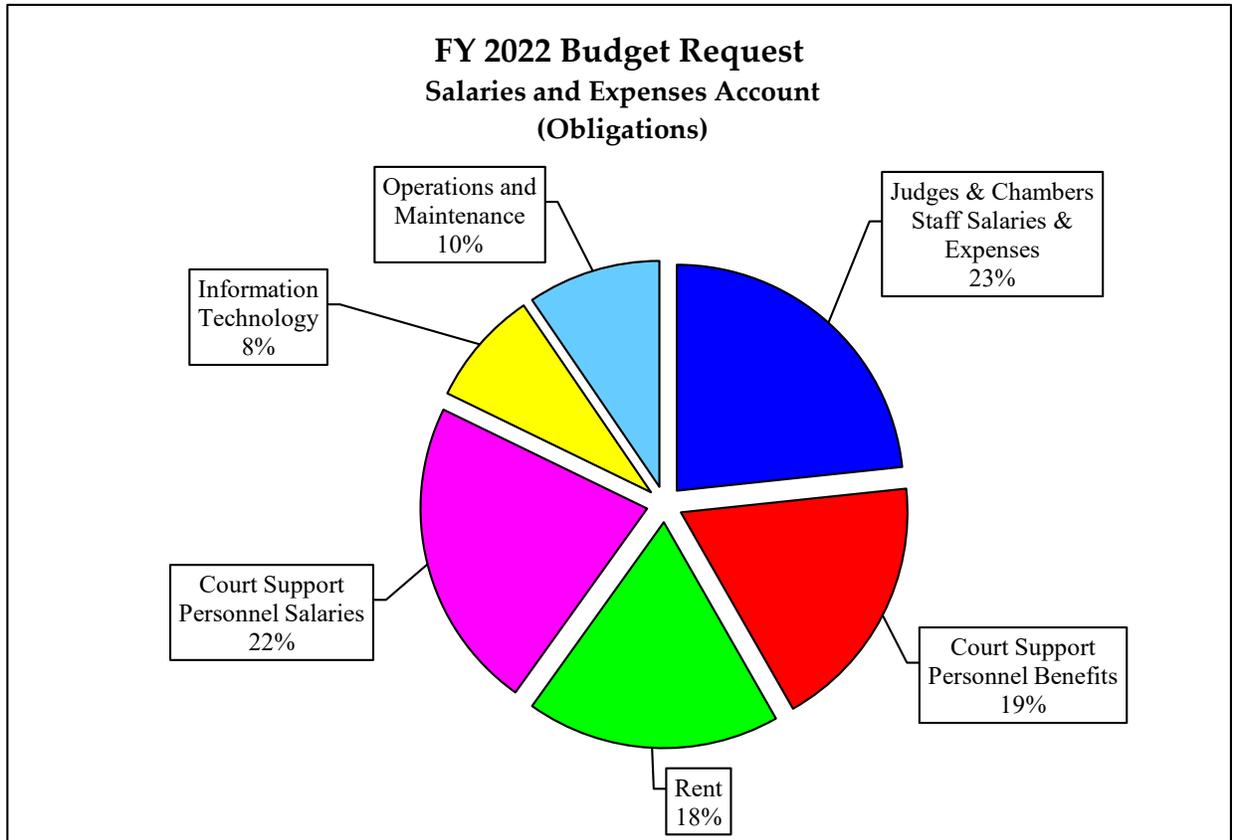
In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99-660), not to exceed [\$9,900,000] \$10,165,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

(P.L. 116-260 - Financial Services and General Government Appropriations Act, 2021)

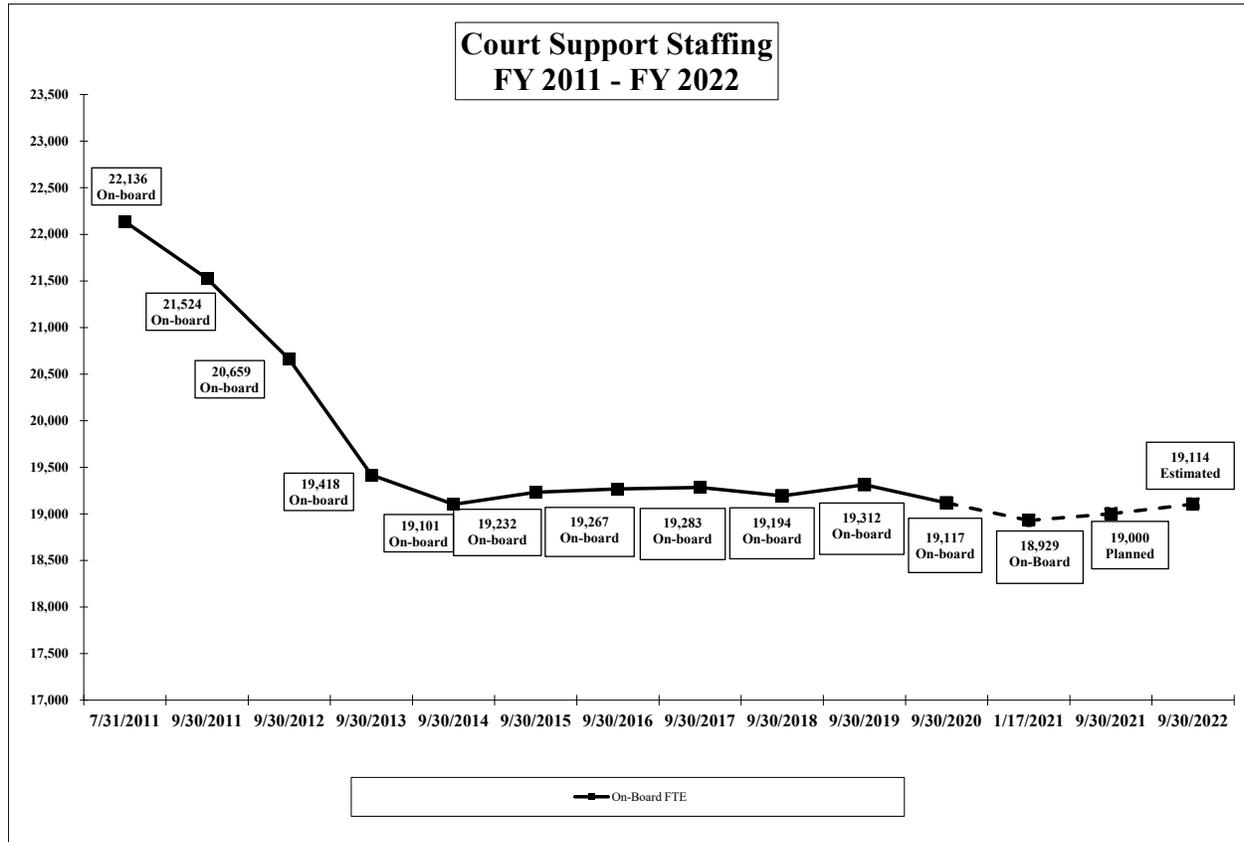
**V. Summary of Obligations**

<b>Courts of Appeals, District Courts and Other Judicial Services Salaries and Expenses Comparative Summary of Obligations by Category (\$000)</b>			
<b>Category</b>	<b>FY 2020 Actual</b>	<b>FY 2021 Assumed</b>	<b>FY 2022 Request</b>
Compensation and Benefits	3,862,588	4,048,450	4,185,097
Rent, Communications and Utilities	1,192,383	1,239,895	1,346,781
Travel	29,182	40,255	42,211
Other	851,464	1,072,504	937,899
<b>Total Obligations</b>	<b>5,935,617</b>	<b>6,401,104</b>	<b>6,511,988</b>
Other Adjustments	(241,567)	(544,132)	(384,826)
<b>Available Appropriation (Direct)</b>	<b>5,694,050</b>	<b>5,856,972</b>	<b>6,127,162</b>
<b>Vaccine Injury Compensation Trust Fund</b>	<b>9,070</b>	<b>9,900</b>	<b>10,165</b>
<b>Total Available Appropriation</b>	<b>5,703,120</b>	<b>5,866,872</b>	<b>6,137,327</b>
Mandatory Appropriation	437,816	463,271	475,783
Discretionary Appropriation - Salaries and Expenses Direct	5,250,234	5,393,701	5,651,379
Discretionary Appropriation - Vaccine Injury Compensation Trust Fund	9,070	9,900	10,165
CARES Act Supplemental Appropriation	6,000	-	-

**VI. Budget Request by Category**



## VII. Court Support Staffing



## VIII. Judiciary Workload Factors

WORKLOAD FACTOR *	Actual 2014	Actual 2015	Actual 2016	Actual 2017	Actual 2018	Actual 2019	Actual 2020	Projected 2021
Criminal Filings	64,027	60,866	61,021	58,121	67,257	73,012	64,853	67,400
Year-to-Year Change:	-8.1%	-4.9%	0.3%	-4.8%	15.7%	8.6%	-11.2%	3.9%
Criminal Defendants Filed	84,017	79,154	79,968	75,235	84,828	90,541	79,122	81,600
Year-to-Year Change:	-8.5%	-5.8%	1.0%	-5.9%	12.8%	6.7%	-12.6%	3.1%
Civil Filings **	298,713	280,037	290,430	271,721	281,202	293,520	421,082	354,000
Year-to-Year Change:	5.5%	-6.3%	3.7%	-6.4%	3.5%	4.4%	43.5%	-15.9%
Appellate Filings	55,260	53,032	60,099	52,028	49,220	47,783	49,044	49,900
Year-to-Year Change:	-2.0%	-4.0%	13.3%	-13.4%	-5.4%	-2.9%	2.6%	1.7%
Bankruptcy Filings	1,000,083	879,736	819,159	796,037	775,578	773,361	682,363	708,400
Year-to-Year Change:	-12.1%	-12.0%	-6.9%	-2.8%	-2.6%	-0.3%	-11.8%	3.8%
Pretrial Services: Cases Activated	98,122	90,588	88,140	82,265	90,951	98,627	83,839	78,500
Year-to-Year Change:	-4.2%	-7.7%	-2.7%	-6.7%	10.6%	8.4%	-15.0%	-6.4%
Pretrial Services: Persons Under Supervision	50,261	46,968	45,623	43,998	43,997	46,539	46,646	43,700
Year-to-Year Change:	-5.2%	-6.6%	-2.9%	-3.6%	0.0%	5.8%	0.2%	-6.3%
Probation Presentence Reports	69,453	62,346	59,562	60,669	60,498	66,622	68,974	66,200
Year-to-Year Change:	-2.0%	-10.2%	-4.5%	1.9%	-0.3%	10.1%	3.5%	-4.0%
Probation Persons Under Supervision	132,597	133,428	137,882	135,947	131,036	128,649	127,680	128,700
Year-to-Year Change:	0.2%	0.6%	3.3%	-1.4%	-3.6%	-1.8%	-0.8%	0.8%

\* Both actual and projected workload factors are for 12-month periods ending June 30 each year.

\*\* The actual FY 20 civil filings include filings related to the multidistrict litigation (MDL) Case 2885 (In RE: 3M Combat Arms Earplug Products Liability Litigation) in the Northern District of Florida.

## IX. Other Sources of Funding for the Judiciary

### Explanation of Other Funding Sources

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

### “Unencumbered” Funds

In addition to fee collections, in certain instances the judiciary may carry funds forward from one year to the next. These carryforward funds are considered “unencumbered” when they are generated by savings in the financial plan where budgeted costs did not materialize, such as slower than expected hiring or space delivery dates. These savings are usually unforeseen and uncontrollable by the judiciary.

Recognizing that savings in the financial plan tend to occur each year, but at unpredictable levels, the judiciary has tried to estimate the level of unencumbered funds that will be available to offset FY 2022 requirements. As the table below indicates, the judiciary has estimated that unencumbered funds will total \$374.7 million in FY 2022, including \$224.7 million in new fee collections and \$150.0 million in other unencumbered carryforward. This level of unencumbered funds represents a net increase of \$8.9 million from the \$365.7 million estimated in FY 2021 to help finance court operations. The judiciary requests a decrease of \$8.9 million in appropriations due to a higher amount of anticipated non-appropriated funds.

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 2021.

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

<b>Dollars in Thousands</b>	<b>FY 2021 Plan</b>	<b>FY 2022 Request</b>	<b>Difference</b>
Fee Collections	182,761	224,661	41,900
Other Carryforward	182,981	150,000	(32,981)
<b>Total, Non-Appropriated Sources of Funding, Excluding Encumbered</b>	<b>365,742</b>	<b>374,661</b>	<b>8,919</b>

### ***“Encumbered” Funds***

Carryforward funds are considered “encumbered” when both the funds and the associated need for the funds shift, or slip, to the next year. The judiciary has no-year authority for specific purposes for multi-year IT investments and new space-related requirements. Further, in some cases, similar to unencumbered funds described above, carryforward of fee balances from the prior year includes savings where planned expenses did not occur. This authority is used when planned expenses are delayed, or slipped, from one year to the next. In FY 2021, \$168.5 million of financing and requirements were slipped from FY 2020.

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



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

<b>FY 2022 Request</b>		
	<b>Discretionary</b>	
	<b>FTE</b>	<b>(\$000)</b>
<b>FY 2021 Enacted Appropriation</b>	<b>3,194</b>	<b>1,316,240</b>
<b>Adjustments to Base</b>	<b>102</b>	<b>67,990</b>
<b>Program Increases</b>	<b>103</b>	<b>25,361</b>
<b>FY 2022 Appropriation Request</b>	<b>3,399</b>	<b>1,409,591</b>

The judiciary requests \$1,409.6 million for Defender Services in FY 2022, a 7.1 percent increase over the FY 2021 enacted appropriation. This FY 2022 request reflects the necessary adjustments to base to maintain current services, as well as program increases for the continued implementation of the federal defender organization (FDO) staffing formula; additional positions for national information technology needs, the national Capital Resource Counsel Project, workload arising from the Supreme Court's decision in *McGirt v. Oklahoma*, a new Diversity Fellowship Program, and the reimbursable program; the FDO staffing reserve; and the anticipated establishment of new federal defender organization.

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

**I. Discretionary Adjustments to Base**

An increase of \$68.0 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 2022. These increases include:

**1. Pay and benefit adjustments: \$23.5 million**

An increase of \$23.5 million will provide for the annualization of the January 2021 pay adjustment (including inflationary panel rate adjustments), an assumed January 2022 pay adjustment (including inflationary panel rate adjustments), within-grade increases, and changes in benefits rates. Of this amount, \$5.4 million is requested for the increase in the agency contribution rate to the Federal Employees Retirement System.

**2. Other inflationary increases: \$7.8 million**

An increase of \$7.8 million is required for inflationary adjustments for non-pay categories, including space rental costs.

**3. Change in projected panel attorney workload: \$9.9 million**

The requested increase represents the costs associated with a change in panel attorney caseload. Panel attorney representations are projected to be 92,600 in statistical year (SY) 2022. This is an increase of 17,500 above the assumed SY 2021 panel caseload of 75,100 representations.

**4. Annualization of FY 2021 positions: \$25.8 million and 102 FTE**

Funding is required to annualize FY 2021 positions consisting of 162 federal public defender organization (FPDO) positions (81 FTE); 44 community defender organization (CDO) positions; 10 FPDO panel management positions (5 FTE); 3 CDO panel management positions; 26 positions (13 FTE) related to the Supreme Court's decision in *McGirt v. Oklahoma*, 5 national positions (3 FTE); and 8 reimbursable positions that will support the Defender Services Office.

**5. Increase in appropriations needed to fund current services: \$1.0 million**

In FY 2021, \$21.0 million in balances from FY 2020 and prior years will be available to finance requirements. In FY 2022, the judiciary expects \$20.0 million in non-appropriated funds to be available, a decrease of \$1.0 million from FY 2021. Because the judiciary anticipates having \$1.0 million less in carryforward funding available in FY 2022, it requests \$1.0 million in funding to substitute direct appropriations for base expenses previously funded from carryforward balances.

## **II. Program Increases**

The FY 2022 request includes \$25.4 million for program increases. These increases include:

**1. Change in projected FDO workload: \$12.4 million and 47 FTE**

The FY 2022 request includes an increase of \$12.4 million and 47 FTE for 118 additional FDO staff funded for six months (94 FPDO positions/47 FTE and 24 CDO positions) for the continued implementation of the FDO staffing formula. The additional staff would allow authorized staffing levels to reach 98 percent of formula requirements.

**2. National positions: \$1.1 million and 5 FTE**

The requested increase supports 10 national positions (5 FTE). Of the 10 positions, 7 positions (3.5 FTE) are related to IT and are necessary to ensure that Defender IT systems

are secure and mission capable. The other 3 positions (1.5 FTE) will support the Capital Resource Counsel Project.

**3. *McGirt v. Oklahoma positions: \$3.4 million and 16 FTE***

The requested increase supports 32 positions (16 FTE) to address the increase in caseload resulting from the Supreme Court's decision in *McGirt v. Oklahoma*.

**4. *Diversity Fellowship Program positions: \$1.5 million and 7 FTE***

The requested increase supports 14 positions (7 FTE) to establish a Diversity Fellowship program with FDOs consisting of 2 capital fellows and 12 non-capital fellows. The program complies with all applicable equal employment opportunity laws, and eligibility to participate and selection are without regard to race, color, religion, age, gender, national origin, political affiliation, disability, sexual orientation, marital or family status, or other difference.

**5. *Reimbursable positions: \$0.7 million***

The requested increase supports 8 additional reimbursable positions for the AO's Defender Services Office. These positions will support higher workload demands associated with data management, financial analysis, legal and policy support, program operations, training, and implementation of CJA-related policies approved by the Judicial Conference.

**6. *FDO Staffing Reserve: \$6.0 million and 28.5 FTE***

The requested reserve will provide the Defender Services program with more flexibility to quickly allocate additional resources to FDOs in response to significant caseload pressures, including substantial and unexpected surges in workload due to changes in law and practice. Any additive FTEs allocated to address caseload surges would be temporary and only approved for that specific fiscal year. In FY 2022, the staffing flexibility afforded by the reserve may be used to address substantial increases in capital workload in the District of Arizona pursuant to a federal process known as "Opt-In."

**7. *Establishment of new federal defender organization: \$0.3 million***

The requested increase will support non-recurring start-up costs for one anticipated new organization. The requested start-up costs are for tenant alterations, furniture, equipment, and law books. The FY 2022 staffing costs are expected to be minimal and will be paid for by using existing resources. Once established, the FDO staffing formula will be used to determine staffing requirements.

### III. Appropriations Language

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

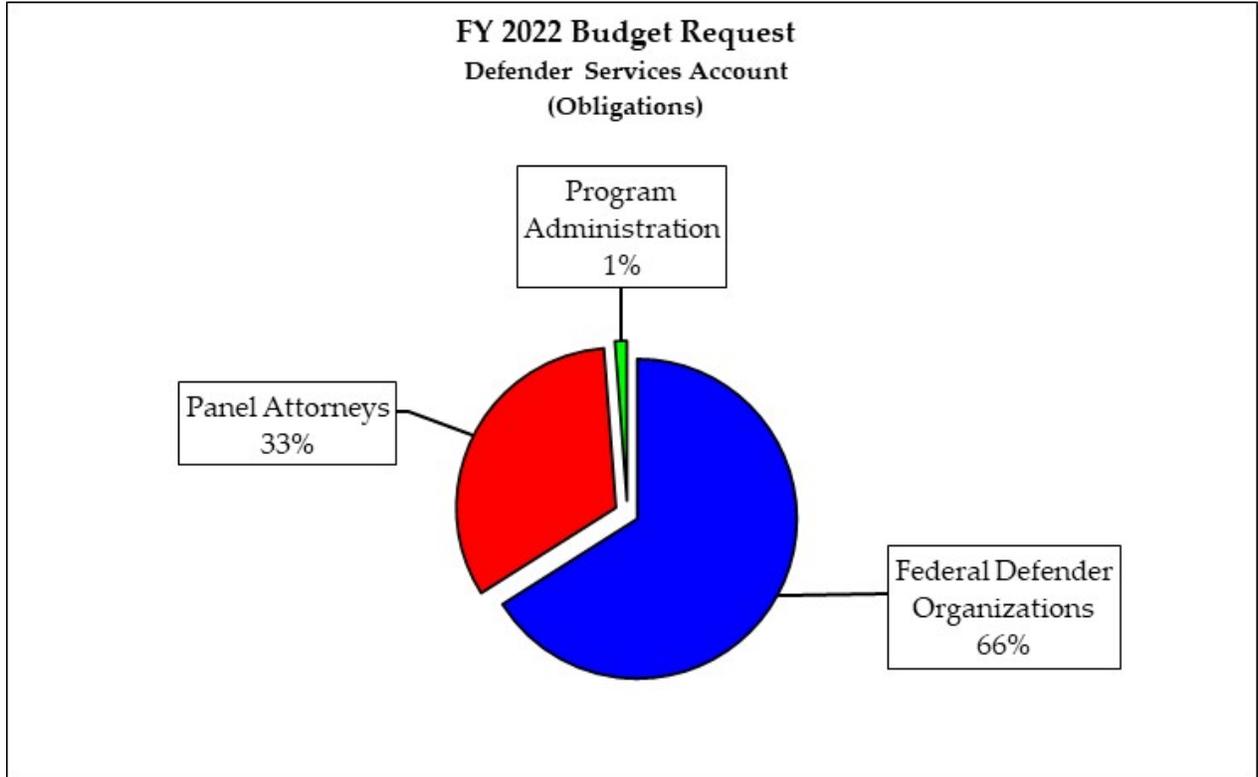
For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under 18 U.S.C. 3006A and 3599, and for the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services for such representations as authorized by law; the compensation (in accordance with the maximums under 18 U.S.C. 3006A) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d)(1); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; the compensation and reimbursement of travel expenses of guardians ad litem appointed under 18 U.S.C. 4100(b); and for necessary training and general administrative expenses, [\$1,316,240,000] \$1,409,591,000, to remain available until expended.

(P.L. 116-260 - Financial Services and General Government Appropriations Act, 2021)

### IV. Summary of Obligations

Courts of Appeals, District Courts and Other Judicial Services Defender Services Comparative Summary of Obligations by Category (\$000)			
Category	FY 2020 Actual	FY 2021 Assumed	FY 2022 Request
Compensation and Benefits	505,398	538,225	588,530
Rent, Communications and Utilities	52,841	57,730	61,674
Travel	7,112	15,139	15,787
Contractual Services (includes panel attorney payments)	505,471	518,973	541,657
Other (includes grants to Community Defender Organizations)	191,286	207,546	221,943
<b>Total Direct Obligations</b>	<b>1,262,108</b>	<b>1,337,613</b>	<b>1,429,591</b>
Encumbered Carryforward	(2,800)	(370)	-
<b>Total Obligations (Excluding Encumbered Carryforward)</b>	<b>1,259,308</b>	<b>1,337,243</b>	<b>1,429,591</b>
Other Adjustments	(23,734)	(21,003)	(20,000)
<b>Available Appropriation</b>	<b>1,235,574</b>	<b>1,316,240</b>	<b>1,409,591</b>
Discretionary Appropriation	1,234,574	1,316,240	1,409,591
CARES Act Supplemental Appropriation	1,000	-	-

**V. Budget Request by Category**



**VI. Defender Services Workload Factors**

Total Representations							
Workload Factor	2016 Actual	2017 Actual	2018 Actual	2019 Actual	2020 Actual	2021 Projected	2022 Projected
FDO weighted – non-capital representations	128,767	131,024	142,750	152,496	151,025	121,000	141,200
FDO weighted – capital prosecutions	1,104	2,752	2,101	1,174	1,019	1,700	1,700
<b>Total FDO weighted Representations<sup>1</sup></b>	<b>129,871</b>	<b>133,776</b>	<b>144,851</b>	<b>153,670</b>	<b>152,044</b>	<b>122,700</b>	<b>142,900</b>
Panel Attorneys	80,043	79,352	77,130	89,079	93,189	75,100	92,600
<b>Total Representations<sup>2</sup></b>	<b>209,914</b>	<b>213,128</b>	<b>221,981</b>	<b>242,749</b>	<b>245,233</b>	<b>197,800</b>	<b>235,500</b>
Year-to-Year Change		1.5%	4.2%	9.4%	1.0%	-19.3%	19.1%

<sup>1</sup> FDO caseload actuals and projections are based on raw cases converted to weighted cases.

<sup>2</sup> Statistical data are for a 12-month period through March 31 of each year.

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

<b>FY 2022 Request</b>	
	<b>Discretionary FTE      (\$000)</b>
<b>FY 2021 Enacted Appropriation</b>	- 32,517
<b>Adjustments to Base</b>	- 21,173
<b>Program Increases</b>	- -
<b>FY 2022 Appropriation Request</b>	- 53,690

The judiciary requests \$53.7 million for Fees of Jurors and Commissioners in FY 2022, a 65.1 percent increase over the FY 2021 enacted appropriation. The large appropriations increase over FY 2021 is an aberration and reflects the significant use of unobligated balances available from FY 2020, due to reduced juror activity related to the pandemic, to finance FY 2021 requirements. The FY 2022 request reflects the necessary adjustments to base to maintain current services, including \$21.0 million to replace the one-time carryforward balances with appropriated funds, and a \$0.2 million net increase for inflationary adjustments and changes in projected program requirements.

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

**I. Discretionary Adjustments to Base**

The FY 2022 request includes an increase of \$21.2 million in adjustments to base associated with inflationary adjustments, projected changes in juror days, and other adjustments to maintain current services. This will allow the account to continue to pay for the statutory fees and expenses of grand and petit jurors and compensation of land commissioners in FY 2022. These adjustments include:

***1. Inflationary adjustments: \$0.6 million***

In addition to attendance fees, jurors also are reimbursed for certain expenses, including meals and lodging for sequestered jurors and transportation of juries to view evidence or crime scenes. Inflationary increases associated with these expenses are expected to total \$0.3 million for grand jurors and \$0.4 million for petit jurors in FY 2022.

**2. Projected change in juror days: (\$0.4 million)**

Overall expenses for grand and petit jurors are expected to decrease by \$0.4 million in FY 2022 based on the projected number of available grand and petit jurors.

**3. Increase in appropriations needed to fund current services: \$21.0 million**

The FY 2021 financial plan for this account was financed in part by a historically large carryforward balances from FY 2020 due to the COVID-19 pandemic as well as some prior year recoveries. Therefore, the FY 2022 request includes \$21.0 million in appropriated funds to replace this funding. The Judiciary will advise Congress if any savings materialize in FY 2021 that may reduce FY 2022 appropriations requirements for this account.

**II. Appropriations Language**

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

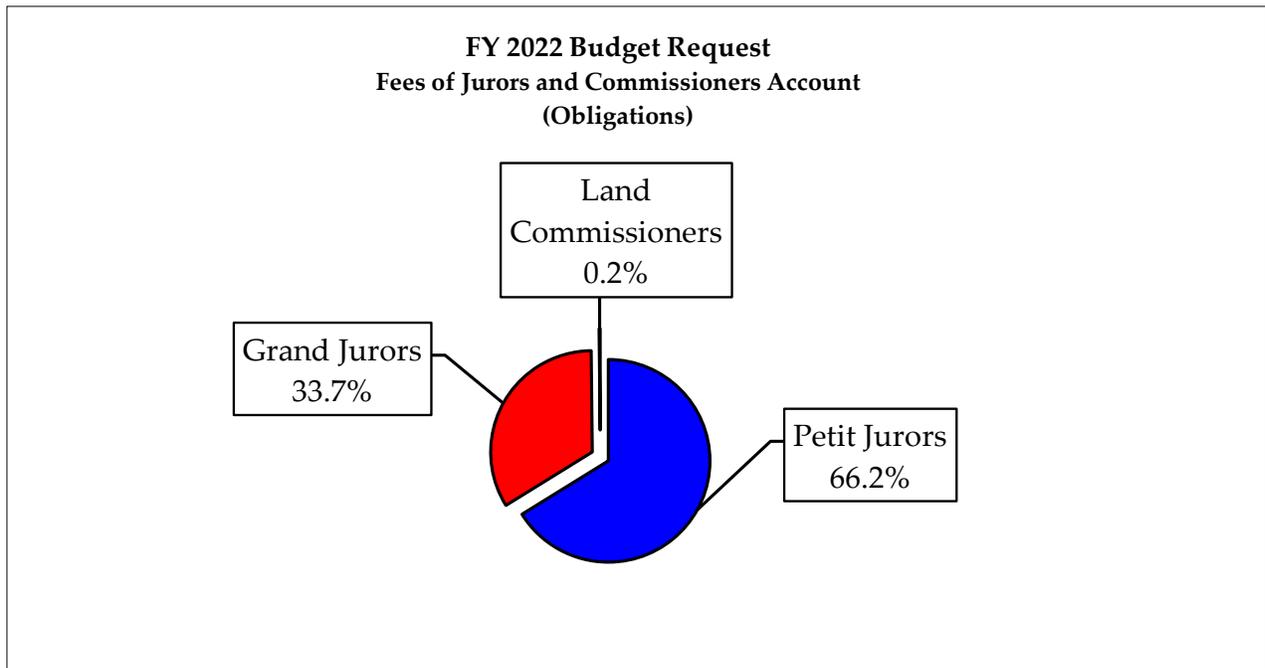
For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71.1(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71.1(h)), [\$32,517,000]\$53,690,000, 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.

(P.L. 116-260 - Financial Services and General Government Appropriations Act, 2021)

**III. Summary of Obligations**

<b>Courts of Appeals, District Courts and Other Judicial Services Fees of Jurors and Commissioners Comparative Summary of Obligations by Category (\$000)</b>			
<b>Category</b>	<b>FY 2020 Actual</b>	<b>FY 2021 Assumed</b>	<b>FY 2022 Request</b>
Compensation and Benefits	15,763	23,368	26,972
Rent, Communications and Utilities	1,880	2,825	2,881
Travel	13,527	23,321	23,929
Other	1,347	2,850	2,908
<b>Total Direct Obligations</b>	<b>32,517</b>	<b>52,364</b>	<b>56,690</b>
Other Adjustments	21,028	(19,847)	(3,000)
<b>Available Appropriation</b>	<b>53,545</b>	<b>32,517</b>	<b>53,690</b>

#### IV. Budget Request by Category



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

<b>FY 2022 Request</b>		
	<b>Discretionary</b>	
	<b>FTE</b>	<b>(\$000)</b>
<b>FY 2021 Enacted Appropriation</b>	<b>77</b>	<b>664,011</b>
<b>Adjustments to Base</b>	<b>2</b>	<b>6,027</b>
<b>Program Increases</b>	<b>5</b>	<b>12,102</b>
<b>FY 2022 Appropriation Request</b>	<b>84</b>	<b>682,140</b>

The judiciary requests \$682.1 million for Court Security in FY 2022, a 2.7 percent increase over the FY 2021 enacted appropriation. This FY 2022 request reflects the necessary adjustments to base to maintain current services. The request also includes program increases for the continued implementation of the physical access control systems (PACS) replacement strategy; security infrastructure and additional court security officers (CSOs) for new courthouses; the phased implementation of an equipment modernization and cyclical replacement strategy for video management systems (VMS) and staffing; the fifth year of the phased implementation of the revised CSO staffing standards; and additional U.S. Marshals Service (USMS) staff.

The majority of the funding in this account is transferred to the USMS, which is responsible for administering the Judicial Facility Security Program.

**I. Discretionary Adjustments to Base**

The Court Security request includes \$6.0 million for adjustments to base for pay and benefits, inflationary increases, and other adjustments to maintain current services in FY 2022. These adjustments include:

**1. Pay and benefits adjustments: \$0.3 million**

This includes an increase of \$0.3 million for January 2022 pay adjustments, annualization of January 2021 pay adjustments, within-grade increases, and changes in benefit rates for the 79 FTEs funded by this account.

**2. Annualization of CSO positions (31): \$1.2 million**

Funding is required to annualize costs for 31 additional CSO positions needed to staff new courthouse construction projects in FY 2021.

**3. Annualization of USMS positions: \$0.3 million and 2 FTE**

Funding is required to annualize costs for 4 new USMS positions (2 FTE) to support the equipment modernization and cyclical replacement strategy.

**4. FY 2022 CSO contract and wage rate adjustments: \$12.0 million**

This increase provides for an average 2.6 percent wage adjustment for contract CSOs, as established by the U.S. Department of Labor and based on collective bargaining agreements.

**5. Non-pay inflationary increase: \$26,000**

An increase of \$26,000 is requested for a 2.0 percent general inflationary increase for travel, supplies, equipment, and other contractual services (exclusive of CSO contracts).

**6. GSA space rental increase: \$0.3 million**

The request represents an inflationary increase and adjustments in the cost of GSA space rental charges for FY 2022.

**7. Changes in Federal Protective Service security charges: net (\$4.5 million)**

The requested net decrease of \$4.5 million will fund basic and building-specific security expenses based on anticipated billings from the Department of Homeland Security Federal Protective Service (FPS). The total request for FPS charges is \$79.8 million in FY 2022, which is a 5.3 percent decrease from the \$84.3 million projected for FY 2021. The decrease is attributable not to a reduction in security requirements but to a change in the FPS billing methodology.

(\$000)	FY 2021	FY 2022	Difference
Basic	29,712	24,401	(5,311)
Building-Specific	54,585	55,428	843
<b>Total FPS</b>	<b>84,297</b>	<b>79,829</b>	<b>(4,468)</b>

**8. Adjustments to base for security systems and equipment: net \$1.4 million**

The requested amount reflects a net increase of \$1.4 million in the court security systems and equipment acquisition plan (excluding proposed program increases). This increase is primarily for the nationwide vehicle barrier maintenance contract, other additional and replacement equipment, and perimeter security improvements. The increases are partially offset by a decrease for CSO radio-related costs.

**9. *Funding adjustment due to an increase in non-appropriated sources of funds: (\$5.0 million)***

In FY 2021, \$10 million in balances from FY 2020 and prior years will be available to finance FY 2021 requirements. In FY 2022, the judiciary expects \$15 million in non-appropriated funds to be available, an increase of \$5 million from FY 2021. Because the judiciary anticipates having \$5 million more in carryforward funding available in FY 2022, it requests \$5 million less in funding to maintain current services.

**II. Program Changes**

The FY 2022 request includes \$12.1 million for program increases. These increases include:

**1. *Physical access control systems (PACS) replacement strategy: \$5.0 million***

The FY 2022 request includes an additional \$5.0 million to implement the PACS replacement strategy, for a total of \$42.0 million to replace PACS at significant risk of failure. The judiciary's strategy is to seek increases in PACS funding by approximately \$5 million each year from FY 2019 to FY 2022 to replace old and failing building access systems at court facilities nationwide. The FY 2022 request represents the last year that the judiciary will seek a \$5.0 million increase. This approach should be sufficient to fund PACS upgrades and begin to refresh PACS on a 10-year cycle starting in FY 2024. The judiciary projects PACS upgrades in all 500 facilities will be completed by FY 2030.

**2. *New courthouse construction projects***

**a. *Security infrastructure for new courthouses: (\$0.8 million)***

In FY 2021, \$2.8 million is included for security systems requirements for new courthouse construction projects, but in FY 2022, only \$2.0 million is required for the courthouse project in Huntsville, Alabama. Thus, a decrease of \$0.8 million is associated with non-recurring security requirements in FY 2022.

**b. *Additional CSOs (8) for new courthouses: \$0.5 million***

The FY 2022 request includes \$0.5 million for an additional 8 CSO positions for new courthouses or annexes nearing completion in Harrisburg, Pennsylvania; Des Moines, Iowa; and Toledo, Ohio. These positions are needed to adequately staff new courthouse construction projects that are projected to be open in FY 2022 or early FY 2023.

**3. *Equipment modernization and cyclical replacement strategy***

***a. Video management systems (VMS): \$5.2 million***

The FY 2022 request includes an additional \$5.2 million for modernization and cyclical replacement of aging VMS. Building on the \$10.0 million approved in FY 2021, there will be \$15.3 million (with inflation) for VMS in FY 2022.

***b. Staffing: \$0.6 million and 2 FTE***

The FY 2022 request includes \$0.6 million for four new positions (2 FTE) at the USMS to support the equipment modernization and cyclical replacement strategy.

**4. *Phased implementation of the revised CSO staffing standards: \$1.3 million***

The FY 2022 request includes \$1.3 million for an additional 20.5 CSOs, including 2.5 CSOs for a special needs post in Hato Rey, Puerto Rico. With this request, the phased implementation of the revised CSO staffing standards will be 75 percent complete.

**5. *USMS positions: \$0.3 million and 3 FTE***

The judiciary requests \$0.3 million for five new USMS positions. This request consists of \$0.3 million for three positions at the CSO Applications and Qualifications branch, which would allow the USMS to better identify and mitigate security risks, conduct more robust compliance reviews, and increase the efficiency of the CSO onboarding process. In addition, the request includes two positions (but no additional funding) for the CSO radio communications program. The FY 2020 financial plan included two contractors to support the CSO radio communications program for \$0.3 million. However, due to the sensitive nature of the work, these positions need to be filled with permanent employees as opposed to contractors.

**III. Appropriations Language**

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

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702), [§664,011,000] \$682,140,000, of which not to

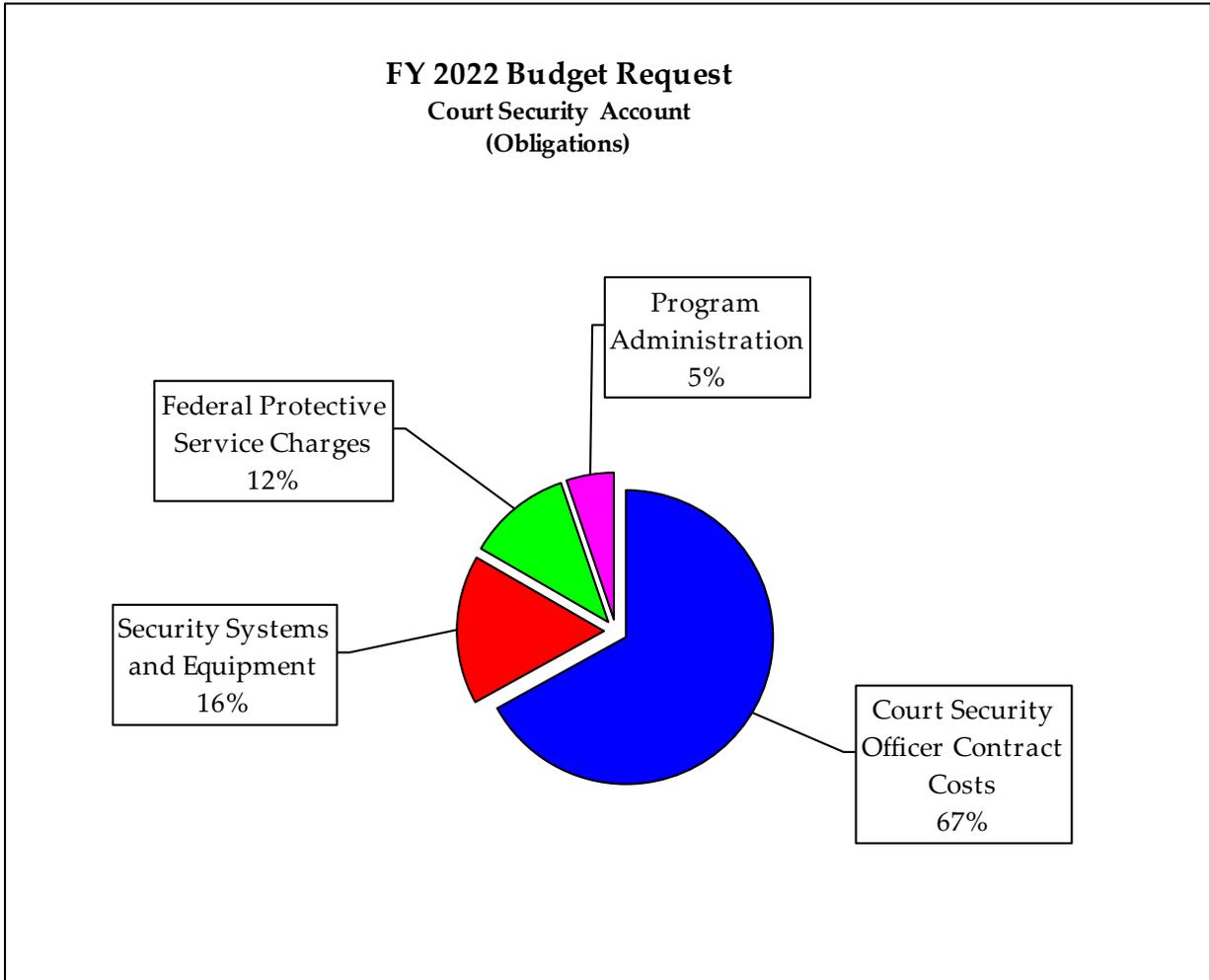
exceed \$20,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

(P.L 116-260 - Financial Services and General Government Appropriations Act, 2021)

**IV. Summary of Obligations**

<b>Courts of Appeals, District Courts and Other Judicial Services</b>			
<b>Court Security</b>			
<b>Comparative Summary of Obligations by Category</b>			
<b>(\$000)</b>			
<b>Category</b>	<b>FY 2020 Actual</b>	<b>FY 2021 Assumed</b>	<b>FY 2022 Request</b>
Compensation and Benefits	10,342	12,132	13,612
Rent, Communications and Utilities	7,685	8,976	9,140
Travel	975	626	626
Court Security Officers Contract	429,614	451,900	466,785
Federal Protective Service Charges	82,446	84,297	79,829
Other	100,866	132,176	127,148
<b>Total Direct Obligations</b>	<b>631,928</b>	<b>690,107</b>	<b>697,140</b>
Other Adjustments	7,237	(26,096)	(15,000)
<b>Available Appropriation</b>	<b>639,165</b>	<b>664,011</b>	<b>682,140</b>

**V. Budget Request by Category**





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

<b>FY 2022 Request</b>		
	<b>Discretionary</b>	
	<b>FTE</b>	<b>(\$000)</b>
<b>FY 2021 Enacted Appropriation</b>	<b>632</b>	<b>95,675</b>
<b>Adjustments to Base</b>	<b>8</b>	<b>3,964</b>
<b>Program Increases</b>	<b>4</b>	<b>703</b>
<b>FY 2022 Appropriation Request</b>	<b>643</b>	<b>100,342</b>

The Administrative Office of the U.S. Courts (AO) requests \$100.3 million in FY 2022, a 4.9 percent increase over the FY 2021 enacted appropriation. The FY 2022 request reflects the necessary adjustments to base to maintain current services and program increases to expand the Office of Compliance and Risk and strengthen procurement and contract management.

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 other services that are in direct support of the courts, the court security program, and defender services.

**I. Discretionary Adjustments to Base**

The AO requests \$4.0 million in adjustments to base in FY 2022 for standard pay and benefits, inflationary increases, and other adjustments to maintain current services in FY 2022.

**II. Program Increases**

The FY 2022 request includes \$0.7 million for program increases. These increases include:

**1. Establishment of Office of Compliance and Risk: \$0.1 million and 0.5 FTE**

The AO established a Compliance and Risk Officer in FY 2020 to assess risk across the agency and remediate critical findings from audits and reviews. A second position was funded in FY 2021 to focus on the oversight and monitoring of corrective actions. For FY 2022, a third position is requested to focus on risk management functions through the establishment of an enterprise risk management program based on GAO standards and industry best practices.

**2. Procurement and contract management improvements: \$0.6 million and 3 FTE**

The FY 2022 request includes \$0.6 million and 6 positions (3 FTE) to improve procurement and contract management processes at the AO. The request consists of 2 positions (1 FTE) for training and supporting contracting officer representatives, 2 positions (1 FTE) for improving requirements gathering and pre-award functions for complex contracts, and 2 positions (1 FTE) for improving the invoicing processes for complex contracts.

**III. Appropriations Language**

**Administrative Office of the United States Courts  
Salaries and Expenses**

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, [\$95,675,000] \$100,342,000, of which not to exceed \$8,500 is authorized for official reception and representation expenses.

(P.L. 116-260 - Financial Services and General Government Appropriations Act, 2021)

**IV. Summary of Obligations**

<b>Administrative Office of the U.S. Courts Comparative Summary of Obligations by Category (\$000)</b>			
<b>Category</b>	<b>FY 2020 Actual</b>	<b>FY 2021 Assumed</b>	<b>FY 2022 Request</b>
Compensation and Benefits	213,641	223,352	240,941
Rent, Communications and Utilities	574	659	679
Travel	597	456	470
Other	10,253	8,459	8,714
<b>Total Direct Obligations</b>	<b>225,065</b>	<b>232,926</b>	<b>250,804</b>
Other Adjustments	(23,770)	(19,250)	(19,719)
Reimbursable Program	(107,034)	(118,001)	(130,743)
<b>Available Appropriation</b>	<b>94,261</b>	<b>95,675</b>	<b>100,342</b>



**Federal Judicial Center**  
*Salaries and Expenses*

<b>FY 2022 Request</b>		
	<b>Discretionary</b>	
	<b>FTE</b>	<b>(\$000)</b>
<b>FY 2021 Enacted Appropriation</b>	<b>128</b>	<b>29,015</b>
<b>Adjustments to Base</b>	-	<b>749</b>
<b>Program Increases</b>	-	<b>2,100</b>
<b>FY 2022 Appropriation Request</b>	<b>128</b>	<b>31,864</b>

The Federal Judicial Center (FJC) requests \$31.9 million in FY 2022, a 9.8 percent increase over the FY 2021 enacted appropriation. This request reflects the necessary adjustments to base to maintain current services. The FJC reduced its FY 2021 appropriations request due to the impact of the COVID-19 pandemic on the FJC’s ability to safely conduct training programs for judges and judiciary staff. The FY 2022 request includes a program increase to resume these in-person training programs at a pre-pandemic level.

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 from the population of the courts.

**I. Discretionary Adjustments to Base**

The Federal Judicial Center requests \$0.7 million in adjustments to base for standard pay, benefit, and other inflationary adjustments.

**II. Program Increases**

The FJC anticipated no in-person programs could be safely delivered in the first two quarters in FY 2021 and reduced its FY 2021 funding requirements accordingly. The FY 2022 request includes \$2.1 million to resume in-person programs for judges and judiciary staff.

### III. Appropriations Language

#### Federal Judicial Center Salaries and Expenses

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, [2022]2023, 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.

(P.L. 116-260 - Financial Services and General Government Appropriations Act, 2021)

### IV. Summary of Obligations

<b>Federal Judicial Center</b>			
<b>Comparative Summary of Obligations by Category</b>			
<b>(\$000)</b>			
<b>Category</b>	<b>FY 2020 Actual</b>	<b>FY 2021 Assumed</b>	<b>FY 2022 Request</b>
Compensation and Benefits	21,785	22,447	23,061
Rent, Communications and Utilities	350	491	501
Travel	381	3,751	6,033
Other	4,977	2,566	2,619
<b>Total Direct Obligations</b>	<b>27,493</b>	<b>29,255</b>	<b>32,214</b>
Other Adjustments	2,943	(240)	(350)
<b>Available Appropriation</b>	<b>30,436</b>	<b>29,015</b>	<b>31,864</b>



**United States Sentencing Commission**  
*Salaries and Expenses*

<b>FY 2022 Request</b>		
	<b>Discretionary</b>	
	<b>FTE</b>	<b>(\$000)</b>
<b>FY 2021 Enacted Appropriation</b>	<b>95</b>	<b>19,965</b>
<b>Adjustments to Base</b>	<b>-</b>	<b>661</b>
<b>Program Increases</b>	<b>-</b>	<b>-</b>
<b>FY 2022 Appropriation Request</b>	<b>95</b>	<b>20,626</b>

The United States Sentencing Commission (the Commission) requests \$20.6 million in FY 2022, a 3.3 percent increase over the FY 2021 enacted appropriation. The FY 2022 request reflects the necessary adjustments to base to maintain current services. The Commission requests no program increases for FY 2022.

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

**I. Discretionary Adjustments to Base**

The Commission requests \$0.7 million in adjustments to base for standard pay, benefit, and other inflationary adjustments.

**II. Appropriations Language**

**United States Sentencing Commission**  
**Salaries and Expenses**

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, [~~\$19,965,000~~]~~\$20,626,000~~, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

(P.L. 116-260 - Financial Services and General Government Appropriations Act, 2021)

### III. Summary of Obligations

<b>United States Sentencing Commission</b>			
<b>Comparative Summary of Obligations by Category</b>			
<b>(\$000)</b>			
<b>Category</b>	<b>FY 2020 Actual</b>	<b>FY 2021 Assumed</b>	<b>FY 2022 Request</b>
Compensation and Benefits	14,423	16,047	16,350
Rent, Communications and Utilities	22	23	24
Travel	74	150	300
Other	5,019	3,745	3,952
<b>Total Direct Obligations</b>	<b>19,538</b>	<b>19,965</b>	<b>20,626</b>
Other Adjustments	132	-	-
<b>Available Appropriation</b>	<b>19,670</b>	<b>19,965</b>	<b>20,626</b>

### Title III Administrative Provisions – The Judiciary

**Note: For bill language, the judiciary used the language from P.L. 116-260, Financial Services and General Government Appropriations Act, 2021. Therefore, the bracketed and italicized changes reflected below are being made to FY 2021 language as it appears in Public Law 116-260.**

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

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

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

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

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

SEC. 306. (a) Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended [in the matter following paragraph 12–]

[(1)]in the second sentence (relating to the District of Kansas) *following paragraph (12)*, by striking “[29]30 years and 6 months” and inserting “[30]31 years and 6 months”.]; and]

[2] in the sixth sentence (relating to the District of Hawaii), by striking “26 years and 6 months” and inserting “27 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 “[27]28 years and 6 months” and inserting “[28]29 years and 6 months”.

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

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

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

(3) *in the first sentence by striking “[18]19 years” and inserting “[19]20 years”;*

(4) *by adding at the end of the first sentence the following: “The first vacancy in the office of district judge in the northern district of Alabama occurring 19 years or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled.”;*

(5) *in the [second]third sentence (relating to the central District of California), by striking “[17]18 years and 6 months” and inserting “[18]19 years and 6 months”;* and

(6) *in the [third]fourth sentence (relating to the western district of North Carolina), by striking “[16]17 years” and inserting “[17]18 years”.*

This title may be cited as the “Judiciary Appropriations Act, [2021]2022”.

#### Explanation of Changes

- The above language extends eight temporary district judgeships for 12 months each: Arizona, California-Central, Florida-Southern, Kansas, Missouri-Eastern, New Mexico, North Carolina-Western, and Texas-Eastern.



**Judicial Retirement Funds**  
*Payment to Judiciary Trust Funds*

<b>FY 2022 Request</b>	
	<b>Mandatory</b>
	<b>FTE      (\$000)</b>
<b>FY 2021 Enacted Appropriation</b>	- 262,300
<b>Adjustments to Base</b>	- 10,300
<b>FY 2022 Appropriation Request</b>	- 272,600

The judiciary requests \$272.6 million in mandatory appropriations for the Judicial Retirement Funds in FY 2022, a 3.9 percent increase above the FY 2021 enacted level.

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

**I. Mandatory Adjustments to Base**

Based on independent actuarial calculations, a net increase of \$10.3 million is required for this account for FY 2022.

**II. Appropriations Language**

Sec. [618]\_\_. (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.

(P.L 116-260 - Financial Services and General Government Appropriations Act, 2021)

### III. Summary of Obligations

<b>Judicial Retirement Funds</b>			
<b>Comparative Summary of Obligations by Category</b>			
<b>(\$000)</b>			
<b>Category</b>	<b>FY 2020 Actual</b>	<b>FY 2021 Assumed</b>	<b>FY 2022 Request</b>
Other - Judicial Officers' Retirement Fund	203,900	229,400	238,100
Other - Judicial Survivors' Annuities Fund	32,400	29,100	30,400
Other - United States Court of Federal Claims Judges' Retirement Fund	3,800	3,800	4,100
<b>Total Obligations/Appropriations</b>	<b>240,100</b>	<b>262,300</b>	<b>272,600</b>

Judiciary Space Priorities  
for the  
Fiscal Year 2022 Budget Request

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# Courthouse Construction

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

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

## **Management of Fiscal Year 2016 Funding**

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

Each of these projects is in a different stage of development and construction. The AO continues to engage with GSA, USMS, and other Executive Branch stakeholders to ensure that additional milestones are reached, and projects remain on track. These activities include regular coordination and project status meetings; development of a communications and program management plan; establishment of a National Courthouse Change Management Board to provide key oversight of the changes impacting scope, schedule, and budget; and deployment of a program management dashboard to track progress. Coordination continues among judiciary stakeholders to address issues impacting the portfolio including risks, policies, and best practices.

## **Management of Fiscal Year 2018 Funding**

In FY 2018, Congress provided the remainder of funding needed to complete the project in Harrisburg, Pennsylvania (\$137.2 million), as well as complete construction funding for two additional projects: Huntsville, Alabama (\$110.0 million), and Fort Lauderdale, Florida (\$190.1 million). Both the Huntsville and Fort Lauderdale projects have received authorization and are underway.

## **Update to the *CPP***

In September 2020, the Judicial Conference of the United States approved an updated *CPP* list for FY 2022 and beyond. For FY 2022, Part I of the *CPP* includes two projects:

- Hartford, Connecticut – \$199.5 million for construction (\$135.5 million previously funded in FY 2021 for site, design, and construction)
- Chattanooga, Tennessee – \$94.6 million for construction (\$94.5 million previously funded in FY 2021 for site, design, and construction)

The Conference notes that GSA is completing a more detailed analysis of costs in Chattanooga and the outstanding funding need in that location may be updated once that analysis is finished.

In addition, the Judicial Conference declared a judicial space emergency for the Nazario U.S. Courthouse and Degetau Federal Building in Puerto Rico due to unique circumstances that have arisen as a result of GSA's planned seismic retrofit of the Degetau Federal Building and the significant detrimental impact it would have on district court components currently housed in the building. Consistent with past emergency declarations, the Puerto Rico project is now prioritized above all other new courthouse construction projects requested by the Judicial Conference.

The approved *CPP* reflects the addition of one new location – Anchorage, Alaska – to Part II of the plan. Based on the judiciary's Asset Management Planning (AMP) process, Urgency Evaluation scores, and the recommendations in the project's completed GSA feasibility study, Anchorage was added to Part II, where it joins Bowling Green, Kentucky; Greensboro/Winston Salem, North Carolina; McAllen, Texas; and Norfolk, Virginia.

# Judiciary Capital Security Program

FY 2022 Request	
<b>U.S. Courthouse Project</b>	<b>(\$000)</b>
<b>U.S. Courthouse, Augusta, Georgia</b>	<b>19,800</b>
<b>FY 2022 Request</b>	<b>19,800</b>

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

## Fiscal Year 2022 Projects

The judiciary’s FY 2022 request for the CSP is \$19.8 million. When combined with \$9.0 million of available prior year CSP funding, this request will satisfy the judiciary’s two highest CSP priorities: Detroit, Michigan and Augusta, Georgia. Actual projects funded, and the amounts associated with them, may change depending on the final amount appropriated for the CSP and the most recent project cost estimates available at the time of appropriation. If funding is limited or costs change, requested projects that cannot be accommodated within the available appropriation will be reduced in scope or deferred to the following fiscal year.

**1. Theodore Levin U.S. Courthouse, Detroit, Michigan. \$9.0 million (funded with \$9 million reallocated from cancelled Raleigh CSP Project)**

The Levin Courthouse was constructed in 1934 and is listed on the National Register of Historic Places. The 402,935 usable square feet, ten-story plus basement structure houses 13 courtrooms and 13 chambers. Security deficiencies at this courthouse will be partially addressed by constructing an enclosed USMS sally port; providing new screening stations and queuing areas at both public and staff lobbies; providing courtroom holding cells on two floors; and adding 2 new prisoner elevators to improve prisoner movement. This project was requested in FY 2019, FY 2020, and FY 2021, but no funding was provided in any of those fiscal years. In FY 2022, this project is proposed to be funded through the reallocation of \$9.0 million of available prior year funds originally provided for a CSP project in Raleigh, North Carolina, that was subsequently cancelled.

**2. U.S. Courthouse, Augusta, Georgia: \$19.8 million (\$19.8 million in appropriations requested for FY 2022)**

The U.S. Courthouse in Augusta was constructed in 1916 and expanded in 1930. It is listed on the National Register of Historic Places. The 28,321 usable square feet, three-story plus basement structure houses two courtrooms, one hearing room, and three

chambers. Security deficiencies at this courthouse will be addressed by replacing an existing open air carport with an enclosed USMS sally port and separate judges' parking area, enlarging/reconfiguring the existing security screening queuing area, providing a dedicated judges' elevator and a dedicated prisoner elevator, reconfiguring the first floor to provide secure and restricted circulation paths for prisoners and judges, and constructing a new prisoner movement circulation corridor over the first-floor roof to provide secure circulation on the second floor. This project was requested in FY 2019, FY 2020, and FY 2021, but no funding was provided.